



Town of Port Hedland

MINUTES

OF THE

SPECIAL MEETING

OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

THURSDAY 30 AUGUST 2012

AT 5.30 PM

IN COUNCIL CHAMBERS

McGREGOR STREET, PORT HEDLAND

*Purpose of Meeting: To consider:
Adoption of the 2012/13 Budget; and
Wanangkura Stadium Update*

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Town of Port Hedland for any act, omission, statement or intimation occurring during Council Meetings. The Town of Port Hedland disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, and statement of intimation occurring during Council Meetings.

Any person or legal entity that acts or fails to act in reliance upon any statement, act or omission occurring in a Council Meeting does so at their own risk. The Town of Port Hedland advises that any person or legal entity should only rely on formal confirmation or notification of Council resolutions.

*Ian Hill
Acting Chief Executive Officer*

OUR COMMITMENT

To enhance social, environmental and economic well-being through leadership and working in partnership with the Community.

ITEM 1	OPENING OF MEETING	4
1.1	OPENING	4
ITEM 2	RECORDING OF ATTENDANCE AND APOLOGIES.....	4
2.1	ATTENDANCE.....	4
2.2	APOLOGIES	4
2.3	APPROVED LEAVE OF ABSENCE.....	4
ITEM 3	PUBLIC TIME	5
3.1	PUBLIC QUESTION TIME	5
3.1.1	<i>Chris Whalley</i>	5
3.1.2	<i>Camilo Blanco</i>	5
3.2	PUBLIC STATEMENT TIME	7
ITEM 4	QUESTIONS FROM MEMBERS WITHOUT NOTICE.....	8
4.1	<i>Councillor Hooper</i>	8
ITEM 5	DECLARATION BY MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING	8
	DISCLAIMER.....	8
ITEM 6	REPORTS OF OFFICERS	9
6.1	CORPORATE SERVICES	9
6.1.1	FINANCE AND CORPORATE SERVICES	9
6.1.1.1	<i>Adoption of the 2012/13 Budget (File No.: .../...)</i>	9
6.2	ENGINEERING SERVICES.....	24
6.2.1	<i>Wanangkura Stadium Update (File No.: 26/14/0013)</i>	24
ITEM 7	LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL	41
ITEM 8	CONFIDENTIAL ITEMS	41
ITEM 9	CLOSURE.....	41
9.1	DATE OF NEXT MEETING	41
9.2	CLOSURE	41

ITEM 1 OPENING OF MEETING**1.1 Opening**

The Mayor declared the Special Meeting open at 5:35pm and acknowledged the traditional owners, the Kariyarra people.

ITEM 2 RECORDING OF ATTENDANCE AND APOLOGIES**2.1 Attendance***Elected Members*

Mayor Kelly A Howlett
Councillor George J Daccache
Councillor Arnold A Carter
Councillor Stan R Martin
Councillor Jan M Gillingham
Councillor David W Hooper
Councillor Michael (Bill) Dziombak
Councillor Julie E Hunt

Officers

Mr Ian Hill	Acting Chief Executive Officer
Ms Natalie Octoman	Director Corporate Services
Mr Gordon MacMile	Director Community Development
Mr Eber Butron	Director Planning and Development
Ms Jenella Voitkevich	Acting Director Engineering Services
Mr Ayden Férdeline	Acting Coordinator Governance
Ms Grace Waugh	Administration Officer, Governance

2.2 Apologies

Nil

2.3 Approved Leave of Absence

Councillor Gloria A Jacob

ITEM 3 PUBLIC TIME

NOTE: Pursuant to section 7 (4)(b) of the Local Government (Administration) Regulations 1996, members of the public have the opportunity to ask questions pertaining only to relevant Council Business at Special Meetings.

7. *Question time for public, procedure for (Act s. 5.24(2))*
(4) *Nothing in subregulation (3) requires —*
(b) *a council at a special meeting to answer a question that does not relate to the purpose of the meeting; or*

Mayor opened Public Question Time at 5:37pm.

3.1 Public Question Time**3.1.1 *Mr Chris Whalley***

I have previously asked whether or not Wanangkura Stadium could be referred to as the 'South Hedland Wanangkura Stadium.' What is the status of this?

Director Community Development referred Mr Whalley to his response at the last Ordinary Meeting of Council, where he advised that a response would be provided at the next Ordinary Meeting of Council.

3.1.2 *Mr Camilo Blanco*

Why was \$40 million placed into the municipal fund when it was a resolution of Council that it be stored in the Spoilbank Marina Reserve account?

Director Corporate Services advised that the municipal account is the account the Town maintains to which all contributions are credited before funds are diverted to more specific general ledgers.

Where shall the interest be credited that is generated from that \$40 million?

Director Corporate Services advised that, as the Council resolution indicated, the interest will be credited to the municipal account.

The Council resolution said that the interest generated from the Spoilbank Marina Reserve would be brought back to Council, has this happened?

Director Corporate Services advised this will occur as part of the budget adoption process.

On page 25 of the draft Budget, \$1.5 million has been transferred out of the Spoilbank Marina Reserve. Why and what for?

Director Corporate Services advised that \$1.5 million is proposed to be expended in the 2012/13 financial year to undertake feasibility studies.

Acting Chief Executive Officer advised that until such time that appropriate agreements have been executed with Landcorp and the State Government, funds will not be expended.

On page 36, under reconciliation of cash, total restricted are listed at assets \$60,761,803. Is this figure correct?

Director Corporate Services advised in the affirmative.

Are the funds allocated to the Wallwork Road Bridge restricted or reserved?

Director Corporate Services advised that the funds are not restricted.

How much has been allocated to the Wallwork Road Bridge in this Budget?

Director Corporate Services advised that this information can be found on page 127 of the draft Budget. Funds of \$20,326,728 have been allocated to account number 1201402.

On page 88, account number 813275, the forecast actual for Caravan Park and Backpacker Site Feasibility is budgeted at \$300,000. Who will we pay that much money to and was the \$78,000 that BHP Billiton contributed in addition to that \$300,000?

Director Corporate Services advised that the total allocation for this project is \$500,000, which has been fully sourced from BHP Billiton. The revised budget is \$300,000, with \$200,000 carried over into the 2012/13 financial year.

Director Community Services advised that a consultant has been appointed to undertake this work as part of the tender process.

The original budget for account 1201402 (Wallwork Road Bridge) in 2011/12 was \$23,129,438. \$1,634,757 was allocated for works; however, there is \$1,167,953 missing. Where are these funds held?

Director Corporate Services explained that this discrepancy is because the funds were expended prior to the 2011/12 financial year.

Should it be reflected in this budget?

Mayor advised that the Budget presented before Council tonight is accurate.

On page A1, supplementary information, it is noted that \$235,000 will be spent on road construction this financial year. Does this figure incorporate works for the whole town?

Director Corporate Services advised in the affirmative; explaining that roads throughout the local government district are funded through a diversity of sources.

So that \$235,000 is the amount that the Town of Port Hedland is contributing towards road construction?

Acting Chief Executive Officer advised in the affirmative.

Why is there no budget for footpath construction in South Hedland this financial year? And yet Port Hedland has been allocated \$185,000.

Mayor referred to the Pilbara Underground Power Project (PUPP) and noted that the construction of new footpaths in South Hedland has been placed on hold until this project is complete.

The sum allocated towards the reseal program (\$400,000), is this for the entire district?

Mayor advised in the affirmative.

Mayor closed Public Question Time at 5:48pm.

Mayor opened Public Statement Time at 5:49pm.

3.2 Public Statement Time

Nil

Mayor closed Public Statement Time at 5:49pm.

ITEM 4 QUESTIONS FROM MEMBERS WITHOUT NOTICE**4.1 *Councillor Hooper***

I received a letter of request from the Alliance Dance Company about rescheduling their concert, as this was supposed to be held in Wanangkura Stadium.

Mayor advised that this matter will be addressed by the Director Community Development.

ITEM 5 DECLARATION BY MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING

Mayor K A Howlett	Cr A A Carter
Cr D W Hooper	Cr J M Gillingham
Cr G J Daccache	Cr J E Hunt
Cr M B Dziombak	Cr S R Martin

Disclaimer**IMPORTANT NOTE:**

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

ITEM 6 REPORTS OF OFFICERS**6.1 Corporate Services****6.1.1 Finance and Corporate Services****6.1.1.1 *Adoption of the 2012/13 Budget (File No.: .../...)*****Officer****Natalie Octoman
Director Corporate
Services****Jodie McMahon
Manager Financial
Services****Date of Report****22 August 2012****Disclosure of Interest by Officer**

Financial Interest as salary and conditions of officers are incorporated within the municipal budget.

Summary

For Council to consider and adopt the 2012/13 Annual Budget together with supporting schedules.

Background

The 2012/13 draft budget has been prepared over the last six months, principally as a result of five budget workshops conducted with Elected Members and Senior Management.

The proposed differential rates were adopted on 23 May 2012 and advertised for public comment. One formal submission was received by 27 June 2012 when the public comment period closed.

A further Budget Forum was held with Elected Members to consider the rates model, with a revised rating model being adopted by Council on 11 July 2012. In accordance with section 6.36 (5)(b) of the *Local Government Act*, a local government is not required to give local public notice of the modified rates or minimum payments and therefore sought Ministerial approval to impose differential rates in its unimproved value and gross rental value areas that exceeded the statutory two times limit and to impose minimum payments on more than 50% of vacant properties in its UV Mining Vacant and UV Other Vacant rating categories. Approval was provided to the Town on 13 August 2012.

On 13 June 2012, Council adopted the rates concessions proposed with some applications being reconsidered on 25 July (those who had been provided either a 50% or nil concession), and subsequent applications being considered on 8 August. A complete listing of rates concessions adopted by Council has been incorporated in the draft 2012/13 Budget.

On the 16th of August, Council formally endorsed the 5 year plans, new items and new staffing requirements.

Each of recommendations from Council throughout the process has been captured and forms part of the 2012/13 draft Budget.

Consultation

The annual budget process is significant in terms of its importance and also the time and resources required to be committed to the process to ensure its accuracy and timeliness.

Executive members, Managers and staff within the organisation have been significantly involved in many of the stages outlined below in order to present Elected Members with each of the proposals throughout the process.

The following outlines the consultation processes that have been undertaken in order to provide the opportunity for both the community and Elected Members to contribute to the 2012/13 Annual Budget process:

- 22 February 2012 Ordinary Council Meeting – Council adopted a budget timetable and assumptions for developing the 2012/13 Budget
- 7 March – public advertising for Community Budget Requests and Rates Concessions commenced
- 21 March 2012 Concept Forum – Elected Members considered the proposed loans, reserves and 5 year plans
- 4 April 2012 Concept Forum – Elected Members considered base funding requirements for current staff, rates in the dollar, fees and charges, loans, reserves, five year plans and Elected Member Allowances
- 2 May 2012 Concept Forum – Elected Members considered the proposed five year plans, fees and charges, new items including community budget requests and new staff, plus rates in the dollar
- 23 May 2012 Ordinary Council Meeting – Council adopted for advertising the proposed rates in the dollar

- 6 June 2012 Concept Forum – Elected Members finalized new items, including new staff proposed and requested the administration to review the items for organizational priorities and progress with the process in order to present a balanced budget for Council consideration
- 13 June 2012 Ordinary Council Meeting – Council adopted Rates Concessions
- 3 July 2012 Budget Forum – Elected Members further considered the rates in the dollar after the public submission period
- 11 July 2012 Ordinary Council Meeting – Council adopted the modified rates in the dollar proposed
- 25 July 2012 Ordinary Council Meeting – Council reconsidered Rates Concessions for those applicants previously provided either a 50% or nil concession
- 8 August 2012 Ordinary Council Meeting – Council considered subsequent applications for Rates Concessions
- 16 August 2012 Ordinary Council Meeting – Council endorsed the five year plans, new items and new staffing requirements.

Statutory Implications

Local Government Act 1995

2.7. The role of the council

(1) The council:

- (a) directs and controls the local government's affairs; and*
- (b) is responsible for the performance of the local government's functions.*

(2) Without limiting subsection (1), the council is to:

- (a) oversee the allocation of the local government's finances and resources; and*
- (b) determine the local government's policies.*

6.2. Local government to prepare annual budget

During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.*

** Absolute majority required.*

- (2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of—*

- (a) the expenditure by the local government; and*
 - (b) the revenue and income, independent of general rates, of the local government; and*
 - (c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.*
- (3) For the purposes of subsections (2)(a) and (b) all expenditure, revenue and income of the local government is to be taken into account unless otherwise prescribed.*
- (4) The annual budget is to incorporate —*
 - (a) particulars of the estimated expenditure proposed to be incurred by the local government; and*
 - (b) detailed information relating to the rates and service charges which will apply to land within the district including —*
 - (i) the amount it is estimated will be yielded by the general rate; and*
 - (ii) the rate of interest (if any) to be charged by the local government on unpaid rates and service charges; and*
 - (c) the fees and charges proposed to be imposed by the local government; and*
 - (d) the particulars of borrowings and other financial accommodation proposed to be entered into by the local government; and*
 - (e) details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used; and*
 - (f) particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and*
 - (g) such other matters as are prescribed.*
- (5) Regulations may provide for —*
 - (a) the form of the annual budget; and*
 - (b) the contents of the annual budget; and*
 - (c) the information to be contained in or to accompany the annual budget.*

6.33. Differential general rates

- (3) In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.*

6.38. Service charges

- (1) A local government may impose on —*
 - (a) owners; or*
 - (b) occupiers,**of land within the district or a defined part of the district a service charge for a financial year to meet the cost to the local government in the provision of a prescribed work, service or facility in relation to the land.*
- (2) A local government is required to —*
 - (a) use the money from a service charge in the financial year in*

- which the charge is imposed; or*
- (b) to place it in a reserve account established under section 6.11 for the purpose of that work, service or facility.*
- (3) Where money has been placed in a reserve account under subsection (2)(b), the local government is not to —*
- (a) change the purpose of the reserve account; or*
- (b) use the money in the reserve account for a purpose other than the work, service or facility for which the charge was imposed, and subsections (2), (3) and (4) of section 6.11 do not apply to such a reserve account.*
- (4) A local government may only use the money raised from a service charge —*
- (a) to meet the cost of providing the specific service for which the work, service or facility charge was imposed; or*
- (b) to repay money borrowed for anything referred to in paragraph (a) and interest on that money.*

Local Government (Financial Management) Regulations 1996

56. Contents of rate notice — s. 6.41

- (4) The following information is to accompany or be included in the rate notice —*
- (a) a brief statement of the objects and reasons for —*
- (i) any differential rates imposed by the local government under section 6.33;*
- (ii) any differential minimum payments imposed by the local government under section 6.35(6)(c); and*
- (iii) any service charges imposed by the local government;*
- (b) if a differential general rate or minimum payment differs from the proposed rate or payment set forth in the local public notice given under section 6.36, reasons for the difference.*

As detailed above, section 6.2 of the *Local Government Act 1995* is specifically relevant along with Divisions 5 and 6 which refer to the setting of budgets and raising of rates and charges. The *Local Government (Financial Management) Regulations 1996* details the form and content of the budget. The draft 2012/13 budget as presented is considered to meet the statutory requirements.

Policy Implications

The 2012/13 draft Budget document has been developed in accordance with the following Council policies:

- 2/001 Significant Accounting Policies
- 2/002 Budget Strategy
- 2/004 Rating
- 2/013 Rates Exemption Policy (Non Rateable Land)
- 2/014 Rates Concession Policy (Rateable Land)
- 3/004 Conferences – Study Tours
- 4/003 Annual Attendance Fee for Council Members
- 6/003 Community Funding & Donations Policy

Strategic Planning Implications

The Budget has been aligned to the recently adopted Strategic Community Plan, which provides direction as to how the Council's resources should be allocated in order to achieve the Plan's goals. It has also been aligned to the draft Corporate Business Plan and will be incorporated as year one of the 10 Year Long Term Financial Plan that is being developed as part of the Integrated Strategic Planning and Reporting Framework.

Budget Implications

The Annual Budget is the primary means for a local government to manage and allocate its financial resources. The Budget also provides the ability to impose rates, which is the primary means for a Council to raise income to fund the upcoming year's projects. Should Council not adopt the budget at this time, the issuing of rates will be delayed and approval would need to be sought from the Minister for an extension to the adoption of the annual budget.

Officer's Comment

While the Town of Port Hedland is currently implementing the Integrated Strategic Planning and Reporting Framework including the 10 Year Financial Plan, the process for developing the 2012/13 budget has largely remained unchanged.

The Budget Document

The Budget Document represents effectively over 6 months work in bringing the total budget together and meets the expectations of both Council and the administration. Due to financial management regulation requirements, the Statutory Budget Document is similar to the Annual Financial Statements, having to meet various accounting and statutory reporting requirements. The budget is currently in balance (based on the below recommendations) and any changes will require the document to be amended.

There is an additional management component again this year which outlines the 5 Year Plans previously discussed with Council.

As Council is aware, the Town of Port Hedland performs quarterly budget reviews, which allows the Budget to be "flexed" as a result of changing situations. Should Council wish to amend the proposed budget, this is easier to be performed through the Budget Review Process, requiring less statutory reporting and/or advertising to occur. Should any proposed change result in a change in rates, all rates notices will require additional disclosure information, which will delay Council in charging and therefore collecting rates.

Attachments

- 2012/13 Draft Budget
(Attached under separate cover.)

**201213/094 Council Decision/Officers Recommendation/
En Bloc Resolution No. 1**

Moved: Cr Carter

Seconded: Cr Daccache

That Council adopts en bloc Officer's Recommendations 1 to 20 incorporated into Item 6.1.1.1 '2012/13 Budget Adoption.'

CARRIED BY ABSOLUTE MAJORITY 7/1

For	Against
Mayor K A Howlett	Cr S R Martin
Cr G J Daccache	
Cr A A Carter	
Cr J M Gillingham	
Cr D W Hooper	
Cr J E Hunt	
Cr M B Dziombak	

Officer's Recommendation 1

That Council, pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the *Local Government Act 1995*, imposes general and differential rates on Gross Rental Values and on Unimproved Values for the financial year 2012/13 as follows:

Rate Category	Cents in the Dollar
General Rates – Gross Rental Values	
GRV Residential	3.1025
GRV Commercial	3.1340
GRV Industrial	3.1025
GRV Shopping Centre	6.2050
GRV Mass Accommodation	7.4551
GRV Ex Gratia	3.1025
Differential Rates – Unimproved Valuations	
UV Mining Improved	35.3748
UV Mining Vacant	35.3747
UV Pastoral	5.7685
UV Other	11.7216
UV Other Vacant	13.3060

and for the purpose of general and differential rating, the following rate zone categories apply:

Residential

Includes all properties within the Town boundaries, classified for residential use in the Town Planning Scheme No 5, Port Hedland.

Commercial

Includes all properties within the Town boundaries, classified for commercial use (excluding properties classified as Shopping Centre) in the Town Planning Scheme No.5 Port Hedland.

Industrial

Includes all properties within the Town boundaries, classified for industrial use in the Town Planning Scheme No.5 Port Hedland.

Shopping Centre

Includes properties located at Lot 4 Throssell Road, South Hedland and Lot 724 Wilson Street, Port Hedland.

Ex Gratia

Includes all Government properties within the Town boundaries leased by Commonwealth third parties.

Mass Accommodation

Includes properties exceeding 80sqm within the district boundaries, approved and predominately utilized for the following activities, as identified in the Town Planning Scheme No.5

Holiday Accommodation

Hotel

Lodge

Motel

Transient Workforce Accommodation

Tourism Development

Tourism Resort

Mining Improved

Includes all properties that currently operate under a mining lease tenure, and the land is significantly improved.

Mining Vacant

Includes all properties that currently operate under a mining lease tenure, and the land is not significantly improved.

UV Pastoral

Includes all properties that currently operate under a pastoral lease tenure.

UV Other

Includes all properties that do not meet criteria of any other rate zoning category and are significantly improved.

UV Other Vacant

Includes all properties that don't meet the criteria of any other rate zoning category and are not significantly improved.

CARRIED BY EN BLOC RESOLUTION NO. 1

Officer's Recommendation 2

That Council, pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the *Local Government Act 1995*, impose minimum rates according to the purpose for which the land is zoned or used and whether or not it is improved as follows:

Rate Category	Cents in the Dollar
General Rates – Gross Rental Values	
GRV Residential	\$1,040
GRV Commercial	\$1,040
GRV Industrial	\$1,040
GRV Shopping Centre	\$1,040
GRV Mass Accommodation	\$1,070
GRV Ex Gratia	\$1,040

Differential Rates – Unimproved Valuations	
UV Mining Improved	\$1,040
UV Mining Vacant	\$1,040
UV Pastoral	\$1,040
UV Other	\$1,040
UV Other Vacant	\$1,040

CARRIED BY EN BLOC RESOLUTION NO. 1

Officer's Recommendation 3

That Council, pursuant to section 6.45 of the *Local Government Act 1995* and in accordance with regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, nominates the following instalment dates for the payment of rates and service charges (related to underground power) for the 2012/13 financial year:

29 October 2012	Payment in full or 1 st Instalment
31 December 2012	2 nd Instalment
4 March 2013	3 rd Instalment
2 May 2013	4 th Instalment

CARRIED BY EN BLOC RESOLUTION NO. 1

Officer's Recommendation 4

That in accordance with Section 6.47 of the *Local Government Act 1995*, 100% rating concessions be granted to the following

- 1 - A106283 19 (Lot 5486) Hamilton Road, South Hedland
- 2 - A115030 2 Thompson Street, Port Hedland
- 3 - A155850 5/22-26 Throssell Road, South Hedland
- 4 - A803051 P48 Wharf Road, Port Hedland
29 Johnson Lane, Port Hedland (Pretty Pool
Stables)
- 5 - A130005
- 6 - A113927 22 Beroona Loop, South Hedland
- 7 - A400610 10 Smith Street, South Hedland
- 8 - A152556 6/ 25-35 Egret Cr, South Hedland
- 9 - A156550 10 McKay Street, Port Hedland
- 10 - A106282 1-5 Hamilton Road, South Hedland
- 11 - A802207 34 Lawson Street, South Hedland
- 12 - A406870 69 Stanley Street, South Hedland
- 13 - A802155 Lot 254 Shoata Road, South Hedland
Lot 2529 Great Northern Highway, Port
Hedland
- 14 - A130165
- 15 - A156260 Loc 118 Madigan Road, Port Hedland
29 Johnson Lane, Port Hedland (Pretty Pool
Stables)
- 16 - A805022

and that 50% rating concessions be granted on the following:

- 1 - A154780 4 Treloar Close, South Hedland
- 2 - A130114 2 Leake Street, South Hedland
- 3 - A402430 Lot 2513 Dempster Street, Port Hedland

The total value of concessions for 2012/13 is \$85,667.00

CARRIED BY EN BLOC RESOLUTION NO. 1

Officer's Recommendation 5

That Council notes that the concessions outlined in Recommendation 4 above do not incorporate those community groups that have been deemed charitable, and have been classified as exempt under section 6.26 of the *Local Government Act 1995*.

CARRIED BY EN BLOC RESOLUTION NO. 1

Officer's Recommendation 6

That Council:

- a) In accordance with section 6.51 of the *Local Government Act 1995*, impose interest at 11% per annum calculated on a daily basis on rates and service charges, excluding underground power service charge and sundry debtors, remaining unpaid (excluding eligible pensioners opting to defer the payment of their rates) if no installment option taken.
- b) In accordance with section 6.51 of the *Local Government Act 1995*, impose interest, at a nominal charge equal to the cost of Council in loan funds for the Pilbara Underground Power, charge remaining unpaid (excluding eligible pensioners opting to defer the payment of their rates).

CARRIED BY EN BLOC RESOLUTION NO. 1

Officer's Recommendation 7

That Council, pursuant to section 6.38 of the *Local Government Act 1995*, imposes the following service charges for underground power:

- a) Connection Fee: \$1,027.58
- b) kVA Fee: \$137.58

CARRIED BY EN BLOC RESOLUTION NO. 1

Officer's Recommendation 8

That Council, pursuant to section 6.47 of the *Local Government Act 1995*, provides the following rebates for the service charges applicable to the underground power charges:

- a) Pensioners: 5%
- b) Not For Profit Organisations: 5%
- c) Small Businesses: 5%

Whereby all rebates will be subject to eligibility tests as follows:

- Pensioner Rebate Test:- eligible pensioner as per the *Rates and Charges (Rebates and Deferments Act) 1992*
- Not for Profit Organisation Rebate Test:- Those organisations receiving Rates Concessions or Rates Exemptions as per Council's Policy's
- Small Businesses:- must satisfy the following conditions:
 - Must have less than 20 employees
 - Turnover is less than \$2,000,000 per annum

CARRIED BY EN BLOC RESOLUTION NO. 1

Officer's Recommendation 9

That Council, in accordance with section 6.54(3) of the *Local Government Act 1995* and Regulation 67 of the *Local Government (Financial Management) Regulations 1996*, impose administration fess as follows (excluding eligible pensioners and underground power service charges):

- a) Payment of rates and service charges by instalments - \$12.60 plus interest at 5.5% per annum calculated daily.
- b) Late payment of rates and services charges - \$62.80
- c) Payment of rates and service charges by alternative arrangement or a late payment penalty - \$62.80 per arrangement plus interest at 5.5% per annum calculated daily.

CARRIED BY EN BLOC RESOLUTION NO. 1

Officer's Recommendation 10

Pursuant to section 67 of the *Waste Avoidance and Resources Recovery Act 2007*, that Council imposes the following charges for the 2012/13 financial year:

- a) An Annual Classic Collection charge of \$220.70 for one (1) service per week, verge collection of waste from a 240 Litre Mobile Garbage Bin; and
- b) An Annual Premium Collection Charge of \$441.40 for one (1) service (i.e. per bin emptied of waste each week) for the collection of waste from a 240 Litre Mobile Garbage Bin, where the bin is manually picked up from the property, emptied and returned.

CARRIED BY EN BLOC RESOLUTION NO. 1

Officer's Recommendation 11

That Council adopts the proposed fees and charges for the 2012/13 as contained within the 2012/13 Budget Document.

CARRIED BY EN BLOC RESOLUTION NO. 1

Officer's Recommendation 12

That Council, in accordance with section 6.20 of the *Local Government Act 1995*, raises the following loans in 2012/13:

Catamore Court Housing (carry forward)	\$1,095,000
GP Housing Project (carry forward)	\$1,500,000
South Hedland Bowling & Tennis Club	
Self Supporting Loan (carry forward)	\$500,000
Wallwork Road Bridge (carry forward)	\$850,000
Pilbara Underground Power Project	\$6,871,853
Civic Centre Refurbishment	\$5,000,000
Airport Redevelopment	\$15,075,000

CARRIED BY EN BLOC RESOLUTION NO. 1

Officer's Recommendation 13

Pursuant to sections 5.99, 5.99A, 5.98(5), 5.98A of the *Local Government Act 1995* and regulations 34, 34A, 34AA, 33 and 33A of the *Local Government (Administration) Regulation 1996*, that Council adopts the following Councillor fees and allowances for 2012/13:

Meeting Fees (x1 for Councillors, x2 for Mayor)	\$7,000
Communication Allowance	\$2,400
Technology Allowance (or access to a laptop)	\$1,000
Mayoral Allowance	\$60,000
Deputy Mayor Allowance	\$15,000

CARRIED BY EN BLOC RESOLUTION NO. 1

Officer's Recommendation 14

That Council, in accordance with section 6.11 of the *Local Government Act 1995*, approves the creation of an Asset Management Reserve with the purpose being: "for the ongoing maintenance, refurbishment and development of Council owned assets within the Town of Port Hedland".

CARRIED BY EN BLOC RESOLUTION NO. 1

Officer's Recommendation 15

Note that at the Special Council Meeting on 30 November 2011, Council approved the creation of the Underground Power Reserve with the purpose being for "the installation of underground power within the Town of Port Hedland."

CARRIED BY EN BLOC RESOLUTION NO. 1

Officer's Recommendation 16

In accordance with regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, and *AASB 1031 Materiality*, that Council adopts the following percentage or dollar value for determining and reporting material variances in 2012/13 as follows:

- a) 10% of the Function amended budget; or
- b) \$100,000 of the Function amended budget

whichever is the lesser, for the following categories of revenue and expenditure:

- i) Operating Revenue
- ii) Operating Expenditure
- iii) Non-Operating Revenue
- iv) Non-Operating Expenditure

CARRIED BY EN BLOC RESOLUTION NO. 1

Officer's Recommendation 17

That Council adopts the Statutory Annual Budget for the year ending 30 June, including the Rate Setting Statement requiring \$22,035,451 rates to be raised (as presented).

CARRIED BY EN BLOC RESOLUTION NO. 1

Officer's Recommendation 18

That Council adopts the 5 Year Plans incorporated into the supplementary information section of the 2012/13 Annual Budget document for the years 2012/13 to 2016/17 recognising the funds as committed by Council and that they will form part of the 10 Year Long Term Financial Plan (as presented).

CARRIED BY EN BLOC RESOLUTION NO. 1

Officer's Recommendation 19

That Council notes that the Corporate Business Plan for 2012/13 will be reflective of the final Budget adopted by Council.

CARRIED BY EN BLOC RESOLUTION NO. 1

Officer's Recommendation 20

That Council notes that as part of the development of the Town's Integrated Strategic Planning and Reporting Framework (a requirement of the Department of Local Government), that the 2012/13 Annual Budget will form the first year when developing the 10 Year Financial Plan, Workforce Plan including Housing and Accommodation Strategy, Asset Management Plan and ICT Strategy.

CARRIED BY EN BLOC RESOLUTION NO. 1

6.2 Engineering Services**6.2.1 *Wanangkura Stadium Update (File No.: 26/14/0013)*****Officer****Ian Hill
Acting Chief
Executive Officer****Jenella Voitkevich
Acting Director
Engineering Services****Gordon MacMile
Director Community
Development****Eber Butron
Director Planning
and Development****Natalie Octoman
Director Corporate
Services****Date of Report****22 August 2012****Disclosure of Interest by Officer****Nil****Summary**

The purpose of this report is to provide Council with updated information regarding the temporary closure of Wanangkura Stadium, as well as the decisions and actions from the subsequent report presented at the Ordinary Council Meeting on 8 August 2012.

Council is requested to note the additional information provided and acknowledge the progress to date on items listed in the Council decision from that meeting.

Background

The Ordinary Council Meeting held on 8 August 2012 was presented with a report regarding the temporary closure, compliance limitations and proposed solutions at Wanangkura Stadium. The following Council decision resulted from that meeting:

*“201213/064 Council Decision**That Council:*

- 1. Approves the implementation of the recommended remediation strategy (Option 6) for fire safety including installation of water tanks and pumps and relocation of fire booster, subject to final design and authority approval process*
- 2. Sets aside the provisions in Council’s Procurement Policy 2/007 and Tender Policy 2/011, due to the urgency of the situation, and authorises the CEO and delegated officers to negotiate a variation to Contract 10/19 Construction of Multipurpose Recreation Centre to Doric Constructions for the purpose of supply and installation of the remediation strategy, up to the value of the surplus budget available*
- 3. Requests the CEO to arrange for an independent review of the project history, compliance, processes and responsibilities and present this report to Council*
- 4. Approves the waiving of membership fees outlined in this report for the period from the closure until reopening*
- 5. Requests a further report to Council when the costs of remediation works and Stadium budget impacts are accurately quantified*
- 6. Clarifies that, contrary to some media reports, Elected Members were not aware of water and fire services issues and actions prior to the ceremonial opening*
- 7. Seeks clarification as to the comments made by the Premier on radio talkback, which may have given the impression of Elected Members’ prior awareness*
- 8. Seeks independent advice as to whether Elected Members not being informed of the water and fire services issues prior to the ceremonial opening constitutes a breach of the Local Government Act 1995.*

CARRIED BY ABSOLUTE MAJORITY 6/0”

This report will provide an update on the progress to date addressing each item in the Council decision above.

Consultation

External

- Doric Construction
- Thinc Projects
- Aurecon Consultants – fire and hydraulic engineering
- YMCA Perth
- Building Commission
- McLeod's Solicitors.

Internal

- Executive team
- Manager Recreation Facilities and Services
- Manager Community Development
- Coordinator Community Development and Culture
- Recreation Coordinator
- Supervisor JD Hardie Centre.

Statutory Implications

The waiving of membership fees must be considered in accordance with section 6.12 of the Local Government Act:

“6.12 Power to defer, grant discounts, waive or write off debts

- (1) *Subject to subsection (2) and any other written law, a local government may —*
- (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;*
 - (b) *waive or grant concessions in relation to any amount of money; or*
 - (c) *write off any amount of money, which is owed to the local government.*

** Absolute majority required.*

- (2) *Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.*
- (3) *The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.*
- (4) *Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.”*

Policy Implications

Quotes for the undertaking of the independent review (item 3) will be sourced in accordance with Council's Procurement Policy 2/007.

Strategic Planning Implications

Strategic Community Plan 2012 to 2022

Community – We are a friendly, exciting city of neighbours that is vibrant and diverse.

- 6.1.2 Vibrant – Provide access to recreational, cultural, entertainment facilities and opportunities.

Budget Implications

Decision Items 1 & 2 (Implementation of Remediation Strategy):

A report was presented at the Ordinary Council Meeting on 22 August 2012 with the following decision relating to these items:

“That Council:

- 1. Approves the implementation of stage 1 of the recommended remediation strategy for fire services at Wanangkura Stadium by means of variation to Contract 10/19 to Doric Constructions to the value of \$432,927 plus GST*
- 2. Notes there will be a further report to Council for the implementation of stage 2, inclusive of budget implications, prior to commencement of works.”*

Decision Item 3 (Independent Review):

At the time of preparing this report the quotes had not been received for the scope of works, however an allocation of \$60,000 has been included in the 2012/13 proposed budget (pending adoption by Council this meeting). A further report will be presented to Council should these costs prove insufficient.

Decision Item 4 & 5 (Remediation Costs, Operational Impacts and Waiving of Membership Fees):

The value of stage 1 of the remediation strategy is \$432,927 plus GST. The cost for stage 2 of the strategy is still being finalized and will be presented to Council for approval in accordance with the recommendation from the Ordinary Council Meeting on 22 August.

Operational Impacts (Financial)

The financial impacts detailed in the Table 1 below are estimates based on currently known budget forecasts. Operational impacts of the closure will be both the direct cost of closing Wanangkura Stadium, as well as the impact that temporarily relocating programs and services to the JD Hardie Centre, has on the programs and services delivered by the Town's Community Development department. The full impact is not likely to be known until the first or second quarterly budget review.

The OCM 28 March 2012 endorsed the YMCA as operators of the Town's three leisure facilities for the next four years, with the subsequent contract including budget information contained within the tender and subsequent negotiations. The final budget implications of closing the Stadium will not be known until negotiations with the YMCA can be completed and an overall amended budget determined.

Table 1 – Income breakdown Wanangkura Stadium

Income Category	Annual Budget (\$)	Monthly Budget (\$)	Anticipated Impact (\$)	Comment
Facility Rental Income				
Function Room Rental	\$29,522.73	\$2,460.00	\$2,290.00	Three bookings for the Jimblebar Room
Meeting Room Rental	\$12,301.14	\$1,025.00	\$1,750.00	Two meeting room booking
Sports Hall Rental	\$12,990.00	\$1,082.00	\$7,200.00	Alliance Dance Company and Shiver not able to use the facility
Squash Court Rental	\$10,825.00	\$902.00	\$4,025.00	The facility was averaging 5.75 hours of booking / day
Café Income	\$44,965.00	\$3,747.00	Not determinable	Not operational
Sponsorship Income	\$11,500.00	\$958.00	Nil	No sponsorship income
Program and Service Income				
Crèche Income	\$18,750.00	\$15,625.00	Minimal	Potential saving at income was \$37.50 per day expenditure in wages was \$192.00
Children's Program Income	\$10,472.73	\$872.00	Minimal	Programs had not commenced
Holiday Program Income	\$39,272.73	\$9,818.00	Minimal	The first program is planned for the September school holidays.
Birthday Party Income	\$8,020.76	\$668.00	Minimal	No bookings received
Casual Group Fitness and Health Club Income	\$36,355.37	\$3,029.00	Minimal	Group fitness and gym programs are being offered at the JD Hardie Centre. Casual users are still required to pay.
Health Club Membership Income	\$612,496.46	\$51,042.00	\$54,028	Based on the current the number of Platinum, gym and group fitness members.
Personal	\$12,000.00	\$1,000.00	Not	Program had not

Training Income			determinable	commenced. The delay will have an impact on the income received
Adult Programs Income	\$14,727.27	\$1,227.00	Not determinable	Program had not commenced. The delay will have an impact on the income received however expenditure on salaries will reflect some savings.
Adult Sports Competition	\$22,109.22	\$10,175.00	\$10,175	Program had not commenced. The delay will have an impact on the income received however expenditure on salaries will reflect some savings.
Junior Sports Competition	\$23,959.09	\$1,997.00	\$1,997	Program had not commenced. The delay will have an impact on the income received however expenditure on salaries will reflect some savings.
TOTAL	\$1,020,267.49	\$85,022.00	\$81,465.00	

Based on the information outlined in Table 1, the closure of Wanangkura Stadium will cost approximately \$81,465 in lost income. This figure is based only on actual membership numbers. The amount is thought to be conservative, given the positive reaction by the community over the opening weekend. It is likely that there would have been growing enthusiasm for the wide range of programs and services on offer at the Centre.

Over a two week period the negligible sum of \$260.00 has been collected by the YMCA for the delivery of programs. This amount reflects a small off set for the cost incurred in providing the interim service. This amount has been collected from casual users of the gym and group fitness programs.

The loss of income is exacerbated by the cost of delivering an interim health and fitness service to the community. While some savings are being made as a result of programs and services not being delivered, there are permanent staff, casual instructors and customer service staff who continue to be engaged, either providing classes or preparing for the re-opening of Wanangkura Stadium.

The cost of employing YMCA staff to manage, and deliver programs at the JD Hardie Centre and other locations was \$22,907.00 for the two weeks to Friday 17 August 2012. The level of staffing by the YMCA is considered both essential and appropriate. It is imperative that the time the facility is closed for is used constructively by the staff employed. An expectation that has been conveyed to the YMCA is that a full suite of programs will be operational from the first day that the Centre is operational.

Council needs to be aware that the following operational costs will be incurred regardless of the Centre being closed, these include but are not limited to:

- Marketing expenses
- Bank charges and cash security
- Licenses and subscriptions
- Utilities
- Security costs
- Cleaning and maintenance
- Gym equipment lease costs
- IT equipment lease costs
- YMCA Management Fee.

A clearer idea of this cost will become more apparent over time and may take a number of months to clarify.

With the relocation of some programs and services back to the JD Hardie Centre, the following have been experienced by the operators of the Youth Precinct who have just started to establish their own programs:

- New staff started at Youth Centre have had reduced time to establish youth programs and services at the facility
- The rectification of defects and essential remediation works for the building has been hampered as a result of the use of the facility by the relocated health and fitness programs
- Two significant community events planned for Wanangkura Stadium have been be relocated to the JD Hardie Centre, requiring cancellation or changes to regular facility users.
- The operational (financial) impact on the JD Hardie will be centered on both the inability to run some current programs and the necessity to delay the start of a number of new programs.

Decision Items 6, 7 & 8 (Media Reporting and Decision Making):

No budget impact.

Officer's Comment

Decision Items 1 & 2 – Procurement and Implementation of Remediation Strategy:

A report was presented at the Ordinary Council Meeting on 22 August 2012 as per the comments in Budget Implications that outlined the progress to date, cost implications and staging approach of the remediation works. At the time of preparing this report all elements for stage 1 had been ordered, site fencing erected, trenching for plumbing and electrical cabling commenced and formwork for the tank ring beam completed. The expected completion date for stage 1 is the week ending 21 September which will include FESA approval and lodgement of a Certificate of Occupancy for the facility. This stage of works is permitted on a temporary basis to allow the building to open, acknowledging the commitment to the completion and commissioning of stage 2.

Cost estimates and timeframes for stage 2 of the fire service remediation strategy are currently being prepared and will be the subject of a separate report to Council. To ensure the best value for money various procurement options are being explored, including additional variation to Doric Constructions contract, utilization of Government preferred suppliers, independent quote/tender process or a combination of these options.

Decision Item 3 – Independent Review:

Consistent with Council's resolution, Council Officers prepared a Project Brief to engage an external party to undertake an independent review of the overall Wanangkura Stadium project. A copy of the Project Brief is attached for Councillors information.

Advice as to who could be engaged to undertake the project was sought from the Building Commission, McLeod's Solicitors and contacts within the Development Industry. The Project Brief was circulated to four external parties, with a closing date for submissions of quotations being the 29th August 2012.

The successful consultant will be required to provide a confidential presentation to the Council at the conclusion of the task. Two points are important; firstly, there may be information in the review report which is of a sensitive nature and if made public could, inter alia, prejudice future legal action the Council may consider taking, or lead to action against the Council by way of defamation or similar. Secondly, the review is not being undertaken to necessarily produce evidence for any legal action that the Council may consider initiating – that is a separate, additional piece of work which would need to be directed and advised by the Town's legal advisors and kept confidential pending any proposed court action(s).

In the interests of transparency, it will be desirable that Council considers releasing a public version of the review report which is circumspect – for the reasons just outlined – in relation to naming or identifying any parties considered to be at fault. That information could, and should only, become known in the public arena through court processes if legal action is actually initiated at the Council's direction.

Decision Item 4 – Waiving Membership Fees:

Previous resolutions of Council included the management of membership expectations and minimising the impact of the Stadium closure on any member. To this end, Council agreed to a strategy of waiving membership fees until the facility is able to re-open. In order to achieve this, any member who paid up front will have their start date delayed until the facility is fully operational. Members who have chosen to pay by fortnightly direct debit will not be required to make any payments until the centre re-opens, and they have full access to the services.

In order to ensure that all users of the facilities are not disadvantaged as a result of the closure of the Wanangkura Stadium, the Town and the YMCA have implemented a number of program and service initiatives. These include establishing a temporary health and fitness program using the gym and fitness rooms at the JD Hardie Centre and at a number of external facilities i.e. parks and reserves.

To date there has been little negative feedback from customers. It is reasonable to assume that the generally positive reaction from customers is as a result of the actions endorsed by Council.

Decision Item 5 – Cost of Remediation Works & Stadium Budget Impacts:

The full value of the remediation strategy is currently being finalized and will be presented to Council in a future meeting.

Operational Impacts

While it has been relatively easy to implement alternative arrangements for the health and fitness element of the Wanangkura program, the closure has impacted on other services provided at the Stadium and by the Town, these include:

- The alternative health and fitness programs provided at the JD Hardie Centre will not realize the level of revenue budget for at Wanangkura Stadium
- Sporting competitions at Wanangkura Stadium have been delayed due to the closure (the JD Hardie Centre is not able offer an alternative for this activity)
- A major proportion of the contractual obligations that the Town has with the YMCA have remained
- A number of room hire bookings have been lost
- Youth related programs and initiatives at the JD Hardie Centre have been impaired as a result of the operations of Wanangkura Stadium requiring access to facilities that are necessary for youth activities.

Currently most members and users have been able to be accommodated within the alternative program. Two people have chosen to request a full refund while most individuals have been happy to utilise the option of using the gym facilities at the JD Hardie Centre or Gratwick Pool, or participate in classes in various locations.

The number of fitness class and gym participants has been less than we would have anticipated, or wanted, had the facilities at Wanangkura Stadium been available. One area of service that has proved very difficult to replicate has been the crèche facility. Due to licensing regulations this service is not easily replaced.

The full implication of the temporary closure will not be fully ascertained in the short term. A clearer understanding will only be known once all of the costs have been identified.

Wanangkura Stadium is one of three recreation facilities managed under contract by the YMCA. As part of their contract the YMCA will be judged according to the budget parameters and key performance indicators that have been agreed to by Council. Once Wanangkura Stadium is operational, the Town is obliged under the terms of the contract to engage the YMCA in discussions about the implications of the closure on their contract. This process will happen as soon as possible. Council will be advised as to the outcome of these negotiations.

Decision Items 6, 7 & 8 – Media Reports & Communications:

In relation to the concerns about comments made by the Premier on radio talkback and regional television news, transcripts have been obtained and copies made available to all Elected Members. The Premier's comments have recognised that issues occur in projects and been supportive of the Town's and the Council's ability to rectify them. There does not appear to be a suggestion implying prior knowledge or fault.

In response to the last point of the resolution regarding independent advice on any breach of the Local Government Act, the WA Local Government Association's Executive Manager, Governance and Strategy indicates:

"In answer to your question of whether I believe there has been a breach of the Local Government Act in respect to Part 8 of the resolution, I provide the following comments. I do not believe there is a breach of the regulations the way it is worded. The Council is requesting independent advice on whether Elected Members not being informed of the water and fire services issue prior to the opening constitutes a breach. There is nothing wrong with this. Clearly the answer is no and will back up the administration and advise that the Administration did not need to. You could get this advice from the Department of Local Government or from a legal firm.

In reading the information I am concerned with the Questions from Members being directed to staff. All public question time Questions should be directed through the Mayor.”

Attachments

1. Project Brief for the review of the process for Wanangkura Stadium project.

201213/095 Council Decision/ Officer Recommendation**Moved: Cr Carter****Seconded: Cr Daccache****That Council:**

1. **Acknowledges the progress to date on items listed in Council Decision 201213/064**
2. **Notes the estimated cost implications regarding the closure of Wanangkura Stadium as outlined in the body of this report**
3. **Endorses the CEO to enter into discussions with the YMCA with regard to amended budget outcome and revised key performance indicators.**

CARRIED 8/0



TOWN OF PORT HEDLAND REVIEW OF PROCESS FOR WANANGKURA STADIUM

(MULTI PURPOSE RECREATION CENTRE)

PROJECT BRIEF

August 2012



1. INTRODUCTION

The Town of Port Hedland is seeking quotations for a review of the development and project management processes for Wanangkura Stadium.

The Wanangkura Stadium is a \$35 million public recreation facility developed by the Town of Port Hedland. The project was funded by the Town and principal partners BHP Billiton Iron Ore, the State Government's Royalties for Regions Program, Pilbara Cities and supporting partners Auzcorp and ESS Services.

The Stadium features a 400 seat indoor stadium, gym and fitness rooms, squash courts, kiosk facilities, crèche, club change rooms and external netball courts, basketball courts and a football oval and associated facilities. The facilities include a function space, offices and bar and kitchen facilities.

The Stadium is situated on Hamilton Road, South Hedland approximately 500 metres from the South Hedland Town Centre.

2. AIM

The aim of this project is to undertake a review of the entire process pertaining to the development and construction of the Wanangkura Stadium, to identify any shortfalls in the project development and management process.

3. PROJECT SCOPE

The successful consultant will be required to undertake the following scope of work:

- a. Review of process commencing from conceptual plans through to the present status of Wanangkura Stadium.
- b. Review of all development approval processes.
- c. Review of project management processes for the stadium construction.
- d. Review of original plans/specifications (compliance).
- e. Review of plan/specification modifications.
- f. Review of decisions (Council, Officer's and Consultants) and decision making hierarchy.
- g. Review of key information milestones (when certain issues were raised and or advice was provided).
- h. Review of actions/reactions to information awareness/decision/advice.
- i. Review of compliance processes.
- j. Review of internal communications.
- k. Identification of data gaps in the overall process.
- l. Provision of a report in accordance with section 7 - Project Output.
- m. Presentation of finding to a confidential briefing to the Council of the Town of Port Hedland.

4. INFORMATION

The Town of Port Hedland will make the following data available for the review:

- a. Files;



- b. Plans;
- c. Emails;
- d. Aconnex;
- e. Permits/Approvals;
- f. Certification.

5. METHODOLOGY

The review is intended to be a desktop analysis.

6. CONSULTATION

Consultation is envisaged to be limited to communication with the Town's Project Manager for this study, Director of Corporate Services, Natalie Octoman.

7. PROJECT OUTPUT

- Provision of a report outlining the project process addressing the issues raised section 3 - Project Scope. The project is to clearly demonstrate timelines, milestones, decisions, decision makers, advice, actions, plans, modifications to plans etc.
- The report is to identify data gaps.
- Recommendations on development and project management processes for future Council projects.
- A confidential presentation to the Council of the Town of Port Hedland.

8. PROJECT MANAGEMENT

Overall management of the project once commissioned will be undertaken by the Town of Port Hedland's Director of Corporate Services, Natalie Octoman.

A schedule of meetings will be established at the commencement of the project.

9. PROJECT TIMETABLE

The Town of Port Hedland requires the consultant to commence within two weeks of appointment.

The consultant is required to develop a realistic project time table as part of the quotation.

10. CONFIDENTIALITY

The successful proponent will be required to sign a confidentiality agreement prior to commencing the project.

QUOTATION DETAILS

A SUBMISSION OF OFFER

The Respondent needs to submit the Offer by mail, fax or email to



directorcorp@porthedland.wa.gov.au.

To: Town of Port Hedland
Civic Centre, McGregor Street, Port Hedland
PO Box 41, PORT HEDLAND WA 6721
Telephone: (08) 9158 9300 Fax: (08) 9158 9399

B SUBMISSION OF QUOTES

Quotes are to be received by no later than close of business on Wednesday, 29th August 2012.

C CONTACT PERSONS

Enquiries will be dealt with by the Director of Corporate Services, Natalie Octoman.

The Respondent must not contact any other person within the Town of Port Hedland or any consultant engaged in relation to this Quote to discuss this Quotation.

ENQUIRIES:

Name: Natalie Octoman
Telephone: 9158 9312
E-mail: directorcorp@porthedland.wa.gov.au

D PREPARING AN OFFER

In preparing its Offer, the Respondent must:

- a. Address each requirement;
- b. Take into account contract requirements; and
- c. In respect of the Qualitative Requirements, provide full details of any claims, statements or examples.

E IDENTITY OF RESPONDENT

The Respondent must provide the following details:

- a. Name of Legal Entity:
- b. Business Name:
- c. Contact Person:
- d. ABN or ACN:
- e. Registered address or address of principal place of business:
- f. Email:
- g. Telephone:
- h. Facsimile:
- i. Address and facsimile number for service of contractual notices:



NB: The Offer does not require the Respondent's signature.

F QUALITATIVE REQUIREMENTS

The Town of Port Hedland will, in its assessment, consider the extent to which the Offer satisfies the following Qualitative Requirements, and reserves the right to reject any Offer that does not properly address and satisfy any of the requirements.

SUITABILITY OF PROPOSED SERVICES (30 % WEIGHTING)

- (i) Demonstrate the proposed Services meet the description;
- (ii) Demonstrate appreciation and understanding of the requirements of the Quotation and provide an outline of its proposed methodology and approach;
- (iii) Identify any proposed Specified Personnel and attach a brief curriculum vitae for each of them;
- (iv) Demonstrate that the proponent does not have a conflict of interest with regards to this project.

ORGANISATIONAL CAPACITY (20% WEIGHTING)

- (i) Demonstrate that it has the organisational capacity to perform the Contract;
- (ii) Provide a comprehensive timeframe for the delivery of the proposed Products and/or Services, identifying key dates and milestones and outlining timing requirements.

DEMONSTRATED EXPERIENCE (20 % WEIGHTING)

- (i) The Respondent must provide details of contracts for similar products and / or services provided for other clients;
- (ii) The Respondent must also provide a minimum of [2] referees in respect of the contracts detailed above.

PRICE OF PROPOSED SERVICES (30 % WEIGHTING)

- (i) Demonstrate the proposed Services meet the description set out in the Statement of Requirements.

G. PAYMENT SCHEDULE

Timelines and payment schedule:

- Within four (4) weeks of awarding of contract to and finalised timeline for the project (30% payment)
- Within four (4) weeks of desktop study and stakeholder consultation completion (20% payment)
- Within four (4) weeks draft report (30% payment)
- Within two (2) weeks of Final report completed (20% payment)

H. PRICE



The Respondent must provide a **fixed lump sum fee** to meet the requirements of the request. The Respondent must provide an hourly rate for any additional work/variation required in excess of that being proposed in the lump sum quote. Disbursements, and travel costs are to be identified separately.

FIXED ALL INCLUSIVE CONTRACT PRICE: \$.....
(GST inclusive)

ITEM 7 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL

Nil

ITEM 8 CONFIDENTIAL ITEMS

Nil

ITEM 9 CLOSURE

9.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 26 September 2012, commencing at 5.30 pm.

NOTE: The Mayor stated that she wished to place on public record her appreciation to the Director Corporate Services and her team, and other senior Officers, on the preparation of the 2012/2013 Budget. This was endorsed with acclamation by Elected Members.

9.2 Closure

There being no further business, the Mayor declared the Special Meeting closed at 6:08pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of _____.

CONFIRMATION:

MAYOR

DATE