



# Policy Manual

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## 1. ADMINISTRATION

### 1/009 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.

#### 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 are –
- (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 are 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 may 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 As far as possible, the application is to be made before commencement of the legal representation to which the application relates.

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.

3.6 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.

3.7 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.

**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 A 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 The Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.
- 5.5 The Council may, subject to clause 5.6, determine that a Council member or employee whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved –
- (a) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
  - (b) given false or misleading information in respect of the application
- 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.

**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 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.

## **Definitions**

**“approved lawyer”** is to be –

- (a) a ‘certified practitioner’ under the *Professions 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.

**“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.

Relevant legislation	Local Government Act 1995 (sections 3.1, 6.7(2) & 9.56)		
Delegated authority	Nil		
Business unit	Governance		
Directorate	Corporate & Performance		
Governance to complete this section			
Version Control	Version No.	Resolution No.	Adoption date
	V01	200506/297	25 January 2006
	V02	CM201920/003	24 July 2019
Review frequency	3 Yearly		



1/014 EXECUTION OF DOCUMENTS AND AFFIXING OF THE COMMON SEAL

**Policy Objective**

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 duly executed by the Town when authorised by the local government (by resolution or delegated authority) and signed in accordance with section 9.49A of the *Local Government Act 1995* (“the Act”).

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 carries a high level of financial risk, legal complexity or political sensitivity;
- (b) the other party to the document has reasonably requested for the document to be executed by way of the Common Seal; or
- (c) documents as identified in Table 1 of this Policy.

**3. Procedure for affixing the Common Seal**

**(a) Who can affix the Common Seal**

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

In the circumstances where the Mayor is not available or is unable or unwilling to perform the functions of the Mayor, the Deputy Mayor is authorised to affix the Common Seal, in accordance with section 5.34 of the Act.

The Chief Executive Officer may delegate their powers to a designated senior employee to affix the Common 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.

*(b) 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.

*(c) Register to be maintained*

Details of each affixing of the Common Seal shall be recorded in a register, which is available for public inspection. The register is to include as a minimum, the:

- date of each use of the Common Seal;
- nature of the document to which the Common Seal was affixed;
- parties to the agreement;
- details of the Council authorisation of the use of the Common Seal; and
- name of the signatories.

**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.

The Persons identified in Table 2 are authorised to sign documents listed in Table 2 on behalf of the Town

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.

RELEVANT LEGISLATION	LOCAL GOVERNMENT ACT 1995 – SECTIONS 2.5(2), 9.49, 9.49A AND 9.49B
DELEGATED AUTHORITY	NIL
BUSINESS UNIT	GOVERNANCE
DIRECTORATE	CORPORATE AND PERFORMANCE

<i>GOVERNANCE TO COMPLETE THIS SECTION</i>			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	201213/038	25 JULY 2012
	V02	CM201617/042	31 AUGUST 2016
	V03	CM201718/202	23 MAY 2018
	V04	OCM202122/025	25 AUGUST 2021
REVIEW FREQUENCY	3 YEARLY		

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1/015      LIVESTREAMING AND RECORDING OF COUNCIL MEETINGS

Objective

The objective of this policy is to permit livestreaming and audio/visual recording of Council Meetings, to enhance the accessibility of the proceedings of the Council and ensure the accuracy of minute taking.

Content

**1.    *Purpose of Livestreaming and Recording of Meetings***

Proceedings of Meetings will be livestreamed and audio/video recorded for the following purposes:

- to enhance accessibility to the proceedings and decision making of Council;
- to assist in the preparation of minutes;
- to ensure decisions are accurately recorded;
- to verify the accuracy of minutes prior to their confirmation; and
- to meet the objects of the *Freedom of Information Act 1992*.

**2.    *Public Notification of Recording of Meetings***

The Presiding Officer is to make a statement at the commencement of each Meeting that is livestreamed and/or recorded advising members of the public in attendance that the Meeting is to be livestreamed and/or recorded,

A notice advising the Meeting is to be livestreamed and/or recorded is to be published on:

- Meeting agendas;
- notices at the entry to the Meeting venue;
- Public Question and Public Statement Time forms; and
- the Town's website.

**3.    *Storage of Recordings***

Video and audio recordings of the entire Meeting will be stored in accordance with *State Records Act 2000* and General Disposal Authority (GDA) 2010. Webcasts of previous meetings are to be made available on the Town's website.

**4.    *Access to Recordings***

The video and audio recordings of Meetings will be provided on the Town's website together, with the minutes of the meeting as soon as practicable and within 14 working days of the meeting. In the event of technical failures and recordings are inaudible, a notice will be published on the website to that effect.

Any application for access to recordings of meetings not made available on the Town's website will be considered in accordance with the *Freedom of Information Act 1992*.

This policy does not limit any person’s access to public records under the *Freedom of Information Act 1992*.

Definitions

**“Meetings”** may include meetings of Council, Council Committees and Electors.

**“Livestreaming”** means any recording made by any electronic device capable of transmitting or receiving video and audio coverage of an event over the internet.

**“Recording”** means any recording made by any electronic device capable of recording video and/or sound.

RELEVANT LEGISLATION	<a href="#">State Records Act 2000</a> <a href="#">General Disposal Authority (GDA) 2010</a> <a href="#">Local Government Act 1995</a> <a href="#">Freedom of Information Act 1992</a> <a href="#">ToPH Local Law on Standing Orders</a>
DELEGATED AUTHORITY	NIL
BUSINESS UNIT	GOVERNANCE
DIRECTORATE	CORPORATE & PERFORMANCE

GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	201213/189	28 NOV. 2012
	V02	201516/236	25 MAY 2016
	V03	CM201718/093	22 NOV. 2017
	V04	CM202021/168	3 JUNE 2021
REVIEW FREQUENCY	3 YEARLY		

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1/016      WORKPLACE HEALTH AND SAFETY

### 1. Objective

The Town of Port Hedland (Town) will provide, so far as reasonably practicable, a safe work environment for all its employees, Elected Members, contactors, volunteers, customers and visitors, in accordance with its legislative requirements.

This commitment further extends to all employees, managers and contractors, who have responsibility to work safely, along with customers to take all reasonable care for their own health and safety, and to consider the health and safety of other people who may be affected by their actions.

**“People are our most important priority and their health and safety is our greatest responsibility”.**

### 2. Principles

The Town strives, through a process of continuous improvement, to integrate workplace health and safety (WHS) into all aspects of its operations. In order to achieve this, measurable objectives have been established, with the aim of eliminating work-related injury and illness.

The Town achieves these objectives by:

- providing and maintaining a safe workplace, comprising of safe plant, equipment and safe systems of work;
- the provision of appropriate information, training and supervision for all employees, contractors and customers;
- complying with all relevant legislation, regulations, standards and guidance notes and where practicable, applying responsible standards, where no laws exist;
- implementing suitable risk management strategies which identify, promote and continuously improve health and safety performance;
- encourage the reporting of hazards, accidents (injuries) and incidents (near misses) in the workplace, seeking the commitment and involvement of all employees;
- actively responding to investigating all incidents, and ensuring timely effective injury management of employees;
- engaging contractors and suppliers who adopt the same values, and work with those to meet the company’s health and safety expectations; and
- recognising and celebrating those who contribute to excellence in workplace health and safety.

The Town is committed to the development, implementation, maintenance and continuous improvement of a Workplace Health and Safety Management System (WHSMS) that complies with or exceeds legislative requirements, including the Occupational Safety and Health Act, Regulations, Codes of Practice, Guidance Notes and Australian Standards.

### 3. Consequences

This policy represents the formal policy and expected standards of 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 Council's Code of Conduct, to give full effect to the lawful policies, decisions and practices of the Council.

### 4. Roles and Responsibilities

The **Chief Executive Officer** is ultimately responsible for the leadership of the safety culture and successful administration of workplace health and safety.

All **Directors, Managers and Supervisors** have the direct responsibility to instil a safety culture, ensure the workplace is safe and that all staff are following a safe system of work and are not exposed to hazards while at work.

The **Senior Workplace Health and Safety Advisor** has the responsibility for proactively driving and supporting a safety culture across the organisation and coordinating the efforts relating to the minimisation of risk and accidents in the workplace.

**All staff** must take reasonable care of, and cooperate with actions taken to protect the health and safety of both themselves and others, in line with the Town's safety culture and values.

### 5. Review

This policy will be reviewed at regular intervals, as deemed necessary (at least once every three years) and at other times, if any significant new information, legislative update or organisational change warrants an amendment in this document.

### 6. Definitions

**hazard**, in relation to a person, means anything that may result in:

- (a) injury to the person; or
- (b) harm to the health of the person;

**risk**, in relation to any injury or harm, means the probability of that injury or harm occurring;

**practicable** means reasonably practicable having regard, where the context permits, to:

- (a) the severity of any potential injury or harm to health that may be involved, and the degree of risk of it occurring; and
- (b) the state of knowledge about:
  - (i) the injury or harm to health referred to in paragraph (a); and
  - (ii) the risk of that injury or harm to health occurring; and



- (iii) means of removing or mitigating the risk or mitigating the potential injury or harm to health; and
- (c) the availability, suitability, and cost of the means referred to in paragraph (b) (iii).

## 7. References to Related Documents

Where applicable the Town of Port Hedland will comply with the relevant Codes of Practice, Regulations, Australian Standards and Guidance Notes some of which are listed below:

- Relevant legislation
- *Occupational Safety and Health Act 1984*
  - *Occupational Safety and Health Regulations 1996*
  - *Town of Port Hedland Enterprise Agreement 2019 and any successor agreement*

Delegated authority	Nil		
Business unit	Human Resources		
Directorate	Corporate Services		
<i>Governance to complete this section</i>			
Version Control	Version No.	Resolution No.	Adoption date
	V01	201414/035	28 August 2014
	V02	CM201718/027	23 August 2017
	V03	CM201920/232	27 May 2020
Review frequency	3 Yearly – or as deemed necessary		

### 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 Response to previous questions
- Item 6 Public time
  - Item 6.1 Public question time
  - Item 6.2 Public statement time
  - Item 6.3 Petitions/ deputations/ presentations/ submissions
- Item 7 Questions from Members without notice
- Item 8 Announcements by Presiding Member without discussion
- 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 officers
- Item 12 Reports of committees
- 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 (Confidential matters)
- Item 16 Closure

### Definitions

***“Council meeting”*** means an Ordinary or Special meeting of the Town of Port Hedland Council.

***“Presiding Member”*** means the Mayor 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 LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 1996 TOPH STANDING ORDERS LOCAL LAW 2014
DELEGATED AUTHORITY	NIL
BUSINESS UNIT	GOVERNANCE
DIRECTORATE	CORPORATE SERVICES

GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	201415/116	26 NOVEMBER 2014
	V02	201516/246	25 MAY 2016
	V03	CM201718/121	24 JANUARY 2018
	V04	CM202021/088	25 NOVEMBER 2020
REVIEW FREQUENCY	2 YEARLY		

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1/019      CONFIDENTIAL BRIEFINGS

**Policy Objective**

The object of this policy is to establish a framework that will provide Elected Members and Town officers the opportunity to:

- share information on upcoming projects and priorities linked to the town’s strategic community plan and associated vision;
- discuss future town strategies and associated projects implementation; and
- clarify outstanding matters.

**Content**

Confidential Briefings will involve Elected Members, Town of Port Hedland Officers and, where appropriate, external advisors. This will provide the opportunity to exchange information and ideas for the development of the Town of Port Hedland.

Confidential Briefings will generally involve projects or matters that are in the early planning stages. This may result in discussed matters being presented to a future Council meeting for a formal decision.

***No decision making***

The input through an open and free-flowing exchange of ideas aims to provide direction to the Chief Executive Officer for research and reporting on the matter, however no debate or decision making is permitted.

***Confidentiality***

Confidential Briefings will be closed to the public. All agendas, matters discussed during the meeting and outcomes will be treated as confidential.

Confidential information must not be disclosed in accordance with clause 21(2) of the Town of Port Hedland Code of Conduct (“the Code of Conduct”).

***Disclosures of interest***

In accordance with Division 6 of the *Local Government Act 1995*, Elected Members, Town Officers and relevant consultants must declare any impartiality, proximity and financial interests and the reason for the interest at the commencement of the meeting. The conflict must be managed in accordance with the Act and Code of Conduct.

A disclosure of interest form is to be completed, and provided to the Town’s CEO at the time the disclosure is made or as soon as practicable thereafter.

Should any person(s) declare a proximity or financial interest, they must leave the room whilst the item is being discussed.

### *Timeframes*

Confidential Briefings are held in accordance with the Town's Council meeting framework as adopted by Council.

The CEO may arrange special confidential briefings or workshops as required.

### *Presiding Member*

The Mayor is to be the Presiding Member at Confidential Briefings. If the Mayor is unable to assume the role of Presiding Member, then the Deputy Mayor may preside at the meeting. If the Deputy Mayor is unable, those Elected Members present may select one from amongst themselves to preside at the meeting. If no one is selected, the CEO, after consultation with, and obtaining the agreement of two (2) Councillors selected by the CEO, may perform the functions of Presiding Member.

### *Record Keeping*

A public record shall be kept of all Confidential Briefings. As no decisions are made at a briefing, the record need only be a general record of attendance and any disclosure of interests as declared by individuals. A copy of the record is published on the Town's website here:

<http://www.porthedland.wa.gov.au/documents/?categoryId=505>

Confidential Briefings are not audio or video recorded.

Elected Members not in attendance at the Confidential Briefing will be presented with all information tabled at the forums.

## DEFINITIONS

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

RELEVANT LEGISLATION	<a href="#">LOCAL GOVERNMENT ACT 1995</a> <a href="#">TOWN OF PORT HEDLAND STANDING ORDERS LOCAL LAW 2014</a> <a href="#">LOCAL GOVERNMENT OPERATIONAL GUIDELINES NUMBER 05</a> <a href="#">TOWN OF PORT HEDLAND CODE OF CONDUCT</a> <a href="#">TOWN OF PORT HEDLAND VISION AND VALUES</a>
DELEGATED AUTHORITY	NIL
BUSINESS UNIT	GOVERNANCE
DIRECTORATE	CORPORATE SERVICES

<i>GOVERNANCE TO COMPLETE THIS SECTION</i>			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	201415/177	25 FEBRUARY 2015
	V02	201516/068	28 OCTOBER 2015
	V03	CM201617/142	22 FEBRUARY 2017
	V04	CM201718/061	1 NOVEMBER 2017
	V05	OCM202122/026	25 AUGUST 2021
REVIEW FREQUENCY	3 YEARLY		

***Document Control Statement*** – The electronic reference copy of this Policy is maintained by the Governance Team. Any printed copy may not be up to date and you are advised to check the electronic copy at <http://www.porthedland.wa.gov.au/documents/public-documents/policies> to ensure that you have the current version. Alternatively, you may contact the Governance Team.

1/020 HONORARY FREEMAN

### 1. 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.

### 2. Content

Honorary Freeman of the Town of Port Hedland (Town) is a high honour which may be conferred by the Council. The honour conveys no legal right.

### 3. Nomination Criteria

- 3.1 All residents of the Town are eligible to be nominated as Honorary Freeman provided they have served the community with distinction or excelled in their field or endeavour and met the criteria specified in (4);
- 3.2 A Mayor of the Town who has served continuously for eight (8) years and has demonstrated exceptional service to the Town of Port Hedland is considered eligible for the honour.
- 3.3 A Councillor who has served continuously for 12 years and has demonstrated exceptional service to the Town of Port Hedland is considered eligible for the honour.
- 3.4 Any successful candidate for the honour must be a person:
  - Of the highest personal integrity;
  - Who has a distinguished record of service;
  - Who has at all times acted lawfully;
  - Who has treated other citizens with respect and fairness;
  - Who is not a current sitting Elected Member or an existing staff member.
- 3.5 A person who has a criminal conviction, or who has been the subject of a finding or an opinion of misconduct by a properly constituted body, or has been declared bankrupt is considered ineligible to become an Honorary Freeman; and
- 3.6 The honour may be bestowed on a non-resident who has served the community with distinction or excelled in their field or endeavour for the Town of Port Hedland and whose conduct meets the criteria specified in 3.4.

### 4. Nomination Process

- 4.1 A nomination may be made by any citizen but must be countersigned by at least three serving members of Council;



- 4.2 The nomination must be made to the Chief Executive Officer who will notify all Elected Members (in writing) of the nomination, with a request that the Chief Executive Officer be advised of any objections to the nomination before the Agenda Briefing preceding the Council meeting where the nomination will be considered;
- 4.3 The Chief Executive Officer is to report on the nomination to the next Meeting of Council;
- 4.4 The full Council will discuss the report as a confidential item to consider the views expressed by Elected Members and vote by absolute majority to either:
- Take no further action; or
  - Bestow the title of Honorary Freeman of the Town of Port Hedland upon the nominee.

### 5. Rights, Entitlements and Obligations

- 5.1 The conferral of the status of Honorary Freeman of the Town carries no legal rights and entitlements. However, the bearer of the honour will be:
- 5.1.1 Presented with a Certificate of Honorary Freeman;
  - 5.1.2 The subject of a photograph commissioned by the Town; and
  - 5.1.3 Invited to appropriate civic events by any three Council members, or two Council members and the Chief Executive Officer, having advised the Mayor, Deputy Mayor and Chief Executive Officer of their intent.

### 6. Code of Conduct of the Honorary Freeman

- 6.1 Honorary Freeman of the Town attending events or functions at the invitation of the Mayor will behave in a manner befitting the honour bestowed and will at all times:
- 6.1.1 refrain from making critical or disparaging remarks about Council or past and present Councillors; and
  - 6.1.2 refrain from any behaviour that may embarrass Council or bring it into disrepute.
- 6.2 Being the Honorary Freeman of the Town obliges the holder to conduct themselves in a manner befitting that honour. Council will be entitled to withdraw the honour, by absolute majority, in the following circumstance:
- 6.2.1 where the individual is the subject of a criminal conviction or a finding or opinion of misconduct by a properly constituted body or declared bankrupt.
  - 6.2.2 where the individual is, whether due to a medical condition or for any other reason, incapable to act as Freeman of the Town.

### Definitions

Nil.

RELEVANT LEGISLATION	NIL
DELEGATED AUTHORITY	NIL
BUSINESS UNIT	GOVERNANCE
DIRECTORATE	CORPORATE

GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	201415/210	25 MARCH 2015
	V02	CM202021/004	22 JULY 2020
REVIEW FREQUENCY	3 YEARLY		

1/021      RELATIONSHIP DECLARATION REGISTER

**Policy Objective**

To establish a confidential Relationship Declaration register as a means of recognising the relationship status of couples, irrespective of gender.

**Policy Content**

The Town of Port Hedland supports the establishment of a Relationship Declaration Register as a means of recognising the relationship status of couples, irrespective of gender. Under the scheme:

1. Couples living in Western Australia will be able to declare that they are partners and have this declaration recorded in the Town of Port Hedland Relationship Declaration Register;
2. Couples will be required to sign a statement stating that they are making a relationships declaration in good faith and the information they provide is true and accurate;
3. Couples who make a relationship declaration will receive a copy of their declaration in the form of a Certificate from the Town of Port Hedland;
4. Couples who wish to make a declaration and have this declaration recorded in the Town of Port Hedland Relationship Declaration Register shall agree to comply with the requirements specified in this Policy and Policy Procedure and Guidelines and pay the prescribed fee;
5. Only Couples over the age of eighteen (18) years may participate in the Town of Port Hedland Relationship Declaration Scheme.

This Policy is to be also read in conjunction with the attached Town's Policy Procedures and Guidelines.

**Guidelines**

**1. Introduction**

- 1.1 The Town of Port Hedland Council has adopted the Town of Port Hedland Relationship Declaration Register as a means of recognising the relationship status of couples, irrespective of gender.
- 1.2 Under the program, two people may declare that they are partners and have this declaration recorded in the Town of Port Hedland Relationship Declaration Register.
- 1.3 Applicants will be required to complete an Application form and sign a Statement stating that they are making a relationship declaration in good faith and the information they provide is true and accurate.

- 1.4 The Town of Port Hedland Council reserves the right to cease the keeping of the Relationship Declaration Register at any time.
- 1.5 While making a relationship declaration does not confer legal rights in the way marriage does, it may be used in legal proceedings that involve the interpretation or application of legislative provisions.

### ***2. The Relationship Declaration***

- 2.1 Couples who participate in this program will be able to make the following written declarations before a witness or witnesses:
  - They are a couple or are partners; and/or
  - The length of time they have been a couple or partners; and/or
  - They are mutually committed to sharing their lives together.
- 2.2 Couples who make a relationship declaration will receive a copy of their declaration in the form of a Certificate from the Town of Port Hedland.
- 2.3 The relationship declaration will be recorded in the Town of Port Hedland Relationship Declaration Register and issued with a registration number.

### ***3. Confidentiality of Data***

- 3.1 If the applicants consent, the Town of Port Hedland may use the information provided on an Application Form to produce anonymous statistics. By providing this information, applicants consent to it being held and used for this purpose.
- 3.2 Couples may obtain copies of their own register entry upon presentation of identification, as specified in Clause 5, and payment of the Prescribed Fee.
- 3.3 Should couples wish to make their individual entry available to a third party, they must submit a written request to the Chief Executive Officer.
- 3.4 All information provided to the Town of Port Hedland in relation to the relationship declaration process is subject to disclosure under the Freedom of Information Act and might also be disclosed to third parties such as by way of legal proceedings, including discovery proceedings in courts and tribunals.

### ***4. Conditions for making a Relationship Declaration and Recording the Declaration***

- 4.1 The making of a relationship declaration is by appointment only and subject to the Town of Port Hedland receiving the completed Application Form with the required documentation and receipt of payment of the Prescribed Application Fee.
- 4.2 Applicants must complete and sign the Application Form to confirm that there are no reasons why they should not make a relationship declaration and have the declaration recorded in the Register.

- 4.3 All documents provided in a foreign language must be translated into English by an authorised translation service.
- 4.4 The Town of Port Hedland reserves the right to:
- 4.1.1 Refuse an application to make a relationship declaration where the documentation is found not to be in order; and
  - 4.1.2 Subsequently note on its records of a relationship declaration any information it receives stating that false or misleading information has been provided.
- 4.5 Applicants who are already legally married or have registered a relationship with another person are not eligible to make a relationship declaration at the Town of Port Hedland.
- 4.6 All records relating to applicants will be recorded as shown in the documents provided as identification.

### **5. *Proof of Identity***

- 5.1 There are number of key documents which Applicants must supply to apply for making a Relationship Declaration. Identification documents are required to be presented before approval can be granted to make a Relationship Declaration, as shown below. One document must show each applicants' signature. Only original documents will be accepted - certified copies will not be accepted. Acceptable documents of evidence are any two (2) of the following:
- Birth certificate (not extract);
  - Passport;
  - Driver licence;
  - Citizenship certificate.

### **6. *Age***

- 6.1 Persons applying to register must be aged 18 years or over on the date of application.

### **7. *Related Persons***

- 7.1 Relationships will not be registered if the partners are related, as specified in Section 7.2.
- 7.2 For the purpose of the Town of Port Hedland Relationship Declaration, a person is related to another person if:
- They are the ancestor or descendant of that person;
  - They are the brother, sister, half-brother or half-sister of that person; or
  - They are, or have been at any time, the adopted parent or adopted child of that person under any law of any place, whether in or out of Australia, relating to the adoption of children.

## ***8. Previous Relationship Declarations***

- 8.1 A person who has previously made a relationship declaration on the Town of Port Hedland Register shall not be permitted to make a relationship declaration without first having requested in writing that the termination of the previous relationship be recorded in the Register.

## ***9. Recording the Termination of a Relationship***

- 9.1 The Town of Port Hedland will amend the relationship declarations that individuals have made. Either or both parties to a relationship declaration may request the Town of Port Hedland to record on the Register that the relationship has terminated.
- 9.2 Upon receiving such a request in writing, the Chief Executive Office shall record in the register that it has received notification of the termination of the relationship. Where the notification has been received from one party only, the Applicant shall contact and provide a copy of the Notice of Termination to the other party and provide a copy of such information to the Town.
- 9.3 The Chief Executive Office will only amend the details in the Relationship Register, when he/she is satisfied that both parties have consented or been notified of an intention to terminate.

## ***10. Legal Consequences of Making a Relationship Declaration***

- 10.1 Making a relationship declaration does not change the legal status of the persons making the declaration. However, the fact that two people have made a relationship declaration may be presented as evidence of the existence of that relationship in some legal proceedings.
- 10.2 People contemplating making a relationship declaration should be aware that legal proceedings involving domestic relationships may be commenced under the laws of Western Australia or the Commonwealth.
- 10.3 The Town of Port Hedland recommends that individuals who want more information about the legal consequences of making a relationship declaration and having it recorded in the Town of Port Hedland Relationship Declaration Register should obtain their own independent legal advice.

## ***11. Procedure for Making A Relationship Declaration***

### ***11.1 Making an Application***

Couples wishing to make a relationship declaration can apply to do so by obtaining a copy of the Town of Port Hedland Relationship Declaration Register Application Form.

### *11.2 Submitting an Application Form*

The Application Form must be completed and signed by both partners making the application and lodged in person at the Town of Port Hedland, together with the required original proof of identity documents, as specified in Section 5. Please telephone Governance to make an appointment to have your application processed and documents of proof verified. Once the Application Form has been accepted the Prescribed Fee is required to be paid.

### *11.3 Making an appointment*

A Town Officer will contact the parties within 10 working days of the Application Form being lodged and accepted to schedule an interview. A letter will be sent to confirm an appointment for the ceremony.

### *11.4 Making a Payment*

Prior to the Declaration being made, proof of payment of the Prescribed Fee must be provided.

### *11.5 Pre-Declaration Interview*

During the interview, the Town of Port Hedland Chief Executive Officer (or delegate) will ascertain Application Form and all the documentation is in order.

### *11.6 Pre-Declaration Documentation*

The Chief Executive Officer shall;

- Arrange for the necessary documentation to be prepared;
- Check the documentation and sign the Certificate; and
- Liaise with the Mayor for the scheduling of the Declaration

### *11.7 Making the Declaration*

11.7.1 The making of the relationship declaration will be short (less than 10 minutes), after which the couple will each receive a signed copy of the Certificate.

11.7.2 At the Declaration, the Mayor or the Chief Executive Officer or delegate (as applicable) shall;

- Request that each person sign the Relationship Declaration Certificates
- Witness their signing the Relationship Declaration Certificates

11.7.3 The officiating person shall sign the Relationship Declaration Certificate at the time of reading the Declaration. The Mayor, or their delegate, shall officiate in the first instance, however, the Chief Executive Officer, or their delegate, may officiate where the Mayor is unavailable or when requested to do so by the Mayor.

11.7.4 Where appropriate, the Declarations will be carried out on a specific date, each month as this will allow multiple declarations to be done at the same time and will be easier to co-ordinate.

### *Ceremonies*

11.8 The Town does not conduct ceremonies in association with the making of relationship declarations.

### 11.9 Post-Declaration Administration

The Chief Executive Officer shall:

- Arrange for all documentation to be filed in the Confidential Register and file to be held in the Chief Executive Officers office; and
- Arrange for all electronic records to be securely maintained.

## ***12. Prescribed Fees***

12.1 Any person wishing to make a relationship declaration and having the declaration recorded in the Town of Port Hedland Relationship Declarations Register shall pay the Prescribed fee, as determined by the Council. The cost of a replacement copy of a Relationship Declaration Certificate shall be as prescribed by the Council.

12.2 No refund will be made if either person applying to make a relationship declaration decides not to proceed with making the declaration more than thirty (30) days after applying to make the declaration or fails to make the declaration.

12.3 Following an application, if a couple fails to make a relationship declaration, the original Application Form will be retained for a period of sixty (60) days, thereafter will be destroyed by the Chief Executive Officer (or authorised delegate).

12.4 The cost of a replacement Declaration Certificate or a Certified Copy of an entry in the Relationship Declaration Register shall be as prescribed by the Council.

12.5 The Council shall review and adopt their fees on an annual basis.

## ***13. Town of Port Hedland Website***

13.1 The Town will provide information, including an on-line application form, on the Town's website.

### ***Further information***

For further information on this program or the application process, persons may contact the Town of Port Hedland – Governance on (08) 9158 9300 or email: [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)



**Definitions**

Nil

COUNCIL ADOPTION DATE AND RESOLUTION NO.	26 August 2015 OCM 201516/031
DATE OF ADOPTION OF AMENDMENT AND RESOLUTION NUMBER	
RELEVANT LEGISLATION	NIL
DELEGATED AUTHORITY	NIL
BUSINESS UNIT	CORPORATE INFORMATION
DIRECTORATE	CORPORATE SERVICES
REVIEW FREQUENCY	AS REQUIRED

### 1/022 RISK MANAGEMENT

#### Policy Objective

The Town of Port Hedland is committed to organisation wide risk management principles, systems and processes that ensure consistent, efficient and effective assessment of risk in all planning, decision making and operational processes.

#### Definitions

Definition of “Risk”: AS/NZS ISO 31000:2009 defines risk as “the effect of uncertainty on objectives”.

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative, or a deviation from the expected. An objective may be financial, related to health and safety, or defined in other terms.

Definition of “Risk Management”: The application of coordinated activities to direct and control an organisation with regard to risk.

#### Policy Content

The Town of Port Hedland considers risk management to be an essential management function in its operations. It recognises that the risk management responsibility for managing specific risks lies with the person who has the responsibility for the function, service or activity that gives rise to that risk.

Council is committed to the principles, framework and process of managing risk as outlined in AS/NZS ISO 31000:2009.

The Town will manage risks continuously using a process involving the identification, analysis, evaluation, treatment, monitoring and review of risks. 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 of large amounts of money
- New strategies and procedures
- Management of projects, tenders and proposals
- Introducing significant change, and
- The management of sensitive areas

### *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.

### *Responsibilities:*

- Executives, managers and supervisors have the responsibility and accountability for ensuring that all staff manage the risks within their own work areas. Risks should be anticipated and reasonable protective measures taken.
- All managers will encourage openness and honesty in the reporting and escalation of risks.
- All staff will be encouraged to alert management to the risks that exist within their area, without fear of recrimination.
- All staff will, after appropriate training, adopt the principles of risk management and comply with all policies, procedures and practices relating to risk management.
- All staff and employees will, as required, conduct risk assessments during the performance of their daily duties.
- The level of sophistication of the risk assessment will be commensurate with the scope of the task and the associated level of risk identified.
- Failure by staff to observe reasonable directions from supervisors regarding the management of risks and/or failure of staff to take reasonable care in identifying and treating risks in the workplace may result in disciplinary action.
- It is the responsibility of every department to observe and implement this policy in accordance with procedures and initiatives that are developed by management.
- Council is committed morally and financially to the concept and resourcing of risk management.

### *Monitor and Review:*

The Town will implement a robust reporting and recording system that will be regularly monitored to ensure closeout of risks and identification of ongoing issues and trends.

Risk management key performance indicators, relating to both organisational and personal performance will be developed, implemented and monitored, by the Town.

**SAMPLE  
RISK ASSESSMENT & ACCEPTANCE CRITERIA  
(As at December 2015)**



**EXISTING CONTROLS RATING**

LEVEL	RATING	FORESEEABLE	DESCRIPTION
E	Excellent	Doing more than what is reasonable under the circumstances	Existing controls exceed current legislated, regulatory and compliance requirements, and surpass relevant and current standards, codes of practice, guidelines and industry benchmarks expected of this organisation
A	Adequate	Doing what is reasonable under the circumstances	Existing controls are in accordance with current legislated, regulatory and compliance requirements, and are aligned with relevant and current standards, codes of practice, guidelines and industry benchmarks expected of this organisation
I	Inadequate	Not doing some or all things reasonable under the circumstances	Existing controls do not provide confidence that they meet current legislated, regulatory and compliance requirements, and may not be aligned with relevant and current standards, codes of practice, guidelines and industry benchmarks expected of this organisation

**MEASURES OF CONSEQUENCE**

LEVEL	1	2	3	4	5
RATING	Insignificant	Minor	Moderate	Major	Catastrophic
HEALTH	Negligible injuries	First aid injuries	Medical type injuries or Lost time injury < 5 days	Lost time injury > 5 days	Fatality, permanent disability
FINANCIAL IMPACT	Less than \$3,000	\$3,000 - \$30,000	\$30,001 - \$300,000	\$300,001 - \$3M	More than \$3M
SERVICE INTERRUPTION	No material service interruption	Temporary interruption to an activity – backlog cleared with existing resources	Interruption to Service Unit/(s) deliverables – backlog cleared by additional resources	Prolonged interruption of critical core service deliverables – additional resources; performance affected	Indeterminate prolonged interruption of critical core service deliverables – non-performance
COMPLIANCE	Occasional noticeable temporary non-compliances	Regular noticeable temporary non-compliances	Non-compliance with significant regulatory requirements imposed	Non-compliance results in termination of services or imposed penalties	Non-compliance results in criminal charges or significant damages or penalties
REPUTATION	Unsubstantiated, localised low impact on key stakeholder trust, low profile or no media item	Substantiated, localised impact on key stakeholder trust or low media item	Substantiated, public embarrassment, moderate impact on key stakeholder trust or moderate media profile	Substantiated, public embarrassment, widespread high impact on key stakeholder trust, high media profile, third party actions	Substantiated, public embarrassment, widespread loss of key stakeholder trust, high widespread multiple media profile, third party actions
ENVIRONMENT	Contained, reversible impact managed by on site response	Contained, reversible impact managed by internal response	Contained, reversible impact managed by external agencies	Uncontained, reversible impact managed by a coordinated response from external agencies	Uncontained, irreversible impact



**SAMPLE  
RISK ASSESSMENT & ACCEPTANCE CRITERIA  
(As at December 2015)**

**MEASURES OF LIKELIHOOD**

LEVEL	RATING	DESCRIPTION	FREQUENCY	PROBABILITY
5	Almost Certain	The event is expected to occur in most circumstances	More than once per year	Greater than 90% chance of occurrence
4	Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurrence
3	Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurrence
2	Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurrence
1	Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	Less than 10% chance of occurrence

**RISK MATRIX**

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	MEDIUM (5)	HIGH (10)	HIGH (15)	EXTREME (20)	EXTREME (25)
Likely	4	LOW (4)	MEDIUM (8)	HIGH (12)	HIGH (16)	EXTREME (20)
Possible	3	LOW (3)	MEDIUM (6)	MEDIUM (9)	HIGH (12)	HIGH (15)
Unlikely	2	LOW (2)	LOW (4)	MEDIUM (6)	MEDIUM (8)	HIGH (10)
Rare	1	LOW (1)	LOW (2)	LOW (3)	LOW (4)	MEDIUM (5)

**RISK ACCEPTANCE CRITERIA**

RISK RANK	LEVEL OF RISK	DESCRIPTION	CRITERIA FOR RISK ACCEPTANCE	RESPONSIBILITY
EXTREME	17 - 25	Urgent Attention Required	Risk only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO / Council
HIGH	10 - 16	Attention Required	Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Director / CEO
MEDIUM	5 - 9	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
LOW	1 - 4	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager

COUNCIL ADOPTION DATE AND RESOLUTION NO.	16 DECEMBER 2015 OCM 201516/109
DATE OF ADOPTION OF AMENDMENT AND RESOLUTION NUMBER	27 APRIL 2016 OCM 201516/226
RELEVANT LEGISLATION	NIL
DELEGATED AUTHORITY	NIL
BUSINESS UNIT	N/A
DIRECTORATE	OFFICE OF THE CEO
REVIEW FREQUENCY	AS REQUIRED

1/023 WHISTLEBLOWER (PUBLIC INTEREST DISCLOSURE)

**Policy Objectives**

To encourage employees, elected members, contractors and consultants to report unlawful unethical, or undesirable conduct (“Misconduct”) that they genuinely believe has been committed by a person or persons in breach of the Town of Port Hedland’s Code of Conduct, policies or the law.

To demonstrate the Town’s commitment to a fair workplace and outline the process for managing matters of Misconduct.

To protect individuals who in good faith report conduct which they reasonably believe to be Misconduct, on a confidential basis, without fear of reprisal, dismissal or discriminatory treatment.

To assist in ensuring that matters of Misconduct and / or unethical behaviour are identified and dealt with appropriately.

To state the Town of Port Hedland’s commitment to the aims and objectives of the *Public Interest Disclosure Act 2003*, the purpose of which is to facilitate the disclosure of information in the public interest, and to provide protection to those who make a disclosure or who are the subject of a disclosure.

**Policy Content**

The Town of Port Hedland (“the Town”) is committed to the aims and objectives of the *Public Interest Disclosure Act 2003*. It recognises the value and importance of employees and others to enhance administrative and management practices, and strongly supports disclosures being made as to alleged Misconduct.

The Town will not tolerate Misconduct and has developed its Whistleblower Policy and Whistleblower Procedures to assist elected members, employees, contractors, consultants and members of the public to raise concerns through a constructive and safe process.

The Town will achieve this through the creation of an open working environment in which elected members, employees (whether they are full-time, part-time or casual), contractors and consultants, as well as members of the public, are able to raise concerns regarding actual or suspected Misconduct.

The Town recognises that any genuine commitment to detecting and preventing Misconduct must include a mechanism whereby employees and others can report their concerns freely and without fear of reprisal or intimidation. The Whistleblower Policy and Procedure (“the Policy”) provides such a mechanism, and encourages the reporting of such conduct.

The Town will endeavour to provide protection to “Whistleblowers” from any detrimental action in reprisal for the making of a public interest disclosure.

The Town's Code of Conduct ("the Code") requires elected members and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities.

As elected members and employees and representatives of the Town, everyone has a responsibility to practice honesty and integrity in fulfilling their responsibilities and to comply with all applicable laws and regulations.

All information, documents, records and reports relating to the investigation of reported Misconduct will be confidentially stored and retained in an appropriate and secure manner, in accordance with the *Public Disclosure Act 2003*.

### Purpose

To encourage employees, elected members, contractors and consultants to report unlawful unethical, or undesirable conduct ("Misconduct") that they genuinely believe has been committed by a person or persons in breach of the Town of Port Hedland's Code of Conduct, policies or the law.

To demonstrate the Town's commitment to a fair workplace and outline the process for managing matters of Misconduct.

To protect individuals who in good faith report conduct which they reasonably believe to be Misconduct, on a confidential basis, without fear of reprisal, dismissal or discriminatory treatment.

To assist in ensuring that matters of Misconduct and / or unethical behaviour are identified and dealt with appropriately.

To state the Town of Port Hedland's commitment to the aims and objectives of the Public Interest Disclosure Act 2003, the purpose of which is to facilitate the disclosure of information in the public interest, and to provide protection to those who make a disclosure or who are the subject of a disclosure.



**Definitions**

For the purposes of this Procedure, the definitions listed below apply.

Term	Definition
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	<p>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:</p> <ul style="list-style-type: none"> <li>• Dishonest, fraudulent, corrupt or unlawful conduct or practices.</li> <li>• Misleading or deceptive conduct, including conduct or representations which amount to improper or misleading accounting or financial reporting practices.</li> <li>• 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.</li> <li>• Coercion, harassment or discrimination by, or affecting, any member of the Town or its affiliates.</li> <li>• A breach of Town policies or Code of Conduct.</li> <li>• Conduct within the Town’s control which is a significant danger to the environment.</li> <li>• Conduct endangering the health and safety of any person or persons which has been reported to management but not acted upon.</li> <li>• Any action taken against, or harm suffered by a person as a result of making a report under this Policy.</li> <li>• Any other conduct or act which may cause loss to the Town or</li> </ul>
Public Interest Disclosure Officer (“PID Officer”)	<p>A designated representative tasked with the responsibility of:</p> <ul style="list-style-type: none"> <li>• Protecting and safeguarding the interests of Whistleblowers within the meaning of this Policy.</li> <li>• Conducting preliminary investigations into reports received from a whistle blower.</li> <li>• 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 PID Officer will have access to independent financial, legal and operational advisers as required.</li> <li>• The PID Officer is the specified position appointed under section 23(1)(a) of the Act, currently the Coordinator Governance.</li> </ul>

Whistleblower	Any person who, whether anonymously or not, makes, attempts to make or wishes to make a report in connection with Misconduct and where the Whistleblower wishes to avail themselves of protection against reprisal for having made the report.
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## Detail

### *Reporting Responsibility*

It is the responsibility of all elected members and employees to comply with the Code and to report violations or suspected violations in accordance with the Whistleblower Policy.

### *Reporting Misconduct*

If a person becomes aware of an issue or behavior believed to constitute a breach of the Town's Code of Conduct, policies or the law, then the following reporting mechanisms are available.

### *Internal Reports*

Whistleblowers may wish to discuss the matter informally with their direct manager or the Manager People and Culture first, to determine whether an incident of Misconduct has occurred. This is an opportune time to clarify the incident, ask questions and become familiar with the process. At all times, discussions will remain confidential.

Where this is not appropriate, or where the Whistleblower does not feel comfortable in doing so, or where the Whistleblower has previously done so and believes no action has been taken, the Whistleblower may contact the Town's PID Officer directly to discuss the incident or complete a PID Lodgment Form ("PIDLF") and submit it to the PID Officer.

There are procedures in place for disclosures made under the protection of the PID Act – the PID Officer must determine whether the report is being made under that Act, and if so, ensure that the disclosure is treating appropriately and according to those procedures.

Refer to Attachment 1 for a sample PIDLF.

### *External Reports*

It is the Town's aim to ensure that employees, elected members, contractors and consultants do not feel the need to discuss Town related concerns outside of the Town. However, nothing in this Policy should be interpreted as restricting an employee, elected member, contractor or consultant from raising issues or providing information to an external party, in accordance with any relevant law, regulation or prudential standard.

Therefore, a Whistleblower may report Misconduct (anonymously if preferred) to an external independent Whistleblower service. Depending on the type of Misconduct, this could include the Corruption and Crime Commission, Ombudsman, the Police or the Auditor General.

It may also be appropriate to report irregularities relating to accounting matters to the Town's External Auditor.

Members of the public who wish to make a disclosure of public information, as defined in the Public Interest Disclosure (PID) Act, are to contact the PID Officer directly.

All reports under this Policy are treated very seriously and will be investigated appropriately.

### ***Misconduct Involving the PID Officer***

If the issue of Misconduct involves the actions of the PID Officer, then the reporting of such matters should be directly to the Chief Executive Officer.

### ***Confidentiality***

Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

If the report is made under the PID Act, the confidentiality requirements in relation to information which might identify or tend to identify a discloser or a person in respect of whom a public interest disclosure has been made must be complied with at all times. The disclosure of this identifying information, except in accordance with the PID Act, is an offence.

### ***Handling of Reported Violations***

The Town's PID Officer is responsible for investigating and resolving (where possible) all reported complaints and allegations concerning alleged violations of the Code, as well as disclosures made under the PID Act.

The Town's PID Officer has responsibility for protecting and safeguarding the interests of whistleblowers within the meaning of this Policy. The PID Officer will have access to independent financial, legal and operational advisers as required.

The PID Officer is the specified position appointed under section 23(1)(a) of the Act, currently being the Coordinator Governance.

The PID Officer has direct access to the Audit, Risk and Governance Committee and is required to report to the Committee at least annually or more often if the PID Officer deems if necessary on compliance activity related to this Policy.

The PID Officer will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

### *Accounting and Auditing Matters*

The PID Officer shall immediately notify the Audit, Risk and Governance Committee of any outcomes related to corporate accounting practices, internal controls and auditing (within the constraints of any legislated confidentiality requirements) and work with the Committee until the matter is resolved.

### *Investigation*

All reports of Misconduct will be treated seriously and be the subject of a thorough investigation with the objective of locating evidence that either substantiates or refutes the claims / allegations made by the Whistleblower. Investigations are to be undertaken by the PID Officer. The PID Officer will cause an investigation to be carried out, this may require referring the matter to another person or agency.

Following a report of Misconduct, either internally or externally, the following procedure is to be followed:

- The completed PIDLF is to be forwarded to the PID Officer.
- The PID Officer is to review the report and determine the appropriate manner of investigation, and then inform the Whistleblower of how the investigation will proceed.
- The PID Officer is to determine what resources are needed and secure access to those resources, including where necessary the assistance of other employees or external professional help (including lawyers, accountants, forensic analysts or operational experts).
- The PID Officer plans and conducts the investigation.
- The PID Officer is to consider process / control improvements (risk assessments, audits, etc).
- The PID Officer prepares an Investigation Report.
- The PID Officer advises and debriefs the Whistleblower.

### *Reporting of Investigation Outcomes*

At the end of the investigation, the PID Officer will report the outcomes and improvement opportunities to the Audit, Risk and Governance Committee who will, in conjunction with the Chief Executive Officer, determine the appropriate response. This report must take into account the confidentiality requirements of the PID Act.

The Chief Executive Officer will address any unacceptable conduct and take remedial action required to prevent any future occurrences of the same Misconduct. In the event of the Chief Executive Officer being the subject of an investigation or allegation, the Committee is to request that Council seek independent advice on possible corrective or remedial actions.

Where issues of discipline arise the response will be in line with the Town's Disciplinary Procedure. Where allegations of unacceptable conduct made against another person cannot be substantiated, that person will be advised accordingly and will be entitled to continue in their role as if the allegations had not been made.

### *Acting in Good Faith*

Anyone filing a complaint concerning a violation or suspected violation of the Code must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the Code. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offence and in some cases may result in termination of employment.

Where a disclosure is made under the PID Act, the discloser is only protected if they believe on reasonable grounds that the information to be disclosed is or may be true. They will commit an offence, and lose the protection of the Act, if they know the information to be false or misleading in a material particular or are reckless about whether the information is false or misleading in a material particular.

### *False Misconduct Reports*

Where it is established by the PID Officer that the Whistleblower is not acting in good faith, or has made a false report of Misconduct (including where the allegation has been made maliciously, vexatiously or without any basis), then he or she will be subjected to disciplinary proceedings, including the possibility of summary dismissal.

Whilst not intending to discourage Whistleblowers from reporting matters of genuine concern, Whistleblowers must ensure as far as possible, that reports are factually accurate, complete, from firsthand knowledge, presented in an unbiased fashion (and any possible perception of bias of the Whistleblower is disclosed), and without material omission.

Where the report has been made under the PID Act, the provisions in that Act relating to making false or misleading disclosures apply.

### *Whistleblower Anonymity*

The identity of the Whistleblower will be kept strictly confidential unless:

- The person making the report consents to the disclosure.
- The disclosure is required by law.
- The disclosure is necessary to prevent or lessen a serious threat to a person's health or safety.
- It is necessary to protect or enforce The Town's legal rights or interests.
- It is necessary to defend any claims.

### *Whistleblower Protection*

A Whistleblower who reports matters in good faith, and provided he or she has not been involved in the Misconduct reported, will not be penalised or personally disadvantaged because they have reported a matter. The Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the organisation prior to seeking resolution outside the Organisation.

The Town will not tolerate any instances of legitimate Whistleblowers being:

- Dismissed.
- Demoted.
- Subjected to any form of harassment and persecution.
- Discriminated against.

A Whistleblower who believes he or she, or his or her family, has been the victim of any of the above by reason of their status as a Whistleblower, should immediately report the matter to the PID Officer. Where an incident of this nature occurs, the Town's Code of Conduct will apply, as well as the provisions of the PID Act.

Any employee, elected member, contractor or consultant who is found to have dismissed, demoted, harassed, or discriminated against a Whistleblower by reason of their status as a Whistleblower, may be subjected to disciplinary measures.

A Whistleblower who has been involved in the reported Misconduct may be provided with immunity or due consideration from Town initiated disciplinary proceedings by agreement, however, the Town has no power to provide immunity from criminal prosecution.

Where victimisation or reprisals are reported, a record of the report and the action taken must be placed on the file relating to the public interest disclosure. Steps taken to prevent acts of victimisation or reprisal should be recorded in a manner that they will be accessible for reference, should legal action be taken against the Town.

The Town will ensure that the same protection offered to the Whistleblower is offered to the PID Officer.

### *Feedback and Communication with the Whistleblower*

Where possible, and assuming the identity of the Whistleblower is known, the Whistleblower will be kept informed of the outcome of the investigation of his or her report, subject to privacy and confidentiality considerations.

All Whistleblowers must maintain confidentiality of all such reports, and not disclose details to any person.

COUNCIL ADOPTION DATE AND RESOLUTION NO.	31 AUGUST 2016 CM201617/046
DATE OF ADOPTION OF AMENDMENT AND RESOLUTION NUMBER DO NOT DELETE THE PREVIOUS DATES	
RELEVANT LEGISLATION	This policy has been drafted to comply with: <a href="#">Town of Port Hedland PID Fact Sheet</a> <a href="#">AS 8004–2003 (Whistleblower Protection Programs for Entities)</a> <a href="#">AS 8001–2008 (Fraud and Corruption Control)</a> <a href="#">Public Interest Disclosure Act 2003</a> <a href="#">Corruption and Crime Commission Act 2003</a> <a href="#">Public Sector Commission Website</a>
DELEGATED AUTHORITY	NIL
BUSINESS UNIT	CORPORATE INFORMATION
DIRECTORATE	CORPORATE SERVICES
REVIEW FREQUENCY	THE WHISTLEBLOWER POLICY AND PROCEDURES WILL BE REVIEWED PERIODICALLY BY THE AUDIT, RISK AND GOVERNANCE COMMITTEE. A REPORT WILL BE MADE TO THE COUNCIL ON THE OUTCOME OF EACH REVIEW AND ALL RECOMMENDED CHANGES TO THE POLICY.

1/024 FRAUD AND CORRUPTION PREVENTION

**Policy Objective**

The objectives of this Policy are to –

- Articulate that the Town of Port Hedland is intolerant of fraud and corruption;
- Prevent fraud or corruption occurring at the Town of Port Hedland.

**Policy Scope**

This policy applies to all Employees, Elected Members, Committee Members, Consultants and Contractors' working for the Town of Port Hedland as fraud and corruption control is the responsibility of everyone in or associated with the Town.

**Policy Content**

1. The Town of Port Hedland is committed to good governance and ethical behaviour as a key ingredient of responsible, effective and accountable Local Government.
2. The Town of Port Hedland recognises that fraud and corruption is illegal and contrary to the Town's organisational values. In view of this, a proactive stance is taken to ensure incidences of fraudulent or corrupt activities or behaviours do not occur.
3. Whilst the Town aims to foster a culture which upholds trust and honesty as part of its core values, it is acknowledged that from time to time, instances of misconduct, corruption, fraud or dishonesty occur throughout the organisation. As such, the Town will ensure that the effective prevention of fraud and corruption is an integral part of its operating activities.
4. All employees are accountable for and have a role to play in fraud and corruption prevention and control. The Town encourages employees to disclose actual or suspected fraudulent or corrupt activity, to the Chief Executive Officer (Complaints Officer).
5. If the suspected fraudulent or corrupt activity concerns the Chief Executive Officer, the matter is to be referred to a secondary Complaints Officer (a designated senior employee appointed as a Complaints Officer by Council), the Mayor, or the Corruption and Crime Commission.
6. When identified, any suspected fraudulent or corrupt activity will be promptly investigated, and where appropriate, legal remedies available under the law will be pursued. All alleged incidences will be thoroughly investigated. Wherever possible, the Town will protect the anonymity of those responsible for reporting the activity. The matter will also be reported to the Corruption and Crime Commission.



7. The Town will ensure that systems and procedures are in place to prevent, detect, report and investigate incidents of fraudulent or corrupt behaviour or activities and will ensure that employees are made aware of their responsibilities in respect to the prevention, detection, reporting and investigation of fraudulent or corrupt behaviour.
  
8. The success of this policy will be determined by the employees and Council Members (where appropriate) at the Town of Port Hedland being aware of their responsibilities in relation to:
  - a. fraud and corruption prevention and control;
  - b. the identification of treatment and recording of fraud or corruption risks;
  - c. fraud or corruption auditing and detection processes;
  - d. reporting;
  - e. responsibilities; and
  - f. obligations and investigation procedures.

### Definitions

For the purpose of this policy:

“Misconduct” shall have the same meaning as prescribed by the *Corruption and Crime Act 2003*.

“Corruption” is defined as:

“An act done with an intent to give or receive some advantage or benefit inconsistent with official duty and the rights of others. It includes bribery.”

Australian Standard 8001–2003 defines fraud as:

‘dishonest activity causing actual or potential financial loss to any persons or entity including theft of moneys or other property by employees or persons external to the entity and whether or not deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or for improper use of information or position.’

COUNCIL ADOPTION DATE AND RESOLUTION NO.	31 AUGUST 2016 CM201617/046
DATE OF ADOPTION OF AMENDMENT AND RESOLUTION NUMBER	
RELEVANT LEGISLATION	CORRUPTION AND CRIME ACT 2003
DELEGATED AUTHORITY	NIL
BUSINESS UNIT	OFFICE OF CEO
DIRECTORATE	OFFICE OF CEO
REVIEW FREQUENCY	BIENNIAL



1/025      MEDIA AND COMMUNICATIONS

Objective

This Policy establishes protocols for the Town of Port Hedland's official communications with our community to ensure the Town is professionally and accurately represented and maximises a positive public perception of the organisation.

This Policy also clarifies the roles and responsibilities of the Mayor, the Deputy Mayor, Elected Members and the Chief Executive Officer when speaking publicly/issuing public statements.

Content

The Media Communications Policy sets out clear, consistent protocols for all contact with media which are to be followed by the Mayor, Elected Members, Chief Executive Officer and employees of the Town of Port Hedland and has been established to:

1. Formalise the roles of the Mayor, Elected Members, Chief Executive Officer and employees in relation to media communications;
2. Maintain positive, quality and timely communications with the media even during adverse media attention;
3. Ensure the Town's affairs and activities are fairly and accurately reported in the media;
4. Proactively represent the Town in media communications;
5. Ensure communication with the media is consistent, in line with the Town's strategic direction, and aligned with the Town's communication strategies;
6. Ensure that media communication with the Town is following relevant statutory provisions;
7. Provide the information required by law to be publicly available;
8. Share information that is of interest and benefit to the community;
9. Promote Town of Port Hedland events and services;
10. Promote Public Notices and community consultation/engagement opportunities;
11. Answer questions and respond to requests for information relevant to the role of the Town of Port Hedland; and
12. Receive and respond to community feedback, ideas, comments, compliments and complaints.

The Town will use this Policy to assist the Mayor, Elected Members, Chief Executive Officer and employees in understanding the correct communication processes when handling media enquiries, identifying spokespersons for media interviews, preparing media statements and making comments to the media.

**Official Communications**

The Town's official communications will be consistent with relevant legislation, policies, standards, and the positions adopted by the Council. The Town's communications will always be respectful and professional.

The Town will use a combination of different communication modes to suit the type of information to be communicated and the requirements of the community or specific audience, including:

- Town of Port Hedland website;
- Advertising and promotional materials;
- Media releases prepared for the Town to promote specific Town positions;
- Social media; and
- Community newsletters, letter drops, and other modes of communications undertaken by the Town's Administration at the Chief Executive Officer's direction.

The Town will maintain an official website as the community's online resource to access the Town's official communications.

### **Commitment**

The Town of Port Hedland is committed to open, transparent procedures and being fully accountable to the media and the wider community. Therefore, it wishes to provide the media with information about projects and initiatives and respond to media enquiries in a thorough and timely manner.

The Town aims to maximise its media exposure by:

- Demonstrating that it is an open and accessible local government authority;
- Providing accurate information to the media promptly;
- Showing that it is always keen to respond to media enquiries; and
- Building positive relationships with persons in the print and electronic media.

### **Speaking on behalf of the Town of Port Hedland**

The Mayor is the official spokesperson for the Town of Port Hedland and may represent the Town in official communications, including; speeches, comment, print, electronic and social media. *[s.2.8(1)(d) of the Local Government Act 1995]*.

Where the Mayor is unavailable, the Deputy Mayor may act as the spokesperson. *[s.2.9 and s.5.34 of the Local Government Act 1995]*.

The Chief Executive Officer may speak on behalf of the Town of Port Hedland if authorised to do so by the Mayor. *[s.5.41(f) of the Local Government Act 1995]*.

The provisions of the Local Government Act 1995 direct that only the Mayor, or the Chief Executive Officer, if authorised, may speak on behalf of the Local Government. It is respectful and courteous to the Office of Mayor for others to refrain from commenting publicly, particularly on recent decisions or contemporary issues, until the Mayor has had the opportunity to speak on behalf of the Town.

Communications by Elected Members, whether undertaken in an authorised official capacity or as personal communication, must not:

- Bring the Town of Port Hedland into disrepute;
- Compromise the person's effectiveness in their role with the Town of Port Hedland;
- Imply the Town of Port Hedland's endorsement of personal views; or
- Disclose, without authorisation, confidential information.

Social media accounts or unsecured website forums must not be used to transact meetings that relate to the official business of the Town of Port Hedland.

Elected Member communications must comply with the Town of Port Hedland's Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

### **Media Enquiries**

The Town will openly discuss matters of interest with the media unless disclosure of information contravenes the Town's duty of care, contractual obligations, a legal issue or could infringe laws or regulations that govern its operations or the privacy of any individual.

Media enquiries will be dealt with promptly, honestly and within the media representative's deadline wherever possible.

All media enquiries must be directed to the Town's Manager Corporate Affairs in the first instance, whereby information will be coordinated to support the release of an official response on behalf of the Town.

### **Social Media**

#### *Conduct*

All elected representatives and employees should be cognisant that their conduct when using digital communications reflects upon them and their position in either a personal or official capacity.

All elected representatives and employees should be aware that many search engines record online content and that the content of posts and discussions may be publicly available and searchable into the future.

#### *Guidelines for Elected Members*

Elected Members are not permitted to establish official social media tools for communications with the community.

Elected Members are authorised to establish and maintain personal social and digital media tools however must not use the title of "Councillor" in the name of any account, profile or page established.

Elected Members should not make comments about the Town of Port Hedland, its elected representatives and staff or its partners and stakeholders on their personal social media tools.

### *Guidelines for Employees*

The Town uses Social Media and maintains Social Media accounts to facilitate information sharing and provide feedback to our community. Social Media will not be used by the Town to communicate or respond to matters related to a person's or entity's private affairs.

The Town will, at its discretion, moderate its Social Media accounts to address, and where necessary delete, content deemed to be:

- Offensive, abusive, defamatory, objectionable, inaccurate, false or misleading;
- Soliciting or commercial in nature;
- Unlawful or which may incite others to break the law;
- Information that may compromise individual or community safety or security;
- Repetitive material copied and pasted or duplicated;
- Electioneering for Council, appointment to official Office, or any ballot;
- In violation of intellectual property rights or the legal ownership of interests or another party; and
- Inappropriate in any other way.

Where a third party contributor to a Town's Social Media account is identified as posting content that is in accordance with the above, the Town may, at its discretion, hide that contributor's comment and block that contributor for a specific period of time or permanently.

In conjunction with other communication modes, the Town will use Social Media to communicate and advise the community regarding Emergency Management.

The CEO will determine the authorised contributors for the Town of Port Hedland accounts.

Town employees may maintain their own personal social media accounts and tools. It is the Town of Port Hedland's preference that employees do not initiate social media discussions on work-related matters.

If personally approached online regarding a work matter, employees should immediately inform their supervisor and seek advice on how to reply in a way that positively reflects the Town of Port Hedland.

### *Supporting Guidelines*

This policy's implementation is supported through relevant internal operating procedures and the Town's Code of Conduct.

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
DELEGATED AUTHORITY	N/A
BUSINESS UNIT	CORPORATE AFFAIRS
DIRECTORATE (CHOOSE ONE)	OFFICE OF THE CEO

GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	CM202021/185	3 JUNE 2021
REVIEW FREQUENCY	3 YEARLY		

**Document Control Statement** – The electronic reference copy of this Policy is maintained by the Governance Team. Any printed copy may not be up to date and you are advised to check the electronic copy at <http://www.porthedland.wa.gov.au/documents/public-documents/policies> to ensure that you have the current version. Alternatively, you may contact the Governance Team.

## 7. Digital communication

### 7.1 Conduct

All elected representatives and employees should be cognisant that their conduct when using digital communications, in either a personal or official capacity, reflects upon them and their position.

All elected representatives and employees should be cognisant that online content is recorded by a number of search engines and that the content of posts and discussions may be publicly available and searchable into the future.

### 7.2 Guidelines for the Mayor

The Mayor is entitled to establish a Facebook fan page that identifies them as the Mayor. This page may be administered by the Mayor and/or delegated to Town of Port Hedland staff as appropriate.

On the information tab of the Mayor's fan page, the following disclaimer must be included:

*This page is administered by the Mayor of Port Hedland and the contributions reflect the views of the Mayor, in their official capacity.*

*The Mayoral Facebook page will allow the community and stakeholders to make enquiries about information posted on the Mayor's Facebook. These postings will be considered a public record and will therefore be monitored, recorded and responded to accordingly.*

*An official response will be posted on the Mayoral Facebook page in accordance with the Town of Port Hedland Customer Service Charter.*

**Acceptable contributions** to be posted to the Mayor's official Facebook fan page include:

- information about Council decisions, activities, events which are within the boundaries of the position and open for comments/feedback; and
- information about Council agenda items after the respective OCM and a decision has been made.

**Unacceptable contributions** to be posted to the Mayor's official Facebook fan page include:

- opinions or information about Council decisions, expressed as official statements;
- information in relation to the administrative functions and activities of Council; and
- personal opinions or comments on any topic or issue.

### 7.3 Guidelines for Councillors

Councillors are not permitted to establish official social media tools for communications with the community.



Councillors are authorised to establish and maintain personal social and digital media tools however must not use the title of “Councillor” in the name of any account, profile or page established.

Councillors should not make comments about the Town of Port Hedland, its elected representatives and staff or its partners and stakeholders on their personal social media tools.

### ***7.4 Guidelines for Employees***

Town of Port Hedland employees will use social media for the following purposes:

- disseminating time-sensitive information as quickly as possible (example: emergency information)
- increasing the Town’s ability to broadcast its messages to the widest possible audience
- promoting a specific issue/topic information where appropriate for community consultation

The CEO will determine the authorised contributors for the Town of Port Hedland account.

Town of Port Hedland employees may maintain their own personal social media accounts and tools.

It is the preference of the Town of Port Hedland that employees do not initiate social media discussions on work related matters. If personally approached online in regards to a work matter, employees should immediately inform their supervisor and seek advice on how to reply in a way that positively reflects the Town of Port Hedland.

If employees choose to reply, they should include the following disclaimer:

*“The views expressed on this site are my own and do not necessarily reflect the view of the Town of Port Hedland”.*

In the event that employees respond to a work related query or comment, they should:

- not comment on information that is meant to be private or internal to the Town of Port Hedland;
- ensure all comments do not conflict with the Town’s mission or official positions;
- do not comment on areas you are not familiar with; and
- do not discuss partners, sponsors or contractors without prior approval.

In using social media in a way that identifies their employment with the Town of Port Hedland, employees should be conscious that their online conduct reflects upon them and the Town of Port Hedland.

### 7.5 Authorised statements

Posts and statements should be in line with the guiding principles and actively promote Town initiatives.

Prohibited posts and statements are ones that:

- are in support of or opposition to political campaigns
- use profane language or content
- use content that promotes, fosters, or perpetuates discrimination on the basis of race, colour, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation'
- contain sexual content or links to sexual content
- include solicitations of commerce
- conduct or encourage illegal activity
- include information that may compromise the safety or security of the public or public systems
- include content that violates a legal ownership interest of any other party

## 8. Supporting guidelines

The implementation of this policy is supported through relevant internal operating procedures and the Town's Code of Conduct.

Council adoption date and resolution no.	1/004 media policy (Amended at the 22 February 2006 council meeting – 200506/297)  1/013 social media policy (Adopted at the 30 November 2011 Council Meeting – 201112/236. Amended at the 25 July 2012 Council Meeting – 201213/046)
Date of adoption of amendment and resolution number	23 August 2017 OCM (CM201718/028)
Relevant legislation	<i>Local Government Act 1995</i>
Delegated authority	N/A
Business unit	Communications
Directorate	Development, Sustainability and Lifestyle
Review frequency	As required

## 1. Objective

This Policy provides a guideline for processing customers' feedback, complaints and suggestions to improve the Town's customer service. In addition, this policy is to be read in conjunction with the Customer Service Charter which will ensure that all internal and external requests and enquiries are acknowledged promptly and courteously as well as investigated efficiently, effectively and comprehensively.

The Town is dedicated to ensuring all customers' concerns are handled in a manner which is fair and courteous, and respects the privacy of the person.

## 2. Content

The Town is committed to providing quality customer service. Should any customer be dissatisfied with the provision of services or products by the Town and/or its contractors or actions of employees, there is a process to resolve the customers concern at the first point of contact. Feedback is always welcomed, whether positive or negative, to enable service improvement.

All Town employees are required to treat customers politely and professionally. 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.

## 3. 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.

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

### *Level 1 – Initial Assessment of the Customer's feedback and suggestions:*

This process promotes the instant resolution of a customer request. A Town employee will process details into the Town's system and direct the customer to discuss the matter with a responsible officer. The responsible officer will endeavour to resolve customer concerns wherever possible and discuss with the customer what he/she would like to happen to resolve the issue. The customer will receive a follow-up call or email from the responsible officer to acknowledge the customers concern within 48 business hours of lodging their feedback or suggestion.

### *Level 2 – Customer Complaints\*:*

This process provides an opportunity for a customer to lodge an official complaint and a review is carried out within 10 business days. If a complaint requires extensive investigation, an extension of time will be discussed with the complainant.

All complaints must be lodged in writing and include the complainants contact details. Each complaint will be acknowledged and responded to in a timely manner with objectivity and fairness. Complainants are required to provide sufficient information for their complaint to be investigated otherwise it will be deemed unsubstantial. A responsible manager will provide an appropriate response to the complaint on the Town's behalf.

### *Level 3 – Chief Executive Officer Internal Review:*

Where a customer is unhappy with the findings of the initial complaint, he/she has a right to request the Chief Executive Officer (CEO) to carry out an internal review on their complaint. The CEO will review all actions that has taken place and will determine a course of action to resolve the complaint. The CEO will inform the customer of the outcome of the final review by letter, or discuss the possible resolution of the complaint by telephone or in a meeting, within 15 business days of being assigned to the CEO.

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

## **4. Elected Member Complaints**

Elected Member complaints should be referred to the Chief Executive Officer in the first instance.

The Town is committed to investigating and addressing any complaints made against Elected Members, including compliance with any statutory requirements of the *Local Government Act 1995*, *Local Government (Rules of Conduct) Regulations 2007* or any other relevant Act or Regulation, applicable to Elected Members in the performance of their role and responsibilities.

Whether complaints be of minor or serious misconduct, the Town will refer these complaints to the relevant agencies; for example, allegations of corruption will be referred to the Corruption and Crime Commission; allegations of other illegal behaviour may be referred to Western Australian Police or to the State Government Department responsible for Local Government.

## **5. Unreasonable or Unacceptable Complainants**

The Town is required to manage unsuitable customer conduct and unreasonable or excessive demands placed upon Town employees, Elected Members and resources. This will include the Town having options to redress and identify circumstances that could enable the Town to limit its communications with complainants.

There are four categories determining whether a complainant is being unreasonable or using unacceptable behaviour;

- a) Complainants who are being unreasonably persistent and who:
  - i. Make excessive phone calls; or
  - ii. Seek to exercise excessive personal contact; or
  - iii. Engage in lengthy correspondence.
- b) Complainants who cannot be satisfied – i.e. people who demonstrate an unreasonable lack of co-operation as they:
  - i. Cannot or will not accept that the Town is unable to assist them; or
  - ii. Cannot or will not accept that the Town is unable to provide any further level of service, other than that provided already; or
  - iii. Disagree with the action the Town has taken in relation to that complaint or concerns.
- c) Complainants who make unreasonable demands – i.e. people who make unreasonable demands on the Town whether by:
  - i. The amount of information; or
  - ii. The value and scale of services they seek; or
  - iii. The number of approaches they make.
- d) Complainants who are rude and abusive – i.e. people who:
  - i. Engage in personal abuse; or
  - ii. Make inflammatory statements or comments; or
  - iii. Make statements or comments clearly intended to intimidate.

### ***Managing unacceptable or unreasonable complaints***

There are very few customer complaints which the Town considers unacceptable or unreasonable. How the Town aims to manage these complaints will depend on the nature and extent of the complaint. If it adversely affects the Town employee's ability to do work and provide a service to others, the Town may need to restrict a person's contact in order to manage the unacceptable or unreasonable complaint or action.

Guiding principles on limiting access to unreasonable or unacceptable complainants

The Town will limit the nature and scope of access in the following circumstances:

- a) Where full access would be likely to compromise Town's obligations as an employer;
- b) Where full access would be likely to compromise any statutory obligations to which Town is subject;
- c) Where full access would be likely to be wasteful of Town's resources whether through excessive contact or use of services; or
- d) Where full access would be likely to encourage or allow rude and abusive behaviour.

When someone repeatedly telephones, visits the Town's offices without appointment, sends irrelevant or duplicate documents or raises the same issues already considered, the Town may decide to:

- Only take phone calls from the user at set times on set days, or put arrangements into place for only one employee to deal with calls or correspondence from the complainant in future;
- Require the person to make an appointment to see a named employee before visiting the Town's offices, or that the user only contacts the Town's offices in writing;
- Take other action that the Town consider appropriate, however, the Town will always disclose what action they are taking and why;
- Where a complainant continues to correspond on a wide range of issues and this action is considered excessive, then the Town will communicate that only a certain number of issues will be considered in a given period and ask them to limit or focus their requests accordingly; and
- Issue a response stating that the Town will cease communication and will no longer issue correspondence going forward.

Action may be considered unreasonably persistent if all internal review mechanisms have been exhausted and the complainants continues to dispute the decisions the Town have made – be it in the determination of a complaint or the manner in which the case was handled.

The Town will report customers to the Western Australia Police in circumstances where they are verbally or physically aggressive, threatening or harass a Town employee.

## 6. External Agencies

The Town is confident it can resolve a majority of all customer complaints received, however the Town may not be able to satisfy every customer on every occasion. A customer may contact external agencies if dissatisfied with the Town's processes. There are several external agencies that investigate complaints made in relation to local governments which can include but are not limited to the following:

- Ombudsman Western Australia;
- Department of State Government Department responsible for Local Government;
- Western Australia Police Force
- 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.

RELEVANT LEGISLATION	N/A
DELEGATED AUTHORITY	N/A
BUSINESS UNIT	CUSTOMER SERVICE
DIRECTORATE	DEVELOPMENT, SUSTAINABILITY AND LIFESTYLE

GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	CM201617/162	22 MARCH 2017
	V02	CM201819/063	26 SEPTEMBER 2018
REVIEW FREQUENCY	3 YEARLY		

1/027 SEVERENCE PAYMENT

**1. Policy Objective**

This Severance Policy outlines the circumstances and manner of assessment upon which the Town of Port Hedland (Town) at the discretion of the Chief Executive Officer (CEO) may pay an employee an amount (**severance payment**) in addition to any amount to which they are entitled under a contract of employment or award relating to the employee. This policy shall not be considered as a contractual entitlement under the employment relationship.

**2. Policy Content**

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.

**3. Circumstances for Severance Payment**

Subject to the CEO's approval, the Town may pay a severance payment in circumstances whereby an employee is made redundant or accepts voluntary severance by resigning from the organisation.

The Town may pay severance payment under one the following criteria:

- **Settlement of a claim**  
In settlement of a claim or dispute where the employee has or proposes to take action under industrial relations legislation, up to a maximum of 52 week's pay.
- **Illness or impairment**  
To facilitate a situation where an employee is unable to perform their role due to illness or impairment and there has been mutual agreement that the employment must end, up to a maximum of 26 week's pay.
- **Outstanding Service**  
An employee who has provided outstanding service or contribution to the Town, up to maximum of 12 week's pay.
- **Reimbursement of relocation expenses**  
An employee on contract may receive a reimbursement of relocation expenses and this amount is at the discretion of the CEO.

Under section 5.50 (2) of the *Local Government Act 1995*, the Town may pay an additional amount to what is set out under section 3 of this policy, however a public notice must be given in relation to the payment made.

Severance payments to the CEO must be approved by the Council.



The legislation for determining the above criteria is set out under the Local Government (Administration) Regulations 1996 19A as follows:

- (1) *The value of a payment or payments made under section 5.50(1) and (2) to an employee whose employment with a local government finishes after 1 January 2010 is not to exceed in total —*
  - (a) *the value of the person's final annual remuneration, if the person —*
    - (i) *accepts voluntary severance by resigning as an employee; and*
    - (ii) *is not a CEO or a senior employee whose employment is governed by a written contract in accordance with section 5.39;*
  - or
  - (b) *in all other cases, \$5 000.*

Exclusions:

A severance payment will not be made to an employee who-

- (a) is redeployed within the Town;
- (b) is dismissed for serious misconduct;
- (c) is employed on either a temporary or casual basis;
- (d) has less than one year's service with the Town; or
- (e) is classified as a trainee or apprentice or is under probation.

#### 4. Manner of Assessment of the Severance Payment

Where the severance payment is based on the weekly pay, this is the normal ordinary pay (excluding overtime, vehicle allowance or superannuation). In assessing the severance payment, the following will be considered:-

- The amount recommended by a Court or Tribunal to settle a matter;
- The exposure to litigation and the strength of the respective cases;
- The cost of legal services;
- Disruption to operations;
- Length of service and personal circumstances of the employee;
- Position held by the employee.

#### 5. Definitions

**Senior Employee** means employees holding the position of Chief Executive Officer or Director in accordance with Section 5.37 of the *Local Government Act 1995*.

COUNCIL ADOPTION DATE AND RESOLUTION NO.	22 MARCH 2017 CM201617/163
DATE OF ADOPTION OF AMENDMENT AND RESOLUTION NUMBER	
RELEVANT LEGISLATION/POLICIES	LOCAL GOVERNMENT ACT 1995 LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 1996 3/007 SENIOR EMPLOYEES AND APPOINTING CHIEF EXECUTIVE OFFICER
DELEGATED AUTHORITY	N/A
BUSINESS UNIT	GOVERNANCE
DIRECTORATE	CORPORATE AND PERFORMANCE
REVIEW FREQUENCY	BI-ANNUAL

1/028 RELATED PARTY DISCLOSURES

Objective

The scope of Australian Accounting Standard Board 124 ('AASB 124') *Related Party Disclosures* was extended in July 2015 for application to not-for-profit entities, including local governments. Disclosures are to be recorded in its Annual Financial reports, related party relationships, transactions and outstanding balances. This procedure outlines required mechanisms to meet the disclosure requirements of AASB 124.

Content

**1. Background**

The objective of the standard is to ensure that an entity's financial statements contain disclosures necessary to draw attention to the possibility its financial position and profit or loss may have been affected by the existence of related parties and transactions.

Related party disclosure differs from a conflict of interest in that a conflict need not exist for a related party relationship to be present. That is, the presence of the relationship alone warrants its disclosure and is regardless of whether a transaction has occurred or not. This is to foster transparency and accountability.

For each financial year, the Town must make an informed judgement to identify who it considers to be key management personnel. It is these personnel who are then required to complete the disclosure of related parties and transactions.

The purpose of this procedure is to identify key management personnel, related parties and transactions in the assessment process of AASB 124.

**2. Identification of Key Management Personnel**

The Western Australian Department of Local Government and Communities define Key Management Personnel ('KMP') as personnel who have the authority and responsibility to plan, direct, control and influence the activities of Council, either directly or indirectly. The KMP need not necessarily be a member of the executive team of Council.

The Town of Port Hedland has identified the following persons as meeting the definition of a KMP:

- An elected member of Council or a Committee; and
- Persons employed under section 5.36 of the *Local Government Act 1995* in the capacity of the Chief Executive Officer or a Director of the Town of Port Hedland.

All local government entities are required to capture the related party disclosure of all identifiable KMPs for the previous financial year reporting period. This is irrespective if the personnel are no longer a current employee or elected member.

### ***3. 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 of Port Hedland has identified the following parties as meeting the definition of a related party:

- Close members of family include the person's child, spouse or domestic partner and the children or dependents of a spouse or domestic partner.
- Entities that are controlled or jointly controlled by an elected member of a Committee or Council, KMP or their close family members, such as companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs.

Any declarations involving these related parties will have any associated transactions assessed.

### ***4. 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 this 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.

### **5. Disclosure Requirements**

KMPs are required to complete the 'AASB Related Party Disclosures Declaration form' at the end of each financial year. KMPs may additionally be required to complete the declaration form at other intervals, such as elections coinciding with a change in elected members and the employment cessation of senior management.

The form will be collated by the governance business unit and assessed by the financial services business unit of the Town of Port Hedland.

OCT transactions involving a related party and all non-OCT transactions must be specified on the declaration form.

### *Confidentiality*

All information contained in a disclosure form will be treated in confidence. All data stated in the annual financial reports will be described in an aggregate, non-identifiable manner. Management has discretion to request additional information from a KMP in regards to the disclosure of a transaction to determine materiality.

## 6. *Materiality*

The financial services business unit of the Town of Port Hedland will determine the materiality of disclosed transactions. Consideration will be given to both the size and nature of the transaction, individually and collectively. Assessing materiality of transactions as OCT are to be completed in consultation with the Audit, Risk and Governance Committee.

### Definitions

Nil.

Relevant legislation	Australian Accounting Standard Board 124 (AASB 124)
Delegated authority	Nil
Business unit	Financial Services
Directorate	Corporate Services

Governance to complete this section			
Version Control	Version No.	Resolution No.	Adoption date
	V01	CM201718/090	22 November 2017
	V02	CM202021/102	16 December 2020
Review frequency	Annually		

## 1/029 ATTENDANCE AT EVENTS

### 1. Objective

The objective of this policy is to provide for a framework to transparently manage invitations and offers of tickets to events for Elected Members and the Chief Executive Officer (CEO), whether free of charge, part of a sponsorship agreement, or paid for by the Town of Port Hedland or another party, and to avoid any real or perceived undue influence, conflicts of interest, preferment or favouritism in decision-making. This policy conforms to the requirements of section 5.90A of the *Local Government Act 1995* (the Act).

### 2. Content

#### 2.1 *Invitations to events*

All invitations or offers of tickets for Elected Members or the CEO should be addressed to the Town of Port Hedland (Town) and received at least five (5) working days prior to the event.

This policy will not apply to any invitation or offer of tickets for Elected Members or the CEO not directly addressed to the Town. Such invitations or offers of tickets to events must be disclosed in accordance with the gifts and interests provisions of the Act and Code of Conduct.

#### 2.2 *Approved attendance at events*

A list of pre-approved events for attendance by Elected Members and the CEO is attached at Attachment 1. The CEO is authorised to amend the list of approved events from time to time.

Subject to the provisions of the Code of Conduct, the acceptance and use of a ticket by an Elected Member or the Chief Executive Officer, for an event in which they are attending in an official capacity representing the Town and undertaking any of the following roles:

- performing a speaking role, or some other welcoming role;
- participating as a member of a discussion panel or judging panel;
- presenting at the event as part of the event program;
- representing the Town of Port Hedland at a sponsorship acknowledgement event or award ceremony, 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;
- presenting awards or prizes to others on behalf of the Town; or
- attending an exhibition or display where the Town, its programs or services are being showcased

is deemed to be 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 ss5.87A and 5.87B of the Act.

Where an invitation or offer of tickets to an event is not pre-approved as per Attachment 1 the acceptance of the invitation and/or use of the ticket by an Elected Member must be approved by the CEO. The Mayor is authorised to approve the acceptance of an invitation and/or use of a ticket by 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).

In making a decision to approve attendance at an event or acceptance of a ticket, the CEO or Mayor (as the case may be) must consider each of following matters:

- who is providing the invitation or ticket to the event;
- the location of the event in relation to the Town's district;
- the role of the Elected Member or CEO when attending the event (participant, observer, presenter, etc) and the value of their contribution;
- whether the event is sponsored by the Town;
- the benefit to the Town and the community by attendance; and
- the cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.

### *2.3 Costs associated with attendance at events*

The Town may meet the costs of reasonable travel and accommodation costs for an Elected Member to attend an event in accordance with the *Elected Members Travel and Training Policy (4/010)*.

### *2.4 Disclosure*

Elected Members and the CEO must disclose gifts in line with the Act and the Town's *Code of Conduct*, which will be recorded within 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.

The CEO will maintain a register of all invitations and tickets accepted and events attended in accordance with this policy.

### *2.5 Exemptions*

This policy does not apply to any training, seminar, conference or professional development activity undertaken, or event attended in accordance with the *Elected Members Travel and Training Policy (4/010)* or any Town sponsored training, seminar, conference or professional activity or event.



Definitions

- Event*** a concert, conference, function, sporting event, or an occasion of a kind prescribed in the regulation (s5.90A(1) of the *Local Government Act 1995*).
- Function*** an official ceremony or a formal social event, such as a party or a special meal, at which a large number of people are usually present.
- Ticket*** includes an admission to an event, or an invitation to attend an event, or a complimentary registration to an event.

## ATTACHMENT 1

For the purposes of the Town’s Attendance at Events Policy (1/029), pre-approved events for attendance by Elected Members and the Chief Executive are events organised by:

- Western Australian Local Government Association, including WALGA Zone;
- Australian Institute of Management (AIMWA);
- Australian Institute of Company Directors;
- Pilbara Kimberley Joint Forum;
- State Government Agencies;
- Western Australian Parliament, State Government and oversight agencies (CCC, PSC, Ombudsman, Information Commissioner);
- Town of Port Hedland
- Neighbouring local governments;
- Pilbara Regional Council;
- Educational institutions;
- Chambers of Commerce; and
- Not-for-profit organisations, registered by the National Charities and Not-for-Profits Commission

Relevant legislation	Local Government Act 1995 – Sections 5.90A, 5.62(1B)(a)
Delegated authority	Yes
Business unit	Governance
Directorate	Corporate Services

Governance to complete this section			
Version Control	Version No.	Resolution No.	Adoption date
	V01	CM202021/103	16 December 2020
Review frequency	2 Yearly		

## 2. FINANCE

### 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.

#### Content

Rates are calculated on property values determined independently by the Valuer-General.

Council determines the amount of revenue required from rate collection each year to meet its financial, operational and statutory responsibilities for the coming financial year.

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 \$20.00 result in the year in which the new valuation takes effect. Where additional levies of less than \$20.00 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. Rate concessions will not be proposed to Council outside of the budget process, unless due to extraordinary circumstances and authorised by the Chief Executive Officer.

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 and 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 requirement 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.

To qualify for recognition as charitable organisation, an organisation must meet general guidelines for recognition as identified by the Department of Local Government, Sport and Cultural Industries and/or the West Australian Local Government Association.

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 are to be given 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 that have a rate exemption clause contained within them do not promote fairness and equity amongst all ratepayers within the Town's boundaries. They reduce the capacity of the Town to raise revenue to achieve a balanced budget, maintain service delivery and ensure long term financial sustainability.

State Government Policy is determined by strategic outcomes that are subject to change based on the priorities of the Government of the day. As State Agreements are dependent on this policy, rates revenue relating to State Agreements is considered a high risk to rely on from a long term financial perspective.

As State Agreements are complex and are more likely to be challenged, a percentage of the rate revenue raised in any one year that is directly dependent on State Government Policy, excluding mining tenements, must 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.

Definitions

Nil.

RELEVANT LEGISLATION	<i>LOCAL GOVERNMENT ACT 1995</i> <i>LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) ACT 1996</i> <i>VALUATION OF LAND ACT 1978</i>
DELEGATED AUTHORITY	
BUSINESS UNIT	FINANCIAL SERVICES
DIRECTORATE	CORPORATE SERVICES

<i>GOVERNANCE TO COMPLETE THIS SECTION</i>			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	-	26 APRIL 2006
	V02	CM201819/120	13 FEBRUARY 2019
	V03	CM202021/112	3 FEBRUARY 2021
REVIEW FREQUENCY	ANNUALLY		

2/005 DEBT MANAGEMENT

**Policy Objective**

The object of the Debt Management Policy is to provide a framework for the efficient and effective collection of outstanding debts; and fulfil statutory requirements in relation to the recovery of rates, charges, fees and other debts.

The Town has a responsibility to ensure monies owed to it are recovered in a timely, effective and efficient manner to finance its operations and ensure effective cash flow management. The Town recognises that individual financial circumstances differ across the community and that, as a government organisation, it has a fiscal responsibility to meet the community's service expectations with regard to flexible options for the payment of rates and charges that it establishes.

Whilst carrying out this responsibility, the Town will:

- Treat all people fairly and consistently under this policy; and
- Treat all matters under this policy confidentially; and
- Treat people with respect and sensitivity in considering their circumstances.

**Policy Content**

*Non Rates Debtors*

*1. Application for Credit*

Sundry debtor credit accounts will not be routinely established for the following services:

- Private Works
- Facilities Hire
- Cemetery Fees

The provision of these services requires payment in advance and or upon delivery of the service, except in limited circumstances where prior approval has been obtained from The Manager Financial Services.

The minimum credit amount for all Landfill accounts shall be \$1,000 per month, otherwise EFTPOS terms will apply.

Prior to extending credit, applicants are required to complete a Credit Application Form that can be obtained from the Accounts Receivable department for processing once returned.



If the applicant is a corporation (as defined in the *Corporations Act 2001*), the Town may require from all the directors of the applicant company personal guarantees in support of an application for such credit.

Credit Application Forms will not be accepted unless all necessary information has been provided, including nomination of credit referees, and consent for the Town to use the information disclosed in the submitted forms to make such enquiries. The information may be disclosed, but not limited to:

- a credit reporting agency;
- a debt collector; or
- a legal services provider.

All Landfill customer application forms are to be supported by documentation of all vehicle registrations that are authorised to use the South Hedland Landfill Facility.

Once submitted, the forms will be reviewed and assessed by the Manager Financial Services. The review and assessment of the application may include

- An evaluation of the applicant's previous payment history with the Town; and
- The Town making enquiries as to the credit and financial status of the applicant via nominated credit referees or Credit Ratings Agencies.

The Manager Financial Services has delegation to approve or decline applications for credit. Credit will be refused where an evaluation of an application is deemed to be unsatisfactory. The Manager Financial Services has the discretion to impose an appropriate credit limit on all accounts and impose a 60 day probationary period on any new Debtor account for the purpose of establishing a trading history.

The applicant will be advised in writing of the outcome of their application, including the maximum credit limit and trading terms approved by the Town, and any applicable probation periods.

It is a condition of the granting of any Credit facility, that the Debtor is responsible for immediately advising the Town of Port Hedland of any change of account details or financial circumstances that would affect their credit worthiness.

### ***2. Standard Payment Terms***

The Town's standard payment terms for credit trading accounts is 30 days from date of invoice.

Regardless of standard credit trading terms, all facility bookings shall be paid for in accordance with the Town of Port Hedland's Terms and Conditions of Hire.

### ***3. Debt Collection Process***

The Town will undertake all efforts to collect outstanding monies. All contact and attempted contact will be recorded against the Debtor account in the debtor management system. The process of collection will be as follows:

### *Stage 1*

Outstanding debts over 30 days will have their statements marked with a reminder that the account is now overdue and stop credit will be enforced if the debt remains unpaid after 42 days from date of invoice. Accounts Receivable shall make contact with the Debtor.

### *Stage 2*

Outstanding debts over 60 days will have their statements marked with a Final Notice stamp advising payment is required within 7 days or legal action will commence. Accounts Receivable shall make contact with the Debtor.

### *Stage 3*

7 days after Stage 2 if payment has not been received or a payment arrangement entered into, a standard letter, allowing a further 10 days to settle the account or make alternative arrangements.

### *Stage 4*

The Director Corporate Services and Manager Financial Services are authorised to commence legal action to collect debts outstanding over 90 days from date of invoice.

This may include, but is not limited to the following:

- Letter of Demand
- General Procedure Claim
- Seizure and Sale of Goods

Exemptions to the aforementioned Debt Collection Process are as follows:

- 1) Rebates or recoups from tiers of government and funding bodies
- 2) Grants and subsidies
- 3) Donations

The Town may elect to utilise the services of a Debt Collection Agency, duly licenced under the *Debt Collectors Licencing Act 1964*.

## ***4. Stop Credit***

Where debtors do not make payment within the Town's nominated payment terms, or enter into an approved payment arrangement, the Manager Financial Services is authorised to impose Stop Credit on the account. The appropriate business unit shall be notified and will be responsible for ensuring no further credit is provided to the Debtor. The Debtor will receive written notification from the Town to their last known address of the Stop Credit.

## ***5. Provision for Doubtful Debts***

Where the recovery of debt is unlikely, a provision for doubtful debts shall be made in accordance with Australian Accounting Standards. A bad debts register shall be maintained and reviewed on a regular basis.

## ***6. Write Off of Bad Debts***

The Chief Executive Officer and the Director Corporate Services have the authority to write-off bad debts up to the value stipulated on the current delegation register.

All write-offs above this threshold will be reported to Council on a quarterly basis and will include:

- Name of Debtor\*
- Amount to be written off
- Description of invoice
- Reason for write-off

For a debt to be written off one of the following conditions must be satisfied:

- The debtor cannot be located
- Uneconomical to pursue the debt
- The hardship circumstances of the debtor do not warrant the taking or continuation of recovery action
- Legal proceedings through the courts have proved, or on legal advice would prove, unsuccessful

*\*Where a debt is recommended for write-off as a result of hardship circumstances, the name of the Debtor will be reported to Council in confidence.*

## ***Rates & Service Charges***

The recovery of outstanding rates will be collected in a fair and timely manner. Rate notices are due for payment 35 days from date of issue in accordance with the *Local Government Act 1995*.

Overdue accounts, which remain outstanding past the due date, will have interest applied at the prevailing interest rate as set out in the adopted Fees & Charges.

Interest is calculated on the number of days from the due date of payment until the day the payment is received by the Town of Port Hedland. This includes overdue amounts where the ratepayer has elected the instalment option.

Alternative payment arrangement via Direct Debit is available. An administration fee is payable on alternative payment arrangements. The Administration Fee is set in the Town's adopted Fees & Charges. Interest on overdue amounts accrues at the prevailing interest rate as set out in the adopted Fees & Charges.

### ***1. Accounts 35 days in arrears after the initial invoice***

Where payment is not received within thirty five (35) days of the rate notice issue date, a Final Notice is issued seven days after the due date requesting full payment within fourteen (14) days, unless the Ratepayer has agreed to enter into a special repayment arrangement or is able to catch-up to the instalment option as per the Rate Notice.

Final Notices are not to be issued to Pensioners or seniors registered to receive a rates rebate with the Town of Port Hedland. Under the *Rates and Charges (Rebates and*

*Deferments) Act 1992* Eligible Pensioners and seniors have until 30 June of the financial year in which the Rates were levied to make payment, without incurring any late payment penalties.

### *2. Accounts 60 days or more in arrears after the initial invoice*

Where amounts remain outstanding for sixty (60) days or more after the due date for payment listed on the original Rate Notice, the Rates Department will make their best effort to contact the Ratepayer using available methods before commencing further debt recovery action.

Following a risk management approach as determined by the value and nature of the debt, further debt recovery action may include referral to a debt collection agency, including a General Procedure Claim and Court Proceedings.

The debt collection agency may proceed on behalf of Council to recover the outstanding rate or service charges as well as the recovery costs, by way of summons issued in a court of competent jurisdiction if the Notice of Intent to issue a Court Summons remains outstanding.

Should the rates and charges remain outstanding after issue of summons within limitations of the court system, the debt collection agency may proceed to enter into judgement and then to recover the debt by the issue of a warrant of execution through local court.

### *3. Payment Arrangements*

All payment arrangements must be received in writing stating the amount proposed to pay, the frequency and the method of payment. All payment plans are subject to approval with interest continuing to calculate daily on the outstanding balance until the outstanding balance is cleared.

Payment plans will require that all outstanding rates will be recovered by the Town of Port Hedland by 30 June of the year in which the agreement is entered into.

At the discretion of the Chief Executive Officer, a payment arrangement term may be extended beyond the 30 June, but not exceed 2 successive financial years.

### *4. Seizure of Rent for Non Payment of Rates*

Where the property owner of a leased or rented property on which Rates and Service Charges are outstanding cannot be located or refuses to settle Rates and Service Charges owed, a Notice may be served on the lessee or tenant under the provisions of Section 6.60 of the *Local Government Act 1995* requiring the lessee or tenant to pay to the Town the rent due that they would otherwise pay under the lease/tenancy agreement as it becomes due, until the amount in arrears has been paid.

### *5. Options to recover rates debt where rates are in arrears for in excess of three (3) years*

### i) Lodging a Caveat on the Title for Land

Where Rates and Service Charges owed to the Town in respect of any rateable land remain unpaid for at least three (3) years, a caveat may be registered on the title for the land, under the provisions of Section 6.64 (3) of the *Local Government Act 1995*.

### ii) Sale of Land

Where Rates and Service Charges owed to the Town in respect of any rateable land have been unpaid for at least three (3) years, the Town may take possession of the land under the provisions of Section 6.64 of the *Local Government Act 1995*.

The approval of Council is required to be obtained before this course of action is undertaken.

#### *Notice of Discontinuance (Rates and Debtors)*

If rates or general debts remain unpaid after they become due and payable, the Town through debt collection proceedings may issue a General Procedure Claim in accordance with the Local Government Act 1995.

If subsequently rates or general debts are paid in full the ratepayer or debtor at their request will be issued with a letter confirming that overdue amounts relating to this claim have now been paid.

Once the claim is paid in full, the ratepayer may complete a Notice of Discontinuance Request Form, which is available to download on the Town's website with the credit card details to cover the required \$44.00 (incl GST). If more than one claim is to be discontinued, a \$44.00 (incl GST) fee will be payable for each Notice of Discontinuance requested, provided each related claim has been paid in full.

Once the Notice of Discontinuance has been lodged at the Magistrates Court, the court will update the status of the claim to "Discontinued". This means that the Summons will still appear on your credit file, however it will indicate the debt has been paid and the claim discontinued. The Summons will automatically drop off the credit file after 5 years from the date of lodgement.

In the event that a claim is issued in error, upon notification of the error, the Town will promptly issue a Notice of Discontinuance.

#### *Financial Hardship*

Financial Hardship may apply to individuals who are experiencing circumstances that have caused disruption and stress to the typical financial operations of their household.

The Town recognises its responsibility in responding to the needs of residents experiencing severe financial hardship by ensuring that they are treated with respect, dignity, fairness, equity and confidentiality.

This Policy enables a person (liable for rates and other charges) experiencing financial hardship to make application to Council for assistance relating to any unpaid rates or charges levied on a property under the *Local Government Act 1995*. The Town may provide relief to those experiencing financial hardship by offering a repayment arrangement and will determine the financial contribution an applicant may contribute to the reduction of the debt.

The level of relief applicants may receive will be based on the evidence of genuine hardship as a result of trauma/tragedy, level of income, reliance on social security, illness/disability, business failure or other factors considered relevant by the Chief Executive Officer.

If the Chief Executive Officer is satisfied that the contribution will exacerbate the level of hardship, then consideration may be given to writing off all or part of the late payment interest. In the case of severe financial hardship, as determined by the Chief Executive Officer, the Town will not impose additional charges and interest.

As a general principle, Hardship assistance should only be granted to individuals experiencing hardship, with regard to the rates on their primary residence. Applications for hardship assistance for residential investment, commercial or industrial properties may be considered under exceptional circumstances.

Applications for Financial Hardship Assistance must be made on the Financial Hardship Rate Relief Application form and submitted to the Town.

Authority is delegated to the Chief Executive Officer to determine alternative payment options based on individual circumstances.

Definitions

Nil.

RELEVANT LEGISLATION	<p><i>Local Government Act 1995</i>                  Part 6, Division 4, Clause 6.13 – Interest on money owing to local 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 - Actions to be taken</p> <p><i>Rates and Charges (Rebates and Deferments) Act 1992</i>  <i>Debt Collectors Licencing Act 1964</i></p>
DELEGATED AUTHORITY	CHIEF EXECUTIVE OFFICER

BUSINESS UNIT	FINANCIAL SERVICES
DIRECTORATE	CORPORATE SERVICES

<i>GOVERNANCE TO COMPLETE THIS SECTION</i>			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	-	26 APRIL 2006
	V02	201415/120	26 NOVEMBER 2014
	V03	CM201718/124	24 JANUARY 2018
	V04	CM202021/112	3 FEBRUARY 2021
REVIEW FREQUENCY	ANNUALLY		

2/007 Purchasing Policy

1. 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.

### 4. Purchasing Requirements

#### *4.1 Contracts Register*

The Town's central 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 realisable 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 be excluded.

Value (Ex. GST)	Procurement Method (Minimum requirement)	Evaluation (Minimum requirement)	Approval
Less than \$5,000	One verbal quote	One internal evaluator	Refer to Financial Delegation 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 via Vendor Panel)	Two evaluators (Process administered by Procurement)	
\$250,000 but less than \$1,000,000	a) Public Tender <b>OR</b>	Three evaluators (Process administered by Procurement)	CEO
\$1,000,000 or higher	b) If exemptions <sup>1</sup> apply three written quotes (Formal RFQ process via Vendor Panel)	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 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;

- 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 delegation 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 established in strict accordance with Regulation 24AC.

### **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 Regional Price Preference Policy 2/016 further enables this opportunity.

### **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.

A minor variation is to be approved in accordance with the Town's Delegation Register.  
Post Contract Variations

#### *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.

## 2. 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) Regulations 1996 Local Government (Functions and General Regulations) 1996 State Records Act 2000 Corruption, Crime and Misconduct Act 2003. Public Sector Management Act 1994 Policy 2/016 ‘Regional Price Preference’ Policy 2/020 ‘Corporate Credit Card’ Records Keeping Plan
Delegated authority	Delegation Register with non-statutory powers
Business unit	Governance
Directorate (choose one)	Corporate Services

Governance to complete this section			
Version Control	Version No.	Resolution No.	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
Review frequency	3 Yearly		

**Document Control Statement** – *The electronic reference copy of this Policy is maintained by the Governance Team. Any printed copy may not be up to date and you are advised to check the electronic copy at <http://www.porthedland.wa.gov.au/documents/public-documents/policies> to ensure that you have the current version. Alternatively, you may contact the Governance Team.*

### 2/010 COUNCIL INVESTMENTS

#### 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; and ensures that Council's liquidity requirements are being satisfied.

#### Policy Statement

- The principal objective is to guide 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 funds available for investment includes reserves, other restricted funds and general revenue funds surplus to liquidity requirements;
- Factors that guide investment decisions:
  - o The use of Rating Agency credit ratings (Security);
  - o The maintenance of adequate levels of diversification (Security);
  - o The ability to have ready access to funds for day-to-day requirements (Liquidity); and
  - o Compliance with appropriate legislative requirements (Compliance).

#### Legislative Requirements

All investments are to comply with the following:

- *Local Government Act 1995* - Section 6.14;
- *The Trustees Act 1962* - Part III Investments;
- *Banking Act 1959* – Part I;
- *Local Government (Financial Management) Regulations 1996* – Regulations 8, 19, 19C, 28 and 49; and
- Australian Accounting Standards.

#### Strategic Context

This policy links to the Council's Strategic Community Plan Outcome 4.b.2.1 to ensure the Town's finances are managed efficiently and effectively in line with legislated requirements.

#### Delegation of Authority

Authority for implementation of the Investment Policy is delegated by Council to the Chief Executive Officer in accordance with the *Local Government Act 1995*.

The Chief Executive Officer may sub-delegate the implementation of the Investment Policy to other Town officers, in writing and keep a register of these appointments.



### Prudent Person Standard

All investments will be managed with the care, diligence and skill that a prudent person would exercise. As trustees of public monies, officers are to safeguard the portfolio in accordance with the spirit of this Investment Policy, and not for speculative purposes.

### Ethics and Conflicts of Interest

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. The Department of Local Government and Communities Guidelines No.1 'Disclosure of Interests Affecting Impartiality' and No. 21 'Disclosure of Financial Interests in Returns' provide guidance for recognising and disclosing any conflicts of interest.

Any independent advisors are required to disclose any actual or perceived conflicts of interest.

### Investment Guidelines

Authorised Investments shall be limited to Australian currency denominated institutions permitted by the appropriate legislation:

- Deposits with Authorised Deposit Taking Institutions (ADIs) as defined in section 5 of the *Banking Act 1959 (Commonwealth)* and based on an appropriate Rating Agency classification of S&P's BBB and higher or equivalent Moody's rating (subject to overall limits) and the Western Australian Treasury Corporation (WATC).
- Bonds that are guaranteed by the Commonwealth Government or a State or Territory.
- 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 Ratings	Short Term Credit Ratings	Individual Institution Direct Investment Maximum %	Portfolio Direct Investment Maximum %
AAA to AA-	A-1+	50%	100%
A+ to A-	A1	40%	60%
BBB+ to BBB-	A-2	20%	30%

If any of the investments within the portfolio are subject to a credit rating downgrade, or maturing investments are redeemed, such that counterparty portfolio percentages are no longer compliant with the Investment Policy, the relevant investments will be divested as soon as practicable.

Legislation restricts the investment portfolio term to maturity for deposits to the following terms:

Investment Type	Term to Maturity
ADI Deposits	≤ 12 months
State/Commonwealth Government Bonds	≤ 3 years

### Prohibited Investments

This investment policy prohibits any investments carried out for speculative purposes including:

- 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.

### 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 Investment 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, including that they are not receiving any commissions or other benefits in relation to the investments being recommended or reviewed.

### 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.

### Definitions

Nil

Relevant legislation	<i>Local Government Act 1995</i> <i>Local Government (Financial Management) Regulations 1996</i> <i>The Trustees Act 1962</i> <i>Banking Act 1959</i>
Delegated authority	Yes
Business unit	Financial Services
Directorate	Corporate Services

<i>Governance to complete this section</i>			
Version Control	Version No.	Resolution No.	Adoption date
	V01	200708/160	23 April 2008
	V02	200809/396	24 June 2009
	V03	201112/008	13 July 2011
	V04	201314/338	28 May 2014
	V05	201516/012	29 July 2015
	V06	CM202021/040	23 September 2020
Review frequency	Annually		

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2/016 REGIONAL PRICE PREFERENCE

1. 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.

2. Content

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 2 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.

3. 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:



### Level 1 – Suppliers located within the Town’s municipal boundary

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.

## 4. Reporting

The Town will demonstrate the benefits obtained through the application of the Regional Price Preference in the annual report each year.

## 5. 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 and policies	<i>Local Government Act 1995</i> <i>Local Government (Functions and General) Regulations 1996</i> 2/007 Purchasing Policy
Delegated authority	Nil
Business unit	Governance
Directorate	Corporate Services

Governance to complete this section			
Version Control	Version No.	Resolution No.	Adoption date
	V01	201314/067	28 August 2013
	V02	CM201617/013	July 2016
	V03	CM201718/140	February 2018
	V04	CM201920/143	5 February 2020
Review frequency	As Required		

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2/017 GRANT FUNDING

### Policy Objective

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

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

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

### Policy Content

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

#### ***Grant Applications:***

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

#### ***Acceptance of Grants:***

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

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

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

If a grant application is successful and there is no existing budget for either the income or proposed expenditure; Council will need to approve the budget amendment, which it may do so after considering a report on the proposal either separately or if appropriate as part of a general budget review. Any Funding Agreement that requires an unbudgeted own source contribution of more than





\$50,000 needs to be presented to Council for endorsement and approval of the budget variation. If a signed funding agreement is in place, for grants less than \$50,000 expenditure is allowable on the provision of a budget adjustment in the next presented quarterly budget review.



*Competing Grant Applications*

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

*Auspicing On Behalf Of Community Organisations*

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

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

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

*Grant Application Cover Sheet*

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

*Workflow Diagram*

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

**Definitions**

Nil

Council adoption date and resolution no.	27 May 2015 OCM (201415/254)
Date of adoption of amendment and resolution number	
Relevant legislation	
Delegated authority	



Business unit	Finance
Directorate	Corporate Services
Review frequency	As required

**Grant Funding Cover Sheet**

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

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

Grant Name: \_\_\_\_\_

Funding Body: \_\_\_\_\_

Project: \_\_\_\_\_

Grant Amount (\$): \_\_\_\_\_

Expected Delivery Date: \_\_\_\_\_

Responsible officer: \_\_\_\_\_

Town contribution (\$): \_\_\_\_\_

Has this been budgeted for? \_\_\_\_\_

Please provide the account numbers: \_\_\_\_\_  
(Income & Expenditure)

***Grant Application***

Finance Approval: \_\_\_\_\_

Name

Signature

Date:

***Grant Acquittal***

***Grant Not Pursued***

***Grant Unexpended***

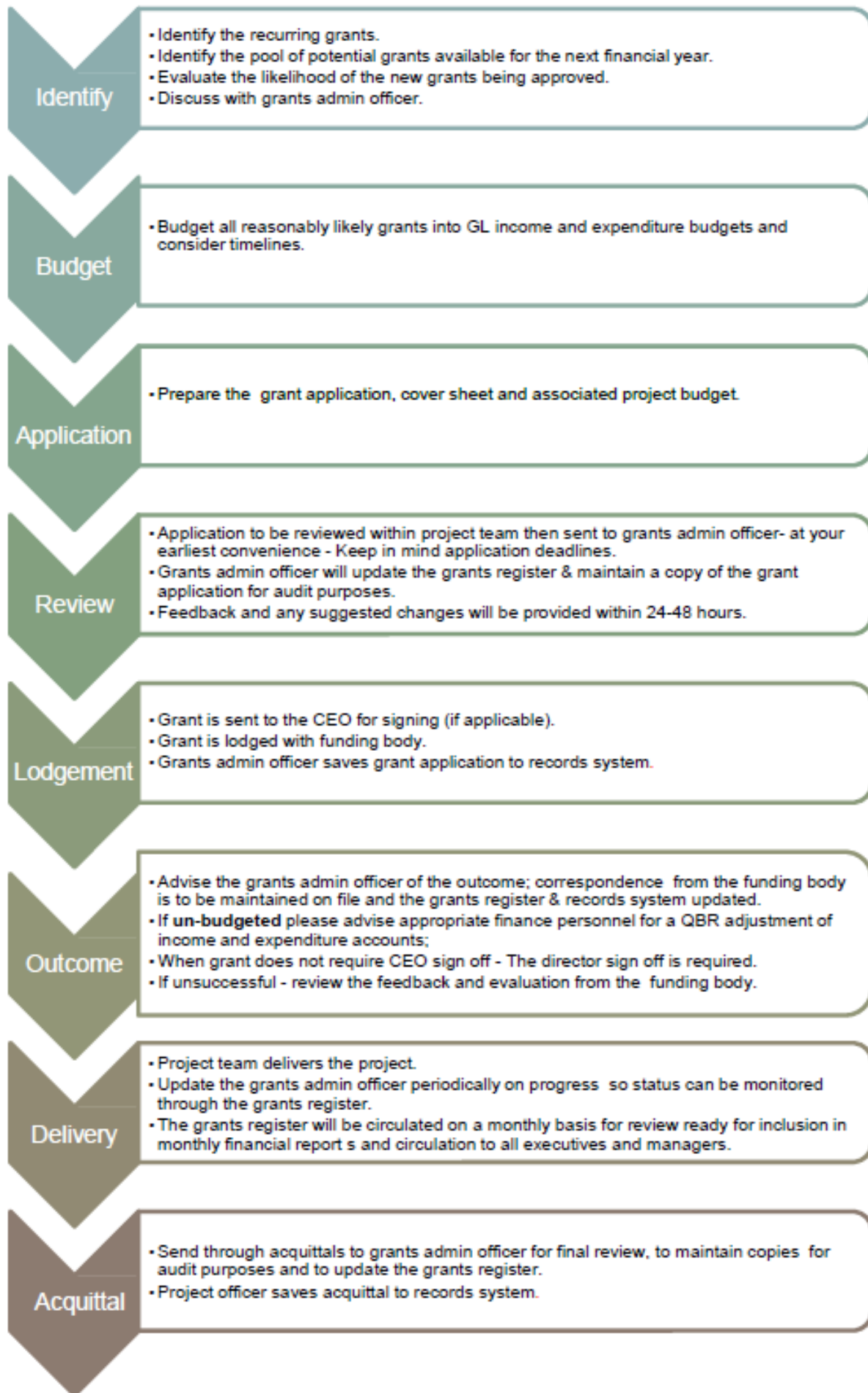
Finance Approval: \_\_\_\_\_



Name

Signature

Date:



**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.

**Legislative requirements**

- Australian Accounting Standards
- *Local Government Act 1995*
- *Local Government Financial Management Regulations 1996*

**Delegation of Authority**

Authority for implementation of the Borrowings Policy is delegated by Council to the Chief Executive Officer in accordance with the *Local Government Act 1995*. The Chief Executive Officer may sub-delegate the implementation of the Borrowings Policy to other Town Officers.

**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 20 years to maintain inter-generational equity so as not to over burden the present ratepayers with the majority of the debt. Any loans less than \$1 million will have a term of no longer than 5 years, with loans greater than \$1 million but equal to or less than \$5 million having a term of no longer than 10 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 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%.

### Definitions

Nil.

Relevant legislation	Local Government Act 1995 Part 6 Division 5 Subdivision 3 – Borrowings s. 6.20 – 6.24.
Delegated authority	
Business unit	Financial Services
Directorate	Corporate Services

Governance to complete this section			
Version Control	Version No.	Resolution No.	Adoption date
	V01	CM201516/194	23 March 2016
	V02	CM202021/102	16 December 2020
Review frequency	Annually		



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.



Authorised Reserves of the Town of Port Hedland

Reserve name	Purpose	Calculation Funding/Basis	Target Balance
Employee Leave	To ensure that adequate funds are available to finance employee leave entitlements such as annual leave, long service leave, sick leave and redundancies.	Transfers to and from the Reserve will be based upon projected end of year non-current liabilities relating to employee leave entitlements.	100% of non-current employee leave liabilities as reported in Town of Port Hedland's Annual Financial Statements (Provisions Note).
Spoilbank	To fund the Port Hedland Spoilbank development.	Transfer to and from the Reserve are based on the contributions to and the expenditure associated with the Spoilbank development.	The Reserve will be depleted as the Spoilbank development is completed.
Asset Management – Infrastructure	To fund the ongoing maintenance, refurbishment, renewal, replacement and development of Council owned infrastructure assets within the Town of Port Hedland.	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	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 year.



		<p>decisions that have this direction are specific lease proceeds (CM201415/032) and proceeds from the sale of Kingsford Smith Business Parks lots (as per adopted budget).</p> <p>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).</p>	
Waste Management	To fund the development, operation, maintenance and capital expenditure for the Council's waste management facilities including the landfill and waste collection operations."	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.	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	To fund the plant replacement program.	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	No more than the annual depreciation of the Town's major and minor plant.



		<p>replacement funding requirements.</p> <p>Transfers from the Reserve will replenish the municipal fund for purchases as per the approved Plant Replacement Program.</p> <p>Funds from the sale of plant and equipment are to be transferred to the reserve for use on replacement plant.</p>	
Unfinished Works and Committed Works	To transfer unspent municipal funded expenditure on specific projects to enable identification of carryover expenditure into the next financial year.	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.	N/A
Strategic	To fund strategic projects as included in the Town's Strategic Community Plan and Corporate Business Plan.	Transfers to the reserve are dependent upon the level of rate revenue generated, contributions received, savings identified, additional income achieved.	The reserve balance will diminish as projects are completed.



		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.	
Airport	To fund the future Port Hedland International Airport Capital Works commitments.	Transfer to or from the reserve will represent any surplus or deficit generated from the Port Hedland International Airport Capital Works Program being completed.	The reserve balance will diminish as capital works are completed, with any remaining balance to be transferred to the Asset Management Reserve.
Housing Reserve	To fund the maintenance, refurbishment, redevelopment and construction of Local Government provided housing.	Transfers to the reserve will be the sale proceeds from residential town properties.	A minimum, if not more than the annual depreciation of the Town's buildings – non-specialised.
Cyclone Response	To fund cyclone and emergency related projects.	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.	The Reserve will be depleted and not replenished.



<p>Financial risk reserve</p>	<p>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.</p>	<p>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 within 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.</p>	<p>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.</p>
<p>Landfill Establishment Reserve</p>	<p>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.</p>	<p>The required surplus generated from the Council’s waste management facilities in line with the long term financial model.</p>	<p>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.</p>



Definitions

Nil.

Relevant legislation	Local Government Act 1995 Part 6 Division 4 s. 6.11 Reserve Accounts
Delegated authority	
Business unit	Financial Services
Directorate	Corporate Services

Governance to complete this section			
Version Control	Version No.	Resolution No.	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
Review frequency	Annually		





2/020 CORPORATE CREDIT CARD

Objective

Corporate Credit Cards deliver significant benefits to the Town of Port Hedland through improved administrative practices and more effective cash management. Efficiency of operational activities is increased by reducing the cost, paperwork and time associated with purchasing goods and services.

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

1. Provide a distinct framework to enable the use of Corporate Credit Cards;
2. Provide Corporate Credit Card holders precise and concise guidelines outlining its use; and
3. Minimise or eliminate the risk of fraud and misuse of the Corporate Credit 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.

Guidelines for Credit Card Usage

- The card must be used for Council business expenditure only, within the limit assigned for the use of that card and within the approved budget;
- The card must not be used for personal use or personal transaction;
- The card cannot be used for the withdrawal of cash through any facility, whether it is a Bank, ATM or EFTPOS facility;
- The card must not be used by officers other than the cardholder unless the cardholder has given prior written approval for each and every specific transaction;
- Under no circumstances is the cards pin to be disclosed to another person and no other person other than the cardholder may utilise the card for pay pass or transactions that require use of the pin;
- The card must only be used for fuel purchases in instances where a Fuel Card facility is unavailable;

- The cardholder must retain all tax invoices and/or receipts and maintain any other records of their transactions to facilitate reconciliation and costing of transactions for that card;
- The cardholder must practice due diligence and strict care to 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 card must be returned to the Manager Financial Services (or his/ her delegate), prior to periods of extended leave (any periods in excess of four weeks). The card must also be returned 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;
- Cards must not be used to purchase travel insurance and cardholders must not obtain personal rewards such as frequent flyer points or Woolworths rewards;
- The card shall not be used for payment of fines, for example a parking fine or a speeding offence which was incurred whilst on Town business;
- No “tips” shall be paid using a Corporate Credit Card; and
- The card shall not be used for purchases on trading websites (for example eBay, Gumtree etc).

### Delegations

Each card holder is issued a credit card based on the delegated authority applied to the role they are engaged in. The delegated authority can be viewed within section 22.6 of the Towns delegation register and stipulates the cardholders limit per month and transaction limit.

### Responsibilities

#### *Cardholders*

The individual cardholder is responsible for:

- The safe keeping of the card and the prompt reporting to their respective Manager and the Manager Financial Services (or his/ her delegate), if the card is mislaid or stolen;
- Ensuring that the card is only used within approved limits attributed to that particular purchase card and within approved budget;
- Returning the card to the Manager Financial Services (or his/ her delegate), during periods of leave (periods in excess of four weeks), upon transfer to a position not requiring a credit card or upon termination of employment with the Town of Port Hedland;
- Registering all tax invoices, dockets and other supporting documentation in Synergy under their respective folder and maintain these documents in accordance to the Council procedures;
- Completing the Credit Card reconciliation process to facilitate prompt costing and authorisation of credit card transactions with an accurate description of goods and services purchased;

- Reporting any disputed transactions to their Manager and the Manager Financial Services (or their authorised officer) to allow for prompt resolution of any errors or misuse; and
- Completion of the “Corporate Credit Card Acknowledgement and Conditions of Use” declaration form on the issuing of the card and/or amendments of conditions or the policy.

### *Managers, Directors and CEO*

Managers, Directors and CEO are responsible for:

- The initial approval of applications for Credit Cards by employees within their area of responsibility;
- Ensuring that each employee is made aware of and understands their individual responsibility associated with holding a Credit Card;
- Ensuring that all issues pertaining to disputed transactions are brought to the attention of the Manager Financial Services (or his/ her delegate);
- Ensuring that on at least a monthly basis a credit card reconciliation statement for each credit card is signed by the cardholder and countersigned by the officer's supervisor which, in the case of the CEO, is the Mayor or Acting Mayor; and
- Ensuring that on at least a monthly basis a copy of the credit card statement from the issuing bank, with the credit card number blanked out, is presented to Council to accompany the accounts due and paid.

### *Finance Department*

The Manager Financial Services (or his/ her delegate) is responsible for

- Ensuring that the credit card register with National Australia Bank is maintained and accurate at all times;
- Safe custody of cards surrounded by employees during extended periods of leave; and
- Coordination of annual “Corporate Credit Card Acknowledgement and Conditions of Use” declarations.

### Termination of Use

Once it has been established that the cardholder no longer requires a card, relevant steps as listed in the Corporate Credit Card IOP shall be followed. Payroll shall not release any termination payments until appropriate clearances in respect of a cardholder's card have been obtained from the Manager Financial Services (or their authorised officer).

### Unauthorised Use

Unauthorised use means any instance of non-compliance with this policy, whether by the cardholder or another person and can involve:

- Unauthorised or inappropriate transactions made on a card; or

- Any other non-compliance with any direction or rules for card use, including use that, from the public perspective, has the potential to cause reputational risk to Council.

Unauthorised use will be subject to disciplinary action including the requirement for reimbursement of the expense by the employee.

#### Definitions

**“Council Business 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.

**“Corporate Credit Cards”** - will be a credit card identified by the words “Town of Port Hedland”. The card will be personalised and issued to the user to provide a clear audit trail. The name of the card-holder is on the card.

**“Cardholder”** - is any officer of the Town of Port Hedland receiving authorisation to have a Corporate Credit Card issued in his or her name.

**“Personal Use/ Personal transaction”** - any purchase intended for the personal 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.

Relevant legislation	
Delegated authority	
Business unit	Financial Services
Directorate	Corporate Services

Governance to complete this section			
Version Control	Version No.	Resolution No.	Adoption date
	V01	CM201617/046	31 August 2016
	V02	CM202021/102	16 December 2020
Review frequency	Annually		

**2/022      PANELS OF PRE-QUALIFIED SUPPLIERS****1. 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.

**2. 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 Delegation Register.

## 3. 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 management procedures, and any occurrence of the CEO exercising his/her 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*.

## 4. Record Keeping

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.

## Definitions

Nil.



Relevant legislation	<i>Local Government Act 1995 Local Government (Functions and General) Regulations 1996 State Records Act 2000</i>
Delegated authority	The Town's Delegation Register is to outline any requirements of this policy.
Business unit	Governance (Procurement)
Directorate	Corporate Services

<i>Governance to complete this section</i>			
Version Control	Version No.	Resolution No.	Adoption date
	V01	CM201718/140	28 February 2018
	V02	CM201920/055	25 September 2019
Review frequency	Bi-Annually		



### 3. STAFF

#### 3/003 SUBSIDIES AND ALLOWANCES

##### Objective

The objective of this policy is to ensure that due regard is provided to the Town's employees for cost of living considerations associated with living in a remote regional area of Western Australia.

##### Content

Employees of the Town of Port Hedland are to be paid a Port Hedland Allowance, which is detailed in the current Enterprise Agreement (EBA) as registered with the Australian Industrial Relations Commission.

The Chief Executive Officer is granted further authority to increase the allowance within budgetary limitations, by way of an over award/EBA payment to prospective employees during contract negotiations.

##### Definitions

Nil.

RELEVANT LEGISLATION	-
DELEGATED AUTHORITY	-
BUSINESS UNIT	HUMAN RESOURCES
DIRECTORATE	CORPORATE AND PERFORMANCE

GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	-	-
	V02	CM201920/027	28 AUGUST 2019
REVIEW FREQUENCY	3 YEARLY		

**Document Control Statement** – The electronic reference copy of this Policy is maintained by the Governance Team. Any printed copy may not be up to date and you are advised to check the electronic copy at <http://www.porthedland.wa.gov.au/documents/public-documents/policies> to ensure that you have the current version. Alternatively, you may contact the Governance Team.



3/007 Senior Employees and Appointing Acting Chief Executive Officer

Objective

The objective of this policy is to:

- (a) identify 'Senior Employees' positions within the Town of Port Hedland pursuant to section 5.37 of the *Local Government Act 1995*;
- (b) to provide for the appointment of one of the Town's senior employees to perform the role of Acting Chief Executive Officer during limited absences of the Chief Executive Officer; and
- (c) in the absence of any appointment of an Acting Chief Executive Officer or the absence of both the Chief Executive Officer and the appointed Acting Chief Executive Officer, the Director Corporate Services is deemed to be the Acting Chief Executive Officer.

Content

For the purposes of section 5.37 of the Act the Council shall designate the following employees to be 'Senior Employees':

- Director Corporate Services
- Director Community Services
- Director Infrastructure Services
- Director Regulatory Services

In accordance with the requirements of the *Local Government Act 1995*, section 5.36(2)(a), the Council has determined that the persons appointed as the permanent incumbent to the position of a Senior Employee are suitably qualified to perform the role of Acting Chief Executive Officer.

The Town's Senior Employees will be appointed to perform the role of Acting Chief Executive Officer during limited absences of the Chief Executive Officer due to annual leave, extended sick leave or other type of leave up to a maximum of three (3) months.

Appointment to the role of Acting Chief Executive Officer shall be made in writing prior to the period of appointment for a defined period that does not exceed three months. A Council resolution is required for periods exceeding three months.

Any one of the Senior Employees may be appointed to the role of Acting Chief Executive Officer at the discretion of the Chief Executive Officer, subject to:

- Nature and type of decisions having regard to the operational requirements of the role of the Chief Executive Officer during the period of absence; and
- Performance and availability of the Senior Employee.

In the event that (a) no Senior Employee has been appointed or (b) both the Chief Executive Officer and the appointed Acting Chief Executive Officer is unavailable during

a period of acting, the role of Acting Chief Executive Officer shall, by default, be performed by the role of the Director Corporate Services.

#### Definitions

Nil

RELEVANT LEGISLATION	LOCAL GOVERNMENT ACT 1995
DELEGATED AUTHORITY	
BUSINESS UNIT	GOVERNANCE
DIRECTORATE	CORPORATE SERVICES

GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	01	-	24 NOVEMBER 2004
	02	201415/143	17 DECEMBER 2014
	03	201516/012	29 JULY 2015
	04	CM201617/176	30 MARCH 2017
	05	CM201920/058	25 SEPTEMBER 2019
	06	CM201920/105	27 NOVEMBER 2019
	07	CM202021/042	23 SEPTEMBER 2020
REVIEW FREQUENCY	3 YEARLY		

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**3/024 VOLUNTEERING POLICY FOR TOWN OF PORT HEDLAND  
EMPLOYEES****Policy Objective**

The objective of this policy is to support and recognise the valuable work performed by Town of Port Hedland (Town) employees who volunteer their time and skills throughout the community.

This policy covers the following categories of volunteering: -

- Emergency Services Volunteers
- Community Service Volunteers
- Corporate Volunteering

The Town encourages participation by Town employees to volunteer in one or more of the above categories. Volunteering opportunities must be either through a registered charity, local not-for-profit organisation or with an organisation at the discretion and approval of the CEO.

All requests from Town employees must be assessed and approved prior to any release from standard duties and may be subject to operational requirements.

This policy applies to all Town employees, with Casuals only eligible for Emergency Services Volunteer leave. Contractors and labour hire temporary staff engaged at the Town are not eligible.

**Emergency Services Volunteers**

The Town of Port Hedland values and acknowledges the importance of the service provided to the community by volunteer organisations such as Volunteer Fire and Rescue Services (VFRS), Volunteer Marine Rescue Service (VMRS) the Hedland Bush Fire Brigade (HBFB), State Emergency Service (SES) and St. John Ambulance Western Australia. Integral to the success of these organisations is that there are adequate volunteer numbers to call upon during an emergency.

To support Town employees enrolled as Emergency Services Volunteers with the above listed agencies, the Town will provide in the event of a recognised emergency incident occurring within the district and during working hours:

Release from standard duties where possible and at the discretion of the relevant Director or CEO for an employee who is registered as an Emergency Services Volunteer and is requested to attend a Recognised Emergency Incident.

- A payment up to the equivalent of ordinary time wages for up to five (5) hours of emergency volunteer service in a recognised emergency incident that is performed during normal work hours in any fortnight pay period, with a maximum potential payment to the value of fifty (50) hours per calendar year.

- Casual employees are eligible to apply to Emergency Services Volunteer leave, however this is unpaid leave.
- Overtime will not be considered for volunteer work performed out of normal hours.
- Time taken for volunteer attendance at a recognised emergency incident is unpaid leave and the support payment of up to five (5) hours of ordinary time wages will only be paid when supported by documented evidence proving attendance at a recognised emergency incident. Should reasonable evidence of attendance at a recognised emergency incident not be supplied within seventy-two (72) hours of the absence, the hours spent away from the employees standard duties will be treated as leave without pay in accordance with the Town of Port Hedland Enterprise Agreement 2019 and the National Employment Standards (NES).
- Attendance at extended incidents/emergencies is subject to the approval of the Director or CEO.

### **Community Services Volunteering**

The Town is also committed to supporting the community beyond emergency services response; and will provide employees with up to a maximum of two (2) days (15.2 hours) of paid community services volunteering leave each calendar year, to participate in voluntary work with a registered charity, local not-for-profit organisation or with an organisation at the discretion and approval of the CEO.

The Town recognises that Community Services Volunteering makes a positive contribution in the community and supports such opportunities under the following criteria: -

- Release from standard duties where operationally possible and is at the discretion of the relevant Director or CEO. Approval to be released from standard duties must be sought and approved prior to any absence from the workplace. The employee must consider reasonable notice when requesting release from standard duties (i.e. an average of at least 2 weeks' notice should be provided where possible).
- Casual employees, contractors and labour hire engaged at Town are not eligible to apply for this leave.
- A payment up to the equivalent of ordinary time wages for up to a maximum of two (2) days (15.2 hours) of paid Community Services Volunteering Leave is available, per calendar year and cannot be carried over or accumulated year after year.
- Overtime will not be considered or paid for volunteer work performed.

- Time taken for volunteer attendance is processed as unpaid leave; and will only be paid as ordinary time wages upon receipt of supporting documentary evidence to establish proof of attendance at approved Community Service Volunteer organisation. Should reasonable evidence of attendance not be supplied within seventy-two (72) hours of the absence from work, the hours spent away from the employees standard duties will be treated as leave without pay in accordance with the Town of Port Hedland Enterprise Agreement 2019 and the National Employment Standards (NES).

### **Corporate Volunteering**

In addition to individual employees volunteering, there may be instances where teams of employees (up to and including the entire Town) will be encouraged to volunteer during standard work hours. Such instances may only be supported where operationally possible.

These instances may arise at the request of a Manager, Director or the CEO and are at the discretion and approval of the CEO.

The selection of a volunteer opportunity for Corporate Volunteering will be based on: -

- The needs of the local community
- The alignment of the local organisation to the Town's values of; Unity, Quality, and Integrity
- The alignment of the local organisation with the Town's Strategic and Corporate Plans

Corporate Volunteering will be for a maximum of one (1) day (7.6 hours) per calendar year and cannot be carried over or accumulated year after year.

### **Definitions**

Recognised Emergency Services

- DFES Volunteer Fire and Rescue Service (VFRS)
- Volunteer Marine Rescue Service (VMRS)
- Hedland Bush Fire Brigade (HBFB)
- State Emergency Service (SES)
- St John Ambulance Western Australia

Recognised Emergency Incident

An incident requiring an emergency response from a Recognised Emergency Service within the geographical boundaries of the Town of Port Hedland governance jurisdiction; and

Training events, exercises, meetings etc. will not be recognised.

Community Services Volunteering

- Volunteering opportunities available with a registered charity, local not-for-profit organisation or with an organisation at the discretion and approval of the CEO.

- Individual request/s from an employee to participate in volunteering during standard work hours.

#### Corporate Volunteering

- Volunteering opportunities available with a registered charity, local not-for-profit organisation or with an organisation at the discretion and approval of the CEO.
- Request for a team of employees to participate in volunteer during standard work hours. This request may be initiated by the Manager of the area, or at the discretion of the CEO; and may include up to the entire Town.

RELEVANT LEGISLATION	FAIR WORK ACT 2009 TOWN OF PORT HEDLAND ENTERPRISE AGREEMENT 2019
DELEGATED AUTHORITY	NOT APPLICABLE
BUSINESS UNIT	HUMAN RESOURCES ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY
DIRECTORATE	OFFICE OF THE CEO REGULATORY SERVICES

GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
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	V02	OCM202122/040	25 AUGUST 2021
REVIEW FREQUENCY	2 YEARLY		

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## 4. MEMBERS/COUNCILLORS

### 4/006 ELECTIONS – CARETAKER PERIOD

#### Objective

The objective of this policy is to ensure the Town's activities and those of Elected Members are undertaken in a manner that maintains a high standard of integrity during local government election periods.

The primary objective of this Policy is to ensure the Council of the Town of Port Hedland makes no major decisions, prior to election, that would bind an incoming Council, prevents the use of public resources in ways that are seen as advantageous to, or promote sitting Elected Members seeking re-election, or any other candidates, and that the Town of Port Hedland administration acts impartially in relation to all candidates seeking election.

This Policy applies during a 'Caretaker Period' (see below for definition) to cover:

- a. Decisions made by the Council;
- b. Materials authorised by the Council for publication by the Town;
- c. Attendance and participation in functions and events;
- d. Use of the Town's resources;
- e. Access to Council information.

#### Part 1 - Introduction

##### *1.1 Application*

This Caretaker Policy applies to Elected Members, candidates, employees and volunteers of, and contractors to the Town of Port Hedland.

##### *1.2 Scheduling Consideration of Major Policy Decisions*

So far as is reasonably practicable, the Chief Executive Officer should avoid scheduling major policy decisions for consideration during a Caretaker Period, and instead ensure that such decisions are recommended either:

- a. prior to the commencement of the Caretaker Period; or
- b. scheduled for determination by the incoming Council.

Where extraordinary circumstances prevail, the Chief Executive Officer may submit a major policy decision to the Council in accordance with Part 3 of this policy.



### ***1.3 Decision Made Prior to a Caretaker Period***

This Policy only applies to actual decisions made during a Caretaker Period, not the announcement of decisions made prior to the Caretaker Period. Whilst the announcement of earlier decisions may be made during a Caretaker Period, as far as practicable any such announcements should be made before the Caretaker Period begins.

All documentation prepared for Council meetings must be authorised by the Chief Executive Officer to ensure no agenda item is included that is likely in the opinion of the Chief Executive Officer to influence voters' intentions at the forthcoming election or which would likely be used by a candidate for Mayor and/or Councillor for the purpose of canvassing votes.

Elected Members commit to refraining from moving motions or raising matters at a meeting that could potentially be considered an electoral matter.

## **Part 2 – Implementation of Caretaker Practices**

### ***2.1 Role of the Chief Executive Officer in Implementing Caretaker Practices***

The role of the Chief Executive Officer is to implement the caretaker practices outlined in this policy and ensure as far as possible, that all Elected Members and Town employees are aware of the Caretaker Policy and practices 30 days prior to the start of the Caretaker Period.

## **Part 3 – Extraordinary Circumstances Requiring Exemption**

### ***3.1 Extraordinary Circumstances***

The Chief Executive Officer may, where extraordinary circumstances prevail, permit a matter defined as a 'major policy decision' to be submitted to the Council. The Chief Executive Officer is to have regard to a number of circumstances, including but not limited to:

- a. Whether the decision is significant;
- b. The urgency of the issue (that is - can it wait until after the election);
- c. The possibility of legal and/or financial implications of a deferred decision;
- d. Whether the decision is likely to be controversial;
- e. The best interests of the Town of Port Hedland; and
- f. The Public Interest.

### ***3.2 Appointment or Removal of the Chief Executive Officer***

A Chief Executive Officer may not be appointed or dismissed during a Caretaker Period unless in the case of an emergency, the Council may appoint an Acting Chief Executive Officer, or suspend the current Chief Executive Officer (in accordance with the terms of their contract), pending the election, after which date a permanent decision can be made.

#### **Part 4 - Caretaker Statement**

To ensure the Council complies with the commitment to appropriate decision making during the Caretaker Period, a Caretaker Statement will be included in every report submitted to the Council for a decision recommended to be taken throughout the duration of the Caretake Period. The Caretaker Statement will specify one of the following:

- a. "The recommended decision is not a 'Major Policy Decision' within the context of Council Policy 4/006 'Elections - Caretaker Policy'."
- b. "The recommended decision is a 'Major Policy Decision' within the context of Council Policy 4/006 'Elections – Caretaker Policy', however an exemption is recommended because of the following extraordinary circumstance(s), which must be followed by the details of the applicable extraordinary circumstance(s)".

#### **Part 5 – Town Of Port Hedland Publications**

### ***5.1 Prohibition on Publishing Local Government Electoral Material***

The Town shall not print, publish or distribute, or cause, permit or authorise others to print, publish or distribute on behalf of the Town by any means any publication, including but not limited to advertisement, handbill, pamphlet, notice, digital communication or voice message that contains 'electoral material' during the Caretaker Period.

### ***5.2 Electoral Material Relevant to Prohibition***

Without limiting the generality of the definition of 'electoral material', material will be considered to be intended or likely to affect voting in the election if it contains an express or implicit reference to, or comment on:

- a. The election; or
- b. A candidate in the election; or
- c. An issue submitted to, or otherwise before, the voters in connection with the election.

### ***5.3 Candidate and/or Elected Member Publications***

Candidates and/or Elected Members are permitted to publish campaign material on their own behalf but cannot claim for that material to be originating from or authorised by the Town. For example, use of the Town of Port Hedland crest or logo is prohibited from use of any of the Town's photographs or images.

### ***5.4 Election Announcements***

This policy does not prevent publications by the Town which merely announce the holding of the election or relate only to the conduct of the election.

### ***5.5 Town of Port Hedland Publications***

Any reference to Elected Members or any other candidates for the relevant election in the Town's publications printed, published or distributed during the Caretaker Period must not include promotional text. All Town publications that are subject to this policy must be approved by the Chief Executive Officer to ensure that any circulated, displayed or otherwise publicly available material during the Caretaker Period does not contain material that may be construed as 'electoral material'.

### ***5.6 Town of Port Hedland Website***

During the Caretaker Period the Town's website will not contain any material which is precluded by this policy. All references to the election must relate only to the conduct of the election. Information relating to those Elected Members standing as candidates in the relevant election will be restricted to names, contact details, titles, membership of Council committees and other bodies to which they have been appointed to by the Council. Information about candidates, including Elected Members seeking re-election, on the Town's website will be restricted to their candidate profiles only.

**Part 6 - Public Consultation during the Caretaker Period*****6.1 Prohibition***

It is prohibited under this policy for public consultation to be undertaken during the Caretaker Period (either new consultation or existing) on an issue which is contentious, unless the consultation is a mandatory statutory process or such extraordinary circumstances exist, and for which prior approval is provided by the Chief Executive Officer.

**Part 7 - Attendance and Participation at Events / Functions / Meetings*****7.1 Public Events Hosted by External Bodies***

Elected Members may continue to attend events and functions hosted by external bodies during the Caretaker Period.

***7.2 Town of Port Hedland Organised Civic Events/Functions***

Civic events and functions organised by the Town and held during the Caretaker Period will be limited to only those essential to the operation of the Town or for which there is an over-riding public interest to convene. Such events and functions must not in any way be associated with any issues considered topical and relevant to the election. All declared candidates are to be invited to civic events and functions organised by the Town during the Caretaker Period, however, only sitting Elected Members will be formally acknowledged at such events and functions.

***7.3 Addresses by Elected Members***

Elected Members who are also candidates in the relevant election, will not be authorised and should not otherwise make speeches at or address events and/or functions organised or sponsored by the Town during the Caretaker Period.

***7.4 Delegates to Community and Advisory Groups***

Elected Members appointed to community groups, advisory groups and other external organisations as representatives of the Council shall not use their attendance at meetings of such groups to either recruit volunteers or otherwise seek assistance with election campaigning or to promote their personal or other candidates' election campaigns.

***7.5 Questions and Statements at Council or Committee Meetings***

All candidates, including Elected Members seeking re-election at the relevant election, must declare they are a candidate for the upcoming election prior to asking questions or making a statement at Council or Committee Meetings.

## Part 8 - The Use of Town Of Port Hedland Resources

The *Town of Port Hedland Code of Conduct* provides that the Town's resources are only to be utilised for authorised activities. It should be noted that the prohibition on the use of the Town's resources for electoral purposes is not restricted to the Caretaker Period. The Town's staff must not be asked to undertake any tasks connected directly or indirectly with an election campaign and should avoid assisting Elected Members in ways that may create a perception that they are being used for election purposes. In any circumstances where the use of Town resources may be construed as being related to a candidate's election campaign, advice is to be sought from the Chief Executive Officer.

Photographs, videos or images taken by, or provided by the Town are not to be used by candidates for the purposes for electioneering or in support of their election campaign. This applies equally to images on the Town's website that may be able to be copied and subject to copyright.

General correspondence addressed to Elected Members will be answered as usual. However, Elected Members will only sign necessary minimum correspondence during the Caretaker Period. Correspondence in respect to significant, sensitive or matters likely to be contentious that would otherwise be signed off by an Elected Member on behalf of the Town it to be forwarded to the Chief Executive Officer for consideration and signing.

## Part 9 - Access to Council Information and Assistance

### ***9.1 Elected Members Access to Information***

During a Caretaker Period, Elected Members are able to access Council information relevant to the performance of their functions as an Elected Member in the usual course. However, the provision of such access to information is to be exercised with caution and limited to matters the Council is considering formally and subject to the approval of the Chief Executive Officer. Such information so accessed must not be used for election purposes. Nothing in this Policy limit the entitlement of access to information available to Elected Members, candidates, any other person or organisation under the *Freedom of Information Act 1992*.

### ***9.2 Electoral Information and Assistance***

All candidates will have equal access to public information and information relevant to the conduct of the election from the Town administration.

All advice provided to candidates as part of the conduct of the local government election will be provided equally to all candidates. The extent of assistance the Town will make available will be authorised by the Chief Executive Officer (or the Returning Officer), documented and communicated to candidates in advance of the commencement of the Caretaker Period.

Candidates may obtain advice or assistance from the Western Australian Electoral Commission (WAEC) as it is responsible for the overall conduct of the Town of Port Hedland council elections.

### ***9.3 Information Request Register***

An Information Request Register will be maintained by the Chief Executive Officer during the Caretaker Period. This Register will be published on the Town's website, and record requests for information made by Elected Members and candidates, and the response provided to those requests, during the Caretaker Period. Town officers will be required to provide details of requests to the Chief Executive Officer for inclusion in the Register.

### ***9.4 Media Advice***

Any requests for media advice or assistance from Elected Members during the Caretaker Period will be referred to the Chief Executive Officer. No media advice will be provided in relation to election issues nor in regard to publicity that involves specific Elected Members. If satisfied that advice sought by an Elected Member during the Caretaker Period does not relate to the election or publicity involving any specific Elected Member(s), the Chief Executive Officer may authorise the provision of a response to such a request.

### ***9.5 Publicity Campaigns***

During the Caretaker Period, publicity campaigns are to be limited to those related to the conduct of the election, for the purpose of promoting the day-to-day activities of the Town and for emergency and urgent community need, subject to the approval of the Chief Executive Officer.

## Definitions

**'Candidate'** means an enrolled elector standing for election for the office of Mayor and/or Councillor of the Council of the Town of Port Hedland.

**'Caretaker Period'** means the period of time when the caretaker practices are in place prior to the election. The caretaker practices will apply from the close of nominations, being 37 days prior to the Election Day in accordance with Section 4.49(a) of the *Local Government Act 1995*, until 6pm on Election Day.

**'Elected Member'** means a serving Mayor, Deputy Mayor or Councillor elected at the preceding election or special election.

**'Election Day'** means the day fixed under the *Local Government Act 1995* for the holding of any poll needed for an election.

**'Electoral Material'** means but is not limited to any digital communications, advertisement, handbill, pamphlet, notice, letter or article that is intended or calculated to affect the result in an election but does not include:

- (a) An advertisement in a newspaper announcing the holding of a meeting in accordance with Section 4.87(3) of the *Local Government Act 1995*.
- (c) Any materials produced by the Town relating to the conduct of the election by way of information, education or publicity, or materials produced by or on behalf of the Returning Officer for the purposes of conducting an election.

**'Events and Functions'** means a concert, conference, function, sporting event, or an occasion of a kind prescribed in the regulation (s5.90A(1) of the *Local Government Act 1995*); or an official ceremony or a formal social event, such as a party or a special meal, at which a large number of people are usually present.

**'Local Government Election'** means all ordinary and extraordinary Mayoral and Councillor elections.

**'Major Policy Decision'** means any:

- (a) Decisions relating to the employment, termination or remuneration of the Chief Executive Officer or any other designated senior officer, other than a decision to appoint an Acting or Deputy Chief Executive Officer, or suspend the current Chief Executive Officer (in accordance with the terms of their contract), pending the election.
- (b) Decisions relating to the Town entering into a sponsorship arrangement with a total Town contribution value exceeding \$10,000 (excluding GST).
- (c) Irrevocable decisions that commit the Town to substantial expenditure or significant actions, such as that which might be brought about through a Notice of Motion by an Elected Member.
- (d) Irrevocable decisions that will have a significant impact on the Town of Port Hedland or the community.

- (e) Reports requested or initiated by an Elected Member, candidate or member of the public that, in the Chief Executive Officer's opinion, may be perceived within the general community as an election issue that reflects upon the Council's decision-making process, and has the potential to call into question whether decisions are soundly based and in the best interests of the community.

*'Public Consultation'* means a process which involves an invitation to individuals, groups or organisations or the community generally to comment on an issue, proposed action or proposed policy.

*'Relevant Election'* means the election to which the Caretaker Period applies.

RELEVANT LEGISLATION	LOCAL GOVERNMENT ACT 1995 PART 4 LOCAL GOVERNMENT (ELECTIONS) REGULATIONS 1996
DELEGATED AUTHORITY	-
BUSINESS UNIT	GOVERNANCE
DIRECTORATE	CORPORATE SERVICES

GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	-	28 AUG 2013
	V02	CM201617/203	24 MAY 2017
	V03	CM202021/169	3 JUNE 2021
REVIEW FREQUENCY	PRIOR TO ANY ELECTION		

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4/008 ELECTED MEMBER ALLOWANCES, FACILITIES AND EXPENSES

**1. Objective**

Elected Members perform a range of tasks and civic duties in their role as elected representatives of the community. In accordance with the *Local Government Act 1995* (“the Act”), this policy sets out the fees and allowances payable, and permitted expenses that may be reimbursed to Elected Members.

**2. Content**

**2.1. Fees and Allowances**

The following fees and allowances will be adopted following the release of determinations of the Salaries and Allowances Tribunal (SAT) made pursuant to s7B of the *Salaries and Allowances Act 1975* (“the SAT determination”).

***2.1.1 Meeting Attendance Fees***

[*Local Government Act 1995* ss5.98-5.99]

Pursuant to s5.99 of the Act, an annual fee for Elected Members will be paid monthly in lieu of fees for attending meetings.

The Annual Attendance Fee payable to an Elected Member who holds the office of Mayor is set at 100% of the yearly maximum SAT determination.

The Annual Attendance Fee payable to an Elected Member other than the Mayor is set at 100% of the yearly maximum SAT determination.

***2.1.2 Mayoral Allowance***

[*Local Government Act 1995* s5.98(5)]

The Annual Local Government Allowance payable to the Mayor is set at 100% of the yearly maximum SAT determination.

***2.1.3 Deputy Mayoral Allowance***

[*Local Government Act 1995* s5.98A]

Pursuant to s5.98A of the Act, an allowance will be paid to the Deputy Mayor. The Allowance is set at 25% of the Annual Local Government Allowance to which the Mayor is entitled under Clause 2.1.2 of this policy.

### ***2.1.4 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)]

Pursuant to s5.99A(1)(a) of the Act, an Annual Allowance for ICT expenses instead of reimbursement of any ICT expenses will be paid to Elected Members for those items defined as ICT expenses in the SAT determination.

The Annual Allowance for ICT is set at 100% of the yearly maximum SAT determination.

Elected Members are provided with electronic copies of meeting papers and supplied with a Town owned mobile device to access those meeting papers. Where printed copies are required, Elected Members are encouraged to utilise this allowance to meet the cost of printing.

### ***2.1.5 Conditions Relating to Payment of Fees and Allowances***

All Allowances and Fees shall be paid automatically unless an Elected Member has advised the Chief Executive Officer (CEO) in writing that they do not wish to claim any or part of those.

Any individual taxation liability arising from these payments remains wholly the individual responsibility of each Elected Member.

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

All fees and allowances of Elected Members are recorded in the Town's Annual Report.

## **2.2. Reimbursements**

Expenses incurred by Elected Members will be approved in accordance with regulations 32(1)(c) and 32 of the *Local Government (Administration) Regulations 1996*. Reimbursements will be made only 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. Such meetings and activities include, but are 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.

### ***2.2.1 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 or Committee meeting of which they are also a member.

### ***2.2.2 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.

### ***2.2.3 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.

## **2.3 Travel**

When it is necessary for an Elected Member to travel on official business or performs 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 the departure of the travelling Elected Member (s). Costs incurred by travelling Elected Member(s) for reasonable meal and incidental expenses may be reimbursed. All travel related expenses are subject to the approved budget allocation.

Travel is restricted to 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 – the use of personally accrued frequent flyer points for upgrades by a carrier is permitted.

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

### ***2.3.1 Vehicle use on Official Business***

Where Elected Members are representing the Town at meetings outside the Town's district they are required to utilise a Town vehicle and its 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 cents per km basis in accordance with the *Public Service Award 1992*.

Where a Town vehicle is available and they choose to use their own vehicle, then costs will be reimbursed on actual fuel costs supported by appropriate tax invoices.

Where Elected Members require the use of a taxi whilst they are 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.

### ***2.3.2 Travel outside of Western Australia***

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

- a report outlining the benefit to the Town of the travel, its estimated cost and the need for travel is provided to the Council; and
- the travel is authorised by 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, the cost and purpose of the travel is to be recorded in the Annual Report.

### *2.3.3 General conditions of travel*

#### *2.3.3.1 Bookings*

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 same rate published in the SAT Determination and *Public Service Award 1992*. The CEO may approve costs over this amount in the circumstances of 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, Elected Members may seek reimbursement 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.

#### *2.3.4 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 changes taking place.

Any other change or cancellation resulting from the Town's operations will be communicated to Elected Members and paid for by the Town.

### ***2.3.5 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. This includes frequent flyer programs and accommodation loyalty schemes. In accordance with the *Local Government (Rules of Conduct) Regulations 2007* 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.

### ***2.3.6 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.

### ***2.3.7 Reporting of Elected Member Travelling Expenses***

Travel expenses of Elected Members are recorded in the Town's Annual Report.

## ***2.4 Cash Advance***

[*Local Government Act 1995* s5.102]

The Town of Port Hedland will not pay fees, allowances or reimbursements in cash in advance.

## ***2.5. Provision of facilities and other items for Elected Members***

### ***2.5.1 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); and
- professional membership fees up to a value of \$500 per annum to be approved by the CEO and Mayor; and

Reasonable administrative support is available upon request and subject to approval by the CEO.

### ***2.5.2 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, with the gift comprising a:

- name plaque;
- certificate of service; and
- gift up to the combined value of no more than \$100 per year of service up 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.

### ***2.5.3 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 Chief Executive Officer.

## **2.6 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 being unable to reach an agreement, the matter will be reported to Council for resolution.

## **2.7 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 use, facility use and other non-financial support authorised by this policy is provided to Elected Members on the absolute understanding that it will 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*

RELEVANT LEGISLATION	LOCAL GOVERNMENT ACT 1995 LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 1996 SALARIES AND ALLOWANCES ACT 1975
RELEVANT POLICIES	TOWN OF PORT HEDLAND CODE OF CONDUCT 4.010 ELECTED MEMBER PROFESSIONAL DEVELOPMENT
RELEVANT IOPS	GIFT DISCLOSURES – ELECTED MEMBERS AND CEO
DELEGATED AUTHORITY	N/A
BUSINESS UNIT	GOVERNANCE
DIRECTORATE	CORPORATE SERVICES

GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	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	CM202021/119	24 FEBRUARY 2021
REVIEW FREQUENCY	FOLLOWING EACH ORDINARY ELECTION		

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**4/009      SIGNIFICANT DECISION MAKING****Policy Objective**

The Town of Port Hedland's Council has duties and commitments to the community of Port Hedland when making decisions that substantially affect the lives or future of Port Hedland. The purpose of this policy is to strongly articulate Council's intent to support public involvement in significant decision-making, which will ensure good decision-making.

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

**Policy Content**

This Policy identifies how and when Port Hedland's community can expect to be engaged in, or specifically consulted on prior to a decision of a significant nature being made at a Council meeting. This will be done through a process of engagement with the community.

***Significant Decision Making***

Council 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 Council, in terms of its likely impact on, and likely consequences for:

- a) 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 Council 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 Council will need to:

1. Consider the long term implications of the decisions.
2. Consider the impact on the Strategic Community Plan and the Corporate Business Plan.
3. Consider the consistency of the decision with adopted strategies and plans.
4. Consider engagement and consultation with the community on their view.

Factors to be considered include:

- a) The number of individuals, organisations, groups and sectors within the community that are affected.

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

Determining the significance of a matter is an exercise of judgment. Council must assess how a proposal, decision, issue or matter may affect people, services, facilities and infrastructure in Port Hedland.

### *Engagement*

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

Engagement provides an opportunity for the public to debate and discuss their views on a decision or proposal being considered by the Council that is deemed a significant issue. The community views expressed through an engagement process will be considered and taken into account, along with other information, when decisions are 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 the Council makes a significant decision, the Town's administration will consult the public. In practice, this means that 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*

When undertaking a process to determine which issue, proposal, decision or other matter is significant, Council will recognise the following thresholds. If any of these thresholds are triggered the matter will be significant.

1. If the cost of a proposal or decision is estimated at 5% or more of the total rates of the Council as shown in the Corporate Business Plan or Strategic Community Plan for the financial year.
2. If the proposal or decision will incur unbudgeted capital expenditure exceeding 5% of the total value of Council's assets, or where spent on a strategic asset as a whole, exceed 5% of that assets value.
3. Entry into partnership with the private sector to carry out a significant activity.

Where any issue, proposal, decision or other matter does not trigger one or more of the above thresholds, significance shall be considered against the criteria contained 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 Council to carry out any activity identified in the strategic plan.
3. A decision that will significantly affect the cost to Council 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 Port Hedland.
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.
7. The matter will have implications for the present and future social, economic, environmental and cultural well-being of Port Hedland

### *Exceptions*

The Council acknowledges there are times when it is not necessary, appropriate or possible to engage the community on a proposal or decision. The Council 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 Council 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 the Council's strategies, policies or plans, which have recently been consulted on.
- f) The opinion of the Council, failure to make a decision urgently would result in unreasonable or significant damage to property, or risk to people's health and safety.
- g) Any physical alterations to strategic assets that are required to:
  - prevent an immediate hazardous situation arising
  - repair an asset to ensure public health and safety due to damage from an emergency or unforeseen situation.

Whenever the Council 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 the 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**

Nil

Council adoption date and resolution no.	23 August 2017 (CM201718/024)
Date of adoption of amendment and resolution number	
Relevant legislation	N/A
Delegated authority	N/A
Business unit	Governance and Policy
Directorate	Corporate and Performance
Review frequency	Annually





4/010 ELECTED MEMBER PROFESSIONAL DEVELOPMENT

1. 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 Members. This policy satisfies 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

2. Policy Statement

2.1 Professional Development

*2.1.1 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.

*2.1.2 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.

*2.1.3 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.

*2.1.4 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.

### ***2.1.5 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.

### ***2.1.5 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.



## 2.2. 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	<a href="#">LOCAL GOVERNMENT ACT 1995</a> <a href="#">LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 1996</a>
DELEGATED AUTHORITY	N/A
BUSINESS UNIT	GOVERNANCE
DIRECTORATE	CORPORATE SERVICES

GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	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
REVIEW FREQUENCY	FOLLOWING EACH ORDINARY ELECTION		

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## 6. RECREATION

### 6/003 Community Grants Program

#### Objective

This policy aims to ensure Council allocates financial support to the community in the most effective manner. 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:

- An equitable, transparent and consistent process to distribute funding;
- All applications received which fall within the policy and its associated guidelines are equally considered for support;
- The Town supports the community to deliver essential events, programs, projects and services that meet the objectives of the current Strategic Community Plan and identified community needs; and
- Acknowledge the contribution of community groups and volunteers in the community and the Council's vision for the future.

#### Content

#### *Community Funding Program*

This program is divided into four streams to encourage activities, projects and programs which support the whole community.

	Grant name	Purpose	Maximum value	Funding rounds
Annual	Community Development Grant	Supports not-for-profit organisations to design, implement and complete projects that respond to local issues in Port Hedland.	\$10,000	Annual
	Community Collaboration Grant	Supports groups working together on community-focused projects.	\$10,000	Annual
Arts and Culture	Community Arts and Culture Grant	Encourage participation in the arts and activation of public spaces with cultural and creative initiatives.	\$3,000	Quarterly
	Artist Development Grant	Support artists in their professional and creative development (fine arts, music and performance).	\$2,000	Ongoing



	Grant name	Purpose	Maximum value	Funding rounds
Sport and Recreation	Community Sport Grant	Support projects, programs and activities that contribute to the health and wellbeing of the community.	\$3,000	Ongoing
	Athlete Development Grant	Provide assistance to athletes, coaches and officials in achieving their potential and excelling in their chosen sport.	\$2,000	Ongoing
Community Activation	Special Events Grant	Support organisations in delivering events to benefit the whole community	\$2,000	Quarterly
	Seed Funding	Supports new or struggling not-for-profit organisations in Port Hedland to establish or re-establish themselves.	\$1,000	Biannual
	Business and Tourism Innovation Grant	Supports projects, events or activities that advance and encourage increased visitation, participation and contribute to the presentation or marketing of Port Hedland as a place to stay.	\$2,000	Biannual
	Public Space Activation	Supports individuals, groups and businesses to develop projects in their local community to activate public spaces through strengthening connections between people and places they share.	\$1,000	Ongoing
	Youth Leadership and Development Grant	Supports young people to increase their leadership, participation and skill development.	\$2,000	Ongoing
	Friendly Neighbourhood Program	Supports individuals and groups to host initiatives that help connect the local community.	\$250	Ongoing

Definitions

***“Not-for-profit”*** An organisation which uses monetary surplus solely for the purposes of its objectives and not to financially benefit its members in any way.

***“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 Council.

***“Support”*** Cash and in-kind contributions

***“In-kind contributions”*** The provision of equipment and services available through the Town of Port Hedland. Funding will be calculated in accordance with the Town’s adopted schedule of fees and charges.

RELEVANT LEGISLATION	<a href="#">LOCAL GOVERNMENT ACT 1995</a> <a href="#">LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996</a>
DELEGATED AUTHORITY	YES
BUSINESS UNIT	COMMUNITY DEVELOPMENT
DIRECTORATE	COMMUNITY SERVICES

GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	-	27 JANUARY 2011
	V02	-	8 MAY 2013
	V03	201415/050	24 SEPTEMBER 2014
	V04	201516/265	22 JUNE 2016
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	V06	CM202021/20	26 AUGUST 2020
REVIEW FREQUENCY	ANNUALLY		

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**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.

**Content**

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 ie. Courthouse Gallery.

RELEVANT LEGISLATION	<p><i>Liquor Control Act 1988</i>  <i>Liquor Control Regulations 1989</i>  <i>Health Act 1911</i>  <i>Health (Public Building) Regulations 1997</i>  <i>Food Act 2008</i>  <i>Food Regulations 2009</i>  Town of Port Hedland Policies:</p> <ul style="list-style-type: none"> <li>• Recreation Reserves and Facilities – Seasonal Hire</li> <li>• Recreation Reserves and Parks – Casual Hire and Events</li> </ul> <p>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</p>
DELEGATED AUTHORITY	YES
BUSINESS UNIT	SPORT AND FACILITIES
DIRECTORATE	COMMUNITY SERVICES



GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	01	-	24 NOVEMBER 2004
	02	-	27 FEBRUARY 2008
	03	201314/306	30 APRIL 2014
	04	CM202021/21	26 AUGUST 2020
REVIEW FREQUENCY	3 YEARLY		

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**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).

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**Content****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) Provision of bins equivalent to 1 bin per 20 users, for alcohol related bookings;
- 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 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 publication (<http://www.dsr.wa.gov.au/sportsdimensions>);
- 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.

##### ***"Sporting Seasons"***

- a) Summer = October to March (inclusive); and
- b) Winter = April to September (inclusive).



RELEVANT LEGISLATION	<p><i>Health Act 1911</i>  <i>Food Act 2008</i>  <i>Liquor Control Act 1988</i>  <i>Liquor Control Regulations 1989</i>  <i>Food Regulations 2009</i>  <i>Health (Public Building) Regulations 1997</i>  <i>Environmental Protection (Noise) Regulations 1997</i>  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  Consumption and Sale of Alcohol at Town of Port Hedland Owned and Managed Property.  Recreation Reserves and Parks – Casual Hire and Events.</p>
DELEGATED AUTHORITY	
BUSINESS UNIT	SPORTS AND FACILITIES
DIRECTORATE	COMMUNITY SERVICES

GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	-	9 MAY 2012
	V02	201314/306	30 APRIL 2014
	V03	CM202021/21	26 AUGUST 2020
REVIEW FREQUENCY	2 YEARS		

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**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](http://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.

## **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 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.

The Town has an insurance policy arranged through the Local Government Insurance Services (LGIS), which provides public liability insurance protection for casual hirers of Town owned and operated facilities. This policy covers hirers of venues for events such as weddings, parties and meetings.

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 Consumption or Sale of Alcohol 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	<i>Health Act 1911</i> <i>Food Act 2008</i> <i>Liquor Control Act 1988</i> <i>Health (Public Building) Regulations 1997</i> <i>Environmental Protection (Noise) Regulations 1997</i> <i>Food Regulations 2009</i> <i>Liquor Control Regulations 1989</i> Food Safety Standards Guidelines for Concerts Events and Organised Gatherings – WA Department of Health 2009 (and other relevant health related guidelines) Consumption and Sale of Alcohol at Town of Port Hedland Owned and Managed Property. Recreation Reserves and Parks – Casual Hire and Events. Marquee Park Management Plan South Hedland Town Square Management Plan
DELEGATED AUTHORITY	-
BUSINESS UNIT	SPORT AND FACILITIES
DIRECTORATE	COMMUNITY SERVICES

GOVERNANCE TO COMPLETE THIS SECTION			
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REVIEW FREQUENCY	AS REQUIRED		

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## 7. CULTURE

### 7/002 ACQUISITION AND MANAGEMENT OF ARTWORKS

#### Policy Objective

To provide a framework for the development and expansion of the Town of Port Hedland Art Collection. To implement procedures for the acquisition of artworks. To provide a framework for the management of the Art collection

#### Policy Content

##### *Acquisition Guidelines*

Most pieces in the current collection have a local theme, that is either the artists or the subject is relevant to the Port Hedland region.

The Town of Port Hedland aims to collect and to maintain pieces of excellence which:

- Have a relationship to the heritage, culture, people and environment of the Pilbara region.
- Are by local artists.
- Are of a high calibre and should accrue in value.

In acquiring a piece consideration will be given to:

- Condition of the piece.
- Cost of preserving and maintaining the piece.
- Its relationship to other pieces in the Collection

Indigenous and multicultural pieces in particular will be considered for acquisition.

##### *Method of Acquisition*

Acquisition can be made through donation, bequest, sponsorship, commission or purchase. Recommendations for purchase of pieces for the collection will be presented to the Mayor and Chief Executive Officer for approval within budget allocation. The Town of Port Hedland may refuse any items that fall outside this Collections Management Policy. Indigenous cultural/historical artefacts are only to be acquired following liaison and agreement with relevant Indigenous individuals and organisations.

### *Port Hedland Art Award*

Council will sponsor an acquisitive category in the Port Hedland Art Award – Best Work by a Local Artist.

### *Display of the Collection*

In order to generate interest in the Town of Port Hedland Collection and for the community to value its development the Collection will be periodically rotated within appropriate Council facilities including:

- South Hedland Library
- Port Hedland International Airport
- Port Hedland Courthouse Arts Centre

### *Catalogue of the Collection*

#### *Catalogue Number*

The works will be allocated a catalogue number according to three defining factors

1. the type of work
2. The year it was acquired
3. the number of works acquired in that year

#### *Key to Type of Artwork*

PR	Print (i.e. screen print, linoprint, etching, collograph)
PH	Photograph
OA	Oil or acrylic painting
WC	Watercolour Painting
M.M	Mixed Media Work
SC	Sculpture
CE	Pottery, Ceramics
IN	Installation
FB	Fibre Work (i.e. patchwork, weaving, silk painting)

#### *Attaching Catalogue Number*

The Catalogue Number should be attached to the artwork in an appropriate manner according to the type of work.

#### *Framed Works*

The Catalogue Number should be written on the back of the frame in the top right hand corner in pencil.





### *Sculpture/Pottery/Ceramics*

The Catalogue Number should be written on the bottom surface of the artwork, where this is not a visible surface, in pencil. Where the surface is too dark or not practical to be written on, a small line of white acrylic paint should be painted onto the bottom surface and the number written on that surface.

### *Fibre*

The Catalogue Number should be written on a piece of unbleached calico and sewn on the back of the artwork in a way that is not visible from the front of the work.

### *Other*

Where it is impractical to permanently attach the number onto the works a removable tag should be tied onto the work or placed inside or aside the work when it is in storage and removed when on display.

### *Photographic Record*

A photographic record of all artworks should be taken at the time of acquisition in the Town of Port Hedland collection. This record should be both electronic and a colour hardcopy. The Catalogue number should be written on the back of the photograph in pencil and filed with the Catalogue Form.

The electronic photographic copy should be filed on the computer under the Catalogue Number and should include all data regarding the artwork as per the hard copy.

### *Catalogue Form*

The Town of Port Hedland should complete the Catalogue Form on receipt of the work. Additional information related to the artists and the artwork should be attached to the Catalogue Form.

### *Register of Artwork*

The Register of Artwork outlines the works in the Town of Port Hedland Art Collection. The Register details the current location of each work and should be regularly updated to include new acquisitions and register the removal or relocation of any artwork.

### *Procedure for New Acquisitions*

1. Receive new work into the Town of Port Hedland Collection
2. Complete Catalogue Form – request CV Material from Artists if not included
3. Allocate Catalogue Number
4. Photograph Work
5. Attach Catalogue Number to Artwork and Photograph

6. File Catalogue Form/Photograph together
7. Complete register of Artwork – ensuring location of artwork is detailed
8. Display new artwork

### *Valuation of the Collection*

Council shall contract a valuer who is registered as an Approved Valuer in Western Australia to periodically value the collection.

### *Conservation of the Collection*

To prevent permanent damage to pieces they shall be properly displayed in an air-conditioned, pest free environment with adequate security.

Works requiring conservation work will be assessed on an individual basis to ensure that there is value in undertaking any conservation work. A qualified conservator will undertake conservation work.

### *Loan of the Collection*

#### *Outgoing Loans Conditions*

#### *1. Costs*

- a) All costs associated with the shipping of the Work(s) including any special mounting, the Borrower will meet framing, packing and transportation (or supervision thereof).
- b) All costs associated with the Installation and the Borrower will meet de-installation (including supervision thereof).

#### *2. Transport*

- a) All packing, transportation and installation formalities will be arranged by the Borrower through companies or organisations acceptable to the Town of Port Hedland.
- b) All glass must be taped for transportation.
- c) Perspex should not be taped for transportation.
- d) All Work/s should be wrapped in bubble wrap and transported in a covered vehicle.

#### *3. Purpose of Loan*

- a) The Borrower shall only exhibit the Work(s) for the purpose specified, at the places specified and for the duration specified in this Agreement.
- b) Works borrowed for touring exhibitions must travel to the exhibition venues as part of the touring exhibition. The Borrower shall be responsible for ensuring that staff at the receiving venues receives full instructions for the correct handling of the



Work(s) such that they will be informed about the correct handling of the Work(s) prior to being required to do so.

- c) The Borrower shall not lend the Work(s) to any other person whomsoever without prior written approval of the Town of Port Hedland.

4. *Period of Loan*

- a) Subject to these conditions, the Work(s) shall continue on loan to the Borrower until the date specified in this Agreement.
- b) The period of loan may be extended or reduced by further agreement in writing between the Town of Port Hedland and the Borrower.
- c) The Town of Port Hedland reserves the right to recall the Work(s) subject to giving three (3) days' notice to the Borrower. The Borrower must return the Work(s) to the Town of Port Hedland within fourteen (14) days of the date of notice from the Town of Port Hedland.

5. *Insurance*

The Borrower will insure the work for the amount specified, against all risks of physical loss or damage while in transit and on location for the duration of the loan.

6. *Damage to Work*

- a) The Borrower shall report any damage or loss immediately to the Town of Port Hedland. Unless it is necessary to move the Work(s) for protection from further damage, the Borrower shall wait for instructions from the Town of Port Hedland. The Borrower, if possible, should undertake photographic documentation of damage before any movement.
- b) In the event of damage occurring during transit, the Borrower shall forthwith also notify the carrier and will retain all packing materials until the Town of Port Hedland and the carrier have had an opportunity to inspect the Work(s), the materials and the damage.

7. *Protection of Work*

- a) The Borrower shall at all times ensure that the Work(s) are treated with all due care to ensure protection against loss, damage, or deterioration and should loss, damage or deterioration occur, the Borrower shall forthwith provide a detailed report to the Town of Port Hedland.
- b) The Borrower shall not permit the Work(s) to be unframed or removed from mounts or bases for any purpose whatsoever except with the prior written approval of the Town of Port Hedland.
- c) The cost of any repairs or conservation required as a result of damage or deterioration, not covered by insurance, shall be the responsibility of the Borrower.

8. *Exhibition of Work*

- a) The Work(s) shall not be displayed in an outdoor exhibition.
- b) The Borrower shall at all times during the period of the loan be responsible for ensuring that the Work is protected from direct sunlight, rain excessive humidity, excessive temperature differentials and excessive dry conditions, and from the



hazards of fire, theft, insects, dirt, foodstuffs, drink, smoking or handling by unauthorised persons or members of the public.

- c) The Borrower shall be responsible for ensuring that proper care is taken to protect all watercolours, drawings, prints, fabrics and photographs against fading, scorching and buckling caused by direct or reflected sunlight, artificial light, fluorescent light or proximity to heat sources. Appropriate light levels for these works must be achieved.

#### 9. *Condition Report*

- a) The Borrower shall make a condition report of the Work(s) upon receipt of the Work(s) from the Town of Port Hedland.
- b) The Town of Port Hedland may from time to time request the Borrower to provide it with a condition report in relation to the Work(s) and the Borrower shall comply with any such reasonable request.

#### 10. *Credit*

- a) The Borrower will acknowledge the Town of Port Hedland Art Collection in the following form "Town of Port Hedland Art Collection" on exhibition labels, in exhibition catalogues and in any publicity or permitted reproduction of the Work(s).
- b) The Borrower shall provide the Town of Port Hedland with a free copy of any exhibition catalogue or associated material and with a copy of any publicity or media material in reference to the Work(s).

#### 11. *Copyright and Reproduction*

The Borrower shall not permit the Work(s) to be photographed (except for the Borrower's record purposes or for condition reports for the Town of Port Hedland or reproduced without the prior written approval of the Town of Port Hedland).

#### 12. *Return of Work to the Town of Port Hedland*

The Borrower shall return the Work(s) to the Town of Port Hedland Art Collection within fourteen (14) days of the conclusion of the exhibition and within the period of the loan.

### Definitions

The term "collection" as used in this Collections Acquisition and management Policy is understood to mean the acquisition of pieces. Local Artist is defined as a person born in the Pilbara region, or a person living in the Port Hedland region. Pieces is defined as Art Works including prints, photographs, oils or acrylic paintings, watercolour paintings, mixed media work, sculpture, pottery, ceramics, installation and fibre works

*(Adopted at the 24 November 2004 Council Meeting)*



Town of  
PORT HEDLAND



***ART PURCHASE RECOMMENDATION***

ARTIST .....

LOCAL ARTIST YES.....NO.....

TITLE OF WORK.....

MEDIUM.....

PRICE.....

THE WORK IS FRAMED.....UNFRAMED.....

REQUIRES FRAMING.....

THE WORK IS AVAILABLE TO BE VIEWED AT.....

ADDRESS.....

PHONE NUMBER.....FAX.....

OPENING HOURS.....

DATES WORK IS ON VIEW.....

THE WORK IS WITHIN THE PURCHASING GUIDELINES?

YES.....NO.....

THE PURCHASE FALLS WITHIN THE COUNCILS BUDGET?

YES.....NO.....

If 'NO', on what grounds is a purchase recommendation being made?

.....  
.....

RATING OF VALUE OF THE WORK FOR THE COLLECTION

| | | | |





Critical/vital

Promising/relevant  
work work



OUTLINE OF REASONS FOR RECOMMENDATION OF ART WORK PURCHASE

.....  
.....  
.....  
.....

COST: PURCHASE PRICE.....

DELIVERY/PACKING.....

CONSERVATION.....

FRAMING.....

TOTAL .....

APPROVED: Chief Executive Officer:

SIGNATURE

DATE:

APPROVED: Mayor:

SIGNATURE

DATE:

## 8. COMMUNITY SERVICES

### 8/003 ACCESS AND INCLUSION

#### Policy Objective

To provide context for the Town of Port Hedland's commitment to supporting a welcoming, accessible and inclusive community.

#### Policy Content

Access and inclusion focuses on providing the same opportunity to people with or without disability, to enter or use community services, premises and facilities, and be able to participate and be included in the community.

The common elements of addressing access and inclusion are the removal or reduction of barriers to participation in the activities and functions of a community, by ensuring that information, services and facilities are accessible to people with disability.

The Town's vision is to become a nationally significant friendly city that people are proud to call home. The Town is committed to providing equitable access to services, facilities, buildings and information in a way that facilitates increased independence, opportunities and inclusion within the community for all community members.

The Town will achieve this by maintaining and actioning its Disability Access and Inclusion Plan. This includes taking all practicable measures to ensure that the plan is implemented by its officers, employees, agents or contractors (Section 29B in the *Western Australian Disability Services Act 1993*).

#### Definitions

Definitions for the purpose of this policy are as defined in the *Western Australian Disability Services Act 1993*.

COUNCIL ADOPTION DATE AND RESOLUTION NO.	24 NOVEMBER 2004
DATE OF ADOPTION OF AMENDMENT AND RESOLUTION NUMBER	23 MARCH 2016 (201516/195)
RELEVANT LEGISLATION AND DOCUMENTATION	DISABILITY SERVICES ACT TOWN OF PORT HEDLAND DISABILITY ACCESS AND INCLUSION PLAN
DELEGATED AUTHORITY	N/A
BUSINESS UNIT	COMMUNITY DEVELOPMENT



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DIRECTORATE	COMMUNITY AND DEVELOPMENT SERVICES
REVIEW FREQUENCY	FIVE YEARLY

**8/004 COMMUNITY LEASING****Policy Objective**

The Town of Port Hedland is committed to meeting the current and emerging need of the Community seeking the long term use of Council owned or controlled properties and land.

The objectives of this policy is to:

- Establish a framework of reference to ensure there is an equitable and consistent approach in providing lease/ licensing arrangements for community and sporting groups.
- Establish lease and licence fees and access granted to Council property is in accordance with community needs and expectations.
- Ensure organisations value, protect and preserve the community assets for the ongoing benefit of the community.
- Ensure fair and consistent leasing and licensing conditions are provided to organisations.

This policy does not apply to the occasional use or hiring of the Town of Port Hedland's facilities or sporting grounds.

***Types of Tenure***

The Town will use two types of agreements under this Policy, being a Lease or a License. These will be assigned based on the community need and the facility accessibility requirements by the general public.

***Leases – Exclusive Use of Building/s or Facilities***

Where the exclusive use of a building or facility supports the Council's Plan and/or Master Plans and addresses the priority needs of the community as determined through a Council plan or strategy.

A lease provides the lessee with exclusive use of a defined areas for a specified purpose and term. Leased areas will generally be defined by building footprints, but will include access ramps, stair cases and gardens which bound the buildings/s

Lease areas will also include dedicated non-turf activity space (eg Tennis/netball courts/BMX tracks) where those areas are to be exclusively used by the organisations'.

The Town will transition to standard lease terms as leases are renewed.

In all cases, Council reserves the right to determine how a lease and the appropriate lease area is characterized but will take into considerations the future development plans of the Town and the Lessee.

### *License– Shared Use*

Where the shared use of a building or facility supports the Council's Plan and/or Master Plans and addresses the priority needs of the community as determined through a Council plan or strategy.

A license provides the occupant with nonexclusive use of a defined license area for a specified purpose and term. License or permit areas will generally be defined by building footprints and surrounds where the Town determines that exclusive use is not required, or where a facility or space within a facility is shared between two or more organisations.

## **Policy Content**

### *Terms of Lease*

Lease terms will be in accordance with the Management Order held over the Reserve and no more than 21 years.

All leases will have a common expiry date of 30 June in each year.

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.

Commercial leases will be negotiated on a case by case basis in line with the nature of the activity being undertaken.

All leases will have a maintenance schedule attached which sets out the responsibility for the maintenance of the facility/asset between the Town and the lessee. The schedule will be individualized for each lease.

### *Approval Process*

All leases require Ministerial approval prior to final execution.

### *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.

'Community Group' use of Council Property is given priority over other uses particularly where:

- Local community groups do not have ready access to any other types of facilities in which to conduct their activities;
- A Council strategic objective/s is achieved by supporting such use; or
- There is a clear social benefit to be achieved by the use/activity, including access for multi-cultural groups, aged people, family groups and other population groups.

'Community Agency' use is granted to organisations and groups who can demonstrate:

- Clear relevance with Council's strategic objectives as expressed through Council plans, strategies or policies; or
- A clear social benefit for the community and in particular demographic groups identified as being in need.

'Commercial' use is granted on a lower priority basis in relation to community groups and agencies to ensure utilization of a facility and where:

- There is a demonstrated benefit to the community from the commercial activity that is being conducted;
- The use complements other uses of a facility at a time when the facility would otherwise be vacant;
- Building business sector partnerships has a benefit to the facility in potential sponsorship and increased revenue; or
- Commercial use does not displace community group or agency 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.

The net community benefit of any organisation seeking to lease Town of Port Hedland asset will be measured in order to consider any financial subsidies, grants or discounts that Council offers in respect of that use.

A standard terms document will be used for all leases in an endeavour to ensure transparency and equity for all groups.

### ***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

### ***Ownership of Improvements***

All fixed improvements constructed or installed upon the leased premises within the leased area will vest to the Town upon the time they are constructed or installed. The removal of any fixed improvements by a Lessee at the expiry or sooner determination of the lease will be subject to the consent of the Town being obtained prior to any removal occurring.

### ***Insurances to be effected***

Lessees will be responsible for the procuring, at their own cost, such insurances as are required by the Town in respect of their occupation and use of the leased premises and in accordance with the specific conditions of any lease issued.

The Town will be responsible for insuring the fabric of the premises. This cost will be invoiced to the lease holder. In the event of a shared use facility an assessment will be made on the costs to be borne by the individual groups based on usage of the premises.



All lessees are responsible for securing their own Public Liability Insurance up to the amount as agreed by the Town and according to Council's risk management appetite..

### *Reporting*

Lessees will be required to supply relevant documentation as per lease terms which may include but not be limited to:

- Annual General Meeting minutes
- Audited annual financial statements and reports
- A list of office bearers and contact details; Annual Certificate of Currency
- Incorporated Association Extract

### *Termination*

The Town reserves the right to terminate the lease or license prior to the expiry of the term if the land is required for the Council's infrastructure planning or construction requirements. In the event of an agreement being terminated for this reason, the Town will provide appropriate notification to the organisation and if possible, will make reasonable attempts to relocate the tenant to a suitable alternative facility.

### *Compliance with Tenure Agreements*

By entering into a tenure agreement over Council owned or controlled land, Organisations accept and agree to all conditions of the lease or license. Organisations acknowledge that access to community land is offered to enhance the physical activity, social interaction and cultural development of the community. Accordingly, lessees and occupants must not conduct, nor permit to occur, any illegal, immoral or offensive acts on Council owned or controlled land.

Failure to comply with the conditions of the lease, licence or permit to occupy may result in Council terminating or not offering renewal of the tenure arrangement. All existing agreements will be transitioned in accordance with review mechanisms within the Lease or by application.

## **Definitions**

"Asset" are the future economic benefits controlled by the Town of Port Hedland as a result of a past transaction or event whereby;

- Its value can be measured reliably;
- Its value must exceed a stated materiality threshold being \$5,000 or form part of a network asset group; and
- It must be probable that future economic benefits of the asset will eventuate (i.e the asset acquired supports the delivery of Council services to the community in line with Councils

“*Lease*” is a written contract by which an owner (the lessor) of a specific asset grants a second party (the lessee) the right to its exclusive possession and use for a specific period and under specified conditions, in return for specified periodic rental or lease payments.

“*Maintenance Costs*” are the costs associated with regular ongoing day to day work necessary to keep an asset operating in order to achieve its optimum life expectancy as set out in the schedule

“*Net Community Benefit*” is a measure of the level of community benefit offered to the citizens, residents, ratepayers, groups or organisations of the town by a group, organisation or individual.

Relevant legislation	<i>Local Government Act 1995</i> <i>Land Administration Act 1997</i> <i>Interpretations Act 1984</i> National Competition Policy
Delegated authority	-
Business unit	Property Management
Directorate	Infrastructure Services

<i>Governance to complete this section</i>			
Version Control	Version No.	Resolution No.	Adoption date
	V01	201415/2008	23 July 2014
	V02	CM201617/142	22 February 2017
	V03	CM202021/180	3 June 2021
Review frequency	2 Yearly		

## 9. ENGINEERING

### 9/004 Pre-Cyclone Green Waste Collection

#### Objective

The objective of this policy is to ensure that residents and business located within the Town of Port Hedland (Town) are adequately prepared for the annual cyclone season by ensuring that the opportunity has been given for all vegetation located on private property to be pruned and disposed.

#### Content

The Town of Port Hedland will offer residents and businesses located in Port Hedland, Pretty Pool, Cooke Point, Wedgefield, South Hedland, South Hedland Rural Estate, Redbank and Turner River a green waste collection before each cyclone season commences.

The collection will commence in September each year and will be completed by October each year, it will be undertaken by Town of Port Hedland staff or contracted to an external contractor as per the Town's 2/007 Policy Purchasing.

Collection dates and conditions will be advertised at least one month prior to the commencement in the local newspaper, on the local radio, on signage placed in strategic locations around the Town and updates will be given via social media.

The conditions that residents and businesses must follow are as follows:

- No prunings longer than 1.5 metres (5ft);
- Place cut ends toward the street;
- Prunings must not obstruct footpath or shared walkways;
- Prunings must not be placed within 2m of existing infrastructure such as water meters, power boxes, power poles, Telstra pits, letter boxes, fences and driveways to ensure accessibility for bobcats/loaders;
- Loose material such as leaves and other vegetation should be suitably wrapped, tied or placed in bags to prevent litter spread and aid collection;
- Council will not enter private property to collect waste.

The Town will remove a maximum of two cubic meters of green waste per property. This policy provides equitable access and inclusion for people with disabilities by ensuring that green waste is not placed on footpaths or shared paths.

Town staff or any external contractor (that has been contracted to undertake a collection) will not enter private property to collect waste.

Non-compliance with the included conditions will result in the waste material not being collected and possible compliance action in line with the provisions of the Town of Port Hedland Waste Local Laws 2018 and the *Western Australian Litter Act 1979*.

#### Definitions

**“Cyclone season”** 1 November through to 30 April.

**“Prunings”** the selected removal of parts of a plant such as buds, branches, flowers and stumps.

**“Litter”**

- (a) all kinds of rubbish, refuse, junk, garbage or scrap; and
- (b) any articles or material abandoned or unwanted by the owner or the person in possession thereof, but does not include dust, smoke or other like products emitted or produced during the normal operations of any mining, extractive, primary or manufacturing industry.

RELEVANT LEGISLATION	Emergency Management Act 2005 Litter Act 1979
DELEGATED AUTHORITY	Manager infrastructure Operations
BUSINESS UNIT	Infrastructure Operations
DIRECTORATE	Infrastructure Services

GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	-	24 November 2004
	V02	201415/120	26 November 2014
	V03	201920/254	24 June 2020
REVIEW FREQUENCY	3 YEARLY		

**Document Control Statement** – The electronic reference copy of this Policy is maintained by the Governance Team. Any printed copy may not be up to date and you are advised to check the electronic copy at <http://www.porthedland.wa.gov.au/documents/public-documents/policies> to ensure that you have the current version. Alternatively, you may contact the Governance Team.



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	<i>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 &amp; Sch. 9.1 cl.7(2) 14</i>
DELEGATED AUTHORITY	NIL
BUSINESS UNIT	ENGINEERING SERVICES
DIRECTORATE	INFRASTRUCTURE & TOWN SERVICES

GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	-	24 NOVEMBER 2004
	V02	201415/210	25 MARCH 2015
	V03	CM201819/207	22 MAY 2019
REVIEW FREQUENCY	3 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.

**Content**

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 CATEGOR Y	TYPE & DESCRIPTION	REPLACEMENT STRATEGY
CATEGOR Y A1	4WD EXECUTIVE VEHICLE ALLOCATED TO CHIEF EXECUTIVE OFFICER	80,000 KMS/ 3 YRS
CATEGOR Y A2	4WD WAGON VEHICLE ALLOCATED TO DIRECTORS	80,000 KMS/ 3 YRS
CATEGOR Y A3	4WD VEHICLE ALLOCATED TO MANAGERS WHO REQUIRE A 4WD TO UNDERTAKE DUTIES OR 4 CYLINDER SEDAN / HATCH BACK	100,000 KMS/ 3 YRS
CATEGOR Y 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
CATEGOR Y A5	UTILITIES ACCORDING TO COUNCIL'S REQUIREMENTS FOR STAFF	100,000 KMS/ 3 YRS
CATEGOR Y A6	UTILITIES ACCORDING TO ORGANISATIONAL REQUIREMENTS FOR STAFF OR 4 CYLINDER SEDAN / HATCHBACK	100,000 KMS/ 3 YRS



	ACCORDING TO ORGANISATIONAL REQUIREMENTS FOR STAFF	
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 / 3YRS

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.

#### Definitions

For definitions and applicable category of vehicle refer to Internal Operating Procedure HR IOP – Motor Vehicle Usage.

RELEVANT LEGISLATION	
DELEGATED AUTHORITY	
BUSINESS UNIT	DEPOT OPERATIONS



DIRECTORATE	INFRASTRUCTURE & TOWN SERVICES
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GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	-	22 FEBRUARY 2006
	V02	CM201920/036	28 AUGUST 2019
REVIEW FREQUENCY			

**9/010 ASSET MANAGEMENT****Objective**

The objective of this policy is to ensure a disciplined, integrated and sustainable approach to the management of the Town of Port Hedland's (the Town's) assets through their life cycle: from acquisition, throughout their useful life and to final disposal.

**Content**

This policy applies to Council, Councillors, Executive Management, Staff, Committees of Management and the Community involved in the operations, maintenance, refurbishment, renewal, upgrading and development of the Town's existing and new fixed and mobile assets.

This policy applies to all of the Town's fixed and mobile assets which includes: parks, playgrounds, reserves and boardwalks; pathways, sealed and unsealed roads and drainage; sports, recreation and cultural facilities and fields, and; community care and the fixed and mobile assets used by Council in the performance of its duties.

The Town is to manage the portfolio of fit-for-purpose assets required to meet its objectives as set out in the Strategic Community Plan and the Corporate Business Plan. These objectives have been determined through community consultation. Budgeting priority is to be given to the maintenance and renewal of existing assets in a cost effective and timely manner.

To achieve the objective of this policy the following key principles define the Town's approach to asset management:

1. Asset management is a multi-disciplinary process that involves all directorates.
2. Optimisation of asset utilisation and identify under-utilised or redundant assets for alternative use or disposal.
3. Long-term asset acquisition planning that incorporates planned asset retirements and renewals, changing compliance standards and any associated master plans.
4. Total cost of ownership cost estimates are used in asset acquisition decisions. This includes acquisition, implementation, whole of life operation and maintenance costs and refurbishment, disposal and restoration costs.
5. Proper consideration of alternative options in asset acquisition decisions.
6. Formal financial and qualitative justification of material asset acquisition decisions. Approval of asset acquisitions are to be in accordance with the Town's delegation register.

7. Maintenance of administrative asset controls including: asset register, insurance policies, risk management, geographic information system and storage of contracts, technical documents, drawings and warranties.
8. Systems and processes that enable whole of life maintenance planning, asset based recording of maintenance performed, and support informed decision making.
9. Performance of maintenance activities and refurbishments in accordance with maintenance plans. Maintenance plans incorporate condition monitoring and inspections.
10. Asset retirement decisions reviewed in a timely manner. Financial and qualitative justification of material asset retirement decisions with proper consideration of alternative options.
11. Prompt redeployment, decommissioning, or dismantling and disposal of assets and site restoration once retirement decision made.

### Definitions

**Asset** means an individual or group of physical objects, that has value, enables a function to be performed and has an economic life of greater than 12 months.

RELEVANT LEGISLATION	<i>Local Government Act 1995</i> <i>Local Government (Financial Management) Regulations 1996</i> Australian Accounting Standard AASB116 Property, Plant and Equipment
DELEGATED AUTHORITY	PLEASE REFER TO THE TOWN'S DELEGATION REGISTER FOR ANY LIMITS IMPOSED FOR ASSET ACQUISITIONS OR DISPOSALS UNDER THIS POLICY
BUSINESS UNIT	FINANCIAL SERVICES
DIRECTORATE	CORPORATE SERVICES

GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	201213/211	12 DECEMBER 2012
	V02	CM201920/070	23 OCTOBER 2019
REVIEW FREQUENCY	3 YEARLY		



## 10. PARKS AND GARDENS

### 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 *Parks 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 yearly under the direction of the Manager Parks, Gardens & Engineering.

### **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 Policy 9/005.

### **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, 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

<b><i>Road Reserve</i></b>	The portion of land between the front property boundaries that contains both verges and the road
<b><i>Verge</i></b>	The section of the road reserve between the property boundary and the road kerb line.
<b><i>Verge Treatment</i></b>	Any soft or hard landscaping installed within the area of the verge excluding street trees.
<b><i>Street Tree</i></b>	A tree installed within the road reserve.
<b><i>Crossover</i></b>	The portion of a driveway within the verge providing access from the road to the property boundary.
<b><i>Hazard</i></b>	The source of potential damage, harm or adverse effects on something or someone.
<b><i>Public Open Space (POS)</i></b>	Recreational spaces which include local, neighborhood, district and regional parks as per <i>The Town of Port Hedland Open Space Strategy</i> .
<b><i>Urban Landscape Areas</i></b>	Landscape areas which include roads or along road reserves and thoroughfares including carparks.

RELEVANT LEGISLATION	TOWN OF PORT HEDLAND LOCAL LAWS
DELEGATED AUTHORITY	-
BUSINESS UNIT	PARKS, GARDENS AND ENGINEERING SERVICES
DIRECTORATE	INFRASTRUCTURE AND TOWN SERVICES

GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	201415/210	25 MARCH 2015
	V02	CM201920/077	23 OCTOBER 2019



REVIEW FREQUENCY	3 YEARLY
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## 11. AIRPORT, TOURISM AND ECONOMIC DEVELOPMENT

Nil.

## 12. TOWN PLANNING

### 12/010 NAMING OF ROADS AND PLACES

#### Policy Objective

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.

#### Policy Content

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 organization, 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 28 days;
- Publish notification of the proposed naming on the Town's website for a period not less than 28 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 28 days.

The Town will endeavour to notify each person who made a submission in relation to the proposed name of the decision, once made.

### *Reserve Road and Place Name Register*

Should Council support a proposed name without application to a road or place, the name shall be placed on the Reserve Road and Place Name Register. Following identification of a need to apply a name, Council may select a preferred name from the register or commence consultation for the identification of an alternate name. Any name selected from the Register shall be presented to Council for specific support prior to any submission being made to Landgate to apply the name formally.

### *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 of written 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).

### Definition

*“Port Hedland”* means the Town of Port Hedland local government area.

RELEVANT LEGISLATION	<a href="#">GEOGRAPHIC NAMES COMMITTEE POLICIES AND STANDARDS FOR GEOGRAPHICAL NAMING IN WESTERN AUSTRALIA</a> <a href="#">LAND ADMINISTRATION ACT 1997</a>
DELEGATED AUTHORITY	
BUSINESS UNIT	TOWN PLANNING AND DEVELOPMENT
DIRECTORATE	REGULATORY SERVICES



GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	CM201920/126	19 DECEMBER 2019
REVIEW FREQUENCY	2 YEARLY		

### 13. HEALTH

#### 13/006 CAMPING OTHER THAN AT A CARAVAN PARK OR CAMPING GROUND

##### Objective

The objective of this policy is to provide guidance about the regulation of camping on land that is not a licensed caravan park or camping ground.

##### Content

#### 1. *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 shall be made in writing to the Town's Environmental Health department.

All applications shall be processed in accordance with the *Caravan Parks & Camping Grounds Regulations 1997*.

Camping on land other than a caravan park or camping ground must be conducted according to requirements of regulation 11 of the *Caravan Parks and Camping Grounds Regulations 1997*.

The proposed location shall be assessed for its suitability for camping in relation to access to services, safety and health.

Applications will only be considered on land that is zoned Rural, Rural Residential and Residential.

Applications for camping on land that is zoned Residential will only be considered if there is an existing dwelling on the lot or a building licence has been issued for construction of a dwelling or associated structure and the construction work has commenced.

#### 2. *Requirements for temporary camping accommodation applications*



Temporary camping accommodation must:

- Contain laundry, kitchen, shower and toilet facilities and be contained within a caravan or other accommodation considered appropriate 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 by the Manager Environmental Health and Community Safety; and
- Ensure that any pet animals are restrained within the property and do not cause a public nuisance.

All applications are to be processed and assessed by the Town's Environmental Health department to ensure that minimum structural and hygiene requirements are able to be achieved and maintained.

The land used for camping must be deemed suitable and maintained so as to not create a hazard to health.

### **3. Licence requirements**

A licence to camp on land that is not a licensed caravan park or camping ground is to be temporary only. Temporary licences may be granted for temporary camping accommodation for a period of no longer than 3 months in any period of 12 consecutive months.

Not more than one caravan is permitted to be used to camp at an undesignated location at one time, unless otherwise approved by the CEO.

If 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 6 months. The approval period may be extended to a maximum period of 12 consecutive months.

#### **Definitions**

Nil.

RELEVANT LEGISLATION	CARAVAN PARKS AND CAMPING GROUNDS ACT 1995 CARAVAN PARKS AND CAMPING GROUNDS REGULATIONS 1997
DELEGATED AUTHORITY	SEE SECTION 18 OF THE TOWN'S DELEGATION REGISTER
BUSINESS UNIT	ENVIRONMENTAL HEALTH
DIRECTORATE	REGULATORY SERVICES

GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	-	22 JULY 2009
	V02	CM201920/105	27 NOVEMBER 2019



REVIEW FREQUENCY	3 YEARLY
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**13/012      Licencing of Funeral Directors****Objective**

The purpose of this policy is to outline Council's commitments for managing and issuing of Funeral Director's Licences and to outline the process by which licence applications are assessed, granted, cancelled and/or suspended.

**Content**

In pursuance of its responsibilities under the *Cemeteries Act 1986* ("the Act"), the Council adopts the following policy for issuing a Funeral Director's Licence and the Standard Requirements it will consider when assessing an application.

It is recommended that all applicants be a member of the Australian Funeral Directors Association and/ or National Funeral Directors Association and/or other appropriate associations;

***Standard Requirements***

Prior to a new licence being issued or an existing licence renewed, in accordance with clause 2.1 of the Town of Port Hedland *Cemetery Local Law 2015*, the Chief Executive Officer will assess applications against the following criteria:

1. The applicant has complied with all requirements of the Act and the Town of Port Hedland *Cemeteries Local Law 2015*;
2. The applicant has completed and submitted an application in the form specified in [Appendix 1](#) of this policy;
3. The applicant has provided a statutory declaration and supporting evidence that all standard requirements, as contained in this policy, have been met ([Appendix 1](#));
4. The applicant has provided three (3) satisfactory character and/or professional referees are submitted by the applicant;
5. The applicant has provided Australian National Police Check Certificates no more than three (3) months old for all employees providing funeral director services;
6. Satisfactory results of any inspections made of the applicant's premises;
7. The applicant must have a transfer vehicle suitable for the proper and dignified transportation of human remains. That vehicle must have; an efficiently operating



- roller device and coffin clamping facility, blinds, treated windows, curtains or other screening to ensure vision into the body storage area is blocked from all external angles;
8. The applicant must provide a commitment to the use of proper and dignified means of transport for when it is necessary to transport human remains outside the boundaries of the Town;
  9. The applicant must have a dignified viewing area available for public access;
  10. The applicant must have appropriate office space and/or suitable space available in which to make funeral arrangements;
  11. The applicant must have access to facilities appropriate for the purposes of the proper care and treatment of human remains, including:
    - (a) Refrigerated body storage facilities;
    - (b) Body preparation facilities including:
      - A ready supply of hot and cold running water;
      - Easily cleansed surfaces;
      - Ventilation;
      - Waste disposal;
      - Lighting;
      - Basic mortuary equipment;
    - (c) Hygienic environment; and
    - (d) Safe and dignified equipment
  12. The applicant shall provide satisfactory evidence from relevant authorities, certifying that all facilities, premises and equipment conform to appropriate Public Health authority requirements;
  13. The applicant shall provide a satisfactory audited set of financial accounts;
  14. The applicant shall provide satisfactory evidence that they, their employees and agents will conform with the provisions of the Metropolitan Cemeteries Board of WA Code of Conduct.

*Cancellation or suspension of a funeral director's licence*

1. The Town may cancel or suspend a funeral director's licence in accordance with section 18(1) of the Act.
2. Under section 18(1)(d) of the Act the Town may by notice in writing delivered to the holder of a licence, cancel or suspend the licence if it is no longer satisfied in relation

to the holder of the licence of the matters referred to in section 17(2) being that the licence holder:

- (a) is of good repute and is fit to hold a funeral director's licence; and
- (b) has suitable facilities and equipment for handling and storing dead bodies and conducting funerals.

3. Without limiting the Town's discretion under section 18(1), the Town will have regard to the following criteria for the purposes of sections 18(1)(d) and 17(2)(a) in determining whether the licence holder remains of good repute and is fit to hold a funeral director's licence:

- (a) whether the licence holder has breached any condition of the licence and whether any such breach has been rectified;
- (b) whether any written complaints have been received by the Town in relation to the licence holder and whether the response of the licence holder to such complaint(s) was satisfactory;
- (c) whether the licence holder has committed any breach of the licence holder's Code of Conduct and whether any such breach has been rectified;
- (d) whether the licence holder has ceased to be a member of either the Australian Funeral Directors Association or the National Funeral Directors Association;
- (e) whether the licence holder has failed to comply with any professional or ethical standard of the Australian Funeral Directors Association or the National Funeral Directors Association;
- (f) whether the licence holder has failed to comply with any provision of the Act, the *Cremation Act 1929* or the Town of Port Hedland's *Cemeteries Local Law 2015*;
- (g) whether the licence holder has become bankrupt or financially insolvent;
- (h) whether the conduct of the licence holder or any employee of the holder in directing or attempting to direct a funeral within a cemetery or in undertaking any other activity ancillary or incidental to a funeral was in the opinion of the Town inappropriate or unbecoming; or
- (i) any other consideration relevant in the Town's opinion to determining whether the licence holder remains of good repute and fit to hold a funeral director's licence.

4. Without limiting the Town's discretion under section 18(1), the Town will have regard to the following criteria for the purposes of sections 18(1)(d) and 17(2)(b) in determining whether the licence holder continues to have suitable facilities and equipment for handling and storing dead bodies and conducting funerals:

- (a) the results of any inspections made of the licence holder's premises;
- (b) whether the licence holder continues to comply with paragraphs 9, 10, 11, 12, 13, and 14 of the Standard Requirements set out in this Policy;

- (c) whether the licence holder has at any time failed to utilise suitable facilities or equipment in the handling, transport and storage of dead bodies and conducting funerals;
- (d) whether any facilities, premises or equipment has failed at any time to conform with any public health or local government authority requirements;
- (e) whether any complaints have been made to the Town or the licence holder in relation to the facilities, premises or equipment of the licence holder and whether the response of the licence holder to such complaint(s) was satisfactory; or
- (f) any other consideration relevant in the Town's opinion to determining whether the licence holder continues to have suitable facilities and equipment for handling and storing dead bodies and conducting funerals.

#### Definitions

'*Council*' refers to the Town of Port Hedland.

'*Funeral*' means a ceremony or service held after a person's death, including the person's burial or cremation.

'*Satisfactory*' means meeting the reasonable discretion of the Chief Executive Officer of the Town of Port Hedland.

RELEVANT LEGISLATION	CEMETERIES ACT 1986 CREMATIONS ACT 1929 CEMETERIES LOCAL LAW 2015
DELEGATED AUTHORITY	-
BUSINESS UNIT	GOVERNANCE
DIRECTORATE	CORPORATE SERVICES

GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	-	25 SEPTEMBER 2005
	V02	-	25 JANUARY 2006
	V03	CM202021/018	26 AUGUST 2020
	V04	CM202021/152	28 APRIL 2021
REVIEW FREQUENCY	ANNUALLY		





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APPENDIX 1

1. APPLICANT

Title:	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Dr
Surname:	
First name:	
Trading Name of Business:	
Business Address(es):	
Postal Address:	
Work Phone:	
Email	
Mobile Phone:	
Home Phone:	

2. SPECIFIC FUNERAL DIRECTOR INFORMATION:

For Annual Period:	From:	To:
Number of years Applicant has held a Funeral Directors Licence:		Years
Have you been convicted of any offence, anywhere?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If 'yes' provide details:		
Have you ever been declared bankrupt or placed in receivership?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If 'yes' provide details:		



3. BUSINESS INFORMATION:

<b>COMPANIES:</b>	
Full Name and Addresses of:	
Director/s:	
Manager/s:	
Registered Office:	
<b>PARTNERSHIPS:</b>	
Full Name and Addresses of Partners:	

4. APPLICATION:

<p>I hereby apply to the Town of Port Hedland for a funeral director’s licence in accordance with the <i>Cemeteries Act 1986</i>, <i>Town of Port Hedland Cemetery Local Law 2015</i> and Policy 13/012 Licencing of Funeral Directors and acknowledge that my application may be refused or my licence may be suspended or cancelled by the Town if the Town is no longer satisfied that I am of good repute and fit to hold a funeral director’s licence; or that my facilities and equipment for handling and storing dead bodies and conducting funerals are no longer suitable.</p>	
<b>Full Name and Capacity of Person Completing this Application:</b>	
Full Name (Print):	
Position Title:	
Applicant signature:	
Date (DD/MM/YY):	



5. *OFFICE USE ONLY:*

Received on:	/ /	Referred to Council:	/ /
Approved on:	/ /	Licence Issued on:	/ /
Licence Fee Paid on:	/ /	Receipt Number:	



Western Australia

*Oaths, Affidavits and Statutory Declarations Act 2005*

Statutory Declaration

I, \_\_\_\_\_ {name of person making declaration}

of \_\_\_\_\_ {address of person making declaration}

occupation \_\_\_\_\_ {occupation of person making declaration}

sincerely declare that I have met the standard requirements of Town of Port Hedland *Policy 13/012 Licencing of Funeral Directors* as part of my application for a funeral directors licence:

Standard requirements	Confirmation	Evidence attached
Three (3) character or professional references		
Current National Police Certificate		
Well-presented dignified hearse or other vehicle presented as a hearse with efficiently operating roller device and coffin clamping facility		
Transfer vehicle suitable for the proper and dignified transportation of human remains		
Dignified viewing area		
Appropriate office space		
Access to hygienic facilities and equipment appropriate for the proper care and treatment of human remains, as follows:		
• Refrigerated body storage facilities		
• Hot and cold running water		
• Easily cleansed surfaces		
• Ventilation		
• Waste disposal		
• Lighting		
• Basic mortuary equipment		
Safe and dignified handling written procedures		
Certification by public health authority that all facilities, premises and equipment conform to public health authority requirements		
Audited set of current financial accounts		



Statement of compliance with Metropolitan Cemeteries Board of WA Code of Conduct		
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This declaration is true and I know that it is an offence to make a declaration knowing that it is false in a material particular.

This declaration is made under the *Oaths, Affidavits and Statutory Declarations Act 2005*.

At \_\_\_\_\_ {place}

On \_\_\_\_\_ {date}

By \_\_\_\_\_ {Signature of person making the declaration}

In the presence of

\_\_\_\_\_ {Signature of authorised witness}

\_\_\_\_\_ {Name of authorised witness}

\_\_\_\_\_

\_\_\_\_\_ {Qualification as such a witness}

## 13/014 TRADING IN PUBLIC PLACES

**Objective**

The objective of this policy is to provide guidance to event organisers, mobile and temporary food vendors about the processes required for the assessment and licensing of applications to trade in streets and public places and provide goods and services to the public.

**Content***1. Approval of Trading in Public Places (TPP) Applications*

Applications for a 12 month TPPs Licence may be assessed at any time during the financial year.

New applications for annual and temporary TPPs Licences are to be processed by authorised officers.

Licences are subject to conditions, including compliance with requirements of this Policy, the Town's *Public Places and Local Government Property Local Law 2016*, the *Food Act 2008* and the *Food Regulations 2009*.

*2. 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, the TPPs application form must be submitted and approved in addition to the registration certificate where required.

*3. Temporary food premises (i.e. stalls)*

Due to the potential for environmental contamination of food within a temporary food premises, they are not permitted to trade roadside under an annual TPPs licence at the locations listed in section 6. The trading locations create potential for food contamination from environmental contaminants including dust, smoke and flying insects. However, temporary applications may be considered separately, according to the proposed location of trading and the physical set-up of the temporary premises.

Temporary food premises must comply with requirements of the Town's Guidelines for Temporary Food Stalls, in addition to this Policy at all times.

*4. Food vendors that are not registered with the Town*

Prior to approving any TPPs applications from food vendors that are not registered with the Town, copies of the following documentation may be requested by an authorised officer:

- Certificate of Registration under the *Food Act 2008* with local government authority;
- Evidence of public liability insurance (minimum value of \$20 million); and
- Evidence of electrical compliance.





## 5. Events

*Special considerations for registered charities, not-for-profit organisations, community groups and free community events*

Any individual applicant that represents a not-for-profit, community group may seek a waiver of TPPs fees as per the Delegated Authority Register. Any other applicant may be eligible for a waiver of fees and charges associated with Trading in Public Places (TPPs), where it can be demonstrated that they are operating under a 'blanket' food licence held by the organiser of a free community event; or a registered charity, not-for-profit (NFP) organisation, or community group that is organising the event.

When applying for the 'blanket' licence, the Town must be provided with the following:

- A compilation of all TPPs applications that detail all relevant information about the stallholders and food vendors that are proposed to trade at the event at least 2 weeks prior to the event; and
- Evidence of public liability insurance of a minimum value of \$20 million that is current for the event.

Where the purpose of a private food vendor trading is to raise funds for a charitable cause, or are of a fundraising nature, a waiver of fees may be sought provided that all proceeds are donated and written evidence is received from the recipient of funds during the application process.

For any free community event, a blanket food licence may be issued to the event organiser and all fees associated with vendors trading under this Policy may be waived as per the Delegation Register.

Traders holding an Annual License are not to trade at an event unless they have the permission of the event organiser. No additional fees will be charged by the Town for traders holding a valid Annual License who are invited to trade at events.

### *Private events*

Private events held on private or local government property that are have no public access are exempt from requiring TPPs approval.

## 6. Roadside trading

Mobile vendors must only trade between 5.00am and 10.00pm at the following 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; and
- Wheelbarrow entrance of Wedgefield.

Where food vendors intend to trade at a location that is not listed above, a separate application must be submitted to the Town of Port Hedland (Town) for assessment. Each application will be considered separately according to the suitability of the proposed location and the proposed duration of trading. Successful applicants that hold an annual

food registration with the Town will not be charged application and licensing fees for the temporary location.

The maximum number of mobile food vendors that are permitted to be located at an approved trading location at any one time is at the discretion of the CEO.

Any vendors identified to be trading in the absence of a TPPs Licence may be required by to cease trading and submit an application form with payment of prescribed fees before a Licence is granted.

#### 7. *Renewal of 12-month Trading in Public Places licences*

All 12 month TPPs Licences expire at the end of each financial year and are to be renewed before 30 June. The licence renewals are processed by authorised officers. Payment of the annual licensing fee prescribed under the financial budget of that year must be paid prior to a new TPPs Licence certificate being issued. Where provided in the annual budget, pro-rata charges for annual TPP Licenses will be considered for the initial license issued, thereafter annual TPPs Licences expire at the end of each financial year (30 June) and the trader charged the annual rate.

#### Definitions

Nil.

RELEVANT LEGISLATION	FOOD ACT 2008 FOOD REGULATIONS 2009 TOWN OF PORT HEDLAND PUBLIC PLACES & LOCAL GOVERNMENT PROPERTY LOCAL LAW 2016
DELEGATED AUTHORITY	NIL
BUSINESS UNIT	ENVIRONMENTAL HEALTH
DIRECTORATE	REGULATORY SERVICES

GOVERNANCE TO COMPLETE THIS SECTION			
VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V01	201213/107	26 September 2012
	V02	201314/354	25 June 2014
	V03	201415/227	22 April 2015
	V04	CM201718/208	23 MAY 2018
	V05	CM202019/151	5 FEBRUARY 2020
REVIEW FREQUENCY	ANNUALLY		



**Document Control Statement** – *The electronic reference copy of this Policy is maintained by the Governance Team. Any printed copy may not be up to date and you are advised to check the electronic copy at <http://www.porthedland.wa.gov.au/documents/public-documents/policies> to ensure that you have the current version. Alternatively, you may contact the Governance Team.*

**13/016 Waste Collection and Bin Replacement****Objective**

The purpose of this policy is to provide details and clear guidelines to residents and businesses located within the Town of Port Hedland around the three (3) waste service types that are available:

1. Classic,
2. Premium, and
3. Additional Assistance Service (DAIP) Collection

This policy also provides an administrative framework to outline the criteria by which categorisation of a Bin Service is determined and the manner the Town imposes a Service Charge for the proper disposal of waste in respect of premises provided with a Bin Service, pursuant to the Waste Avoidance and Resource Recovery Act 2007.

**Content**

The Town of Port Hedland provides residential and commercial properties located within the Town boundaries three (3) service options depending on the nature of the collection and the circumstances of the applicant. The three service options are as follows:

**1. *Classic Collection Service***

A Classic Collection Service is the standard Bin Service, where a charge is applied to each bin at a residential or commercial property, provided that it meets the following criteria:

- Emptied on a set day, once per week;
- Bins are placed on the kerbside in a manner that can accommodate collection without the driver exiting the truck; and
- The resident or property does not have multiple occupancies.

It is possible for a residential or commercial property to purchase additional Classic Collection Bin Services and pay an additional Classic Collection fee for each additional Bin Service.

**2. *Premium Collection Service***

A Premium Collection Service Charge is applied for one or more of the following reasons:

- Those residential or commercial properties requiring a number of bins to be collected from within the property, emptied, and returned back to the property. For example a unit or complex with multiple residences;
- Residential or commercial properties with insufficient verge space; thus requiring the driver to exit the vehicle to wheel the bin to the truck; and

- A resident who qualifies for this service under the Town's Disability Access and Inclusion Plan (DAIP).

It is possible for a residential or commercial property to purchase additional Premium Collection Bin Services and pay an additional Premium Collection fee for each additional Bin Service

### ***3. Additional Assistance Service (DAIP) Collection***

The Additional Assistance Service (DAIP) is a Premium Collection service that is charged at a Classic Collection rate. As part of the Town of Port Hedland Disability Access and Inclusion Plan 2017 – 2022, this service can be requested by residents if all of the following are applicable:

- An individual is in receipt of an ongoing disability or aged pension; and
- An individual has a permanent or long term impairment preventing the resident from wheeling a bin from their residence to the kerbside; and
- There is no one else residing with the individual who is capable of putting the bin out on collection days.

(Note: a Medical Certificate and application form is required in order to qualify for this service; medical certificate must evidence permanent or long-term disability preventing the person from wheeling a bin from their residence to the kerbside).

### ***4. Application of Bin Replacement Fees***

Bin Replacement Fees shall apply where a bin is stolen, burnt or otherwise damaged from nuisance. The Bin Replacement Fee shall be waived if a Police Report Number is produced.

Bin Replacement Fees shall not apply when damage to the bin is attributable to the collection truck or normal wear and tear, or upon new occupancy of a property where there is no bin onsite.

Bin replacement requests will only be granted to an Authorised Person. Assessments of individual cases may be made by a person duly authorised by Council to make such assessments.

### ***5. Request to Commence a Bin Service***

Where a property wishes to commence a Bin Service, an application must be completed in writing by an Authorised Person. The Service Charge will be applied from the date of delivery. Service Charges will cover the full financial year on a pro-rata basis.



## 6. *Request for Additional Bin Service/Removal of a Bin Service*

Where a ratepayer wishes to organise an additional Bin Service or a removal of a Bin Service, a request must be submitted in writing by an Authorised Person. The Service Charge will be applied from the date of delivery or removal of the bin. Service Charges will cover the full financial year on a pro-rata basis.

## 7. *Dispute in Collection Charges Applied*

A request for an amendment to a Service Charges must be submitted in writing by an Authorised Person where a discrepancy is noted between the Service Charge applied to a record and the bin count held at a property. The bin count at the property will be confirmed by way of inspection by Waste Operations or a contractor engaged by the Town with any necessary charges adjusted from the date of the inspection. Service Charges will cover the full financial year on a pro-rata basis.

### Definitions

**“Authorised Person”** the title holder, ratepayer or persons to which authority has been delegated in writing e.g. managing agent.

**“Bin Replacement Fee”** the fee charged to replace a bin where a bin had previously been purchased as part of a Bin Service.

**“Bin Service”** provision of one 240L bin and a weekly service to empty the contents of the bin.

**“Service Charge”** the annual fee charged for a Bin Service.

RELEVANT LEGISLATION	WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007 LOCAL GOVERNMENT ACT 1995 TOWN OF PORT HEDLAND WASTE LOCAL LAW 2018 TOWN OF PORT HEDLAND DISABILITY ACCESS AND INCLUSION PLAN 2017–2022
DELEGATED AUTHORITY	Not Applicable
BUSINESS UNIT	Waste Operations
DIRECTORATE	Regulatory Services

GOVERNANCE TO COMPLETE THIS SECTION



VERSION CONTROL	VERSION NO.	RESOLUTION NO.	ADOPTION DATE
	V02	CM201920/201	22 APRIL 2020
REVIEW FREQUENCY	3 YEARLY		





## 14. BUILDING

Nil.

## 15. OTHER

### 15/003 Video Surveillance

#### Policy 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.

#### Intent

##### 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.

**The Manager Infrastructure Operations** 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.

**The Manager Information Technology and Program Delivery** is responsible for ensuring video surveillance system connectivity to the internet (where applicable), the Town's communication / data network and provision of authorised officer or authorised agency access.

**The Community Safety Advisor** is responsible for the administration and review of the effectiveness of the video surveillance systems network MOU with the WA Police (and other associated external parties) and where appropriate make recommendations to the CEO as part of this review for consideration.

### Operation

#### *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.
AS/NZS62676:2020 – Video Surveillance Systems for use in Security Applications	Provides advice on installation, commissioning and handover, preventative maintenance, licences and signage.
AS/NZS62676:2020 – Video Surveillance Systems for use in Security Applications	Provides technical planning guidelines and video signal level variables for video surveillance systems.
AS/NZS62676:2020 – Video Surveillance Systems for use in Security Applications.	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 2201.1:2007	Security Installations
AS/ACIF S009:2008	Cabling Provider Rules
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').



<b>Relevant legislation</b>	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
<b>Delegated authority</b>	To be determined following Council approval of this policy.
<b>Business unit</b>	Infrastructure Operations Information Technology Environmental Health and Community Safety
<b>Directorate</b>	Infrastructure Services Corporate Services Regulatory Services

VERSION CONTROL	VERSION NO.	RESOLUTION NO.	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
<b>REVIEW FREQUENCY</b>	3 YEARLY		

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## 16. RESCINDED POLICIES

Policy Number	Policy Title	Date Rescinded
3/019	CEO Performance Review	OCM 24 March 2021
8/002	Public Art	OCM 24 March 2021
2/015	Notice of Discontinuance	OCM 3 February 2021
1/018	Public Agenda Briefings	OCM 4 November 2020
2/006	Investment Policy	Superseded by policy 2/010
3/011	Community Group Rating Policy	Superseded by policies 2/011 and 2/012 at OCM 22 June 2011
3/001	Defence Forces Active Reservists	OCM 27 September 2006
3/002	Council Contribution to Staff Functions	OCM 27 September 2006
3/005	Staff – Protection from the Sun for Outdoor Work	OCM 27 September 2006
3/006	Staff Uniforms	OCM 27 September 2006
3/008	Staff Housing	OCM 27 September 2006
3/009	Training of Council Employees	OCM 27 September 2006
3/010	Equal Opportunity and Harassment Policy	OCM 27 September 2006
3/011	Employee Assistance Program	OCM 27 September 2006
3/012	English as Second Language Courses	OCM 27 September 2006
3/013	Safety, Health and Environmental Policy	OCM 27 September 2006
3/014	Paid Leave on Voluntary Service	OCM 27 September 2006
3/015	Payment of Relocation Expenses – Staff Recruited From Local Area	OCM 27 September 2006
3/016	Redundancy/Severance payments	OCM 22 February 2006
3/017	Christmas/New Year Close of Council Offices	OCM 27 September 2006
3/018	Superannuation	OCM 27 September 2006
3/020	Employee Home Ownership Scheme	OCM 26 October 2005
3/021	Prescription Safety Glasses	OCM 27 September 2006
3/022	Terminating Employee Payments Policy	OCM 27 September 2006
5/002	Library Membership	OCM 13 October 2010
5/003	Library Loans	OCM 13 October 2010
5/004	Public Use of Personal Computers	OCM 13 October 2010
7/003	Community Cultural Celebrations and Events	OCM 27 January 2011
12/001	Home Occupation Policy	OCM 24 March 2010
5/001	Variations to Hours of Opening	OCM 16 November 2011
14/002	Preferred Contractor Register	OCM 14 December 2011
6/001	Commercial or Non Sporting use of Recreation Reserves	OCM 9 May 2012





6/002	Sponsorship, Community and Club Signage on Council Recreation Reserves and Aquatic Centre	OCM 9 May 2012
6/005	General Conditions of Use of Aquatic Centres	OCM 9 May 2012
6/007	General Conditions of Use of Aquatic Centres	OCM 9 May 2012
1/003	Execution of Documents	OCM 25 July 2012
13/009	Trading in Public Places – Community Events	OCM 26 September 2012
13/013	Trading in Public Places Policy	OCM 26 September 2012
4/003	Annual Attendance Fee for Council Members	OCM 13 March 2013
3/023	Electoral Code of Conduct	OCM 28 August 2013
6/004	Occasional Licences and Consumption of Liquor on a Recreation Reserve or Council Owned or Managed Facilities	OCM 30 April 2014
6/008	Number of Rubbish Bins to be Supplied at Each Sporting Reserve	OCM 30 April 2014
4/002	Councillors' Traveling Expenses	OCM 25 June 2014
4/005	Members Professional Development and Associated Travel and Accommodation	OCM 25 June 2014
1/012	Administration of Council's Working Groups	OCM 11 December 2013
1/007	Travel and Accommodation	OCM 22 October 2014
2/001	Significant Accounting Policies	OCM 22 October 2014
2/002	Budget Strategy	OCM 22 October 2014
2/003	Financial Statements – Copies for Councillors	OCM 22 October 2014
2/009	Salary Sacrifice	OCM 22 October 2014
3/004	Conferences – Study Tours	OCM 22 October 2014
4/004	Photograph of Councillors	OCM 22 October 2014
9/003	Dwellings Facing Roadway	OCM 22 October 2014
13/001	Appointment of Council's Medical Officer of Health	OCM 22 October 2014
13/002	Pesticides	OCM 22 October 2014
13/003	First Aid Kits	OCM 22 October 2014
13/004	HIV/AIDS and Hepatitis	OCM 22 October 2014
13/005	Smoking – in the Workplace	OCM 22 October 2014
13/007	Waste Collection Services	OCM 22 October 2014
15/002	Fly-In-Fly-Out Policy Position	OCM 22 October 2014
1/001	Civic Receptions – Approval/Rejections of Requests	OCM 26 November 2014
2/008	Fines Enforcement	OCM 26 November 2014
1/005	Political Posters	OCM 25 February 2015



9/001	Bollards and Barriers	OCM 25 March 2015
9/002	Access to Persons with Disabilities – Footpath and Kerb Height	OCM 25 March 2015
9/008	Verge Treatment	OCM 25 March 2015
10/001	Landscaping Policy for Industrial and Commercial Areas	OCM 25 March 2015
10/002	Street Tree	OCM 25 March 2015
7/005	Civic Centre	OCM 23 March 2016
8/001	Community Services Provisions	OCM 23 March 2016
12/003	Valuation of Land	OCM 23 March 2016
12/004	Road names and Street Numbering	OCM 23 March 2016
12/005	Ancillary Accommodation	OCM 23 March 2016
12/006	South Hedland Rural Estate – Covenant and Design Policy	OCM 23 March 2016
12/008	Family Day Care Policy - Planning -	OCM 23 March 2016
12/009	Domestic Satellite Dish Policy	OCM 23 March 2016
13/008	Air Quality Control	OCM 23 March 2016
13/011	Alfresco Dining	OCM 23 March 2016
14/001	Signs Placed on Council Controlled Land	OCM 23 March 2016
15/001	Environment – Council Recognition	OCM 23 March 2016
11/001	Tourism	OCM 23 March 2016
6/009	Regional Championship Support	OCM 22 June 2016
1/004	Media	OCM 28 September 2016
1/013	Social Media	OCM 28 September 2016
4/001	Elections – Promotion	OCM 22 February 2017
1/002	Complaints Against Third Parties	Superseded by Policy 1/026 at OCM 22 March 2017
7/001	Matt Dann Cultural Centre	OCM 22 March 2017
2/011	Tender Evaluation	OCM 28 February 2018
2/021	Fee Waiver for Not-for-Profit and Non-Government Organisations and Groups	OCM 25 July 2018
2/012	Rates Incentive Program	OCM 13 February 2019
2/013	Rates Exemption (Non Rateable Land)	OCM 13 February 2019
2/014	Rates Concession (Rateable Land)	OCM 13 February 2019
1/006	Insurance - Professional Indemnity Insurance - Use of Disclaimers	OCM 30 April 2019
9/006	Community Facility Name Signs	OCM 25 September 2019
4/007	Elected Member Representation with External Organisations	OCM 27 November 2019
13/010	Application of Bin Replacement Charges	OCM 27 November 2019
13/015	Waste Collection Service Charges	OCM 27 November 2019
1/008	Vandalism - Reward for Conviction	OCM 5 February 2020
1/010	Flying of the Aboriginal and Torres Strait Islander Flags	OCM 5 February 2020



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7/004	Cultural Affirmation	OCM 5 February 2020
12/007	Shipping and / or Sea Containers	OCM 26 February 2020
12/002	Off Site Car Parking	OCM 26 February 2020
9/007	Roadside, Verge & Reverse Parking	OCM 26 February 2020
1/011	Queen's Birthday Holiday	OCM 22 July 2020
1/018	Public Agenda Briefings	OCM 4 November 2020



## 17. DOCUMENT CONTROL REGISTER

Policy No	Description	Action	Council Resolution No and Date of Meeting	Current Policy Version Number
1/014	Execution of Documents and Affixing of the Common Seal	Amended	25 August 2021	202109
1/019	Confidential Briefings	Amended	25 August 2021	202109
3/024	Volunteering Policy for Town of Port Hedland Employees	Amended	25 August 2021	202109
15/003	Video Surveillance	Amended	28 July 2021 CM202122/003	202108
2/005	Debt Management Policy	Amended	28 July 2021 CM202122/002	202108
2/007	Procurement Policy	Amended	28 July 2021 CM202122/005	202108
2/019	Financial Reserves	Amended	3 June 2021 CM202021/166	202107
1/025	Media and Communications	Amended	3 June 2021 CM202021/185	202106
8/004	Community Leasing	Amended	3 June 2021 CM202021/180	202106
4/010	Elected Member Professional Development	Amended	3 June 2021 CM202021/170	202106
4/006	Elections – Caretaker Period	Amended	3 June 2021 CM202021/169	202106
1/015	Livestreaming and Recording of Council Meetings	Amended	3 June 2021 CM202021/168	202106
4/006	Elections – Caretaker Period	Amended	3 June 2021 CM202021/169	202106
8/002	Public Art	Rescinded	24 March 2021 CM202021/141	202105
13/012	Licencing of Funeral Directors	Amended	28 April 2021 CM202021/152	202104
4/008	Elected Member Allowances, Facilities and Expenses	Amended	24 February 2021 CM202021/119	202103
4/010	Elected Member Professional Development	Amended	24 February 2021 CM202021/119	202103



2/004	Rating	Amended	3 February 2021 CM202021/112	202102
2/005	Debt Management	Amended	3 February 2021 CM202021/112	202102
2/015	Notice of Discontinuance	Rescinded	3 February 2021 CM202021/113	202102
1/028	Related Party Disclosures	Amended	16 December 2020 CM202021/103	202101
1/029	Attendance at Events	New	16 December 2020 CM202021/102	202101
2/018	Borrowings	Amended	16 December 2020 CM202021/102	202101
2/019	Financial Reserves	Amended	16 December 2020 CM202021/102	202101
2/020	Corporate Credit Card	Amended	16 December 2020 CM202021/102	202101
1/017	Order of Business for Council and Committee Meetings	Amended	25 November 2020 CM202021/088	202011
6/011	Recreation reserves and parks casual and events hire	Amended	26 August 2020 CM202021/021	202009
6/010	Recreation reserves and facilities seasonal hire	Amended	26 August 2020 CM202021/021	202009
6/006	Consumption of Alcohol on Town of Port Hedland owned and managed properties	Amended	26 August 2020 CM202021/021	202009
6/003	Community Grants Program	Amended	26 August 2020 CM202021/020	202009
13/012	Licencing of Funeral Directors	Amended	26 August 2020 CM202021/018	202009
1/020	Honorary Freeman	Amended	22 July 2020 CM202021/004	202008
1/011	Queen's Birthday Holiday	Rescinded	22 July 2020 CM202021/003	
9/004	Pre-cyclone Green Waste Collection	Amended	24 June 2020 CM201920/254	202007
1/016	Workplace Health and Safety	Amended	27 May 2020 CM201920/232	202006



2/007	Purchasing	Amended	27 May 2020 CM201920/229	202006
8/002	Public Art	Reinstated	22 April 2020 CM201920/204	202005
<del>12/011</del>	Local Planning Policy - 04 Percent for Public Art	Deleted (Local Planning Departmental Policy)	22 April 2020 CM2019/204	202005
2/019	Financial Reserves	Amended	22 April 2020 CM201920/199	202005
13/016	Waste Collection and Bin Replacement	Amended	22 April 2020 CM201920/201	202005
8/002	Public Art	Rescinded	22 April 2020 CM201920/204	202005
12/011	Local Planning Policy - 04 Percent for Public Art	New	22 April 2020 CM201920/204	202005
12/002	Off Site Car Parking	Rescinded	22 April 2020 CM201920/206	202005
9/007	Roadside, Verge & Reverse Parking	Rescinded	22 April 2020 CM201920/206	202005
2/007	Purchasing	Amended	5 February 2020 CM201920/143	202003
2/016	Regional Price Preference	Amended	5 February 2020 CM201920/143	202003
1/008	Vandalism - Reward for Conviction	Rescinded	5 February 2020 CM201920/146	202003
1/010	Flying of the Aboriginal and Torres Strait Islander Flags	Rescinded	5 February 2020 CM201920/149	202003
7/004	Cultural Affirmation	Rescinded	5 February 2020 CM201920/150	202003
13/014	Trading in Public Places Policy	Amended	5 February 2020 CM202019/151	202003
2/015	Notice of Discontinuance (Rates and Debtors) Policy	Amended	26 February 2020 CM201920/158	202003



12/007	Shipping and / or Sea Containers	Rescinded	26 February 2020 CM201920/168	202002
6/012	Naming of the Town's Parks, Reserves, Bridges and Buildings	Rescinded	19 December 2019 CM201920/126	202001
12/010	Naming of Roads and Places	New		
13/016	Bin Service and Replacement	New	27 November 2019 CM201920/110	201908
3/007	Senior Employees and Appointing Acting CEO	Amended	27 November 2019 CM201920/105	
13/006	Camping other than at a Caravan Park or Camping Ground	Amended	27 November 2019 CM201920/107	
9/010	Asset Management	Amended	23 October 2019 CM201920/070	201907
10/003	Landscaping	Amended	23 October 2019 CM201920/077	
2/022	Panels of Pre-Qualified Suppliers	Amended	25 September 2019 CM201920/055	201906
3/007	Senior Employees and appointing acting CEO	Amended	25 September 2019 CM1920/058	
3/003	Subsidies and Allowances	Amended	28 August 2019 CM201920/027	201905
9/009	Vehicles	Amended	28 August 2019 CM201920/036	
1/009	Policy Update 1/009 Legal Representation for Council Members and Employees	Amended	24 July 2019 CM201920/003	201904
9/005	Vehicle Crossovers	Amended	22 May 2019 CM1819/207	201903
4/008	Elected Member Entitlements	Amended	22 May 2019 CM1819/208	
2/004	Rating	Amended	13 February 2019 CM201819/120	201901
6/003	Community Grant Program (Formerly called Funding and Donations)	Amended	24 October 2018 CM201819/068	201809
4/008	Elected Members Entitlements	Amended	26 September 2018 CM201819/034	201808
4/010	Elected Member's Travel and Training	Amended		



3/019	CEO Performance Review	Amended	26 September 2018 CM201819/042	
1/026	Complaints	Amended	26 September 2018 CM201819/036	
4/007	Elected Member Representation	Amended	22 August 2018 CM201819/016	201807
13/015	Waste Collection Service Charges	New	22 AUGUST 2018 CM201819/019	
4/010	Elected Member Travel and Training	Amended	25 JULY 2018 CM201819/007	201806
2/021	Fee Waiver for Not-for-Profit and Non-Government Organisations and Groups	Rescinded	25 JULY 2018 CM201819/011	
1/014	Execution of Documents and Application of the Common Seal	Amended	23 May 2018 CM201718/202	201805
13/014	Trading in Public Places	Amended	23 May 2018 CM201718/208	
15/003	Organisational Policy For CCTV Operations	Amended	28 March 2018 CM201718/172	201804
2/011	Tender Evaluation	Rescinded	28 February 2018 CM201718/140	201803
2/007	Purchasing	Amended	28 February 2018 CM201718/140	201802
2/016	Regional Price Preference	Amended	28 February 2018 CM201718/140	
2/022	Panel Pre-Qualified Suppliers	New	28 February 2018 CM201718/140	
2/005	Debt Management	Amended	24 January 2018 CM201718/124	201801
2/021	Fee Waiver for Not for Profit and Community Groups	Amended	24 January 2018 CM201718/123	
1/018	Order of Business for Council and Committee Meetings	Amended	24 January 2018 CM201718/121	
4/008	Elected Members Entitlements	Amended	24 May 2017 CM201617/204	
4/010	Elected Members Travel and Training	New	13 December 2017 CM201718/110	201710
4/008	Elected Members Entitlements	Amended	13 December 2017 CM201718/110	





3/024	Recognition of Emergency Service Volunteer Work	New	13 December 2017 CM201718/104	
1/015	Recording of Council and Committee Meetings	Amended	22 November 2017	201709
1/028	Related Party Disclosures	New	22 November 2017 CM201718/090	201708
1/019	Confidential Briefings	Amended	1 November 2017 CM201718/061	201707
4/007	Elected Member Representation with External Organisations	Amended	1 November 2017 CM201718/069	
6/012	Naming of Parks, Reserves, Bridges and Buildings	New	1 November 2017 CM201718/074	
1/025	Media and Communications	Amended	23 August 2017 CM201718/028	201706
1/016	Workplace Health and Safety	Amended	23 August 2017 CM201718/027	
4/009	Significant Decision Making	New	23 August 2017 CM201718/024	
2/007	Purchasing	Amended	23 August 2017 CM201718/020	
2/021	Fee Waiver for Not-for-Profit and Non-Government Organisations and Groups	New	28 June 2017 CM201617/238	201705
4/008	Elected Member Entitlements	Amended	24 May 2017 CM201617/204	201704
4/006	Caretaker Period	Amended	24 May 2017 CM201617/203	201704
1/027	Severance Payment	New	22 March 2017 CM201617/163	201703
7/001	Matt Dann Cultural Centre	Rescinded	22 March 2017 CM201617/162	
1/002	Complaints Against Third Parties	Rescinded		
1/026	Complaints	New		
3/007	Senior Employees and Appointed Acting Chief Executive Officer	Amended	30 March 2017 CM201617/176	201702
4/001	Elections – Promotion	Rescinded	22 February 2017 CM201617/142	201701
1/019	Confidential Briefings	Amended	22 February 2017 CM201617/142	
8/004	Community Leasing	Amended	22 February 2017 CM201617/142	



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