



MINUTES

Special Electors Meeting

Wednesday, 19 June 2024

Time: 5:30pm

**Location: 13 McGregor Street, PORT HEDLAND WA
6721**

Distribution Date: 3 July 2024

Mayor

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1 Opening of Meeting

The Presiding Member is declared the meeting open at 5:30pm.

2 Acknowledgement of Traditional Owners and Dignitaries

The Presiding Member acknowledged the Kariyarra people as the Traditional Custodians of the land that we are meeting on and recognised their strength and resilience and paid respect to elders past, present and emerging.

3 Recording of Attendance

Important note: This meeting is being audio recorded to facilitate community participation and for minute-taking purposes, which may be released upon request to third parties. In accordance with Section 6.16 of the Town of Port Hedland Local Law on Standing Orders members of the public are not permitted to use any visual or vocal electronic device or instrument to record the proceedings of any meeting unless that person has been given permission by the Presiding Member to do so. Members of the public are also reminded that in accordance with section 6.17(4) of the Town of Port Hedland Standing Orders Local Law mobile telephones must be switched off and not used during the meeting.

The Mayor made the following statement:

This meeting is being audio recorded for minute-taking purposes, which will be released after the meeting.

Should there be a vote on any matter, each elector is entitled to one vote. Only electors of the Town are entitled to a vote at this meeting.

Any motions that are passed at tonight's meeting will be considered at the Ordinary Council Meeting on the 31st of July 2024.

3.1 Attendance

Scheduled Present: Mayor Peter Carter

Present as Electors: Deputy Mayor Ash Christensen

Cr Camilo Blanco

Cr Lorraine Butson

Cr Adrian McRae

Cr Ambika Rebello

Scheduled for Attendance: Lee Furness (A/Chief Executive Officer)

Steve Leeson (Director Corporate Services)

Chaz Roberts (A/Director Regulatory Services)

Grant Voss (A/Director Infrastructure Services)

Maree Cutler-Naroba (Senior Governance Advisor)

3.2 Attendance by Telephone / Instantaneous Communications

Nil

3.3 Apologies

Cr Turner

3.4 Approved Leave of Absence

Cr Flo Bennett

4 Response to Previous Questions**4.1 Response to Questions taken on notice from Public at the Annual General Meeting of Electors held on 15 May 2024**

4.1.1	Jillian Fisher
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Regarding the Annual Report and Financial Statements:

Page 21 - Why are there Councillor's who were elected in October 2023, actually in the report for FY2022-2023? We have Cr Arentz, Cr Blanco, Cr Butson and Cr Rebello (whose name is spelt incorrectly, and I think that's quite rude to get someone's name wrong in the report).

The Mayor provided the following response:

We'll take that on notice for you, thank you.

The Acting Chief Executive Officer provided the following further response:

The listed Councillor's names have been removed from the Annual Report.

Can you tell me what position, on page 26, there is a member of your staff who is in the top and earns \$320-329,999? Can you tell me what position that person holds?

The Mayor provided the following response:

I think it's the CEO, but I'll take that on notice for you anyway.

The Acting Chief Executive Officer provided the following further response:

Position confirmed as the Chief Executive Officer. The Western Australian Salaries and Allowances Tribunal determines both local government elected members and CEO allowable remuneration bandings. The Local Government Act Regulations prescribes

reporting the number of staff salaries from \$130k within \$10k bands, with the total remuneration package for CEO's to also include non-cash benefits, unlike other staff within this table, reporting cash salary only.

Looking on page 56 - the 2021-2022 Annual Report, the total comprehensive income for this period was \$14,896,000. If we proceed ahead for the budgeted amount for 2022-2023, on page 19, the total comprehensive income for the year is -\$8,000,073. Now the interesting part is my next figure, we'll go to the financial year annual report which ends 30th June 2023, and the actual amount for the total comprehensive income for the period \$162,853,060. Can you tell me how we went, in twelve months, from \$14m to \$162m?

The Mayor provided the following response:

I'll take that on notice and give you a full report.

The Director Corporate Services provided the following further response:

As explained in the overview presentation prior to the night, at slide 4, the \$12M payment for the Spoilbank Landside development was a contributing factor. This together with higher than forecast depreciation charges, creating the -\$6M net result for 2022-2023, compared to the budgeted forecast deficit of -\$8M for year, compared to an actual net result of \$14M in 2021-2022.

Then referring to the associate Note 19, it reads "Movement in Revaluation" and details amounts against infrastructure assets (roads, drains, paths etc.). These are non-cash, book entries, to better reflect the value of our community assets and increases are recognised as income according to accounting standards.

4.1.2	Renaë Coles
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My first question is based around the opening statements on the Town of Port Hedland being the town of liveability and inclusivity. I had someone stop and have a chat with me in regard to our Bowls Club and not being able to use this anymore. With his issues and problems with being as old as what he is, he always like to play lawn bowls. Since the closure of the club, he hasn't been able to actively lead a prosperous life within the Town of Port Hedland, so my question, if you can take it to Council, is how long is it going to take to get that club open? Can sports and recreation not take on the Bowls Club area, so people are able to get out and there and enjoy life?

The Manager Infrastructure Operations provided the following further response:

We are currently working through the Club liquidation process and dissolution. The determination of assets and other property associated with the Club is yet to be completed and is in the hands of the Administrator.

We recognise that a potential to utilise the site exists, however, until the determination and liquidation process is completed, access to the site will not be permitted.

And also, to fix the gates.

The Manager Infrastructure Operations provided the following response:

On Wednesday 22 May, a site wide clean and tidy was undertaken. The subject gates were identified as requiring replacement along with a number of other maintenance issues. The works will be the subject of an RFQ process which will be initiated in the new FY.

If there is a register or list on ToPH of employees who have free housing here through the Town and are running a business outside of their employment with the Town. Is there a list of these employees and do they put in a Conflict of Interest for that?

The Town Executive provided the following response:

All staff members who hold secondary employment, including self-employment are required to notify the Town to ensure there is no Conflict of Interest.

4.1.3	Roger Higgins
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In every one of the months from July 22, there was an expense from C3 Church, but there's no amount in there. Could someone tell me what that's for, there's 12 payments there? What's this payment for and has it been approved by Council?

The Mayor provided the following response:

Taken on notice.

The Manager Financial Services provided the following further response:

\$22,000 was paid to C3 Church in October 2022 for a Christmas Event, being grant funds which the Town was auspice for. These are approved through delegation.

There're also some very regular payments being made to the Royal Lifesaving Association, sometimes there's no figure next to it, but the amount is substantial - it's \$231,000 or thereabouts. There are multiple payments, more than one a month. What's the payment for, has it been approved by Council?

The Mayor provided the following response:

Taken on notice.

The Manager Financial Services provided the following further response:

These payments include labour hire, purchase of equipment such as wrist bands and mats and lifeguard training.

Regarding the expenses versus the income side: We can see actual figures of 2023; the actual income is \$107,353,887 and then we have a figure that says the actual expenses are \$116,745,689. But included in that is a depreciating figure of \$18.6m. I know depreciation is not income and from a tax perspective, it shows up in a balance sheet like this. But if you take out that depreciation, that means there's been an actual expenditure here of about \$98m. If you look at it month by month, the total expenditure from July 2022 through to the end of 30 June 2024, amounts to \$179,930,000m. Now that's a big, big difference, so the question is, how does this come about?

The Director Corporate Services provided the following response:

I would suggest that the answer lies in that the monthly payments you're quoting would be including capital expenditure as well. Those figures that you've pulled off the financial statements are just operating. The Statement of Financial Activity is a comprehensive statement of income and expenditure, being both operating and capital. You've just got the top half there, you're missing out on all the expenditure, so that's your renewal capital works as well as your new infrastructure works, which there are payments for. There are other payments in there as well for loan repayments, which is another factor, and also those monthly payment summaries that you're adding up, they are inclusive of GST. These statements are exclusive of GST.

So, you're satisfied that they are accurate and a true representation of the position that the Town is in, is that correct?

The Director Corporate Services provided the following response:

Absolutely, so is the OAG and RSM, they have their stamps on it.

4.1.4	Chris Skelton
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The Port Hedland International Airport, when is it going to be more than just a namesake and actually have flights to Asia again, Kuala Lumpur, Singapore? We're looking up at Broome, and Broome have jumped the gun on us. When can we look forward to having our airport be more than a namesake and be an International Airport?

The Mayor provided the following response:

There's a lot of moving parts at the moment, but hopefully we'll have some good news soon.

The Acting Chief Executive Officer provided the following further response:

The Port Hedland International Airport is continuing to investigate the return of international flights from the airport, with the Council providing a financial incentive to support them. There are a number of items to be addressed including engagement and support from Borderforce, access to International Airport slots to receive Port Hedland aircraft and financial viability of providing this service. The Town is hopeful that these will be addressed shortly.

Our budget is some \$75m a year, am I right on that? What's the Hedland budget?

The Director Corporate Services provided the following response:

It's far greater than that when you include capital works, etc.

I've been to numerous Council meetings where's there have been police attending - I'd like to know the cost associated with security and with all of that, has there ever been a need to have the police? With all the meetings that I've attended, there was never any need, there were never any violent outbreaks or need for security and I'm personally feeling like you're treating me and other members of the community like criminals, like we can't hold ourselves in good decorum.

The Mayor provided the following response:

I'm sorry you feel that way, Chris.

Governance provided the following further response:

The total cost for 2 security guards attending the Special Council Meeting held on 22 April 2024 was \$687.39.

4.1.0	Jan Gillingham
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As a Mayor, Councillors always have to be on the ball with the finances. How much do you actually read about the finances, grants, etc. The Council has so many million dollars in the balance, do you know what that balance was? Do you know it off the head?

The Mayor provided the following response:

I've got a good understanding, but no, not off the top of my head.

On page 120 of the financial report, there's grants, subsidies and contributions and it's just below rates, and it says \$8,591,000, etc. What is that for, Mayor Carter?

The Mayor provided the following response:

I'm not 100% sure at the moment, thank you.

The Director Corporate Services provided the following further response:

Operating grants, subsidies and contributions income. This includes Financial Assistant Grants received from State Government as well as sponsorship recognised from the Port Authority, BHP, and Horizon Power for projects that are not capital related.

I'd like to direct that question now to the Director Corporate Services - is that the grant that was for our building, our community centre across the road?

The Director Corporate Services provided the following response:

No, they're the operating grants, you're referring to capital contributions, which are further down in the financial statements, and even myself, I wouldn't know the details of every single item that you're expecting others to know there. \$8.5m is typically our recurrent grants that we get for financial assistance. It was the money we received for a couple of storm events, items like that.

So, where is the supposed \$10m grant coming in for the community building?

The Director Corporate Services provided the following response:

If you look further down on the financial statement, capital grants, subsidies and contributions, \$9,583,000.

Right, so it didn't actually come to \$10m, is that right?

The Director Corporate Services provided the following response:

If I may, it may be that it was budgeted higher, you can see the budget column was \$12.6, but the actual came in at \$9.5 - grants are received as "stages" are completed, and it may be the final amounts were received in the 2023-2024 financial year.

I came across some finances this week, only because my accountant had actually said to me "why have you received a personal grant from the Town of Port Hedland for \$8,845?" So, it raised a red flag to me. So, I'm happy the Executive Assistant to the Mayor and CEO could see and add up the figures,

but why would the ToPH have some information that goes to the taxation department that I had had a grant for \$8,845?

The Director Corporate Services provided the following further response:

As explained in person and by email on 13 May 2024, the payments related to your elected member remuneration, specifically July, August and September 2022, made via the Town's Synergy system, "and have no reference to being 'Grant' in the payment description".

Current and former elected members are always advised to seek their own financial advice as these payments are taxable.

As to why the ATO notes these payments as they do, possibly because it is not a salary, nor dividends or sale proceeds, and like the Town is obliged to, categorises certain other types of payments together such as grants / subsidies / contributions.

4.1.6	Cr Camilo Blanco speaking as Elector
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In the annual report, it states that we have expenditure of \$116m that we've spent in 2022-2023. If we take the depreciation out of it, we come back to about \$98M that's been spent, and I hear the Director Finance saying that, um...it's been well documented that I have said that we have spent in excess of \$179m or about \$180m in that period. And now the director has said that also includes the capital works, but the slide on the screen said there was \$35m in Capital Works, so there's still a big discrepancy there. The other issue that I have with it is we have spent \$180m in that period. But there is nowhere in the statement here that tells the public that we have spent that amount. That is the main document there, it says expenses, employee costs, materials and contracts. Financial cost, insurance, other expenses. I would have thought that if we spent \$180m, there should be \$180m, well, if we're talking about depreciation, there should be \$200m, around that that we've spent because you add the depreciation onto the total cost. Now, can I get some sort of explanation as to why we're not seeing those numbers correctly in our statement?

The Mayor provided the following response:

I'll pass that to the Director Corporate Services.

The Director Corporate Services provided the following response:

I'll do my best to add further to the explanation that I provided earlier. By using the monthly payment summaries and collating those together to come up with a total of what has been paid for the year, just recognise that, as I mentioned, capital and operating includes GST. Payments in July may also be for the previous financial year. The other thing being, in that by using or basing your approach on those payments

made, you are effectively taking a cash-based point of view. Whereas these financial statements are put together on the accrual method of accounting.

I understand and recognise fully that they are somewhat difficult to read and to interpret. But we are obligated to follow Australian Accounting standards, as well as the Financial Management Regulations, therefore, they have to be prepared in a prescribed manner, which won't make it easily align to the kind of approach that you're trying to take. There's a couple of reasons as to why you're getting a different approach when you're going from a cash payment, with GST approach. It's the timing of it as well - pairing it back to accrual accounting basis.

Through the ARC Audit and Finance - audit and finance has the ability to adjust the statements so that they people can read it a lot easier. I don't understand why people have just glazed over this for years. Why don't we have another line item in expenses for Capital Works. Why don't we have another line item in expenses or credits for our GST content?

The Mayor provided the following response:

Taken on notice.

The Director Corporate Services provided the following further response:

Payments for Plant & Equipment and Infrastructure as well as GST paid/received for the year ended 30 June 2023 is detailed in the cash flow statement in the annual report. The Profit and Loss Statement is based on accrual accounting for operational projects only, it does not include capital works.

So, my question now is what did the Town spend total in 2022-2023? Was it \$180-188m, or in that vicinity, according to the monthly payments?

The Mayor provided the following response:

Taken on notice.

The Director Corporate Services provided the following further response:

According to the Cashflow statement the total payments made for the year to 30 June 2023 is \$166.2M (ex GST) including capital payments.

When will these questions be answered? We don't have to wait until next year's Agenda, do we?

The Mayor provided the following response:

Within four weeks.

Note from Town of Port Hedland Governance: *Legislation provides that replies to Questions taken on notice at any council meeting are to be responded to as soon as possible and that all responses be included on the agenda of the next Council meeting, or if not feasible, on the agenda for the following Council meeting. Governance has provided the responses within these minutes and they will also be included within the Agenda for the 25 June 2024 Ordinary Council Meeting.*

4.1.7	Meryn Browning
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Mayor, I've heard you speaking on the radio in regard to how the Council need to work together, put aside some differences, so any external factors, when you come into this room, you are a team and you are representing our community as a team. So, I would like to know, many times there's been multiple questions asked by many councillors. I would really like to know why we can't get the report that's been asked for time and time again, for the dissolving of the council previously.

The Mayor provided the following response:

We've actually asked the department for a letter and we're waiting for them.

The Manager Governance provided the following statement:

Just briefly, that question was asked at the last council meeting and will be presented on the agenda for the May Ordinary Council Meeting with more detail.

4.1.8	Lorraine Butson
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Can we please have a breakdown of the \$67M that has been spent from the Airport Fund over the last nine years, and also the amount of interest that would have been put with that, as well?

The Mayor provided the following response:

Taken on notice.

The Manager Financial Services provided the following further response:

The Port Hedland International Airport Reserve was established in March 2016 to recognise \$162.3M of lease proceeds. In May 2020 a transfer of the balance of \$141.2M was allocated to the Strategic reserve (as per CM201920/199). During this time \$4.6M of interest was paid into the account and \$32.5M was transferred out. The transfers out include \$24.7M of early debt repayments (as per CM201819/178) and

\$7.8M for capital projects including Staff Housing Construction \$3.6M, JD Hardie roof upgrade \$0.9M, Kevin Scott Reuse Tanks \$0.6M, SH Sport Precinct \$0.5M, Cooke Point round about \$0.2M and other projects of less than \$0.1M

5 General Business

5.1 Elector Questions

Questions have been summarised and statements removed – to hear the complete audio, please visit this link:

[Council Meeting Details » Town of Port Hedland](#)

5.1.1	Roger Higgins
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I asked a question at the previous AGM in regard to a payment of \$231,000 to the Royal Lifesaving Club, and received a response that states, "These payments include labor hire, purchase of equipment such as wristbands, mats and lifeguard training." In your capacity as Mayor, are you satisfied that that is an adequate explanation for an expenditure of \$231,000 over the previous 12-month period to Royal Lifesaving?

The Mayor provided the following response:

I think over a 12-month period; I think its money well spent. I know it's a fee for service that they provide. I'm happy with that, yes.

5.1.2	Renaë Coles
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*When was the safety and well-being survey conducted?
 What was the result findings from this?
 How many staff were involved?
 How many staff are currently undertaking EAP support counselling services?
 What are the issues?
 When was the last survey undertaken and what improvements did the Town of Port Hedland undertake?
 Was not live streaming the meeting a knee jerk reaction through the last meeting?
 You were at the meeting when they made the decision to not live-stream tonight, right?*

The Mayor provided the following response:

Yes, I attended online.

When will the Town of Port Hedland address the water wastage from the tanks by the Oval in South Hedland to be fixed? Is it the line or is it overfilling?

The Mayor provided the following response:

Is it the water tank, you're saying?

The two water tanks, yes.

The Mayor provided the following response:

We'll look into that for you.

5.1.3	Jan Gillingham
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I'd like to ask regarding the non-live streaming of tonight's meeting, when was this decided by the council?

The Mayor provided the following response:

It was decided at a meeting last Wednesday.

It wasn't a resolution that came to council, that it was voted on at a Council meeting that we're unaware of.

The Mayor provided the following response:

It wasn't voted as a council. We had a meeting on it. We had to consider a range of factors and it was decided that the Town of Port Hedland staff members were not to be exposed to inappropriate behaviour and for this to be avoided, we decided not to live-stream it.

So then why is it that we've had to be exposed to your sudden outbursts at Council meetings?

The Mayor provided the following response:

That's an ordinary Council meeting. We have different rules regulating, this is Special Electors meeting. Do you have any other questions please?

I personally would have thought it would have gone through or on behalf of the electors, for the amount of phone calls saying why is there no live streaming, that some of us who have been previous Councillors, receive. I believe a lot of those people have emailed you this week.

The Mayor provided the following response:

All the audio recorded tonight will be released to the public.

So why the difference then?

The Mayor provided the following response:

I just it explained it to you Jan.

5.1.4	Cr Camilo Blanco speaking as Elector
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You just stated that the Council made a decision last Wednesday not in a council meeting. Can you just explain how that's possible considering the local government act does not allow that conduct? Can you clarify how we were able to do that when it is not correct, and we cannot do that outside of the Council meeting?

The Acting Chief Executive Officer provided the following response:

The Town staff have put in a number of incident reports on the effect that aggressive and offensive behaviour is having on them, from members of the public and also councillors. I am the acting CEO and under the *Work, Health and Safety Act* and obligations that I have, I was made aware of accounts that we have staff that feel anxiety that the live-streaming is on when staff are criticised for their work, this is amplified in the community and this causes incidents to be lodged with the Town. So, I spoke with the councillors and thereby undertook a risk assessment with the Governance Manager. I spoke with the Department. I also spoke with WALGA. I see this is how I think we should proceed, which is not to live-stream this meeting and all parties, including the councillors that attended the briefing, understood where we came from and that was how we landed on that course of action.

OK, so there was no official Council resolution to stop the live streaming.

The Acting Chief Executive Officer provided the following response:

There didn't need to be an official Council resolution. The standing orders for a Special Electors Meeting only require that the meeting be audio recorded.

The Council policy states specifically that any meeting of Council is live streamed. Is this not a meeting of Council?

The Acting Chief Executive Officer provided the following response:

No, it is not. It is a Special Electors Meeting.

If the staff are feeling threatened and there are safety issues, how safe am I when I come to council meetings? What is the Town going to do to ensure my safety when I come here in the future?

The Acting Chief Executive Officer provided the following response:

Councillor Blanco, I did send an e-mail to councillors on the day before yesterday, making EAP available to councillors if they were feeling that their well-being was not as good as it should be. The Town will also be speaking with LGIS. We have let them know that we have an issue with the psychosocial well-being of staff and LGIS will be providing somebody to come and speak, not only with staff, but with councillors if they wish to attend. And we will also be putting in other measures working with the insurer and working with staff and our health and safety people to ensure that the staff have a safe workplace. This Chambers is a workplace for our staff.

Can I get the amount of complaints that have been issued to the appropriate authorities against people that have come to the Council? That have acted inappropriately, or threatened staff or physically abused them?

The Acting Chief Executive Officer provided the following response:

Health and safety incidents where people feel their psychosocial health and well-being has been affected by people's behaviour is a matter between that staff member and the organisation. Under the work, health, and safety legislation, the organisation has a duty of care to provide a safe workplace. And so that is what we have undertaken to do. As far as practicable it is to provide a safe workplace for the staff.

So how is Council supposed to understand whether the safety and well-being of staff are issues associated with the upper management or Council or the people that attend council meetings?

The Acting Chief Executive Officer provided the following response:

The acting CEO did send a letter to councillors reminding them of the obligations under the WHS legislation. The organisation will be working with various organisations to improve there. It will also be working with councillors, so they are able to understand their obligations in line with the relevant legislation.

What has led to this?

The Acting Chief Executive Officer provided the following response:

Councillor, there have been many instances, and I did give those to the councillors who attended last week. I gave them some things that have been reported. So, I'm happy to speak to the councillors and work through these issues with them, but it would be inappropriate for me to publicly identify staff that have reported psychosocial issues and their well-being. I don't think that is appropriate.

I don't think any councillor would worry too much if you named them in this. I wouldn't. So, have you got a specific councillor in mind that might have, you know, done these atrocious acts that the Town speaks about?

The Acting Chief Executive Officer provided the following response:

Councillor, I don't think that this is actually a laughing issue. This is a matter of health and safety and the obligation that the organisation has to ensure a safe workplace for its employees. Now the last thing that we want to do is actually have instances where staff are affected, their mental health and well-being is affected and that then lands us in court or with thousands of dollars of work cover claims. I don't think that that is in the best interests of staff. My job as acting CEO at the moment is to manage risk and to ensure the health and safety of the staff and that is what I am doing.

5.1.5	Tracey Wheat
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When was the last meeting held for the Hedland Community Safety Advisory Forum?

The Mayor provided the following response:

I'll take that on notice.

In the 2019-22 Community safety plan, under Goal 3 Resilient Communities, the target goal 3.4 states by 2023, the Hedland community will have a collective justice reinvestment model to reduce the socioeconomic costs of criminal justice participation and promote community reintegration and connection and indicates that this will be actioned in two to three years. Which is making that around 2021. What are the outcomes of this goal?

The Mayor provided the following response:

It's still a work in progress.

In the Community Safety Plan 2023-26, priority 4 is innovative response framework. What are the two local problems that have been identified?

The Mayor provided the following response:

There are many and we're still at work with that program at the moment as we speak.

OK, so we're nowhere near the timelines, we're years off.

The Mayor provided the following response:

We're getting close. There are a lot of moving parts in that.

But for community safety if we're promoting that, should we not be communicating what's happening to public?

The Mayor provided the following response:

As I said, there are a lot of moving parts with police involved. It takes a long time. It's just a lot of parts to put together, but we are getting there, I can assure you.

Ok, when can we find out details of that?

The Mayor provided the following response:

I'll have some information out shortly on that for you.

5.1.6	Doris Keohler-Teufel
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I'm just wondering the last meeting, everything was around the budget and I'm wondering, with all the money you spent on the coastal erosion plan, do you have any money left to maintain it?

The Mayor provided the following response:

I'll take that on notice.

Because up at Cooke Point in that corner since beginning or mid of December everything is dead, so nothing is growing there. So, do you think that if you get a good cyclone and it will come one day, that it will be safe? And that all the money you spend into the coastal erosion program will be making it safe for us?

The Mayor provided the following response:

I believe the bit of engineering going into those walls is quite remarkable and I'm quite confident.

There is nothing growing since then.

The Mayor provided the following response:

I'll take that on notice for you, we'll to look into that for you.

What I don't understand is it's not just this project, there are a lot of projects in Port Hedland. They get the funding from industry and government. They spent the funding and then it's going down the drain. Will it be the same with the Spoil Bank Marina as well?

The Acting Chief Executive Officer provided the following response:

I'll have a look at that.

5.1.7

Renaë Coles

You were overseas for a period of time without telling your Deputy Mayor, stated at the meeting the 7th of February 2024, as correspondence back. Can you please clarify with me where it actually says on here? Generally, a leave of absence is only required for a formal council meeting. However, councillors have now agreed that informal notification will occur in particular for the Mayor and the Deputy Mayor for absences overseas. Was the Deputy Mayor aware that you were overseas?

The Mayor provided the following response:

I'm not sure.

So, you didn't formally communicate with him? Or other councillors in regard to going overseas.

The Mayor provided the following response:

Yes, I do so from the Mayor's PA.

OK, that's alright. I'll bring that to the Council meeting to ask all the councillors if they actually got that one there.

The Mayor provided the following response:

Please do, ask. I asked the PA to send out an email to everyone.

5.1.8

Jan Gillingham

The question which Councillor Blanco asked earlier, I think he just wanted the numbers more than the names. I would like to know, and I think many of us in this room in our Town would like to know if there are people making derogatory remarks against your staff. I would also like to know the numbers of how many complaints you have had or problems.

You're never in your office. When will you be in your office so that people can actually say yes, the mayor is there, we can go and see him?

The Mayor provided the following response:

They can come see me anytime. OK, they can call me anytime.

Where is your office then?

The Mayor provided the following response:

It's there, it's in South Hedland. It's everywhere.

5.1.9

Jillian Fisher

Could the Mayor please let us know what year the Town of Port Hedland last enacted a forensic audit of its finances?

The Mayor provided the following response:

I'll take that on notice, thank you.

The Acting Chief Executive Officer provided the following response:

Not in my time.

What steps are required to enact and arrange a forensic audit to fruition?

The Acting Chief Executive Officer provided the following response:

I think we would get a scope of work. We would run a tender and get somebody in to do that.

Is it something that you would go do through the department of Local Government? Do they have some sort of support there?

The Acting Chief Executive Officer provided the following response:

Well, the Department of Local Government, but the Town has an independent auditor, which is RSM, and the accounts are then looked at by the Auditor General. And passed. Which has happened every year that I've been here. So, the Department would not assist the Town in terms of a forensic audit because we have had our books audited every year and there would, from their point of view, be no need for a forensic audit.

Has the mayor received meeting training on dealing with members of the community when they are bringing up their needs?

The Mayor provided the following response:

About once or twice, yes.

OK. And has that been since in the position of Mayor or when since Council?

The Mayor provided the following response:

It has been, yes.

5.1.10

Renaë Coles

Just for stating and having it on record. Can I just clarify that your office in the shopping centre is not your Mayor's office that you conduct meetings out of, and the meetings are actually conducted at your office here at the Civic Centre building; is that correct?

The Mayor provided the following response:

Correct, my meetings are everywhere.

So even at your place of work?

The Mayor provided the following response:

Everywhere.

5.1 Elector Motions

All Motions will be considered at the Ordinary Council Meeting to be held 31 July 2024.

5.1.1 MOTION – SPECIAL ELECTORS MEETING

MOVED: John Ashenden

SECONDED: Jillian Fisher

That the Town of Port Hedland undertake a restructure with the intention to replace the CEO.

MOTION CARRIED

In favour: 13

Against: 0

5.1.2 MOTION – SPECIAL ELECTORS MEETING

MOVED: Jillian Fisher

SECONDED: John Ashenden

A Motion of no confidence in Mayor Peter Carter as Mayor of Town of Port Hedland.

MOTION CARRIED

In favour: 11

Against: not asked

5.1.3 MOTION – SPECIAL ELECTORS MEETING

MOVED: Jan Gillingham

SECONDED: Jillian Fisher

The Electors of Port Hedland, having read through the Financial Reports and the Annual report, state:

It is with regret, the Electors present a vote of no Confidence in Mayor Peter Carter and CEO Carl Askew, with regards to the Financials and Financial statements which have been presented at the original AGM held on May 15, 2024.

MOTION CARRIED

In favour: 12

Against: not asked

5.1.4 MOTION – SPECIAL ELECTORS MEETING**MOVED: Jillian Fisher****SECONDED: John Ashenden**

That we do not recognise any particular racial group before the meeting begins.

MOTION CARRIED*In favour: 9**Against: not asked***5.1.5 MOTION – SPECIAL ELECTORS MEETING****MOVED: Jan Gillingham****SECONDED: John Ashenden**

The electors of ToPH do not have confidence in the Annual Financial Reports of which were presented at the AGM of Electors held on May 15, 2024, and therefore reject the annual reports and financial statements of the 2023-2024 financial year, and furthermore, the electors request an Independent Forensic Audit of all Financials of the ToPH.

MOTION CARRIED*In favour: 10**Against: not asked*

6. Closure

6.1 Closure

There being no further business, the Presiding Member declared the meeting closed at 6:20pm.