Town of
Port Hedland

COUNCIL POLICY MANUAL

Current as at 30 September 2026

Historical Summary

Item	Date	Resolution	Action
1	30 September 2026	CM202627/229	Council Adoption of Council Policy Manual

Preface

The Policy Manual is the compiled decisions of Council to the Chief Executive Officer (CEO), employees and other officers, detailing how specific matters are to be administered, the standards to apply etc.

Council Policy is over-ridden by –

- Commonwealth and State legislation and regulations
- The Local Planning Schemes
- Local Laws
- Council resolutions
- Delegations.

Council Policy overrides –

- Internal Operating Procedures.
- Local Government Guidelines –
    - although are not decisions of Council, close observance is strongly recommended.
- Standard Operating Procedures.
- Administrative directions/instructions.

The decisions can be made at any time and may be varied at Council's discretion. Council Policy is not binding on the Council, but is binding on employees and officers, unless discretion is stated. Council Policy is to be considered as Council's standing or permanent instructions.

The Local Government Act requires the development of only a few policies, otherwise all policies are at Council's sole discretion.

Policies, Codes or Standards of a local government required by the Local Government Act 1995 include:

- Adoption of an Attendance at Events Policy (S5.90A).
- Adoption of a Council Members, committee members and candidates Code of Conduct (S5.104).
- Adoption of an Employees Code of Conduct (S5.51A), to be made by the CEO.
- Adoption of Continuing Professional Development Policy for Elected Members (S5.128).
- Adoption of a Policy relating to employing a CEO or Acting CEO (S5.39A and B and C).
- Adoption of Regional Price Preference Policy .

- (R24C Local Government (Functions and General) Regulations 1996).
- Adoption of a Policy that pays employees more than required by their contract or award (recognition of service / gratuity) (S5.50).
- Adoption of a Standard for CEO recruitment, performance and termination. (based on model) (S5.39B).

Other than the above, policies are generally not required to be based on or in legislation but can be a stand-alone instruction of Council. However, it cannot be inconsistent with legislation.

Within the Policy Manual is a detailed outline of –

- how actions and administrative decisions are to be made;
- when they are to be implemented or made; or
- limitations and restrictions etc.

The Policy Manual is resolved by Council. All procedural or reference information, formatting and spelling errors may be amended or updated by the CEO.

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Introduction

Statutory and Corporate Context

The Council is responsible for functions and activities under numerous Acts and other legislation, many of which permit Council to delegate responsibilities and authority to various employees and officers, and to stipulate conditions, standards or methods of control and management.

This Council Policy Manual has been prepared to complement a range of obligations imposed by legislation including local laws, and various document adopted by Council.

The order of priority for compliance is –

1. Federal and State legislation and regulations.
2. the Local Planning Scheme.
3. a specific resolution of Council.
4. Delegations Register – being specific authorisations resolved by Council, and having a statutory context under the Local Government Act.
5. Local Planning Policy – as it is made under the authority of the Local Planning Scheme, by resolution of Council.
6. Council Policy – being instructions resolved by Council on how particular matters are to be dealt with.
7. Internal Operating Procedures – standing instructions or procedures issued by the CEO.
8. Standard Operating Procedures.
9. Administrative directions or instructions.

Although not decisions of Council, and therefore not a requirement of employees, consideration should be given to the following as being best practice –

- DLGSC Guidelines
- WALGA Councillors Manual, Practice Notes etc.

Unless specifically resolved that the instruction is to be included in the Policy Manual, it is considered that it is for a specific matter and is not a general or on-going instruction.

There are some policies that have specific legislative provision, and these are noted in the individual policy.

IMPORTANT – Consequences of Breaching Council Policy

Where there is a breach of Council Policy –

a) it may result in disciplinary action up to and including termination of employment,
b) the Shire may also be obligated to refer a breach to an external agency where an employee may be held personally liable for their actions,
c) the employee in breach may also be personally liable for their actions, such costs charged to the Shire or to repair as a result of the private/personal or unauthorised use.

Application – is to employees, not to community

Policy generally cannot be used to control or manage the general community – it is essentially an instruction to an employee that in particular circumstances, a specific action or process is to be followed, for instance –

- Hire of facilities – if there is damage, then employees are to invoice the hirer or cancel their booking etc.
- Caravan Park Rules – if a patron does not comply with these, employees are to take action.
- Human Resources policies – outlines the circumstances in which actions are to be taken.
- Crossovers – employees may approve if an application complies with requirements or take action if a crossover does not comply.

A Policy generally cannot be applied directly to the community as they may not be aware of its adoption. The community has to have had the opportunity to be aware of the requirements imposed on them. If a policy is to be applied to the community or to a specific applicant, there are legislative requirements that must be observed.

However, policy may require employees to apply specific conditions to a licence, permit etc, and to provide a written copy of the conditions being applied. These conditions applied are then enforceable.

Advertising of a local law constitutes community wide notification, whether the person is aware of it or not. Accordingly, many policies expand on how a Local Law is to be interpreted or acted upon by employees.

Definitions

The Local Government Act has not defined the term "delegation" or "delegated power". However:

- s.5.16 refers to "… the exercise of any of its powers and duties …"
- s.5.42 refers to "… the exercise of any of its powers or the discharge of any of its duties …"

The term "policy" is not defined anywhere in the Act; however, Departmental guidelines refer to Council "acting through" the administration to fulfil requirements and obligations.

The following terms used in this document apply insofar as they are consistent with enabling legislation –

authority means the permission or requirement for Council, a Committee, or a person to act in accordance with –

- the Local Government Act, Regulation, or other legislation.
- a delegation made by Council;
- a Council Policy;
- a specific decision of Council;
- an Internal Operating Procedure; or
- a Standard Operating Procedure.

delegation means the authority for a Committee, the CEO or other person to exercise a power, or discharge a duty, as conferred by absolute majority decision of Council under the provisions of the relevant legislation.

employee means a person employed by the Shire and is on the payroll, and does not include contractors or consultants

Council Policy is a standing instruction resolved by Council as to how a particular matter is to be implemented:

Executive Instruction is a standing instruction issued by the CEO as to how a particular matter is to be implemented.

instruction means the requirement for an employee to act in accordance with a direction given by the Council, the CEO, Director, or Manager.

officer generally only to be used in the context of a formal authorisation and may include an authorised employee.

Guidelines No.17 – Delegations (Department of Local Government)

The Department of Local Government, Sport and Cultural Industries has published Guidelines for the formation of Delegations.

The Guidelines outline the concept of "delegation" and "acting through" in parts 3 and 4, particularly in paragraph 13 where it is stated –

> *… the key difference between a delegation and "acting through" is that a delegate exercises the delegated decision making function in his or her own right. The principal issue is that where a person has no discretion in carrying out a function, then that function may be undertaken through the "acting through" concept. Alternatively, where the decision allows for discretion on the part of the decision maker, then that function needs to be delegated for another person to have that authority.*

In effect, "acting through" is an action that could reasonably be expected to be carried out as the result of a decision by Council (e.g. advertising of a tender), or as a function reasonably expected of the position that a person holds.

Not all matters which will be recorded in Policy are "acting through" matters. Similarly, not all "acting through" matters will be listed. Council Policy supported by Executive Instructions describe how that action or some other action is to be carried out.

Making, amending, and revoking Council Policy

Council Policy generally requires approval by a simple majority of Council, and may be made, amended or revoked at any time by Council.

A number of policies are required by legislation to be adopted or amended by absolute majority, and these are referenced in the Notes section of the relevant policy.

Council may impose limitations on Policy, or the functions delegated as they see fit.

Review of Council Policy

There is no required timetable for the review of policy, however, it is suggested that it should be done regularly to ensure that policies are relevant, current, and understood.

To maintain the Policy Manual up to date, an administrative review should be reviewed at least once a year, and a report made to Council on matters needing amendment or inclusion.

It is suggested that detailed consideration of all policies be undertaken by Council at least once every four years.

Elected Members

1/035 Town of Port Hedland Communications Agreement between the Council and the Chief Executive Officer

Objective

This Communications Agreement establishes clear, respectful, and effective communication protocols between the Town of Port Hedland's Council and the Town of Port Hedland's Chief Executive Officer (CEO).

It aligns with the *Local Government Act 1995* (the Act), the *Local Government Amendment Act 2024*, specifically the role and functions of the council, mayor and councillors; and it reflects the intent of the draft *Local Government Amendment Regulations (2025)* which, once codified, propose each local government to have a communications agreement in place that is agreed by both the Council and the CEO.

Purpose

The purpose of this agreement is to:

1. Provide guidelines for elected members when requesting information relevant to performing their role and functions, from the Town of Port Hedland's (the Town) CEO.
2. Provide guidelines for the Town's CEO in providing information to elected members to assist them perform their role and functions.
3. Ensure all elected members are equally informed regarding queries, issues and any concerns raised, particularly on matters requiring a Council decision.

Guiding Principles

The Council and the CEO agree to the following guiding principles:

1. The CEO will support elected members to perform their role and functions under the Act and any other written law.
2. Elected members will ensure their dealings and communications with the CEO and Town employees are in accordance with this agreement.
3. Any formal communication or information exchange not already outlined in this agreement, is not to occur between elected members and Town employees unless it is authorised by the CEO.
4. Elected members can only request assistance or information that is relevant to their role and functions under the Act or any other written law.
5. Communications must be respectful, timely, and professional.
6. Communications should support transparency, efficiency, and good governance.
7. All parties must comply with the Act, relevant Codes of Conduct, and Town policies.

Communication Channels

The Town's administration uses several channels to provide information to elected members to enable them to perform their role and functions under the Act, or any other relevant legislation. These channels currently include:

- Docs on Tap
- A regular Elected Member Information Bulletin
- Online Council Portal

Requests for Assistance Regarding Administrative Matters

Elected members may seek assistance on administrative matters from the CEO. These requests are intended to assist elected members in fulfilling their role and functions and must not involve the direction of Town employees or operational decision-making.

These requests include, but are not limited to:

- General governance advice including declarations of interest.
- Declaration of gifts received.
- Reimbursement claims.
- Travel arrangements.
- Management of event invitations (including Citizenship Ceremonies).
- Training and conference requests.
- Support in relation to Council meetings.
- IT support.
- Support in the attendance of external meetings relevant to their role.

The mayor can work directly with the Executive Assistant to the CEO and Mayor for assistance regarding administrative matters of a minor nature.

Elected Member requests must be submitted via email to the Elected Member Enquiries address emenquiries@porthedland.wa.gov.au. Verbal requests to Town employees or requests made to individual inboxes may not be actioned.

All elected member requests will be received and acknowledged. A response will be provided within two business days. If this timeframe cannot be met, an interim response must be provided.

Requests for Information

Section 5.92 of the Act states that an elected member can access information held by the Town that is relevant to performing their role and functions under the Act, or any other relevant legislation.

To ensure transparency, consistency and integrity in the way requests from elected members are managed, requests for information are limited to information that is

relevant to the performance of elected members' functions under Sections 2.7, 2.8, 2.9 and 2.10 of the Act.

Requests are defined as something requiring a response or action, and include asking for further information, asking a question or seeking clarity on an issue.

Requests for information will be managed as follows:

a. The mayor can work directly with the Executive Assistant to the CEO and Mayor to make any requests for information of a minor nature.
b. Elected Member requests must be submitted via email to emenquiries@porthedland.wa.gov.au. Verbal requests to Town employees or requests made to individual inboxes may not be actioned.
c. All elected member requests for information will be logged, a reference number assigned, and the CEO will authorise a Town employee to provide a response.
d. A response will be provided within five working days or an interim response outlining actions and timeframes must be provided.
e. Final responses will be sent collectively to all elected members, from emenquiries@porthedland.wa.gov.au.
f. The requesting member may discuss their request for information, once lodged, with the CEO either verbally, or in writing. During the discussion, the requesting member may be provided with additional information for the purpose of clarifying or addressing queries in relation to the final response. Any additional information will also be provided to all elected members.
g. The CEO may arrange for a briefing, meeting or discussion in relation to a final response, should it be determined as necessary.

Confidentiality

Elected members must send requests that are considered confidential directly to the CEO, via ceo@porthedland.wa.gov.au, and clearly indicate that the request is being made in confidence, and why. Confidential matters could include complaints or issues of a personal nature. Responses to confidential requests, if agreed by the CEO, will not be shared with all elected members.

Limitations on Requests

1. Elected members shall not request information that is not relevant to performing their role and functions as outlined in the Act.
2. Information requested that is not in accordance with this agreement may not be provided.
3. Only Town employees authorised by the CEO will respond to requests made by elected members in accordance with this agreement.
4. Information not held by the Town, or that cannot reasonably be obtained by the Town may not be provided.

5. The CEO may determine that preparing or providing requested information may divert a substantial and unreasonable portion of the Town's resources away from its other functions and decline the request. Elected members are not permitted to give direct instructions to Town employees.
6. Neither the CEO nor any other Town employee is required to respond to a request for administrative support or information outside of regular office hours.

Exclusions

This agreement does not apply to:

1. Deliberations at Council or Committee meetings.
2. Questions Taken on Notice during formal meetings.
3. Matters relating to media generated enquiries or the provision of Town related information to media. Council Policy 1/025 outlines the role of Mayor, as the Town's principal spokesperson, and that of the CEO, responsible for the administration and coordination of the Town's communications.

Compliance

Elected members, the CEO and Town employees must comply with this agreement.

Any breaches of this agreement may be addressed through dispute resolution and/or under respective Codes of Conduct.

Dispute Resolution

This agreement includes provisions for resolving disagreements related to:

a. Requests for assistance regarding administrative matters, and
b. Requests for information.

The process to resolve disagreements is as follows:

1. In the event of a communication breakdown or disagreement regarding a request or response, the matter should first be discussed between the Mayor and CEO for resolution.
2. Elected Members are encouraged to discuss any communication breakdown or disagreement under this agreement with the mayor in the first instance.
3. Town employees are encouraged to discuss any communication breakdown or disagreement under this agreement with the CEO in the first instance.
4. If the final response to a request includes a refusal to provide some or all the information requested, the requesting member may notify the CEO in writing that there is a disagreement regarding the final response.
5. Collectively, and in agreement, the Mayor and CEO may seek external assistance to facilitate resolution, particularly in cases involving persistent or complex disputes. The Town's procurement processes will be followed if external assistance is required.

Definitions

Nil

Relevant legislation	Local Government Act 1995 Local Government (Administration) Regulations 1996 Local Government Amendment Act 2024 Local Government Amendment Regulations 2025		
Supporting Documents	Town of Port Hedland Code of Conduct for Council Members, Committee Members, Appointees and Candidates 1/025 Media and Communications policy		
Directorate	Corporate Services		
Business unit	Governance		
Delegated authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01 V02	CM202627/105 CM202627/229	18 March 2026 30 September 2026
Review frequency	4 Yearly		

4/008 Elected Member Allowances, Facilities and Expenses

Objective

This policy sets out the fees and allowances payable, and expenses that may be reimbursed to Elected Members to support them in performing their duties of office subject to, and in accordance with the *Local Government Act 1995* ("the Act") and the *Local Government (Administration) Regulations 1996* (the 'Regulations').

Policy Statement

1. Fees and Allowances

Fees and allowances are set in accordance with determinations made by the WA Salaries and Allowances Tribunal (SAT) made pursuant to s7B of the *Salaries and Allowances Act 1975* ("the SAT determination"). Determinations made by the SAT apply to Elected Members and Chief Executive Officers of local governments in Western Australia.

1.1 Meeting Attendance Fees

[*Local Government Act 1995* s5.98-5.99]
Pursuant to s5.99 of the Act, the annual fee for Elected Members for attending meetings will be paid monthly in arrears.
The annual attendance fee payable to the Mayor is 100% of the maximum SAT determination.
The annual attendance fee payable to councillors is 100% of the maximum SAT determination.

1.2 Mayoral Allowance

[*Local Government Act 1995* s5.98(5)]
The Annual Local Government Allowance payable to the Mayor is 100% of the yearly maximum SAT determination, subject to provision in the budget.

1.3 Deputy Mayoral Allowance

An allowance of 25% of the Annual Local Government Allowance to which the Mayor is entitled under Clause 2.1.2 of this policy will be paid to the Deputy Mayor.
[*Local Government Act 1995* s5.98A]

1.4 Information and Communication Technology (ICT)

[*Local Government Act 1995* s5.99A(1)(a); *Local Government (Administration) Regulations* 1996 Regs 31(1)(a) and 32(1)]
An annual allowance for ICT expenses instead of reimbursement of any ICT expenses will be paid to Elected Members for the following items, and as defined in item 9.2(1) of the SAT determination:

a. Telecommunications line rental charges
[*Local Government (Administration) Regulations 1996* Reg 31(1)(a)]

Elected Members may be reimbursed for rental charges incurred for one telephone and one facsimile machine.
any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the LG Regulations;

The annual allowance for ICT expenses is set to a maximum of 100% of the yearly maximum SAT determination and as approved in the budget.

Elected members are to be provided with electronic copies of meeting papers and a Town owned device to access those meeting papers.

1.5 Conditions Relating to Payment of Fees and Allowances

All allowances and fees shall be paid to an elected member unless he/she has advised the CEO in writing that they do not wish to claim any or part of those.

Any taxation liability arising from these payments is the responsibility of the elected member concerned.

All fees and allowances will be paid monthly and in arrears.

All fees and allowances payable to elected members are to be recorded in the Town's Annual Report.

2. Reimbursements

Expenses incurred by elected members will be reimbursed in accordance with regulations 32(1)(c) and 32 of the Regulations to the extent approved by the current SAT determination.

Elected members may be reimbursed for expenses incurred for attending meetings and activities which relate to their function as elected members, including, but not limited to:

- Council and committee meetings;
- Weekly Mayor and CEO catch ups;
- Confidential briefings;
- Agenda feedback sessions;
- Community engagement activities;
- Community advocacy activities;
- Intergovernmental meetings;
- Regional local government meetings;
- Professional development and training; and
- Seminars, forums and conferences.

2.1 Childcare

[*Local Government (Administration) Regulations 1996 Reg* 31(1)(b)]

Elected Members may be reimbursed for childcare costs incurred as a result of attendance at a council meeting or committee meeting of which they are a member.

2.2 Council and Committee Meeting Travel Costs

[*Local Government (Administration) Regulations 1996* Regs 31(1)(b) and 32]
Elected Members may be reimbursed for travel costs incurred for attendance at a meeting of council or a committee of council where the elected member does not live or work in the Town's district.

3. Travel

Where elected members are required to travel on official business or perform a function under the express authority of the council, including professional development and training approved under *Policy 4/010 Professional Development*, the Town will, where practicable, make all necessary arrangements, including the payment for accommodation and travel prior to their departure. Costs incurred by elected member(s) for reasonable (as per the *Public Service Award 1992*) meal and incidental expenses excluding alcohol when travelling may be reimbursed.

All travel related expenses are subject to the approved budget allocation.

Air travel is to be by economy class only. Costs for any upgrade to a higher class of travel must be met by the elected member. Frequent flyer points and rewards must not be accumulated for travel undertaken by an elected member on behalf of the Town.

Elected members must not accept offers by carriers of complimentary upgrades in the class of travel class but the use of frequent flyer points personally accrued by an elected member for upgrades by a carrier is permitted.

Where an elected member is a member or a guest of a member of an airline lounge, the elected member may access the airline lounge whilst undertaking travel on behalf of the Town.

3.1 Vehicle use on Official Business

Elected members representing the Town at meetings outside the district are required to utilise a Town vehicle and fuel card where available.

Where a Town vehicle is not available and the elected member has to utilise their personal vehicle, they will be entitled to be reimbursed on a rate per km basis in accordance with the *Public Service Award 1992*.

Where a Town vehicle is available and an elected member chooses to use their own vehicle fuel costs will be reimbursed to the extent supported by tax invoices and receipts.
Where elected members require the use of a taxi whilst attending a conference, seminar, forum, delegation or similar event as a representative of the Town, the fare will be reimbursed upon the presentation of a receipt in accordance with section 2.7 of this policy.

3.2 Travel outside of Western Australia

Elected Members may be authorised to attend interstate events and meetings on behalf of the Town subject to:

- A report outlining the benefit to the Town and its estimated cost is to be provided to the CEO for presentation to council; and
- The travel is to be authorised in advance by a council resolution.

Where it is necessary for an elected member to undertake interstate travel at short notice on behalf of the Town, and before authorisation can be provided by a meeting of the Council, the CEO may approve such travel and must provide a report to Council following completion of the travel, with details of its cost and need for the travel to have been undertaken.

Council may approve overseas travel for elected members in exceptional circumstances, subject to a report outlining the benefit to the Town of the travel, its estimated cost and the need for the travel to be undertaken. Details of those who travelled, and the cost and purpose is to be recorded in the Annual Report.

3.3 General conditions of travel

All bookings associated with Elected Members' travel will be arranged by an officer of the Town nominated by the CEO, and where practicable will include:

- Registration fees;
- Travel to and from meeting and event venues;
- Accommodation; and
- Meals and incidentals.

The Town will endeavour to seek any discount possible to reduce the costs of travel. The maximum amount for accommodation and meal costs will be up to the rate published in the SAT determination and *Public Service Award 1992*. On presentation of sufficient evidence, the CEO may approve costs over this amount in the unusual circumstances such as limited accommodation availability. All travel will be booked at economy rates, and any upgrade costs are to be met by the elected member.

In the event that meals are not provided at the accommodation, training session or conference if elected members are travelling with the CEO, the CEO may use a Town credit card for meals associated with Town business.

On presentation of receipts or sufficient evidence, elected members may be reimbursed for reasonable meal expenses up to a maximum amount determined by the SAT determination and *Public Service Award 1992*.

The cost of alcoholic beverages will not be met by the Town, except for reasonable alcoholic beverages consumed as part of an official Town function, event or meeting attended by the Mayor (or Acting Mayor) and CEO (or Acting CEO), where approved beforehand by the Mayor and CEO (or their acting delegates) and incidental to a meal or official hospitality with visiting local governments, government representatives, industry stakeholders and the principle of reciprocity.

3.4 Bookings changes and cancellations

Any amendments or cancellations to bookings resulting from a change in the personal circumstances of the elected member are to be met by the elected member at their

own cost. Where practicable, elected members should inform the CEO prior to the change(s) taking place.

Any other change or cancellation resulting from the Town's operations will be paid for by the Town.

3.5 *Rewards* and Loyalty Programs

Elected members are not to benefit from corporate bookings for travel undertaken in their role as elected members, and which is paid for by the Town, including frequent flyer programs and accommodation loyalty schemes. In accordance with the *Local Government (Model Code of Conduct) Regulations 2021* and the *Corruption, Crime and Misconduct Act 2003*, elected members must not receive any personal gain from undertaking their role as a representative of the Town.

3.6 Partners accompanying Elected Members on civic duties

Any costs associated with partners, spouses or nominees accompanying elected members whilst travelling on official Town business will not be covered by the Town. Costs for such persons are to be met by the elected member or accompanying person.

3.7 Reporting of Elected Member Travelling Expenses

Travel expenses of elected members incurred in a financial year are to be reported in the Town's Annual Report.

4. Cash Advance

The Town will not advance cash for fees, allowances, or reimbursements.
[*Local Government Act 1995* 5.102]

5. Provision of facilities and other items for Elected Members

5.1 Corporate Items

The following items will be made available to Elected Members upon request:

- Business cards;
- Name badges;
- Corporate uniform (Elected Members have the option to receive up to $700 worth of corporate wear upon their commencement to be purchased through the Town's endorsed catalogue and to be worn when carrying out their role as an elected member);
- Professional membership fees that are relevant to their role as an elected member up to a value of $500 per financial year to be approved by the CEO and the Mayor; and
- Reasonable administrative support upon request and subject to approval by the CEO.

5.2 Recognition of Elected Members' Service

[*Local Government Act 1995* s5.100A; *Local Government (Administration) Regulations 1996* Reg 34AC]

Retiring or discontinuing Elected Members who have served at least one full four (4) year term of office will receive a gift in recognition of their service, comprising a:

- Name plaque;
- Certificate of service; and
- Gift up to the value of $100 per year of service to a maximum value of $1,000.

Retiring or discontinuing elected members will be recognised at the last Ordinary Council meeting before the election or at an official function recognising past elected members.

5.3 Office of the Mayor

[*Local Government Act 1995* s5.100A; *Local Government (Administration) Regulations 1996* Reg 34AC]

The Town will provide to the Mayor, at the Town's expense, the following facilities and support within the Town's Civic Centre:

- The use of suitable office accommodation; and
- Access to administrative support to be approved by the CEO.

6. Dispute Resolution

Any disputes relating to this policy will be referred to the CEO in the first instance. In the event the elected member and CEO are unable to reach an agreement, the matter will be reported to council for resolution.

7. Administrative Arrangements

The CEO may implement Internal Operating Procedures from time to time to assist in the administration of this policy.

Applications for reimbursements must be accompanied by documentary evidence, in the form of original invoices and receipts, within four (4) weeks of the elected member's return to Port Hedland.

All equipment, facility use, and other non-financial support authorised by this policy and provided to elected members must not be used for any election related purposes.

Definitions

"CEO"	Means the Chief Executive Officer of the Town of Port Hedland
"Committee Meeting"	As defined by s5.98(7) of the *Local Government Act 1995*
"***Elected member"***	Means the Mayor and councillors of the Town of Port Hedland

Relevant legislation	Local Government Act 1995 Local Government (Administration) Regulations 1996 Local Government (Model Code of Conduct) Regulations 2021 Corruption, Crime and Misconduct Act 2003Salaries and Allowances Act 1975 Public Service Award 1992		
Supporting Documents	Town of Port Hedland Code of Conduct for Council Members, Committee Members and Candidates Council Policy 4/010 Elected Member Professional Development Internal Operating Procedure GOV004 Internal Operating Procedure GOV008		
Directorate	Corporate Services		
Business Unit	Governance		
Delegated authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01	201314/360	25 June 2014
	V02	201415/206	25 March 2015
	V03	201516/241	25 May 2016
	V04	CM201617/204	24 May 2017
	V05	CM201718/110	13 December 2017
	V06	CM201819/034	26 September 2018
	V07	CM201819/208	22 May 2019
	V08	CM202021/118	24 February 2021
	V09	CM202223/004	27 July 2022
	V10	CM202425/338	28 May 2025
	V11	CM202627/229	30 September 2026
Review Frequency	4 Yearly		

4/010 Elected Member Professional Development

Objective

The purpose of this policy is to provide direction to Elected Members in relation to continuing professional development and training programs available to enhance and improve the skills necessary to perform their role and function as an Elected Member. This policy is in accordance with s5.128 of the *Local Government Act 1995*, which requires each local government to prepare and adopt a policy in relation to the continuing professional development of council members

Policy Statement

1. Professional Development

1.1 Commitment to continuing professional development and training

Elected Members play an integral leadership role in the development, communication and representation of the Town's strategic direction, policies, and programs. Continuing professional development for Elected Members contributes to effective community representation and leadership, and a positive presentation of the Council and Town.

1.2 Personal development

Elected Members are encouraged to identify individual and group personal development needs to enhance their effectiveness. As the needs of individual Elected Members may vary, each Elected Member is encouraged to seek the assistance of the Chief Executive Officer (CEO) in assessing their particular requirements and in identifying appropriate courses, seminars and training to meet those needs.

1.3 Mandatory training

Each Elected Member must complete mandatory training as prescribed in reg.35 of the *Local Government (Administration) Regulation 1996* (the Regulation) unless an exemption granted by reg.36 of the Regulation applies. The period within which the mandatory training must be passed is the period of 12 months beginning on the day on which the council member is elected.

1.4 Conferences, seminars and forums

Council may authorise Elected Members to attend a conference, seminar or forum where it is demonstrated that attendance will provide for the ongoing professional development of the Elected Members in their role.

Elected Members are authorised to attend training sessions, seminars and conferences relevant to their role and responsibilities, provided by the following organisations:

a) Western Australian Local Government Association (WALGA);
b) Australian Institute of Management (AIMWA);
c) Australian Institute of Company Directors;
d) Pilbara Kimberley Joint Forum.

In addition, Elected Members may attend team building exercises, training sessions, conferences and events approved by the Chief Executive Officer (CEO) and the Mayor in disciplines including but not limited to leadership, financial management, corporate governance, communications, integrated planning and corporate strategic planning.

Applications to attend interstate and overseas conferences, seminars, forums, or similar events under this policy must be approved by Council on a case by case basis.

1.5 Funding

Council allocates funds in the Town's budget to meet the costs of attendance, registration fees, travel and accommodation for Elected Members to participate in training, conferences, seminars, forums and other events. Elected Members authorised to attend these events may have the cost met in accordance with *Policy 4/008 Elected Member Allowances Facilities and Expenses* up to an amount not exceeding the annual budget allocation for each Elected Member without further authorisation by Council.

Where a request for professional development or training cannot be met within the budget allocation, the Mayor and CEO may approve a reallocation of funds from an alternative area of the budget, subject to the final approval of Council as part of the Budget Review process.

1.6 Training during caretaker period and after Local Government Elections

Attendance of Elected Members standing for re-election may be approved to attend training and conferences during the caretaker period as prescribed by Policy 4/006 Elections – Caretaker Period.

Upon commencement of office, each Elected Member will be provided with the opportunity to attend WALGA introductory training sessions. This will also be offered to all other Elected Members as refresher training where the training is held in Port Hedland.

2. Dispute Resolution

Any disputes relating to this policy will be referred to the CEO in the first instance. In the event the Elected Member and CEO cannot reach an agreement, the matter will be reported to the Council for resolution.

Definitions

Nil

Relevant legislation	Local Government Act 1995 Local Government (Administration) Regulations 1996		
Supporting Documents	Town of Port Hedland Code of Conduct for Council Members, Committee Members, Appointees and Candidates Guide to Caretake Requirements under the Local Government 1995 ToPH Elected Member Training & Professional Development Register		
Directorate	Corporate Services		
Business unit	Governance		
Delegated authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01	CM201718/110	13 December 2017
	V02	CM201819/007	25 July 2018
	V03	CM201819/034	26 September 2018
	V04	CM202021/170	3 June 2021
	V05	CM202223/018	7 September 2022
	V07	CM202627/229	30 September 2026
Review Frequency	4 Yearly		

1/019 Honorary Freeman

Objective

To provide guidelines for conferral of the honour of Honorary Freeman of the Town of Port Hedland and the administration of Honorary Freeman Entitlements.

Policy Statement

Civic Honour Framework

The Town may confer the title of Honorary Freeman upon a person who has rendered distinguished and meritorious service to the Town and the community. The title is ceremonial in nature and does not confer legal rights or decision-making authority.

Eligibility Criteria

To be eligible for nomination, a person must:

- have provided distinguished service to the Town or community;
- demonstrate integrity and conduct consistent with the Town's governance standards; and
- not be subject to disqualification under any applicable legislation; and

Nomination Process

Nominations must be submitted in writing and managed administratively by the Chief Executive Officer. Nominations are confidential and will be reported to the Town for consideration.

Decision-Making Authority

The title of Honorary Freeman may only be conferred by resolution of the Town supported by an absolute majority. Withdrawal of honour must also be determined by absolute majority resolution of the Town.

Behavioural Expectations

The recipient may be presented with a certificate and may be invited to appropriate civic or community events at the discretion of the Mayor.

The recipient must:

- conduct themselves in a manner befitting the honour;
- demonstrate integrity and behaviour consistent with the Town's governance standards
- refrain from conduct that may bring the Town into disrepute; and
- not be subject to disqualification under any applicable legislation.

Withdrawal of Honour

The Town may withdraw the honour where:

- the recipient is convicted of a criminal offence or is the subject of a substantiated finding of misconduct by a properly constituted authority;
- the recipient becomes disqualified under any applicable legislation referred to in the eligibility requirements of this Policy (including circumstances such as bankruptcy); or
- the recipient engages in conduct that is inconsistent with the integrity of the honour or that may bring the Town into disrepute.

Decision-Making Principle – Discretion

In exercising discretion under this Policy, the Town will apply the following principles:

- decisions will be proportionate to the circumstances;
- procedural fairness will be afforded to affected individuals;
- decisions will be based on relevant evidence and information;
- similar matters will be treated consistently; and
- reasons for decisions will be appropriately documented.

Definitions

"Absolute Majority" A vote in favour by more than 50% of the total positions on Council even if there is a reduced quorum.

"Honorary Freeman" A person upon whom the Town has conferred the ceremonial honour in accordance with this policy.

Relevant Legislation	Local Government Act 1995		
Supporting Documents	Town of Port Hedland Honour Roll		
Directorate	Corporate Services		
Business Unit	Governance		
Delegated authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01	CM202425/140	25 September 2026
	V02	CM202526/158	26 November 2026
	V03	CM202627/229	30 September 2026
Review frequency	4 yearly		

1/001 Council Policy Framework

Objective

This framework aims to establish clear guidelines for policy governance, operational procedures, and compliance, ensuring transparency, accountability, and efficiency in service delivery and resource management.

Purpose

To provide the principles and standards for the development and management of policies and ensure the Council are effectively engaged in in all aspects of the process.

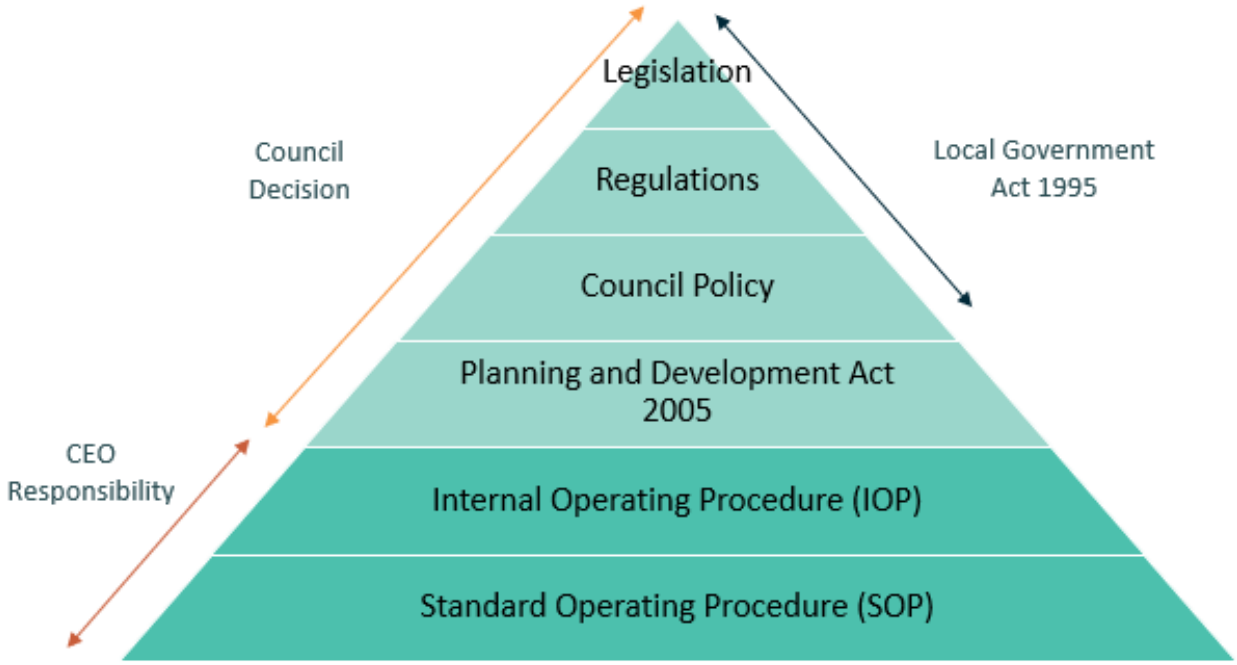
The framework:

1. Identifies the hierarchy of governing documents
2. Sets out the requirements for developing policies and procedures
3. Provides the roles and responsibilities for development, approval, publication, and review.

The framework will assist Town of Port Hedland to govern effectively, provide quality services, and engage with its community when required, in alignment with the Local Government Act 1995 and subsequent regulations.

Policy Statement

The diagram below shows the hierarchy of policy documents within the policy framework:



The Town has a range of policies, referred to as Council Policies. These policies may be supported by Internal Operating Procedures and/or Standard Operating Procedures.

Council Policy

Section 2.7(2)(b) of Local Government Act 1995 prescribes that the primary function of the Council is determining the local government's policies. Council policies focus on the strategic and statutory decision-making obligations of the Council.

The policy may relate to an Express Power or Duty or a matter that is non-statutory and entirely discretionary.

A Council policy decision will impact the Local Government's strategic, financial or operational resources and may also impact service levels provided to the community.

Care must be taken to ensure that Council Policy does not cross over into the statutory functions and responsibilities of the Chief Executive Officer (CEO) for the day-to-day operations of the Local Government

Council policies apply to Council, Elected Members and employees when fulfilling their decision-making responsibilities.

A guideline may be developed to support the interpretation and implementation of a Council policy.

Policy Format

Council Policies will be drafted in the following format:

1. Policy Title
2. Objective
3. Purpose
4. Policy Statement
5. Application
6. Document Control

Planning Policy

Planning policies are a subset of Council policies that assist with the administration of the Town of Port Hedland Planning Scheme No. 7 (LPS7). Planning policies adopted under LPS7 are approved by Council.

The Planning and Development Act 2005 and the Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2 - Deemed provisions for local planning schemes, Part 2 – Local planning framework Clauses 3 & 4 outline the process to adopt a Local planning policy. Clauses 5 & 6 detail the procedure to amend or revoke a local planning policy.

Internal Operating Procedures (IOPs)

The IOP consists of standards and guidelines related to operational matters which govern the day-to-day operations of the Town and does not require Council approval. IOPs are approved by the CEO or Executive Leadership Team (ELT). Prior to approval IOPs are reviewed at a Senior Leadership Team (SLT) meeting, so that Managers have oversight of proposed updates and changes. IOPs do not require Council approval and are not for public comment or publication as they are internally focused and in accordance with Section 5.41 of the Local Government Act 1995.Standard Operating Procedures (SOPs)

SOPs are the steps undertaken to implement a policy or IOP to undertake specific tasks in a business unit. SOPS should be prescriptive but able to be amended by the relevant Director or Manger as outlined in the SOP. SOPs are approved by relevant business unit director or manager.

Application

Policy Development and Review Timelines

The process to develop a new Council policy may be initiated by a decision of the Council through an Elected Member notice of motion, or through a formal decision of the CEO or ELT where the Administration has identified the need for a Council policy.

The initiation of a new Policy will require the development of a discussion paper or a Council Report that outlines:

- The situation(background), showing the need for the policy, and a draft objective for the policy.
- How the policy objectives will align with the Town's Strategic Community Plan to which this policy relates.
- Available approaches, precedents, risks and issues.
- The level of consultation/community engagement that has been undertaken or that may be required.
- An assessment of where the policy may sit in the policy framework and any need for a guideline.
- Review timeframe.
- Any financial impacts, including impact on the adopted Budget, proposed Budget or Long-Term Financial Plan.
- The discussion paper should be presented to the Council at a workshop if required or as agreed between the and CEO or Mayor and CEO.

Council Policy Schedule

- Policy paper provided to SLT and ELT per meeting timeframes and requirements.
- Draft policy documents and report to Council Meeting for support per the Governance Ordinary Council Meeting timeframe.

- Draft policy documents published on Town website for 21-day community consultation period if required.
- Development of final draft policy documents.
- Final draft policy documents, summary of community submissions and report presented to Council Meeting for adoption, per Governance Ordinary Council Meeting timeframe.

Review Timeline

Policies shall be periodically reviewed and updated as necessary to reflect changes in legislation, community needs, or organisational priorities.

Council policies and IOPs will be allocated a risk rating which determines the review period based on the following

Risk Rating	Review Timeframe
Extreme or high	Annually
Medium	Biannually
Low	Four yearly

A Policy review schedule will be maintained and made available to the Council.

An out-of-schedule Policy review may be initiated by a decision of the Council through an Elected Member notice of motion.

Minor Amendments

Administrative amendments that do not change the intent, application or substantive content of a policy may be approved by the CEO and Manager Governance without referral to Council. Such amendments include:

- Legislative reference updates;
- Position title updates;
- State or Federal Government administrative changes;
- Document title updates; and
- Minor grammatical, typographical or formatting corrections.

Relevant Legislation	Local Government Act 1995		
Supporting Documents	Town of Port Hedland Policy Manual		
Directorate	Corporate Services		
Business Unit	Governance		
Delegated Authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01	CM202425/140	25 September 2024
	V02	CM202526/158	26 November 2025
	V03	CM202627/229	30 September 2026
Review Frequency	4 Yearly		

4/011 Electronic Meetings and Electronic Attendance Policy

Objective

The objective of this policy is to provide the framework for electronic meeting requests, electronic attendance at meetings, and the requirements expected from Council and Committee members participating in meetings remotely, including appropriate equipment and location.

Content

This policy applies to electronic participation of Elected Members in Ordinary Council Meetings, Special Council Meetings, Committee Meetings, Agenda Feedback Sessions, Confidential Briefings, and Council Workshops.

Electronic Attendance by Elected Members

In accordance with Regulation *14C(2) of the Local Government (Administration) Regulations 1996* an Elected Member may attend a meeting electronically in circumstances where a public health emergency, state of emergency, or natural disaster has arisen. A member of a council or committee may participate in a meeting through electronic means if they are unable or deem it unsuitable to attend the meeting in person due to the above-mentioned conditions. In all circumstances, electronic attendance must be authorised by the Presiding Member.

Alternatively, An Elected member may attend a meeting electronically if they have been authorised by the Presiding Member. An Elected member must not attend more than 50% of the meetings electronically in the year prior (50% rule) or for recently elected members no more than 50% of the meetings electronically since their election.

The 50% cap only applies to Ordinary Council Meetings, Special Council Meetings and Committee Meetings. There is no limit to the number of meetings that can be attended electronically due to a public health emergency, state of emergency or a natural disaster.

Requesting to Attend a Meeting Electronically

Requests to attend a meeting, briefing, or workshop, must be sent via email to:

- the Presiding Member;
- the Chief Executive Office(CEO); and
- governance@porthedland.wa.gov.au

The request must include the preferred location for attending and the equipment to be used. It is recommended to submit the request at least two business days in advance.

The Town's Governance team will record electronic attendance in the Attendance Register and advise the Presiding Member or Council on the eligibility of the request. This will be determined on the percentage of meetings the person has attended electronically as per the 50% rule.

Upon receiving a request, the Presiding Member will approve or deny in writing via email. If the requirements for electronic attendance, as outlined in this policy, are met but the Presiding Member declines approval, the Elected Member has the option to seek approval from the Council at the relevant meeting.

Presiding Member Attendance

The Presiding Member should, wherever practicable, attend Ordinary Council Meetings and Special Council Meetings in person. Physical attendance by the Presiding Member is the Town's preferred practice, recognising the leadership and meeting management responsibilities of the role.
Notwithstanding the above, the CEO may approve a request for the Presiding Member to attend an Ordinary Council Meeting or Special Council Meeting by electronic means in exceptional circumstances where attendance in person is not reasonably practicable. In determining any request, consideration will be given to the efficient conduct of the meeting, the public interest, and the Presiding Member's ability to effectively perform the duties of the chair.

Legislative Consideration

Members should note that section 5.6 of the *Local Government Act 1995 (WA)* provides that the Mayor *is to preside* at meetings of the Council when present. Accordingly, where the Mayor attends a meeting, including by approved electronic attendance where permitted, they are required to preside unless otherwise provided for under the Act. This policy does not override any requirement of the *Local Government Act 1995* or associated regulations.

For workshops/briefings:

The Presiding Member may request electronic attendance at Agenda Feedback Sessions, Confidential Briefings and Council Workshops by advising the CEO and governance@porthedland.wa.gov.au.

Requirements for Approval of Electronic Attendance

Suitable Location

The member attending the meeting electronically must be in a quiet and private indoor location. They must have the option to ‘go behind closed doors’ to reduce noise and maintain privacy.

Suitable Networks and Equipment

Elected Members must use a reliable network and suitable equipment.

Acceptable networks include private home internet or WiFi, or a trusted personal mobile device's hotspot. Public WiFi networks in places like cafes, airports, restaurants are not acceptable due to cyber security risks and potential for an unstable connection.

Suitable equipment includes Town of Port Hedland provided devices, personal computers or laptops with a video camera. Mobile phones are not suitable for electronic attendance. Fully charged headphones are to be used where possible.

If an Elected Member has an unstable connection during a meeting, resulting in disruptions or difficulties, particularly in casting clear votes, the Presiding Member will request the Elected Member to leave the meeting or the connection will be terminated.

Software for Electronic Attendance

Governance will be responsible for establishing and maintaining electronic attendance.

Declarations for Maintaining Confidentiality During the Meeting

If a member attending a meeting electronically is required to participate in a closed or confidential session, they must declare their ability to maintain confidentiality during that part of the meeting.

This declaration must be made before the meeting transitions behind closed doors and will be recorded in the meeting minutes and stated as follows:

"I, [Member Name], declare that I am able to maintain confidentiality during the closed part of this meeting. If I am no longer able to maintain confidentiality, I will excuse myself from the meeting."

If the member makes this declaration but later finds themselves unable to maintain confidentiality, they must leave the meeting or the closed session.

Electronic Meetings

Under Regulation 14D(2)(c) The Council can permit electronic meetings to take place outside of emergency situations. The Council must consider and agree on the appropriate circumstances that warrant an electronic meeting, while involving the CEO in the decision-making process. The Council must consider appropriate equipment and location for remote attendance of all members, following the guidelines outlined in this policy.

Council is not allowed to approve a meeting under subregulation (2)(c) if doing so would exceed the 50% rule.

Definitions

"Agenda Feedback Session" is a non-statutory meeting held by Council to ask questions, receive presentations and seek clarification on officer reports presented within the draft Ordinary Council Meeting agenda.

"CEO" means Town of Port Hedland Chief Executive Officer.

"Committee Meetings" is any meeting in which a delegation has been officially documented.

"Confidential Briefing" is a non-statutory briefing providing updates to elected members on strategically significant issues and projects

"Elected Member" is an individual who has been elected and currently holds a valid position, as defined by the Local Government Act 1995, as a council member of the Town of Port Hedland.

"Workshop" is a non-statutory meeting of Council, which may be called upon from time to time, for the purpose of raising and discussing matters that are issue-specific with a strategic and/or community-wide significance.

"50% Rule" is that an elected member must not exceed attending more than 50% of the meetings electronically in the preceding year. Additionally, no more than half of the statutory meetings in the preceding year may be conducted electronically.

Relevant Legislation	Local Government Act 1995 Local Government (Administration) Regulations 1996		
Supporting Documents	1/015 Live Streaming and Recording g Council Meetings 1/017 Order of Business for Council and Committee Meetings 1/019 Council Meetings and Forums		
Directorate	Corporate Services		
Business Unit	Governance		
Delegated Authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01 V02 V03	CM202223/076 CM202526/158 CM202627/229	28 June 2023 26 November 2025 30 September 2026
Review Frequency	4 Yearly		

1/019 Council Meetings and Forums

Objective

The objective of this policy is to guide a functional, transparent, and legally compliant framework of meetings and forums that:

- Engages the elected members in policy, strategy, and other important complex issues from concept through to adoption.
- Provides an opportunity for elected members to participate in the Council's policy and strategy development agenda in collaboration with the Town's executive and other staff.
- Results in proper and appropriate decision making.
- Establishes timeframes within meeting cycles that provide elected members with the proper opportunity to absorb and comprehend advice and information.

Purpose

The scope of this Policy covers ordinary and special council meetings, agenda council forums comprising of agenda briefings, council briefings and council workshops.

Statement

Ordinary Council Meetings

Ordinary council meetings are the principal assembly in which decisions are made by the Council, the peak decision-making body of the Town of Port Hedland.

Meetings are to be convened on the last Wednesday of the month commencing at 5:30pm and conducted in the Town of Port Hedland Council Chambers.

The agenda papers for the council meeting are to be distributed to elected members by 4:00pm on the Friday immediately preceding the ordinary council meeting.

An ordinary council meeting is to be conducted in accordance with the Local Government Act 1995 ('the Act'), the Local Government (Administration) Regulations 1996 and the Town of Port Hedland Standing Orders Local Law 2014.

Council Forums

The principal objective of a council forum is to facilitate the exchange of information and knowledge between the elected members and the administration. The subject matter of a council forum will generally lead to decision making at an ordinary council meeting.

A council forum is not convened under the provision of Act and, therefore, the guidelines relating to procedural and behavioural control is recommended in the "Local Government Operational Guidelines - Council Forums" are to be applied to this policy.

- The Mayor is to control and chair the council forum and all questions and discussions are to be directed through the chair.
- In the absence of the Mayor, the Deputy Mayor is to preside and in the absence of both the Mayor and the Deputy Mayor, a councillor elected by the majority of councillors present is to preside.
- There is to be no decision making, whether implied or otherwise, at a council forum.
- The declaration of interest provisions applying to council meetings are to apply to a council forum.
- A record is to be kept of opening and closing times, attendance, declaration of interest and request for information.

The Town of Port Hedland has three categories of council forum as follows:

1. agenda feedback session;
2. elected member briefing; and
3. council workshop.

Agenda Feedback Session

An agenda feedback session is the forum at which the elected members can ask questions, seek clarification, and request further information on all matters due for deliberation and consideration at the forthcoming ordinary council meetings.

The agenda feedback session is closed to the public.

Debating "Debate style" discussion or any statements or expression that might influence or indicated the way in which a council member might vote is not permitted.

An item to be addressed is to be limited to a matter on the agenda which is to be subject to deliberation at the next ordinary council meeting.

An agenda briefing is to be convened on the third Wednesday (or 7 days prior to the Ordinary Council Meeting) of the month commencing at 5:30pm and conducted in the Town of Port Hedland Council Chambers.

Agenda briefing papers are to be distributed to the elected members by 4:00pm on the Thursday immediately preceding the agenda briefing. A request from an elected member for more information or advice is to be recorded and a response is to be circulated to all elected members in a timely manner.

An elected member who intends to submit an alternate motion (i.e. a motion which is materially different to an officer's recommendation) should preferably give notice to do so at the agenda briefing but, in any case, by 4:00pm on the Friday immediately preceding the ordinary council meeting.

Elected Member Briefing

An Elected Member Briefing is a forum at which a staff member or consultant will deliver a presentation, informed by previously distributed supporting materials with the opportunity for questions and feedback from the elected members.

A Elected Member Briefing is not to be open to public.

There is limited time available and a relatively high demand for an Elected Member Briefings.

Consequently, the CEO is to ensure that any item put on the agenda is absolutely essential and that the complexity of the subject matter is such that it cannot be suitably explained by other means such as a comprehensive officer's report via the agenda briefing, a video presentation or a report on the Town intranet or similar means.

All briefings must provide sufficient time at the conclusion of presentations for questions, comments, and requests for clarification from elected members.

As an Elected Member Briefing is not open to the public and does not involve any decision making or formal consideration of matters requiring a decision, there are to be matters which, by their nature, are not to be considered.

Those matters include:

- An application for development approval;
- A recommendation in relation to applications for subdivision approval;
- An initiation of local planning scheme amendment or a rezoning;
- Consideration of a proponent's structure plan; and
- An application for a licence, permit, approval, or authorisation under a local law.

An Elected Member Briefings are convened on selected Mondays and Wednesday of the month commencing at 5:30pm and conducted in the Town of Port Hedland Council Chambers.

Briefing papers and supporting information are to be distributed to the elected members so as to provide five clear working days' notice.

Council Workshop

A Council Workshop is a forum at which the elected members and the staff engage in a facilitated discussion on new or major revision of policy and strategy, the allocation and oversight of financial resources or other important complex issues.

A council workshop is not open to the public.

The CEO and Mayor are to ensure that workshop participants can effectively express themselves and uniform concepts, themes and collective desires can be distilled and summarised. Where practicable, relevant staff should undertake appropriate training in workshop facilitation.

The summarised outcomes of a council workshop are to be used by the CEO to inform the development of all Town of Port Hedland policy and strategy and advocacy positions on complex matters.

Council workshops are convened on selected Mondays and Wednesdays commencing at 5:30pm and conducted in the Town of Port Hedland Council Chambers. Discussion papers and other informing documents are to be distributed to the elected members as to provide five clear working days' notice.

Definitions

"Agenda Feedback Session" is a non-statutory meeting held by Council to ask questions, receive presentations and seek clarification on officer reports presented within the draft Ordinary Council Meeting agenda.

"CEO" means Town of Port Hedland Chief Executive Officer.

"Confidential Briefing" is a non-statutory briefing providing updates to elected members on strategically significant issues and projects.

"Elected Member" is an individual who has been elected and currently holds a valid position, as defined by the Local Government Act 1995, as a council member of the Town of Port Hedland.

"Recording" is an audio only recording that will capture speech, sound, or audio signals in a digital format for playback and future use.

"Workshop" is a non-statutory meeting of Council, which may be called upon from time to time, for the purpose of raising and discussing matters that are issue-specific with a strategic and/or community-wide significance.

Relevant legislation	Local Government Act 1995 Town of Port Hedland Standing Orders Local Law 2014 Local Government Operational Guidelines Number 05 State Records Act (WA) 2000		
Supporting Documents	Town of Port Hedland Code of Conduct for Council Members, Committee Members, Appointees and Candidates Town of Port Hedland Communication Agreement between the Council and the Chief Executive Officer		
Business unit	Governance		
Delegated authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01	CM201415/177	25 February 2015
	V02	CM201516/068	28 October 2015
	V03	CM201617/142	22 February 2017
	V04	CM201718/061	1 November 2017
	V05	CM202122/026	25 August 2021
	V06	CM202324/164	29 November 2023
	V07	CM202425/348	28 May 2025
	V08	CM202526/207	29 July 2026
	V09	CM202627/229	30 September 2026
Review frequency	4 Yearly		

1/014 Execution of Documents and Affixing of the Common Seal

Objective

To ensure a consistent and transparent approach to the execution of documents by the Town of Port Hedland (the Town), including the affixing of the Common Seal, in compliance with the *Local Government Act 1995*.

To authorise the:

(a) execution of documents by the Mayor, Chief Executive Officer, Directors and/or their delegates; and

(b) affixing of the Common Seal of the Town of Port Hedland (the Town)

Content

1. Application

A document is deemed duly executed by the Town when authorised by Council resolution or delegated authority and signed in accordance with section 9.49A of the *Local Government Act 1995.*

This policy applies to all documents requiring execution (including but not limited to the affixing of the Town's Common Seal) and other documents including but not limited to agreements, contracts, deeds, Memoranda of Understanding, and other similar matters.

2. Documents Requiring Affixation of the Common Seal

The following documents may be executed by way of the Common Seal:

(a) the document involves significant financial risk, legal complexity, or political sensitivity;
(b) the document requires the seal by statutory obligation or request by the other party; or
(c) documents as identified in **Table 1** of this Policy.

3. Procedure for affixing the Common Seal

3.1 Authorisation to Affix the Common Seal

The Mayor and Chief Executive Officer (CEO) are authorised to affix the Common Seal in each other's presence, in accordance with section 9.49A (2) and (3) of the Act.

In the Mayor's absence, or if the Mayor is unwilling to perform the functions of Mayor, the Deputy Mayor is authorised to affix the Seal, in accordance with section 5.34 of the Act.

The CEO may delegate authority to a designated senior employee, in writing, for affixing the Seal, in accordance with sections 5.44 and 9.49A of the Act. The

delegation must be in writing, and the delegated employee must affix the Common Seal in line with this Policy.

This Policy shall prevail in relation to any inconsistency between Policy 3/007 'Senior Employees and Appointing Acting Chief Executive Officer' and this Policy.

3.2 Witnessing of Signature

The Common Seal may only be affixed in the presence of both the Mayor and the Chief Executive Officer (or in accordance with clause 3(a) of this Policy), who must also sign the document to attest that the Common Seal was so affixed.

3.3 Register of Common Seal

A register of all documents to which the Common Seal is affixed shall be maintained, recording:

- The date of use;
- Nature and parties of the document;
- Council authorisation details;
- Name of signatories.
- The register is available for public inspection.

3.4 Documentation Requirements

Documents requiring the Common Seal must:

- Include an approved sealing clause;
- Be accompanied by a completed "Request to Affix the Town of Port Hedland Common Seal" form, detailing:
- Subject matter and file reference;
- Council resolution number (if applicable);
- Signatures of requesting officers and relevant managers.
- Include affixed "sign here" or "initial here" stickers for required signatures or initials.

3.5 Finalisation, custody and retention

Once executed, documents will be recorded in the Common Seal Register, scanned into the Town's electronic records system, and returned to the initiating officer. Fully executed documents must be returned to Records for retention as official records of the Town.

4. Authority to Sign documents on Behalf of the Town

The Common Seal need not be affixed to a document to effect the execution of that document, where there is no requirement nor request to affix the Common Seal. The

Council may resolve to authorise the CEO, another employee or an agent of the Town to sign a document on behalf of the Town.

Documents not requiring the Common Seal may be signed by authorised persons as outlined in Table 2.

Table 1 – Authorisation of the affixing of the Common Seal

Document Type	Common Seal authorised for Affixing (where required)
Local laws	Yes
Planning Schemes	Yes
Mortgages, Loans and Debentures	Yes
State or Commonwealth Government Funding Agreements	Yes
Any document requiring the Common Seal pursuant to a statutory obligation	Yes
Council has resolved that the document be executed by way of common seal	Yes

The execution requirements in Table 1 apply to the making, varying or discharge of documents pursuant to section 9.49B of the Local Government Act 1995.

Table 2 – Authorisation to execute certain documents in accordance with the Town of Port Hedland Delegation Register

Document Type	Person authorised to sign
Power of Attorney to act for the Town	CEO
Grants and Funding Agreements with private agencies	CEO
Land Transaction documents including sale, purchase, vesting, leases, licences, transfers, contributed assets, easements, restrictive covenants, caveats, memorials, notifications, deeds and withdrawal of instruments.	CEO
Memorandum of Understanding	CEO
Ceremonial Certificates, including Australian Citizenship	Mayor unless s5.34 of the Act prevails)
All other documents that were the subject of a Council decision including, but not limited to, procurement contracts, service agreements, non-disclosure agreements, enterprise bargaining agreement and employment contracts.	CEO
All other documents that are not the subject of a Council decision but are part of the ordinary operations of the local government including, but not limited to, casual hire agreements, procurement contracts (no Council decision), short term lease and sponsorship agreements.	CEO Directors where the document concerns subject matter wholly within their Directorate

Definitions

"Document" means agreements, contracts, deeds, Memoranda of Understand, and other similar matters.

"Common Seal" means the official seal of the Town of Port Hedland.

Relevant Legislation	Local Government Act 1995 Sections 2.5(2), 9.49, 9.49A and 9.49B		
Supporting Documents	Town of Port Hedland Register of Delegated Authority		
Directorate	Corporate Services		
Business Unit	Governance		
Delegated Authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01 V02 V03 V04 V05 V06	201213/038 CM201617/042 CM201718/202 OCM202122/025 CM202425/270 CM202627/229	25 July 2012 31 August 2016 23 May 2018 25 August 2021 5 March 2025 30 September 2026
Review Frequency	4 Yearly		

1/015 Livestreaming and Recording of Council Meetings

Objective

To enhance accessibility, transparency, and community engagement in Council proceedings through live streaming and audio/video recording of Council meetings. This ensures public access to Council decisions, assists in accurate minute-taking, and eliminates barriers to physical attendance. This policy complies with relevant legislation of the *Local Government Act 1995* s. 5.23A(2) and its associated regulations.

Content

1. Purpose of Livestreaming and Recording of Meetings

Live streaming and recording of every meeting of Council serves to:

- Increase public accessibility and engagement.
- Support accurate minute preparation and verification.
- Maintain a transparent record of Council decisions and discussions.
- Meet obligations under the *Freedom of Information Act 1992*.

2. Implementation and Management

1) Notification and Accessibility
    a. Signage will be prominently displayed at meeting venues and on the Town's website, agendas, and relevant forms, informing attendees of live streaming and recording.
    b. The Presiding Officer will announce the live streaming and/or recording at the commencement of meetings.
    c. Livestreams will be accessible on the Town's website during the meeting and recordings made available within 14 working days, barring technical difficulties.
2) Scope of Live Streaming
    a. All Council meetings held in the Council Chamber will be live-streamed unless closed to the public under section 5.23 of the *Local Government Act 1995*.
    b. Live streaming ceases when the meeting is adjourned, closed, or concluded.
    c. Broadcast must be both visual and audio. The recording may be audio only if the meeting is not held at the Council's usual meeting place and is not an electronic meeting.
3) Record Storage and Access
    a. Recordings will be stored in accordance with the *State Records Act 2000* and General Disposal Authority (GDA) 2010.

b. Archived recordings and minutes will be available on the Town's website for a period of 5 years after the meeting day. Access to other recordings will follow the *Freedom of Information Act 1992*.

4) Technical Issues and Contingency
   a. In case of technical failures, alternate audio recording devices will be used to ensure compliance with regulations.
   b. In the event that recordings are inaudible, a notice will be published on the Town's website to that effect.
   c. If video should fail during electronic attendance, regulations will be satisfied as long as Elected Member's audio feed remains intact, thereby allowing other participants to hear.
5) Confidential Matters
   a. Meetings or items closed to the public will not be live-streamed. Recordings of confidential discussions will be retained for internal use but will not be publicly released, except to authorised agencies.
6) Liability and Conduct
   a. Individuals attending Council meetings acknowledge they may be recorded.
   b. The Town is not liable for defamation arising from live-streamed or recorded content, as per section 9.57A of the *Local Government Act 1995*.
   c. Attendees are responsible for ensuring their conduct and language are appropriate.
7) Equipment Use
   a. Audio-visual equipment is for live streaming and meeting purposes only and will not function as security monitoring.

3. Guidance and Compliance

This policy aligns with the and complies relevant legislation, including the *Local Government Act 1995* and associated regulations. Amendments to legislation will supersede conflicting policy provisions.

Definitions

"Meetings" includes Council and Elector meetings.

"Livestreaming" means video and audio transmission of meetings over the internet.

"Recording" means digital or electronic capture of video and/or audio.

"Usual Meeting Place" in relation to a council, means the place at which its meetings (other than electronic meetings) are, or are to be, usually held.

Relevant Legislation	Local Government Act 1995 Section 5.23A State Records Act 2000 General Disposal Authority (GDA) 2010 Freedom of Information Act 1992 Town of Port Hedland Local Law on Standing Orders		
Directorate	Corporate Services		
Business Unit	Governance		
Delegated Authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01 V02 V03 V04 V05 V06	201213/189 201516/236 CM201718/093 CM202021/168 CM202425/270 CM202627/229	28 November 2012 25 May 2016 22 November 2017 3 June 2021 5 March 2025 30 September 2026
Review Frequency	4 Yearly		

1/017 Order of Business for Council and Committee Meetings

Objective

The Town of Port Hedland Standing Orders Local Law 2014 clause 5.2 allows for the order of business of all Council and Committee meetings to be determined by Council from time to time. The order of business outlines how the agenda for the meeting will be structured and in what order all meetings will be run.

All Council and Committee meetings shall follow the same order of business.

Content

The order of business at all Council and Committee meetings of the Town of Port Hedland shall be as follows and may be altered by a Council decision.

Item 1. Opening of meeting

Item 2. Acknowledgment of Traditional Owners and Dignitaries

Item 3. Recording of Attendance

- Item 3.1 Attendance
- Item 3.2 Attendance by Telephone / Instantaneous Communications
- Item 3.3 Apologies
- Item 3.4 Approved Leave of Absence
- Item 3.5 Disclosures of interest

Item 4. Applications for leave of absence

Item 5. Announcements by Presiding Member without discussion

Item 6. Response to previous questions

Item 7. Public time

- Item 6.1 Public question time
- Item 6.2 Public statement time
- Item 6.3 Petitions/ deputations/ presentations/ submissions

Item 8. Questions from Members without notice

Item 9. Declarations of all Members to have given due consideration to all matters contained in the business paper before the meeting

Item 10. Confirmation of Minutes of Previous Meeting

Item 11. Reports of Committees

Item 11.1 Audit Risk and Improvement Committee

Item 11.2 Chief Executive Officer Performance Review Committee

Item 12. Reports of officers

Item 12.1Corporate Services

Item 12.2Community Services

Item 12.3 Regulatory Services

Item 12.4 Infrastructure Services

Item 13. Motions of which previous notice has been given

Item 14. New business of an urgent nature (Late items)

Item 15. Matters for which meeting may be closed

Item 16. Closure

Definitions

"Council meeting" means an Ordinary or Special meeting of the Town of Port Hedland Council.

"Presiding Member" means the Mayor or the relevant Chief of the Council meeting or Committee Meeting of the Town of Port Hedland.

"Teleconference" means a suitable place and meeting must be specified. A suitable place is defined as a Townsite or other residential area within the State of Western Australia only. Approval to attend via teleconference cannot be granted for more than half of the meetings in a financial year.

Relevant Legislation	Local Government Act 1995 Subdivision 2 Local Government (Administration) Regulations 1996 Town of Port Hedland Standing Orders Local Law 2014 Local Government Model By-Law (Standing Orders) No 4		
Delegated Authority	Nil		
Directorate	Corporate Services		
Business Unit	Governance		
Version Control	Version	Council Decision	Adoption Date
	V01 V02 V03 V04 V05 V06 V07	201415/116 201516/246 CM201718/121 CM202021/088 CM202122/156 CM202425/270 CM202627/229	26 November 2014 25 May 2016 24 January 2018 25 November 2020 23 March 2022 5 March 2025 30 September 2026
Review Frequency	4 Yearly		

1/013 Mayoral Chain

Objective

To establish the protocol for the adornment, management and preservation of the Mayoral Chain.

Purpose

To define the appropriate use, secure storage and handling of the Mayoral Chain during and after the Mayor's term of office.

Scope

This policy applies to:

- The use of the Mayoral Chain by the serving Mayor
- The secure storage of the Mayoral Chain
- Procedures following the conclusion of the Mayor's term

Policy Statement

The Mayor of the Town of Port Hedland may choose whether or not to wear the Mayoral Chain during their term of office. The chain must be stored securely when not in use, and appropriate arrangements must be made for its return and safekeeping once the Mayor's term concludes.

Secure Storage

- The Chief Executive Officer (CEO) is responsible for ensuring the Mayoral Chain is properly maintained, securely stored, and appropriately packaged for delivery to the Mayor prior to formal events.
- The Mayoral Chain must be stored in a secure location within the Council offices, as determined by the CEO or their delegate.
- The designated location must be a locked cabinet situated in the CEO's office to ensure the chain's safekeeping when not in use.

Usage of the Mayoral Chain

The Mayor may wear the Mayoral Chain under the following circumstances:

- During Council meetings
- At citizenship ceremonies
- When attending formal functions as a representative of the Town
- For official portraits

Restrictions:

- The Mayoral Chain is strictly reserved for use by the serving Mayor.
- It must not be worn by other Elected Members, employees or members of the public under any circumstances.

Engraving of Mayoral Term

Upon completion of a Mayor's term of office:

- The Executive Assistant to the CEO and Mayor, in collaboration with the Governance team, is responsible for arranging the engraving of the Mayoral Chain.
- One of the plates on the chain must be engraved with the Mayor's given name, surname and the dates of their term in office.
- This process ensures a continuous and historical record of service for each Mayor who has represented the Town of Port Hedland.

Definitions

Nil

Relevant legislation	Local Government Act 1995 Section 2.7(2)(b)		
Directorate	Corporate Services		
Business unit	Governance		
Delegated authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01	CM202526/159	26 November 2025
	V02	CM202627/229	30 September 2026
Review frequency	4 Yearly		

4/009 Significant Decision Making

Objective

The Town of Port Hedland ('the Town') has duties and commitments to the community of Port Hedland when making decisions that substantially affect the lives or future of residents. This policy articulates the Town's intent to support public consultation in significant decision-making, to ensure decisions are transparent, relevant, lawful and timely.

This policy should be read in conjunction with the principles outlined in the Town of Port Hedland – Community Engagement Strategy (CES).

Purpose

This Policy and the Town's adopted CES identifies how and when the community can expect to be engaged and consulted prior to a decision of a significant nature being made at a council meeting.

Significant Decision Making

The Town will consider the significance of every issue requiring a decision and the level of engagement on a case by case basis.

Significance means the importance of an issue, proposal, decision, or matter, as assessed by the Town, in terms of its likely impact on, and likely consequences for:

a) The district of Port Hedland as a whole.

b) The parties and communities who are likely to be particularly affected or interested in the issue, proposal, decision, or matter.

c) The financial and non-financial costs and implications, or the capacity of the Town to perform its role/functions.

Significance and engagement will be considered in the early stages of a proposal before decision making occurs and, if necessary, reconsidered as the proposal develops.

The more significant a matter or decision the more likely the Town will need to consider:

1. The long-term implications of the decisions;
2. The impact on the Town's Strategic Community Plan and the Corporate Business Plan;
3. The consistency of the decision with existing strategies and plans; and.
4. Engagement and consultation with the community on their view.

Factors to be considered include the:

a) Number of individuals, organisations, groups, and sectors within the community that are affected;
b) Extent of the impact on affected individuals, organisations, groups, and sectors within the community;
c) Level of public interest, or the potential for the issue to generate interest or controversy;
d) Extent to which community opinion is divided on the matter; and.
e) Impact of the decision on the Town's ability to deliver on actions that contribute to the Strategic Community Plan and Corporate Business Plan.

In determining the significance of a matter is an exercise of judgment, the Town must assess how a proposal, decision, issue, or matter may affect people, services, facilities and infrastructure within the district.

Engagement

It is essential that the Town has a consistent approach to community engagement and that it uses effective engagement practices. Any engagement undertaken by the Town needs to be conducted in a meaningful way so that it encourages community members to increase their trust in the Town and maintain their involvement in future engagement activities.

Engagement provides an opportunity for the public to debate and discuss their views on a decision or proposal being considered by the Town that is deemed a significant issue. The community views expressed through an engagement process will be considered along with other information when decisions are being made.

Engagement may not necessarily result in consensus. However, engagement should allow for an exchange and examination of information and points of view between affected and interested people and decision-makers before a decision is made. Engagement ensures that decisions are informed and improved by the community's involvement.

Before council makes a significant decision, the Town's administration will consult the public. In doing so, the Town will:

- Identify people who will be affected by, or have an interest in the decision;
- Provide them with reasonable access to relevant information in an appropriate format on the process and scope of the decision;
- Encourage people to give their views;
- Give people a reasonable opportunity to give their views in an appropriate way;
- Listen to, and consider those views, with an open mind; and
- After the decision, provide access to the decision and any other relevant material.

Thresholds

Subject to the Act and Regulations, when undertaking a process to determine which issue, proposal, decision, or other matter is significant, the following thresholds will apply, and the matter will be significant.

1. If the cost of a proposal or decision is estimated at 5% or more of the operating income by the Town as shown in the annual financial statements for the most recently completed financial year.
2. If the proposal or decision will incur unbudgeted capital expenditure exceeding 5% of the total value of the Town's assets, or where spent on a strategic asset, exceed 5% of that assets value.
3. Entry into partnership with the private sector to carry out a significant activity.

When any issue, proposal, decision, or other matter that doesn't meet any of the specific thresholds listed above, its significance should be evaluated using the general criteria outlined elsewhere in this policy.

Criteria

The more tangible the impact or consequence of the issue, proposal, decision, or other matter is, the higher the likelihood of significance. If an issue, proposal, decision, or other matter satisfies one or more of the following criteria, the matter is likely to be significant.

1. Any transfer of ownership or control or the constructions, replacement, or abandonment of a strategic asset;
2. A decision that will significantly affect the capacity of the Town to carry out any activity identified in the strategic plan;
3. A decision that will significantly affect the cost to the Town to carry out any activity identified in the strategic plan;
4. Any issue, proposal, decision, or other matter that will substantially affect a wide range of people who reside in the district;
5. The extent to which the decision flows logically and consequently from a significant decision already made or from a decision in the strategic or annual corporate plans;
6. The degree to which a decision or issues are difficult to reverse; and
7. The matter will have significant implications for the present and future social, economic, environmental, and cultural well-being of Port Hedland.

Exceptions

There are times when it is not necessary, appropriate, or possible to engage the community on a proposal or decision. The Town may also choose not to engage on a proposal or decision, but will only decide this in accordance with at least one of the criteria below:

a) The proposal or decision is not of a nature or significance that requires engagement;
b) The Town already has a sound understanding of the views and preferences of the people likely to be affected by, or interested in, the proposal or decision;
c) There is a need for confidentiality or commercial sensitivity;
d) The costs of engagement outweigh the benefits of it;
e) The proposal or decision has already been addressed by strategies, policies, or plans, which have recently been consulted on;
f) Failure to make a decision urgently would result in unreasonable or significant damage to property or an unacceptable risk to community health and safety; or.
g) Any physical alterations to strategic assets that are required to:
    - Prevent an immediate hazardous situation arising; and/or
    - Repair an asset to ensure public health and safety due to damage from an emergency or unforeseen situation.

Whenever the Town does not formally engage, community views will still be considered before a decision is made and as much information will be provided to the public as possible.

Procedures

In achieving this policy, the following procedures will be as follows:

1. Every report to council on any issue, proposal, decision or other matter will include a statement indicating that any relevant issue of significance has been considered.
2. Where the issue, proposal, decision, or other matter triggers the thresholds or criteria of this policy and is therefore likely to be significant, the report to council will also include a statement relating to recommended level of consultation.
3. In receiving the report, council may accept the report writer's assessment of significance made in the report and the recommended level of consultation. Where council does not accept the report writer's assessment and recommendation, a separate resolution will be made to that effect.

Definitions

Note that section 3.73 of the *Local Government Act 1995* (The Act) applies during a 'caretaker' period. The Act overrides the provisions of this policy.

During a caretaker period, a local government must not do a 'significant act'.

'Caretaker' periods are defined in s1.4A and are mainly the period that:

(a) begins at the close of nominations (as defined in section 4.49(a) of the Act) for council elections (and which include ordinary or special elections); and

(b) ends on the day after the day on which the returning officer declares the result of an election under section 4.77.

'Significant act' is defined in s3.73 and means any of the following —

(b) making a local law (including making a local law to amend or repeal a local law);

(c) entering into, or renewing or terminating, the contract of employment of the CEO or of a senior employee;

(d) entering into a major land transaction;

(e) entering into a land transaction that is preparatory to entry into a major land transaction;

(f) commencing a major trading undertaking;

(g) entering into a contract, or other agreement or arrangement, in prescribed circumstances;

(h) inviting tenders in prescribed circumstances;

(i) deciding to do anything referred to in paragraphs (a) to (g);

(j) an act done under a written law or otherwise that is a prescribed act.

'Prescribed acts' are listed in regulations 3A – 3C of the *Local Government (Functions and general) Regulations 1996* and include:

a. Establishing a regional local government;
b. Amending the establishment agreement for a regional local government;
c. Winding up a regional local government, otherwise than at the direction of the minister;
d. Withdrawing from a regional local government;
e. Forming a regional subsidiary;
f. Amending the charter for a regional subsidiary;
g. Winding up, or withdrawing from, a regional subsidiary;
h. Commencing the preparation of any of the following under the Planning and Development (Local Planning Schemes) Regulations 2015 Part 3—
    i. a local planning strategy;
    ii. an amendment to a local planning strategy;
    iii. a notice of revocation in respect of a local planning strategy;
    iv. passing a resolution of the kind referred to in the Planning and Development (Local Planning Schemes) Regulations 2015 regulation 19(1);

v. passing a resolution of the kind referred to in the Planning and Development (Local Planning Schemes) Regulations 2015 regulation 35(1) in relation to a complex amendment (as defined in regulation 34 of those regulations);

vi. commencing a review of a local planning scheme under the Planning and Development (Local Planning Schemes) Regulations 2015 regulation 65;

vii. commencing the preparation of an instrument of repeal in respect of a local planning scheme under the Planning and Development Act 2005 section 74(b);

viii. doing either of the following under the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 Part 2 Division 2 as that Division has effect as part of a local planning scheme of the local government —

1. Resolving to prepare or amend a local planning policy;
2. Commencing the preparation of a notice of revocation in respect of a local planning policy;

a. Publicly inviting persons to apply to join a panel of pre-qualified suppliers under Part 4 Division 3;

b. Deciding to do anything referred to in paragraphs (a) to (h) of the sub regulation.

Relevant Legislation	Local Government Act 1995 Local Government (Functions and General) Regulations 1996		
Supporting Documents	Guide to Caretaker Requirements under the Local Government Act 1995 ToPH		
Directorate	Corporate Services		
Business Unit	Governance		
Delegated Authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01 V02 V03	CM201718/024 CM202425/320 CM202627/229	23 August 2017 7 May 2025 30 September 2026
Review Frequency	4 Yearly		

3/004 Chief Executive Officer Recruitment & Selection, Performance Review and Termination

Objective

To set out the principles and criteria under which Council manages the Recruitment & Selection, Performance Review and Termination processes for the position of Chief Executive Officer (CEO) at the Town of Port Hedland (the Town), in accordance with the Local Government Act 1995 (Act) and the *Local Government (Administration) Regulations 1996*, as amended (Regulations).

The minimum standards are set by the Regulations, and the Department of Local Government, Sport and Cultural Industries (the Department) provide recommended guidelines which can be customised to suit the Town's policies, practices, processes and capabilities, which are available in the Town's Model Standards for CEO Recruitment, Performance and Termination (Model Standards). Where the Department has documented 'must' in the guidelines, Council is required to undertake the relevant action. These have been incorporated in this Policy.

When Council is undertaking a Recruitment & Selection, Performance Review and/or Termination process for the CEO position, the following documents should be referred to:

- the Department's minimum standards and guidelines (Operational Guidelines);
- the Town's Recruitment & Selection Management Practice;
- the CEO's contract; and
- this Policy.

Policy Statement

1. CEO Recruitment and Selection

The minimum standard for recruitment and selection will be met if:

- The Council has identified and agreed to the qualifications and selection criteria necessary to effectively undertake the role and duties of the CEO within the Town of Port Hedland.
- The Council has approved, by absolute majority, the Position Description (PD) which clearly outlines the qualifications, selection criteria and responsibilities of the position. The PD is made available to all applicants.
- The Town has established a selection committee to conduct the recruitment and selection process.
- The Town attracts applicants through a transparent, open and competitive process (this is not necessary for vacancies of less than one year). The Town must advertise a vacancy for the position of CEO in the manner prescribed in the Town's Model Standards.

- The Town has assessed the knowledge, experience, qualifications and skills of all applicants against the selection criteria.
- The Town has verified the recommended applicant's work history, qualifications, referees and claims made in their job application;
- The appointment is merit-based, with the successful applicant assessed as clearly demonstrating how their knowledge, skills and experience meet the selection criteria;
- The appointment is made impartially and free from nepotism, bias or unlawful discrimination;
- The Council has endorsed by absolute majority the final appointment;
- The Council has approved the employment contract by absolute majority;
- The Town re-advertises the CEO position and undertakes a recruitment and selection process after each instance where a person has occupied the position for ten (10) consecutive years.

Advertising

The Town must advertise in accordance with section 5.36(4) of the Act. It is recommended the Town also advertises on other platforms as used by the Town at that point in time to attract applicants to the vacant position.

Recruitment & Selection Committee

The Recruitment & Selection Committee is made up of current Town Elected Members and must include at least one independent Committee member. The independent Committee member cannot be a current Federal, State or Local Government Elected Member, a previous Town of Port Hedland Elected Member, a recruitment/human resources consultant, or a current or previous employee of the Town. The independent Committee member shall be selected from a Town generated candidate list.

The Committee is responsible for assessing applicants and making recommendations to Council regarding the most suitable applicant or applicants. The role of an independent Committee member is to bring an impartial perspective to the process and reduce any perception of bias or nepotism.

Where possible, the Council should ensure diversity on the Committee.

Chief Executive Officer Recruitment & Selection Committee Terms of Reference

The Recruitment and Selection Committee should have a terms of reference to facilitate the CEO recruitment and selection and should include the following information:

- Primary function of the Committee;
- Roles and responsibilities of all Committee members;
- Composition of the Committee;
- Duration of the term;

- Desirable criteria for appointment to the Committee;
- A requirement that Committee members sign a confidentiality agreement and agree to the duties;
- Declaration of any conflicts of interest; and
- Any other information the Town deems necessary for the Committee to effectively carry out their role.

Independent Recruitment/Human resources person

Where a Council lacks the capacity or expertise to facilitate the recruitment and selection process (or any aspect of it), the Town may seek to engage an independent external recruitment/human resources person or agency in accordance with the Town's procurement policies and practices.

The independent external recruitment/human resources person is not to be directly involved in determining which applicant should be recommended for the position, their role is not one of decision maker.

If engaging an independent recruitment person or agency, they will require to demonstrate experience as well as an employment agent license under the Employment Agents Act 1976 (WA).

The independent recruitment/human resources person may be engaged to support one or more of the following aspects of the recruitment process:

- Development or review of the position description;
- Development of selection criteria;
- Development of assessment methods in relation to the selection criteria;
- Drafting of the advertisement;
- Executive search;
- Preliminary assessment of the applications;
- Shortlisting;
- Drafting questions for interview;
- Coordinating interviews with the Town;
- Preparing the selection summary assessment and recommendations with the Town;
- Arranging for an integrity check and/or police clearance; and
- Assisting the Town/Council in preparing the employment contract.

Employment Contract

The Council must ensure the CEO's employment contract includes the necessary provisions required under section 5.39 of the Act and associated Regulations.

Section 5.39 of the Act provides that a CEO's contract must not be for a term exceeding five years.

The term of a contract for an acting or temporary position cannot exceed one year.

Independent legal advice may be sought to ensure the contact is lawful, with Council approving budget for this to occur.

CEO remuneration is determined by the Salaries and Allowances Tribunal and the remuneration package may not fall outside the band applicable to the Town (Band 1).

Council must approve by absolute majority the CEO's employment contract and the person they appoint as CEO.

2. CEO Performance Review

The minimum standard for performance review will be met if:

- Performance criteria is specific, relevant, measurable, achievable and time-based;
- The performance criteria and the performance process are recorded in a written document, negotiated with and agreed upon by the CEO and Council;
- The CEO is informed about how their performance will be assessed and managed and the results of their performance assessment;
- The collection of evidence regarding performance outcomes is thorough and comprehensive;
- Assessment is made free from bias and based on the CEO's achievements against documented performance criteria, and decisions and actions are impartial and transparent; and
- The Council has endorsed the performance review assessment by absolute majority.

Section 5.38 of the Act provides that for a CEO who is employed for a term of more than one year, the performance of the CEO is to be reviewed formally at least every year of their employment.

Performance Criteria/Key Performance Indicators (KPI's)

One of the CEO's key responsibilities is to oversee the implementation of Council's strategic direction, so it is important to align the CEO's KPI's to the goals contained in the Strategic Community Plan and Corporate Business Plan. As these plans are updated, the CEO's KPI's should be updated to reflect the changes.

In leading the administrative arm of a local government, the CEO is responsible for undertaking core tasks, the achievement of which will contribute to the effectiveness of the Council. It is important that the outcomes associated with these tasks are measurable and clearly defined.

These could be in relation to:

- Service delivery targets from the Council's Strategic Community Plan;

- Budget compliance;
- Organisational capability;
- Operational and project management;
- Financial performance and asset management;
- Timeliness and accuracy of information and advice to Elected Members;
- Implementation of Council resolutions;
- Management of organisational risks;
- Leadership and human resource management; and
- Stakeholder management and satisfaction.

Council needs to be realistic in terms of their expectation of a CEO's performance and provide appropriate resources and support to facilitate the achievement of KPI's.

Performance Review Committee

The Performance Review Committee is made up of Elected Members and may include an independent observer if appropriate. The Committee 's role is to develop the performance agreement, conduct the performance review and report on the findings and recommendations of the review to Council.

Refer to the Town's Performance Review Committee Terms of Reference for information about the function and structure of the Performance Review Committee.

Independent Consultant

Where a Council lacks the resources or expertise to meet the expected standard of performance review (or any aspect of it), the Town may seek to engage an independent consultant in accordance with the Town's procurement policies and practices. The independent consultant may be engaged to support one or more of the following aspects of the performance review process:

- Setting performance criteria (KPI's);
- Preparing the performance agreement;
- Collecting performance evidence;
- Writing the performance appraisal report;
- Facilitating meetings between the Committee;
- Assisting with the provision of feedback to the CEO;
- Formulating plans to support improvement (if necessary); and
- Providing an objective view regarding performance management related matters between the parties.

Termination

The standards for the termination of the CEO's employment (other than for reasons such as voluntary resignation or retirement) are based on the principles of fairness and transparency. Procedural fairness is a principle of common law regarding the proper and fair procedure that should apply when a decision is made that may adversely impact upon a person's rights or interests.

The minimum standards for the termination of the CEO's contract will be met if:

- Decisions are based on assessment of the CEO's performance as measured against the documented performance criteria in the CEO's contract;
- Performance issues have been identified as part of a performance review (conducted within the preceding 12 months), and the CEO has been informed of the issues. The Council has given the CEO a reasonable opportunity to improve and implement a plan to remedy the performance issues, but the CEO has not subsequently remedied these issues to the satisfaction of the Town.
- The principle of procedural fairness is applied. The CEO is informed of their rights, entitlements and responsibilities in the termination process. This includes the CEO being provided with notice of any allegations against them, given a reasonable opportunity to respond to those allegations or decisions affecting them, and their response is genuinely considered.
- Decisions are impartial and transparent;
- The Council has endorsed the termination by absolute majority; and
- The required notice of termination (which outlines the reasons for termination.

The early termination of a CEO's employment may end due to:

- Poor performance;
- Misconduct; or
- Non-performance or repudiation of contract terms.

The Town may seek independent legal, employment or industrial relations advice prior to a CEO termination.

A Council may also seek independent advice during the termination process including advice on the relevant employment legislation affecting CEO employment and the application of that legislation to their specific circumstances.

The Council is required to endorse the decision to terminate the CEO's employment by way of absolute majority decision. The Town must certify that the termination was in accordance with the adopted standards in regulations.

Acting Chief Executive Officer

Should a CEO become incapacitated or exit the Town due to one of the reasons outlined above during the course of their tenure, Council have the option to temporarily appoint or temporarily employ a person to the position of CEO for no greater than one year.

The Town's Senior Employees and Acting CEO Policy outlines the process by which the Town's Directors can be appointed to perform the role of Acting CEO for a period of up to three (3) months.

For periods of between 3 months and one year, Council in the first instance should consider the skills, capabilities, experience and qualifications of the Directors employed by the Town to act in the CEO position. Underpinned by the Town's recruitment and selection processes, Council should consider:

- Expressions of interest in writing by the Directors;
- Confirmation that there are no active performance management plans of any Directors who express interest;
- Conducting interviews and/or presentations by the Directors to the Recruitment & Selection Committee; and
- The Committee discussing suitability following interviews/presentations, utilising the CEO position description, details from the Directors expression of interest, feedback from the interview/presentation and consideration of operational requirements. The Committee to make a recommendation to Council for appointment to a term no greater than one year.

Where the Committee deem that none of the Directors are suitable to temporarily fill the position of CEO following the above process, Council may engage an external acting CEO or procure an independent recruitment consultant or agency to undertake a recruitment process as outlined in part A of this Policy, however for an appointment of no greater than one year.

The Council may amend the Acting CEO arrangements as required by absolute majority.

Other Relevant Policies/Key Documents

- Town of Port Hedland Strategic Community Plan 2022-2032
- Town of Port Hedland Corporate Business Plan 2023-2027
- Town of Port Hedland Model Standards CEO Recruitment, Performance & Termination
- Town of Port Hedland Recruitment & Selection Internal Operating Procedure

Definitions

'Act' means the Local Government Act 1995.

'Applicant' means a person who submits an application to the local government for the position of CEO.

'Contract of employment' means the written contract, as referred to in section 5.39 of the Act, that governs the employment of the CEO;

'Committee' means the Town of Port Hedland CEO Recruitment & Selection Committee or CEO Performance Review Committee as stipulated in this document.
'Council' means the Council of the Town of Port Hedland.

'Chief Executive Officer' (CEO) means the Chief Executive Officer of the Town of Port Hedland.

'Elected Member' means the Mayor or a Councillor of the Town of Port Hedland Council.

'KPIs' means Key Performance Indicators and Performance Criteria as agreed between the CEO and Council to deliver the key priorities of the Town of Port Hedland Corporate Business Plan.

'Model Standards' are the Town of Port Hedland Model Standards for CEO Recruitment, Performance and Termination.

'Position description' means the position description form for the position of CEO approved by the local government under clause 5(2).

'Selection criteria' means the selection criteria for the position of CEO determined by the Town of Port Hedland and set out in the position description.

Relevant Legislation	Local Government Act 1995 Local Government (Administration) Regulations 1996		
Supporting Documents	Local Government Operational Guideline CEO recruitment and selection, performance review and termination Chief Executive Officer Recruitment and Selection Committee Terms of Reference Council Policy 1/027 Employee Leaving Council Service (Severance Payments) Chief Executive Officer Performance Review Committee Terms of Reference		
Directorate	Office of the CEO		
Business Unit	Human Resources		
Delegated Authority	Manager Human Resources		
Version Control	Version	Council Decision	Adoption Date
	V01	CM202425/220	12 December 2024
	V02	CM202627/228	30 September 2026
Review Frequency	4 Yearly		

3/007 Senior Employees and Appointing Acting Chief Executive Officer

Objective

To establish a clear and legislatively compliant governance framework for:

the designation of Senior Employees under section 5.37 of the Local Government Act 1995 (WA); and

the appointment of an Acting Chief Executive Officer during temporary absences of the Chief Executive Officer.

This Policy ensures that business continuity arrangements are lawful, transparent and consistent with the Town's governance framework and Register of Delegated Authority.

Policy Statement

Designation of Senior Employees

Pursuant to section 5.37 of the Local Government Act 1995 (WA), Council may designate one or more positions within the organisation as Senior Employees by resolution from time to time.

Senior Employees are those executive positions within the organisation formally designated by Council under section 5.37 of the Act.

The Chief Executive Officer is not designated as a Senior Employee, as the position of Chief Executive Officer is appointed separately by Council in accordance with section 5.36 of the Local Government Act 1995 (WA).

Council may review or amend the designation of Senior Employee positions from time to time to reflect organisational structure and governance requirements.

Acting Chief Executive Officer Appointment

The Chief Executive Officer must make any appointment of an Acting Chief Executive Officer in writing and specify:

- the period of appointment *maximum of 6 weeks
- the employee appointed to perform the role.

During the period of appointment, the Acting Chief Executive Officer exercises all powers, duties and functions of the Chief Executive Officer under the Local Government Act 1995 (WA), the Town's Delegations Register, and any applicable legislation, unless otherwise specified in the instrument of appointment.

Default Acting Arrangements

In the case of the temporary absence of the CEO and no Acting Chief Executive Officer has been appointed, the Director Corporate Services acts as Chief Executive

Officer until Council resolves an appointment as soon as practicable.

Definitions

"Senior Employee" A position designated by Council under section 5.37 of the Local Government Act 1995 (WA).

"Acting Chief Executive Officer" A Senior Employee appointed to temporarily perform the duties and functions of the Chief Executive Officer in accordance with section 5.36 of the Local Government Act 1995 (WA).

"Temporary Absence" A period during which the Chief Executive Officer is unavailable to perform their duties due to leave, illness or other authorised absence.

Relevant Legislation	Local Government Act 1995 Section 5.36 Section 5.37		
Directorate	Corporate Services		
Business Unit	Governance		
Delegated Authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01	-	24 Nov 2004
	V02	201415/143	17 Dec 2014
	V03	201516/012	29 July 2015
	V04	CM201617/176	30 March 2017
	V05	CM201920/158	25 Sep 2019
	V06	CM201920/105	27 Nov 2019
	V07	CM202021/042	23 Sep 2020
	V08	CM202627/130	25 March 2026
	V09	CM202627/229	30 September 2026
Review Frequency	4 Yearly		

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6/005 Community Engagement Policy

Objective

This policy outlines the Town's commitment to and approach to community and stakeholder engagement.

The policy guides the delivery of community and stakeholder engagement across the organisation to inform decision-making, build relationships and strengthen community outcomes.

The objectives of the policy are to:

- Build a shared understanding of Council's commitment to community and stakeholder engagement;
- Support quality governance and decision making through the use of quality and timely engagement with stakeholders and the community;
- Raise awareness of Council decisions and community aspirations surrounding programs, projects and initiatives.

Policy Statement

Community engagement speaks to the methods and processes used to involve the community in decision making that affect their lives. Good governance is based on a belief that those impacted by or interested in a decision may have important contributions to make in a decision-making process.

The Town's decision-making processes are influenced by several factors such as financial, technical, legal, environmental and social. As such, different methods and levels of influence will be assigned to different engagement processes. The International Association of Public Participation (IAP2) spectrum of participation will be used to outline to the public what that level of influence is.

When there is a difference between the outputs of an engagement process and endorsed Elected Member's decisions, the reasons for this difference will be clearly communicated.

The following guides the design, delivery, reporting and evaluation of the Town's engagement initiatives.

Scope

This policy applies to all employees, volunteers, and Elected Members of the Town of Port Hedland. It establishes a strategic framework to guide decision-making processes, support the delivery of community facilities, programs and services, and fulfill the commitments outlined in the Strategic Community Plan. The policy reflects

the Town's core values of quality, unity, and integrity

Background

Under the Local Government Act 1995, local governments must engage with the community on various matters. This includes the planning and review of the Strategic Community Plan, the development and review of local laws, the advertisement of differential rates, and other planning-related issues.

Planning Matters

Consultation on planning matters, such as development applications and scheme amendments, is governed by the Planning and Development (Local Planning Schemes) Regulations 2015 and the Town's local planning policy for public consultation on planning proposals.

Best Practice

Engagement will be conducted in alignment with the Town's Community Engagement Policy, ensuring inclusivity, transparency, and accountability. The Town is committed to tailoring its engagement approach to the scope and scale of the project, enabling the community's voice to be heard and reflected in the decision-making process.

Engagement Principles

For the Town of Port Hedland, quality engagement is best characterised by process that adhere to the following principles:

Purposeful	We deliver timely, well-structured engagement that support the community and Town to achieve a shared outcome.
Respectful	We deliver engagement that fosters quality relationships and builds shared understanding.
Effective	We consider the time, budget and representation required to deliver robust engagement outcomes.
Transparent	We support participants with timely, easy to understand information at all stages of the process.

Why we engage

This Framework recognises the Council's commitment to engaging in a manner that;

- Ensures transparency and follows a clear, logical process.
- Adapts to individual cases, considering contextual factors that impact projects or decisions.

- Aligns with community and the Town's expectations for honest and respectful interaction.
- Informs decision-making to secure financially, socially, and environmentally sound outcomes.
- Embraces diverse perspectives to enrich understanding.
- Cultivates and sustains constructive relationships with the community and stakeholders.

Additionally, this framework aligns to the Local Government Act 1995, Section 1.3 (2) also points to engagement leading to;

- Better decision making by local governments
- Greater community participation in the decisions and affairs of local governments
- Greater accountability of local governments to their communities
- More efficient and effective local government.

When to engage

The Town of Port Hedland is committed to ensuring that our community has meaningful opportunities to participate in decisions that affect them.

Examples of when engagement should occur are:

- Projects or matters which have the potential to significantly impact the community's quality of life, environment, or future development.
- Developing or revising policies, strategies, or plans that guide decision making or set the direction for the Town's activities.
- Introducing new services or making substantial changes to existing services that affect how the community interacts with the Town.
- Decisions on planning, land use, or infrastructure projects that may alter the physical environment, property values, or community spaces.
- Legislative or Regulatory Changes: Proposals involving changes to local laws, by-laws, or regulations that impact residents or stakeholders.
- Determining priorities for funding, capital works, or resource allocation that directly affect the community.
- Responding to concerns raised by the community or addressing emerging issues that require collective input to shape outcomes.

- Situations where collaboration with the community or stakeholders can improve decision-making or create shared ownership of outcomes.

Who we engage

The Town is made up of a diverse population that each contribute to the social, economic and environmental fabric of the community. This includes rate payers, residents, students, workforce and business owners, as well as stakeholders such as community groups, businesses, organisations and other government entities.

Our goal is to engage in a way that is inclusive of all members of the community, regardless of age, gender, sexual identity, ethnicity, education, ability and other diverse aspects of identity.

Engagement is not a one-size fits all process, and we will engage with different people in different way, based on their need and the context and impact of the project we are engaging on. We acknowledge that engagement is also not just externally focused. We will also work across different parts of our organisation with the same principles of engagement that we would apply to the wider community.

We recognise that the needs of specific population groups are diverse. When planning engagement activities, we will consider how the engagement process can accommodate the needs of specific population groups including:

- Traditional Owners and First Nation communities
- Older Adults
- Young People
- People with Disabilities
- People from Culturally and Linguistically Diverse Backgrounds.

Unpaid participation includes general community input through surveys, forums and open consultations.

Paid contributions may apply when individuals are engaged for their cultural knowledge, lived experience, or advisory roles such as participating in co-design workshops, providing cultural guidance and other specific information sought by the Town.

Process

The Town acknowledges that a uniform approach to engagement methodologies does not align with best practice. Guided by the principles of substantive equality, the Town is committed to proactively capturing diverse voices and lived experiences by using a range of methodologies.

The Community Engagement Strategy provides a comprehensive framework to outline the process and guide the organisation in the application of engagement activities. This strategy is adaptable, enabling the Town to adopt tailored approaches where necessary, considering the nature of the engagement, the required level and depth of engagement, and the resources available.

Definitions

CommunityThe term 'community' is used broadly and can be defined as a group of people united by at least one common characteristic such as geography, shared interests, values, beliefs, experiences, or traditions. This may include residents, ratepayers, business owners/operators, workforce, visitors, government agencies, and users of Towns services, local community groups, associations and special interest groups.

ConsultationA type of engagement activity that seeks input on a specific matter at a point in time, usually where additional information or representation is required to that already achieved through ongoing engagement.

Elected MembersSometimes referred to as Councillors, members of the community who have been selected by the wider community to oversee the strategic direction of the Local Government Authority.

EngagementThe process of using diverse methods to actively involve community and stakeholder voices in shaping decisions that impact or interest them. This approach ensures meaningful participation, fosters collaboration, and strengthens connections between decision-makers and the community.

PartnershipA type of engagement activity that produces formal agreements between stakeholders to work together

Town Officers Refers to the employees of the Town.

Traditional OwnersAboriginal and Torres Strait Islander people have unique relationships to the land, sea and waterways. Their ownership and stewardship of Country needs to be acknowledged. Australian law recognises that Aboriginal and Torres Strait Islander people have rights and interests in the land and sea under their traditional laws and customs. Please note, the Town operates on Kariyarra land however the local government area also extends to Ngarla and Nyamal country.

Stakeholders These groups may have a vested interest due to the project's potential to bring about changes or affect lifestyle, social, environmental, or economic conditions.

Relevant legislation	Local Government Act 1995		
Directorate	Community Services		
Business unit	Youth and Community Development		
Delegated authority	Nil		
Version Control	Version	Council Decision	Resolution Number
	V01 V02	CM202526/162 CM202627/229	26 November 2025 30 September 2026
Review frequency	4 Yearly		

1/026 Customer Feedback, Complaints, and Suggestions

Objective

This Policy provides guidance for the management and handling of customer feedback, complaints, and suggestions. The Town of Port Hedland (the Town) is committed to delivering an accessible, responsive, and accountable framework that promotes continuous improvement. Feedback, whether positive or negative, enables the Town to enhance its services and maintain strong customer focus.

Purpose

The Policy:

- Promotes the Town's values of quality, unity and integrity.
- Aligns with best practices outlined in the Australian Standards (AS/NZS 10002-2014 Guidelines for Complaint Management) and WA Ombudsman Guidelines on Complaint Handling.
- Reflects the Town's commitment to provide quality customer service at all Town facilities, as per the Town of Port Hedland Customer Service Charter. customer-service-charter

This policy ensures that all customer concerns are handled with professionalism, fairness, and efficiency, fostering trust and continuous improvement within the Town of Port Hedland.

Statement

This Policy applies to all Elected Members, employees, and consultants or contractors engaged by the Town.

A complaint is an expression of dissatisfaction about the Town's products, services, employees, or handling of a matter, where a response or resolution is expected or required.

A complaint is not:

- An initial request for service.
- A request for information or explanation of policies.
- Compliance enforcement actions.
- Lodging an appeal or objection under statutory processes.
- A submission related to regulatory functions.
- Petitions or civil disputes between private individuals.

When customers contact the Town, they should expect:

- To be heard and listened to;
- To be informed;
- To be understood and taken seriously;
- To be treated with respect;
- To be given an explanation or reason for a decision;
- To get action or resolution as soon as possible; and
- To be given an apology, where appropriate.

Complaints can be submitted via:

- The Customer Feedback, Suggestion or Complaint Form on the Town's website.
- Email, letter, in-person, or by completing a Feedback Form available at Town facilities. customer_feedback-suggestion_or_complaint_docx.pdf

Complainants must provide:

- Name and contact details.
- Details and date of the issue.

Principles of Complaint Management

- **Customer Focus**:
  Open, transparent, and easily accessible complaint processes.

- **Responsiveness:**
  Fair, objective, and timely resolution with progress updates.

- **Remedy**:
  Assignment of complaints to an officer with authority to resolve them promptly.

Timeliness

- Complaints acknowledged within five business days.
- Complaints resolved or interim responses provided within ten business days.

Customer Feedback, Complaints and Suggestion Handling Procedure

The Town of Port Hedland recognises the right of customers to discuss matters when feeling dissatisfied with services of the local government and, wherever possible, to resolve these issues and to prevent similar occurrences.

Levels of Escalation

There are three different levels of escalation that the Town uses to process customers feedback, complaints and suggestions.

Level 1 – Initial Assessment

Customer feedback or suggestions are promptly assessed by a Town employee, who records the details and directs the customer to a responsible officer for resolution. The responsible officer aims to address concerns and follows up with the customer via call or email within 48 business hours.

Level 2 – Customer Complaints

Official complaints are lodged in writing with contact details. A review is conducted within 10 business days, or longer if additional investigation is required, with the timeline communicated to the complainant. Complaints are addressed objectively, and a responsible manager provides a formal response.

Level 3 – CEO Internal Review

If dissatisfied with the complaint outcome, the customer may request an internal review by the Chief Executive Officer (CEO). The CEO reviews prior actions and determines a resolution, informing the customer of the final outcome within 15 business days via letter, phone, or meeting.

The complaint will be closed detailing all action taken to resolve the complaint.

Confidentiality

Customer privacy will be respected. Personal information is managed in accordance with the *Freedom of Information WA Act 1992.*

Unreasonable or Unacceptable Complainants

Unreasonable complainants include those who are:

a) Unreasonably persistent complainants: Those who make excessive phone calls, demand excessive personal contact, or engage in lengthy correspondence.

b) Unsatisfiable complainants: Those who refuse to accept the Town's inability to assist further, reject decisions made, or demand services beyond what has been provided.

c) Complainants with unreasonable demands: Those who seek excessive information, disproportionate services, or make frequent and unwarranted approaches.

d) Rude or abusive complainants: Those who engage in personal abuse, make inflammatory or intimidating statements, or attempt to harass Town employees.

In such cases, the Town may limit communication methods, designate a single contact point, or cease communication after informing the complainant. Verbal or physical aggression may result in referral to the WA Police.

Managing Unacceptable or Unreasonable Complaints

The Town rarely deems complaints unacceptable or unreasonable. However, if a complaint disrupts employees' ability to work or serve others, the Town may restrict the complainant's contact.

Guidelines for Limiting Access

Access may be limited when:

a) It compromises the Town's obligations as an employer.

b) It conflicts with statutory obligations.

c) It wastes Town resources through excessive contact or service use.

d) It enables or encourages rude or abusive behaviour.

Actions for Managing Persistent or Excessive Behaviour

If someone repeatedly contacts the Town unnecessarily or raises previously resolved issues, the Town may:

- Restrict calls to specific times or designate one employee to handle all contact.
- Require written communication or pre-scheduled appointments for visits.
- Limit the number of issues addressed within a set period.
- Cease all communication, with prior notification to the complainant.

Persistent Complaints

Actions may be deemed unreasonably persistent if all internal reviews are complete, yet the complainant continues to dispute the outcome or process.

Aggressive Behaviour

The Town will report verbally or physically aggressive, threatening, or harassing behaviour to the WA Police.

Elected Member Complaints

Complaints against Elected Members should be initially referred to the Chief Executive Officer.

The Town is committed to addressing complaints in line with statutory requirements, including the *Local Government Act 1995*, *Local Government (Model Code of Conduct) Regulations 2021*, and other relevant laws.

Complaints, whether minor or serious, will be referred to appropriate agencies. For instance, allegations of corruption will go to the Corruption and Crime Commission, while illegal behaviour may be referred to the Western Australia Police or the relevant State Government Department.

External Agencies

If dissatisfied, customers may escalate complaints to external agencies, including:

- Ombudsman Western Australia.
- Department of Local Government.
- Western Australia Police.
- Crime and Corruption Commission.

Definitions

"Complaint" A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Town of Port Hedland, its employees or contractors, affecting an individual customer or group of customers.

"Complainant" A complainant is a person, organisation or its representative making a complaint.

"Business Day" means a day when the Town is normally open for business i.e. Monday to Friday, excluding public holidays and other Council approved closures.

Relevant Documents

- Customer Service Charter
- Town of Port Hedland Code of Conduct for Council Members, Committee Members, Appointees and Candidates
- Town of Port Hedland Code of Conduct for Employees and Volunteers
- WA Ombudsman Complaint Handling Guidelines
- Local Government Act 1995.

Relevant legislation	Local Government Act 1995 Local Government (Model Code of Conduct) Regulations 2021 Freedom of Information WA Act 1992		
Directorate	Corporate Services		
Business unit	Customer Service		
Delegated authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01 V02 V03 V04	- CM201819/063 CM202425/270 CM202627/229	- 26 Sep 2018 5 March 2025 30 September 2026
Review frequency	4 Yearly		

1/025 Media and Communications

Objective

This Policy establishes clear protocols for the Town of Port Hedland's official communications.

It aims to ensure consistent, transparent and accurate information sharing that reflects the values, objectives and strategic priorities of the Town of Port Hedland.

Purpose

This Policy applies to all employees, elected officials and contractors of the Town of Port Hedland involved in any form of public communication, including but not limited to media interactions, press releases, social media posts and public statements.

It encompasses all channels and platforms used to communicate on behalf of the local government and covers both proactive communications and responses to inquiries or issues.

Policy Statement

The objectives of this Policy are to:

1. Ensure consistency and professionalism.
   Establish protocols for the Town of Port Hedland's official communications to ensure the organisation is professionally and accurately represented in all public interactions.

2. Promote positive public perception.
   Enhance and maintain a positive public image of the Town of Port Hedland by delivering clear, consistent, and engaging messages that foster trust and confidence within the community.

3. Clarify roles and responsibilities.
   Clearly outline the roles and responsibilities of the Mayor, Deputy Mayor, Elected Members, and the Chief Executive Officer in speaking publicly or issuing statements on behalf of the Town. This clarity aims to ensure that all statements are aligned with the Town's values and strategic objectives.

4. Foster transparent communication.
   Promote open and transparent communication channels that encourage active engagement and participation from community members while respecting confidentiality and legal obligations.

Roles and Responsibilities

Speaking on behalf of the Town of Port Hedland:
Mayor
The Mayor is the primary spokesperson for the Town of Port Hedland, representing the Town in official communications including speeches, public statements, and commentary across print, electronic, and social media platforms (Local Government Act 1995, s.2.8(1)(d)). The Mayor provides statements on policy, strategic issues, and community-wide matters.

Deputy Mayor
In the Mayor's absence, the Deputy Mayor is authorised to act as the spokesperson for the Town, fulfilling responsibilities for public commentary and representation as needed (Local Government Act 1995, s.2.9 and s.5.34).

Chief Executive Officer
The CEO may act as a spokesperson for operational matters if expressly authorised by the Mayor (Local Government Act 1995, s.5.41 (f)). This includes providing information on service delivery, administrative decisions, and internal Town operations. The CEO may delegate to subject matter experts at their discretion.

To respect the Office of Mayor, other members should refrain from public commentary on recent decisions or ongoing issues until the Mayor has provided an official statement.

Media enquiries

All media enquiries must be directed to the Strategy and Communications function as the first point of contact. The Manager Strategy and Communications is responsible for coordinating information to support the release of an official response, ensuring it aligns with the Town's communication standards and strategic priorities. This responsibility may be delegated to other members of the Strategy and Communications Team.

The Manager, or their delegate, will also determine the appropriate spokesperson (typically the Mayor, Deputy Mayor or CEO) based on the enquiry's content and relevance to their role.

Media relations

The Town of Port Hedland is committed to maintaining open and transparent communication with the media. The following guidelines will govern all interactions:

1. Open dialogue

The Town will engage in discussions with the media on matters of public interest, provided that such disclosures do not violet the Town's duty of care, contractual obligations, legal issues, or privacy laws that govern its operations or any individual's privacy rights.

2. Timely responses

Media enquiries will be dealt with promptly, honestly and within the organisation's deadline whenever feasible. The Town recognises the importance of timely communication in fostering a positive relationship with the media and the community.

3. Coordination through Strategy and Communications

All media enquiries must be directed to a member of the Strategy and Communications Team as the first point of contact. The Manager Strategy and Communications will coordinate responses and gather necessary information to facilitate the release of an official statement on behalf of the Town, ensuring alignment with the Town's communication standards and strategic priorities.

4. Designated spokespeople

Only designated individuals, such as the Mayor, Deputy Mayor, or CEO are authorised to comment on behalf of the Town on sensitive or high-impact issues, maintaining the integrity of the Town's message.

5. Confidentiality and sensitivity

All communications must consider confidentiality and the sensitivity of certain topics. Staff and elected officials should exercise discretion when discussing matters that may impact individual privacy or ongoing legal issues.

6. Training and support

The Town will provide training and resources to relevant employees and elected officials on best practices for engaging with the media, ensuring effective and appropriate communication.

Public Communications and Social Media

The Town of Port Hedland recognises the importance of public communications and social media as vital tools for engaging with the community. To ensure effective and responsible use of these platforms, the following guidelines apply:

1. Official communications

All communications through social media and public online platforms must adhere to the Town's standards for professionalism, accuracy, and transparency. Only designated representatives are authorised to post official communications on behalf of the Town.

2. Use of personal accounts

Elected Members and staff are encouraged to use their personal social media accounts responsibly. When doing so, they should clarify that opinions expressed are their own and do not represent the views of the Town. Official communication should always be conducted through authorised Town channels.

3. Content moderation

The Town reserves the right to moderate its official social media accounts and may address or remove content that is deemed:

- racist, sexist or discriminatory content, links or images.
- violent, obscene, profane, insulting, hateful, derogatory or illegal content, links or images.
- threatening or defaming content directed at any person or organisation.
- solicitations, advertisements, or endorsements of any financial, commercial, private businesses or organisations.
- multiple successive off-topic posts by a single user.
- repetitive posts copied and pasted or duplicated by single or multiple users.
- offensive, inaccurate, false, misleading or deceptive comments or content.
- material which infringes third party intellectual property rights.
- any other inappropriate content or comments as determined at the Town of Port Hedland's absolute discretion.
- abusive comments about elected members or Town of Port Hedland employees.

4. Prohibited activities

Social media and unsecured online forums must not be used to conduct official Town business, hold meetings or make decision. Communications must avoid any content that could damage the reputation of the Town or contravene legal obligations.

5. Compliance with Codes and Regulations

All public communications, including social media interactions, must comply with the Town of Port Hedland's Code of Conduct and the Local Government (Model Code of Conduct) Regulations 2021.

6. Monitoring and evaluation

The Town will monitor its social media channels to assess engagement and public sentiment. This evaluation will help inform future communications strategies and improve interactions with the community.

Crisis Communication

The Town of Port Hedland is committed to effective communication during crises or emergency situations. This section outlines the procedures and guidelines to ensure timely, accurate, and coordinated communication in such instances.

1. Crisis Communication Plan

A comprehensive Crisis Communication Plan will be developed and maintained by the Manager Strategy and Communications. This plan will outline roles, responsibilities, and procedures for communicating during emergencies, ensuring a structured and efficient response.

2. Designated crisis communication team

A designated crisis communication team will be formed in the event of an emergency or crisis. This may be an extension of the Town's Emergency Response Team, or

separate depending on the nature of the event. This team, led by the Manager Strategy and Communications, will be responsible for implementing the Crisis Communication Plan and may include the Mayor, Deputy Mayor, CEO and relevant Directorate heads.

3. Timely and accurate information
In a crisis, timely and accurate information dissemination is crucial. The Crisis Communication Team will ensure that information is verified and communicated swiftly to minimise misinformation and public concern.

4. Official statements
Official statements during a crisis will be issued by designated spokespersons, primarily the Mayor or CEO, to maintain consistency and authority in messaging.

Publishing third-party information

The Town of Port Hedland is committed to ensuring accurate and reliable communication with the community.

From time to time, it may be necessary for the Town to publish, or refer to, information from a third-party source. This section outlines the procedures to ensure third-party information is verified or, where this is not possible, audiences are made aware that it may be from unverified sources.

1. Commitment to accuracy
The Town will make every effort to verify information before publication and will promptly correct any misinformation identified in its communications.

2. Publishing unverified information
Where information comes from a source which cannot be typically verified as credible, the below disclaimer will be published:

Disclaimer: The information provided herein is intended for general informational purposed only and may not reflect the latest developments, verified facts, or complete accuracy. While we strive to share reliable information, some details may be based on unverified sources of subject to interpretation. We encourage readers to verify information with credible sources and exercise caution when using or sharing this information.

3. Definition of credible sources[1]
Sources that can typically defined as credible are information providers that meet the following criteria:

- Authority: The source is recognised as an expert in its field, typically possessing relevant qualifications, experience or credentials.
- Accuracy: The information provided is supported by evidence, fact-checked, and aligns with established knowledge or data.

[1] The definition has been developed from a range of academic advice.

- Objectivity: The source presents information in an unbiased manner, free from conflicts of interest or personal agendas.
- Reputation: The source has a history of reliability and is respected by peers and the wider community for its integrity and commitment to truth.
- Transparency: The source provides clear citations, references, or links to the original data, enabling verification by the reader.

Conduct of Elected Members

When communicating – whether in an official capacity or personally – Elected Members must ensure that their communications:

- Do not bring the Town of Port Hedland into disrepute;
- Do not compromise their effectiveness in their roles;
- Avoid any implication that personal views are endorsed by the Town; and
- Protect confidential information, ensuring no unauthorised disclosures.

Elected Members' public statements and social media activities must adhere to the Town of Port Hedland's Code of Conduct and the Local Government (Model Code of Conduct) Regulations 2021.

Definitions

"Media" refers to methods of communication with media outlets such as media releases, media responses, interviews, photo opportunities.

"Social Media" refers to web-based technology which facilitates the communication and sharing of text, photos, audio, video and information in general.

"Employee" refers to permanent, part time, casual or contracted Council Officer.

Relevant legislation	Local Government Act 1995 Division 9 Code of Conduct for Employees and Volunteers		
Directorate	Office of the CEO		
Business unit	Strategy and Communications		
Delegated authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01 V02	CM202021/185 CM202627/229	3 June 2021 30 September 2026
Review frequency	4 Yearly		

2/018 Borrowings

Objective

The policy has been drafted to provide a framework for Town of Port Hedland Council borrowings, so that there is a controlled and disciplined approach to the borrowing of funds for the purpose of:

- Funding new infrastructure
- Renewal or upgrading of existing infrastructure

The policy will ensure that all transactions are in accordance with legislative requirements, whilst minimising the cost of debt. The policy will also safeguard the Town's ability to meet its liabilities and budgetary obligations, and also increase awareness of issues concerning debt management.

Prudent person standard

All loan borrowings will be managed with care, diligence and skill that a prudent person would exercise. As trustees of borrowed monies, officers are to safeguard the loan portfolio in accordance with legislative requirements.

Ethics and Conflicts of Interest

Officers shall refrain from personal activities that would conflict with proper execution and management of the Council's loan portfolio. The Department of Local Government and Communities Guideline No 1 "Disclosure of Interest Affecting Impartiality" provide guidance for recognising and disclosing any conflict of interest.

Principle

The following principles will reinforce the measure of control for the Town with reference to borrowings:

- Under no circumstance will operating expenditure be funded by borrowings.

- Replacement or renewal of existing assets that are expected to occur on an annual (or similar) basis (i.e. recurrent capital works such as road resealing, plant replacement etc) will generally not be funded by loan borrowings.

- The economic life of the asset being funded should be greater than the agreed term of the loan. Generally, loans will be paid over a term no longer than 10 years to maintain inter-generational equity so as not to over burden future ratepayers with the majority of the debt. Any loans less than $2 million will have a term of no longer than 5 years.

- The nature of any borrowings and the interest rate if applicable, will take into account the purpose of the borrowings and seek to minimise interest rate exposure.

- All borrowings will be considered in line with Council's Long Term Financial Plan and forward program of capital works; and should be in the current adopted Budget. Any variations will be presented to Council for consideration.

- Any unspent loans will be declared in the Annual Financial Statements of that particular Financial Year as part of statutory obligations. If the project being financed has reached completion stage, the unspent portion will be used to pay back the lender, leading to refinancing of the loan or allocated to other projects at the discretion of Council.

- In the event that capital expenditure is deferred from one Financial Year to the next, the timing of the drawdown of the approved loan will be reviewed in order to minimise interest expense.

Lenders and Interest Rates

The Town will undertake a Request for Quotation process to get the best rate and terms possible when intending to borrow funds. The RFQ process will be limited to the major banks and the WATC.

Refinancing of Loans

It is generally known that market interest rates are volatile and the cost of borrowing periodically fluctuates. Therefore, if these changes bring a distinct economic advantage to the Town of Port Hedland; whereby the cost of borrowing significantly declines, the Town will reserve the right to refinance the loan portfolio. Council will make the final decision on any change to the loan portfolio or refinancing options.

According to Section 6.20(2)(a) of the Local Government Act 1995:

"A local government is not required to give local public notice of a proposal to exercise a power to borrow when the power is to be exercised to re-finance a loan or to continue other financial accommodation (whether with the same or another bank or financial institution) except where the re-financing or continuation is a major variation.

major variation means a variation in the terms of a loan or other financial accommodation which is — (a) a capitalisation of interest accruals; or (b) an increase in the term of the loan or other financial accommodation; re-finance in relation to a loan or other financial accommodation (the existing loan), means to borrow an amount (the new loan) which is, at the date of the new loan —

a) equal to the principal amount owing on the existing loan; or

b) *not more than $5 000 more or less than the principal amount owing on the existing loan, for the principal purpose of paying out the existing loan or preserving the credit originally provided by the existing loan."*

Paying off debt

Any loan can be paid off in full where it can be demonstrated that there is a significant benefit to the Town. Any retirement of debt will not occur without approval from Council. The final payment will include the principal outstanding, interest accrual to date and the premium cost for breaking the loan contract. The decision to pay off a loan will be based on economic viability and will be analysed on a case to case basis.

Financial Controls and Sustainability Indicators

The Town will manage its debt within the minimum and maximum targets set for the two ratios listed below.

1. Debt Service Cover Ratio

This ratio is the measurement of a local government's ability to repay its debt including lease payments. The higher the ratio is, the easier it is for a local government to obtain a loan.
The DSCR is calculated as follows:-

$$\text{DSCR} = \frac{\text{Annual Operating Surplus BEFORE Interest \& Depreciation}}{\text{Principal \& Interest}}$$

The Town will maintain a Debt Service Cover Ratio (DSCR) of 200% as a basic standard, as stated in the Department of Local Government Operational Guidelines 18. An advanced standard is achieved if the ratio is greater than 500%.

2. Net Debt to Revenue Ratio

The Net Debt to Revenue ratio measures a Local Government's overall debt situation by netting the value of a Council's liabilities and debts with its cash and other similar liquid assets.

The Net Debt Ratio is calculated as follows:-

$$\text{Net Debt Ratio} = \frac{\text{Net Debt}}{\text{Operating Revenue}}$$

The Department of Local Government recommends a maximum of 50%. The Town's maximum target (debt ceiling) for this ratio will be 50%.

Relevant legislation	Local Government Act 1995 Part 6 Division 5 Subdivision 3 – Borrowings s. 6.20 – 6.24. Local Government Financial Management Regulations 1996 Australian Accounting Standards Register of Delegated Authority		
Directorate	Corporate Services		
Business unit	Financial Services		
Delegated authority	Nil		
Version Control	Version	Resolution Number	Adoption Date
	V01 V02 V03 V04 V05	201516/194 CM202021/10 CM202324/291 CM202526/138 CM202627/229	23 March 2016 16 December 2020 25 June 2024 29 October 2025 30 September 2026
Review frequency	4 Yearly		

1/034 Council Investments Policy

Objective

To provide a framework for the investment of Council funds that seeks to maximise the return to Council whilst having due consideration for the risk and security of each investment; level of ethical investment and ensures that Council's liquidity requirements are being satisfied.

Purpose

To ensure sustainable long-term financial planning is maintained.

Policy Statement

- The principal objective is to guide the investment of surplus funds in the preservation of capital and investment decisions must align to this;
- The maximisation of returns within the confines of this policy is encouraged in order to capitalise return on investment;
- The surplus funds available for investment include reserves, other restricted funds and general revenue funds surplus to liquidity requirements;
- Adequate cash reserves will be maintained to allow the Town to conduct its business.
- Factors that guide investment decisions:
    - The use of Rating Agency's "Investment Grade" credit ratings (Security);
    - The maintenance of adequate levels of diversification (Security);
    - The ability to have ready access to funds for day-to-day requirements (Liquidity); and
    - Compliance with appropriate legislative requirements (Compliance).

Investment Management

Approved Investments

Investments are limited (in accordance with Regulation 19C of the *Local Government (Financial Management) Regulations 1996),* to Australian currency denominated*:*

- Deposits with Authorised Deposit-Taking Institutions (ADIs) as defined in in the Banking Act 1959 (Commonwealth) section 5 for a term not exceeding 3 years.
- Interest Bearing deposits with the Western Australian Treasury Corporation (WATC) for a term not exceeding 3 years.
- Bonds guaranteed by the Commonwealth Government or State or Territory for a term not exceeding 3 years.

Prohibited Investments

This policy, in accordance with legislation, prohibits any investment not included in the Approved Investments section. For the avoidance of doubt, prohibited investments include:

- Derivative based instruments; and
- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Stand-alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind

The leveraging of investments (borrowing to invest) is prohibited.

Risk Management Guidelines

Investments obtained are to comply with three key criteria relating to:

a) Portfolio Credit Framework: limit overall credit exposure of the portfolio
b) Counterparty Credit Framework: limit exposure to individual counterparties/institutions
c) Term to Maturity Framework: limits based upon maturity of securities

a) *Portfolio Credit Framework*

To control the credit quality on the entire portfolio, the following credit framework limits the percentage of the portfolio exposed to any particular credit rating category.

Long Term Credit Rating *	Investment Maximum %
AAA to AA-	100%
A+ to A-	80%
BBB+ & BBB	60%

b) *Individual Counterparty Credit Framework*

Exposure to an individual counterparty/institution will be restricted by its credit rating so that single entity exposure is limited, as detailed in the table below:

Long Term Credit Rating *	Investment Maximum %
AAA to AA-	70%
A+ to A-	40%
BBB+ & BBB	30%

** Ratings are based on Standard & Poor's (S&P) criteria. Moody's or Fitch equivalent will be used where an S&P rating is not available.*

Investments are to comply with the credit limit frameworks as at the time of placement. Any subsequent unintended breaches due to investment maturities, redemptions, or other causes of changes to portfolio size will be monitored and addressed when practicable but not necessitate divestments in and of itself.

If any of the Council's investments are downgraded such that they no longer fall within the investment policy limits, they will be divested as soon as practicable having regard to potential losses resulting from early redemption and subject to minimising any loss of capital that may arise from compliance with this provision.

c) *Term to Maturity Framework*

The investment portfolio is to be invested within the following maturity constraints:

Term to Maturity Limits	Minimum %	Maximum %
Less than or equal to 1 year	40%	100%
Greater than 1 year & less than or equal to 3 years	0%	60%

Performance Benchmark

The performance of the investment portfolio shall be measured against the industry standard Bloomberg Ausbond Bank Bill Index.

Operational Issues

Reporting and Performance Monitoring

Council will receive a monthly report on the investment portfolio detailing the performance of the investment portfolio and Counterparty percentage exposure of total portfolio. A summary of the composition of the investment portfolio by credit rating and institution will also be included.

Professional Advice

The Town may from time to time retain the services of suitably qualified investment professionals to provide assistance in investment strategy formulation, portfolio implementation and monitoring.

Any such advisor must be approved by Council and licensed by the Australian Securities and Investments Commission. The advisor must be an independent person who has no actual or potential conflict of interest in relation to investment products

being recommended and is free to choose the most appropriate product within the terms and conditions of this Investment Policy.

Any independent advisor engaged by the Town is required to provide written confirmation that they do not have any actual or potential conflicts of interest in relation to the investments they are recommending or reviewing. This includes that they are not receiving any commissions or other benefits in relation to the investments being recommended or reviewed, which are not being fully rebated to their clients, for either the Town or any of its other clients as this can create a conflict of interest.

Definitions

Authorised Deposit -Taking Institutions (ADIs)

Means an authorised deposit-taking institution as defined in the Banking Act 1959 (Commonwealth) section 5; or the Western Australian Treasury Corporation established by the Western Australian Treasury Corporation Act 1986.

Investment Grade

Means that either Standard & Poor Global Ratings (S&P) or Moody's Corporation (Moody's) has rated an investment as having "Investment Grade" credit rating as below:

S&P Investment Grade	Moody's Investment Grade	Risk Profile	Grade Quality
AAA	Aaa	Extremely strong capacity to meet financial commitments. Highest rating	High
AA+	Aa1	Strong capacity to meet financial commitments	High
AA	Aa2		
AA-	Aa3		
A+	A1	Strong capacity to meet financial commitments, but somewhat susceptible to adverse economic conditions and changes in circumstances	Medium
A	A2		
A-	A3		

BBB+	Baa1	Adequate capacity to meet financial commitments, but more subject to adverse economic conditions	Low
BBB	Baa2		
BBB-	Baa3		

Relevant Legislation	Local Government Act 1995 (WA) Local Government (Financial Management) Regulations 1996 (WA) The Trustees Act 1962 (WA) Banking Act 1959 (Cth) *Local Government (Financial Management) Regulations 1996* (WA)		
Directorate	Corporate Services		
Business unit	Financial Services		
Delegated Authority	Chief Executive Officer		
Version Control	Version	Council Decision	Adoption Date
	V01	-	23 April 2008
	V02	200708/160	24 June 2009
	V03	200809/396	13 July 2011
	V04	201112/008	28 May 2014
	V05	201314/338	29 July 2015
	V06	201516/012	23 Sep 2020
	V07	CM202021/040	7 Sep 2022
	V08	CM202223/017	27 March 2024
	V09	CM202324/233	24 Sep 2025
	V10	CM202627/229	30 September 2026
Review frequency	4 Yearly		

2/021 Credit and Purchase Card Policy

Objective

Corporate credit and purchase cards (Corporate Cards) deliver benefits to the Town of Port Hedland through improved administrative practices. Efficiency of operational activities is increased by reducing the cost, paperwork and time associated with purchasing goods and services. Corporate Cards also provide a useful resource in remote and emergency situations, reduce the need for cash on premises and provide an effective audit trail of expenditures.

This policy sets out the principles that need to be followed by all Corporate Card holders at the Town of Port Hedland. The objective of this policy is to:

- Provide a framework to enable the use of Corporate Cards;
- Provide Corporate Card holders guidelines towards the appropriate issue and usage of the cards; and
- Minimise or eliminate the risk of fraud and misuse of the Corporate Card.

Application of Policy

This policy applies to all employees of the Town of Port Hedland who are assigned a Corporate Card.

Legislation

The following provisions of the *Local Government Act 1995* (the Act) and associated regulations impact on the use and control of corporate credit cards:

- Section 2.7(2) (a) and (b) of the Act requires the Council to oversee the allocation of the local government's finances and resources and to determine the policies of the local government.
- Section 6.5(a) of the Act requires the Chief Executive Officer (CEO) to ensure that proper accounts and records of the transactions and affairs of the local government are kept in accordance with regulations.
- Local Government (Financial Management) Regulation 11(1)(a) requires local governments to develop procedures for the authorisation and payment of accounts to ensure that there is effective security and appropriate authorisations in place for the use of credit cards.
- Local Government (Financial Management) Regulation 13A requires local governments to disclose information about each transaction made on a credit card, debit card or other purchasing cards.

Issue of Corporate Cards

- All requests for Corporate Cards are approved by the CEO. The CEO's processes established under Regulation 11(1)(a) of the *Local Government (Financial Management) Regulations.*
- While the maximum credit limit is determined in the delegation register, the cardholders limit should be set to the lowest amount required by the cardholder to conveniently execute their role.
- A person in a role that is allocated a credit card is not obliged to hold one.
- Each cardholder must sign an acknowledgement that they have received, understood and agreed to their responsibilities and legal obligations before a card will be issued.
- A credit card can not be issued to an elected member.

Use of Corporate Cards

- Corporate cards are only to be used for Town related expenditure, within the limit assigned for the use of that card and within the approved budget;
- Personal use and personal transactions are prohibited;
- All purchases are to be made in accordance with 2/007 Procurement Policy.
- Travel expenditure is to be made in accordance to GOV 008 "Town of Port Hedland Representative Travel and Accommodation" IOP as well as 2/007 Procurement Policy.
- Cash withdrawals through any facility, whether it is a Bank, ATM or EFTPOS facility are prohibited;
- Purchases related to buying foreign currency, lottery tickets, gambling, travellers cheques and money transfers are prohibited.
- The card must not be used by officers other than the cardholder.
- Under no circumstances is the PIN to be disclosed to another person.
- The card must only be used for fuel purchases in instances where a fuel card facility is unavailable;
- Cardholders must not obtain personal benefit through any rewards program.
- Cardholders must not split transactions to circumvent delegation limits.
- The card shall not be used for payment of fines.
- No "tips" or gratuities are to be added to purchase transactions.
- The cardholder must maintain the security of their card, ensuring that it is kept in their possession at all times and not left in any place from which it may be taken.
- The cardholder must retain all tax invoices and/or receipts and maintain any other records of their transactions to facilitate monthly reconciliation and costing of transactions for that card;
- The card must be returned prior to periods of extended leave (any periods in excess of four weeks).

- In all cases of misuse, the Town of Port Hedland reserves the right to recover any monies from the cardholder and all repayments by the cardholder are to be due within five days of notice.

Cancellation of Corporate Cards

- Cards must be returned and cancelled if the cardholder is reassigned to a new position where the use is not required or where their employment is terminated with the Town of Port Hedland;
- The Town of Port Hedland reserves the right to cancel a card at any time.
- Cancelled cards must be destroyed in a secure manner.

Definitions

"Cardholder" - Is any officer of the Town of Port Hedland receiving authorisation to have a Corporate Credit Card issued in their name.

"Corporate Card" – Includes business or corporate credit cards, debit cards, store cards, fuel cards and taxi cards. *Excludes* non-reloadable gift cards, pre-loaded purchase or credit card advances, SmartRider cards that are centrally controlled for general use.

"Credit limit" – Is the maximum amount of money authorised for purchases made on the corporate card.

"Personal Use / Personal transaction" - Any purchase intended for individual benefit of the cardholder. Purchase of any items not normally provided to a staff member in the course of their employment with the Town of Port Hedland.

"Town" – Refers to the Town of Port Hedland

"Town Related Expenditure" - Bona fide business transactions that are required by a cardholder undertaking normal duties in the course of their employment with the Town of Port Hedland and would otherwise be undertaken by purchase order or petty cash.

"Transaction limit" – Means the maximum value for any single transaction.

Relevant legislation	Local Government Act 1995 Local Government (Financial Management) Regulations 1996
Directorate	Corporate Services
Business Unit	Financial Services
Delegated Authority	Nil

Version Control	Version	Council Decision	Adoption Date
	V01	CM201617/046	31 August 2016
	V02	CM202021/102	16 December 2020
	V03	CM202223/003	27 July 2022
	V04	CM202425/193	27 November 2024
	V05	CM202526/182	10 December 2025
	V06	CM202627/229	30 September 2026
Review frequency	4 Yearly		

Employees Leaving Council Service

Objective/Purpose

This policy represents the formal policy and expected standards of the Council. Appropriate approvals need to be obtained prior to any deviation from the policy. Elected Members and Employees are reminded of their obligations under the to give full effect to the lawful policies, decisions and practices of the Council.

This policy:

- Establishes guidelines to recognise Employees who are ceasing employment with the Town of Port Hedland;
- Establishes guidelines for the consideration of ex-gratia payments to Employees in accordance with s. 5.50 of the Local Government Act 1995 ("the Act"); and
- Ensures that ex-gratia payments are in accordance with Regulation 19A of the Local Government (Administration) Regulations 1996.

Purpose

This policy relates to all Town employees and should be read in conjunction with section 5.50 of the Local Government Act 1995 and regulation 19A of the Local Government (Administration) Regulations 1996 as to the maximum value of payment that can be approved for an employee whose employment is finishing with the Town.

Principles

1 Eligibility

The recognition of a departing Employee does not apply to an Employee who has been dismissed by the Town for any reason other than redundancy.

The recognition does not apply to casual staff or casual service. Cash gifts will not be provided. Gift vouchers are permitted.

2 Recognition for employees leaving

Number of Years' Service	Recognition
Continuous Service 1 year up to 3 years	Morning or afternoon tea to the value of $50 and gift value of $50.
Continuous Service 3 years up to 5 years	Morning or afternoon tea to the value of $50. Gift to the value of $100.
Continuous Service 5 years up to 10 years	Function to be determined by the CEO with up to $250 for catering. Gift to the value of $30 per year of service.

Continuous Service 10 years up to 15 years	Function to be determined by the CEO with up to $500 for catering. Gift to the value of $40 per year of service.
Continuous Service 15 years up to 20 years	Function to be determined by the CEO with up to $500 for catering. Gift to the value of $50 per year of service.
Continuous Service 20 years and over	Function to be determined by the CEO with up to $500 for catering. Gift to the value of $60 per year of service.
Parental Leave (primary caregiver)	Team or Office morning or afternoon tea to the value of $50.

3 Ex-gratia payments

The CEO is authorised to negotiate an ex-gratia payment where the separation is, or would otherwise be, at the initiative of the Employer (but is taken to be a voluntary severance by resigning as an employee). The ex-gratia payment shall not exceed an amount equivalent to six months' salary. The Mayor will be advised of the amount and reason for the payment.

Ex gratia payments in recognition of extensive or exemplary service, shall not be made to Employees upon termination of their employment with the Town of Port Hedland, whether as a result of retirement, resignation or otherwise.

4 Service

For the purpose of this policy, continuous service shall be deemed to include:

- Any period of absence from duty of annual leave, long service leave, accrued paid bereavement leave, accrued paid personal leave, defence reservist leave and public holidays;
- Any period of authorised paid absence from duty necessitated by sickness of or injury to the Employee but only to the extent of three months in each calendar year but not including leave without pay or parental leave; and
- Any period of absence that has been supported by an approved workers compensation claim up to a maximum absence of 1 year.

For the purpose of this policy, continuous service shall not include:

- Any period of unauthorised absence from duty unless the Council determines otherwise; Any period of unpaid leave unless the Council determines otherwise; and
- Any period of absence from duty on Parental leave unless the Council determines otherwise.

Consequences

This policy represents the formal policy and expected standards of the Council. Appropriate approvals need to be obtained prior to any deviation from the policy. Elected Members and Employees are reminded of their obligations under the to give full effect to the lawful policies, decisions and practices of the Council.

Relevant Legislation	Local Government Act 1995 – Section 5.50 Local Government (Administration) Regulations 1996 – Regulation 19A Council Policy – 3/007 Senior Employees and Appointing Chief Executive Officer		
Supporting Documents	Town of Port Hedland Enterprise Agreement 2023 and any successor agreement.		
Directorate	Office of the Chief Executive Officer		
Business Unit	Human Resources		
Policy Reference			
Version Control	Version	Council Decision	Adoption Date
	01	CM202627/229	30 September 2026
Review Frequency	4 Yearly		

Fees and Charges Waiver

Objective

This Policy aims to define the Council's position on requests to waive various fees and charges, partially or fully. Its purpose is to ensure these requests are managed consistently, transparently and equitably.

Content

This Policy applies to Council-set discretionary fees and charges as defined in the Fees and Charges Schedule of the Annual Budget and should be read in conjunction with that document.

Types of fees considered for a waiver/concession

The types of fees considered in this Policy for a waiver/reduction are:

- Surrender Fees and Charges.
- Waste Disposal Charges.
- Trading in Public Places Fees.
- Community Facility Hire Fees.

Note: Facility/Building Lease and Seasonal Licence Charges are in a separate policy.

Exclusions to the Policy

Exclusions to the scope of this Policy include:

- Statutory fees, which should only be waived, fully or partially, pursuant to relevant legislation.
- Circumstances in which another Council policy that includes a fee waiver component is more applicable, for example, an event covered by Council's Events Program.
- Fines and penalties, which should be referred to existing appeal mechanisms.
- Insurance fees.
- Venue hire bonds.
- Damages and additional cleaning fees.
- Bad debts write off.
- Council rates and property charges.

Policy Statement

Eligibility Framework

General

The overarching principles for the waiver of fees and charges are:

- Waivers will be capped at a cumulative threshold of $30,000 per applicant per financial year.
- Must be requested before the fee or charge is incurred or paid.
- Applications should be received at least 10 working days prior to the service/event delivery for waivers of less than $10,000.
- Applications should be received at least 30 working days prior to the service/event delivery, with waivers above $10,000 to be considered by the Council.

Eligibility Principles

A fees or charges waiver will not be considered where:

- The activity is a program, service, function or event that:
    - Is contrary to, or inconsistent with, another Council Policy.
    - Is already supported by Council via a financial or in-kind contribution.
    - Is subject to an existing agreement, including but not limited to Memorandums of Understanding.
    - Duplicates existing Council programs or activities.
- It is reasonably likely to result in a disproportionate increase in the number of requests from the benefiting organisation(s) or from similar organisations.
- It is a not for profit group that is auspiced by a private or commercial event, or one being run by a group/organisation based outside the Town of Port Hedland or immediate surrounds.

Application, Decision Making and Authorisation Framework

General

Each application will be assessed by the relevant Delegated Officer in accordance with the financial delegations stated in *Delegation 1.2.23 Fees Waivers and Community Concessions* of the Delegation Register.

Delegated Officers should ensure that fees and charges waiver requests are considered fairly, equitably and transparently, in accordance with the Fees and Charges Waivers Assessment Matrix (attached with this Policy).

The Council and Town of Port Hedland will determine what is of benefit to the community for the purpose of this Policy.

When considering a request to waive fees or charges, the decision must have regard to the merits of the application as well as the following:

- The activity to which the fee or charge applies demonstrates specific benefits to the Town of Port Hedland community.
- The activity supports Council's vision and priorities as defined in the strategic Council Plan documents.
- The nature of the applicant, e.g., is the applicant a not-for-profit organisation registered with the Australian Charities and Not for Profit Commission?
- The applicant performing the activity is based in the Town of Port Hedland.
- The applicant performing the activity provides services/benefits to residents or the wider Town of Port Hedland community.
- The scope for waiving the fee or charge within the context of business unit budgets, policies, and the broader business activity/market.

To encourage fairness and equity, user groups should be made aware that an application may be unsuccessful where they:

- Increase demand from certain groups relative to others.
- Result in inequitable access to Council facilities or services because of subsiding certain users/groups.

Other circumstances

At the discretion of the Delegated Officer, the following may be granted a full or partial fees or charges waiver at Council operated facilities:

- Bereavement/compassionate events to recognise a community member who has contributed "over and above" to the life of the community.
- Activities, exhibitions or events that are run by local community not for profit groups substantially for community benefit or jointly delivered with Council to contribute to Council Plan objectives or actions.

In deciding such application, the Delegated Officer will consider:

- Whether the event is generally open to all and widely advertised.
- The cost to attend (very low or no cost events).
- The benefits to the community.
- The extent of volunteer involvement.
- What Town facility is being used.

Waivers and Concessions

When considering fees and charges waiver requests, the Policy

Assessment Matrix determines the % reduction.

Note: For an organisation with a charitable status, it must be registered and recognised by the Australian Charities and Not for Profits Commission.

Statutory fees may only be waived or reduced in exceptional circumstances, and in accordance with the relevant legislation.

Definitions

Definitions as they relate to this Policy.

Charity	An entity determined by the Australian Charities and Not-for-profits Commission (ACNC) to be a charity. A charity is a type of not-for-profit organisation however the main difference between the two is that a nonprofit doesn't need to be 'charitable status,' whereas as a charity needs to meet very specific guidelines.
Not for profit	Not-for-profit organisations provide services to the community and do not operate to make a profit for its members (or shareholders, if applicable).
Community benefit	A demonstrated community need within the Town of Port Hedland which aligns with the Council's strategic priorities.
Concession	Dispensation to reduce part or all fees that the Town would ordinarily charge.
Fee	Any fee that is recorded on the Fees and Charges schedule for the current year.
Fee Waiver	An agreement that you do not have to pay the required fee recorded on the fees and charges schedule.
Commercial purposes	The conduct of an activity by an entity/organisation whose primary objective is directed at making a profit.
MOU	A Memorandum of Understanding (MOU) is an agreement between two or more parties outlined in a formal document. It is not legally binding but contains certain information that the parties agree to, such as the project or reason for the MOU, the time period and the duties and responsibilities of each party.

Relevant Legislation	Local Government 1995		
Directorate	Corporate Services		
Business unit	Finance		
Delegated Authority	Chief Executive Officer		
Version Control	Version	Council Decision	Adoption Date
	V01 V02	CM202425/169 CM202627/229	27 October 2024 30 September 2026
Review Frequency	4 Yearly		

2/005 Financial Hardship

Objective

The objective of this policy is to recognise there are unforeseen cases of genuine financial hardship where payment of outstanding rates would cause the ratepayer further distress. The policy outlines the scope and criteria for determining applications for rating relief.

This policy applies to Owner/Occupier residential and small business owner ratepayers. However, the Town encourages any ratepayer experiencing payment difficulty to make contact with the Town.

Purpose

Qualifying Criteria
Subject to qualifying criteria, eligible residential and small business ratepayers experiencing Financial Hardship will be provided assistance where:

a) Upon recommendation by the Approving Officer, the ratepayer is experiencing genuine financial hardship;
b) The ratepayer's circumstances can be substantiated if requested;
c) The ratepayer is not bankrupt or subject to a bankruptcy petition;
d) No revenue is being derived from the residential property;
e) The non-residential property is the principal place of business of the ratepayer;
f) The applicant must be the owner or co-owner of the property and liable for payment of rates and charges.

Assistance
When ratepayers are determined to be in Financial Hardship the Town will:

a) Cease any penalty interest; **excluding the late payment interest applicable to the Emergency Services Levy*
b) Temporarily pause payment of your rates, fees and charges;
c) Establish an alternative payment arrangement plan.

The maximum time for a concession on future interest charges is two years. The maximum time for a pause on payment is 6 months.

Supporting Documentation
Third party documentation may be requested to assist in determining applications

for Financial Hardship.

Ratepayer Obligations
Ratepayers are obliged to inform the Town of any changes in their circumstances that would no longer warrant consideration of Financial Hardship.

Residential ratepayers are encouraged to make application for State concessions which may provide them with further financial benefit.

Small business ratepayers are encouraged to make application for Federal and State Government funding which may provide them with further financial benefits.

Ratepayers are required to use available Payment Options.

Duration
A temporary suspension from the payment of rates and subsequent establishment of alternative payment arrangements shall aim to clear overdue rates, fees and charges, and restore regularity of payments within 2 years.

It is acknowledged that experiencing unfortunate events may not be a one-off lifetime event and that some ratepayers may need to make application for Financial Hardship more than once.

Debt recovery
The Town will suspend our debt recovery processes whilst negotiating a suitable payment arrangement with a debtor. Where a debtor is unable to make payments in accordance with the agreed payment plan and the debtor advises the Town and makes an alternative plan before defaulting, the Town will continue to suspend debt recovery processes.

Where a ratepayer has not reasonably adhered to the agreed payment plan, one further opportunity of adhering to a payment plan that will clear the total debt within the allowed timeframe is possible.

Review position and date
The Town will establish a mechanism for review of decisions made under this policy and advise the applicant of their right to seek review and the procedure to be followed.

Communication and Confidentiality
The Town will maintain confidential communications at all times and their undertake to communicate with a nominated support person or other third party at your request.

The Town will advise ratepayers of this policy and its application, when communicating in any format (i.e. verbal or written) with a ratepayer that has an outstanding rates or service charge debt.

The Town recognise that applicants requesting financial hardship consideration are experiencing additional stressors and may have complex needs. The Town will provide additional time to respond to communication and will communicate in alternative formats where appropriate. The Town will ensure all communication with applicants is clear and respectful.

Definitions

Financial Hardship	When a Ratepayer is willing but unable to pay their rates because of unforeseen and unexpected events that impacts substantially upon short term cash flow, for example: • Changes in employment status (such as losing a job or having hours significantly reduced). • Significant life events such as serious illness, a relationship breakdown or death in the family. • Significant loss of revenue. • Emergency event or natural disaster.
State Concessions	Meeting eligibility criteria for approved Pensioner or State Concession Card, Commonwealth Seniors Health Card with a WA Seniors Card.
Payment Arrangement	A payment plan (Also known as a Direct debit agreement) is an agreement between the Town and the rate payer, to receive a certain amount of money in regular instalments over an agreed timeframe.

Relevant Legislation	Local Government Act 1995 Part 6, Division 4, Clause 6.13 – Interest on money owing to governments Part 6, Division 6, Subdivision 4, Clause 6.45 – Options for payment of rates and service charges Part 6, Division 6, Subdivision 4, Clause 6.51 – Accrual of interest on overdue rates or service charges Part 6, Division 6, Subdivision 5, Clause 6.56 – Rates or service charges recoverable in court Part 6, Division 6, Subdivision 5, Clause 6.60 – Local government may require lessee to pay rent Part 6, Division 6, Subdivision 6, Clause 6.64 – Action to be taken *Rates and Charges (Rebates and Deferments) Act 1992* *Debt Collectors Licencing Act 1964*		
Directorate	Corporate Services		
Business Unit	Financial Services		
Delegation	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01	CM202324/234	27 March 2024
	V02	CM202526/119	24 Sep 2025
	V03	CM202627/229	30 Sep 2026
Review Frequency	4 Yearly		

2/019 Financial Reserves

Objective

The objective of the Financial Reserves Policy is to provide a framework for the establishment and ongoing management of financial reserves.

Content

The Town has established a number of reserves for the purpose of setting aside funds for specific purposes with clear linkages to the adopted strategies and plans of the Town.

Reserves may be utilised only for the purpose for which they were created. As part of the ongoing management of the Financial Reserves, each Reserve will be reviewed on an annual basis as part of Budget preparation to ensure that the purpose of the Reserve is still current and maintains clear linkages with the adopted strategies and plans of the Town. The Local Government Act 1995 and Regulations prescribe the necessary steps should the Town seek to change the purpose of a Reserve or expend Reserve funds for an alternative purpose.

Reserves may be externally restricted (external funding requirement to restrict funds in a Reserve) or internally restricted (Town funds). As a general rule, interest earnings from investments will only be applied to externally restricted funds. All other interest will be applied to general purpose municipal revenue.

Prior to the creation of a Reserve, Council shall adopt operating parameters in relation to the Reserve which are to set out:

- The purpose of the reserve;
- The basis of calculation for any transfer to and from the reserve; and
- The proposed allocation of any unexpended balance remaining in the reserve following completion of the project.

Reserve funds may only be expended by an absolute majority resolution of Council, typically encompassed by the adoption of the budget or subsequent half yearly budget reviews.

Each month the financial report presented to Council is to include a schedule of Reserves, showing:

- Opening balance at 1 July;
- Budgeted transfer to reserves;
- Budgeted transfer from reserves;
- Estimated closing balance at 30 June; and
- Current balance

<u>Authorised Reserves</u>

Employee Leave	
Purpose	To ensure that adequate funds are available to finance employee leave entitlements such as annual leave, long service leave.
Calculation Funding/Basis	Transfers to and from the Reserve will be based upon projected end of year non-current liabilities relating to employee leave entitlements.
Target Balance	100% of non-current employee leave liabilities as reported in Town of Port Hedland's Annual Financial Statements (Provisions Note).

Spoilbank	
Purpose	To fund the Port Hedland Spoilbank development.
Calculation Funding/Basis	Transfer to and from the Reserve are based on the contributions to and the expenditure associated with the Spoilbank development.
Target Balance	The Reserve will be depleted as the Spoilbank development is completed.

Asset Management Infrastructure	
Purpose	To fund the ongoing maintenance, refurbishment, renewal, replacement and development of Council owned infrastructure assets within the Town of Port Hedland.
Calculation Funding/Basis	Transfers to the Reserve are dependent upon the level of rate revenue generated, contributions received, savings identified, and additional income achieved. Council can also make decisions to direct specific income to the Asset Management Infrastructure reserve. The current council decisions that have this direction are specific lease proceeds. (CM201415/032) Transfers from the Reserve are based upon meeting the annual renewal requirements for the year in line with Council's Asset Management Plans (excluding Plant).
Target Balance	Sufficient to ensure adequate funding of annual renewal requirements set out in Council's Asset Management Plans. Target: To facilitate, on average, the attainment of a 110% Asset Sustainability Ratio every yea

Waste Management	
Purpose	To fund the development, operation, maintenance and capital expenditure for the Council's waste management facilities including the landfill and waste collection operations.
Calculation Funding/Basis	Transfer to and from the Reserve will represent any surplus or deficit generated from the Council's waste management facilities including landfill and waste collection operations and a return to the Municipal Fund for the return on investment.
Target Balance	The Reserve balance should be modelled to ensure sufficient funds are available in Reserve to meet future capital expenditure requirements as per the Landfill masterplan.

Plant	
Purpose	To fund the plant replacement program.
Calculation Funding/Basis	Where there are sufficient funds available, transfer an amount up to the annual plant depreciation to the Reserve. This should be adequate to meet future plant replacement funding requirements. Transfers from the Reserve will replenish the municipal fund for purchases as per the approved Plant Replacement Program. Funds from the sale of plant and equipment are to be transferred to the reserve for use on replacement plant.
Target Balance	No more than the annual depreciation of the Town's major and minor plant.

Unfinished Works and Committed Works	
Purpose	To transfer unspent municipal funded expenditure on specific projects to enable identification of carryover expenditure into the next financial year.
Calculation Funding/Basis	Transfers to and from the Reserve will be based upon the unspent Municipal funded expenditure on specific projects identified at year end to enable the identification of carryover expenditure into the next financial year.
Target Balance	N/A

Strategic	
Purpose	To fund strategic projects as included in the Town's Strategic Community Plan and Corporate Business Plan.
Calculation Funding/Basis	Transfers to the reserve are dependent upon the level of rate revenue generated, contributions received, savings identified, additional income achieved. Transfers from the reserve will occur to fund strategic projects as included in the Town's Strategic Community Plan and Corporate Business Plan and identified in the Long Term Financial Plan and the annual budget.
Target Balance	The reserve balance will diminish as projects are completed.

Airport	
Purpose	To fund the future Port Hedland International Airport Capital Works commitments.
Calculation Funding/Basis	Transfer to or from the reserve will represent any surplus or deficit generated from the Port Hedland International Airport Capital Works Program being completed.
Target Balance	The reserve balance will diminish as capital works are completed, with any remaining balance to be transferred to the Asset Management Reserve.

Housing Reserve	
Purpose	To fund the maintenance, refurbishment, redevelopment and construction of Local Government provided housing.
Calculation Funding/Basis	Transfers to the reserve will be the sale proceeds from residential town properties.
Target Balance	A minimum, if not more than the annual depreciation of the Town's buildings – non-specialised.

Cyclone Response	
Purpose	To fund cyclone and emergency related projects.
Calculation Funding/Basis	Transfer to and from the Reserve are based on the contributions to and expenditure relating to Cyclone emergency response and projects that will improve the Town's ability to respond to cyclone emergencies.
Target Balance	The Reserve will be depleted and not replenished.

Financial Risk Reserve	
Purpose	To provide funds to mitigate against financial risks including legal cases with penalties awarded against the Town, SAT rulings upholding valuation objections on high value properties likely to cause significantly large refunds and other unknown events potentially resulting in financial loss to the Town.
Calculation Funding/Basis	Transfers to the reserve are as budgeted each financial year. Transfers to the reserve will be rateable assessments that the Town deem as "at risk "of falling with in the reserves purpose (subject to legal cases, SAT rulings, valuation objections and may potentially result in a refund). Transfers to the reserve will not include the additional fees and charges included on the rates notice (eg. ESL levy). Transfers from the reserve will be on all assessments the Town deem as no longer at risk and will be return to the municipal funds.
Target Balance	No more than enough to cover any potential rate refunds that materially impact the Town's budget. The ideal balance will change on a yearly basis and is subject to an annual review.

Landfill Establishment Reserve	
Purpose	To fund the closure and repatriation of the existing landfill facility situated at North Circular Road, South Hedland while also planning for the design, development and construction of a new landfill facility on a suitable designated site.
Calculation Funding/Basis	The required surplus generated from the Council's waste management facilities in line with the long term financial model.
Target Balance	The target balance will cover the long term financial modelling inclusive of all costs and requirements to meet the future capital expenditure requirements of the Landfill masterplan.

Public Art Reserve	
Purpose	To fund public art.
Calculation Funding/Basis	Funded from developer contributions received where amounts are set aside for public art.
Target Balance	The reserve balance will diminish as projects are completed.

Kingsford Smith Business Park Development Reserve	
Purpose	To fund ongoing development of the Kingsford Smith Business Park Development
Calculation Funding/Basis	Transfers to include surplus generated by sales of developed land from the Kingsford Smith Business Park.
Target Balance	The reserve will be depleted as the development project is completed.

Relevant Legislation	Local Government Act 1995 Part 6 Division 4 s. 6.11 Reserve Accounts Local Government (Financial Management) Act 1996		
Directorate	Corporate Services		
Business Unit	Financial Services		
Delegated Authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01	CM201516/194	23 March 2016
	V02	CM201920/199	22 April 2020
	V03	CM202021/102	16 December 2020
	V04	CM202021/166	3 June 2021
	V05	CM202324/291	25 June 2024
	V06	CM202526/119	24 September 2025
	V07	CM202627/229	30 September 2026
Review Frequency	4 Yearly		

2/004 Rating

Objective

This policy will provide an administrative framework to outline the principles and methodology used in respect to rates raised and waived under the Local Government Act 1995.

In setting rates, Council considers the long term vision for the Town, financial sustainability and the likely impacts on the community.

Purpose

As part of its budgetary process, the Town will establish its forecast budget deficit with Council determining the amount of rates to cover this shortfall, to meet the Town's financial, operational and statutory responsibilities for the coming financial year

Rating revenue requirements are imposed as a rate in the dollar charge, applied to rateable property valuations as independently determined by the Valuer-General.

Rates and associated charges (including instalment arrangements and interest charges) are disclosed in the Annual Budget as resolved by Council and prescribed by the *Local Government Act 1995* (as amended).

Differential General Rating

Differential rating allows a local government to rate on the basis of land use, zoning or a combination of both. The rate is expressed as a rate per dollar of valuation.

Minimum General Rating

The minimum amount payable of a general rate or differential general rate is determined by Council, irrespective of valuation. This classification is to ensure all ratepayers make a minimum contribution for all non-exclusive services.

Specified Area Rate

A specified area rate can be set to meet the cost of undertaking specific work in an area or for providing a service or facility for ratepayers in a specific area that have benefited or will benefit from these works. Options to set this class of rates are considered when developing the rates strategy.

Interim Rates

Interim valuations shall only be applied where additional levies of at least $100.00 result in the year in which the new valuation takes effect. Where additional levies of less than $100.00 would otherwise result, the interim valuation is to be applied from 1 July in the next financial year.

When a subdivision or strata title has occurred resulting in the creation of new assessments, receipt credits resulting from a valuation adjustment will be transferred to the new assessments.

Rating of Council Facility Leases

All Council lease agreements shall be subject to the application of municipal rates as per the conditions included within the lease agreement.

Rates Concession (Rateable Land)

All rate concessions will be considered by Council during the budget process.

A concession under this policy will be assessed in accordance with section 6.47 of the *Local Government Act 1995*.

All applications for concession under s6.47 of the *Local Government Act 1995* must be in writing on the prescribed form and contain a declaration as to the accuracy of the information contained therein.

An application will be required to be lodged every year prior to 31 March and is to be assessed in accordance with this policy.

Council may request additional information from an organisation making an application if it considers it necessary to do so. Information requested is not limited to, but typically include:

- Copies of the Constitution of the organisation
- Recent financial statements of the organisation
- Information demonstrating precisely how land subject to the application is used.

Council is only able to grant a concession from rates under section 6.47.

It is the policy of the Town of Port Hedland that any concession of rates in respect of any rateable land in the Council area will be available only when the applicant satisfies the requirements of this Policy.

Rates concessions will only be provided to community groups or associations that operate as a body corporate or an Incorporated Association or at the discretion of Council in extraordinary circumstances. Concessions will not be provided to an individual. The Town of Port Hedland will determine what is of benefit to the community for the purpose of this policy.

Rates concessions for residential properties not used in the primary service delivery of the community group or association's activities or services will not be eligible for a concession.

The concession amounts range from 50% to 100% of the rates that are payable. Whether a concession is granted in response to an application or, if a concession is granted, the percentage of the rates that may be waived, is entirely at the discretion of Council and the granting of a concession in any year, will not guarantee that any future concessions will be granted.

Rates Exemption (Non Rateable Land)

An exemption under this policy will be assessed in accordance with section 6.26 of the *Local Government Act 1995*.

As per the *Local Government Act 1995*, charitable status of any organisation, must be applied for by an organisation prior to the status being evaluated and recognised by the Australian Charities and Not for Profits Commission.

All applications for exemption under s6.26 of the *Local Government Act 1995* must be in writing on the prescribed form and contain a declaration as to the accuracy of the information contained therein.

An application will be required to be lodged every year prior to March 31 and is to be assessed in accordance with this policy.

Council may request additional information from an organisation making an application if it considers it necessary to do so. Information requested is not limited to, but typically include copies of the Constitution of the organisation, recent financial statements of the organisation and information demonstrating precisely how land subject to the application is used. Council is only able to grant an exemption from rates under section 6.26.

Late applications submitted after the due date may be reviewed and adopted by Council under exceptional circumstances.

Non Rated Land

Non Rated land will be determined based on law, by way of Act or Agreement, during the budget process, or by the Chief Executive Officer (by way of application). Council is to be advised of any change in the status of Non Rated Land, with two (2) months of the change occurring.

Back Rating of Properties

Where a property settlement has occurred and the vendor and purchaser are not aware that a valuation adjustment is pending (advice has not been given to the Agent or the owner that a revaluation/interim rate is pending), back rates raised shall only be backdated to the date of settlement, thus not affecting the previous owners.

Those ratepayers subjected to back rates of more than two financial years can request the option to pay by instalments over an extended period, other than the standard instalment option.

The fee for instalments would not apply in this instance however penalty interest would be calculated on any alternative instalment payment that remains unpaid after the due date as per the agreement made with Council, and continue to accrue until such time as the instalment is paid.

State Agreements

State Agreements have a rate exemption clause.

State Agreements are considered a high risk to rely on from a long term financial perspective.

A nominated amount of funds is held within the Financial Risk Reserve to Mitigate this risk. A percentage of the rate revenue raised in any one year that is directly dependent on State Government Policy, excluding mining tenements, should be held in the Financial Risk Reserve until the following financial year to mitigate risks.

Payment of Rates

The Town levies rates once a year and issues an annual rates notice to all ratepayers. Rates are levied as early as possible in each financial year and are typically due for payment in the following months each year if instalment options are chosen:

- September
- November
- February
- May

In the event that rates are levied earlier or later, due dates for payment shall be set in accordance with section 6.50 of the *Local Government Act 1995.*

Objection Rights

Pursuant to section 6.76 of the Local Government Act, a person may object to a rates notice on the following grounds:

- There is an error in the rate notice in relation to the identity of the land owner or the part of the land to be rated; or
- If the Town imposes a differential general rate, that the characteristics of the land recorded in the rate record as the basis for imposing that rate should be deleted and other characteristics substituted.

An objection is to be made to the Town in writing within 42 days of the service of a rate notice under section 6.41.

Pursuant to section 32 of the *Valuation of Land Act 1978*, a person may object to the valuation on which their rates assessment was based. An objection to the valuation of land is to be directed to the Valuer-General at Landgate and is to be made in writing within 60 days of service of the rates notice under section 6.41.

Relevant legislation	Local Government Act 1995		
Directorate	Corporate Services		
Business Unit	Financial Services		
Delegated authority	Chief Executive Officer		
Version Control	Version	Council Decision	Adoption Date
	V01 V02 V03 V04 V05 V06 V07	- CM201819/120 CM202021/112 CM202324/291 CM202526/119 CM202627/207 CM202627/229	26 April 2006 13 February 2019 3 February 2021 25 June 2024 24 September 2025 29 July 2026 30 September 2026
Review frequency	4 Yearly		

Integrity Framework

Objective/Purpose

The objective of this Policy is to establish Council's commitment to integrity, ethical conduct, transparency and accountability across the Town of Port Hedland (the Town), and to set Council's expectation that integrity risks are managed through an organisational Integrity Framework approved and maintained by the Chief Executive Officer (CEO).

This Policy recognises that integrity is fundamental to good local government, public trust and lawful decision-making. It provides the Council-level direction for a coordinated approach to preventing, detecting, reporting and responding to integrity risks, including misconduct, fraud, corruption, unmanaged conflicts of interest, misuse of information or resources, improper influence and reprisal.

Policy Statement

1 Policy Statement

The Town is entrusted with public resources, statutory powers and decisions that affect the community. Council expects those powers, resources and decisions to be exercised honestly, lawfully, transparently, fairly and in the public interest.

Council is committed to a culture where integrity is embedded in governance, risk management, decision-making, service delivery, financial stewardship, procurement, recordkeeping, complaints management and workforce conduct.

The Town does not tolerate fraud, corruption, serious misconduct, improper influence, misuse of position, misuse of information or resources, and reprisal against a person who raises an integrity concern in good faith.

2 Council Direction to the CEO

Council directs the CEO to establish, implement, maintain and periodically review an organisational Integrity Framework applicable to all employees of the Town.

The Integrity Framework is an administrative framework under the responsibility of the CEO. It is to give practical effect to this Policy by setting out the Town's systems, controls, roles, responsibilities, reporting pathways, education, monitoring and assurance arrangements for managing integrity risks.

The Integrity Framework must align with and support the Town's existing governance documents, including the:

- Risk Management Policy;
- Fraud and Corruption Policy;

- Public Interest Disclosure Policy;
- Codes of Conduct; and
- relevant internal operating procedures.

The CEO may amend the Integrity Framework administratively to maintain legislative compliance, improve effectiveness, address emerging integrity risks and ensure alignment with Council policies and better practice governance principles.

3 Integrity Principles

The Town's approach to integrity is based on the following principles:

1. Clear expectations – all employees are expected to act honestly, ethically, lawfully and in the public interest.
2. Risk-based management – integrity risks are to be identified, assessed, treated, monitored and reported through the Town's risk management and assurance processes.
3. Prevention, detection and response – controls are to be maintained to prevent, detect and respond to fraud, corruption, misconduct, non-compliance and other integrity breaches.
4. Safe reporting – people must be able to raise integrity concerns through appropriate pathways, including Public Interest Disclosure processes where applicable, without fear of reprisal.
5. Accountability and transparency – decisions and actions must be properly authorised, documented and capable of withstanding scrutiny.
6. Continuous improvement – integrity arrangements are to be reviewed and strengthened using lessons from complaints, disclosures, audits, risk reviews, investigations, control failures and external integrity guidance.

4 Roles and Responsibilities

Council is responsible for setting the strategic integrity expectation through this Policy.

The CEO is responsible for implementing this Policy, approving and maintaining the Integrity Framework, ensuring appropriate systems and controls are in place, and meeting statutory notification or reporting obligations.

The Audit, Risk and Improvement Committee provides independent oversight and advice to Council on relevant audit, risk, internal control, compliance and improvement matters within its terms of reference.

Employees are responsible for acting in accordance with the Town's values, Codes of Conduct, policies, procedures, lawful directions and integrity requirements relevant to their role.

Elected Members and committee members are responsible for meeting their statutory conduct obligations and acting in accordance with the relevant Code of Conduct.

Legislative Framework

This policy should be read in conjunction with:

- Local Government Act 1995 and associated regulations;
- Corruption, Crime and Misconduct Act 2003;
- Criminal Code Act Compilation Act 1913;
- Freedom of Information Act 1992;
- Parliamentary Commissioner Act 1971;
- Public Interest Disclosure Act 2003;
- Privacy and Responsible Information Sharing Act 2024;
- State Records Act 2000;
- Working with Children (Screening) Act 2004; and
- Work Health and Safety Act 2020

Where there is any inconsistency between this Policy and applicable legislation, the legislation prevails.

Definitions

Council policies developed under this framework must be consistent with the Town's Delegations Register and other adopted governance instruments to support lawful and consistent decision-making.
This Policy must also be reviewed following any significant legislative amendment, governance reform, or organisational restructure affecting policy responsibilities.

This Policy is to be read and applied in conjunction with:

- Policy 1/022 Risk Management;
- Policy 1/023 Public Interest Disclosure;
- Policy 1/024 Fraud and Corruption;
- Relevant Codes of Conduct; and
- Town of Port Hedland Statement of Business Ethics

Definitions

Integrity means using public powers, resources, information and position honestly, lawfully and for their intended purpose. Integrity requires decisions and conduct to be ethical, transparent, accountable and in the public interest.

Integrity Framework means the operational framework that sets out the Town's practical arrangements for preventing, detecting, reporting, responding to and learning from integrity risks and breaches.

Relevant Legislation	Local Government Act 1995 and associated regulations Corruption, Crime and Misconduct Act 2003 Criminal Code Act Compilation Act 1913 Freedom of Information Act 1992 Parliamentary Commissioner Act 1971 Public Interest Disclosure Act 2003 Privacy and Responsible Information Sharing Act 2024 State Records Act 2000 Working with Children (Screening) Act 2004 Work Health and Safety Act 2020		
Supporting Documents	Council Policy Manual Town of Port Hedland Codes of Conduct Town of Port Hedland Statement of Business Ethics		
Directorate	Corporate Services		
Business Unit	Audit, Risk and Insurance		
Policy Reference			
Version Control	Version	Council Decision	Adoption Date
	01	CM202627/227	30 September 2026
Review Frequency	4 Yearly		

1/029 Attendance at Events

Objective

Section 5.90A of the Local Government Act 1995 provides that a local government must prepare and adopt an Attendance at Events policy. This policy is made in accordance with those provisions.

This policy addresses attendance at any events, including concerts, conferences, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the local government. The purpose of the policy is to provide transparency about the attendance at events of Council members and the Chief Executive Officer (CEO) and establish guidelines for the management of acceptance invitations to events or functions.

Purpose

This policy applies to all Elected Members of the Town of Port Hedland and covers all events, including but not limited to conferences, functions, sporting events, and ceremonies where attendance is sought in an official capacity.

Policy Statement

Legislation
The Local Government Act 1995 section 5.90A requires a local government to prepare and adopt a policy relating to the attendance of Council members and the CEO at events.

Invitations to Events
All invitations or offers of tickets for Elected Members or the CEO must be addressed to the Town and received at least five (5) working days prior to the event.

Any invitation or offer of tickets not directly addressed to the Town are subject to the gifts and interests provisions of the Act and Code of Conduct.

Approved Attendance at Events
Pre-Approved Events:
In order to meet the policy requirements, tickets and invitations to pre-approved events must be received by the Town.

The Mayor, all Elected members and the CEO are entitled to attend pre-approved events. If there is a fee associated with a pre-approved event, the fee will be paid for by the Town from the Town's budget.

When events and attendees are pre-authorised, the attendees are authorised in order of priority, subject to the number of available invitations/tickets. Where there are

insufficient invitations/tickets available for all pre-authorised attendees, the Mayor (in liaison with the CEO) will determine final attendance.
Events organised by the following entities are pre-approved for attendance by Elected Members and the CEO:

- Western Australian Local Government Association (WALGA).
- Australian Institute of Management (AIMWA).
- Australian Institute of Company Directors.
- Pilbara Kimberley Joint Forum.
- State Government agencies and oversight bodies.
- Town of Port Hedland.
- Neighbouring local governments.
- Pilbara Regional Council.
- Educational institutions.
- Chambers of Commerce.
- Registered not-for-profit organizations.
- Major professional or industry associations.
- Civic, arts, cultural, business, or community organisations within the Town's district.

Official Representation
Attendance is deemed approved for the purposes of s5.62(1B)(a)(i) and (ii) of the Act and does not need to be disclosed as a gift in accordance with s5.87A and 5.87B of the Act when the Elected Member or CEO is:

a) Performing a speaking or welcoming role.
b) Participating in a panel or as a judge.
c) Representing the Town at sponsorship acknowledgments or award ceremonies, where the primary purpose of attendance is not for the entertainment of the Elected Member, Chief Executive Officer or employee, but to enable the Town to fulfil its role, and exercise its rights as a sponsor;
d) Attending exhibitions where the Town's programs or services are showcased.

Approval Process for Non-Pre-Approved Events:

- The CEO must approve invitations for Elected Members.
- The Mayor must approve invitations for the CEO.

In such instances, acceptance of the invitations and/or use of ticket does not need to be disclosed as a gift (s5.90A of the Act).

Approval considerations include:

a) Alignment with Town priorities and strategic objectives.
b) The benefit to the Town and community by their attendance.
c) Associated cost implications and available budget allocation.

d) The donor providing the invitation.
e) The event's location relative to the Town's district.
f) Relevance to the elected member's role (participant, observer, presenter, etc) and the value of their contribution.
g) Whether the event is sponsored by the Town.

Where the value of attendance exceeds $1,000, Council approval is required through an ordinary council meeting.

The Mayor may delegate any approved attendance to an event (by the Mayor) to the Deputy Mayor or another council member.

Costs associated with attendance at events

The Town will cover reasonable costs associated with approved event attendance, including:

- Registration or ticket fees.
- Travel expenses.
- Accommodation where necessary.
- Meals not included in the event registration.

All expenses must comply with the Town's existing Elected Member Allowances Facilities and Expenses Policy (4/008).

Disclosure Requirements

Gifts must be disclosed per the Act and the Town's *Code of Conduct*, recorded in the Gift Register.

Pursuant to section 5.62(1B)(a)(i) and (ii) of the Act, there is no requirement for an Elected Member or CEO to disclose attendance at an event undertaken in accordance with this Policy, in the circumstances where the donor of the ticket has a matter before the Council or a committee of the Council.

A register of elected member event attendance will be maintained and published on the Town's website, including:

a) Name of elected member.
b) Event description.
c) Event date.
d) Cost to the Town.
e) Benefit to the community.

The register will be updated quarterly and presented to Elected Members annually via a Council Report or Elected Members Information Bulleting.

Exemptions

This policy does not apply to:

- Training, seminars, conferences, or professional development activities.
- Events attended under the Elected Member Professional Development Policy (4/010) or Town-sponsored training or professional activities.

Professional Development

Events attended for professional development purposes must align with the Town's Elected Member Professional Development Policy.

Attendance at professional development events counts towards the annual training requirements under Section 5.126 of the Local Government Act 1995.

Administration

Allocation of Tickets
Tickets received by the Town may be allocated by the CEO to Elected Members based on the event's relevance and the representative role required.

Complimentary tickets under sponsorship agreements are managed by the CEO and disclosed in accordance with this policy.

Approval Process for Non-Pre-Approved Events

Requests for approval should consider:

- The value and source of the invitation.
- The event's relevance to the Town.
- Budget availability and fair distribution of attendance opportunities.

Time Limit on Claims and Reimbursements

Requests for reimbursement must be submitted within three (3) calendar months of incurring expenses.

Dispute Resolution

Disputes regarding this policy are referred to the CEO and, if unresolved, to the Council for consideration.

Roles and Responsibilities

Elected Members:

- Submit timely requests for event attendance.
- Provide post-event reports when required.
- Represent the Town professionally at all events.
- Declare any gifts received in accordance with the Act.

Chief Executive Officer:

- Assess and approve event attendance requests.

- Ensure maintenance of the attendance register.
- Monitor policy compliance and budget allocation.

Administration:

- Process approved requests.
- Maintain accurate records.
- Update the public register.
- Process expense claims.

Definitions

"Town" means the Town of Port Hedland.
"Act" means *Local Government Act 1995*.
"Event" means a concert, conference, function, sporting event, or an occasion of a kind prescribed in the regulation (s5.90A(1) of *the Act*).
"Function" means an official ceremony or a formal social event where a large number of people are usually present.
"Gift" means as defined in section 5.57 of *the Act*, including financial benefits, property, or travel contributions.
"Ticket" includes admission to an event, an invitation to attend an event, or a complimentary registration.
"Elected Member" A person elected under the Local Government Act 1995 as a member of the council of the Town of Port Hedland.

Relevant legislation	Local Government Act 1995 Sections 5.57, 5.87A, 5.87B, 5.90A, 5.90A, 5.62(1B)(a) Local Government (Administration) Regulations 1996 Council Policy Elected Member Allowances, Facilities and Expenses (4/008) Department of Local Government, Sport and Cultural Industries, Operational Guidelines: • Attendance at Events Policy. • Disclosure of gifts and interests relating to gifts.		
Directorate	Corporate Services		
Business unit	Governance		
Delegated authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01 V02 V03	CM202021/103 CM202425/270 CM202627/229	16 December 2020 5 March 2025 30 September 2026
Review frequency	4 Yearly		

1/024 Fraud and Corruption

Objective

The Town of Port Hedland (the "Town") Fraud and Corruption Policy has been developed to support the Town to effectively discharge their responsibilities under Regulation 5 of the *Local Government (Financial Management) Regulations 1996.*

The objectives of this Policy are to:

- Demonstrate the Town's commitment to zero tolerance for acts of fraud or corruption in the performance of all its functions and interactions.
- Provide clear direction on strategies for implementing and monitoring fraud and corruption prevention, detection and response mechanisms.
- Promote a culture of integrity and ethical behaviour among all Town employees, elected members, volunteers, consultants, and contractors.
- Enhance transparency and accountability in all Town operations and decision-making processes.
- Strengthen internal controls to minimise the risk of fraud and corruption.

Purpose

This Policy applies to the Town's Employees, Elected Members, Committee Members, Volunteers, Consultants and Contractors, who share in the collective responsibility to assess the risk of fraud and corruption in the activities undertaken by the Town, behave ethically and conduct their business in line with the Town's values of unity, integrity and quality.

Policy Statement

3.1 Fraud

Fraud is dishonest activity causing actual or potential gain or loss to any person or organisation (including theft of money or other property) by employees or persons external to the organisation, and/or where deception is used at the time, immediately before or immediately following the activity.

Fraud can be committed by employees (internal fraud) or by external parties (external fraud), and sometimes involves collaboration between an employee and an outside party.

3.2 Corruption

Corruption involves dishonest activities where an individual associated with an organisation (e.g., director, executive, manager, employee, or contractor) abuses their position of trust and acts against the organisation's interests to gain a personal advantage or benefit another person or organisation.

3.3 Examples of recognised fraudulent and corrupt behaviour

- Theft or obtaining any type of benefit by deception;
- Providing false or misleading information, or withholding information where there is a requirement for it to be provided;
- Unlawful or unauthorised use of technology, vehicles, property or services;
- Release of information (including unauthorised access to systems and data); and
- Undeclared conflicts of interest

3.4 Policy principles

1. Fraud and corruption is taken seriously at the Town with zero tolerance of fraudulent activity or corrupt conduct;
2. Employees, Consultants and Volunteers must abide by the Town of Port Hedland Code of Conduct for Employees and Volunteers.
3. Council Members, Committee Members and Candidates must abide by the Town of Port Hedland Code of Conduct for Council Members, Committee Members and Candidates.
4. Employees will act with honesty and integrity by reporting suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour to their line leader, manager or the CEO in accordance with relevant plans and procedures.
5. In accordance with the *Corruption, Crime and Misconduct Act 2003*, if the CEO suspects on reasonable grounds that the alleged behaviour may constitute misconduct as defined in that Act, the CEO will notify:
    i. the Corruption and Crime Commission, in the case of serious misconduct; or
    ii. the Public Sector Commissioner, in the case of minor misconduct; and
6. Disclosures of fraud or corruption may attract protections under the *Public Interest Disclosures Act 2003.*

3.5 Controls

Controls can be categorised as:

- Preventative (P) – aim to prevent issues before they occur
- Detective (D) – identify issues that have already occurred

- Responsive (R) – address and respond to issues that have been identified

The Town has a zero tolerance policy for fraud and corruption and has several key controls in place to safeguard against fraud and corruption. These include:

Key Control	Category		
	P	D	R
Fraud and corruption policy	✓		
Code of conduct	✓		
Employee awareness and training	✓	✓	
Workforce screening	✓		
Risk assessment	✓		
Internal controls	✓	✓	
Internal audit	✓	✓	
External audit	✓	✓	
Internal reporting		✓	✓
Public interest disclosures		✓	
Investigations			✓
External reporting			✓

The Town of Port Hedland Fraud Control Plan details each control.

3.6 Reporting mechanisms

Public Interest Disclosure

The *Public Interest Disclosure Act 2003* (PID Act) enables people to make disclosures about wrongdoing within the State Public Sector, Local Government Entities and Public Universities without fear of reprisal. The Act aims to ensure openness and accountability in government by encouraging people to make disclosures by maintaining confidentiality and providing immunity from detrimental action.

The Town will take all reasonable steps to provide protection to those who make such disclosures from any detrimental action in reprisal for the making of a public interest disclosure.

Disclosures can be made to the following PID Officer's:

- Director Corporate Services
- Manager Human Resources
- Manager Governance
- Senior Governance Advisor

The PID Officers can be contacted via email: pid@porthedland.wa.gov.au.

Internal reporting

Employees should report concerns to their immediate line leader, who is responsible for escalating the issue to senior management when needed.

Where employees are hesitant to report concerns to their immediate supervisor or if they believe that appropriate action has not been taken, they may also report to:

- A more senior manager
- The Manager Governance
- The CEO
- The online form (intranet)
- The Public Sector Commission (PSC)
- The Corruption and Crime Commission

(CCC) *External reporting*

The Town is obligated to report minor misconduct to the PSC and serious misconduct to the CCC in accordance with the Corruption, Crime and Misconduct Act 2003.

Public Sector Commission: minormisconduct@psc.wa.gov.au
Crime & Corruption Commission: reportcorruption@ccc.wa.gov.au

3.7 Roles and Responsibilities

1. With guidance from the Mayor and Council, the CEO shares the role of accountable authority for taking, or causing to be taken, all the measures to identify and respond to any fraud or attempted fraud.
2. The Audit and Risk and Compliance Committee (ARIC Committee) oversees the processes and systems which protect the Council against fraud and irregularities.
3. The Executive Leadership Team, responsible collectively and individually for the application of fraud and corruption prevention measures in their respective divisions
4. The Audit, Risk & Insurance Business Unit are responsible for the development and maintenance of the following policies and plans which form part of the Town's Integrity Framework:

- Policy 1/024 Fraud and Corruption
- Policy 1/022 Risk Management
- Fraud and Corruption Plan
- Risk Management Framework
- Relevant internal operating procedures and templates

5. The Governance Business Unit are responsible for the development and maintenance of the following policies and plans which form part of the Town's Integrity Framework:
   - Policy 1/023 Public Interest Disclosure
   - Relevant internal operating procedures (incl. conflicts of interest and gift disclosures)
6. The Human Resources business unit is the owner of disciplinary processes and of organisational development functions. The business unit is also responsible for the development and maintenance of the Code of Conduct.

3.8 Legislated responsibilities

Below is a summary of Legislated Responsibilities that help control fraud risks. This list is not exhaustive.

Legislation	Reference	Responsibility
Local Government Act 1995	s2.21; s2.22; s2.24	Disqualifies individuals from becoming elected members due to insolvency, criminal convictions, or misapplication of funds.
	s5.36(2); s5.36(3)	Councils must believe that a person is suitably qualified for the position of CEO, and CEOs must believe that staff are suitably qualified for their positions.
	s5.51A(1)	Mandates that the CEO must prepare and implement a code of conduct to be observed by all employees.
	Div 6	Council members, the CEO and designated staff members must disclose financial interests.
	s7.1A(1)	An Audit, Risk and Insurance Committee must be formed.
Local Government (Financial Management) Regulations 1996	s5.93	Sets out penalties for improper use of information.
	Reg 5(2)	

Legislation	Reference	Responsibility
Local Government (Audit) Regulations 1996	Reg 17	The CEO is to review the appropriateness and effectiveness of systems and procedures.
Local Government (Administration) Regulations 1996	Part 6	Sets out information on disclosure of financial interests.
	Reg 19AB; Reg 19AF	Provides detailed information on what value of gifts must be reported and which are prohibited
	Reg 28A	Requires a register of gifts to be publicly accessible.
	Div 2	Requires Codes of Conduct to contain information on gifts, travel contributions and disclosing interests.
Local Government (Functions and General) Regulations 1996	Reg 11A	Entities must develop a policy for purchases less than, or equal to, $250,000.
	Reg 11(1)	Purchases worth more than $250,000 must be conducted through tender.
Public Interest Disclosure Act 2003	s23	Entities must: • Designate at least 1 PID officer to receive reports. They must comply with the Public Sector Commissioner's minimum standards of conduct and integrity.

The Town will report acts of Fraud and Corruption to the appropriate authority and will seek to recover losses suffered through these acts.

Definitions

Code of Conduct: *Document broadly communicated within the organisation setting out expected standards of behaviour.*

Conflict of Interest: *Situation where business, financial, family, political or personal interests could interfere with the judgement of persons in carrying out their duties for the organisation.*

Control: *Measure that is modifying risk.*

Corruption: *Corruption involves dishonest activities where an individual*

associated with an organisation (e.g., director, executive, manager, employee, or contractor) abuses their position of trust and acts against the organisation's interests to gain a personal advantage or benefit another person or organisation.

Fraud: Fraud is dishonest activity causing actual or potential gain or loss to any person or organisation (including theft of money or other property) by employees or persons external to the organisation, and/or where deception is used at the time, immediately before or immediately following the activity.

Relevant legislation	Corruption and Crime Act 2003 Local Government Act 1995 Local Government (Audit) Regulations 1996 r17 AS 8001:2021 – Fraud and Corruption Control Town of Port Hedland Risk Appetite Statement Town of Port Hedland Risk Management Framework 1/022 Risk Management Policy 1/023 Public Interest Disclosure		
Directorate	Corporate Services		
Business unit	Governance		
Delegated authority	Nil		
Version control	Version	Council Decision	Adoption Date
	V01	CM201617/046	31 August 2016
	V02	CM202223/020	07 September 2022
	V03	CM202425/145	25 September 2024
	V04	CM202627/229	30 September 2026
Review frequency	4 yearly		

1/08 Legal Representation for Council Members and Employees

Objective

This policy is designed to protect the interests of Council members and Employees (including past members and former employees) of the Town of Port Hedland if they become involved in legal proceedings because of their official functions. In these situations, the Town may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to those proceedings.

This policy is necessary to ensure security, equity and consistency for Members and Employees to work for the good government of the district. This policy applies in that respect.

This policy establishes the framework under which Council may approve payment of legal representation costs for Council Members and employees arising from the performance of their official functions. Decisions under this policy are made by Council unless authority has been delegated in accordance with the Town's Delegations Register.

Content

1. Payment criteria

1.1 There are four major criteria for determining whether the Town may pay the legal representation costs of a Council member or employee. These include:

a) the legal representation costs are to relate to a matter that arises from the performance, by the Council member or employee, of his or her functions.
b) the legal representation cost is to be in respect of legal proceedings that have been, or may be, commenced.
c) in performing his or her functions, to which the legal representation relates, the Council member or employee is to have acted in good faith, and is not have acted unlawfully or in a way that constitutes improper conduct; and
d) the legal representation costs do not relate to a matter that is of a personal or private nature.

2. Examples of legal representation costs that may be approved

2.1 If the criteria in clause 1 of this policy are satisfied, the Town may approve the payment of legal representation costs:

a) where proceedings are brought against a Council member or employee in connection with his or her functions - for example, an action for defamation or negligence arising out of a decision made or action taken by the Council member or employee; or
b) to enable proceedings to be commenced and/or maintained by a Council member or employee to permit him or her to carry out his or her functions - for example, where a Council member or employee seeks to take action to obtain a restraining order against a person using threatening behaviour to the Council member or employee; or

c) where exceptional circumstances are involved - for example, where a person or organisation is lessening the confidence of the community in the local government by publicly making adverse personal comments about Council members or employees.

2.2 The Town will not approve, unless under exceptional circumstances, the payment of legal representation costs for a defamation action, or a negligence action, instituted by a Council member or employee.

3. Application for payment

3.1 A Council member or employee who seeks assistance under this policy is to make an application(s), in writing:
a) in urgent cases under clause 6.1, to the CEO to be determined by CEO; and
b) otherwise to the CEO to be determined by the Council.

3.2 The written application for payment of legal representation costs is to give details of-
a) the matter for which legal representation is sought;
b) how that matter relates to the functions of the Council member or employee making the application;
c) the lawyer (or law firm) who is to be asked to provide the legal representation;
d) the nature of legal representation to be sought (such as advice, representation in court, preparation of a document etc);
e) an estimated cost of the legal representation; and
f) why it is in the interests of the Town for payment to be made.

3.3 The application is to contain a declaration by the applicant that he or she has acted in good faith and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.

3.4 Applications should be made and approved prior to the commencement of legal representation wherever practicable.

3.5 The application is to be accompanied by a signed written statement by the applicant that he or she -
a) has read, and understands, the terms of this policy;
b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 7 and any other conditions to which the approval is subject; and
c) undertakes to repay to the Town any legal representation costs in accordance with the provisions of clause 7.

In relation to clause 3.5(c), when a person is to be in receipt of such monies the person is to sign a document which requires repayment of those monies to the Town as may be required by the Town and the terms of the policy.

3.6 An application is also to be accompanied by a report prepared by the CEO or, where the CEO is the applicant, by an appropriate employee.

3.7 Applications for payment of legal representation costs will be determined by Council, except where emergency approval is required and delegated authority applies under the Town's Delegations Register.

3.8 Any approval granted under delegated authority must be reported to Council at the next ordinary meeting.

4. Legal representation costs - limit

4.1 The Council in approving an application in accordance with this policy is to set a limit on the costs to be paid based on the estimated costs in the application.

4.2 Council member or employee may make a further application to the Council in respect of the same matter.

5. Council's powers

5.1 The Council may -

a) refuse;
b) grant; or
c) grant subject to conditions,

an application for payment of legal representation costs.

5.2 Conditions under clause 5.1 may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.

5.3 In assessing an application, the Council may have regard to any insurance benefits that may be available to the applicant under the Town's Council members 'or employees' insurance policy or its equivalent. The Town will pay the excess on any insurance claim.

5.4 Council may vary or revoke an approval only where material new information has arisen and such variation or revocation is consistent with the findings of a court, tribunal or statutory inquiry.

5.5 Council may determine that repayment is required only where a court, tribunal or statutory inquiry has made a finding that the Council Member or employee did not act in good faith, acted unlawfully, or engaged in improper conduct (including serious misconduct where applicable). A determination under this Policy must be based solely on formal findings and must not be made solely due to a change in Council composition or policy position.

5.6 A determination under clause 5.5 may be made by the Council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.

5.7 Where the Council makes a determination under clause 5.5, the legal representation costs paid by the Town are to be repaid by the Council member or employee in accordance with clause 7.

5.8 Where Council has approved payment of legal representation costs under this policy, that approval remains valid for the matter for which it was granted and

5.9 cannot be revoked solely as a result of a change in Council composition or a subsequent change in Council view. Repayment or withdrawal of assistance may only occur where the circumstances set out in clauses 5.5–5.7 apply.

6. Approval of payment for legal representation costs in exceptional circumstances

6.1 In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the CEO may exercise, on behalf of the Council, any of the powers of the Council under clause 5.1 and 5.2, to a maximum of $10,000 (Delegation Register 1.2.21) in respect of each application.

6.2 An application approved by the CEO under clause 6.1, is to be submitted to the next ordinary meeting of Council. Council may exercise any of its powers under this policy, including its powers under clause 5.4.

7. Repayment of legal representation costs

7.1 A Council member or employee whose legal representation costs have been paid by the Town is to repay the Town -

a) all or part of those costs - in accordance with a determination by the Council under clause 5.7;
b) as much of those costs as are available to be paid by way of set-off - where the Council member or employee receives monies paid for costs, damages, or settlement, in respect of the matter for which the Town paid the legal representation costs.

7.2 The Town may take action in a court of competent jurisdiction to recover any monies due to it under this policy.

8. Legal Register

The Chief Executive Officer is to cause to be maintained a register of all legal advice, not related to Human Resources in accordance with Delegation Register

Where there is any inconsistency between this policy and applicable legislation, the legislation prevails.

Definitions

Approved lawyer is to be –

a) a 'legal practitioner' under the Legal Profession Act 2008;
b) from a law firm on the Town's panel of legal service providers, if relevant, unless the Council considers that this is not appropriate -for example where there is or may be a conflict of interest or insufficient expertise; and
c) approved in writing by the Council or the CEO under delegated authority.

1.2

Council member or employee means a current or former - commissioner, Council member, non-elected member of a Council committee or employee of the Town.

Legal proceedings may be civil, criminal or investigative.

Legal representation is the provision of legal services, to or on behalf of a Council member or employee, by an approved lawyer that are in respect of-

a) a matter or matters arising from the performance of the functions of the Council member or employee; and
b) legal proceedings involving the Council member or employee that have been, or may be, commenced.

Legal representation costs are the costs, including fees and disbursements, properly incurred in providing legal representation.

Legal services includes advice, representation or documentation that is provided by an approved lawyer.
Payment by the Town of legal representation costs may be either by-

a) a direct payment to the approved lawyer (or the relevant firm); or
b) a reimbursement to the Council member or employee.

Official Functions means functions performed in the capacity of a Council Member or employee under the Local Government Act 1995 (WA) or other written law.

Good Faith means acting honestly, without improper purpose and in the reasonable belief that the conduct was lawful and within authority.

Relevant Legislation	Local Government Act 1995 Local Government (Administration) Regulations 1996 Local Government (Financial Management) Regulations 1996		
Supporting Documents	Register of Delegated Authority – 1.2.21 Payments from the Municipal or Trust Funds		
Directorate	Corporate Services		
Business Unit	Governance		
Delegated Authority	Chief Executive Officer		
Version Control	Version	Council Decision	Adoption Date
	V01	CM200506/297	22 Jan 2006
	V02	CM201415/143	24 July 2019
	V03	CM202223/005	27 July 2022
	V04	CM202627/130	25 March 2026
	V05	CM202627/229	30 September 2026
Review Frequency	4 yearly		

1/023 Public Interest Disclosure

Objective

To facilitate the disclosure of public interest information and provide protection for those who make disclosures under the Public Interest Disclosure Act 2003 (PID Act).

Purpose

The Town of Port Hedland (Town) is committed to the aims and objectives of the Public Interest Disclosure Act 2003. The Town does not tolerate corrupt or other improper conduct and is committed to the effective reporting of such matters.

1. Principles

1.1 The Town does not tolerate corrupt or improper conduct and is committed to the aims and objectives of the PID Act.

1.2 The Town strongly supports disclosures being made by employees, contractors, and community members about corrupt or other improper conduct.

1.3 The Town does not tolerate taking reprisal action against anyone who makes or proposes to make a public interest disclosure.

1.4 The Town will take all reasonable steps to protect employees from any detrimental action in reprisal for making a public interest disclosure.

1.5 The Town is committed to responding to public interest disclosures thoroughly and impartially. All people involved in the process will be treated fairly, including those who may be the subject of a disclosure.

1.6 The Town is committed to providing as much information as possible to people considering making a public interest disclosure.

2. Confidentiality

The Town will maintain confidentiality in accordance with the PID Act regarding:

- The identity of the discloser.
- The identity of any person named in the disclosure.
- Any information that may identify either of the above.

3. Roles and Responsibilities

3.1 Chief Executive Officer

- Designates the Public Interest Disclosure Officer(s).
- Ensures the Town complies with the PID Act.

- Provides protection from detrimental action for any employee making a public interest disclosure.

3.2 Public Interest Disclosure Officer (PID Officer)

- Receives disclosures related to the Town.
- Provides information to potential disclosers about their rights and responsibilities.
- Manages the disclosure process in accordance with the PID Act.
- Maintains confidentiality of all parties involved.

3.3 All Employees, Contractors and Council Members

- Report suspected wrongdoing through appropriate channels.
- Maintain confidentiality regarding any public interest disclosure.
- Support the objectives of the PID Act.
- Act in accordance with the Town's Code of Conduct.

4. How to Make a Public Interest Disclosure

Individuals wishing to make a public interest disclosure should contact one of the Town's designated PID Officers. Detailed procedures on making and managing disclosures are contained in the Town's Public Interest Disclosure Internal Operating Procedure.

5. Protection Available

The PID Act provides protection to individuals who make appropriate public interest disclosures including:

- Immunity from civil or criminal liability, or disciplinary action.
- Protection from reprisal or victimisation.
- Remedies if victimisation occurs.

6. Additional Information

General information about public interest disclosures and how the Town will manage a disclosure is available on the Town's website.

Definitions

For the purposes of this Procedure, the definitions listed below apply.

"Investigation"	A search of evidence connecting or tending to connect a person (either a natural person or a body corporate) with conduct that

	infringes the criminal law, or the policies and standards set by the Town.
"Misconduct"	A breach of the Town of Port Hedland's Code of Conduct, policies, or the law. Matters which should be reported under this Policy, whether actual or suspected may include: • Dishonest, fraudulent, corrupt or unlawful conduct or practices. • Misleading or deceptive conduct, including conduct or representations which amount to improper or misleading accounting or financial reporting practices. • Conduct or any proposed conduct, bid, proposal, offer, contract, product or other aspect of the Town's business that breaches the provisions of the *Trades Practices Act 1974*, all associated legislation in all States and Territories in Australia. • Coercion, harassment or discrimination by, or affecting, any member of the Town or its affiliates. • A breach of Town policies or Code of Conduct. • Conduct within the Town's control which is a significant danger to the environment. • Conduct endangering the health and safety of any person or persons which has been reported to management but not acted upon. • Any action taken against, or harm suffered by a person as a result of making a report under this Policy.
"Public Interest Disclosure Officer ("PIDO")	A designated representative tasked with the responsibility of: • Protecting and safeguarding the interests of person(s) who submit Public Interest Disclosures within the meaning of this Policy. • Conducting preliminary investigations into reports received from a whistle blower.

The PID Officer is to investigate the substance of the complaint to determine whether there is evidence in support of the matters raised or, alternatively, to refute the report made. The PIDO will have access to independent financial, legal and operational advisers as required.

"Public Interest Disclosure" Any person who, whether anonymously or not, makes, attempts to make or wishes to make a report in connection with misconduct and where the Public Interest Disclosure wishes to avail themselves of protection against reprisal for having made the report.

Relevant legislation	Public Interest Disclosure Act 2003 Public Interest Disclosure Regulations 2003 Town of Port Hedland Code of Conduct for Council Members, Committee Members and Candidates Town of Port Hedland Code of Conduct for Employees and Volunteers Public Interest Disclosure Internal Operating Procedure GOV026 Internal Operating Procedure		
Directorate	Corporate Services		
Business unit	Governance		
Delegated authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01	CM201617/046	31 August 2016
	V02	CM202122/172	27 April 2022
	V03	CM202425/338	28 May 2025
	V04	CM202627/229	30 September 2026
Review frequency	4 Yearly		

1/028 Related Party Disclosures

Objective

To establish mechanisms to meet the disclosure requirements of Australian Accounting Standard Board 124 ('AASB 124') Related Party Disclosures, ensuring that the Town's Annual Financial reports contain necessary disclosures of related party relationships, transactions, and outstanding balances.

Purpose

Background

Pursuant to AASB 124, related party disclosures apply to not-for-profit entities, including local governments. The objective is to ensure that financial statements contain disclosures necessary to draw attention to the possibility that the Town's financial position and profit or loss may have been affected by related parties and transactions.

Important distinction: A related party disclosure differs from a conflict of interest in that a conflict need not exist for a related party relationship to be present. The relationship alone warrants disclosure, regardless of whether a transaction has occurred.

Identification of Key Management Personnel

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

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

Note: All local government entities must capture related party disclosures of all identifiable KMPs for the previous financial year reporting period, including those no longer employed or serving as elected members.

Identification of Related Parties

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

The Town identifies the following as related parties:
Close members of family including:

- Person's child.

- Spouse or domestic partner.
- Children or dependents of spouse or domestic partner.

Entities that are controlled or jointly controlled by:

- Elected members of Committee or Council.
- KMP or their close family members.
- Including:
    - Companies
    - Trusts
    - Joint ventures
    - Partnerships
    - Non-profit associations (such as sporting clubs).

Identification of Transactions

Related Party Transactions

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

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

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

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

Ordinary Citizen Transactions (OCTs)

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

Ordinary Citizen Transactions shall include:

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

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

<u>Disclosure Requirements</u>

Timing

1. KMPs must complete the 'AASB Related Party Disclosures Declaration form' annually.
2. Additional declarations may be required during elections or upon employment cessation.

Process

1. Forms collated by the governance business unit.
2. Assessment conducted by financial services business unit.

Confidentiality

1. All disclosure information treated confidentially.
2. Annual financial reports present data in aggregate, non-identifiable manner.

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

Materiality

The financial services business unit determines materiality considering:

- Transaction size.
- Transaction nature.
- Individual and collective impact.
- Consultation with Audit, Risk and Governance Committee for OCT materiality.

Definitions

"Arm's Length Transaction" A transaction conducted on terms and conditions no different from those which would be adopted if the parties were dealing at arm's length in the same circumstances.

"Key Management Personnel (KMP)" means persons having authority and responsibility for planning, directing, and controlling the activities of the Town, directly or indirectly, including:

Elected members of Council or Committee
Chief Executive Officer
Directors of the Town of Port Hedland

"Ordinary Citizen Transaction (OCT)" means a transaction that an ordinary citizen would undertake with Council, which is undertaken on arm's length terms and in the ordinary course of carrying out Council's functions and activities.

"Related Party" means a person or entity related to the Town, including:

KMP
Close family members of KMP
Entities controlled or jointly controlled by KMP or their close family members

"Related Party Transaction" means a transfer of resources, services, or obligations between the Town and a related party, regardless of whether a price is charged.

"Significant Influence" The power to participate in the financial and operating policy decisions of an entity but not control those policies.

Directorate	Corporate Services		
Relevant legislation	Local Government Act 1995 AASB Related Party Disclosures Declaration form Australian Accounting Standard Board 124 (AASB 124)		
Directorate	Corporate Services		
Business unit	Financial Services		
Delegated authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01 V02 V03 V04	CM201718/090 CM202021/102 CM202425/270 CM202627/229	22 November 2017 16 December 2020 5 March 2025 30 September 2026
Review frequency	4 Yearly		

1/022 Risk Management

Objective

The Town of Port Hedland (the "Town") is committed to implementing organisation wide risk management principles, systems and processes to ensure consistent, efficient and effective assessment of risk in all planning, decision making and operational processes.

Purpose

Policy Statement

The Town supports an organisation-wide approach to risk management to identify and manage risks associated with the performance of the Town's functions and the delivery of services to its community.

It is the policy of the Town that all departments implement the Risk Management Framework and associated procedures that provide a consistent process for the assessment and management of risk. A proactive and consistent approach to Risk Management will strengthen the Town's sustainability and safeguard its assets, infrastructure, people, finances and reputation.

The Town has an expectation for all its Employees, Consultants, Contractors, and Volunteers to appropriately identify, manage and report risks in their business activities and areas of business.

Council is committed to the principles, framework and process of managing risk as outlined in AS ISO 31000:2018.

Risk Management Objectives

- The achievement of organisational goals and objectives
- The ongoing health and safety of all employees at the workplace
- Ensuring public safety within the Council's jurisdiction is not compromised
- Limited loss or damage to property and other assets
- Limited interruption to business continuity
- Positive public perception of Council and the Town of Port Hedland
- Application of equal opportunity principles in the workforce and the community.
- Identify and address fraud risks before they materialise.

Risk Management Process

The Town will manage risks continuously, in accordance with AS ISO 31000:2018, using a process as follows:

- Identification of risk
- Analysis of risk
- Evaluation of risk
- Treatment of risk
- Monitoring and review of risk, and
- Reporting of risk.

The Town will ensure recorded risks are robustly reported in accordance with its Risk Management Framework and will regularly monitor the management of recorded risks to ensure timely closeout and identification of ongoing issues and trends.

It will be applied to decision making through all levels of the organisation in relation to planning or executing any function, service or activity.

In particular it will be applied to:

- Strategic planning
- Expenditure
- New strategies and procedures
- Management of projects, tenders and proposals
- Introducing significant change, and
- The management of sensitive

areas Risk Management Framework

The Town's Risk Management Framework is a set of components that provide the foundations and organisational arrangements for integrating, designing, implementing, monitoring, reviewing and continually improving risk management processes across the Town's activities and functions.

The Town is committed to maintaining an effective, efficient and tailored risk management framework that consists of and interconnects with:

- The Risk Appetite Statement
- Policy 1/022 Risk Management
- Risk Management Implementation Plan
- Risk Registers
- Risk Management Procedures, and
- A Project Management Framework

The Town's Risk Management Framework enables:

- A formal, structured approach to risk management that is appropriate to the Town's activities and operating environment, and
- A risk management approach consistent with the principles of AS ISO 31000:2018.

Fraud Risk Management

Fraud risk management is integral to the Town's overall risk management strategy and is managed in accordance with both the Risk Management Framework and AS 8001:2021 Fraud and Corruption Control. The Town recognises fraud risk as a significant category of risk and is committed to a comprehensive approach to mitigate fraud risks across all operations and activities.

Roles and Responsibilities

A summary of roles and responsibilities is found below. Roles and responsibilities are clearly articulated in the Town's Risk Management Framework. All employees, consultants, contractors and volunteers should familiarise themselves with their roles and responsibilities.

- ARIC Committee – Will ensure the Town has in place a current and comprehensive risk management framework and associated procedures.
- Audit, Risk and Insurance Business Unit – Is responsible for developing and reviewing the Town's risk management framework and associated policies and procedures.
- CEO – Ensures risk management is embedded and applied throughout the Town.
- Council – Adopts and reviews the Risk Management Policy as required and provides adequate budgetary provision for risk management.
- Employees, consultants, contractors and volunteers – Are responsible for understanding the Town's risk appetite as it relates to their role.
- ELT – Are risk champions and promote a culture of risk awareness through open and effective communication.
- Project Managers – Are risk owners and are accountable for the implementation of project risk management within their department.
- SLT – Are risk owners and are accountable for the implementation of operational risk management within their department.

Definitions

Risk	The effect of uncertainty on objectives.
Risk Management	Coordinated activities to direct and control an organisation with regard to risk.
Risk Management Framework	Set of components that provide the foundations and organisational arrangements for designing, implementing, monitoring, reviewing and continually improving risk management processes throughout the organisation.

Relevant legislation	Local Government (Audit) Regulations 1996		
Directorate	Corporate Services		
Business unit	Governance		
Delegated authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01	201516/226	27 April 2016
	V02	202223/015	7 September 2022
	V03	202425/140	25 September 2024
	V04	CM202627/229	30 September 2026
Review frequency	4 Yearly		

2/022 Panels of Pre-Qualified Suppliers

Objective

In accordance with Regulation 24AC of the *Local Government (Functions and General) Regulations 1996*, a Panel of Pre-qualified Suppliers ("Panel") may be created where the following factors apply:

- A range of similar goods and services are required to be purchased on a continuing and regular basis;
- There are numerous potential suppliers in the local area, that would satisfy the test of 'value for money';
- The purchasing activity under the intended panel is assessed as being of a low to medium risk;
- The panel will streamline and improve procurement processes; and
- The Town of Port Hedland (the Town) has the capability to establish, manage the risks and achieve the benefits expected of the proposed panel.

Content

2.1. Establishing a Panel

Panels may be established for one supply requirement, or a number of similar supply requirements under defined categories within the panel. They are to be established for a maximum term of three (3) years, inclusive of any options to extend or renew the contract.

Where a panel is to be established, the Town will endeavour to appoint suppliers to the panel or each category within the panel, on the basis that best value for money is demonstrated. A minimum of three (3) suppliers are required to establish a panel, or for appointment to a category within the panel.

In the event that a panel member leaves a panel and this results in the panel being reduced to just two (2) panel members and the Town is unable to replace the panel member, then that panel may be disbanded. This should be documented in the request document and any subsequent agreements/contracts.

2.2. Distributing Work Amongst Panel Members

To satisfy Regulation 24AC(2), the distribution of work between the suppliers will be dependent on the unique nature of the goods or services. The detailed information associated with each invitation to apply to join the panel (the request document) will prescribe one of the following options:

a) *The Town will obtain quotations from each pre-qualified supplier on the panel with respect to all purchases.*

This will ensure each panel member will have the opportunity to bid for each item of work under the panel, with pre-determined criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items of work.

OR

b) *The Town will purchase goods and services exclusively from any pre- qualified supplier appointed to that panel.*

The Town will endeavour to distribute the goods or services required between each panel member evenly, subject to the operational requirements of the Town at the time those goods and/or services are required. Care will be taken to ensure that no one contactor is overloaded at any particular time by keeping accurate records of the timelines of each job;

OR

c) *The Town will develop a ranking system for selection to the panel.*

The Town will invite the highest ranked panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken. Should the offer be declined, an invitation to the next ranked panel member is to be made and so forth until a panel member accepts a Contract. Should the list of panel members invited be exhausted with no panel member accepting the offer to provide goods/services under the panel, the Town may then invite suppliers that are not pre-qualified under the panel, in accordance with the Purchasing Thresholds stated Purchasing Policy As per Regulation 24AD(5)(f) the request document must clearly stipulate that the Town does not intend to purchase exclusively from the panel.

When a ranking system is established, the panel is not to operate for a period exceeding 12 months.

2.3. Purchasing from a Panel

The invitation to apply to be considered to join a panel of pre-qualified suppliers must state the functionality of the panel, and the distribution method to be used.

As per Regulation 24AJ, in every instance, a contract for an item of work with a pre-qualified supplier is not to exceed 12 months, or include any options to renew or extend.

Quotes obtained through a panel of pre-qualified suppliers can be authorised in accordance with the Town's Authorisation Register.

Compliance & Reporting

The Town shall:

- Implement processes to facilitate this Policy and associated management procedures, and will implement processes to report departures, non-compliance and/or exceptions;
- On a quarterly basis report to the Town's Audit and Risk Committee any identified non-compliance with this Policy and associated improvement management procedures, and any occurrence of the CEO exercising their discretion to undertake any policy exempt procurement; and
- Review, and if appropriate, seek to revise this Policy and associated management procedures to ensure ongoing relevance.

A failure to comply with the requirements of this policy will be subject to investigation. Findings will be considered in context of the Code of Conduct, and reasonable expectations for the officer's performance of their role.

Where a breach is substantiated it may be treated as:

- An opportunity for additional training to be provided;
- A disciplinary matter, which may or may not be subject to reporting requirements under the *Public Sector Management Act 1994;*
- Misconduct in accordance with the *Corruption, Crime and Misconduct Act 2003.*

All records and documents associated with the panel process must be recorded and retained as defined within the *State Records Act 2000* and the Town's Records Keeping Policy.

Relevant legislation	Local Government Act 1995 Local Government (Functions and General) Regulations 1996 Public Sector Management Act 1994 State Records Act 2000		
Directorate	Corporate Services		
Business unit	Governance		
Delegated authority	Delegations/Subdelegations/Authorisation Registers		
Version Control	Version	Resolution Decision	Adoption Date
	V01 V02 V03	CM201718/140 CM201920/055 CM202627/229	28 February 2018 25 September 2019 30 September 2026
Review frequency	4 Yearly		

2/007 Procurement Policy

Objective

The Town of Port Hedland (the Town) is committed to procurement practices that achieve value for money outcomes in an equitable, transparent, and legal way.

Content

1. Scope

The policy applies to all Town employees including temporary and agency employees, appointed representatives, and where applicable, contractors procuring on behalf of the Town.

2. Ethics and Integrity

All individuals are expected to observe the highest standards of ethics and integrity in all procurement activities and are to act in an honest, fair and professional manner consistent with the Town's values, Code of Conduct and the law.

a) All procurement decisions must be fully accountable with expenditure of public money undertaken through a transparent, unbiased, efficient and effective process resulting in best value for money outcomes.

b) Procurement is to be undertaken on a competitive basis (unless otherwise authorised by way of exemption) in which all potential suppliers are treated impartially, honestly and consistently.

c) All procurement activities are to be carried out in strict compliance with all applicable legislation including the Local Government Act 1995 and the Local Government (Function and General) Regulations 1996.

d) Any actual or perceived conflict of interest are to be identified, disclosed to the Procurement Business Unit for review and appropriately managed.

3. Procurement Principles

The following principles must be observed at all stages of the procurement process:

a) Procurement practices must strictly adhere to this Policy, the Statement of Business Ethics and all procurement operating procedures administered by the Procurement Business Unit

b) Purchasing decisions are to deliver efficient, effective, economical and sustainable outcomes that are in the best interests of the Community and the Town's Strategic and Operational objectives.

c) Purchasing activities must be free from bias with all suppliers treated fairly and equitably

d) Suppliers and contractors are financially, technically and operationally capable to comply with specifications in the supply of goods, services and works safely

e) All activities are fully documented, stored in compliance with approved record keeping practices and able to withstand probity

f) Supplier information clearly marked as confidential or reasonably expected to be confidential will be treated as commercial-in-confidence and not released to any third party unless authorised by the supplier or as required by law

Panel of Pre- Qualified Suppliers.4**.** Purchasing Requirements

4.1 Contracts Register

The Town's Contracts Register must be considered prior to the procurement of goods or services to ensure existing contracts are effectively and efficiently used and to prevent contract duplication.

4.2 Value for Money

Value for money underlies all procurement activities, which measures the benefits attainable by the Town from the whole-of-life costs.

Value for money does not mean accepting the lowest quote and must include written consideration of all associated costs, the financial viability of suppliers, past contractor performance, safety and quality standards, timely supply, risk exposure and other relevant service considerations.

A strong element of competition must be applied through all procurement processes. Where a higher priced offer is recommended there must be clear written demonstrable benefits of the preferred supplier over and above lower priced offers.

4.3 Determining Tender Values (Over $250,000)

When determining whether a tender is required, the following factors are to be considered:

- Estimated contract values are exclusive of the Goods and Services Tax (GST)

- The estimated contract value is to include the full contract period, including all options to extend even if all future options are not accepted
- The actual or estimated total expenditure for a minimum three (3) year period
- The estimated purchasing value will be used to determine the applicable Purchasing threshold (section 4.4) to be applied

4.4 Purchasing Thresholds

The following table details the mandatory procurement process that is to be followed prior to entering into a contract.

Values represent the actual or expected total cost of the contract over its entire life cycle and for the purpose of decided which method to use, GST is to exclude.

Value (Ex. GST)	Procurement Method (Minimum requirement)	Evaluation (Minimum requirement)	Approval
Less than $5,000	One verbal quote	One internal evaluator	**Refer to Financial Limits**
$5,000 but less than $15,000	One written quote		
$15,000 but less than $100,000	Two written quotes	Two evaluators	
Unless exemptions apply use of Vendor Panel is required for all procurement activities valued over $100,000 (Excluding GST)			
$100,000 but less than $250,000	Three written quotes (Formal RFQ process viaVendor Panel)	Two evaluators (Process administeredby Procurement)	
Value (Ex. GST)	**Procurement Method (Minimum requirement)**	**Evaluation (Minimum requirement)**	**Approval**
$250,000 but less than $500,000	a) Public Tender **OR** b) If exemptions[1] apply three written quotes (Formal RFQ process via Vendor Panel)	Three evaluators (Process administered by Procurement)	**CEO**
$500,000 or higher		Three evaluators - two from the Executive team(Process administered	**Council**

		by Procurement)	
Panel of Pre-Qualified Suppliers	Invitation to Apply -Public Tender	Three evaluators - two from the Executive team (Process administered by Procurement)	**Council**

5. Calling tenders when not required

When considered beneficial, tenders may be called in lieu of undertaking an RFQ process for procurement activities up to $250,000 (excluding GST). If this occurs standard statutory tender processes apply.

Any such determination must be made after considering all associated costs, risks, timeliness, regulatory compliance requirements and whether the purchase requirement could be obtained through:

- A WALGA, State Government or Commonwealth CUA; or
- The Town's existing preferred supplier panel arrangements.

6. Procurement Exemptions

6.1 Quotation Exemptions

If it is not possible to obtain the requisite number of quotes detailed within the Town's Purchasing Thresholds (refer section 4.4) a Procurement Exemption form is to be completed to ensure appropriate justification.

6.2 Tender Exemptions

Regulation 11.2 of the *Local Government (Functions and General) Regulations 1996* prescribes tender exemptions, examples include:

- Use of WALGA Preferred Supplier Program, State Government Common User Arrangement or Commonwealth Contracts.
- Purchases from other Local Governments.
- Purchases from an Australian Disability Enterprise.

- Use of a pre-qualified supplier under a Panel already established by the Town.
- The contract is a renewal or extension of a term contained within the original contract.
- The supply of goods, services or works is associated to a state of emergency (Regulation 11(3)).

6.3 Procurement from Aboriginal Businesses

Tenders are not required if the goods, services or works are to be supplied from:

a) a person or organisation registered on the Aboriginal Business Directory WA published by the Chamber of Commerce and Industry of Western Australia Limited, or

b) the Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation) and the value of the contract is $250,000 (excluding GST) or less and the contract represents value for money.

6.4 General Exemptions ($250,000 or less – excluding GST)

Competitive procurement processes are not required for the following categories;

Note: where possible the WALGA Panel or Common Use Agreement CUA should be utilised for these procurements:

- Advanced payments for accommodation, travel, seminars, training, and conferences directly relating to the Town's activities.
- Annual service / software maintenance / support or licensing fees (where a competitive contract is not already in place).
- Goods or services from an original equipment manufacturer (OEM) and where warranty provisions may be void (where a competitive contract is not already in place).
- Legal services.
- Engagement of artists or performers.
- Professional memberships, subscriptions and/or renewals.

Note: The Town's standard Financial approval processes still apply which includes the raising of purchase orders (or use of credit cards) and Manager or Director approval in line with their financial authorised approval limits.

6.5 Special Exemptions

Competitive procurement processes are not required for the following organisations of any value:

- All Town insurances sourced through Local Government Insurance Services (LGIS).
- All advertising services through WALGA Group Advertising Services contract.
- All payments made to the Office of the Auditor General e.g. Audit fees.
- Utility services where the relevant utility is the only provider of such services.
- Australian Taxation Office (ATO) payments.
- All payments required by legislation.

7. Panels of Pre-Qualified Suppliers

Panels of Pre-Qualified Suppliers may be established where there is, or will be, a continuing need for particular goods, services or works. These panels must be in established in strict accordance with Regulation 24AC and Council Policy 2/022 Panels of Pre-Qualified Suppliers.

8. Records Management

All records and documents associated with all procurement processes must be recorded and retained as defined within the *State Records Act 2000* and the Town's Records Keeping Policy and Plan.

9. Sustainable Procurement

Sustainable procurement is defined as the purchasing of goods and services that have less environmental and social impacts than competing products and services.

Where practical and appropriate the Town will consider environmental and social impacts along with value for money outcomes when making procurement decisions and shall endeavour (within budgetary constraints) to source suppliers that:

- Demonstrate innovative sustainable policies and practices.

- Generate less waste material, encourage waste prevention, recycling and use of recycled/recyclable materials.
- Reduce greenhouse gas emissions and integrate climate change resilience.
- Enable and promote social and cultural diversity.
- Generate local employment.

10. Buying Local

This Policy encourages the investment in and development of local businesses that operate permanently from staffed local business premises within the Town's boundaries first, and secondly within the Pilbara region.

A key objective is to ensure open and fair competition and provide opportunities for local businesses to bid for work.

It is recognised that not every procurement activity will lend itself to supply by local businesses however, as much as practicable, procurement activities will:

- Where appropriate, consider buying practices, procedures and specifications that do not unfairly disadvantage local businesses.
- Explore the capability of local businesses to meet requirements and ensure that Requests are designed to accommodate the capabilities of local businesses.
- Consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support, local employment).
- Ensure that procurement plans address local business capability and local content.
- Support, train and empower local business to be able to effectively respond to the Town's Requests for goods, services and works.

The Town's Council Policy 2/016 Regional Price Preference further enables this opportunity and should be read conjunctively with this Policy. Where there is inconsistency or doubt that Policy will prevail.

11. Contract Variations (Regulation 20)

11.1 Pre-Contract Variations

If after a Tender has been publicly advertised and a preferred tenderer has been chosen, but before the Town and tenderer have entered into a contract, a minor variation may be approved. A minor variation must not alter the nature of the goods or services, or materially alter the specification provided for by the initial Tender and must be approved in accordance with the Town's delegation register.

11.2 Post Contract Variations

In accordance with Regulations, a contract entered into must not be varied unless;

a) The variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract; or

b) The variation is a renewal or extension of the term of the contract as described in Regulations

Variations can be approved by Town officers in accordance with delegated authority and where the total project cost is within the approved budget.

Should the total project cost exceed the approved budget Council approval is required.

12. Procurement Compliance

Procurement activities are subject to financial, performance and integrity audits and also compliance with the Town's policies and procedures. Failure to adhere to the requirements of this policy is considered serious with all reports or findings of non-compliance appropriately reviewed, audited and/or for more serious matters formally investigated.

Where a breach is substantiated it may be:

- An opportunity for additional training.
- Required to review and update the Town's Procurement processes.
- A disciplinary matter in line with the Town's Human Resource processes.
- A matter subject to mandatory reporting requirements under the Corruption, Crime and Misconduct Act 2003 and other relevant legislation.
- All reviews are to be recorded in a register and reported to the CEO.

Definitions

"CEO" means the Chief Executive Officer of the Town of Port Hedland.

"CUA" means Common Use Agreement.

"Regional Price Preference" means during the evaluation process applying a local price weighting in accordance with the Town's Regional Price Preference Policy 2/016.

"Regulation OR Regulations" means the Local Government (Functions and General) Regulations 1996.

"Request" means a Request for Information (RFI), Request for Tender (RFT), Request for Proposal (RFP), Expression of Interest (EOI) and / or Request for Quote (RFQ).

"WALGA" means the Western Australian Local Government Association.

Relevant legislation	Local Government Act 1995 Local Government (Financial Management) Regulations1996 Local Government (Functions and General Regulations)1996 State Records Act 2000 Corruption, Crime and Misconduct Act 2003 Council Policy 2/016 Regional Price Preference Policy 2/020 Corporate Credit Card 2/022 Panels of Pre-Qualified Suppliers Record Keeping Plan		
Directorate	Corporate Services		
Business unit	Governance		
Delegated authority	Yes		
Version Control	Version	Council Decision	Adoption Date
	V01	200809/357	27 May 2009
	V02	201011/413	8 June 2011
	V03	201314/222	29 January 2014
	V04	CM201617/012	27 July 2016
	V05	CM201718/020	23 August 2017
	V06	CM201718/140	28 February 2018
	V07	CM201920/143	5 February 2020
	V08	CM201920/229	27 May 2020
	V09	CM202122/005	28 July 2021
	V10	CM202425/197	27 November 2024
	V11	CM202627/229	30 September 2026
Review frequency	4 Yearly		

2/016 Regional Price Preference

Objective

To promote local business partnerships within the Town of Port Hedland (Town) by giving preferential consideration to regional suppliers in the procurement of goods or services via tender or quotation.

Purpose

Regional is defined as all businesses located within the Town's municipal boundary (level 1 suppliers), or in a neighbouring municipality (level 2 suppliers) including:

- Shire of Ashburton.
- City of Karratha.
- Shire of East Pilbara.
- Shire of Broome.

To claim level 1 regional price preference, a supplier must demonstrate that:

a) it has continually operated a business within the Town for at least 6 months; or
b) some or all of the goods or services are to be supplied from Town sources; or

To claim level 1 regional price preference, a supplier must demonstrate that:

b) it has continually operated a business for at least 6 months within a neighbouring municipality; or
c) some or all of the goods or services are to be supplied from a neighbouring municipality.

Regional Price Preference will be applied to all quotes and tenders over $50,000 which have been administered by the Town's Procurement Team, however only to the goods or services that are being supplied by a relevant regional supplier.

Regional suppliers that intend to claim a regional price preference under this Policy may be required to submit suitable proof of eligibility with their tender/quotation.

If, in the opinion of the Town, a supplier has deliberately provided false or misleading information so as to benefit from this policy, their tender/quotation may be considered non-conforming and as such may be excluded from evaluation.

Price Preference

When a regional price preference is applied to tenders and requests for proposals, in accordance with the *Local Government (Functions and General) Regulations 1996.* The following levels of preference will be applied:

<u>Level 1 – Suppliers located within the Town's municipal boundary</u>

a) *Goods and Services*

A 10% price preference to a supplier of Goods and Services to a maximum price reduction of $50,000.

b) *Construction (building)*

A 5% price preference to a supplier of Construction (building) services up to a maximum price reduction of $50,000.

c) *Competitive Tendering*

A 10% price preference to a supplier of any goods and services (including construction (building) services) that have been, previously undertaken by the Town. This preference applies up to a maximum price reduction of $500,000.

Level 2 – Suppliers located within neighbouring municipalities

a) *Goods and Services*

A 5% price preference to a supplier of Goods and Services to a maximum price reduction of $25,000.

b) *Construction (building)*

A 2.5% price preference to a supplier of Construction (building) services up to a maximum price reduction of $25,000.

c) *Competitive Tendering*

A 5% price preference to a supplier of any goods and services (including construction (building) services) that have been, previously undertaken by the Town. This preference applies up to a maximum price reduction of $250,000.

Reporting

The Town will demonstrate the benefits obtained through the application of the Regional Price Preference in the annual report each year.

Definitions

"Competitive Tendering" seeking submissions to outsource goods or services which were previously completed / provided by the Town.

"Construction (building)" is the carrying out of any works that are construction, reconstruction, renovation or alteration to any structure where there is a design element that has been initiated by the Town. This includes but is not limited to residential buildings, commercial buildings, shelters and civil construction including roadworks and kerbing.

Relevant legislation	Local Government Act 1995 Local Government (Functions and General) Regulations 1996 Council Policy 2/007 Purchasing Policy		
Directorate	Corporate Services		
Business unit	Governance		
Delegated authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01 V02 V03 V04 V05	201314/067 CM201617/013 CM201718/140 CM201920/143 CM202627/229	28 August 2013 27 July 2016 February 2018 5 February 2020 30 September 2026
Review frequency	4 Yearly		

9/010 Asset Management Policy

Objective

The objective of asset management in the Town of Port Hedland is to ensure the sustainable management of assets for current and future generations by adopting industry standard and complying asset management practices. This includes the planning, financing, operation, maintenance, renewal, upgrade, and disposal of capital assets by:

- Ensuring that assets and their associated services meet the strategic goals for culture, prosperity, environmental sustainability and being united in actions.
- Managing assets to provide the required levels of service that require the assets to be cost effective, safe, capable, usable, high in amenity and value supporting.
- Developing a workforce that supports the organisation's asset management by defining responsibilities towards asset management and providing awareness, training and development in asset management practices.
- Meeting relevant legislative and regulatory requirements.
- Improving practices and processes to meet industry standards in asset management.
- Developing and implementing a strategic asset management plan and asset management plans for all infrastructure asset classes and reviewing them periodically.
- Ensuring asset management financial projections inform the Long Term Financial Plan and vice versa.
- Valuing assets in accordance with appropriate accounting and asset management standards.
- Understanding the life cycle of assets including assessing the life cycle needs of assets.
- Planning for asset renewals on the basis of condition and agreed service levels.
- Inspecting assets on a regular basis to meet operational, maintenance, asset management, renewal forecasting needs and specifically asset valuation requirements.
- Understanding and assessing risks associated with the management of assets.
- Understanding future asset growth and demand including effects on services and financial management.
- Consulting with the community to understand the required levels of service provided by the assets.

Purpose

The purpose of this policy is to set the objectives for asset management in the Town of Port Hedland.

Mature asset management practices enable the organisation to deliver sustainable services to the community by integrating and balancing customer values, resources, risks and service levels over the long term.

Scope

This policy covers practices associated with infrastructure asset management and applies to the organisation's employees and contractors.

Related Documents

The key documents that inform this policy and are in turn guided by the policy are:

- Council Plan incorporating Strategic Community Plan and Corporate Business Plan
- Long Term Financial Plan
- Strategic Asset Management Plan
- Asset Management Plans.

Responsibility

The Council is responsible for adopting the policy and providing oversight of the resourcing for the appropriate level of service to deliver the policy.

The Chief Executive Officer has responsibility for developing a strategic asset management plan, asset management plans and associated procedures and for reporting on the status of asset management.

Acknowledgement

This policy was based on a template provided by the Institute of Public Works Engineering Australasia's NAMS+ system.

Relevant Legislation	Nil		
Directorate	Corporate Services		
Business Unit	Financial Services		
Delegated Authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01 V02	CM202425/194 CM202627/229	27 November 2024 30 September 2026
Review frequency	4 Yearly		

10/003 Landscaping

Objective

The objective of this policy is to provide requirements and identify benchmarks for the planning, design and installation of landscaping on Town owned or managed properties, including public open spaces (POS), urban landscape areas, and facilities. This policy will deliver the following outcomes:

- Encourage and support the development of aesthetically pleasing landscapes that enhance the unique elements of the Town whilst maintaining a level of consistency and sustainability;
- Encourage the use of plant species that will endure the Pilbara environment whilst providing an element of shade and sustenance;
- Ensure the development of landscaping treatments that provide (or don't inhibit) access to service corridor for the public utilities located within the verge area;
- Encourage a landscaping form which is economical in its water and maintenance requirements;
- Provide a means for minimising soil erosion;
- Establish a safe landscaping environment by applying Crime Prevention Through Environmental (CPTED) principles;
- Ensure equitable access and inclusion for people with disabilities by applying principles included in the Town's Disability Access and Inclusion Plan (DAIP).

This policy will also provide guidance for the landscaping development of private properties.

Content

Landscaping on urban landscape areas, in public open spaces and facilities provides an opportunity to enhance the aesthetics of the Town and improve the outdoor lifestyle of the community. It is the Town's responsibility to ensure that these areas are developed to a safe, sustainable and maintainable standard.

1. Application Process

Developers and property owners must submit an application to the Town for approval of landscaping treatments prior to commencing any work. Applications can be submitted to the Town via submission of a Verge Treatment Application form or Application for Vehicle Crossover Form, located on the Town of Port Hedland website, or by request from (08) 9158 9700.

All applications must include a plan showing the layout and location of landscaping, irrigation and information on plant species.

Applications will be assessed in accordance with this Policy, relevant Local Laws

and supporting documentation. Applicants will be advised of any known work scheduled by the Town that may affect their application.

Applicants must not commence any landscaping works until the Town grants approval in writing.

2. General Conditions

a) In terms of verge treatments, the property owner agrees to maintain the area free from hazards. Failure to comply may result in removal of the hazard and/or treatment by the Town at the owner's expense.
b) In terms of verge treatments, the property owner agrees to indemnify the Town against all claims which may arise as a result of the treatment.
c) The Town reserves the right to remove any verge treatment for the purpose of carrying out works. Reinstatement of approved verge treatments shall be carried out by the Town in consultation with the property owner.
d) The owner accepts responsibility for removal and reinstatement of landscaping if required by public utility providers.
e) No assistance shall be provided by the Town for development, ongoing operation, or maintenance costs, unless specified otherwise during the approval process.
f) The property owner shall be responsible for repairs to any damaged infrastructure occurring during the installation of landscaping.

3. Maintenance

The property owner shall be responsible for maintenance of all landscaping on the verge, unless agreed otherwise during the approval process.

Developers of landscaping treatments on Town owned or managed properties, including urban landscape areas, public open space and facilities, shall be responsible for the maintenance of the landscaping for a period of 18 months, unless negotiated otherwise. A maintenance schedule shall be submitted to the Town for approval. Handover of maintenance to the Town after this period shall be conditional upon coordinated inspections, approvals, training and supply of all as constructed and warranty information.

4. Guiding documents

The *Public Open Space Strategy* is used as a basis for strategic planning of the management, provision and investment in current and future POS.

The *Landscape Guidelines* document has been developed to provide a clear framework for the design, construction and maintenance of POS and Verge Treatments.

The *Irrigation Specifications* have been developed to ensure appropriate equipment and materials are used to design, install and maintain the Town's irrigation systems.

The *Weed Management Strategy* has been developed to provide a strategy for integrated weed management within the Town's POS and urban landscape areas.

The Landscape Guidelines, Irrigation Specifications and Weed Management Strategy will be reviewed internally by Town Officers under the direction of the Manager Infrastructure Operations.

5. Verge Treatments

The following treatments are permitted to be installed on verges:

- Lawn
- Irrigation
- Gardens
- Street trees
- Hardstands
- Compacted material
- Crossovers

Refer to the Landscape Guidelines and Irrigation Specifications for conditions and advice on the installation of verge treatments.

For information on the construction of crossovers refer to Council Policy Vehicle Crossovers.

6. Irrigation

All applicable verge treatments must be irrigated through a connection to the property owner's water supply. The following points should be considered when irrigating within the verge:

- Contact Dial Before You Dig (1100) and other service and utility providers prior to commencing installation to ensure that underground services and infrastructure are not damaged and correct clearances are maintained.
- Design and operation must comply with Water Corporation guidelines and water restrictions current at the time of development.
- Irrigation design shall apply principles to ensure sustainable use of water and adhere to the Town's Irrigation Specifications.
- Irrigation design and operation must not impact upon road pavements, footpaths or other infrastructure on the verge.

Refer to the relevant Local Laws Landscaping Guidelines and Irrigation Specification for further information.

7. Public Open Space, Urban Landscape Areas and Facilities Landscaping

All public open space, urban landscape areas and landscaping at facilities owned or managed by the Town must be developed in accordance with the objectives of this Policy.

The relevant Local Laws, Public Open Space Strategy, Landscaping Guidelines, Irrigation Specifications and the Weed Management Strategy will provide information to developers to ensure that the Town's requirements are met. The landscaping design must not impact on the functionality of the relevant space, specifically for the open stormwater drainage network.

Each application will be assessed in consultation with these guidelines, relevant stakeholders, the developer and the Town's officers.

Definitions

Road Reserve	The portion of land between the front property boundaries that contains both verges and the road
Verge	The section of the road reserve between the property boundary and the road kerb line.
Verge Treatment	Any soft or hard landscaping installed within the area of the verge excluding street trees.
Street Tree	A tree installed within the road reserve.
Crossover	The portion of a driveway within the verge providing access from the road to the property boundary.
Hazard	The source of potential damage, harm or adverse effects on something or someone.
Public Open Space (POS)	Recreational spaces which include local, neighborhood, district and regional parks as per *The Town of Port Hedland Public Open Space Strategy*.
Urban Landscape Areas	Landscape areas which include roads or along road reserves and thoroughfares including carparks.

Relevant legislation	Town of Port Hedland Local Laws Council Policy Vehicle Crossovers		
Directorate	Infrastructure		
Business unit	Parks, Gardens and Engineering Services		
Delegated Authority	Operations		
Version Control	Version	Council Decision	Adoption Date
	V01 V02 V03 V04 V05	201415/210 CM201920/077 CM202021/027 CM202526/182 CM202627/229	25 March 2015 23 October 2019 26 August 2020 10 Dec 2025 30 September 2026
Review frequency	4 Yearly		

9/009 Vehicles

Objective

The objective of this policy is to ensure Council's vehicles, plant and equipment is replaced at a time that optimises its use and minimises the whole of life cost.

Purpose

In order to enable this policy to be implemented effectively and to eliminate the requirement to amend this policy each time vehicles, plant or equipment is replaced, Council's current list of plant has been separated into various categories and a replacement strategy for each category.

This Policy is intended to be the basis for the ongoing review of Council's annual and five-year replacement programme.

Plant Category	Type & Description	Replacement Strategy
Category A1	4WD Executive Vehicle Allocated to Chief Executive Officer	80,000 kms/ 3 yrs
Category A2	4WD Wagon Vehicle Allocated to Directors	80,000 kms/ 3 yrs
Category A3	4WD Vehicle Allocated to Managers who require a 4WD to undertake duties OR 4 Cylinder Sedan / Hatch back	100,000 kms/ 3 yrs
Category A4	Utilities According to Organisational requirements for staff OR 4 Cylinder Sedan / Hatch back According to Council's requirements for staff	100,000 kms/ 3 yrs
Category A5	Utilities According to Council's requirements for staff	100,000 kms/ 3 yrs
Category A6	Utilities According to Organisational requirements for staff OR 4 Cylinder Sedan / Hatchback According to Organisational requirements for staff	100,000 kms/ 3 yrs

Category A7	Utilities According to Organisational requirements for staff OR 4 Cylinder Sedan / Hatch back According to Organisational requirements for staff	100,000 kms/ 3 yrs
Category B	Heavy Plant including Loaders, Tractors, Water Trucks, Rollers	8,000 hrs/ 8 yrs
Category C	Heavy Trucks Trucks with greater than 6 tonne carrying capacity	200,000 kms/ 8 yrs
Category D	Medium Trucks Trucks with greater than 4 tonne carrying capacity but less than 6 tonne carrying capacity	150,000 kms/ 8 yrs
Category E	Light Trucks & Street Sweeper Trucks with less than 4 tonne carrying capacity	100,000 kms/ 5 yrs
Category F	Refuse Vehicles Side loaders, rear loaders and front-loading compactor trucks	Side loaders replaced every 4 years (Body & Cab Chassis) Rear & Front Loader cab chassis every 4 yrs, body every 8 yrs
Category G	Medium Equipment Trailers, Slasher, spay rig, firefighting unit etc	10 yrs
Category H	Minor Equipment Including Generators, high pressure cleaners, ride on mowers, plate compactors, brush cutters, edgers, chainsaws, small mowers, etc.	1,000 hrs / 3 yrs

The above replacement strategy identifies the maximum expected life of the various vehicles, plant and equipment within each category.

There may be, on occasion, opportunities to change items earlier or later, which would result in a saving to Council. Any such opportunities will be assessed on an individual basis by condition, usage and fitness for purpose.

Vehicle Category “A” Usage Policy

Council recognises the need for a vehicle policy which reflects current industry practice, is flexible, and provides benefits to employees which are competitive with both the private and public sector.

Acquisition Methods:
The following acquisition methods for fleet items may be used in line with the procurement process overview and 2/007 Purchasing Policy:

Request for Quote (RFQ)
Request for Tender (RFT)

Environmental:
The Australian Government provides a Green Vehicle Guide which provides information on fuel consumption and the air pollution standard to which vehicles have been certified. As part of the acquisition process the Town will consider green vehicle ratings when procuring new vehicles in line with IOP HR15 – Motor Vehicle use.

Safety:
The Australian Government operates the Australian New Car Assessment Program (ANCAP) and allocates each tested vehicle a rating from zero (0) to five (5) stars. As part of the acquisition process the Town will consider vehicle safety ratings when procuring new vehicles in line with IOP HR15 – Motor Vehicle Use.

Disposal Methods:
Disposal of replaced fleet items can be completed by a trade-in as part of the acquisition process of a new fleet item, or via public auction once the new fleet item has been received. This will be determined by the Responsible Officer on a case by case basis but will comply with the relevant section of the *Local Government Act 1995,* Register of Delegations and *Local Government (Uniform Local Provisions) Regulations 1996.*

Definitions

For definitions and applicable category of vehicle refer to Internal Operating Procedure HR IOP – Motor Vehicle Usage.

Relevant legislation	Local Government Act 1995 Section 3.58 Local Government (Uniform Local Provisions) Regulations 1996		
Directorate	Infrastructure		
Business unit	Waste and Services		
Delegated authority	Yes		
Version Control	Version	Resolution Number	Adoption Date
	V01 V02 V03	- CM201920/036 CM202627/229	22 February 2006 28 August 2019 30 September 2026
Review frequency	4 Yearly		

9/005 Vehicle Crossovers

Objective

The objective of this policy is to ensure that both new and existing vehicle crossovers are constructed/renewed in accordance with the Town of Port Hedland Vehicle Crossover Specifications/designs to:

1. Minimise the number of vehicle crossovers per Lot.
2. Ensure safe vehicle access from properties and promote safety for cyclists and pedestrians.
3. Minimise any impact on existing verge infrastructure and streetscapes.
4. Provide a consistent framework to assist contractors and owners to meet the Town of Port Hedland standard crossover requirements.
5. Provide information required to be complied with by the property owners to be eligible for the Town of Port Hedland crossover subsidy.

Content

1.0 General

1.1 All crossovers which have access from Town of Port Hedland gazetted roads shall be constructed as per the Town's vehicle crossover specifications. The owner/agent shall submit a crossover application to the Town prior to the occupation of the residence or prior to clearance of condition of the development.

The owner/agent shall obtain approval in writing from Main Roads Western Australia with regard to the construction and location of the crossover *(Role of Commissioner of Main Roads in some cases)* for all crossovers from roads controlled by Main Roads Western Australia.

1.2 The crossover shall be constructed in concrete, brick paving or in asphalt as per Town specifications.

1.3 All crossovers are to be approved by the Town prior to construction commencement, and shall be constructed to the satisfaction of the Town. The owner/contractor is responsible for notifying Town staff prior to the preliminary stage of the construction commencement.

1.4 The Town may request a property owner to construct a crossover within a specific timeframe.

1.5 If the footpath has been constructed at the crossover with plain grey concrete, the footpath shall be replaced with reinforced concrete through the crossover, with appropriate construction joints, to ensure uniformity of the pathway.

1.6 If a new shared path is proposed at an existing crossover, a section of the crossover will be removed to ensure uniformity of the pathway construction. The cost of removal and reinstatement will be borne by the Town in this instance.

1.7 Requirement to construct or repair crossing - *Local Government (Uniform Local Provisions) Regulations 1996 - Regulation 13*

A local government may give a person, who is the owner or occupier of private land, a notice in writing requiring the person to construct or repair a crossing from a public thoroughfare to the land or a private thoroughfare serving the land. If the person fails to comply with the notice, the local government may construct or repair the crossing as the notice required and recover 50% of the cost of doing so as a debt due from the person. Penalty: a fine of $5,000

1.8 An owner requiring a crossover over an open drain shall contact the Town Technical Officer to determine the size of drainage pipe, culvert/headwall, stone pitching and other requirements for the crossover. This crossover shall be constructed to the Town of Port Hedland specifications and at the owner's expense.

1.9 The owner/contractor shall protect underground services. The owner is responsible for contacting utility providers and *Dial Before You Dig (1100)* prior to commencement of construction works.

1.10 The owner/contractor is responsible for repairs to any infrastructure damaged during construction.

1.11 Redundant crossovers, due to development of the property, are to be removed and kerb/verge/seal shoulders are to be reinstated at the owner's/developer's expense.

1.12 The owner/contractor is responsible for reinstatement of the verge, removal of all surplus material from the verge and clean-up of the verge immediately after completion of the crossover construction.

1.13 Contractor shall maintain Public Liability Insurance of twenty million dollars ($20,000,000) during the crossover construction.

1.14 Owner/contractor is responsible for all traffic management and redirection of pedestrians during crossover construction in accordance with Australian Standard current practice.

2.0 Maintenance

The property owner shall be responsible for maintenance of the crossover to ensure that it remains safe, free of dust and in trafficable condition. The Town of Port Hedland may request the owner to undertake repairs to the crossover at the owner's cost.

3.0 Claim Crossover Subsidy

3.1 Contribution to cost of crossing - *Local Government (Uniform Local Provisions) Regulations 1996 - Sch. 9.1 cl. 7(4) 15*

If stormwater drainage is not applicable;

A crossover subsidy of 50% of the cost of a standard crossover per Lot, up to a maximum of $1,000, will apply only to the first crossover installed at a residential property according to the Town specifications.

A crossover subsidy of 50% of the cost of a standard crossover per Lot, up to a maximum of $5,000, will apply only to the first crossover installed at a commercial property according to the Town specifications.

If stormwater drainage is applicable;

A maximum of an additional $5,000 subsidy payment will apply for the first crossover requiring stormwater drainage components installed to the Town specifications. Owner shall attach supporting invoices to prove that the stormwater drainage components have been installed in accordance with the Town of Port Hedland specifications.

3.2 Requirements for claiming subsidy

a) Submit crossover application prior to commencement of construction.
b) Follow Vehicle Crossover Specifications and carry out inspections with Town officers.
c) Submit subsidy application and supporting invoices within six months from the date of completion of the crossover.

4.0 Roles and Responsibilities

Vehicle Crossover Policy 9/005 is designed to be applied to land developers and property owners/contractors.

Definitions

"Act" *Local Government (Uniform Local Provisions) Regulations 1996*

"Town of Port Hedland (Town)" is the Local Government Authority.

"Road Reserve (Verge)" is the section of land between the edge of the road carriageway and the front property boundary.

"Crossover (Vehicle Crossing)" is the portion of the driveway within the road reserve providing vehicle access to the property. A standard residential crossover shall be defined as 3.0 metres wide; a standard commercial crossover shall be defined as 6.0 metres wide. Residential and commercial crossovers shall be constructed in concrete, brick paving or asphalt.

"Infrastructure and Town Services (ITS)" is the Engineering Services unit appointed by the Town of Port Hedland for crossover inspection and authorisation of subsidy contribution.

Relevant legislation	Local Government (Uniform Local Provisions) Regulations 1996 Sch. 9.1 cl.7(3) 13 - Sch. 9.1 cl.7(4) 15 - Sch. 9.1 cl.7(2) 12 & Sch. 9.1 cl.7(2) 14		
Directorate	Infrastructure		
Business unit	Engineering Services		
Delegated authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01 V02 V03 V04	Nil 201415/210 CM201819/207 CM202627/229	24 November 2004 25 March 2015 22 May 2019 30 September 2026
Review frequency	4 Yearly		

15/003 Video Surveillance

Objective

The Town of Port Hedland is committed to community safety and recognises the role video surveillance has within the community. This Policy aims to assist in deterring and detecting instances of crime and anti-social behaviour and defines how Closed Circuit Television (CCTV) and video surveillance systems will be managed in line with legislative and industry best practice.

Purpose

1. Definitions

CCTV *means Closed Circuit television and includes live or recorded footage*
CEO *means the Chief Executive Officer of the Town*
IOP *means Internal Operational Procedures*
SOP *means Standard Operational Procedures*
Town *means the local government district of the Town of Port Hedland*
Video Surveillance *means CCTV and all other types of video surveillance systems*

2. Introduction

The Town is committed to efficient and effective protocols for use of video surveillance systems. This includes systems that are leased, owned, controlled or managed either in part or in their entirety by the Town and includes all systems that are;

•Within, on or around any of the Town's buildings and facilities.

•In public places and open spaces within the Town.

•On roads, access-ways and carparks within the Town.

3. Purpose

The Town conducts video surveillance operations in order to:

- Assist in detecting, deterring and responding to criminal and/or anti-social behaviour (actual, alleged or perceived) that has occurred, is occurring or may occur against people and/or property within the Town.
- Provide evidence to support investigations and/or prosecutions by the WA Police, Town Officers duly authorised by the Chief Executive Officer or any other law enforcement agency in relation to incidents committed or alleged to have been committed within the Town.
- Support other safety initiatives in respect to community concerns about safety and crime prevention within the Town.

Access

4. Permitted uses

a) The use of video surveillance systems and/or access to footage is restricted to law enforcement agencies, law Courts, the CEO or anyone duly authorised by the CEO.
b) Members of the public are not permitted to view or access footage unless required by law e.g. *Freedom of Information Act 1992* (FOI).
c) Employees are not permitted to view or access footage unless duly authorised by the CEO or as required by law.

5. Requests for Footage

a) **External:** Any member of the public or employee seeking access to footage shall be directed to the Police to make a formal report or to lodge a Freedom of Information application.
b) **Internal:** Any employee seeking access to footage shall be directed to the Police to make a formal report; to the CEO or his nominated delegate; or to lodge a Freedom of Information application.

6. Community Safety Partnership – WA Police

The Town has entered into a community safety initiative with the WA Police by way of Memorandum of Understanding. This partnership is in accordance with AS/NZS62676:2020 – Video Surveillance Systems for use in Security Applications.

Specifically, members of the WA Police South Hedland branch have 24 hour seven (7) day live monitoring access to the Town's video surveillance network with the ability to record, download and use footage.

Installations

Alternate crime and/or anti-social preventative measures will be appropriately considered both prior to and after the installation of video surveillance systems systems/cameras in recognition footage to inform broader security and crime prevention strategies.

7. Privacy

A person's right to privacy is considered essential therefore all video surveillance systems installations shall adhere to the *Surveillance Devices Act 1998* (The Act) to ensure private conversations or private activities are not recorded, unless either express or implied consent is obtained prior to the recording, or it is in the public interest (Part 5 of the Act).

8. Location identification

Areas proposed for the installation of new video surveillance systems and cameras shall include a detailed project plan.

All proposals are to be approved by the CEO or his nominated officer.

9. Maintenance and Upgrades

Video surveillance cameras, all associated hardware and software will be replaced or upgraded as required within annual budgetary limits.

10. System security

Details about video surveillance or camera locations, their maintenance schedule and other details relating to their make/model and any other operational requirement will not be made publically available unless required by law.

11. Signage

Prominent signage will be displayed in the general vicinity where cameras may be installed and where people may be recorded however these may not identify specific camera locations.

Operation

12. Control and Operation of Cameras

Duly CEO authorised Town Officers shall manage and operate video surveillance systems in strict accordance with this Policy, Internal Operating Procedures (IOP's) and detailed Standard Operating Procedures.

13. Duration and Storage of Footage

Video surveillance footage is recorded 24 hours seven (7) days a week and retained for a period of not less than 31 calendar days.

14. Roles and Responsibilities

The CEO is responsible for the Town's video surveillance systems network and duly authorising Town officers or other agencies to have access to systems or footage with access granted to consider the nature of their role and whether access is appropriate under the circumstances.

Director Infrastructure is responsible for ensuring all associated infrastructure of the Town's video surveillance systems system including system design, installation, equipment maintenance, hardware and software upgrades (where contractor managed), signage, contractor management and training for staff on appropriate use of the system. In carrying out these requirements, the Manager will also work collaboratively with the WA Police to maintain an effective strategic partnership to support the common goal of improving community safety.

General

15. Complaints

All complaints regarding the Town's video surveillance systems operations are to be directed in writing to the CEO or their nominated officer.

16. Audit

All video surveillance operations shall be included in the Town's Strategic three year audit program to ensure ongoing alignment and adherence to regulation 17 as contained within *Local Government (Audit) Regulations 1996*.

17. Guidelines and Standards

Best practice video surveillance operation guidelines refers to the following:

AS/NZS62676:2020 – Video Surveillance Systems for use in Security Applications	Principles and management of the video surveillance system, procedures, personnel, control room, effective response, privacy and disclosure issues, recorded material management, documentation, licences and signage. Provides advice on installation, commissioning and handover, preventative maintenance, licences and signage. Provides technical planning guidelines and video signal level variables for video surveillance systems. Details the requirements and recommendations for the design, installation, commissioning, operation, remote monitoring, interactive video management and remotely monitored video surveillance systems.

AS/NZS 1158:2005 - Lighting for Roads and Public Spaces.	Defines Category P lighting which is applicable to roads on which the visual requirements of pedestrians are dominant, e.g. local roads and to local area traffic management devices (LATMS) installed on such roads.
AS/NZS 1768:2007	Lightning protection
ISO 31000:2009	Risk Management (Supersedes AS/NZ 4360:2004)
HB 167:2004	Security Risk Management Handbook
AS 2342:1992	Development, testing and implementation of information and safety symbols and symbolic signs
AS2416:2002	Provides examples and the display of multiple hazard signage.
AS/NZS62676:2020 – Video Surveillance Systems for use in Security Applications ANZPAA's	Police Recommendations for video surveillance Systems ('the ANZPAA Recommendations').

Relevant legislation	Local Government Act 1995 Surveillance Devices Act 2004 Freedom of Information Act 1992 Equal Opportunity Act 1984 Human Rights and Equal Opportunity Commission Act 1986 Criminal Investigation Act 2006 Occupational Health and Safety Act 1984 Surveillance Devices Act 1998 Security and Related Activities (Control) Act 1996 Security and Related Activities (Control) Regulations 1997 Australian Closed Circuit Television Guidelines Town of Port Hedland Code of Conduct For Employees and Volunteers		
Directorate	Infrastructure Services		
Delegated authority	Nil		
Business unit	Infrastructure Operations		
Version Control	Version	Council Decision	Adoption Date
	V01	201112/166	19 October 2011
	V02	201213/108	26 September 2012
	V03	CM201718/172	28 March 2018
	V04	CM202122/003	28 July 2021
	V05	CM202526/158	26 November 2025
	V06	CM202627/229	30 September 2026
Review frequency	4 Yearly		

7/002 Art Collection

1.Objective

The objective of this policy is to outline the management of the Town of Port Hedland's Art Collection.

2. Statement

This policy applies to Town officers involved with the management of the Art Collection including the procurement, curation and management of visual artworks that include paintings, drawings, photographs and sculptures.

3. Role of the Hedland Arts & Culture Advisory Committee

The Hedland Arts & Culture Advisory Group plays an important role in encouraging and promoting arts and culture within the Town of Port Hedland particularly through the provision of expertise and opinion. In relation to the Art Collection this includes:

- Advice on the development, review and management of the art collection
- Advice on the acquisition of artworks
- Advice on deaccessioning, disposal and repurposing of artworks
- Operate within the context of this Policy and any adopted Terms of Reference.

4. Content

Acquisition Procurement
Acquired artworks are to align with the Town's Council Policies Procurement and Art Collection. can be acquired through the following methods:

- Purchase
- Donation
- Commission
- Community Arts Projects
- Partnerships

All donated artworks are to be the sole property of the Town and be accompanied by a completed catalogue information. No conditions may be placed on donations from Donor without the written support of the Director Community Services.

It is expected that the Town will continue to support and prioritise the ongoing purchasing of artworks from local art galleries, as well as the Jury Art Prize to enhance the Town's art collection, promote local creatives and businesses, and contribute to a sense of place to display new and interesting artworks at Town facilities.

Display
Artworks are to be displayed in the most appropriate location within Town facilities only, considering preservation factors, visibility, cultural & historical significance, value, environmental conditions and security. At all times, at least parts of the collection are required to be viewed in publicly visible Town facility locations and suitable administration office locations.

When artworks are not being displayed, they are to be catalogued and housed in appropriate storage environments which include:

- A clean and organised space.
- Security from un-authorised staff handling/relocating artworks.
- Protected from pollutants and pests.
- Protected from damp, mold or water ingress, direct sunlight and excessive dust.
- Lighting conditions that limit deterioration of susceptible artworks.
- A satisfactory compromise between long-term preservation and accessibility of artworks.

It is acknowledged that the Courthouse Gallery venue is used for touring and temporary exhibition displays. Where appropriate, works from the Collection are considered for local and travelling exhibitions, subject to appropriate Loan Agreements.

Management
The Town aims to resource the collection appropriately, including annual budget allocation for development of the collection. The Town's officers are responsible for;

- New acquisitions of artwork & budget allocation
- Donations
- Art Collection Registry
- Art Collection Catalogue
- Insurance and Asset Management
- Valuation and condition reporting
- Display and installation
- Loan & Loan Agreements
- Deaccessions

Loan & Loan Agreements
The Town does not accept permanent or indefinite loans of artwork into the collection. The Town will only make outward loans of artworks specifically required for exhibitions for a specified period of time. The third party must offer an adequate display listed in the Art Collection Policy. All requests for outward loans must be requested in writing to the Director of Community Services. The request is to include a Certificate of

Currencies, be listed on the third-party's insurance register and follow the Standard Operation Procedure for Loan Agreements.

Deaccessions

Through the valuation and condition reporting process, artworks may be identified for deaccession from the Art Collection. Artworks will be assessed against the Acquisition Criteria to determine their significance to the collection. The Town retains the right to deaccession artworks that are deemed unsuitable at any stage (including damaged works), in accordance with the Asset Management Policy.

Relevant legislation	Local Government Act 1995 Public Records Act 2002 Council Policies: Procurement Art Collection		
Directorate	Community Services		
Business unit	Events, Art and Culture		
Delegated authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01 V02	CM202425/306 CM202627/229	26 Mar 2025 30 September 2026
Review frequency	4 Yearly		

6/003 Town of Port Hedland Grants Program

Objective

This policy aims to ensure Council has established an effective and responsive grants program to support the needs of its diverse community, and that it allocates appropriate financial support each year through its annual budget process. This allows Council to be transparent about the types and levels of funding provided to the community.

The objectives of this policy are to ensure:

- **Inclusion:** providing opportunities for individuals and groups to meaningfully take part in community life
- **Equity:** consciously addressing the barriers faced by disadvantaged groups and individuals
- **Impact:** taking a purposeful and strategic approach to funding projects that deliver meaningful social, economic and environmental impact
- **Capacity building:** supporting individuals, groups and businesses to develop and grow new initiatives, skills and resilience to shape the Town of Port Hedland's future
- **Collaboration:** encouraging networks and partnerships to deliver exceptional strategic outcomes together
- **Transparency:** delivering a funding program that is transparent and accountable in all processes and decisions
- **Economic:** attracting additional grants, increased revenue for business and community showcasing events for the Town (when applicable).

Policy Statement

The Town of Port Hedland Grants Program is divided into four streams:

1. **Community**

   The Community stream comprises of the following grants:

   i) Community Partnership Grant

   Supports community groups and organisations to deliver events, activities and programs that enhance local communities, celebrate diversity, and provide opportunities to develop social cohesion and connection within the Hedland community

   ii) Community Champions Grant

   Supports sport, arts, cultural and community ambassadors of the Town who are requiring assistance to travel on a regional, national, or international basis to represent Hedland

   iii) Placemaking Grant

Encourages visitation, increase beautification and activation of the streetscape and builds stronger connections between community and place. The grant supports business-led and community-led initiatives to encourage local communities, organisations and businesses to lead the revitalisation of public spaces.

iv) Sustainability Grant
Supports individuals and community groups to deliver positive community-based sustainability initiatives and education programs supporting environmental, sustainability and conservation outcomes

2. Economic and Business Development

The Economic Development and Diversification Fund, comprises of two streams:

i) Business Development
Supports local businesses and organisations to generate new revenue opportunities through the development of feasibility studies and businesses cases.

ii) Economic Diversification
Supports new or expanded business operations with demonstrable benefits to local employment, economic output and/or liveability.

3. Fundraising for Community

The Fundraising for Community Stream comprises of the following grant:
Cash for Trash
Supports local communities and organisations to do litter clean-ups throughout the Town and raise funds to help go towards fundraising initiatives.

4. Community Safety

The Community Safety Stream comprises of the following grant: Home Safety and Security
Supports the provision of a rebate to Hedland tenants and owners of residential properties for the installation of approved home safety and security products

Grants are to be assessed in accordance with the Town's Internal Operating Procedures, and the guidelines including eligibility criteria published on the Town of Port Hedland website.

Definitions

"Grant funding" Provision of a set amount of funds for a period to achieve a specific identified outcome, agreed to in a formal contract with the Town of Port Hedland.

Relevant legislation	Local Government Act 1995 Local Government (Financial Management) Regulations 1996		
Directorate	Infrastructure Services Regulatory Services Community Services		
Business unit	Youth and Community Development Business and Economic Development Environmental Health Waste Services		
Delegated authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01	-	27 January 2011
	V02	-	08 May 2013
	V03	201415/050	24 September 2014
	V04	201516/265	22 June 2016
	V05	CM201819/068	24 October 2018
	V06	CM202021/20	26 August 2020
	V07	CM202324/124	30 August 2023
	V08	CM202526/182	10 December 2025
	V09	CM202627/229	30 September 2026
Review frequency	4 Yearly		

5/02 Community Leasing Policy

Objective

The Town of Port Hedland is committed to meeting the current and emerging needs of the Community seeking the long-term use of Council owned or controlled properties and land.

The objective of this policy is to:

- ensure fair and consistent leasing and licensing conditions are provided.
- ensure clear expectations are outlined in Town leases and license to enable the protection and preservation of community assets for the ongoing use and benefit of the community.

This policy does not apply to the occasional use or hiring of the Town of Port Hedland's facilities or sporting grounds.

Policy Statement

Legislative Authority

The Town of Port Hedland may enter lease and licence arrangements over Council owned or controlled land; in accordance with the Local Government Act 1995 (WA) and the Land Administration Act 1997 (WA), and subject to any applicable management orders, reserve purpose requirements, and Ministerial consent provisions.

Town Assessment Criteria

In addition to legislative requirements, the Town will apply assessment criteria to ensure that community leasing and licensing arrangements are equitable, consistent and aligned with community need and Council priorities. This includes consideration of strategic alignment, community benefit, facility utilisation, asset sustainability, and the capacity of the applicant organisation to maintain and manage the leased premises.

Types of Tenure

The Town may grant occupation of Town owned or controlled land under one of the following tenure categories:

1. Lease – Exclusive Use

A lease grants the lessee exclusive possession and use of a defined area for a specified purpose and term.

Leases may be appropriate where:

- exclusive occupation supports the Town's adopted plans, master plans or strategic objectives;
- long-term security of tenure is required to support capital investment or asset

development; or
- the nature of the activity requires exclusive control of the premises.

Lease areas will generally be defined by building footprints and may include associated access areas, surrounds, or dedicated activity spaces where exclusive use is required.

2. Licence – Non-Exclusive or Shared Use

A licence grants non-exclusive use of a defined area for a specified purpose and term. Licences may be appropriate where:

- facilities are shared between multiple users;
- exclusive occupation is not required; or
- flexibility of tenure is preferred to maximise community access and utilisation.

Licence areas will generally be defined by building footprints or designated spaces within shared facilities.

The determination of whether a lease or licence is appropriate will be made by the Town having regard to community need, public accessibility, asset sustainability and the nature of the proposed use.

Terms of Lease

Lease terms will be in accordance with the Management Order held over the Reserve (if applicable) and no more than 21 years.

Incoming leases will not pay less than the current year rental (a full annual lease fee will be applied regardless of lease commencement date).

The fee for Community leases would be set each year by the Council as part of the annual budget process or by the Council.

Commercial leases will be negotiated on a case by case basis in line with the nature of the activity being undertaken.

Approval Pathway and Decision-Making Responsibilities

All community lease and licence applications will be assessed by the Town in accordance with this policy and the Town's current Delegations Register, as amended from time to time.

Applications will be reviewed by the relevant responsible officer to confirm eligibility, compliance with any applicable management order or reserve requirements. This includes alignment with the Town's strategic objectives and community benefit considerations.

Where approval authority has been delegated, an authorised officer may approve lease and licence arrangements in accordance with the Delegations Register.

Where a lease or licence proposal falls outside delegated authority, involves a non-standard tenure arrangement, or requires Council consideration under legislation or

Town governance requirements, the matter must be referred to Council for determination.

Where Ministerial consent is required under applicable legislation or reserve conditions, the lease or licence must not be executed until the required consent has been obtained.

Net Community Benefit Assessment

The Town may assess the net community benefit provided by an organisation when determining rental fees, subsidies or financial concessions associated with a lease or licence arrangement for Town-owned or managed property.

Net community benefit will be assessed having regard to factors including:

- alignment with the Town's strategic objectives and adopted plans
- demonstrated social, cultural, recreational or economic benefit to the local community
- accessibility and inclusiveness of the organisation's activities
- the extent to which the organisation services identified priority groups
- the organisation's financial capacity and long-term sustainability
- the degree to which the proposed use supports effective utilisation of Council assets

Assessment outcomes may be applied using the Town's adopted Net Community Benefit Assessment Matrix, which allocates a category rating and corresponding subsidy range based on the cumulative score achieved.

Where a rental subsidy, discounted lease fee or other concession is granted by the Council, the basis for the decision must be documented to ensure transparency, consistency and accountability.

Requests for the waiver of application fees, licence fees or other discretionary charges are assessed separately in accordance with the Town's adopted Schedule of Fees and Charges, 2/020 Fees and Charges Waiver Policy (where applicable), and the Town's Register of Delegated Authority.

Nothing in this policy guarantees entitlement to a subsidy or financial concession. All decisions remain subject to the Town's financial governance framework, budgetary considerations and delegated authority limits.

Process enquiries and application for Lease

All enquiries for the lease of land under council's control for all uses including but not limited to; sporting, community, educational, and commercial organisations' shall be referred to Property Management Coordinator for consideration against the management order held over that Reserve.

Maximum utilisation of Council Property is promoted with consideration given to community demand and capacity of facilities to cater for use.

Area of Lease

Lease boundaries will be based on the area granted exclusively to a Lessee, not limited to the footprint of the building on the parcel.

Keys

The Town will be provided with a complete set of keys for the premises.

Town staff requiring access will provide 48 hours written notice for right of entry, except in the case of emergency works being required. The Town will provide the Lessee with information pertaining to the late nature of entry and of any works that are undertaken.

Rates and Charges

Any lease granted under the conditions of this policy will incur an annual leasing fee as per the approved schedule of fees and charges, which are determined by Council.

Lessees will be responsible for the payment of rates and charges against the lease based on both general and specific terms as set out in the lease documentation.

Maintenance of Lease Premises

The Town will be responsible for the structural integrity of the premises for the term of the lease.

The Lessee shall, at the Lessee's cost, maintain all premises to Town asset maintenance standards as set out in the schedule to the lease. Damage that is not assessed as being fair wear and tear will be rectified at the expense of the lessee.

Annual Inspections

The Town will complete an annual inspection of the facility that will include:

- internal check
- plumbing
- electrical
- landscape
- external check

Insurances

Lessees will be responsible for procuring the relevant insurances for the leased premises at their own cost.

The Town will be responsible for insuring the fabric of the premises. This cost will be invoiced to the lease holder.

Termination

The Town may terminate a lease or licence in accordance with the terms of the agreement and applicable legislation.

In exercising any termination rights, the Town will have regard to the following principles:

- compliance with the specific termination provisions contained within the lease or licence agreement;

- whether the land or facility is required to meet Town's strategic infrastructure, redevelopment or service delivery priorities;
- the extent of any breach of agreement and whether the breach is capable of remedy;
- procedural fairness, including provision of written notice and reasonable opportunity to respond or rectify non-compliance where appropriate;

- the impact of termination on community service delivery; and
- the availability of reasonable alternative arrangements, where feasible.

Where termination is proposed due to infrastructure planning or redevelopment requirements, the Town will provide appropriate notice and, where practicable, will make reasonable attempts to identify alternative accommodation options.

All termination decisions will be documented in writing.

Relevant legislation	Local Government Act 1995 Section 3.58 Disposing of property Local Government Financial Management Regulations 1996 Town of Port Hedland Public Places and Local Government Property Local Law 2016 Council Policies: 1/022 Risk Management 2/004 Rating 2/020 Fees and Charges Waiver		
Supporting Documents	Schedule of Fees and Charges Town of Port Hedland Register of Delegated Authority 1.2.20 Disposing of Property		
Directorate	Infrastructure Services		
Business Unit	Infrastructure Operations - Property		
Delegated Authority	Chief Executive Officer		
Version Control	Version	Council Decision	Adoption Date
	V01 V02 V03 V04 V05	CM201415/208 CM201617/142 CM202021/180 CM202627/130 CM202627/229	25 July 2014 22 February 2017 3 June 2021 25 March 2026 30 September 2026
Review frequency	4 Yearly		

6/011 Recreation Reserves, Facilities and Parks - Casual and Event Hire

Objective

The Town of Port Hedland (Town) will ensure its recreation reserves, facilities and parks are available to the community for casual and event hire.

The intent of this policy is to:

- Provide individuals, businesses, schools, sporting and community groups with the opportunity to hire the Town's recreation reserves, facilities and parks for approved purposes on a casual basis;
- Ensure appropriate management of the Town's recreation reserves, facilities and parks; and
- Ensure bookings comply with all relevant statutory requirements.

This policy will work towards achieving the following outcomes:
Clear guidelines for the use and hire of the Town's recreation reserves, facilities and parks; and
Appropriate management of the Town's recreation reserves, facilities and parks.

Application

Types of bookings covered in this policy include:

- Casual bookings;
- Events; and
- Personal training.

This policy covers recreation reserves, facilities and parks within the municipality of the Town of Port Hedland.

Content

1. Booking guidelines

(a) Casual Hire and Events

Individuals, businesses and community groups are required to have confirmed bookings for the Town's recreation reserves, facilities and parks for the following uses:

i. Sporting fixtures and training;
ii. Events with over 50 attendees;
iii. When events are either open to or advertised to the public;
iv. When any entertainment is included or structures erected (ie. Bouncy Castles etc);
v. All vehicle access is required;
vi. When food or goods will be sold;

vii. When alcohol will be consumed or sold;
viii. When personal training sessions or fitness classes will be conducted; and
ix. When access to facilities e.g. change rooms, kiosks or overhead lighting.

(b) Personal Training and Fitness Classes

All personal training and fitness class hire bookings must adhere to the following guidelines:
i. Provide a copy of current public liability insurance certificate of currency;
ii. Provide evidence of current membership/affiliation with a peak body (ie. Fitness Australia);
iii. Bookings limited to 20 participants; and
iv. Activities cannot include formal/structured sporting games.

Please note – Personal training and fitness classes will not be granted exclusive or priority usage of the Town's recreation reserves, facilities and parks.

2. Application Process

An application form must be submitted for all new bookings.

The following documentation may also be required for some bookings:
- Site map;
- Provision of Public Liability Insurance Certificate of Currency;
- Trading in Public Places form, ie. food application;
- Application to Consume Alcohol on Council Facility or Reserve;
- Public Health Event Classification Assessment;
- Risk Management Plan;
- Traffic Management Plan;
- Noise Management Plan;
- Emergency Plan;
- Fireworks Permit;
- Certification for all rides;
- Certification for all seating;
- Certification for all temporary structures;
- Form 1 Application to Construct, Extend or Alter a Public Building; and
- Form 5 Electrical Certification.

All events with 1,000 people and over must adhere to the guidelines outlined in the Western Australian Department of Health, Guidelines for Concerts, Events and Organised Gatherings.

3. Booking Assessment Process

The Town will assess all applications against the following criteria:
The availability of the facility, taking into account all other hire applications;
The condition of the reserve, maintenance requirements and alternative venues;
The impact on seasonal users when the application is for a recreation reserve or associated facility;
Adherence to all relevant statutory requirements;
The suitability of the event to the venue including:

- Impact of the activity / event on the recreation reserve or park;
- Neighbouring properties and tenants;
- Parking facilities;
- Facility able to meet the needs of the proposed numbers;
- Buffer zones between noise sources and noise-sensitive neighbouring properties;
- Absence of toxic industries in close proximity to the event; and
- Adequate toilet facilities.

All approved booking applications will receive written confirmation from the Town. The Town reserves the right cancel or change all bookings of recreation reserves, facilities and parks. Where a booking is cancelled, the Town will endeavour to offer an alternate equivalent venue for the booking.

4. Creating an Accessible Event

Event organisers must consider and comply with the Department of Disability Services 'Creating Accessible Events' guidelines. A copy of these guidelines can be found on the Town of Port Hedland's website www.porthedland.wa.gov.au.

5. Booking Timeframes

The following time frames apply when submitting an application for use of a recreation reserve or park:
•Two (2) weeks' requests with less than 50 people;
•Four (4) weeks' requests with 51 to 500 people;
•Six (6) weeks' requests with 500 and 1,000; and
•Twelve (12) weeks' requests with over 1,000 people.

Applications that fail to demonstrate compliance with the above timeframes may attract late bookings fees or be refused.

6.Provision of Toilets

Event organisers are responsible for the provision of adequate ablution facilities for participants.

The table below outlines the number of toilets required at events.

Please note the figures below are for events where alcohol is available. If alcohol is not available, then reduce the requirements in the table below by 50%.

Total Attendance	Male Facilities			Female Facilities	Hand Basins	
	WC's	Urinal Meters	Urinals	WCs	Male	Female
1,000	2	1.5	3	5	1	1
1,000 – 2,000	3	3	6	10	2	2
2,000 – 3,000	4	4.5	9	15	3	3
3,000 – 4,000	5	6	12	20	4	4
4,000 – 5,000	6	7.5	15	25	5	5
5,000 – 6,000	7	9	18	30	5	6
6,000 – 7,000	8	10.5	21	35	6	7
7,000 – 8,000	9	12	24	40	7	8
8,000 – 9,000	10	13.5	27	45	8	9
9,000 – 10,000	11	15	30	50	9	10

Adjusting the required number of toilets at an event.

Duration of Event	Percentage of the table values (using Table Above)
More than 8 hours	100%
6 – 8 hours	80%
4 – 6 hours	75%
Less than 4 hours	70%

The requirements outlines above are extracted from the Department of Health Guidelines for Concerts, Events and Organised Gatherings. Event organisers must comply with all amendments to these guidelines, the link can be found: Events Guidelines 2022

7. Fees and Charges

All fees and charges for the Town's recreation reserves, facilities and parks are adopted by Council as part of the annual budget process.

Fees and charges for hire of the Town's recreation reserves, facilities and parks include the following services:
Use of the hired area;
Booking administration;
Approval for the provision of Consumption or Sale of Alcohol at Town of Port Hedland Owned or Managed Property;
Rescheduling of irrigation systems; and
Written confirmation for approved usage from the Town of Port Hedland.

8. Maintenance, Security and Cleaning

Town of Port Hedland Responsibility:
Pre hire inspections will be conducted to ensure reserves and facilities are in reasonable and clean condition.

Hiring Group Responsibility:
Ensuring that the reserve, facility or park is left in a clean and reasonable condition at the conclusion of their hire;
Any damage caused during the booking is reported to the Town's Bookings Officer As soon as practical following the event;
The hirers will be invoiced for the cost of repairs or additional cleaning required if the Town deems the damage to be direct result of the hirer's activity;
Are responsible for ensuring the facilities are locked and secured at the completion of their hire; and
Hiring groups do not have permission to access any furniture or equipment stored in facilities by sporting group unless permission is given from the sporting group that owns the equipment.

9. Bonds

The Town of Port Hedland will charge a bond for the use of the Town's recreation reserves, facilities, parks and keys. Bonds will be determined by the Bond Matrix, set by Council Policy and must be paid prior to the booking.

10. Public Liability Insurance

Public Liability Insurance Certificate of Currency for an amount no less than $10,000,000 is required for the following hirers:

Incorporated bodies;
Companies;
Associations;
Corporate entities; and
Casual hirers which use a Town of Port Hedland facility more than twelve (12) times per annum in total.
Some activities are not covered under the Casual Hirers Policy. Each hire will be assessed on an individual basis and the applicant advised of the insurance requirements for their booking.

11. Provision of Alcohol at Recreation Reserves, Facilities and Parks

All hirers must comply with the Council Policy Consumption of Alochol at Town of Port Hedland Owned or Managed Property policy and Department of Racing Gaming and Liquor requirements.
A Trading in Public Places application must also be submitted for the consumption and sale of alcohol at all of the Town of Port Hedland's parks and sporting reserves.

12. Provision of Bins

Provision of bins is not included in the hiring fees for any casual hire of the Town's recreation reserves, facilities and parks. For events with over 100 people bins must be provided at the following ratios:
•Alcohol (1 x 240 litre bin per 20 users); and
•No Alcohol (1 x 240 litre bin per 40 users).

13. Conduct

The group hiring a recreation reserve, facility or park is responsible at all times for the conduct of its members, spectators and guests. Hirers must comply and seek necessary approvals with all federal, state and local laws whilst on Town property. Inappropriate conduct of individuals associated with any booking may result in restricted access to the Town's facilities or legal action.

14. Outstanding Accounts

All outstanding accounts must be settled by the hiring group prior to confirmation being granted for use of the Town's recreation reserves, facilities and facilities.

Definitions

"Event" Means a gathering of people brought together for a common purpose by some prearrangement.

Relevant legislation	Health Act 1911 Food Act 2008 Liquor Control Act 1988 Health (Public Building) Regulations 1997 Environmental Protection (Noise) Regulations 1997 Food Regulations 2009 Liquor Control Regulations 1989 Council Policy Consumption of Alcohol Food Safety Standards Guidelines for Concerts Events and Organised Gatherings – WA Department of Health 2022 (and other relevant health related guidelines) Recreation Reserves and Parks – Casual Hire and Events. Marquee Park Management Plan South Hedland Town Square Management Plan		
Directorate	Community Services		
Business unit	Sports and Facilities		
Delegated authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01 V02 V03 V04	Nil 201314/306 CM202021/21 CM202627/229	9 May 2012 30 April 2014 26 August 2020 30 September 2026
Review frequency	4 Yearly		

6/010 Recreation Reserves and Facilities – Seasonal Hire

Objective

The purpose of this policy is to provide the Town of Port Hedland (Town) with guidelines for the seasonal usage of the Town's recreation reserves and facilities by sporting groups.

The intent of this policy is to:
- Ensure appropriate management of the Town's recreation reserves and facilities by local sporting groups;
- Provide local sporting groups with the opportunity to hire the Town's recreation reserves and facilities; and
- Ensure shared and equitable usage of the Town's recreation reserves and facilities by all local sporting groups.

This policy will work towards achieving the following outcomes:
- Clear guidelines for the use and seasonal hire of the Town's recreation reserves and associated facilities;
- Appropriate management of the Town's recreation reserves and associated facilities; and
- Provide equitable seasonal usage for sporting clubs and associations of the Town's recreation reserves and associated facilities.

Application

This policy covers the following recreation reserves within the municipality of the Town of Port Hedland:

Port Hedland

a) Colin Matheson Oval and associated facilities;
b) McGregor Street Reserve and associated facilities (Including Tennis and Hockey Club);
c) Town Oval; and
d) Race Track and associated facilities.

South Hedland

a) Kevin Scott Oval and associated facilities;
b) Marie Marland Reserve and associated facilities;
c) Faye Gladstone Netball Courts;
d) Hedland Senior High School Oval (out of school hours usage only); and
e) Cassia, Baler and South Hedland Primary School Ovals (out of school hours usage only).

Purpose

1. Shared Usage of Recreation Reserves and Facilities

The Town supports the shared usage of all the Town's recreation reserves and facilities. Where appropriate, the Town will favour the usage of recreation reserves and facilities by multiple user groups.

2. Application Process

All sporting groups must submit all necessary booking application forms and supporting documentation to the Town within the required booking timeframes.

The following documentation may also be required:
•Site map;
•Provision of Public Liability Insurance Certificate of Currency;
•Trading in Public Places form, ie. food application;
•Application to Consume Alcohol on Council Facility or Reserve;
•Public Health Event Classification Assessment;
•Risk Management Plan;
•Traffic Management Plan;
•Relevant financial information;
•Certification for all temporary structures;
•Form 1 Application to Construct, Extend or Alter a Public Building; and
•Form 5 Electrical Certification.

3. Booking Timeframes

The summer season operates from 1 October to 31 March and the winter season operates 1 April to 30 September. All summer seasonal applications must be received by the end of August, each calendar year and winter seasonal application received by the end of February, each calendar year.

The Town will host season bookings information sessions prior to the commencement of each summer and winter season, to outline the season hire process and assist clubs with applications.

4. Assessment of Ground Allocation

The Town will assess applications for seasonal use of recreation reserves and facilities, in accordance with the following criteria:

- The nature and sustainability of the proposed activity in relation to the facility;
- The availability of the facility, giving consideration to all applications from other seasonal users;

- The impact of the activity on the recreation reserves and surrounding residents;
- The condition of the reserve, maintenance requirements and the availability of alternative venues; and
- Submission of the seasonal booking form, within the required timeframes.

Where possible, preference will be given to the following:
- Historical user groups;
- In season sports, over pre-season training;
- Competition match play over training;
- Incorporated sporting clubs and associations; and
- Applications submitted by the seasonal allocation closing date (over late submissions).

5. Seasonal Hire Fees and Charges

All fees and charges are adopted by Council as part of the annual budget process.

Season hire fees and charges represent a discount on casual hire fees and charges. To be eligible for seasoned hire fees and charges, applications must meet the following criteria:

a) Using the recreation reserves and facilities for sporting competitions (match play and / or training);
b) Hold current Public Liability Insurance for the primary purpose of the hire;
c) Be an Incorporated body or working towards incorporation in the next 12 months; and
d) Affiliated with a State or National sporting association, relevant to the sport or activity.

If groups do not meet the criteria outlined above, special permission can be sought from the Town to qualify for seasonal hire fees and charges.

Seasonal hire fees and charges provide sporting groups with the following services:

a) Access to the Town's recreation reserves facilities (ie. toilets, change rooms);
b)
c) Provision of bins equivalent to 1 bin per 40 users, for non-alcohol related bookings; and
d) Pre-season cleaning of the sporting reserve toilet and change room facilities.

Hirers that do not meet the criteria outlined above will be charged casual hire fees and charges.

6. Bonds

The Town will charge a bond for the use of the Town's recreation reserves, facilities and keys. Bonds will be determined by the Bond Matrix set by the community and must be paid prior to the commencement of the season.

7. Public Liability Insurance

All seasonal hiring groups are required to hold current Public Liability Insurance in the name of the club / association, for an amount of no less than $10,000,000.

The Town does not provide contents insurance for any equipment or furniture stored at the Town's recreation reserves or facilities. Contents insurance is the responsibility of the sporting club and / or association.

8. Recreation Reserve Maintenance, Cleaning and Security

Town of Port Hedland Responsibility

a) Maintenance:
   i. Pre-season facility inspections will be carried out at all sporting reserves and facilities. Users will be invited to attend these inspections with the Town's Officer/s; and
   ii. All sporting reserves and facilities may be subject to scheduled maintenance.

b) Cleaning:
   i. The Town will clean each facility prior to the commencement of each season.

c) Use by Casual Hirers and Events:
   i. The Town will advise seasonal users of other casual hirers and events that have hired facilities at their reserve during their season. Casual hirers and events do not have permission to access any furniture or equipment owned by sporting groups that is stored in the venue. Permission may be sought from the sporting group that owns the furniture or equipment.

Sporting Club and Association Responsibility

a) Maintenance:
   i. Clubs and associations must notify the Booking Officer in writing of any maintenance issues;
   ii. All seasonal users are required to report any theft or break-ins to the Booking Officer at the earliest convenience, including the Police incident report number; and
   iii. Clubs and associations will be invoiced the cost of repairs, if the Town deems the damage as a direct result of the clubs' and / or associations' activity.

b) Cleaning:
   i. Cleaning of the facility during the season is the responsibility of the user groups. If required, the Town will arrange any cleaning deemed necessary and will on charge associated costs to the hirer;
   ii. Clubs and associations are responsible for the removal of all litter associated with each booking, including the reserves, car park and within the facilities; and
   iii. Reserves and facilities need to be cleaned by the hiring group by 10.00am on the day following each booking.

c) Security:
   i. Clubs and associations are responsible for ensuring all facilities are fully secured and locked after each use; and
   ii. Clubs and associations must inform the Town's Bookings Officer at the earliest opportunity, of all broken or missing locks and any damage which may present a risk to faulty security.

9. Consumption of Alcohol

All sporting clubs and associations must comply with the Consumption or Sale of Alcohol at Town of Port Hedland Owned or Managed Property policy and Department of Racing Gaming and Liquor requirements.

10. Vehicles on Recreation Reserves

a) A maximum of two (2) vehicles are permitted on the recreation reserves for equipment set up and pack down. All other vehicles must be parked in the designated car parking areas. Players and spectators cars must not park on the recreation reserves during training or competitions; and

b) Subject to approval, equipment trailers may be driven on to recreation reserves to set up for training and competitions. Where possible, these must be parked outside the boundary lines of the recreation reserve.

11. Provision on Bins

a) The number of rubbish bins provided for seasonal hirers at recreation reserves or facilities is to be calculated in accordance with the application form submitted and will be worked out on a ratio of 1 bin per 20 users, for alcohol related bookings and 1 bin per 40 users, for non-alcohol related bookings; and

b) Requests for additional rubbish bins can be made to the Town and will be assessed on a case by case basis. Fees apply for additional bins, as per current fees and charges.

12. Line Marking

a) Clubs and Associations are responsible for all line mark ups associated with training and competitions;

b) Grounds must be marked in accordance with the standards set out by the Department of Sport and Recreation in its nationally adopted publicationSports Dimensions Guide For Playing Areas;

c) Water base paint is the approved paint to be used for all line marking. For safety reasons, the following products are not permitted for marking reserves:
   i. Lime;
   ii. Round Up and other herbicides and chemicals;
   iii. Oil; and / or
   iv. Any growth retardants.

d) Line marking must not be carried out while the reserve is being used by another club and / or group; and

f) If inappropriate marking materials are used, additional charges may be incurred to rectify any damage. Repairs will be carried out by the Town's Parks and Reserves business unit and all associated costs will be on-charged.

13. Conduct

The club and / or association is responsible at all times, for the conduct of its members, spectators and guests; and must comply with all Federal, State and Local Laws, whilst on Town property. Inappropriate conduct of a clubs' and / or associations' members, may result in restricted access to the Town's facilities or legal action.

14. Outstanding Accounts

All outstanding accounts must be settled by the hiring group prior to approvals being granted, for use of the Town's recreation reserves and facilities.

Definitions

"Seasonal Users"
a)Incorporated sporting clubs and / or associations; and
b) New sporting groups that are working towards incorporation within a 12 month period.

Relevant legislation	Health Act 1911 Food Act 2008 Liquor Control Act 1988 Liquor Control Regulations 1989 Food Regulations 2009 Health (Public Building) Regulations 1997 Environmental Protection (Noise) Regulations 1997 Council Policy 6/006 Consumption of Alcohol Recreation Reserves and Parks – Casual Hire and Events. Guidelines for Concerts Events and Organised Gatherings – WA Department of Health 2009 and other health related guidelines. Food Safety Standards Recreation Reserves and Parks – Casual Hire and Events.		
Directorate Business unit	Sports and Facilities		
Delegated authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01 V02 V03 V04	- 201314/306 CM202021/21 CM202627/229	9 May 2012 30 April 2014 26 August 2020 30 September 2026
Review frequency	4 yearly		

1/032 Information Breach

Objective

The objective of this policy is to state the Town of Port Hedland's (the Town) commitment to having in place procedures in relation to detecting, responding to, managing, notifying, and reporting eligible data breaches in accordance with the Privacy and Information Sharing Act 2024.

Purpose

Scope

This policy applies to and must be adhered to by:

- all Town of Port Hedland permanent full time, part time, volunteer, trainee and temporary employees and employees authorised to access Town information systems and assets.
- any consultants and persons or organisations authorised to administer, develop, manage, and support Town information systems and assets; and
- third party supplier, vendors, contractors and hosted managed service providers.

Responsibilities

All Employees have a responsibility to notify the CEO and Manager Digital Services of any information breach immediately on becoming aware that an information breach has occurred and provide details about the breach in accordance with procedures in the Town's Data Breach Response Plan.

What is an Eligible Information Breach?

An information breach occurs when there has been unauthorised access to, unauthorised disclosure of, or loss of personal information held by (or on behalf of) the Town or any accidental or unlawful destruction or alteration of personal information held by (or on behalf of) the Town.
An information breach may occur as the result of a malicious action, systems failure, or human error. An information breach may also occur because of misconception as to whether a particular act or practice is permitted under legislation.

Examples of information breaches include:

- Malicious or criminal attack
    - Cyber incidents such as ransomware, malware, hacking, phishing, or brute force access attempts resulting in access to or theft of personal information.
    - Social engineering or impersonation leading into inappropriate disclosure of personal information. Insider threats from Town staff

using their valid credentials to access or disclose personal information outside the scope of their duties or permissions.

- Theft of a physical asset such as a paper record, laptop, USB stick or mobile phone containing personal information.System fault
  - Where a coding error allows access to a system without authentication, or results in automatically generated notices including the wrong information or being sent to incorrect recipients.
  - Where systems are not maintained through the application of known and supported patches.

- Human error
  - When a letter or email is sent to the wrong recipient.
  - When system access is incorrectly granted to someone without appropriate authorisation. When a physical asset such as a paper record, laptop, USB stick or mobile phone containing personal information is lost or misplaced.
  - When employees fail to implement appropriate password security, for example not securing passwords or sharing password and log in information.

If there are reasonable grounds to believe that the information breach has resulted in, or is likely to result in, serious harm to one or more of the individuals to whom the information relates, the breach is an **eligible information breach**.

Serious harm occurs where harm arising for the eligible information breach has or could result in a real and substantial detrimental effect on an individual and includes serious physical, psychological, emotional, financial, or reputational harm.

Examples of harm include:
- financial fraud including unauthorised credit card transactions or credit fraud,
- identity theft causing financial loss or emotional and psychological harm, blackmail, humiliation, stigma, embarrassment, damage to reputation or relationships,
- loss of business or employment opportunities,
- family violence,
- physical harm or intimidation,
- discrimination, bullying, marginalisation, or other forms of disadvantage or exclusion.

Assessment of the likelihood of serious harm from an information breach is an objective test. That is ‘likely to result’ (as defined above) means the risk of serious harm to an individual is more probable than not.

Definitions

"Information Breach" occurs when information held by an agency (whether held in digital or hard copy) is subject to unauthorised access, unauthorised disclosure of, or is lost in circumstances where the loss is likely to result in unauthorised access or unauthorised disclosure, or any accidental or unlawful destruction or alteration of personal information held by (or on behalf of) the Town.

"Information Breach Response Plan" means a detailed internal plan outlining the steps required for Town employees to contain, assess, investigate, and respond to an information breach.

"Eligible Information Breach" means an information breach which has satisfied the following two tests:

- There is an unauthorised access to, or unauthorised disclosure of, personal information held by a public sector agency or there is a loss of personal information held by a public sector agency in circumstances that are likely to result in unauthorised access to, or unauthorised disclosure of, the information; and
- A reasonable person would conclude that the access or disclosure of the information would be likely to result in serious harm to an individual to whom the information relates.

"Personal Information" is information or an opinion, whether true or not, and whether recorded in a material form or not, about an individual, whether living or dead:
(a) whose identity is apparent or can reasonably be ascertained from the information or opinion; or
(b) who can be identified by reference to an identification number or other identifying particular such as a fingerprint, retina print or body sample

"Employees" means all Town permanent full time, part time, volunteer, trainee and temporary employees and persons authorised to access Town information systems and assets. Any consultants and persons or organisations authorised to administer, develop, manage, and support Town information systems and assets. Any third-party supplier, vendors, contractors and hosted managed service providers.

Relevant legislation	Privacy and Information Sharing Act 2024 State Records Act 2000. Local Government Act 1995 Freedom of Information Act 1992 Evidence Act 1906 Council Policies: 1/030 Records Management 1/031 Privacy 1/033 Information Classification Policy 1/034 Information Management Policy		
Supporting Documents	AS/ISO 15489 Records Management Standards State Records Office of Western Australia State Records Commission Standards Council Policies: 1/030 Records Management Information Classification Information Management Policy Privacy Policy Data Breach Response Plan Request to Access and Correct Information Procedure Data Breach Reporting and Notification Procedure		
Directorate	Corporate Services		
Business Unit	Digital Services		
Delegated Authority	Chief Executive Officer		
Version Control	Version	Council Decision	Adoption Date
	V01 V02	CM202425/192 CM202627/229	27 November 2024 30 September 2026
Review frequency	4 Yearly		

1/033 Information Classification Policy

Objective

The objective of this policy is to provide the Town of Port Hedland (the Town) with an information classification framework that enables the Town to label information according to its sensitivity. Information will be identified for its sensitivity and protective security measures applied and communicated within the Town, with other Local Government agencies, and third-party organisations (where relevant). This will build trust for information sharing by using widely understood labels and increase the literacy and awareness of the Town workforce.

Purpose

Scope

This policy applies to all information received, created, managed, or shared by the Town of Port Hedland.

Information and data will be defined as one of three essential classifications for security compliance and to establish a basic, common language across the Town and government.

These are:

UNOFFICIAL – information which is unrelated to the official work of the Town.

OFFICIAL – is the appropriate classification for most of the information created, used, or managed/received by the Town, and include content related to routine business operations and services and may include emails, briefing notes, draft policies, and guidelines on issues deemed to be non-sensitive.

OFFICIAL: Sensitive – Is the highest level of classification for information that is not covered under arrangements with other authorities. Release of this information could result in damage to individuals, organisations, or government. Includes Human Resources documents and tender documents.

Classification of information above *OFFICIAL: Sensitive* is outside the scope of this policy. Refer to the provisions of the relevant inter-jurisdictional agreement(s) regarding information at higher classification levels e.g., COMMONWEALTH SECURITY CLASSIFIED information.

The Policy does not provide direction on digital security measures to protect information. This is provided through the Information Management Policy.

Responsibilities

The Town will provide direction to all employees, including full-time, part-time, or casual, sessional, fixed term and other contractors on their responsibilities for

maintaining proper standards for creation, management, maintenance and retention of Information Classification.

This policy is applied:

- to prevent the unauthorised disclosure of official papers or documents supplied to or seen by employees in their official duties.
- when information is created, altered, or received. The originator or owner is responsible for conducting an information classification assessment and applying labels as appropriate. Labels must be applied to information such that the label is clear, and wherever possible, prior to subsequent users accessing the information (e.g. a label in the header of an email; a clear marking at the top of a page).
- when Town information is shared within or between the Town and other agencies. The owner of the information is responsible for determining the classification. Town employees and contractors may not change the classification of information without the permission of the party they receive it from.
- to ensure any party having access to the information is aware of and adheres to the Policy requirements.
- prior to any planned release of information, re-assess the information to account for the context of the release (e.g. information being shared in combination with other information which may combine to alter its significance); and
- prior to transition to innovative technology infrastructure based on sensitivity of information.

The information classification process is part of core business and planning, not the delegated responsibility of ICT teams.

The Town is not required to conduct a classification process on existing information or groups of information, until they are used (and then, in line with the Towns staged transition approach).

Risk Management

Information classification is primarily a risk management activity. Risks to information are those that impact the authenticity, reliability, integrity, and useability of the information. The Town will identify and mitigate risks to its information systems and assets.

The Town will take a risk-based decision-making approach to information security and sharing of information. To enable this approach the Town will regularly review and document it is information assets. It will implement the appropriate level of classification to all information, its processes, and systems.

Definitions

"Data" raw, unorganised, and organised material such as characters, text, words, numbers, pictures, sound, or video. It may be stored by both digital and non-digital means. Technically, data is a broader term than information, but "information classification" is preferred, as "information" is more commonly used in non-ICT contexts.

"Information" organised, processed, or structured data. The term "information" can be taken to refer to both data and information for the purposes of the Policy.

"Information Assets" an identifiable collection of data stored in any manner and recognised as having value for the purpose of enabling an agency to perform its business functions, thereby satisfying a recognised agency requirement.

"Information Classification" a business-level process whereby the sensitivity of a piece of information (or collection of information) is evaluated, and a classification label applied to it if appropriate, such that the sensitivity will be clear to those who access it subsequently.

"Security Classification" Information that has been security assessed as having a business impact level (BIL) of high, or above for potential compromise of its confidentiality. This results in a security classification as a protective marking.

Security classifications include PROTECTED, CONFIDENTIAL, SECRET and TOP SECRET.

"Sensitivity" the severity of negative consequences that are likely to result from the release of information. Sensitivity increases in line with the severity of the potential consequences.

"Release" the making of information accessible to other individuals or organisations within and external to the agency responsible for the information, whether intentionally or unintentionally.

"Label" a text addition to any given information, which represents its classification or sensitivity, such that it is clear to those who access the information.

Relevant legislation	State Records Act 2000 Local Government Act 1995 Freedom of Information Act 1992		
Relevant Standards	SA/SNZ TR 18128:2015 AS/NZS ISO 31000:2018 Office of Digital Government State Records Office of Western Australia State Records Commission Standards Council Policies: Risk Management Policy Records Management Policy Information Management Policy Privacy Policy Data Breach Policy		
Supporting Documents	Information Classification Procedures Information Asset Register		
Directorate	Corporate Services		
Business unit	Digital Services		
Delegated authority	Chief Executive Officer		
Version Control	Version	Council Decision	Adoption Date
	V01 V02	CM202425/192 CM202627/229	27 November 2024 30 September 2026
Review Frequency	4 Yearly		

1/034 Information Management Policy

Objective

The objective of this policy is to state the Town of Port Hedland's (the Town) commitment to manage the Town's information. Information, its integrity and security, is critical to how the Town makes decisions, acts transparently, demonstrates accountability, collaborates, develops policy and delivers services to the Town and broader community. This commitment will achieve compliance with all applicable State Legislation, Regulations and Standards.

Purpose

Scope

This policy applies to the employees and contractors of the Town of Port Hedland and all information assets (records, information and data) in any format, created or received to support the Town's business activities.

It covers all business applications used to create, manage and store information assets, including dedicated information management systems, business systems, databases, email, voice and instant messaging, websites and social media applications.

This policy covers information created and managed in-house and off-site including in cloud-based systems.

Principles

Information is critical to the Town, government and the Port Hedland community.

The Town will operate under these information principles:
Principle 1: Information is valued and governed as an asset.
Information is essential to Town operations and will be reliably maintained as authentic evidence of business activity to ensure value in decision making and delivery of services.

Principle 2: Information is created and managed digitally.
Digital information and end to end digital processes will be the default position, with hardcopy records managed by exception. Systems support good information management as part of business processes. Integration of systems must support easy creation and capture of records of business activity.

Principle 3: Information is fit for its intended purposes and is easy to find, access and use.
Information must be accurate, authentic and trusted, to allow ongoing use and reuse by the Town and the community. Information will be created and managed based on its operational and strategic importance, its risk profile, and the needs of all its users. It must be kept and remain accessible to authorised users for as long as required.

Principle 4: Information management is embedded into Town business activities.
The Town will build information management into all business systems and all aspects of training including sharing, release, discovery, data quality, de-identification and security of information.

Principle 5: Information is protected from unauthorised use and loss.
Information will be managed from receipt or creation to protect personal and sensitive information and prevent deletion until official authorisation. It must be disposed of in a systematic and auditable way.

Definitions

"Business Activities" major tasks performed by the Town as part of its responsibilities for achieving the strategic goals of the Town on behalf of the Community.

"Business System" an automated system that creates or manages data about an organisation's activities, including applications whose primary purpose is to facilitate transactions between an organisational unit and its customers.

"Confidentiality" property that information is not made available or disclosed to unauthorised individuals, entities or processes.

"Database" is an electronically stored, systematic collection of data. It includes words, numbers, images, videos, and documents in various ways.

"Information" is knowledge communicated or received. It is the result of processing, gathering, manipulating and organising data in a way that adds to the knowledge of the receiver.

"Information Assets" an identifiable collection of data stored in any manner and recognised as having value for the purpose of enabling an agency to perform its business functions, thereby satisfying a recognised agency requirement.

"Information Security" is preservation of confidentiality, integrity and availability of information.

"Integrity" property of accuracy and completeness.

Relevant legislation	State Records Act 2000. Local Government Act 1995 Freedom of Information Act 1992 Evidence Act 1906		
Relevant Standards	AS/ISO 15489 Records management ISO 27000 Information Security Management Systems SA/SNZ TR 18128 Risk Assessment for records processes and systems State Records Office of Western Australia State Records Commission Standards Council Policies: Information Classification Policy Risk Management Policy Privacy Policy Data Breach Policy		
Supporting Documents	Information Management Procedures ICT Strategic Plan		
Directorate	Corporate Services		
Business unit	Digital Services		
Delegated authority	Chief Executive Officer		
Version Control	Version	Council Decision	Adoption date
	V01	CM202425/192	27 November 2024
	V02	CM202627/229	30 September 2026
Review Frequency	4 yearly		

1/030 Records Management

Objective

The objective of this policy is to state the Town of Port Hedland's (the Town) commitment to create, capture and manage records, in all formats, of all business activities carried out by Elected Members, Employees, and Contractors. This commitment will achieve compliance with all applicable legislation, regulations, and standards, including the Australian and International standard for records management AS/ISO 15489.

Purpose

This policy is relevant to the whole of the Town of Port Hedland, its Employees, Elected Members, and Contractors who are fulfilling a specific business function on behalf of the Town community and wherever they may be located.

1. Principles

Records will be managed according to the principles of transparency, accountability, compliance, access, and security, for the whole of their life cycle.

The records will be a true and correct record of the business activities, will be trusted to be complete and unaltered and able to be used and re-used when required. They will be kept for as long as they are needed by the Town and the Community and according to legislation, regulations, and standards.

When the records are no longer needed by the Town they will be archived or destroyed according to the General Disposal Authority for Local Government Records.

Elected Members, Employees, and contractors will be trained on records management principles, procedures, and compliance.

2. Responsibilities

It is the responsibility of all Elected Members, Employees, and Contractors to be familiar with all legislation and regulations regarding the activities that they carry out and to create the records required by that legislation, it's regulations and standards.

All records created during Town business activities remain the property of the Town of Port Hedland and not the property of the individual.

Chief Executive Officer:
It is the function of the Chief Executive Officer (CEO), under the Local Government Act, to "ensure that records and documents of the local Government are properly kept for the purposes of this Act and any other written law".

Executive Leadership Team and Senior Managers:
The Executive Leadership Team and Senior Managers are to provide direction and support for records and information management and reflect the Chief Executive's responsibility to ensure compliance with the Local Government and State Records Acts.

Senior Records & Information Officer:
The Senior Records Officer is responsible to the CEO for the provision of advice and support in relation to all Town records management requirements. The Officer is responsible for the management of the Town records and the training of employees and contractors in their recordkeeping obligations.

Manager Digital Services:
The manager of all business systems which hold and manage records is responsible for ensuring continuous and reliable operation of those systems and for ensuring that all systems documentation is complete and up to date.

All Employees and Contractors:
All employees, including contractors to the Town, must create, capture, and retain records relating to the business activities they perform. They must identify records and ensure they are captured into the relevant record keeping system and are handled according to statutory and Town of Port Hedland requirements for record keeping.

Elected Members:
Elected Members must create and document communications and transactions related to their duties, which are essential records for ensuring the Council's accountability and the proper conduct of its business. Elected Members must identify these records, ensure they are captured, and manage them in accordance with statutory and Council requirements.

Definitions

Business Activities means major tasks performed by the Town as part of its responsibilities for achieving the strategic goals of the Town on behalf of the Community.

Function means a group of activities that fulfills the major responsibilities for achieving the strategic goals of the Town.

Record/s means information created, received, and maintained as evidence and as an asset by the Town and its Elected Members, Employees and Contractors for legal reasons or during business operations.

Transaction means smallest unit of a work process consisting of an exchange

between two or more people or systems.

Relevant Legislation	State Records Act 2000 Local Government Act 1995 Freedom of Information Act 1992 Evidence Act 1906		
Relevant Standards	AS/ISO 15489 Records management State Records Office of Western Australia State Records Commission Standards Supporting Documents: Records Management Procedures Recordkeeping Plan Related Documents: Information Classification Policy Information Management Policy Privacy Policy Data Breach Policy		
Directorate	Corporate Services		
Business Unit	Digital Services		
Delegated authority	Chief Executive Officer		
Version Control	Version	Council Decision	Adoption Date
	V01	CM202425/140	25 September 2024
	V02	CM202526/158	26 November 2025
	V03	CM202627/229	30 September 2026
Review frequency	4 Yearly		

1/031 Privacy

Objective

The objective of this policy is to state the Town of Port Hedland's (the Town) commitment to protect the privacy of all persons associated with the Town when collecting, using, disclosing, and managing personal information.

This commitment will achieve compliance with the State Privacy and Responsible Sharing (PRIS) Act 2024 and its Information Privacy Principles (IPPs).

Purpose

Scope

The Town of Port Hedland, its Elected Members, Employees and Contractors collect handle, store and share personal information from internal and external stakeholders as part of their regular business activities. The Town will take reasonable steps to protect the information from misuse, interference, and loss, as well as unauthorised access, modification or disclosure.

Principles

The Town is required to collect and manage personal information for business purposes only and therefore must consider the risks involved in details of, or copies of, personal information and must take steps to manage that information appropriately and in accordance with the following information privacy principles.

Principle 1 – Personal information and why it is collected.

Personal information is information or an opinion that identifies an individual. Examples of personal information the Town collects include names, addresses, email addresses and phone numbers.

The Town collects personal information for the primary purpose of providing services to the Port Hedland community. Personal information may also be used for secondary purposes closely related to the primary purpose, in circumstances where it is reasonable to do so.

The Town will not collect personal information, including sensitive personal information, unless it is necessary for Town business functions and activities and legal purposes.

The Town will only collect personal information with a person's consent for that collection unless it is not practical to seek that consent.

The Town will ensure personal information is up-to-date, clear and concise.

Principle 2 – Use and disclosure

When the Town collects personal information the owner of that information will be informed of the reason for collecting their information and how it will be used.

When personal information is collected it will be used only:

- for the primary purpose for which it was collected; or
- for a secondary purpose that is directly related to the primary purpose; or
- with the owner's consent; or
- where required or authorised by law; or
- where there is a serious threat to the life, health, safety or welfare of an individual; or
- where illegal activity may have occurred

The Town will not use or disclose personal information unless it has considered the kind and amount of information, if it is necessary for business functions and activities, the risk of loss or harm, if it is in the public interest, if it is in the best interests of a child and if it meets the objectives of the Privacy and Information Sharing Act 2024.

A written record will be kept where personal information was collected for a primary purpose and has been used for a secondary purpose or disclosure.

Principle 3 – Information Quality

It is important that personal information is correct. The Town will take reasonable steps to ensure that personal information is accurate, complete and up to date. When contacted by the owner of the information, the Town will update its records of personal information held, that is not correct, to ensure quality services.

Principle 4 – Information security

Personal information will be stored in a manner that protects it from misuse and

loss and from unauthorized access, modification, or disclosure.

When personal information is no longer needed for the purpose for which it was obtained, the Town will dispose of that information in accordance with the General Disposal Authority for Local Government.

The Town will retain and dispose of all records, including personal information, in accordance with the approved General Disposal Authority for Local Government. When destroying any records, especially those containing personal and sensitive information, the Town will ensure it is done completely so that no information is retrievable.

Principle 5 – Openness and transparency

This policy will be publicly available to ensure the community is aware of how personal information is collected and managed by the Town of Port Hedland.

These documents will be maintained and kept current as regulations and the types of personal information collected may change.

Principle 6 – Access and correction

The Town's privacy management plan will outline key roles and responsibilities for privacy management. Internal access to personal information will be limited to only those roles / individuals who need access for business purposes. This applies to hardcopy files and having access permissions embedded in systems which manage records.A person may access the personal information the Town holds about them to update and/or correct it, subject to IPP 6.1 of the PRIS Act. To access personal information, a request must be made to the Town in writing. The Town will not charge any fee for access requests but may charge an administrative fee for providing a copy of personal information. In order to protect personal information, the town may require identification from an individual before releasing the requested information.

Principle 7 – Unique identifiers

Individuals engaging with the Town will not be assigned unique identifiers unless they are required to perform business activities efficiently.

Any identifiers assigned will not be those from another organisation or be used by or disclosed to any other organisation.

Some circumstances may require the town to use or obtain unique identifiers such as when it was obtained for a directly related purpose, when the individual gives consent, when required by law, for suspected unlawful activity, for research or legal proceedings.

Principle 8 – Anonymity

When doing business, engaging, or communicating with the Town people will not be required to identify themselves unless required to under the law or it is not practical for the Town to provide service without the person's identity.

Principle 9 – Disclosures outside Australia

The Town will not disclose anyone's personal information, including de-identified information, outside Australia unless it is lawful, the recipient of the information operates under law which makes them compliant with these principles, with the individual's consent, forms part of a contract, or for the benefit of the individual.

Principle 10 – De-identified information

The Town will protect any de-identified information received and held from re-identification, access, modification, or disclosure.

The Town is committed to recording, using, storing, and destroying all personal and sensitive information with respect and in accordance with written laws and these principles.

Definitions

"Agency" means a Minister or a public body or office and the agency to which an access application for amendment of personal information has been made or to which such an application has been transferred or partly transferred.

"Business Activities" major tasks performed by the Town as part of its responsibilities for achieving the strategic goals of the Town on behalf of the Community.

"Collect" in relation to information:

a)means to obtain the information from any source or by any means; and
b)includes information from, or generated by, the use or interpretation of other information.

"Consent" means express consent or implied consent.

"*De-identify"* personal information means to modify, or apply a process to, the information, with the result that the identity of an individual is not apparent, and cannot reasonably be ascertained, from the information.

"Disclose" information:

(a)includes a reference to the Town making the information publicly available; and
(b)does not include a reference to the Town disclosing the information to itself or to an officer of the Town.

"Information Privacy" includes the right of a person to be able to control who can see or use information about them.

"Personal Information" information or an opinion, whether true or not, and whether recorded in a material form or not, that relates to an individual, whether living or dead whose identity is apparent or can reasonably be ascertained from the information or opinion and includes:

a) a name, date of birth or address;
b) a unique identifier, online identifier or pseudonym;
c) contact information;
d) information that relates to an individual's location;
e) technical or behavioural information in relation to an individual's activities, preferences or identity;
f) inferred information that relates to an individual, including predictions in relation to an individual's behaviour or preferences and profiles generated from aggregated information;
g) information that relates to one or more features specific to the physical, physiological, genetic, mental, behavioural, economic, cultural or social identity of an individual.

"Re-identify" de-identified information means to modify, or 1 apply a process to, the information, with the result that the 2 information again becomes personal information.

"Sensitive Information" a subset of personal information meaning information or an opinion about an individual's race or ethnic origin, political opinions, membership of a political association, religious beliefs, philosophical beliefs, membership of a professional or trade association, membership of a trade union, gender identity, sexual practices, criminal record and health information.

Relevant legislation	Privacy and Responsible Information Sharing Act 2024 Freedom of Information Act 1992 State Records Act 2000 Council Policies: 1/030 Records Management 1/032 Information Breach Management 1/033 Information Classification 1/034 Information Management		
Supporting Documents	Privacy Management Plan Privacy Complaints Procedure Data Sharing Request Procedure Privacy Impact Assessment Procedure		
Directorate	Corporate Services		
Business Unit	Digital Services		
Delegated Authority	Chief Executive Officer		
Version Control	Version	Council Decision	Adoption Date
	V01 V02	CM202425/192 CM202627/229	27 November 2024 30 September 2026
Review frequency	4 Yearly		

6/01 Camping other than at a Caravan Park or Camping Ground

Objective

The objective of this policy is to provide guidance for the assessment and approval of applications for temporary camping on land within the Town of Port Hedland that is not a licensed caravan park or camping ground.
This policy applies to applications made by landowners or occupiers seeking approval for temporary camping accommodation on private land and outlines the statutory requirements and Town assessment considerations that must be satisfied prior to approval being granted.

Policy Statement

Application to camp at a location that is not a licensed caravan park or camping ground

An application to camp on land that is not a licensed caravan park or camping ground must be made in writing to the Town's Environmental Health department.

Statutory Requirements (State Legislation)

All applications must comply with the Caravan Parks and Camping Grounds Act 1995 and the Caravan Parks and Camping Grounds Regulations 1997.

Camping on land other than a licensed caravan park or camping ground must be conducted in accordance with Regulation 11 of the Caravan Parks and Camping Grounds Regulations 1997.

Town Assessment Criteria

In addition to the statutory requirements, the Town will assess each application having regard to local circumstances and suitability considerations.

The proposed location will be assessed for its suitability for camping in relation to:

- access to services.
- safety considerations.
- public health requirements.

Applications will only be considered on land that is zoned:

- Rural.
- Rural Residential.

- Residential.

Applications for camping on land zoned Residential will only be considered where:

- there is an existing dwelling on the lot; or
- a building licence has been issued for the construction of a dwelling or associated structure and construction has commenced.

1. Requirements for temporary camping accommodation applications

Temporary camping accommodation must:

- contain laundry, kitchen, shower and toilet facilities within a caravan or other accommodation approved by the Manager Environmental Health and Community Safety
- be connected to a potable water source, reticulated mains power supply and an approved method of sewage, effluent and liquid waste disposal approved by the Manager Environmental Health and Community Safety
- ensure that any pet animals are restrained within the property and do not cause a public nuisance

All applications will be processed and assessed by the Town's Environmental Health department to ensure that minimum structural and hygiene requirements can be achieved and maintained.

The land used for camping must be suitable and maintained so as not to create a risk to public health or safety.

2. Licence requirements

A licence to camp on land that is not a licensed caravan park or camping ground is temporary only.

Temporary licences may be granted for temporary camping accommodation for a period of no longer than three (3) months in any period of twelve (12) consecutive months.

No more than one caravan is permitted to be used for camping at an undesignated location at any one time, unless otherwise approved by the Chief Executive Officer.

Where a building licence has been issued for a dwelling on a lot and construction has commenced, approval for temporary accommodation on the same lot may be granted for an initial period of six (6) months.

The approval period may be extended to a maximum period of twelve (12) consecutive months.

3. Decision-Making Principles

In assessing applications under this policy, the Town will apply a consistent and risk-based approach to ensure decisions are fair, transparent and defensible.

Applications will be assessed having regard to:

compliance with the Caravan Parks and Camping Grounds Act 1995 and the Caravan Parks and Camping Grounds Regulations 1997

public health and safety considerations associated with the proposed camping arrangement

adequacy of potable water supply, power supply and approved waste disposal arrangements

access and emergency vehicle accessibility

potential impacts on surrounding land uses and amenity

the suitability of the location and site conditions

the applicant's ability to maintain the site in a safe and sanitary condition for the duration of the approval period.

Approval may be refused, or conditions imposed, where the Town is not satisfied that statutory compliance and minimum health and safety requirements can be achieved or maintained.

Definitions

Camping means the occupation of land for temporary accommodation purposes, including the use of a caravan, camper trailer, motorhome or similar temporary structure.

Temporary camping accommodation means accommodation provided in a caravan or other structure approved by the Town for temporary residential use.

Licensed caravan park or camping ground means a caravan park or camping ground licensed under the Caravan Parks and Camping Grounds Act 1995 and associated Regulations.

Undesignated location means land that is not licensed or approved as a caravan park or camping ground under the applicable legislation.

Relevant legislation	Caravan Parks and Camping Grounds Act 1995 Caravan Parks and Camping Grounds Regulations 1997		
Directorate	Regulatory Services		
Business unit	Environmental Health		
Delegated authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01 V02 V03 V04	Nil CM201920/105 CM202627/130 CM202627/229	22 July 2009 27 July 2019 25 March 2026 30 September 2026
Review frequency	4 Yearly		

6/006 Consumption of Alcohol on Town of Port Hedland Owned and Managed Property

Objective

This policy works towards achieving the following outcomes for the consumption and sale of alcohol at Town of Port Hedland owned and managed property:

- Safe consumption of alcohol;
- Responsible service of alcohol; and
- Minimise harm and alcohol related damaged and violence.

Policy Statement

Under the *Liquor Control Act 1988* it is an offence to consume liquor on a Council reserve, facility or public open space without approval by the Local Government Authority.

Written permission must be granted from the Town of Port Hedland for the consumption or sale of alcohol at any of the following property:

- Recreation reserves and associated facilities;
- Parks;
- Leased facilities;
- Contract managed facilities; and
- Town of Port Hedland managed facilities.

All applications must be made to the Town by submission of an 'Application to Consume Alcohol on Council Facility or Reserve'. The application will specify:

- Contact details of the applicant;
- Proposed type of alcohol being sold or supplied;
- Type of event;
- Areas where alcohol will be served and consumed;
- How alcohol will be served; and
- Dates and times for alcohol consumption.

The Town will assess all applications against the following criteria:

- Nature of the function or activity;
- Venue suitability;
- Public safety;
- Documented history of the applying individual or group; and•Number of applications per year of the applying individual or group.

If approval is granted, the following terms and conditions will apply for the consumption and sale of alcohol at Town of Port Hedland owned and managed property:

- No alcohol consumption is permitted before 11.00am or after 11.00pm unless approved by the Chief Executive Officer or their delegated authority;
- Glass containers are not permitted on any Town of Port Hedland owned recreation reserve or park, without approval from the Chief Executive Officer or their delegated authority. Products in glass containers may be served into plastic containers by staff at the bar service area;
- The permit holder must comply strictly with any relevant provisions of the *Liquor Control Act 1988* (as amended) and *Liquor Control Regulations 1989* (as amended);
- In the event of a cyclone, approval to consume liquor may be revoked for safety reasons;
- The permit holder listed on the 'Application to Consume Alcohol on Council Facility or Reserve' is responsible for the safety and wellbeing of all people involved in the event and managing the activity, to ensure other users and residents are not impacted;
- The permit holder must develop a risk management policy or plan to ensure that alcohol is served in a responsible manner; and
- If alcohol is being sold, the Town of Port Hedland must be provided with a copy of the liquor license as approved by the Department of Racing, Gaming and Liquor, prior to the license period commencing.

Depending on the nature and location of the event or function, the Town of Port Hedland may also place additional terms and conditions on the 'Application to Consume Alcohol on Council Facility or Reserve'.

The Town will only grant permission to consume and sell alcohol at the Town's recreation reserves, facilities and parks when they have been booked in accordance with the following policies and procedures:

- Recreation Reserves and Facilities – Seasonal Hire; and
- Recreation Reserves and Parks – Casual Hire and Events.

Leased Facilities

The Town must grant permission to consume alcohol at the Town of Port Hedland's leased facilities. Permission must be sought by the completion of an 'Application to Consume Alcohol on Council Facility or Reserve' at the beginning of each calendar year.

If and when there are special events at the Premises held outside the permit hours, the Lessee will be required to apply for a singular 'Application to Consume Alcohol on Council Facility or Reserve' for the occasion. The Lessee can apply for these permits by contacting the Town of Port Hedland's Recreation Services.

Definitions

"Recreation reserves and associated facilities" Provide a setting for formal structured sporting activities ie. Kevin Scott Oval, Colin Matheson Oval.

"Parks" Public space which can be used for informal play, relaxation, physical activity and social interaction ie. Cemetery Beach Park, Civic Centre Gardens.

"Leased facilities" The Town of Port Hedland has a number of leased facilities within the municipality. A lease is a right granted by the Town of Port Hedland for an occupant to have exclusive use of a facility or area for a specified period of time in exchange for an agreed rental payment.

"Contract managed facilities" Town of Port Hedland owned facilities which are managed by an external contractor eg. Courthouse Gallery.

Relevant legislation	Liquor Control Act 1988 Liquor Control Regulations 1989 Health Act 1911 Health (Public Building) Regulations 1997 Food Act 2008 Food Regulations 2009 Town of Port Hedland Council Policies: Recreation Reserves and Facilities – Seasonal Hire Recreation Reserves and Parks – Casual Hire and Events Marquee Park Management Plan South Hedland Town Square Management Plan Local Law – Aquatic and Recreation Centre Guidelines for Concerts Events and Organised Gatherings – WA Department of Health 2009 Food Safety Standards		
Directorate	Community Services		
Business Unit	Sport and Facilities		
Delegated authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01	-	24 November 2004
	V02	-	27 February 2008
	V03	201314/306	30 April 2014
	V04	CM202021/21	26 April 2020
	V05	CM202526/158	26 November 2025
	V06	CM202627/229	30 September 2026
Review Frequency	4 Yearly		

12/010 Naming of Roads and Places

Objectives

The objectives of this policy are to:

1. Outline the factors to be considered and the procedure to be undertaken when naming geographic features within the Port Hedland local government area, through either Town initiation or community application; and

2. Provide additional guidelines for commemorative and Aboriginal language naming, and the procedure to be undertaken for the submission of a naming application and community consultation.

Application/Process

All naming shall be undertaken in accordance with Landgate's *Policies and Standards for Geographical Naming in Western Australia.*

Scope
This policy applies to the following geographic features:

- Roads;
- Reserves;
- Topographic features, located on both private and/or public land; and
- Buildings, including bridges

A geographic feature may be named based on the following:

- Commemorative naming, after a person, organisation or group;
- An appropriate Aboriginal name
- Logical description of location;
- Logical description of purpose or function;

Preference is given to proposed names based on logical descriptions of location, or purpose or function. Variation from this will require additional justification and/or broader community support.

Process
An application may be made at any point by a community member or organisation, or initiated by the Town of Port Hedland. The application must be submitted in writing, and include an application form, reason for the proposed name, evidence of significance of proposed name, and evidence of community support.

Evidence of significance may include, but not be limited to:

- Description of relevance to the Port Hedland region and/or community;
- Record of service with community groups or clubs;
- Record of contribution to community as a whole;
- Record of association with the location or feature proposed to be named;
- Record of national or international reputation.

Evidence of community support may include, but not be limited to:

- Written support from members of the family, if relevant;
- Written support from members of the club or association;
- Written support from residents or businesses surrounding the feature proposed to be named.

Upon receipt and initiation of an application to apply a proposed name, the Town shall initiate community consultation. Following the completion of the required consultation, the application shall be assessed by the Town against the requirements of Landgate's *Policies and Standards for Geographical Naming in Western Australia* and any submission received to determine the suitability of the name. The application shall be presented to Council for support prior to addition to the Register or any submission being made to Landgate to apply the name formally.

Should Council resolve not to support the application, the assessment shall cease and the proposed name will not be progressed. Naming of features that do not require Landgate's approval (i.e. naming of community buildings) will occur immediately following Council's decision.

Community Consultation

Following initiation of a naming application, the Town shall:

- Publish notification of the proposed naming in the relevant local newspaper for a period not less than 30 days;
- Publish notification of the proposed naming on the Town's website for a period not less than 30 days; and
- Notify surrounding and/or affected residents, ratepayers, businesses and community groups generally in accordance with the example contained at Appendix 1, for a period not less than 30 days.
- Refer commemorative naming applications to the Hedland Historical Society and RSL.

The Town will endeavour to notify each person who made a submission in relation to the proposed name of the decision, once made.

Aboriginal names

Aboriginal names may be selected to recognise the importance and contribution of local Aboriginal language groups. Aboriginal names:

- Shall be selected in the language that the place is located in, in accordance with Appendix 2;
- Shall be important to Port Hedland or the relevant language group, including but not limited to local flora and/or fauna or geographic locations;
- Shall be considered only following consultation with and approval by the relevant local Aboriginal community and Council.
- Require a description of the historical origins of the name in the form ofwritten or oral tradition. The description must demonstrate verified research and authenticity, including sources.
- Shall include an example of the correct pronunciation to be provided to Landgate and included on signage and other relevant infrastructure to encourage and support the adaption and usage of Aboriginal names.

Dual Naming

Dual naming is the application of both an Aboriginal and European name to a place. Both will be official place names, and both names will be used together. Dual names can be applied to topographical features (e.g. islands, mountains, ranges, rivers, lakes) and cannot be adopted for constructed features such as roads, highways or bridges etc.

Commemorative names

Commemorative naming can be used to recognise a person, group, or organisation of significant importance to Port Hedland and its community.
Commemorative naming:

- May be a person, group or association;
- Must have an ongoing or significant association with the feature proposed to be named;
- If a person, shall only be considered if the person being honoured made significant community contribution in more than one field;
- If a person, must be posthumous and with the consent of the family;
- The following will generally not be considered as appropriate grounds for a commemorative name:
    - Commemoration of victims of, or the location of accidents or tragedies;
    - Current or past ownership of the land;
    - Past or ongoing service within all levels of government;
    - Commercial grounds, including sponsorship or marketing;

Theming

When considering the naming of multiple roads or places in a general area, such as with a new subdivision, all proposed names shall follow a determined theme for the area. The proposed theme shall be relevant to Port Hedland, and

may or may not be taken from:

- Local flora and/or fauna;
- Commemorative names, in accordance with the relevant provisions of this policy;
- Entities, places or events of historical significance related to the Port Hedland or Pilbara area, excluding those related to a tragedy.

Renaming of existing geographic features
Renaming of existing geographic features is generally not supported, except as required for the application of a dual name.

Variations
The Town will consider variations to this policy in extenuating circumstances where the proposed naming demonstrates significant community support and is able to be supported by Council and/or Landgate (where relevant).

Definitions

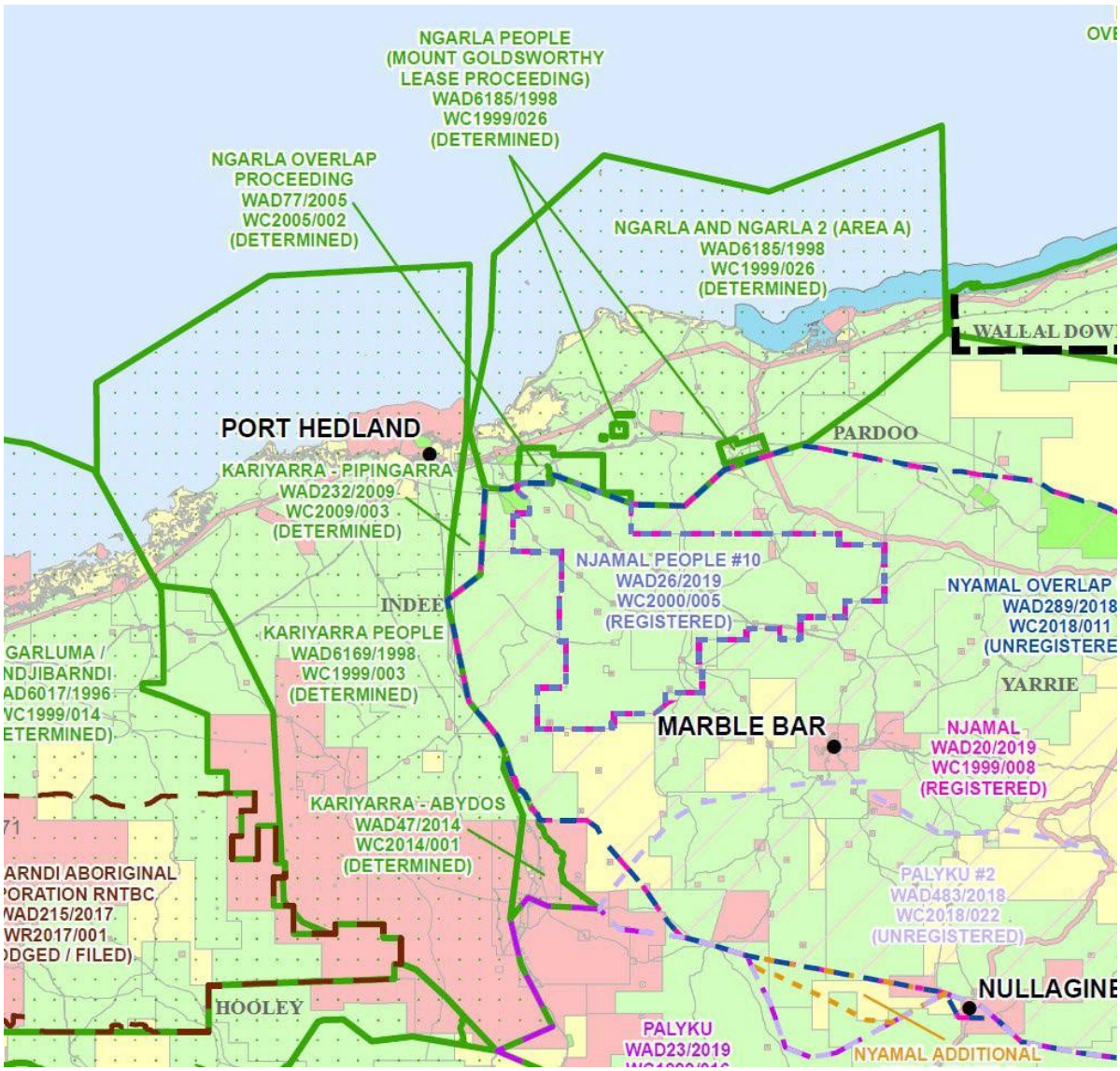
"Port Hedland" means the Town of Port Hedland local government area.

Relevant legislation	Geographic Names Committee Policies and Standards for Geographical Naming in Western Australia Land Administration Act 1997		
Directorate	Regulatory Services		
Business unit	Planning and Economic Development		
Delegated authority	Nil		
Version Control	Version	Council Decision	Adoption Date
	V01 V02 V03	CM201920/126 CM202526/102 CM202627/229	19 December 2019 30 July 2025 30 September 2026
Review frequency	4 Yearly		

Appendix 1 – Example extent of community consultation



Appendix 2 To be notified in writing of proposed naming



4/07 Trading in Public Places

Objective

The objective of this policy is to establish the Town's framework for assessing and licensing applications to trade in streets and public places within the Town of Port Hedland.

This includes mobile food vendors, temporary food stalls and event-based trading activities.

The policy outlines application processes, licensing requirements, permitted trading locations, renewal arrangements, fee waivers and compliance obligations for Trading in Public Places licences.

Content

1. Legislative Compliance Requirements

All trading in public places within the Town must comply with applicable legislation and local laws, including:

- Food Act 2008 (WA) and Food Regulations 2009 (WA) where food is prepared, handled or sold;
- Town of Port Hedland Public Places and Local Government Property Local Law 2016; and
- any other relevant written law governing food safety, public liability and trading activities.

Where required, traders must provide evidence of compliance with statutory requirements prior to approval being granted, including:

- registration under the Food Act 2008 with the relevant local government authority;
- evidence of public liability insurance (minimum value of $20 million); and
- evidence of electrical safety compliance where applicable.

Temporary food premises must comply with the Town's Guidelines for Temporary Food Stalls, in addition to the requirements of this Policy.

Town Assessment Considerations

In addition to legislative compliance, the Town will assess Trading in Public Places applications having regard to:

- suitability of the proposed trading location
- public safety and pedestrian access
- environmental and amenity considerations
- operational suitability of the proposed activity

Licences may be issued subject to conditions necessary to ensure safe and orderly trading within the Town's district.

2. Approval of Trading in Public Places Applications

Applications for Trading in Public Places (TPPs) licences may be assessed at any time during the financial year.

Applications for annual and temporary licences will be processed by authorised officers in accordance with the Town's Delegations Register.

In assessing applications under this policy, the Town may have regard to:

- suitability of the proposed trading location;
- public safety and pedestrian access considerations;
- environmental and amenity impacts;
- operational suitability of the proposed activity; and
- compliance with relevant legislation, local laws and Town policies.

Licences may be issued subject to conditions necessary to ensure safe, orderly and lawful trading within the Town's district.

3. Registration under the Food Act 2008

In order to trade within the Town under this Policy, all food vendors, including mobile and temporary food premises, must be registered with the Town under the Food Act 2008 unless eligible for an exemption under the Food Regulations 2009.

Where food is provided or sold to the public, including at local events, a Trading in Public Places application must be submitted and approved in addition to the registration certificate where required.

4. Temporary Food Premises

Due to the potential for environmental contamination of food within temporary food premises, roadside trading under an annual Trading in Public Places licence may not be suitable at certain locations.

Temporary applications may be considered separately having regard to the proposed location of trading and the physical set-up of the temporary premises.

Temporary food premises must comply with the Town's Guidelines for Temporary Food Stalls in addition to this Policy.

5. Events

Special considerations may apply for registered charities, not-for-profit organisations, community groups and free community events.

Where permitted under the Delegations Register, applicants representing registered charities, community groups or not-for-profit organisations may seek a waiver of Trading in Public Places licence fees.

For free community events, a blanket food licence may be issued to the event organiser subject to the Town receiving:

- details of stallholders and food vendors participating in the event; and
- evidence of public liability insurance with a minimum value of $20 million.

Private events held on private or local government property that are not open to the public are exempt from requiring a Trading in Public Places licence.

6. Fee Waiver Principles

Where permitted under the Delegations Register, consideration of fee waivers for Trading in Public Places applications may have regard to the following principles:

- whether the activity provides a community or charitable benefit
- whether the applicant is a registered charity, community organisation or not-for-profit entity.
- alignment with the Town's community objectives
- consistency with the Town's adopted Schedule of Fees and Charges

7. Location-Based Trading Controls

7.1 Approved Roadside Trading Locations

Mobile vendors may trade between 5.00am and 10.00pm at the following approved locations:

- Don Rhodes Museum – Wilson Street, Port Hedland
- Dreamers Corner – Hamilton Road, South Hedland
- Marapikurrinya Park – Port Hedland
- Port Hedland Boat Ramp – Richardson Street, Port Hedland
- Yikara Park – Port Hedland
- Wheelbarrow entrance – Wedgefield

Trading at these locations is subject to compliance with all licence conditions and applicable legislative requirements.

7.2 Applications for Alternative Locations

Where a vendor proposes to trade at a location not listed above, an application may be submitted to the Town for assessment.

- Applications for alternative locations will be assessed having regard to:
- public safety and pedestrian access
- traffic management and road safety considerations
- environmental and amenity impacts

- proximity to existing approved vendors
- operational suitability of the site

Approval of alternative locations will be determined in accordance with the Town's Register of Delegated Authority.

7.3 Vendor Capacity

The maximum number of vendors permitted at any approved trading location at any one time will be determined by the Town having regard to:

- site capacity
- public safety considerations
- operational requirements

8. Licence Renewal and Compliance

Trading in Public Places licences are issued subject to compliance with licence conditions and applicable legislation.

Licence holders must maintain any required registrations, licences and insurance for the duration of their trading activity.

Failure to comply with licence conditions or applicable legislation may result in enforcement action under the Town's Public Places and Local Government Property Local Law 2016.

at the end of each financial year (30 June) and the trader charged the annual rate.

Relevant legislation	Food Act 2008 Food Regulations 2009 Town of Port Hedland Public Places & Local Government Property Local Law 2016 Town of Port Hedland Health Local Law 2016 Council Policies: 2/020 Fees and Charges Waiver
Supporting Documents	Town of Port Hedland Schedule of Fees and Charges Town of Port Hedland Register of Delegated Authority Applications: Application to Consume Alcohol on a Council Facility or Reserve Notification of a Food Business Trading in Public Places Requests: Alcohol Licensing and Approvals Community BBQ Trailer Hire

	Food Safety or Unhygienic Premises Food and Event Licensing and Permits Guidelines: Guidelines for Temporary Food Stalls		
Directorate	Regulatory Services		
Business Unit	Environmental Services		
Delegated Authority	Chief Executive Officer		
Version Control	Version	Council Decision	Adoption Date
	V01	CM201213/107	26 September 2012
	V02	CM201314/354	25 June 2014
	V03	CM201415/227	22 April 2015
	V04	CM201718/208	23 May 2018
	V05	CM202019/151	5 February 2020
	V06	CM202019/151	25 March 2026
	V07	CM202627/229	30 September 2026
Review frequency	4 Yearly		