

Town of  
Port Hedland



## **TOWN OF PORT HEDLAND**

### **MINUTES ORDINARY COUNCIL MEETING**

**WEDNESDAY 23 JULY 2014 AT 5:30PM**

**COUNCIL CHAMBERS, MCGREGOR  
STREET, PORT HEDLAND**

**“A nationally significant, friendly city, where  
people want to live and are proud to call home”**

*M.J. (Mal) Osborne  
Chief Executive Officer*



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**ITEM 1 OPENING OF MEETING**

The Mayor declared the meeting open at 5:32pm and acknowledged the traditional owners, the Kariyarra people.

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

Mayor Kelly Howlett  
Councillor George Daccache  
Councillor Jan Gillingham  
Councillor Julie Hunt  
Councillor Lorraine Butson  
Councillor Troy Melville

*Officers*

Mal Osborne	Chief Executive Officer
Clare Phelan	Director Corporate Services
Eber Butron	Director Planning & Development
Eddie Piper	Acting Director Community Development
Jenella Voitkevich	Acting Director Engineering Services
Grace Waugh	Minute Taker/ Governance Officer

Members of the public	2
Media	1

**2.2 Apologies**

Councillor Gloria Jacob

**2.3 Approved Leave of Absence**

Councillor David Hooper  
Councillor Penny Taylor

**ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE****3.1 Questions from Public at Ordinary Council Meeting held on Wednesday 25 June 2014**

Nil

### 3.2 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 25 June 2014

#### 3.2.1 Councillor Daccache

*Will the Pilbara Regional Council Pilbara Kimberley Joint Forum pursue further relations and trade with Indonesia? Will the Pilbara/Kimberley members meet to action the Special Economic Zone (SEZ) proposal? Should the Town form a committee to discuss Indonesian issues knowing that we have an International Airport that can handle most size planes and we also have proven that our Port can handle shipping of cattle to the world?*

Chief Executive Officer advised the Town of Port Hedland and other local governments continue to broadly support economic development proposals to encourage trade opportunities and promote economic growth. The Pilbara Regional Development Australia (RDA) is supporting 'The Special Economic Zone' initiative and regular joint meetings of RDA, Pilbara Regional Council and Pilbara Development Commission are attended by the Town's delegates. The creation of a committee does not seem warranted at present, as relationships between Pilbara local governments and Indonesia are being managed by the above agencies, However Elected Members are encouraged to bring forward specific issues they might have on the subject at formal and informal meetings of the Council.

*At Cooke Point Drive there is a sign saying that Wilson Street is now Port Hedland Road, but at the Broome/Airport road going to Port or South Hedland there is a sign saying that Port Hedland Road is Wilson Street. Can this be clarified?*

Acting Director Planning & Development advised that a 'Port Hedland Road' does not exist within the Town. The Town has not received a request to change the road name of Wilson Street and was not informed that the road sign 'Port Hedland Road' was being installed. Wilson street starts at the Broome/Airport road turn off and finishes in the Port Hedland Town Centre. The Town contacted Main Roads about this matter but at this stage has not received a response.

#### ITEM 4 PUBLIC TIME

*Important note:*

*'This meeting is being recorded on audio tape as an additional record of the meeting and to assist with minute-taking purposes which may be released upon request to third parties. If you do not give permission for recording your participation please indicate this at the meeting. The public is also reminded that in accordance with Section 20.3 of the Town of Port Hedland Local Law on Standing Orders nobody shall use any visual or vocal electronic device or instrument to record the proceedings of any meeting unless that person has been given permission by the presiding member to do so.'*

Mayor opened Public Question Time at 5:34pm.

**4.1 Public Question Time**

Nil

Mayor closed Public Question Time at 5:34pm.

Mayor opened Public Statement Time at 5:35pm.

**4.2 Public Statement Time**

Nil

Mayor closed Public Statement Time at 5:35pm.

**ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE****5.1 Councillor Gillingham**

*I spoke with Mr Chris Whalley, a former resident of this town, about the renaming of Kingsford Smith Business Park and he wanted to pass on his thanks. Is it possible for the Town to send him a letter formally advising him of the name change?*

Mayor asked that if Councillor Gillingham provided the Town with Mr Whalley's address a letter will be sent to him.

*The road sign at 6 mile creek is missing, will it be replaced?*

Mayor advised the Councillor Gillingham should submit this as a works request.

*Will any other signs on Wallwork Road Bridge be installed? The current signs advise drivers that one needs to be in the left lane to turn left and in the right lane to turn right and do not give people enough notice to change lanes.*

Chief Executive Officer advised that this question is taken on notice.

*At the Port Hedland Yacht Club forum on Saturday 19 June 2014 about the Marina Precinct Roger Richardson, former Director of the Port Hedland Port Authority and BHP Billiton Superintendent addressed the public. The next time the Town discusses the positioning of the Marina can the Town invite Mr Richardson and give him the opportunity to outline the same presentation he gave at this forum?*

Mayor advised that this matter would be considered.

**ITEM 6 DECLARATION BY MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING**

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

**ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 25 June 2014**

**RECOMMENDATION**

**That Council confirm that the Minutes of the Ordinary Meeting of Council held on Wednesday 25 June 2014 are a true and correct record.**

**201415/001 COUNCIL DECISION**

**MOVED: CR GILLINGHAM**

**SECONDED: CR HUNT**

**That Council confirm that the Minutes of the Ordinary Meeting of Council held on Wednesday 25 June 2014 are a true and correct record with the following inclusion:**

- 1. A note to be inserted beside item 11.5.3 'Annual Statutory Review of the Town of Port Hedland Delegation Register' in relation to the public apology from Cr Gillingham that was tabled at the 23 July 2014 Ordinary Council meeting.**

***CARRIED 6/0***



*Note: Cr Gillingham read out the below letter in relation to item 11.5.3 'Annual Statutory Review of the Town of Port Hedland Delegation Register' from the 25 June 2014 Ordinary Council meeting.*

**Public apology from Cr. Janet Gillingham.**

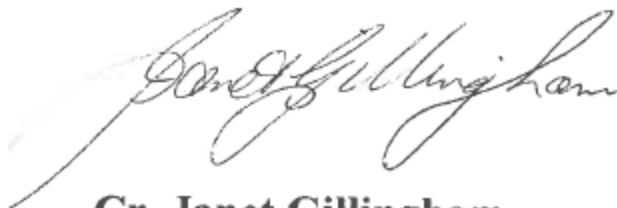
**23<sup>rd</sup> July, 2014**

**To Mayor Kelly Howlett and Fellow councilors,  
To CEO Mal Osborne and staff of the Town of  
Port Hedland Council, and to the Public  
Gallery:**

**I would like to table the following in regard to  
remarks I made during the discussion and  
within my “right of reply” for the agenda Item  
11.5.3 at the June Ordinary Council Meeting of  
the 25<sup>th</sup> June, 2014.**

**“I do here-by issue a public apology for any  
interpretation of the comments that I made  
during discussions within the agenda item 11.5.3  
at the Ordinary Council Meeting held 25<sup>th</sup> June,  
2014.”**

**Yours sincerely**

A handwritten signature in cursive script, appearing to read 'Janet Gillingham', written in black ink.

**Cr. Janet Gillingham**

**ITEM 8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Mayor Activity Report for the June/July 2014 period to date is as follows:

**JUNE 2014**

Monday, 9<sup>th</sup> June

- Attended Pilbara Regional Council Meeting (PRC) in Karratha

Tuesday, 10<sup>th</sup> June

- Weekly Chat Spirit Radio (1026am)
- Discussion Regarding Youth Drop-In Centre Proposal
- Telephone Meeting Re: Pilbara Tourism Product Development Plan – Tourism Product Report
- Discussion Regarding NAIDOC Week Events & Awards
- Weekly TOPH/North West Telegraph Catch Up
- Attended Port Hedland Chamber of Commerce Business After Hours Event

Wednesday, 11<sup>th</sup> June

- Meeting With LandCorp Board and Executive
- Elected Member & Executive Meetings
- Attended Make Hedland Home Community BBQ

Thursday, 12<sup>th</sup> June

- Attended Department of Housing Community Information Forum, South Hedland

Friday, 13<sup>th</sup> June

- Chaired Mult Agency Taskforce – Children At Risk/Youth On The Streets

Monday, 16<sup>th</sup> June

- Weekly CEO, Deputy Mayor and Mayor Catch Up

Tuesday, 17<sup>th</sup> June

- Meeting With Finbarr Re Old Hospital Site Development
- Weekly Chat Spirit Radio (1026am)
- Meeting With BHPBIO Re Port Hedland Marina, West End and TOPH Partnership
- Meeting Hon Minister Terry Redman Re Port Hedland Marina & West End

Wednesday, 18<sup>th</sup> June

- Attended Workshop Re: Pilbara Tourism Product Development Plan – Tourism Product Report
- Attended Pilbara Designscapes Conference
- Meeting Australia's North West Tourism CEO & Board Members
- Elected Member & Executive Meetings
- Chair Public Agenda Briefing
- Dinner Horizon Power Board

Thursday, 19<sup>th</sup> June

- Meeting With WA Country Health Services
- Meeting With Resident Re Francisco Javier Pulido Lemos First Holy Communion
- Attended Pilbara Designscapes Conference
- Attended RSL Working Group Meeting For Preparations For 100<sup>th</sup> ANZAC Anniversary Event

Friday, 20<sup>th</sup> June

- Phone Link Up Re DeGrey LCDC Coordinator Position

Saturday, 21<sup>st</sup> June

- Mayor Coffee Session – Port Hedland
- Mayor Coffee Session – South Hedland
- Attended The Masquerade Charity Ball – Opening Speech, Auction & Cheque Donation Presentation

Sunday, 22<sup>nd</sup> June

- Attended Francisco Javier Pulido Lemos First Holy Communion

Monday, 23<sup>rd</sup> June

- Weekly CEO, Deputy Mayor and Mayor Catch Up

Tuesday, 24<sup>th</sup> June

- Fortnightly Pilbara Shire Presidents/Mayor Phone Link Up
- Weekly Chat Spirit Radio (1026am)
- Meeting Resident: Roger Higgins Re Alternative Secondary School and Professional Womens Basketball Team “Port Hedland Heat”
- Weekly TOPH/North West Telegraph Catch Up
- Interview ABC Radio Drive Re: Mining Downturn & Housing

Wednesday, 25<sup>th</sup> June

- Hosted 2014 WA Tidy Towns/Sustainable Communities Judging Visit
- Elected Member & Executive Meetings
- Chair OCM June 2014

Thursday, 26<sup>th</sup> June

- Pre-Record Phone Interview Re: Outcomes OCM With ABC NW Radio (603am)
- Attended Hedland Women Of Influence Luncheon
- Telephone Meeting Sunset Events (David Chitty)
- Meeting Lisa Rose Re Starting A Hedland Wildlife Carers Network

Monday, 30<sup>th</sup> June

- Weekly CEO, Deputy Mayor and Mayor Catch Up
- Meeting Re: Reconciliation Action Plan
- Meeting Pilbara Development Commission (Dr Ken King CEO)

**JULY 2014**

Tuesday, 1<sup>st</sup> July

- Weekly Chat Spirit Radio (1026am)
- Attended City Of Karratha Designation Event & Luncheon
- Weekly TOPH/North West Telegraph Catch Up
- Judging 2014 Hedland NAIDOC Awards

Wednesday, 2<sup>nd</sup> July

- Attended BHP Billiton One Billion Tonnes To Japan Celebration Event
- Meeting With Hon Minister Tony Simpson
- Town Tour With Hon Minister Tony Simpson
- Interview Financial Times Jamie Smyth

Thursday, 3<sup>rd</sup> July

- Meeting Re Pilbara Food festival and Food Safety Requirements
- Attended Pilbara JDAP Meeting Via Telephone Link Up

Friday, 4<sup>th</sup> July

- Attended Port Hedland Primary School End Of Term Assembly
- Attended Opening Of South Hedland YMCA Child & Parent Centre
- Meeting BHPBIO Indigenous Investments Planning (Paul Isaachsen)
- Meeting Re Rose Nowers Early Childhood Learning Centre Re: Proposed Federal Government Funding Changes

Saturday, 5<sup>th</sup> July

- Attended NAIDOC Markets & Melodies Event
- Presented 2014 Hedland NAIDOC Awards

Sunday, 6<sup>th</sup> July

- Attended & Officiated Opening Of South Hedland Bowls & Tennis Club New Clubhouse
- Attended Boodarie Bowls Carnival Welcome Dinner

Monday, 7<sup>th</sup> July

- Attended NAIDOC Week Opening Flag Raising Event At South Hedland Courthouse
- Radio Interview ABC NW Radio (603am) Re NAIDOC Week In TOPH
- Participated In A Field Trip With Port Hedland Vacation Care Program Students – Council Works Depot: Pound and Native Plant Nursery

Tuesday, 8<sup>th</sup> July

- Weekly Chat Spirit Radio (1026am)
- Attended Lotteries House NAIDOC Community Fun Day
- Meeting Resident Megan Smith Re Antisocial Issues At Pretty Pool
- Weekly TOPH/North West Telegraph Catch Up
- Attended Port Hedland Chamber Of Commerce Business After Hours Event

Mayor attended NAIDOC week in Port Hedland which was great. There were many nominees and seven award winners from Port Hedland. All nominees have been sent a letter to congratulate them on their nomination. At the NAIDOC ceremony Mayor Howlett advised the community that the Town of Port Hedland is committed to delivering the Reconciliation Action Plan.

The Mayor chaired the Multi-agency Taskforce meeting in regards to children at risk and youth on the streets on 13 June 2014. At the taskforce meeting there was a link up with the Manager of the Kununurra Youth Service who discussed night patrols, the hours of operation and the challenges Kununurra face. The Manager discussed the kids 'chilling zone' they have which operates past 11pm and the NAIDOC ball for children aged 5 to 16 years old. Kununurra also have a basketball competition which has over 400 children participating.

## **ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION**

### **9.1 Councillor Gillingham**

Councillor Gillingham attended the Community Conversations forum on the Marina Precinct held on Saturday 19 June 2014. It was a healthy public forum for the community to air their views. Councillor Gillingham attended the opening of the Great Northern Highway opening held today. She also attended the South Hedland Bowls Club opening of the new building and closing dinner at the old building and the Business After Hours event.

### **9.2 Councillor Melville**

Councillor Melville advised that the Port Hedland Rovers Football Club is hosting a quiz night at Rovers Football Club Cooke Point Oval on Saturday 2 August. There will be prizes and an AFL auction with all proceeds going towards the suicide awareness charity 'Speak Up Stay ChatTY'.

## **ITEM 10 PETITIONS/ DEPUTATIONS/ PRESENTATIONS/ SUBMISSIONS**

### **10.1 Ms Jeanette Hasleby, Principal Advisor Community, and Ms Celina Watt, Lead Communications, from Roy Hill**

Ms Jeanette Hasleby and Ms Celina Watt gave a presentation on the current status of the Roy Hill Project in Port Hedland. Roy Hill also provided an update on the following:

- 4,714 employees for the project
- 4.3% of indigenous employment across the project and positions being recruited
- 40% of Traditional Owner Contractors have been awarded contracts
- K+P Foundation established and operating on behalf of the Kariyarra and Palyku people
- 22 houses on McGregor Street, Port Hedland to be completed by June 2015

- Access road to the Fishing Area in Boodarie has been open since March 2014
- First mine operations blast conducted on 12 April 2014

*Disclaimer*

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

**ITEM 11 REPORTS OF OFFICERS****11.1 Planning and Development Services****11.1.1 Delegated Planning, Building & Environmental Health Approvals and Orders for June 2014**

Carly Thompson, Executive Assistant – Planning & Development  
18/07/0002 & 07/02/0003

**DISCLOSURE OF INTEREST BY OFFICER**

Nil

**201415/002 RECOMMENDATION/ COUNCIL DECISION**

**MOVED: CR HUNT**

**SECONDED: CR MELVILLE**

**That the Schedule of Planning and Building approvals, Environmental Health Orders issued by Delegated Authority and the listing of current legal actions for the month of June 2014 be received.**

***CARRIED 6/0***

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**EXECUTIVE SUMMARY**

This item relates to the Planning and Building approvals and Environmental Health Orders considered under Delegated Authority for the month of June 2014.

**DETAILED REPORT**

A listing of Planning, Building and Environmental Health approvals and Orders issued by Town's Planning, Building and Environmental Health Services under Delegated Authority for the month of June 2014 are attached to this report. Further to Council's request a listing of current legal actions is also attached to this report.

**FINANCIAL IMPLICATIONS**

Nil

**STATUTORY AND POLICY IMPLICATIONS**

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

**ATTACHMENTS**

1. Statistics for Building, Planning and Health Approvals for the month of June

04 June 2014



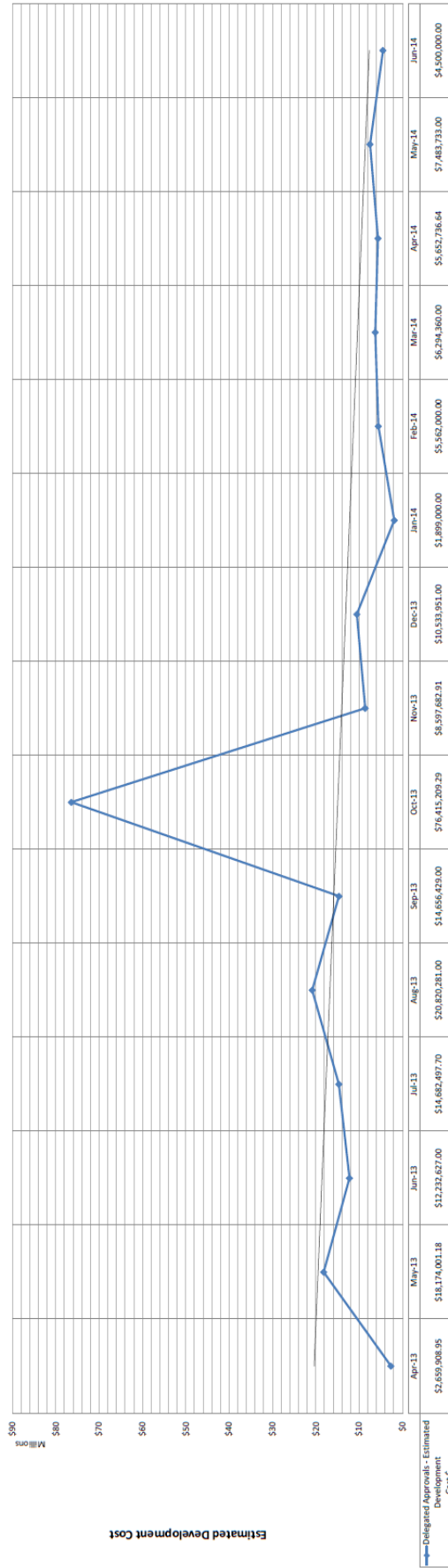
ATTACHMENT 1 TO ITEM 11.1.1

DELEGATED PLANNING APPROVALS FOR JUNE 2014

APPLICATION NO.	DESCRIPTION	LOT	PROPERTY ADDRESS	DATE APPROVED	APPLICANTS NAME	DEVELOPMENT VALUE
2014/125	SHOWROOM	2443	2443 GREAT NORTHERN HIGHWAY PORT HEDLAND 6721	03/06/2014	RPS AUSTALIA EAST PTY LTD	\$ 4,500,000.00
2014/143	CHANGE OF USE TO 'RECREATION - PRIVATE'	101	2 HUNT STREET SOUTH HEDLAND 6722	23/06/2014	RACHEL DOUGLAS-HENRY T/A EVOLUTION STRENGTH AND CONDITIONING	\$ -

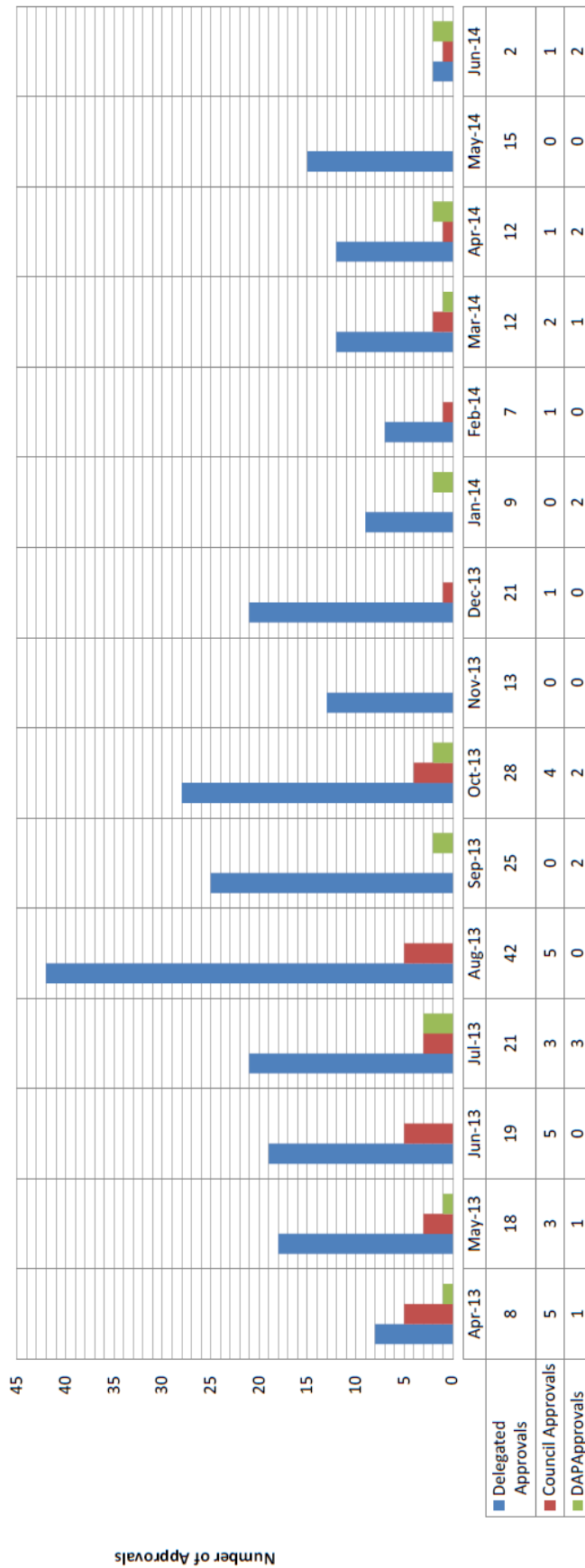
DELEGATED PLANNING APPROVALS FOR JUNE 2014

Summary & Trendline of Town Planning Delegated Approvals Estimated Development Costs



**COUNCIL, DELEGATED & DAP PLANNING APPROVALS FOR JUNE 2014**

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



## DELEGATED BUILDING APPROVALS FOR JUNE 2014

BUILDING PERMITS								
Permit Number	Decision Date	Property Address	Locality	Applicant	Description of Work	Estimated Construction Value (\$)	Floor area square metres	Building Classification
14-150	05.06.2014	4 AVOCET BRACE	SOUTH HEDLAND 6722	Phil Stanaitis	Carpport	\$ 18,000.00	36	10a
14-159	09.06.2014	46 LIMPET CRESCENT	SOUTH HEDLAND 6722	ARB Carpentry Pty Ltd	Carpport	\$ 35,000.00	40	10a
14-160	09.06.2014	11 BAYMAN STREET	PORT HEDLAND 6721	ARB Carpentry Pty Ltd	Patio	\$ 28,000.00	25	10a
14-163	13.06.2014	84 BOTTLEBRUSH CRESCENT	SOUTH HEDLAND 6722	Andrew Henderson	1 x Shed	\$ 19,950.00	36	10a
14-165	20.06.2014	3 BUTLER WAY	PORT HEDLAND 6721	ARB Carpentry Pty Ltd	Replace existing Patio	\$ 28,000.00	39	10a
14-147	05.06.2014	41 ROBINSON STREET	PORT HEDLAND 6721	North West Pool Centre	Swimming Pool (fibre glass)	\$ 33,000.00	13	10b
14-077	05.06.2014	UNIT 27B	LOT 2 MITCHIE CRESCENT	Quentin Green	Unauthorised Patio	\$ 4,900.00	41	10b
14-168	20.06.2014	3 MAUGER PLACE	SOUTH HEDLAND 6722	Mark Piggott	Above Ground Swimming Pool - Unauthorise	\$ 1,800.00	21	10b
14-143	03.06.2014	42 PARKER STREET	SOUTH HEDLAND 6722	Megara Constructions Pty Ltd	Residential Dwelling	\$ 536,000.00	146	1a
14-115	04.06.2014	1 DEMARCHI ROAD	SOUTH HEDLAND 6722	Mitie Construction PTY LTD	10 x Grouped Two Storey Dwellings with a	\$ 6,000,000.00	1974	1a
14-161	09.06.2014	4 SIMMONS STREET	PORT HEDLAND 6721	ARB Carpentry Pty Ltd	Re Roof	\$ 35,000.00	240	1a
14-158	09.06.2014	12 LOVELL PLACE	SOUTH HEDLAND 6722	ARB Carpentry Pty Ltd	Re-Roof	\$ 30,800.00	0	1a
14-103	10.06.2014	UNIT A&B	27 MAUGER PLACE	MAKlAP Pty Ltd	Retrospective Fire Wall	\$ 2,000.00	0	1a
14-157	16.06.2014	45 GREENFIELD STREET	BOODARIE 6722	Winfield Construction Pty Ltd	1 x New Dwelling	\$ 449,500.00	292	1a
14-164	19.06.2014	11 MUREX WAY	SOUTH HEDLAND 6722	ARB Carpentry Pty Ltd	Re-Roof	\$ 28,000.00	0	1a
14-156	13.06.2014	UNIT A	26 BAYMAN STREET	Winfield Construction Pty Ltd	Dwelling & Shed	\$ 409,330.00	169	1a & 10a
14-151	05.06.2014	9-31 THROSSELL ROAD	SOUTH HEDLAND 6722	Pasta Cup Australia	Unit E5 Shop Fitout - Pasta Cup	\$ 66,000.00	127	6
<b>TOTAL 17</b>						<b>\$ 7,725,280.00</b>		

TOWN OF PORT HEDLAND CERTIFICATION	
Certificate Type	Number Issued
Certificate of Design Compliance	11
Certificate of Construction Compliance	2
Certificate Building Compliance	3
<b>TOTAL</b>	<b>16</b>

**OCCUPANCY PERMIT FOR JUNE 2014**

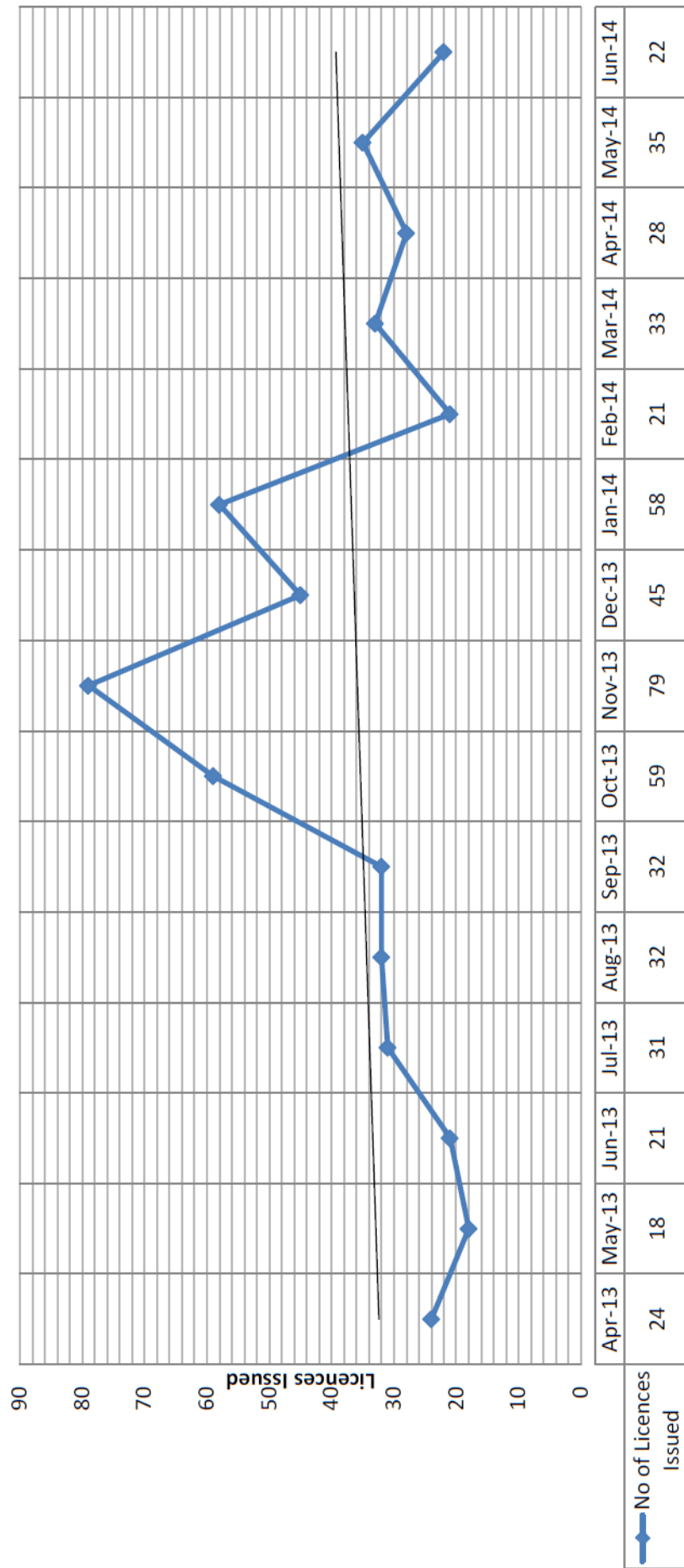
<b>OCCUPANCY PERMIT</b>			
Permit Number	Decision Date	Property Address	Description of Work
13-252	20/06/2014	Lot 550 Hedditch Street, South Hedland	Bowls and Tennis Club
12-333	09/06/2014	2-4 Anderson Street, Port Hedland	Additions and Alterations - stage 1
<b>Total 2</b>			

**OVERVIEW SUMMARY FOR JUNE 2014**

<b>SUMMARY</b>				
No of Permits	Permit Type	Estimated Construction Value	Floor Area in square metres	Average cost per square metre
2	Demolitions	\$40,250	190	\$211.84
8	Dwellings	\$7,490,630	2,821	\$2,655.31
5	Class 10a	\$128,950	176	\$732.67
3	Class 10b	\$39,700	75	\$529.33
1	Commercial	\$66,000	127	\$519.69
3	Strata / Occupancy	N/A	N/A	N/A
<b>22</b>		<b>\$7,765,530</b>	<b>3,389</b>	

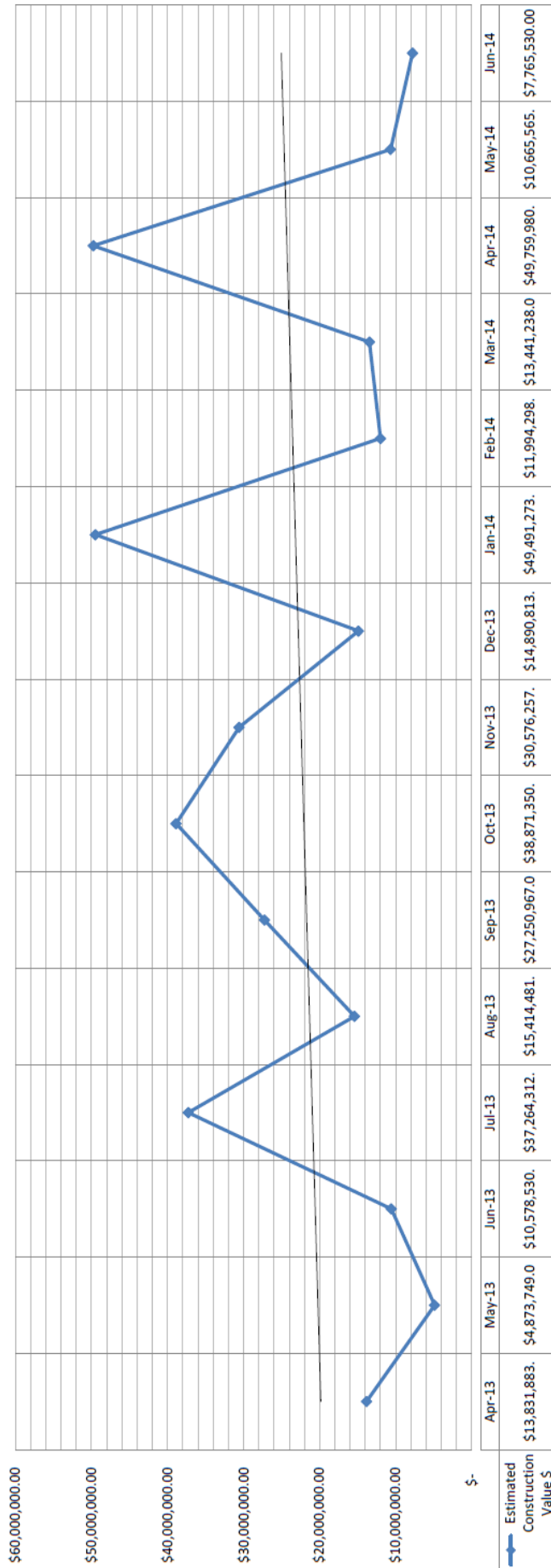
**BUILDING APPROVALS FOR JUNE 2014**

**Summary & Trendline for Building Licence Approvals**



**BUILDING APPROVALS FOR JUNE 2014**

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



**CURRENT LEGAL MATTERS FOR JUNE 2014**

<b>CURRENT LEGAL MATTERS</b>			
<b>File No.</b>	<b>Address</b>	<b>Issue</b>	<b>Officer</b>
118711G	Lot 1675 (1690) Harwell Way, Wedgefield	Non-compliance with planning conditions	Case adjourned until 31/10/2013 to allow for sealing of the properties to occur. - Adjourned until March 2014. - Adjourned until July 2014.
117650G	Lot 2505 # 7 Moorambine Street, Wedgefield	Unauthorised Residential Structures	Handed over to the attorney. - 1st Hearing set for Friday 2nd August 2013. - Adjourned until 30th August 2013. - Adjourned until 18th October 2013. - Sentencing scheduled for 22nd November 2013. - Adjourned until 20th Feb 2014. - Sentencing scheduled for the 9th April 2014. - Adjourned until 9th May 2014. - Set down for trial on 2nd December 2014.
401840G	Lot 841 # 34 Sutherland Street, Port Hedland	Asbestos house dumped on reserve (Old hospital site)	First mention on the 16th June 2014. Adjourned until 15th August 2014.
A118711	Lot 1675 (3) Harwell St, Wedgefield	Non compliance with planning conditions (Sealing of the site)	Adjourned for mention on 28 July 2014

**CURRENT HEALTH ORDERS AS OF JUNE 2014**

<b>Current Health Orders under Delegated Authority by Environmental Health Services</b>		
<b>File No.</b>	<b>Address</b>	<b>Current Status</b>
803367G	Lot 2052 McGregor St Port Hedland	Health order placed on temporary spectator stand ~ No public building application received by Town of Port Hedland, as such no approval has been granted for use as a temporary spectator stand ~ Town has notified Turf Club of issue

### 11.1.2 Proposed Final Adoption of Scheme Amendment No. 68 to the Town of Port Hedland Town Planning Scheme No.5

Ryan Del Casale, Strategic Planning Officer  
File No.: 18/09/0081

#### DISCLOSURE OF INTEREST BY OFFICER

Nil

#### 201415/003 RECOMMENDATION/ COUNCIL DECISION

**MOVED: CR HUNT**

**SECONDED: CR GILLINGHAM**

**That Council:**

- 1. Pursuant to Part 5 of the Planning and Development Act 2005 adopt, without modification, Scheme Amendment No. 68 to Town Planning Scheme No.5;**
- 2. Authorises the Mayor and Chief Executive Officer to execute three (3) copies of the amendment documents in accordance with the Town Planning Regulations 1967 (as amended) including the affixing of the Council's common seal; and**
- 3. Request the Chief Executive Officer, or his delegate(s), to forward three (3) copies of the approved scheme amendment and associated documentation to the Western Australian Planning Commission.**

**CARRIED 6/0**

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#### EXECUTIVE SUMMARY

At the Ordinary Council Meeting of 29 January 2014, Council initiated a request from Right Foot Forward (RFF) Consultants to amend the *Town of Port Hedland Town Planning Scheme No. 5* (TPS5) by rezoning Lot 5863 Butler Way, Port Hedland (subject site) from "Parks and Recreation" to "Residential R20" (ATTACHMENT 1).

The proposed scheme amendment was advertised in accordance with the Town Planning Regulations 1967.

No submissions were received; as such Council is requested to adopt Scheme Amendment 68 without any modification.



## DETAILED REPORT

### *Site Description*

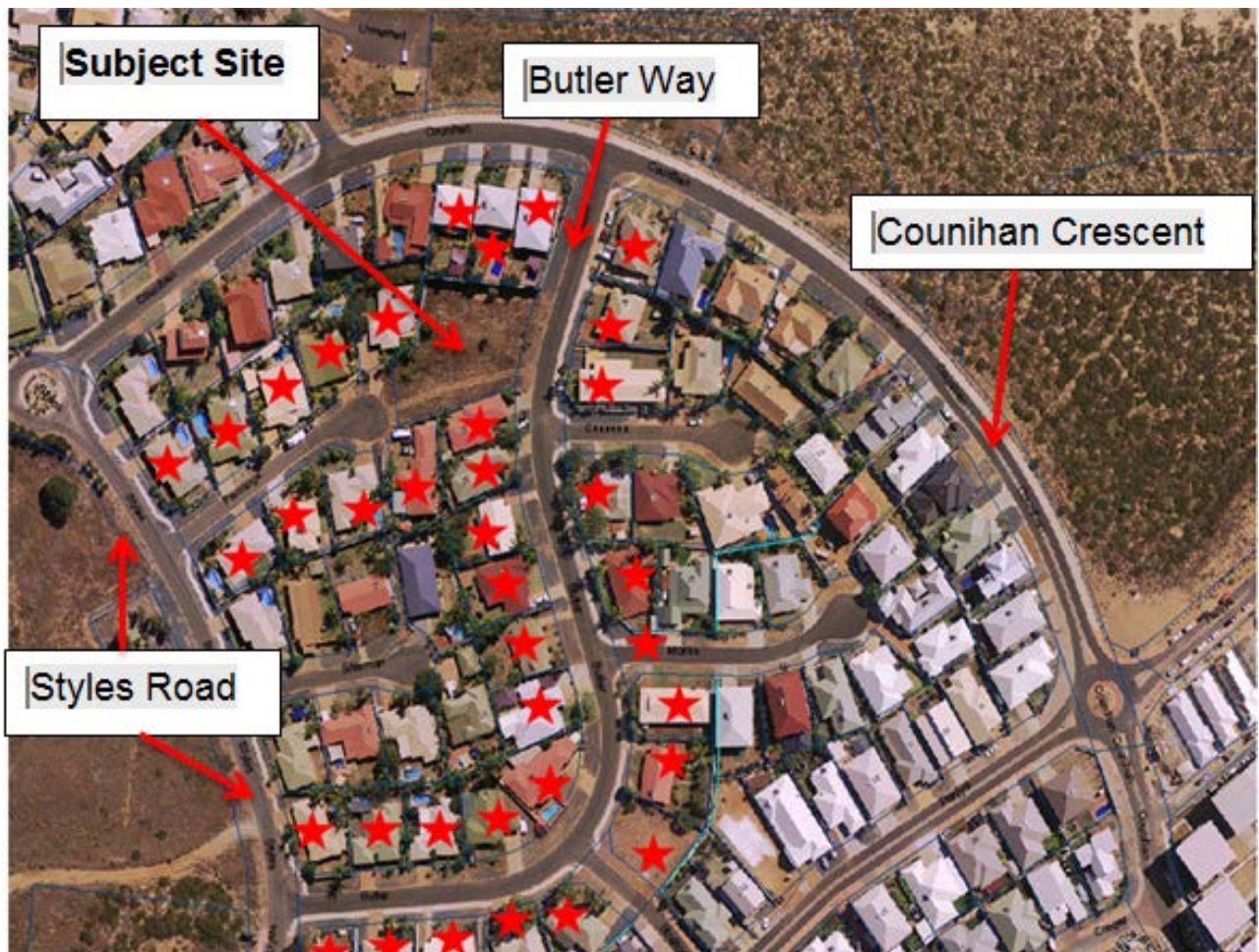
The subject site is located within the Pretty Pool suburb and has dual frontage to Butler Way and Pennings Court. The site has an area of 2,156m<sup>2</sup> and is currently reserved "Parks and Recreation". The subject site is vacant and has not been developed for recreation purposes. As part of the consultation process required by the *Town Planning Regulations* the proposed Scheme Amendment was forwarded to a number of agencies as well as the Town's internal units to gauge any future required use.

### *Consultation*

Consultation has been undertaken as per the requirements of the *Planning and Development Act 2005* and the *Town Planning Regulations 1967*. The amendment was submitted to the Environmental Protection Authority (EPA) on 17 February 2014 for consideration. The Town was advised after consideration by the EPA that an assessment was not required.

Subsequently the amendment was advertised for 42 days, from 16 April 2014 to 4 June 2014 follows:

- North West Telegraph;
- Council Website;
- Written notification to the following agencies:
  - Port Hedland Port Authority;
  - Main Roads Western Australia;
  - Water Corporation;
  - Telstra;
  - Optus; and
  - Horizon Power
- Written notification to surrounding landowners as shown in the diagram below;



No public submissions were received (refer to Attachment 2 - Schedule of Submission).

#### *Need and Desirability*

The site is currently reserved for “Park and Recreation” under the Scheme. In late 2012, the Town was granted a development lease on the subject site by the Department of Regional Development and Lands (RDL) for residential purposes.

The agreement with the Department of Regional Development and Lands allows the Town to purchase the land parcel at 5% of unimproved market value, subject to all funds raised from the development or sale of the subject site is reserved for expenditure on upgrades to existing or development of new recreation spaces in the town.

The location of the subject sites is considered favourable given its proximity to the coast and natural features. Further the subject site has never been or planned to be developed for recreational purposes. The amendment will result in better use of the site and be in accordance with Council’s strategic policies.

#### **FINANCIAL IMPLICATIONS**

The applicant has paid the prescribed fee of \$9,758.60 for the processing of the scheme amendment

## STATUTORY AND POLICY IMPLICATIONS

*The Planning and Development Act 2005 and the Town Planning Regulations 1967*, provides the Council the authority to amend its Town Planning Scheme and establishes the procedure required to make this amendment.

### *Strategic Planning Implications*

The following section of Council's Strategic Community Plan 2012 - 2022 is considered relevant to the proposal:

#### 6.3 Environment.

##### 6.3.1 Housing:

Address housing shortage & affordability through using Council held land, providing high quality modular construction, providing incentives and other forms of inducement to deliver housing by 2013.

### *Planning Comment*

The proposed Scheme Amendment is consistent with the findings Council's Strategic Community Plan 2012 – 2022, which seeks to develop Council held land for residential housing.

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

#### 5.6.2 Precinct 2 East End Urban Village

Proposed Land Use: Residential

#### Precinct Statement

"The East End Urban Village is Port Hedland's primary residential area. The area, encompassing Cooke Point and Pretty Pool, offers significant housing density and diversity together with sport and recreation opportunities, and school and community facilities. At its core is a retail and mixed use village offering a range of local convenience as well as dining and entertainment choices. Strong links to the coast and mangrove environs have been established offering residents and visitors alike a closer connection with the landscape."

### *Planning Comment*

Precinct Plan 2 identifies the intended land use and development for the East End, signifying a wide range of proposed densities aimed at providing more affordable housing and greater housing choice. This subject site is located in an area which has been identified for "opportunity for density increases". The Scheme Amendment will inevitably assist in meeting demand by zoning land for residential development.

*Policy Implications*

10/001 – Existing Trees

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

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

**ATTACHMENTS**

1. Scheme Amendment Report (Under Separate Cover)
2. Schedule of Submissions

30 July 2014

## ATTACHMENT 2 TO ITEM 11.1.2

## Schedule of Submissions

Correspondent	Comment Summary	Town's Response	WAPC Response
Port Hedland Port Authority	No objection.	N/A	N/A
Main Roads Western Australia	No objection	N/A	N/A
Water Corporation	No response	N/A	N/A
Telstra	No response	N/A	N/A
Optus	No response	N/A	N/A
Horizon Power	No Response	N/A	N/A

Property Address	Owners Name	Response
5 PENNINGS COURT PORT HEDLAND 6721	TERRACE COURT PTY LTD	No response
1 PENNINGS COURT PORT HEDLAND 6721	ATHERTON ATHERTON	No response
3 PENNINGS COURT PORT HEDLAND 6721	Dalewood Investments Pty Ltd	No response
7 PENNINGS COURT PORT HEDLAND 6721	WADE	No response
9 PENNINGS COURT PORT HEDLAND 6721	LEWIS PEART	No response
2 PENNINGS COURT PORT HEDLAND 6721	MAYBANK ZANKER	No response
4 PENNINGS COURT PORT HEDLAND 6721	Main Roads WA	No response
6 PENNINGS COURT PORT HEDLAND 6721	EDWARDS	No response

15 BUTLER WAY PORT HEDLAND 6721	AUSTRALIAN CUSTOMS SERVICE	No response
13 BUTLER WAY PORT HEDLAND 6721	HORIZON POWER	No response
11 BUTLER WAY PORT HEDLAND 6721	AUSTRALIAN CUSTOMS SERVICE	No response
9 BUTLER WAY PORT HEDLAND 6721	LENTON CONNELLY	No response
UNIT A 7 BUTLER WAY PORT HEDLAND 6721	BURRIDGE	No response
Unit B 7 BUTLER WAY PORT HEDLAND 6721	Mr & Mrs Real Estate 2 Pty Ltd	No response
5 BUTLER WAY PORT HEDLAND 6721	Mulcahy Bording	No response
3 BUTLER WAY PORT HEDLAND 6721	BHP BILLITON MINERALS PTY LTD	No response
1 BUTLER WAY PORT HEDLAND 6721	CRAGO CRAGO	No response
2 BUTLER WAY PORT HEDLAND 6721	BOTERHOVEN DE HAAN	No response
4 BUTLER WAY PORT HEDLAND 6721	Freo Group Limited	No response
6 BUTLER WAY PORT HEDLAND 6721	AUSTRALIAN CUSTOMS SERVICE	No response
8 BUTLER WAY PORT HEDLAND 6721	WA COUNTRY HEALTH SERVICE	No response
10 BUTLER WAY PORT HEDLAND 6721	ODONNELL	No response
12 BUTLER WAY PORT HEDLAND 6721	RUSSELL	No response
14 BUTLER WAY PORT HEDLAND 6721	AUSTRALIAN CUSTOMS SERVICE	No response
2 MONKS PLACE PORT HEDLAND 6721	TISCW Pty Ltd	No response

16 COUNIHAN CRESCENT PORT HEDLAND 6721	Qube Ports & Bulk	No response
24 BUTLER WAY PORT HEDLAND 6721	Main Roads WA	No response
1 CUNNEEN COVE PORT HEDLAND 6721	AUSTRALIAN & NEW ZEALAND BANKING GROUP	No response
2 CUNNEEN COVE PORT HEDLAND 6721	HORIZON POWER	No response
18 BUTLER WAY PORT HEDLAND 6721	REGIONAL POWER CORPORATION	No response
14 COUNIHAN CRESCENT PORT HEDLAND 6721	Bhp Billiton Minerals Pty Ltd	No response
Unit 1 17 BUTLER WAY PORT HEDLAND 6721	GUILFORD DELTA CAVE PTY LTD	No response
19 BUTLER WAY PORT HEDLAND 6721	PORT HEDLAND PORT AUTHORITY	No response
8 PENNING'S COURT PORT HEDLAND 6721	JONES JONES	No response

**11.2 Engineering Services****11.2.1 Old Port Hedland Cemetery Upgrade**

*Note: This item has been withdrawn and will be presented at a future Council meeting. The reason for this being that the Town sought Ministerial approval for a reduced quorum and absolute majority of four Elected Members to consider the item, however in view of Cr Jacob's late apology today due to illness the approval no longer stands.*



### 11.2.2 Award of Request for Tender 14-05 Replacement of Glazing at Wanangkura Stadium

Jenella Voitkevich, Manager Infrastructure Development  
File No: 05/09/0037

#### DISCLOSURE OF INTEREST BY OFFICER

Nil

#### RECOMMENDATION

That Council:

1. Award Request for Tender 14-05 Replacement of Glazing at Wanangkura Stadium to Port Hedland Glazing and Building Maintenance for the lump sum price of \$\_\_\_\_\_ (excluding GST); and
2. Request the Chief Executive Officer, or his delegate(s), to amend the 2014/15 budget to reflect the project budget and insurance claim reimbursement.

#### 201415/004 AMENDED RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR MELVILLE

That Council:

1. Award Request for Tender 14-05 Replacement of Glazing at Wanangkura Stadium to Port Hedland Glazing and Building Maintenance for the lump sum price of \$523,833.00 (excluding GST);
2. Request the Chief Executive Officer, or his delegate(s), to amend the 2014/15 budget to reflect the project budget and insurance claim reimbursement; and
3. Request the Chief Executive Officer, or his delegate(s), to provide a report on protection options for the glazing at Wanangkura Stadium.

***CARRIED BY ABSOLUTE MAJORITY 6/0***

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#### EXECUTIVE SUMMARY

The purpose of this report is to provide a summary of the assessment of submissions received for Request for Tender (RFT) 14-05 Replacement of Glazing at Wanangkura Stadium and to award the contract.

## DETAILED REPORT

Wanangkura Stadium is a contemporary leisure facility constructed in 2012 to provide sport, recreation, fitness and social opportunities for the residents of and visitors to Port Hedland. Its unique appearance has become a landmark in the town.

In November 2013 an attack of vandalism resulted in damage to 76 external double glazed panels, 3 double glazed skylight panels and 10 glazed door panels. Although the glazing remained intact, they must be replaced to maintain the appearance and structural integrity of the building. The glazing was also damaged in May 2013, resulting in the replacement of 25 panels.

Advice was sought from the Towns insurers and WALGA regarding the correct process for claims and procurement. An engineer was engaged to prepare the specifications for the glazing to be replaced, including a review of the original designs and specifications. The glazing designed for the original façade remains the best product for this situation. Additional measures, such as screens and alarms on the panels are under review to protect the glass in the future, however this is not covered under the Towns insurance policy.

RFT 14-05 was released on 14 May 2014 after the Towns insurers had approved the documentation. An optional tender briefing and site inspection was held on 23 May 2014 and was not attended by any potential contractors. RFT 14-05 submission deadline was 11 June 2014, with one (1) submission received from Port Hedland Glazing and Building Maintenance.

The submission was deemed compliant and assessed against the advertised evaluation criteria (price, relevant experience, resources and demonstrated understanding) by the tender assessment panel.

Confidential attachment 1 shows the price schedule submitted by the tenderer.

The following table provides a summary of the assessment results.

Tenderer / Assessment Criteria	Price (50%)	Relevant Experience (15%)	Resources (15%)	Demonstrated Understanding (20%)	Total Score (100%)
Port Hedland Glazing and Building Maintenance	50	13.13	11.63	16.50	<b>91.25</b>

*Price*

The price submission from Port Hedland Glazing and Building Maintenance is consistent with the cost estimate provided prior to tendering the contract. This has been accepted by the Towns insurers.

*Relevant Experience*

Port Hedland Glazing and Building Maintenance has been operating since 1998 and been responsible for many glazing installations in the town. They replaced the glazing that was damaged at Wanangkura Stadium during a previous incident, therefore have specific experience at this site and with this type of glazing panel. The experience of their management and trades within this industry ranges from 10 to 30 years.

*Resources*

Port Hedland Glazing and Building Maintenance are a locally based company and will be using locally based subcontractors for scaffolding and some equipment hire. They have demonstrated a suitable amount and quality of resources for this contract.

*Demonstrated Understanding*

Port Hedland Glazing and Building Maintenance has provided a comprehensive methodology of how the contract will be completed. This involves a staged approach to minimize disruption of services at the facility. Temporary fencing and bunting will be provided to ensure compliance with safety requirements and storage of equipment. Access to the facility will be maintained at all times, including disabled parking and walkways. Where access is redirected, spotters will be employed to assist patrons. The replacement of the glazing will commence as soon as the panels are available, noting that they have a long lead time. This will ensure that the contract is completed prior to summer, avoiding cyclones and impacts on air conditioning of the building as panels are removed.

Although representatives from Port Hedland Glazing did not attend the tender briefing on site, they arranged a separate inspection with the facility managers to ensure their understanding of the tender requirements.

*Summary*

Although only 1 tender submission was received, Port Hedland Glazing and Building Maintenance has demonstrated a clear understanding of the contract requirements and are able to resource the project accordingly. Their price submission is consistent with the cost estimate provided prior to tendering the contract. Therefore it is recommended to award the contract to Port Hedland Glazing and Building Maintenance.

**FINANCIAL IMPLICATIONS**

The cost for the replacement of glazing at Wanangkura Stadium is covered under an approved insurance claim. This includes the actual glazing replacement and any costs associated with the design and procurement process. The Towns insurers have inspected the facility, approved the tender specifications and reviewed the tender submission.

Confidential attachment 1 shows the price schedule submitted by the tenderer.

**STATUTORY AND POLICY IMPLICATIONS**

The Local Government Act (1995) section 3.57 and the Local Government (Functions and General) Regulations 1996 part 4, division 2 provide statutory requirements for the release, assessment and award of tenders. RFT 14-05 was conducted in accordance with these regulations, the Towns Procurement Policy 2/007, Tender Policy 2/011 and Regional Price Preference Policy 2/016.

Sections of this report pertaining to the price submission from the tenderer has been deemed confidential in accordance with the Local Government Act (1995) section 5.23 part 2(e)(iii).

The replacement of glazing at Wanangkura Stadium is broadly addressed in the 2012-2022 Strategic Community Plan in section 6.4 Local Leadership: Deliver responsible management of infrastructure, assets, resources and technology.

**ATTACHMENTS**

1. (Confidential): Price submission schedules for RFT 14-05 Replacement of Glazing at Wanangkura Stadium (Under Separate Cover)

7 July 2014

### 11.2.3 South Hedland Town Centre Road Modifications Update

Jenella Voitkevich, Manager Infrastructure Development  
File No: 18/12/0010

#### DISCLOSURE OF INTEREST BY OFFICER

Nil

#### RECOMMENDATION

That Council endorse the Chief Executive Officer to negotiate with Landcorp for adequate funding to implement the permanent South Hedland Town Centre road modification from within the South Hedland CBD Redevelopment Project.

#### AMENDED RECOMMENDATION

That Council:

1. Endorse the Chief Executive Officer to negotiate with Landcorp for adequate funding to implement the permanent South Hedland Town Centre road modification from within the South Hedland CBD Redevelopment Project; and
2. Request the Chief Executive Officer, or his delegate(s), commence a 4-6 month trial period of the road modifications, after the preparation of a trial implementation plan and communication strategy.

#### 201415/005 COUNCIL DECISION

MOVED: CR GILLINGHAM

SECONDED: CR HUNT

That Council:

1. Endorse the Chief Executive Officer to negotiate with Landcorp for adequate funding to implement the permanent South Hedland Town Centre road modification from within the South Hedland CBD Redevelopment Project; and
2. Request the Chief Executive Officer, or his delegate(s), commence a 6 month trial period of the road modifications, after the preparation of a trial implementation plan and communication strategy.

*CARRIED 6/0*

## EXECUTIVE SUMMARY

This report follows up from the report presented at the Ordinary Council Meeting on 25 June 2014 and provides further budget information regarding road modifications in the South Hedland Town Centre (SHTC). Council requested confirmation of funding prior to the end of July 2014 to support trialling the road modifications before the construction phase.

## DETAILED REPORT

The SHTC has been redeveloped by Landcorp over several years, with the aim of transforming the space into an activated urban environment. The area along Wise Terrace that interfaces with the shopping centre, car park and public open space has been designed as a shared traffic zone. This means that although vehicles have right of way, there is mutual consideration between vehicles and pedestrians resulting in all traffic flowing safely and slowly. Since the opening of the realigned roads in December 2011 several traffic and safety issues have been raised by the community. These issues relate to speed of vehicles, visibility of vehicles and pedestrians, and safe pedestrian access.

At the Special Council Meeting (SCM) on 4 June 2014 a report was presented outlining the issues and possible solutions, with the following decision being made:

### *"201314/348 AMENDED RECOMMENDATION/ COUNCIL DECISION*

#### *That Council:*

- 1. Support the road modifications in the South Hedland Town Centre by way of providing one way access in Wise Terrace and the closure of the western end of Rason Link (as per option 3); and*
- 2. Require a report to be provided in June 2014 that demonstrates the funding for a trial of the modifications in 1 above and for the permanent changes to be implemented.*

### *CARRIED 6/0"*

At the Ordinary Council Meeting (OCM) on 25 June 2014 a report was presented supporting the trial of road modifications subject to confirmation of funding from Landcorp to ensure that the permanent changes can be implemented, with the following decision being made:

### *201314/370 council decision*

*Moved: Mayor Howlett*

*seconded: Cr Jacob*

#### *That Council:*

- 1. support the trial of road modifications in the South Hedland Town Centre by way of providing one way access to a portion of Wise Terrace and the closure of the western end of Rason link, subject to confirmation of funding from Landcorp to ensure that the permanent changes can be implemented;*

2. *Request the Chief Executive Officer, or his delegate(s), to obtain confirmation of funding prior to the end of July 2014; and*
3. *Request the Chief Executive Officer, or his delegate(s), to develop a trial implementation plan, including communication strategy, timings and trial evaluation.*

*Carried 7/0"*

For the project to proceed it's essential that community consultation and a trial of the proposed layout occurs. This will not only satisfy the statutory requirement to apply for the gazettal of a one-way road system, but will also allow the community to test the proposed changes in a real life scenario and provide constructive feedback. From a technical perspective, officers will be able to assess the proposal for effectiveness of reducing traffic volumes, reducing vehicle speed and improving pedestrian safety.

Trialling the road modifications and asking the community for feedback will obviously raise the expectation that the project will be delivered. The trial itself will involve temporary barriers restricting access, signage and traffic management. This will be an inconvenience to the community at a time when there is already a significant amount of roadworks and traffic management throughout the town.

The following process is recommended to proceed with this project:

1. Engage an independent traffic engineer to review the design and outcomes of the trial.
2. Negotiate funding arrangements for the construction phase of the project.
3. Undertake community consultation and a trial of the proposed layout (minimum 28 days).
4. Review design based on outcomes of point 3, including report to Council.
5. Seek MRWA endorsement of the one way system (statutory requirement).
6. Detailed design stage (allow 3 months).
7. Construction procurement stage (allow 2 months).
8. Construction stage (allow 2 months).

### **FINANCIAL IMPLICATIONS**

Landcorp has provided the services of their traffic engineers free of charge to undertake the initial options review provided in the report presented at the June SCM. The engagement of an independent traffic engineer for further investigation will be absorbed within the 2014/15 budget.

The cost in undertaking the trial period would be minimal, consisting of signage, barriers, advertising, approval fees and officer resources. This cost has been allocated to accounts within the Town's 2014/15 budget.

The cost of implementation of the road modifications will depend on the outcomes of design recommendations made by the traffic engineer. It's estimated that the cost would be approximately \$300,000 inclusive of detailed design and construction.

The following provides a summary of budget implications:

Description	Value (ex GST)	Status
Independent traffic engineer	\$10,000	2014/15 budget
Trial and community consultation	\$10,000	2014/15 budget
Implementation (detailed design and construction)	\$300,000	Funding being negotiated
TOTAL	\$320,000	

### STATUTORY AND POLICY IMPLICATIONS

No statutory or policy implications are relevant to this stage of the project.

Further development will be subject to roads design standards. The implementation of road closures (permanent and temporary) will be subject to the Local Government Act 1995, section 3.50 and the Local Government (Functions and General) Regulations 1996, part 2. Road closures must also comply with Traffic Management standards. The conversion of Wise Terrace to one way traffic must comply with Regulation 291 of the Road Traffic Code 2000 and the associated approvals process with MRWA.

The Community Facilities and Strategic Local Leadership sections of Council's Strategic Community Plan 2012-2022 are considered relevant to this report. These sections commit to the provision of safe and accessible community facilities and services, as well as delivering responsible management of infrastructure.

### ATTACHMENTS

Nil.

11 July 2014



### 11.3 Community Development

#### 11.3.1 Community Engagement Strategy (July 2014) – Outcomes of Public Advertising, Feedback and Comment Period

Eddie Piper, Director Community Development  
File No. 03/01/0017

#### DISCLOSURE OF INTEREST BY OFFICER

Nil

#### 201415/006 RECOMMENDATION/ COUNCIL DECISION

**MOVED: CR HUNT**

**SECONDED: CR GILLINGHAM**

**That Council:**

1. **Receive the outcomes of the public advertising of the Community Engagement Strategy (updated draft, March 2014);**
2. **Adopt the final Town of Port Hedland Community Engagement Strategy (July 2014);**
4. **Request the Chief Executive Officer, or his delegate(s), to thank Seide Ramadani for the feedback and interest in the Community Engagement Strategy; and**
3. **Note that the Chief Executive Officer will ensure the Community Engagement Strategy will be implemented in the organisation.**

**CARRIED 6/0**

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#### EXECUTIVE SUMMARY

The Town of Port Hedland Community Engagement Strategy has been updated and advertised for public comment. In light of the feedback received, this is now presented to Council for final adoption.

#### DETAILED REPORT

The Special Meeting of Electors held on 19 February 2014 requested that Council:

1. *Review all consultation policy and procedures and update them to ensure that the consultation truly engages the public*
2. *Review the way the Council promotes community consultation periods to ensure the appropriate dissemination of information*

3. *Develop a policy whereby the consideration of public comments to community consultation is done in a manner that allows members of the public to attend a meeting of Council to discuss their submission before Council actually consider this matter.*

In response, the Town of Port Hedland Community Engagement Strategy, originally adopted in October 2011, was updated and presented to Council on 19 March 2014. The updated draft Strategy (March 2014) remains based on International Association for Public Participation (IAP2) standards as current and leading practice. The updated draft Strategy also includes:

- The addition and development of alternative engagement methods (particularly technology based) that improve reach to additional segments of the community and provide easier methods of feedback and input
- Reinforcement of the importance of closing the 'engagement loop' and informing participants as to how their opinions and information have contributed to Council decisions. Providing participants with feedback is important in respecting the relationship and maintaining ongoing engagement with the local community.

At SCM 19 March 2014, Council resolved to:

1. *Note the amendments to the (draft updated) Community Engagement Strategy (March 2014) to reflect the requests contained in the motion from the Special Meeting of Electors (19 February 2014)*
2. *Endorse the advertising of the (draft updated) Community Engagement Strategy (March 2014) for public comment, feedback and community engagement.*

The Community Engagement Strategy (updated draft, March 2014), Attachment 1, was advertised for public comment, feedback and community engagement. Public comment was sought from Friday 28 March to Wednesday 23 April 2014 and advertised via community notices, email, Facebook and ToPH Website. Copies were available online and at public locations including the Civic Centre and Libraries.

Feedback received can be viewed in full at Attachment 2. The feedback supported by Officers is summarised below in Table 1, and comment included as to how this has been reflected and updated in the revised Strategy.

*Table 1 – Summary of feedback supported for inclusion in the final Strategy*

Feedback - Item	Feedback – Comment	Officer's Comment
1. The photo on the front page	The photo is not representative of diversity and inclusivity and misrepresents the good values and objectives of the plan. It represents a mainstream and already well engaged and empowered community i.e. Anglo-Saxon, nuclear family.	The photo is appropriate. Worth consideration for future reports.
2. The front cover title	Doesn't tell me for what year this strategy is	There is no time period for this Strategy therefore there is no date.
3. Translation support	Would be good to have a page that usually appears on the back of council letters i.e. "if you need help understanding this document contact council"... written in different languages.	Question for Council to determine however there are numerous languages and question of which to include
4. Acknowledgement to Country	Written acknowledgement to country and traditional owners	Fully supported. Should be included in all Council documents.
5. Overall aims	The overall aims of the strategy are stated. However these are not further explored in the Strategy.	This is a strategy – not supported by Officers
6. Identification of specific major stakeholders	Engagement of some stakeholders such as indigenous and CALD communities, Young people, children and people with disabilities should have specific plans as there are particular needs, strategies and considerations for these groups.  While Council appears to make lots of effort, there are some areas where 'true' engagement appears to be lacking – e.g. indigenous, CALD and youth. These areas need some more focus.	All residents are stakeholders, as individuals or groups
7. Stakeholders not mentioned	No mention of Education providers like primary, high school and TAFEs other RTOs ... these are very important stakeholders.  No mention of government stakeholders.  No mention of ethno-specific	As above

	services, Aboriginal community organisations, religious services (perhaps these fit broadly under NFP).	
8. Use of acronyms	CALD is mentioned, but only as acronym  NFP mentioned, but only as an acronym	Page 9. CaLD and NFP to be written in full, and then referred to by acronym
9. Surveys	Surveys are great and easy to gauge the thoughts of those with strong literacy, numeracy and understanding of survey processes.  Consider also some informal, anecdotal ongoing 'conversations' with communities and documenting ongoing feedback that can inform strategies	Noted
10. Informing and engaging	'All the informing tools appear to be based on the assumptions of literacy. Good to see (sic) leaflets that will be easy to read'. TOPH website is very text-heavy and lacks accessibility tools such as translations and support for vision or hearing impaired	Noted
11. E-engagement strategies	Great strategies and good acknowledgement that some don't have access to computers.	Noted
12. 7 principles	These are explored in sections "To achieve this, the town will" however the statements seem very visionary, but are not focused enough. The principles are great, the vision to achieve them is terrific... but I am not seeing the "how it will be done". There seems to be no concrete strategies to achieve these, rather some motherhood statements that need a little more exploring and more concrete structure around them  These important principles need to be consistently applied across the Council. While the Community development team would be very adept to working with communities, some other sections of Council may not have the same skill sets to do so.	Noted

13. Reviews	No mention of how this plan will be reviewed and what frequency	Supported to review every 2 years
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Further to feedback received from the Aboriginal Consultation Forums, the Town has commenced the process to develop a Reconciliation Action Plan. This will highlight existing initiatives that celebrate and support local Aboriginal culture and outline new actions and targets to promote and achieve reconciliation.

### FINANCIAL IMPLICATIONS

There are no direct costs associated with the Community Engagement Strategy.

Implementation of the Strategy will incur costs which are allocated to each relevant item or project. Any costs associated with statutory advertising are recovered from the applicant in accordance with the adopted Fees and Charges Schedule.

### STATUTORY AND POLICY IMPLICATIONS

The Town's Strategic Community Plan 2012-2022 specifies the importance of keeping all community members informed about and involved with the provision of Council services and facilities. The Community Engagement Strategy provides a framework for ToPH Officers to inform, involve and engage with the community.

Based on International Association for Public Participation (IAP2) principles, the Town of Port Hedland – Community Engagement Strategy (CES) was adopted in October 2011 and aims to:

- Provide a consistent approach across the Town's departments as to how the Town and Elected Members engages with the local community
- Strengthen the partnership between the Town, government stakeholders, service providers, local organisations and the local community through ongoing community engagement
- Improve knowledge and skills of Town staff and improve internal coordination
- Be proactive and open to innovative ways to consult with the whole of the community.

A Policy will be developed in line with the strategy to allow for delivery of the adopted Community Engagement Strategy. This will be presented to Council at the Ordinary Meeting in August 2014.

### ATTACHMENTS

1. Town of Port Hedland Community Engagement Strategy (July 2014) (Under Separate Cover)
2. Feedback received in public comment period.

30 June 2014

**ATTACHMENT 2 TO ITEM 11.3.1****FEEDBACK TO TOPH COMMUNITY ENGAGEMENT STRATEGY (updated draft) March 2014**

Thanks very much for the chance to provide feedback to this Strategy. Enabling the community to do so will ensure we are all involved in the important future engagement strategies to improve access and equity in our community.

The plan is a fantastic document that shows a whole of council commitment to reflecting on challenging engagement strategies for the non-mainstream community. It's great to see that Council acknowledges these challenges. It also shows a commitment to the processes important to full participation for community members in community life and local decision making.

Please kindly accept my feedback as being constructive and not criticism. I believe and see that Council makes good efforts to support community engagement and participation. This is visible through the efforts of the community development team. It can only improve from that foundation.

Seide Ramadani

Community resident

South Hedland

ITEM	COMMENT	SUGGESTION	PAGE #
The photo in the front page	The photo is not representative of diversity and inclusivity and misrepresents the good values and objectives of the plan. It represents a mainstream and already well engaged and empowered community ie Anglo-Saxon, nuclear family.	You could use multiple images of communities, facilities, events, art, local references, community services, etc to represent a proudly diverse community. Or use symbolisms without images of people	Cover page
The front cover title	Doesn't tell me for what year this strategy is	Is it just for 2014 or 2014-2015?	Cover page
Translation support		Would be good to have a page that usually appears on the back of council letters ie "if you need help understanding this document contact council"... written in different languages.	First page

Acknowledgement to country		written acknowledgement to country and traditional owners	First page.
Overall aims	The overall aims of the strategy are stated. However these are not further explored in the Strategy.	Will these be developed into a workable implementation plan that includes timeframes, resources, outcomes and costs? This gives a more concrete way to measure how these important goals are being achieved.	Page 5
Identification of specific major stakeholders	Engagement of some stakeholders such as indigenous and CALD communities, Young people, children and people with disabilities should have specific plans as there are particular needs, strategies and considerations for these groups. While Council appears to make lots of effort, there are some areas where 'true' engagement appears to be lacking – eg indigenous, CALD and youth. These areas need some more focus.	Simple fact sheets or 'engagement guides' could be developed to give staff tips and strategies for engagement of minority groups and/or disengaged communities including ways, times, locations, cultural, language and literacy considerations. Provide training to staff to strengthen their capacity to successfully engage these communities.  Consider also how to engage FIFO communities.	Page 9
Stakeholders not mentioned	No mention of Education providers like primary, high school and TAFEs other RTOs ... these are very important stakeholders.  No mention of government stakeholders  No mention of ethno-specific services, Aboriginal community organisations, religious services (perhaps these fit broadly under NFP)	Mention Schools, TAFEs and RTOs  Mention other government agencies	PAGE 9

CALD	<p>CALD is mentioned, but only as acronym</p> <p>NFP mentioned, but only as an acronym</p>	<p>Put CALD either in glossary or expand the acronym ie: culturally and linguistically diverse (CALD)</p> <p>Change NFP to Not for profit (NFP)</p>	Page 9
Surveys	<p>Surveys are great and easy to gauge the thoughts of those with strong literacy, numeracy and understanding of survey processes. Consider also some informal, anecdotal ongoing 'conversations' with communities and documenting ongoing feedback that can inform strategies</p>	<p>Informal 'surveys' and other ways to identify needs, issues and visions of the community</p> <p>Could use support of neighbourhood/community centres</p> <p>Build relationships with local Aboriginal services to support feedback and engagement</p> <p>Hold a youth conference?</p> <p>Reply paid postcards?</p> <p>Engage little kids through schools using art, writing comps, speech comps or other methods.</p>	Page 10
<p>"Some common forms of informing and engaging with the community that the Town of Port Hedland will continue to use include, but not limited to:"</p>	<p>All the informing tools appear to be based on the assumptions of literacy. Good to see leaflets that will be easy to read'.</p> <p>TOPH website is very text-heavy and lacks accessibility tools such as translations and support for vision or hearing impaired</p>	<p>Consider mention of</p> <ul style="list-style-type: none"> <li>- Community radio as a regular tool</li> <li>- Update TOPH website to be accessible to hearing, vision impaired and non-english speaking communities.</li> </ul>	Page 14
E-engagement strategies	<p>Great strategies and good acknowledgement that some don't have access to computers.</p>		Page 16



<p>7 principles:</p> <ul style="list-style-type: none"> <li>• Inclusiveness and Diversity</li> <li>• Openness, Respect and Accountability</li> <li>• Leadership</li> <li>• Purpose</li> <li>• Feedback and Evaluation</li> <li>• Information Sharing</li> <li>• Resourcing and Timing.</li> </ul>	<p>These are explored in sections “To achieve this the town will” however the statements seem very visionary, but are not focused enough. The principles are great, the vision to achieve them is terrific... but I am not seeing the “how it will be done”. There seems to be no concrete strategies to achieve these, rather some motherhood statements that need a little more exploring and more concrete structure around them</p> <p>These important principles need to be consistently applied across the Council. While the Community development team would be very adept to working with communities, some other sections of Council may not have the same skill sets to do so.</p>	<p>Consider developing these principles further by addressing the <i>how, when, who</i> in these principles</p>	<p>Pages 18-</p>
<p>GENERAL COMMENTS</p>	<p>No mention of how this plan will be reviewed and what frequency</p>	<p>Consider review periods ?</p>	

**11.4 Corporate Services****11.4.1 Request to Write Off Portion of Electricity Consumption Charges**

Sara Bryan, Manager Investment and Business Development  
File No. 05/05/0108

**DISCLOSURE OF INTEREST BY OFFICER**

Nil

**201415/007 RECOMMENDATION/ COUNCIL DECISION**

**MOVED: CR DACCACHE**

**SECONDED: CR HUNT**

**That Council:**

- 1. Refuse the Esplanade Port Hedland Hotel's request to write off a portion of electricity consumption charges for the occupation of the Export Bar and Café at the Port Hedland International Airport; and**
- 2. Authorise the Chief Executive Officer or his delegate to negotiate a payment arrangement with the Esplanade Port Hedland Hotel for the outstanding invoice amount of \$41,322.04 to be recovered within 90 days from the endorsement of this recommendation.**

**CARRIED 6/0**

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**EXECUTIVE SUMMARY**

The Esplanade Port Hedland Hotel (Esplanade) are the operators of the Export Bar and Café at the Port Hedland International Airport (PHIA).

In June 2014, an invoice was raised for back dated electricity consumption charges associated with the abovementioned tenancy.

The Esplanade have made a request for a portion of this invoice to be written off. This item recommends that Council refuse this request and noting that the amount is not unsubstantial, authorise the relevant officer to negotiate a payment arrangement for the outstanding invoice amount.

**DETAILED REPORT***Backdated consumption charges*

In November 2010, the Town of Port Hedland (Town) received a bill for electricity consumption within the terminal building at PHIA. The bill received by the Town indicated an excessive consumption charge in comparison with like periods, and was questioned with Horizon Power by officers at the time.

Following this query, Horizon Power put a stop on any demand for payment until the highlighted issue was rectified.

Due to high staff turnover in the areas responsible for the rectification of this issue within both organisations, this issue remained unresolved for some time.

In April 2012, Town officers discovered that no power bills had been received for consumption within the PHIA terminal building since November 2010. In consultation with Horizon Power, an audit was completed on the airport electricity meter network. In July 2013, it was established that the charges on the outstanding account were accurate and the Town made payment for the consumption charges on the main meter account.

#### *Airport Bar and Café*

Following the discovery of this matter in April 2012, the then operators of the Airport Bar and Café, Bloomoons Pty Ltd (Bloomoons) made contact with the Town to request an assignment of their lease arrangement to the Esplanade. This assignment was completed on 20 August 2012.

Through the assignment process, it was discussed with both the new and departing Lessees that the Town was working through an issue with Horizon Power in relation to electricity consumption within the terminal building and that they would each be responsible for consumption charges once this issue had been rectified.

The assignment of lease documentation contains a clause stipulating that the Assignor (Bloomoons) were to remain liable for all outgoings for which it is responsible pursuant to the original lease document. Both lease agreements stipulate that the Lessee is responsible for utility charges.

#### *Submeter readings*

The power supply to the airport bar and café is fed through two sub meters, Café essential and Café non-essential.

These sub meters were installed by O'Donnell Griffin in September 2010 and are in excellent condition and working order.

At the time of the assignment of lease in August 2012, readings were taken from the sub meters in lieu of recording consumption amounts for on charging purposes. Unfortunately, these readings were misplaced, and the next readings were taken on 28 November 2012. It has been agreed with the Esplanade that the reading taken on 28 November will be used in calculating backdated charges.

#### *Calculation of consumption charges*

Horizon Power publishes unit consumption rates for the supply of power on an annual basis. Unit consumption rates differ for the first 1600kw per day any consumption exceeding this amount. In calculating the consumption charges, an average unit rate has been utilised as per the table below.

	2012/13	2013/14
Daily supply charge	0.39	0.41
First 1600kw per day	0.28	0.29
Excess	0.26	0.27
Average unit rate	0.27	0.28

In May 2014, officers met with the Esplanade to discuss the consumption charge calculations and advised that an invoice would be raised for an amount of \$41,322.04 for electricity consumption charges between 28 November 2012 and 30 April 2014.

During this meeting, it was confirmed that moving forward, the sub meters will be read and consumption charged on a monthly basis.

On receiving the invoice for the backdated usage charges, the Esplanade has requested that Council accept a \$30,000 lump sum payment to clear this invoice.

In order to promote fairness and equity between all tenants of Town property, it is recommended that Council refuse this request and noting that the amount is not unsubstantial, authorise the relevant officer to negotiate a payment arrangement for the outstanding invoice.

#### FINANCIAL IMPLICATIONS

Should Council resolve to proceed with the Officer's Recommendation of this item, there will be no financial implications to the associated reimbursement account.

#### STATUTORY AND POLICY IMPLICATIONS

While there are no statutory implications associated with the Officer's Recommendation, *Section 6.12 of the Local Government Act 1995 - Power to defer, grant discounts, waive or write off debts* is relevant in considering the request made by the Esplanade for a write off of a portion of the outstanding invoice amount.

#### ATTACHMENTS

Nil

3 July 2014

### 11.4.2 Community Leasing Policy

Sara Bryan, Manager Investment and Business Development  
File No. 05/05/0081

#### DISCLOSURE OF INTEREST BY OFFICER

Nil

#### 201415/008 RECOMMENDATION/ COUNCIL DECISION

**MOVED: CR HUNT**

**SECONDED: CR GILLINGHAM**

**That Council:**

- 1. Adopt the Town of Port Hedland's Policy 8/004 Community Leasing**
- 2. Adopt an annual community lease fee of \$2,500 exclusive of GST into the Town of Port Hedland Fees and Charges**

**CARRIED BY ABSOLUTE MAJORITY 6/0**

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#### EXECUTIVE SUMMARY

The Town of Port Hedland (Town) manages a number of lease arrangements with community groups, clubs and associations (community organisations) for the occupation and management of Town owned and/or controlled assets.

A community organisation is defined within the Policy as:

*"a formal group of people based in or around the "community", organised in some way, having structure, rules or legal entity or association status providing a service within its locality."*

A Community Leasing Policy (Policy) has been developed to provide a framework of reference that will enable the strategic management of the Town's leased assets in a way that enhances the quality of life and wellbeing of the community in accordance with Council's objectives indicated in the Strategic Community Plan.

The adoption of the Policy will provide Council with a consistent and transparent framework when considering lease terms and arrangements for community organisations.

The draft Policy forms Attachment 1 of this item.

#### DETAILED REPORT

##### *Summary of aims*

In developing a community leasing policy, the Town aims to work towards promoting consistent, transparent and simplistic principles within community lease arrangements.

It is further intended that the Policy will enable a holistic approach to asset management and assist in developing a shared understanding of the whole of life costs associated with community infrastructure and how this shapes and defines the ownership and control models for these assets.

In applying the principles of the Policy, it is anticipated that both Council and the community will benefit from an increased ability to achieve longevity of community organisations by promoting and supporting effective operational planning to ensure operations are sustainable and facilities are well maintained, functional and fit for purpose.

#### *Supporting process*

It is proposed that the implementation of the Policy will involve the classification of community organisations into one of four categories; details of these can be seen in Attachment 2 – Community Leasing Application Form.

The classification of community organisations will consider a number of criteria, including the status of the organisation, its ability to self-sustain, the level of community engagement to result from its activity, as well as the ability of the organisation to take on asset management responsibilities.

The application form has been developed with consideration to the Community Donations Fund and Rates Concession application processes already in place at the Town.

The classification of the community organisation will then provide guidance as to the proportional balance of the ownership, control and ongoing financial contributions to the whole of life costs associated with the particular asset between the community organisation and the Town.

It is proposed that the Policy be reviewed on a three yearly basis to ensure that any changes to the community organisation effecting their classification will be reviewed and amended if necessary.

Notwithstanding this proposed three yearly review, through open communication and effective lease administration processes, community lessees will be able to notify the Town and discuss any change to the status of their organisation at any point during the term of their lease.

#### *Pricing structure and lease terms*

The Town currently manages a total of 23 community lease agreements. The annual lease fees within these agreements range from between one peppercorn to \$6,000 per annum, exclusive of GST.

As part of the adoption of the Policy, it is recommended that an annual community lease fee be included as part of the Town's Fees and Charges schedule. It is proposed that this amount be set at \$2,500 per annum, exclusive of GST. This amount represents a fair reflection of the median lease fee currently paid by community organisations.

The terms of the community leases currently managed by the Town range from 2 to 21 years. As part of this process, it is proposed that the length of term of the lease be reflective of the amount of upfront capital commitment made by the community organisation to provide or improve a Town asset. The length of the lease term would coincide with the expected useful life of the improved or developed asset.

Where a long term lease is to be considered, it is proposed that the term will be broken down to contain an initial lease period, with extended terms, (eg. 3 years + 3 + 3 +3 or 5 years + 5 + 5 + 5), so that the Town is able to work closely with the community organisation to identify any changes to the operation, community participation and funding streams/opportunities which may have an impact on the provision of the service offering.

#### *Consultation process*

This Policy has been in development over the last two years. During this time, officers have liaised extensively with a number of Local Governments around the country, investigating a number of different approaches to this subject and gathering feedback on the practical side of the implementation of such a policy.

It has been evident, that the most successful community leasing policies have been developed with asset management principles at their foundation and with clear definitions of expectations and responsibilities of both Council and the community managed from the outset.

The development of the Policy has also been guided through the delivery of presentations to the Executive management team, and to Council through its Concept Forum program schedule.

During the month of May, Officers ran a series of community consultation forums with community organisations to present the Policy and Assessment Form for their review and comment.

A total of 48 community organisation representatives were invited to participate in the consultations process, 24 of which attended the scheduled consultation meetings, with 14 providing written feedback on the process, principles and associated documentation.

General feedback indicated that there is support for the overall process and that the principles of the policy are good.

As part of the review process, community organisations were encouraged to complete the assessment form to test the structure of the form and the integrity of the questions. As a result of this feedback, a number of amendments have been made to the assessment form to enable the wide variety of community organisation objectives to be captured as part of the process. The assessment form also suggests that any information which may be relevant, but is not captured in the assessment form, may be attached to the application by way of a written statement of objectives, including details on the history and heritage of the organisation and its position within the community.

A number of community organisations also made comment during the consultation process and in the written feedback that the \$2,500 per annum lease fee may be difficult for some lower income organisations to manage. These comments were generally made by organisations who would be anticipated to be classified within the A category, and who are currently responsible for a peppercorn lease arrangement.

A number of suggestions were made to scale the lease fee depending on the level of income generated by the community organisation. In view of promoting fairness and equity among community organisations, it is recommended that Council adopt the proposed annual lease fee of \$2,500 into the Town's Fees and Charges, and direct community organisations to the Community Donations funding process for consideration to address any subsidy requests in a consistent manner.

The Policy is intended to focus on equity among community organisations that have exclusive possession of and individual responsibilities for the management of Town assets in which they provide their essential services to the community.

This Policy will have no impact on casual hiring of Town grounds and facilities and it is further anticipated that the developed understanding of effective asset management responsibilities will encourage alternative tenure arrangements, such as licensing and shared use and management solutions where community organisations will work together to maximise the use, and therefore overall community benefit from community infrastructure.

#### FINANCIAL IMPLICATIONS

There are no direct financial implications resulting from this item.

#### STATUTORY AND POLICY IMPLICATIONS

The disposal of property when dealing with community organisations is exempt from Section 3.58 of the *Local Government Act 1995* in accordance with Regulation 30 of *Local Government (Functions and General) Regulations 1996*.

The disposal of property to organisations whose activities are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature and whose members are not entitled to receive any pecuniary profit from the transactions are exempt from requiring formal Council decision and public advertising process.

In relation to the proposed adoption of the annual lease fee into the Town's Fees and Charges schedule, Section 6.16 (2) (a) of the *Local Government Act 1995* is relevant as the fee is directly related to providing the use of, or allowing admission to, any property or facility owned, controlled or managed by the Town. Further to this, should the fee be adopted by Council, the fee will need to be advertised by way of local public notice in accordance with Section 6.19 of the *Local Government Act 1995*.

This item addresses two points within the Strategic Community Plan by promoting a unified and vibrant community.



**ATTACHMENTS**

1. DRAFT Policy 8/004 Community Leasing Policy
2. DRAFT Community Leasing Policy Application Form

3 July 2014

## ATTACHMENT 1 TO ITEM 11.4.2

**Policy Name and Number**

Community Leasing Policy

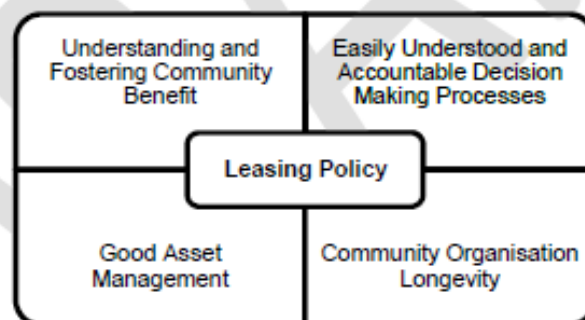
**Policy Objective**

The aim of this policy is to provide a framework of reference that will enable the strategic management and functionality of the Town of Port Hedland's leased assets in a way that enhances the quality of life and wellbeing of the community in accordance with Council's objectives indicated in the Strategic Community Plan.

This Policy will work in conjunction with relevant Legislation & Regulations and other Town of Port Hedland Policies. It will also take into account the financial capacity of the Town to maintain and renew community infrastructure.

The objective will be achieved by addressing issues in such a way as to ensure consistency, transparency, parity and equality between all leases, licences and management agreements prepared in respect of Town of Port Hedland controlled assets.

This Policy contains the following key commitments to achieve its objectives:



This policy does not apply to the occasional use or hiring of the Town of Port Hedland's facilities or sporting grounds.

**Policy Content**Understanding and Fostering Community Benefit

The Net Community Benefit of any organisation seeking to utilise Town of Port Hedland assets will be defined and measured in order to consider any financial subsidies, grants or discounts that Council offers in respect of that use.



### Community Organisation Longevity

By defining plans with which to collaborate with Community Organisations regarding the use of Town of Port Hedland assets this Policy seeks to enable Community Organisations to plan ahead and encourages proactive participation in the delivery of the outcomes of the Strategic Community Plan.

### Good Asset Management

Community facilities must be maintained to a standard agreed to in the lease's maintenance schedule, functional and fit for service. Good asset management will support and be supported by the objective of this policy and will be achieved by the following:

- Assisting and promoting shared use of Town of Port Hedland owned facilities to maximise their utilisation and broaden their user base;
- Ensuring the maximum economic life of assets through clear and effective maintenance practices and procedures; and
- Understanding Whole of Life Costs.

### Easily Understood and Accountable Decision Making Processes

- Each prospective tenant of a Town of Port Hedland asset will be assessed in a consistent manner in order to identify their capacity to achieve Council's desired outcomes and cover any reasonable costs associated with the occupation of the asset.

### **Risk Management**

Tenants must have in place emergency and evacuations plans and procedures and must adhere to and comply with occupational health and safety requirements.

### **Pricing Strategy**

This policy aims to align with the Town of Port Hedland Asset Management Policy and associated plans in order to define pricing structures in consideration of maintenance plans and schedules for Town of Port Hedland owned or controlled assets. Consideration will be given in this pricing structure to any organisation improving or providing a Town of Port Hedland owned asset.

### **Accountability and Responsibility**

Accountability and Responsibility for the allocation of Town of Port Hedland assets to Community Organisations will be jointly managed between the Community Development and Investment and Business Development teams. The process of measuring the Net Community Benefit will be the responsibility of the Community Development team while the formalisation of agreements and public



consultation in accordance with the *Local Government Act 1995* will be completed by the Investment and Business Development team.

### Transitional Arrangements

Upon adoption of this policy all new leasing and licencing arrangements entered into will be required to adhere to this policy.

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' objectives).

"Asset Management Plan" refers to a long term plan that combines multi-disciplinary asset management techniques to outline the assets activities, program and resources applied to provide a defined level of service for each asset class over the lifecycle of the asset.

"Capital Council Contribution" means Council contribution towards works, upgrades or replacement of asset or infrastructure.

"Community Leasing Policy" means the current version of the adopted Council Policy.

"Community Organisation" means a formal group of people based in or around the "community", organised in some way, having structure, rules or legal entity or association status providing a service within its locality.

"Council" means the elected council (comprising Councillors) of the Town of Port Hedland.

"Lessee" means a person or group or committee who holds the lease of a property; a tenant.

"Life Cycle" means the phases of activities that an asset goes through, including planning, design, construction, acquisition, operation, maintenance, rehabilitation and disposal.



“Net Community Benefit” means 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.

“Not for Profit” means an organisation that does not operate for the profit, personal gain or other benefit of particular people.

“Operational Costs” means the costs associated with the day to day operations of the asset including but not limited to local government rates, rubbish collection, water, electricity, gas, telephone, internet, insurances and any other associated charges in respect of the premises.

“Premises” means the land or buildings or a combination of both – to be defined by applicant.

“Rental Fees” means fees for the occupation of a Town of Port Hedland asset pursuant to the lease, licence or management agreement for the facility.

“Strategic Community Plan” means the plan containing the long-term goals and strategies of the Town.

“Town of Port Hedland” (Town) means the collective Town of Port Hedland organisation.

“Whole of Life Costs” refers to the total cost of an asset throughout its life cycle.

Relevant Legislation	<i>Local Government Act 1995, Land Administration Act 1997, National Competition Policy, Interpretations Act 1984</i>
Council Approval Date and Resolution No.	<i>tbc</i>
Last Date of Review	<i>June 2014</i>
Review Frequency	<i>3 years</i>
Responsible Officer/Directorate	<i>Corporate Services</i>

**Document Control Statement** – *The electronic reference copy of this Policy is maintained by the Investment and Business Development Department. Any printed copy may not be up to date and you are advised to check the electronic copy at <http://intranet/> to ensure that you have the current version. Alternatively, you may contact the Investment and Business Development Department.*

## ATTACHMENT 2 TO ITEM 11.4.2



## LEASING POLICY

**Application form**

Community Groups and/or Organisations requesting to lease a Town of Port Hedland (Town) property must complete the Community Leasing Policy classification form.

This assessment form will assist the Town in providing lease agreements that are fair, equitable and transparent. The main objectives informing the classification process are broken down into the following categories:

**Objective 1**

**Community Benefit;** the proposed benefits of any organisation to community members will be defined and measured in order to consider any financial subsidies, grants or discounts that Council offers in respect of that use.

**Objective 2**

**Organisation longevity;** Community facilities are provided at a subsidised cost to support the long term survival of the organisation and encourage community recreation.

**Objective 3**

**Good asset management;** Community facilities must be maintained to a standard, functional and fit for purpose. Operating lease agreements in a financial sustainable environment for the long term and consistent with Strategic Community Plan initiatives.

**Objective 4**

**Accountable decision making processes;** Each prospective tenant of a Town owned or controlled Premises will be ranked through a matrix system in order to identify their capabilities to achieve Council's desired outcomes and contribute to any Operational Costs and or Maintenance Costs associated with the occupation of the asset.



## Assessment tools

Table 1

Group A	Organisations are typically altruistic in nature and eligible for Council funding. Groups provide high level of benefit to the entire community in an unrestricted manner
Group B	Organisations offering a moderate to high level of community benefit. Potential to generate some smaller level of income. Membership or benefit may be restricted in some way
Group C	Organisations offering moderate to minor community benefit. Has various sources of other income, potentially to a semi-commercial level. Membership or benefit may be restricted in some way.
Group D	Organisation is offering community benefit but operating as a commercial business and / or with a high level of income generation capacity

Table 2

Item	Whole of Life Costs Contribution (Lessee)	Whole of Life Costs Contribution (Town)	Rental Fees	Operational Costs (Lessee)
Group A	0%	Up to 100%	In accordance with Town of Port Hedland Fees and Charges	100%
Group B	33%	Up to 66%		100%
Group C	66%	Up to 33%		100%
Group D	100%	0%		100%



Name of Organisation	
Contact Person	
Contact Telephone	
Address of Premises	
Land and/or Buildings	
Main service to community	
Operating Hours	

	Yes	No
<b>Status of Organisation</b>		
Is your organisation a registered Charity?		
Is your organisation an Incorporated Body? If yes, please provide the certificate of incorporation.		
If yes, what is the registered purpose of the Incorporation?		
Does your organisation comply with the relevant legislation governing its activities and hold all licenses and registration certificates required for the organisation to operate?		
Does your organisation have a committee of management and appropriate governance arrangements with established accountability and reporting methods to members and/or the community?		
Is your organisation not for profit entity under Australian Tax office definitions?		





Is your organisation considered to be a Public Benevolent Institution for taxation purposes? <i>If yes, please provide the relevant Taxation information.</i>		
<b>Ability to self-sustain</b>		
Does your organisation have the ability to generate funds to sustain the day to day operations?		
Does the organisation rely on user fees and community fundraising? <i>If yes, please provide details</i>		
Are you a not for profit organisation that undertakes particular sporting, community or recreational activities and hold a liquor and or gaming licence? <i>If yes, please provide details</i>		
Is your organisation able to use occupied facilities as a source of revenue? <i>If yes, please provide details</i>		
<b>Community Engagement</b>		
Does your organisation offer community services, recreation and/or sporting activities? <i>If yes, please provide details</i>		
Current number of participants directly benefiting from the service		
<b>Community Benefit</b>		
Will the use of the facility be consistent with Council's vision and the goals outlined in the Strategic Community Plan?		
Does the service or activity of your organisation have clearly stated criteria for participation that are directly related to the nature of the service or activity?		
<b>Asset Management</b>		
Does your organisation have the capacity to keep operational facilities in clean and good repair?		



Does your organisation have the capacity to maintain the property, including any plant and equipment in accordance with the relevant maintenance schedules and requirements of the Town?		
Does your organisation intend to seek assistance (financial/and or non-financial) from the Town to assist with its maintenance, cleaning and operating expense obligations?		

1. Please briefly outline how this organisation will operate.

2. Please briefly outline any projects, events or activities managed by your organisation and provide details of the benefits that they bring to the community.

DRAFT



Application Check List	
<ul style="list-style-type: none"> <li>● Certificate of Incorporation</li> <li>● Written Statement, outlining the nature of the organisation’s operations. Including the following details:                             <ul style="list-style-type: none"> <li>– Purpose/Objective of the organisation</li> <li>– History and heritage of the organisation within the community</li> <li>– Frequency of the service provision (e.g. full-time, daily, weekly )</li> <li>– Details of any incidentals received for the service</li> </ul> </li> <li>● Financial statements attached for the last two (2) financial years                             <ul style="list-style-type: none"> <li>– Details of any funding income</li> <li>– Details of sponsorship income</li> <li>– Details of commercial income</li> </ul> </li> </ul>	

DRAFT

Town of  
Port Hedland



#### Assessment Process

### Application

- **Community Group** submits application form



### Assessment

- **The Town** assesses the application against the **Criteria**



### Decision

- **Council** considers the assessment and makes formal decision on lease terms in accordance with the **Community Leasing Policy**



## 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’ objectives).

**“Asset Management Plan”** refers to a long term plan that combines multi-disciplinary asset management techniques to outline the assets activities, program and resources applied to provide a defined level of service for each asset class over the lifecycle of the asset.

**“Capital Council Contribution”** means Council contribution towards works, upgrades or replacement of asset or infrastructure.

**“Community Leasing Policy”** means the current version of the adopted Council Policy.

**“Community Organisation”** means a formal group of people based in or around the “community”, organised in some way, having structure, rules or legal entity or association status providing a service within its locality.

**“Council”** means the elected council (comprising Councillors) of the Town of Port Hedland.

**“Lessee”** means a person or group or committee who holds the lease of a property; a tenant.

**“Life Cycle”** means the phases of activities that an asset goes through, including planning, design, construction, acquisition, operation, maintenance, rehabilitation and disposal.

**“Net Community Benefit”** means 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.

**“Not for Profit”** means an organisation that does not operate for the profit, personal gain or other benefit of particular people.

**“Operational Costs”** means the costs associated with the day to day operations of the asset including but not limited to local government rates, rubbish collection, water, electricity, gas, telephone, internet, insurances and any other associated charges in respect of the premises.

**“Premises”** means the land or buildings or a combination of both – to be defined by applicant.



“Rental Fees” means fees for the occupation of a Town of Port Hedland asset pursuant to the lease, licence or management agreement for the facility.

“Strategic Community Plan” means the plan containing the long-term goals and strategies of the Town.

“Town of Port Hedland” (Town) means the collective Town of Port Hedland organisation.

“Whole of Life Costs” refers to the total cost of an asset throughout its life cycle.

Relevant Legislation	<i>Local Government Act 1995, Land Administration Act 1997, National Competition Policy, Interpretations Act 1984</i>
Council Approval Date and Resolution No.	<i>tbc</i>
Last Date of Review	<i>April 2014</i>
Review Frequency	<i>3 years</i>
Responsible Officer/Directorate	<i>Corporate Services</i>

**Document Control Statement** – *The electronic reference copy of this Policy is maintained by the Investment and Business Development Department. Any printed copy may not be up to date and you are advised to check the electronic copy at <http://intranet/> to ensure that you have the current version. Alternatively, you may contact the Investment and Business Development Department.*

### 11.4.3 Draft Rating Strategy

Clare Phelan, Director Corporate Services  
File No.: 24/03/0005

#### **DISCLOSURE OF INTEREST BY OFFICER**

Nil

#### **201415/009 RECOMMENDATION/ COUNCIL DECISION**

**MOVED: CR HUNT**

**SECONDED: CR MELVILLE**

**That Council:**

- 1. Receive the report from the Director Corporate Services on the Draft Rating Strategy;**
- 2. Endorse the Draft Rating Strategy for public consultation; and**
- 3. Be provided with a further report to consider the outcomes of public consultation on the Draft Rating Strategy.**

***CARRIED 6/0***

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#### **EXECUTIVE SUMMARY**

Town Officers in conjunction with Elected Members have prepared a Draft Rating Strategy which sets out the proposed philosophy for the levying of rates in the Town of Port Hedland local government area over the medium term. This report seeks approval from Council to commence public consultation on the Draft Rating Strategy.

#### **DETAILED REPORT**

Rates represent a significant revenue source for the Town. As part of developing the Town's current 4 year budget, along with the 10 year financial plan, it was evident that a clear strategy articulating the Town's approach to Rates over the medium term would be of benefit both to the Town and the Community.

The purpose of the Rating Strategy is to provide a robust and considered framework for Rates categories, Minimum Rates, and Differential Rates that incorporates the principles of objectivity; fairness and equity; consistency; transparency; and administrative efficiency. The Strategy also aims to establish a reliable rates revenue stream for the Town from year to year; and deliver a stable rating price path for our community.

The Draft Rating Strategy sets out the legislative framework for rates; existing rating categories; proposed yield increases; yield and land value of each category; and how and why deviations from the proposed pricing path may occur. The Strategy also includes a Rates Improvement Plan for the coming years.

With reference to the Town of Port Hedland Community Engagement Strategy, it is recommended that the Draft Rating Strategy be put on public exhibition for consultation, to seek feedback on the Strategy as presented. The Town will inform the community of the Draft Rating Strategy, and listen to acknowledge concerns and feedback. Proposed engagement tools include public advertising, an online survey, and targeted stakeholder mail-outs.

It is proposed to compile any feedback or submissions to the Draft Rating Strategy, and submit any recommended changes to the Draft to Council prior to adoption of the Strategy.

#### **FINANCIAL IMPLICATIONS**

The Draft Rating Strategy has nil budgetary implications in terms of expenditure, however is an important element of the Town's overall financial planning framework.

#### **STATUTORY AND POLICY IMPLICATIONS**

There is no statutory obligation for local governments to prepare a Rating Strategy, however doing so provides support for the Town's broader integrated planning and reporting framework. The Town would still need to seek Ministerial approval on an annual basis where it proposes to levy rates that would exceed the criteria contained in the rating provisions of the Local Government Act and Regulations.

Development of a Rating Strategy is aligned to our goal of effective strategic planning with respect to local leadership.

#### **ATTACHMENTS**

1. Draft Rating Strategy (Under Separate Cover)

4 July 2014



#### 11.4.4 Financial Report to Council for the Period Ended 31 May 2014

Peter Kocian, Manager Financial Services  
File No.: 12/14/0003

#### DISCLOSURE OF INTEREST BY OFFICER

Nil

#### 201415/010 RECOMMENDATION/ COUNCIL DECISION

**MOVED: CR HUNT**

**SECONDED: MAYOR HOWLETT**

**That Council:**

- 1. Note the Statement of Financial Activity for the period ended 31 May 2014, including all supplementary information; and**
- 2. Note the accounts paid during May 2014 under delegated authority.**

***CARRIED 6/0***

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#### EXECUTIVE SUMMARY

The objective of this item is to present a summary of the financial activities of the Town of Port Hedland for the period ended 31 May 2014, in comparison to the amended budget.

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

#### DETAILED REPORT

The Statement of Financial Activity was introduced by the Department of Local Government from 1 July 2005. This change was implemented to provide the Council with an understanding of operating and non-operating revenue and expenditure. It was also intended to link operating results with balance sheet items and to reconcile end of month balances.

Officers of the Town of Port Hedland will be further developing the monthly financial report to provide additional information to the Council. Information will include:

- A summary of grant income and expenditure;
- A summary of new loan borrowings and expenditure;
- A capital works schedule which will reconcile capital expenditure against funding sources such as grants, loans and reserves.

These reporting mechanisms will assist in identifying restricted funding at the end of the year and any capital expenditure carryovers into the next budget year.

## FINANCIAL IMPLICATIONS

The Statement of Financial Activity indicates an actual surplus of \$4,870,525 as at 31 May 2014. This surplus is comprised mainly of accounts receivable, \$11,555,905, with a negative unrestricted cash position of (\$4,119,438).

The Precinct 3 lease payment of \$3,684,717 was invoiced in May 2014 and is included in the accounts receivable amount above (payment received in June).

Reserve Transfers have also not been finalised for 2013/14 and there are significant transfers to the municipal fund to be processed. This will improve the unrestricted cash position from the current balance of (\$4,119,438) to the budgeted closing position of (\$170,673).

The Net Current Assets reconciliation indicates a projected deficit as at 30 June 2014 of (\$147,077), compared to a deficit brought forward of (\$54,000) calculated in the 2014/15 Budget. The variance between these two amounts is not material. The actual surplus/ (deficit) brought forward will not be finalised until the completion of the accounts for June 30 which is scheduled for completion by the end of August. Reconciliation of Reserves, Unspent Loans and Grants as at 30 June 2014 will all have an impact on the actual surplus/ (deficit) brought forward as these transfers affect unrestricted cash.

The movement between the reported municipal surplus/deficit as at 30 June between the April financial report (surplus of \$533,334) and the May financial report (deficit of \$147,071) is attributable to the \$580,680 YMCA contract settlement payout approved by the Council at the June Ordinary Council Meeting, reported in the amended budget for operating expenditure in Schedule 11 Recreation & Culture.

## STATUTORY AND POLICY IMPLICATIONS

Upon advice from the Department of Local Government, monthly payment warrants have been moved back into the public section, and Officers are investigating report formatting options that provide the appropriate degree of disclosure, whilst balancing the privacy of individual's financial and personal information. Officers are reviewing the report format of other local governments in WA to find a suitable option.

Local Government Act 1995 – Section 6.4  
Financial Management Regulations 1996 – Regulation 34

The Statement of Financial Activity will be prepared each month, compiled on an accrual basis and set out in a similar format to the Rate Setting Statement. It includes a comparison of actual results with budget estimates and a summary of the net assets at the end of the month to which the statement relates. There is an explanation of the composition of the net current assets at the end of the month to which the statement relates less committed and restricted assets.

Material variances between the actual revenue and expenditure and the comparable year to date budget estimates are investigated.

All material variances were captured in the March Quarterly Budget Review.

At the Special Meeting held on 31 July 2013, the Council resolved to adopt item 6.3.1 *'Adoption of the 2013/2014 Budget'* en block with the exception of Recommendation 20, which included Recommendation 19. This recommended that the Town report material variances in 2013/14 as:

- 10% of the Function amended budget; or
  - \$100,000 of the Function amended budget;
- whichever is the lesser, for operating and non-operating revenue and expenditure.

The monthly Statement of Financial Activity is to be presented to the Council at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates.

Local Government Act 1995 - Section 6.12

The Council has the power to defer, grant discounts, waive or write off debt.

2012-2022 Town of Port Hedland Strategic Community Plan  
6.4 Local Leadership

The monthly financial reports provided to the Council on a monthly basis are of high quality, meeting legislative and organisational requirements.

These reports display the Town's transparent management of financial resources and the optimisation of investment opportunities.

2/003 Financial Statements – Copies for Councillors

This policy states that the following reports will be presented to the Council:

Monthly:

- Bank Reconciliation of the Municipal, Reserve and Trust Fund
- +90 day outstanding Sundry Debtors Report
- List of Accounts paid under Delegated Authority
- Register of Investments
- Rate Summary Trial Balance
- Reserve Account Balances

Quarterly:

- Quarterly Budget Review
- Report on all Budgeted Grants of \$50,000 or more
- Irregular financial reports will be presented to the Council as deemed necessary by the Director of Corporate Services, the Manager of Financial Services or requested by the Council by resolution.

The Rate Summary Trial Balance and the Report on all Budgeted Grants of \$50,000 or more is currently not provided to the Council. These documents will be incorporated into the monthly financial report in future months.

**ATTACHMENTS**

1. Monthly Statement of Financial Activity and Supplementary Information (Under Separate Cover)
2. Accounts paid under delegated authority detailing the total payment from the Municipal Fund for the month (Under Separate Cover)

10 June 2014

### 11.4.5 Elected Member Resignation

Josephine Bianchi, Governance Coordinator  
File No.: 13/07/0016

#### DISCLOSURE OF INTEREST BY OFFICER

Nil

#### 201415/011 RECOMMENDATION/ COUNCIL DECISION

**MOVED: CR DACCACHE**

**SECONDED: CR HUNT**

**That Council:**

- 1. Acknowledge receipt of correspondence from the Acting Electoral Commissioner dated 12 June 2014 approving the vacancy created by Cr Van Vugt's resignation to remain unfilled until the October 2015 ordinary elections; and**
- 2. Allow the vacancy created by Councillor Van Vugt's resignation to remain unfilled until the October 2015 in accordance with section 4.17(3) of the Local Government Act 1995.**

***CARRIED BY ABSOLUTE MAJORITY 6/0***

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#### EXECUTIVE SUMMARY

The Council is requested to allow the vacancy created by Cr Van Vugt's May 2014 resignation to remain unfilled until the October 2015 local government ordinary elections as per section 4.17(3) of the Local Government Act 1995 (the Act).

#### DETAILED REPORT

Councillor Van Vugt officially tendered his resignation on 1 May 2014 in accordance with section 2.31 of the Act. Councillor Van Vugt's resignation was formally considered at the 28 May 2014 Ordinary meeting, where the Council decided to request the Electoral Commissioner to approve the vacancy to remain unfilled until the October 2015 Ordinary Election.

The Town received the approval for Cr Van Vugt's vacancy to remain unfilled until the October 2015 Ordinary Election from the Acting Electoral Commissioner in June 2014.

To finalise this statutory process, the Council is now requested to follow the steps set out by section 4.17(3) of the Act and allow (by absolute majority vote) the vacancy to remain unfilled until the day on which it would have ended if it would have not occurred, this being the ordinary elections of October 2015.

This option is recommended as it is in line with Council's August 2013 decision to reduce its total number of Councillors from nine down to eight. This decision was approved by the Minister of Local Government on 25 November 2013.

This is considered an appropriate number for the Town of Port Hedland Council to bring good governance to the district and will not result in a potential high number of split votes during the decision making process.

#### **FINANCIAL IMPLICATIONS**

The 2014/15 budget for elected members fees has been developed to reflect the proposed change in Councillor numbers.

#### **STATUTORY AND POLICY IMPLICATIONS**

Local Government Act 1995

- S4.17 Cases in which vacant offices can remain unfilled.

The Local Leadership section of the Town's Strategic Community Plan also applies, as the purpose of this report is to ensure that the Council delivers high quality corporate governance, accountability and compliance to the district.

#### **ATTACHMENTS**

1. Letter from the Acting Electoral Commissioner, 12 June 2014.

2 July 2014



LGE 282

## ATTACHMENT 1 TO ITEM 11.4.5



WESTERN AUSTRALIAN Electoral Commission

Mr Mal Osborne  
Chief Executive Officer  
Town of Port Hedland  
PO Box 41  
PORT HEDLAND WA 6721



Dear Mr Osborne

**Request to Leave Vacancy Unfilled**

I refer to your letter dated 6 June 2014 in which you advised of the resignation of Councillor Van Vugt and your subsequent request to seek my agreement that the vacancy remain unfilled until the October 2015 ordinary elections.

I have considered the information provided in your correspondence and advise that approval is given under section 4.17(3) of the *Local Government Act 1995* to defer filling this vacancy.

Should you require any further information please contact Phil Richards, Manager Local Government Elections on 9214 0443.

Yours sincerely

Chris Avent  
**ACTING ELECTORAL COMMISSIONER**

12 June 2014

### 11.4.6 Annual Corporate Business Plan Quarterly Performance Report – 1 April to 30 June 2014

Anna Duffield, Manager Corporate Information  
File No. 03/01/002

#### DISCLOSURE OF INTEREST BY OFFICER

Nil

#### 201415/012 RECOMMENDATION/ COUNCIL DECISION

**MOVED: CR DACCACHE**

**SECONDED: CR HUNT**

**That Council receive the annual corporate business plan quarterly performance report for 1 April to 30 June 2014.**

***CARRIED 6/0***

---

#### EXECUTIVE SUMMARY

The Town of Port Hedland's annual corporate business plan outlines the organisation's key initiatives to achieve its strategic community plan. The quarterly performance report outlines progress against these initiatives.

This agenda item requests Council to note the Town's performance against the 2013/14 corporate plan.

#### DETAILED REPORT

Integrated planning and reporting gives local governments a framework for establishing local priorities and linking these to operational functions – this is activated through strategic community and the corporate business plans.

At its 24 October 2012 Ordinary Council Meeting, the 2012-2016 Town of Port Hedland corporate business plan was endorsed pending the development of the long term financial plan. At this meeting it was also determined that an annual corporate plan be adopted.

The Town's annual corporate plan outlines the priorities for the financial year ahead. Quarterly reporting is undertaken to ensure Council and the community are aware of the organisation's progress against key initiatives and that required services, program and activities are being delivered.

The quarterly performance report covers the period 1 April to 30 June 2014. It covers the key themes of community, economic, environment and local leadership and outlines performance against key initiatives under each theme.

It should be noted that officers are currently reviewing the Town's strategic community and corporate business plans to ensure they are reflective of the community's current aspirations and meet the Town's long-term financial sustainability goals. They will be presented to Council in due course.



### FINANCIAL IMPLICATIONS

Actions reported on in this performance report reflect financial activity undertaken from April to June 2014.

### STATUTORY AND POLICY IMPLICATIONS

The *Local Government Act* (section 5.56) outlines the requirement for local governments to plan for the future. The adoption and implementation of strategic community and corporate business plans facilitates this requirement.

The Town's strategic community plan outlines actions to 'deliver high-quality corporate governance, accountability and compliance'. Quarterly performance reporting achieves this.

### ATTACHMENTS

1. Town of Port Hedland annual corporate plan performance report 1 April to 30 June 2014 (Under Separate Cover)

3 July 2014

**11.5 Office of the CEO**

Nil

**ITEM 12 LATE ITEMS AS PERMITTED BY PRESIDING MEMBER/  
COUNCIL**

Nil

**ITEM 13 REPORTS OF COMMITTEES**

Nil

**ITEM 14 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**ITEM 15 CONFIDENTIAL ITEMS****201415/013 COUNCIL DECISION****MOVED: CR HUNT****SECONDED: CR MELVILLE**

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

**15.1 Chief Executive Officer Employment Contract****CARRIED 6/0**

6:27pm Mayor advised that the meeting is closed to members of the public.

6:27pm Chief Executive Officer, Mal Osborne, declared a financial interest in item 15.1 'Chief Executive Officer Employment Contract' as the matter relates to his contract.

Chief Executive Officer left the room.

**CLARIFICATION NOTE:**

*Confidential agenda item 15.1 'Chief Executive Officer Employment Contract' was not listed in the table of contents of the agenda for the 23 July 2014 Ordinary meeting of the Town of Port Hedland Council, as at the time of the agenda's publication on 9 July 2014, this item was not available. The item was subsequently presented to all Elected Members in attendance at the Public Agenda Briefing on 16 July 2014 where the Mayor announced that this item would be considered at the Ordinary Council meeting of 23 July 2014.*

**15.1 Chief Executive Officer Employment Contract****201415/014 RECOMMENDATION/ COUNCIL DECISION****MOVED: CR HUNT****SECONDED: CR DACCACHE****That Council:**

1. Receive the report on the CEO Employment Contract including the attached Contract of Employment for Mr Osborne;
2. Note that the CEO Recruitment Working Group has reviewed the attached Contract of Employment and views the Contract of Employment to be satisfactory; and
3. Execute a new Contract of Employment (attachment 2) with Mr Osborne as the Town of Port Hedland's Chief Executive Officer for a period of five (5) years, operative from the date of the signing, inclusive of the total remuneration package of \$397,040.

**LOST 4/2**

Record:

For	Against
Mayor Howlett	Councillor Gillingham
Councillor Daccache	Councillor Butson
Councillor Hunt	
Councillor Melville	

**201415/015 COUNCIL DECISION****MOVED: CR DACCACHE****SECONDED: CR HUNT****That Council open the meeting to members of the public.****CARRIED 6/0**

6:37pm Mayor advised that the meeting is open to the public. Mayor advised the public of Council's resolution whilst behind closed doors.

**CLARIFICATION NOTE:**

*The Mayor introduced Confidential Agenda Item 15.1 'Chief Executive Officer Employment Contract' to the Council as a late item permitted by the Chairperson. This follows provisions listed in section 20.6 of the Town's Local Law on Standing Orders 'Cases not provided for in Standing Orders', which enables the chairperson to "decide all questions of order, procedure, debate or otherwise, in respect of which no provision or insufficient provision is made in the standing orders or the act." The Council voted unanimously to go behind closed doors to consider the item.*

*Subsequent to the Council voting on this item, information was received from the Department of Local Government and Communities which indicated that, contrary to previous advice, this item requires an absolute majority vote. As the Town of Port Hedland Council did not achieve an absolute majority vote on confidential agenda item 15.1 'Chief Executive Officer Employment Contract' a valid decision was not made. As such, this item cannot be acted upon at present.*

## **ITEM 16 APPLICATIONS FOR LEAVE OF ABSENCE**

### **201415/016 COUNCIL DECISION**

**MOVED: CR MELVILLE**

**SECONDED: CR DACCACHE**

**That Council approve the following applications for leave of absence:**

- **Councillor Melville from 13 August 2014 to 1 September 2014; and**
- **Mayor Howlett from 25 August 2014 to 28 August 2014 and 11 September 2014 to 30 September 2014.**

**CARRIED 6/0**

## **ITEM 17 CLOSURE**

### **17.1 Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday 27 August 2014, commencing at 5:30pm, with the Public Agenda Briefing being held on Wednesday 20 August 2014, commencing at 3:30pm.

### **17.2 Closure**

Mayor advised members of the community that Community Conversations related to Wedgefield was being held on Wednesday 30 July 2014 at 5:30pm at Zooby Cabinets in Wedgefield.

Mayor advised that a Special Council Meeting will be held on Wednesday 30 July 2014 at 4:45pm.

There being no further business, the Mayor declared the meeting closed at 6:40pm.

**DECLARATION OF CONFIRMATION OF MINUTES**

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of \_\_\_\_\_ 2014.

CONFIRMATION:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE