ORDINARY COUNCIL MEETING

AGENDA

NOTICE IS HEREBY GIVEN that an Ordinary Meeting of Council will be held in the Council Chambers, Welcome Road, Karratha, on Monday, 30 October 2023 at 6pm

VIRGINIA MILTRUP
CHIEF EXECUTIVE OFFICER

City of Karratha

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

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee Meeting does so at that persons or legal entity's own risk.

In particular, and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a license, any statement or intimation of approval made by any member or Officer of the City of Karratha during the course of any meeting is not intended to be and is not taken as notice of approval from the City of Karratha.

The City of Karratha warns that anyone who has any application lodged with the City of Karratha must obtain and should only rely on

WRITTEN CONFIRMATION

of the outcome of the application, and any conditions attaching to the decision made by the City of Karratha in respect of the application.

Signed: _____

Virginia Miltrup - Chief Executive Officer

DECLARATION OF INTERESTS (NOTES FOR YOUR GUIDANCE) ***(updated 13 March 2000)***

A member who has a **Financial Interest** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

(a) In a written notice given to the Chief Executive Officer before the Meeting or;

(b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

(c) Preside at the part of the Meeting, relating to the matter or;

(d) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the *Local Government Act 1995*.

NOTES ON FINANCIAL INTEREST (FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have a **Financial Interest** in a matter. I intend to include these notes in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measure in money terms. There are exceptions in the *Local Government Act 1995* but they should not be relied on without advice, unless the situation is very clear.

2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.

3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.

4. If in doubt declare.

5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.

6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:

   6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the *Local Government Act*; or

   6.2 Where the Minister allows the Councillor to participate under s5.69 (3) of the *Local Government Act*, with or without conditions.

INTERESTS AFFECTING IMPARTIALITY

DEFINITION: *An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'.*

A member who has an **Interest Affecting Impartiality** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

(a) in a written notice given to the Chief Executive Officer before the Meeting; or

(b) at the Meeting, immediately before the matter is discussed.

IMPACT OF AN IMPARTIALITY CLOSURE

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

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AGENDA

1 OFFICIAL OPENING

Cr Scott acknowledges the traditions of the Ngarluma people, on whose land we are gathered here today.

2 PUBLIC QUESTION TIME

3 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE PREVIOUSLY APPROVED

Councillors:
Cr Daniel Scott [Mayor]
Cr Kelly Nunn [Deputy Mayor]
Cr Gillian Furlong
Cr Daiva Gillam
Cr Brenton Johannsen
Cr Pablo Miller
Cr Travis McNaught
Cr Sarah Roots
Cr Tony Simpson
Cr Joanne Waterstrom Muller

Staff:

Virginia Miltrup	Chief Executive Officer
Emma Landers	Director Community Experience
Alistair Pinto	A/Director Corporate & Commercial
Lee Reddell	Director Development Services
Simon Kot	Director Strategic Projects & Infrastructure
Jodie Swaffer	Minute Secretary

Apologies:

Absent:

Leave of Absence:

Members of Public: Anthony Anderson, JP

Members of Media:

4 REQUESTS FOR LEAVE OF ABSENCE

5 DECLARATIONS OF INTEREST

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

7 CONFIRMATION OF MINUTES AND BUSINESS ARISING FROM MINUTES OF PREVIOUS MEETINGS

OFFICER'S RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on Monday, 18 September 2023 be confirmed as a true and correct record of proceedings.

8 ELECTION OF DEPUTY MAYOR

The Mayor calls for nominations for the position of Deputy Mayor.

The Member is sworn in to the position of Deputy Mayor for a term of two years by Anthony Anderson, JP to make their declaration in the prescribed form.

9 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION

Date	Previous Mayor Long Meetings	Location
03/09/2023	Janmashtami celebrations and Krishna Doll Exhibition	Dampier
06/09/2023	Meeting with Yara	Karratha
06/09/2023	Meeting with Fortescue Future Industries	Karratha
06/09/2023	Meeting with Progression Green Solutions	Karratha
07/09/2023	Ready Set Grow Final Judging	
11/09/2023	Audit and Organisational Risk Committee Meeting	Karratha
11/09/2023	Ordinary Council Meeting	Karratha
12/09/2023	Meeting with John Corser - Pacesetter Homes	Karratha
13/09/2023	KDCCI Business After Hours	Karratha
17/09/2023	WALGA Local Government Convention	Perth
18/09/2023	WALGA Local Government Convention	Perth
19/09/2023	WALGA Local Government Convention	Perth
20/09/2023	Regional Road Group Chairs Breakfast after Local Government Convention	Perth
20/09/2023	WALGA People & Place Policy Team meeting	Online
23/09/2023	Songs for Freedom	Roebourne
27/09/2023	Meeting with Pilbara Development Commission	Karratha
28/09/2023	Meeting with Neil Thomson MLC	Karratha
29/09/2023	Woodside Q3 Community Liaison Group Meeting	Karratha

10 CHIEF EXECUTIVE OFFICER

No reports.

11 CORPORATE & COMMERCIAL

11.1 FINANCIAL STATEMENTS FOR PERIOD ENDED 31 AUGUST 2023

File No: FM.19

Responsible Executive Officer: Director Corporate & Commercial

Reporting Author: Corporate Accountant

Date of Report: 22 September 2023

Applicant/Proponent: Nil

Disclosure of Interest: Nil

Attachment(s):
1. Statement of Financial Activity
2. Variance Commentary – Statement of Financial Activity by Nature and Type
3. Statement of Financial Position
4. Net Current Funding Position

PURPOSE

To provide a summary of Council's financial position for the period ending 31 August 2023.

OFFICER'S RECOMMENDATION

That Council RECEIVE the Financial Statements for the financial period ending 31 August 2023 as shown in Attachments 1 to 4.

BACKGROUND

Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996* requires the City to prepare a monthly statement of financial activity including the sources and application of funds, as compared to the budget.

DISCUSSION

The following table is a summary of the Financial Activity Statement by Nature and Type compared to the Budget as of 31 August 2023:

2023/24	Original Budget	Amended Budget	Year to Date Budget	Year To Date Actual	YTD Variance	Variance %	Impact on Surplus
Operating Revenue (incl. Rates)	131,228,517	131,228,521	67,166,857	69,340,384	2,173,527	-0.4%	↑
Operating Expense	(114,792,455)	(114,792,459)	(22,478,412)	(17,115,244)	5,359,735	-23.9%	↑
Non Operating Revenue	14,973,905	14,973,905	1,132,657	11,473,529	10,310,865	913.0%	↑
Non Operating Expense	(67,643,003)	(67,643,003)	(8,792,834)	(12,786,136)	(5,994,221)	45.4%	↓
Non Cash Items Included	31,470,521	31,470,521	5,273,276	3,183,409	(2,089,867)	-254.7%	↓
Restricted PUPP Surplus BFWD 1 July	62,129	62,129	62,129	62,129	0	0.00%	
Unrestricted Surplus BFWD 1 July	4,739,380	4,739,380	4,739,380	4,739,380	0	0.00%	
Restricted PUPP Surplus CFWD	31,064	31,064	31,064	31,064	0	0.00%	
Surplus/(Deficit) 23/24	**7,929**	**7,929**	**47,071,989**	**58,866,386**	**11,794,397**		

This table shows a surplus position of $58.9m, a positive variance of $11.8m compared to the budgeted surplus position of $47.1m, which is subject to consideration of year-end accruals and accounting adjustments.

The restricted balance referred to in the preceding table and throughout this report comprises Pilbara Underground Power (PUPP) Service Charges levied in 2014/15, which are subject to the 10-year instalment option offered by Council. The brought forward unrestricted surplus position prior to finalisation of prior year transactions is $4.7m.

In accordance with the materiality threshold adopted by Council for the reporting of variances in Operating Revenue and Expenses, the following comments provide an explanation of material variances which contribute significantly to the total YTD budget variance shown in the above table. Further details are provided later in this report in the Variance Commentary - Statement of Financial Activity by Nature & Type.

Operating Revenue		
917,266	▲	Financial Services - Timing adjustment EOY Accrual journals
754,632	▲	Karratha Airport - Rental revenue - Timing adjustment EOY Accrual journals
356,848	▲	Waste Management - Increase in liquid & contaminated waste income
331,132	▲	Roebourne Aquatic Centre - Timing adjustment EOY Accrual journals
303,796	▲	Ovals & Hardcourts - Timing adjustment EOY Accrual journals
224,587	▲	Wickham Recreation Facility - Nil budget. Water Softener and Waterline pipe replacement contribution
152,320	▲	FeNaClIng - More sponsorship income received than projected
55,000	▲	Waste Management - Awaiting replacement plant P8020 to realise asset
3,095,581	▲	**Positive Variances**
(550,000)	▼	Partnerships - Woodside contribution to Roebourne Streetscape not yet received
(235,600)	▼	Rates - Rates levied pending adjustment for additional exemptions
(116,522)	▼	Rates - Interest on Rates arrears to be posted after 18/09/2023
(74,500)	▼	Cossack Art Awards - Awaiting Partnership income to be received
(65,542)	▼	Reserve Interest - Reserve interest pending review following FY23 adjustments
(1,042,164)	▼	**Negative Variances**
2,053,418	▲	**Net Positive Variance**

Operating Expenses		
2,435,780	▲	Depreciation - Timing adjustment depreciation allocations
895,337	▲	Building Maintenance, Fleet & Plant, 7 Mile Waste and Parks & Gardens - Timing adjustment of ABC allocations
774,509	▲	KLP, WRP & REAP - Timing adjustment ABC allocations
750,000	▲	Hillview/Balmoral Road Upgrade - Contract awarded and pending submission of the Contractors Management Plans, Contract, Aboriginal Heritage, Security etc
549,896	▲	Sanitation, Works & Technical Services - Timing adjustment ABC allocations
488,926	▲	Information Technology Hardware Refresh - Procurement delays

401,467	▲	Employment Costs - Timing - Overheads allocation to be processed
370,590	▲	Footpaths - Carried forward works from 2022/23. Invoices yet to be received from contractors
340,357	▲	City Services - Delays in receipt of August invoices
326,388	▲	Waste Services - Delays in receipt of invoices for street sweeping, 7 Mile, and general waste. Wickham Transfer RFQ for tyre shredder delayed
311,532	▲	Health, Ranger & Town Planning - Timing adjustment ABC allocations
308,250	▲	Parks & Gardens - Baynton West Oval delays due to ACH restrictions. Cemetery enhancement awaiting final design. Roundabout and Playground upgrades delayed due to award of RFT
260,380	▲	Information Services IT - Project delays, expected expenditure on ERP HR modules and network pen testing delayed. Data cabling at KLP delayed but underway
250,000	▲	Footpath Dampier Road Stage 7 - Contract pending submission of the Contractors Management Plans, Contract, Aboriginal Heritage, Security etc
230,280	▲	KTA Airport - Security screening expenses incurred earlier than anticipated. Car Park Equipment installation carried forward from 2022/23
220,835	▲	Governance & HR - Timing adjustment ABC allocations
202,157	▲	Economic Development - NEDC Conference expenditure delayed. Delay in award of Dampier Tourist Park Feasibility study
174,192	▲	KLP Outdoor Court Shading - Project currently tendered pending evaluation to award
150,000	▲	7 Mile Waste Shade Dome & Pad - Project to be re-tendered pending unsuccessful procurement process
134,968	▲	Jingarri Housing Construction - Construction ongoing with delays due to materials and labour
132,586	▲	The Quarter - Timing - Council Rates to be recognised as a Variable Outgoing in September 2023
101,327	▲	Insurance - Timing adjustment insurance allocations
74,700	▲	Murujuga Access Road - Project delayed due to site investigations and pending "remobilisation" of design team
60,709	▲	ESL - Emergency Services Levy on City properties to be allocated
58,755	▲	KTA Airport - Timing - Solar Power charges processed in September
3,319	▲	Indoor Play Centre Lease Interest - Timing - Allocation to be processed
10,007,241	▲	**Positive Variances**
(4,106,142)	▼	Corporate Services Admin - Timing adjustment ABC allocations
(434,499)	▼	Project Management - Timing adjustment ABC allocations
(292,597)	▼	KTA Airport - Watermain works pending due to ACH and Rio approvals
(94,849)	▼	Parks & Gardens - Works completed earlier than expected for kerbing and shelters
(83,674)	▼	Kevin Richards Club Room - Project delayed due to Contractor delivery and defective work
(60,201)	▼	KTA Airport - Additional reactive works required for Sewerage Pump Station
(5,071,962)	▼	**Negative Variances**
4,935,280	▲	**Net Positive Variance**

Non Operating Revenue		
11,257,620	▲	Infrastructure Reserve - Timing adjustment journals and transfers
118,094	▲	Medical Services Assistance Reserve - Timing adjustment journals and transfers
11,375,714	▲	**Positive Variances**
(833,600)	▼	Hillview/Balmoral Rd Upgrade - Initial claim not yet submitted as works not yet commenced
(150,000)	▼	Proceeds on Assets Disposal - Waste Management - Awaiting replacement plant P8020 to realise asset
(81,250)	▼	Liveability - Grant - Timing adjustment EOY Accrual journals
(30,000)	▼	Loss on Asset Disposal - Waste Management - Awaiting replacement plant P8020 to realise asset
(1,094,850)	▼	**Negative Variances**
10,280,864	▲	**Net Positive Variance**

Non Operating Expenses		
750,000	▲	Hillview/Balmoral Road Upgrade - Contract awarded and pending submission of the Contractors Management Plans, Contract, Aboriginal Heritage, Security etc
584,926	▲	Information Technology Hardware Refresh - Procurement delays for hardware and CCTV
389,332	▲	KTA Airport - Car Park Equipment project installation schedule carried froward from 2022/23
300,000	▲	KTA Airport - Watermain replacement carried forward from 2022/23
288,000	▲	Landfill Operations - Delays to replacement of P1102 & P8824
250,000	▲	Footpath Dampier Road Stage 7 - Contract pending submission of the Contractors Management Plans, Contract, Aboriginal Heritage, Security etc
249,832	▲	CBD Bus Shelters - Pending tender evaluation and award
221,914	▲	Waste Management Reserve - Timing adjustment journals and transfers
212,409	▲	Jingarri Sites Housing Construction - Construction ongoing with delays due to materials & labour
174,192	▲	KLP Outdoor Court Shading - Project currently tendered pending evaluation to award
160,000	▲	Tech Services - Delays in procurement of replacement plant. Carried forward amount from 2022/23 for P8822
157,590	▲	Footpaths & Footpath Lighting - Awaiting invoices from contractor, 2022/23 works brought forward to 2023/24
150,000	▲	7 Mile Waste Shade Dome & Pad - Project to be re-tendered pending unsuccessful procurement process
143,022	▲	Aerodrome Reserve - Timing adjustment journals and transfers
100,000	▲	Playground Replacements - Delays in starting RFT works, RFT awarded and due to start November
100,000	▲	Roundabout Upgrades - RFT works to start September and invoices to follow
90,648	▲	Employee Entitlements Reserve - Pending interest allocation by Finance team
74,700	▲	Murujuga Access Road - Project delayed due to site investigations and pending "remobilisation" of design team
60,000	▲	Liveability - Delays in purchase of additional vehicle for new manager, commencing September
58,000	▲	Cemetery Enhancement - Delays to works commencing, awaiting final designs from consultant
50,000	▲	Roebourne Streetscape Masterplan - Payment pending completion of design documentation milestone
4,564,566	▲	**Positive Variances**

(10,366,304)	▼	Infrastructure Reserve - Timing adjustment journals and transfers
(842,124)	▼	Partnership Reserve - Timing adjustment journals and transfers
(94,819)	▼	Parks & Gardens - Works of Kerbing and Shelter replacements completed ahead of schedule
(80,673)	▼	Medical Services Assistance Reserve - Timing adjustment journals and transfers
(30,782)	▼	Interest Free Lease Principle - Duplicate line item: amount included in depreciation.
(13,502)	▼	Economic Development Reserve - Timing adjustment journals and transfers
(4,304)	▼	Community Development Reserve - Timing adjustment journals and transfers
(4,006)	▼	Workers Compensation Reserve - Timing adjustment journals and transfers
(1,308)	▼	Public Open Space Reserve - Timing adjustment journals and transfers
(302)	▼	Dampier Drainage Reserve - Timing adjustment journals and transfers
(102)	▼	Mosquito Control Reserve - Timing adjustment journals and transfers
(11,438,226)	▼	**Negative Variances**
(6,873,660)	▼	**Net Negative Variance**

FINANCIAL MANAGEMENT UPDATE

Local Government Financial Ratios

Period End 31 August 2023	Target Ratio	Original Annual Budget Ratio	YTD Actual Ratio
Current Ratio Current Assets less Restricted Assets ÷ Current Liabilities less liabilities associated with Restricted assets	≥ 1	N/A	4.12
Asset Sustainability Ratio Capital Renewal and Replacement Expenditure ÷ Depreciation	≥ 0.90	0.80	0.27
Operating Surplus Ratio Operating Surplus (excl. capital grants & contributions) ÷ Own Source Revenue	≥ 15%	15.1%	80.0%
Own Source Revenue Ratio Own Source Operating Revenue ÷ Operating Expenses	≥ 0.90	0.97	3.82
Debt Service Cover Ratio Operating surplus before interest expense and depreciation ÷ Principal and interest Expense	≥ 10	39.9	37.8

Statement of Financial Position

	Aug-23	Jul-23	% Change
	Current		
Assets	151,630,967	144,935,695	4.62%
Liabilities	27,805,246	19,690,600	41.21%
	Non Current		
Assets	757,506,958	761,381,614	-0.51%
Liabilities	4,241,948	4,216,484	0.60%
Net Assets	877,090,732	882,410,224	

Current Assets increased by 4.62% from July to August, which was attributable to the increase in Unrestricted Cash and Cash Equivalents reflecting the receipt of rates in August offset by the decrease of Trade and Other Receivables. Current Liabilities increased by 41.21% due to increase in Trade and Other Payables and a slight increase in Long Term Borrowings. Non-Current Assets decreased by 0.51% which was attributable to the depreciation of Property, Plant and Equipment and Infrastructure assets. Non-current liabilities increased by 0.60% due to increase in Long Term Borrowings.

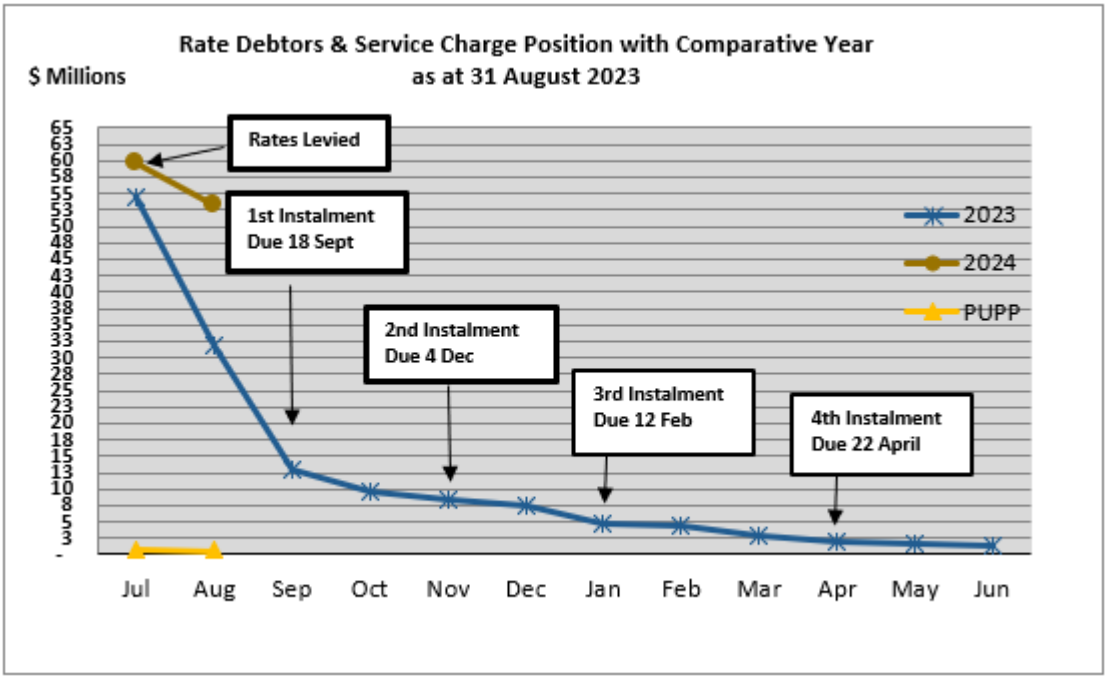
Debtors Schedule

The following table shows Trade Debtors that have been outstanding over 40, 60 and 90 days as at the end of August. The table also includes total Rates and PUPP Service Charges outstanding.

Debtors Schedule

	August	July	Change %	% of Current Total
		Sundry Debtors		
Current	7,842,574	5,888,899	33%	85.6%
> 40 Days	1,458,023	207,733	602%	15.9%
> 60 Days	7,029	111,091	-94%	0.1%
> 90 Days	- 146,485	- 559,820	-74%	-1.6%
Total	**9,161,140**	**6,430,540**	42%	**100%**
		Rates Debtors		
Total	**53,270,254**	**59,648,095**	-11%	100%
		PUPP Debtors		
Total	**659,573**	**629,754**	4.7%	100%

A total of $389k of Rates (including ESL and waste charges) have been paid to end of August, representing a collection rate of 0.6% to date.



There was no material change in August in the PUPP Debtors balance, with the increase in balance reflecting interest charges. PUPP payments have now been received on 99.68% of properties and of those paid, 98.75% have paid in full, with 1.25% paying by instalments.

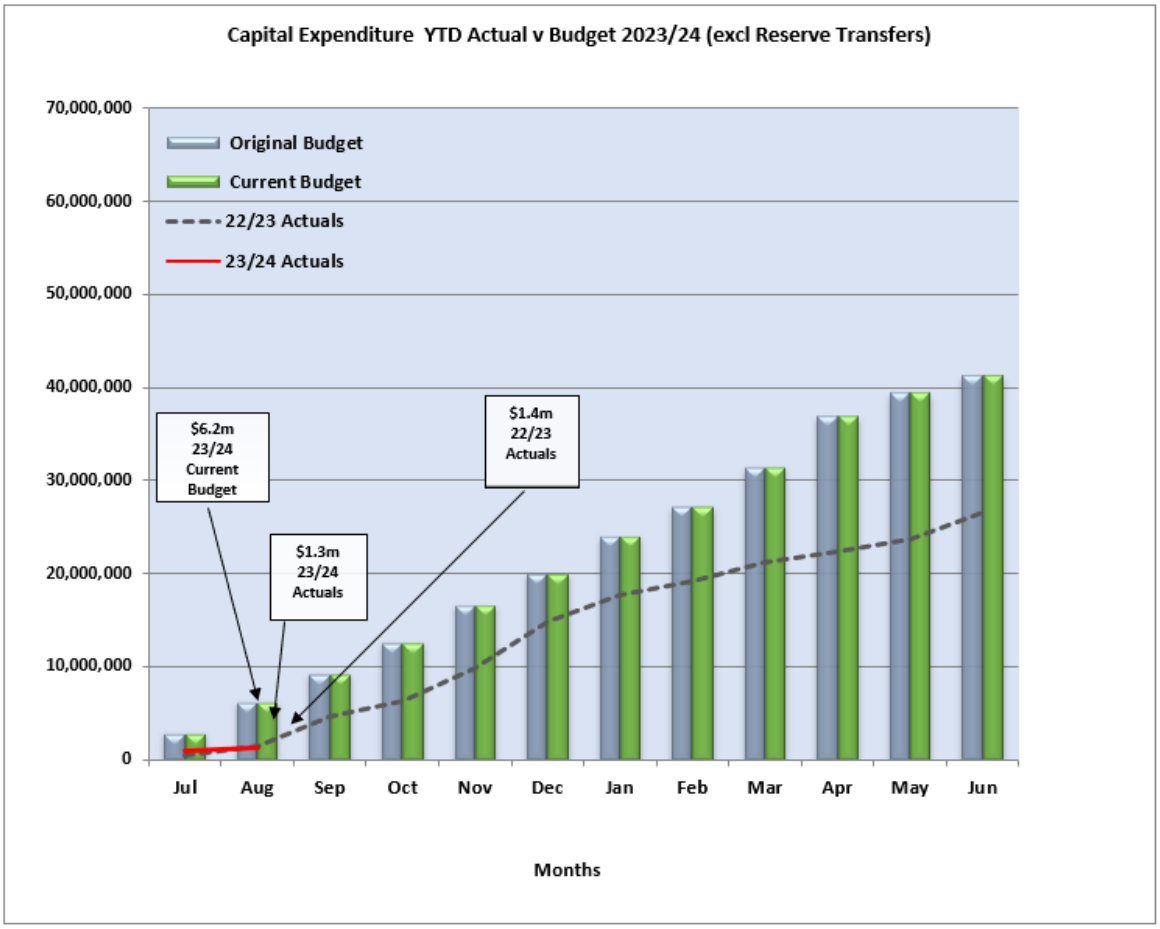
Collection of outstanding debts greater than 40 days is continuing in line with Council policy. The following table highlights outstanding balances for each ageing period for Trade Debtor balances in excess of $5,000.

Debtor Code	Name	40 Days	60 Days	Over 90 Days	Commentary
K092	Karratha & Districts Junior Soccer Assn.	5,937.90	77.50	94.50	Oval Hire Fees. Reminder email sent 08/09/23
K010	Karratha Falcons Football Club	4,710.07	1,377.21	3.72	Electricity charges, oval hire, and light usage. Reminder email sent 08/09/23.
N186	North West Alliance Pty Ltd	85,634.03	0.05	0.61	Waste charges July 2023. Liaising with client as they have implemented new payment system causing delays in payments.
N256	William John Newcombe	-	25.60	5,353.50	Clean up work undertaken at property due to non-compliance of direction notices in 2020 & 2023.

Capital Expenditure

Council's current 2023/24 Capital Expenditure budget is $41.2m which includes significant projects such as: Hillview/Balmoral Upgrade, Hancock Way – Six House Construction, KRMO Oval Lighting and Pole Upgrade, and the KLP Oval Lighting Replacement. The following table shows capital expenditure is 78.2% below budget for the year to date.

CAPITAL EXPENDITURE						
	YTD			ANNUAL		
Asset Class	YTD Budget	YTD Actual	Variance %	Annual Original Budget	Annual Amend Budget	% of Annual Budget
	31-Aug-23			30-Jun-24		
Land	0	0	0.0%	20,000	20,000	-100.0%
Artwork	0	0	0.0%	0	0	0.0%
Buildings	1,488,208	622,343	-58.2%	8,499,135	8,499,135	5.3%
Equipment	201,000	(214,332)	-206.6%	942,500	942,500	0.0%
Furn & Equip	718,000	98,074	-100.0%	1,292,000	1,292,000	5.1%
Plant	867,000	324,241	-62.6%	1,964,000	1,964,000	14.2%
Infrastructure	2,933,789	519,974	-82.3%	28,515,947	28,515,947	1.6%
Totals	**6,207,997**	**1,350,300**	**-78.2%**	**41,233,582**	**41,233,582**	**3.0%**



Financial Statements
The financial statements for the reporting period are provided as an attachment in the form of:

- Statement of Financial Activity by Nature and Type.
- Variance Commentary - Statement of Financial Activity by Nature and Type.
- Net Current Funding Position.
- Statement of Financial Position.

LEVEL OF SIGNIFICANCE
In accordance with Council policy CG-8 Significant Decision Making, this matter is considered to be of high significance in terms of Council's ability to perform its role.
Financial integrity is essential to the operational viability of the City but also as the custodian of community assets and service provision. An ability to monitor and report on financial operations, activities and capital projects is imperative to ensure that financial risk is managed at acceptable levels of comfort.

The ability for the City to remain financially sustainable is a significant strategy for a region that is continually under pressure from the resources industry, private enterprise and State Government obligations for the ongoing development of infrastructure and services.

STATUTORY IMPLICATIONS
In accordance with the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*, a Statement of Financial Activity is required to be presented to Council as a minimum requirement.
Section 6.4 of the *Local Government Act 1995* provides for the preparation of financial reports.

In accordance with Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, a report must be compiled on variances greater than the materiality threshold adopted by Council of $50,000 or 10% whichever is the greater. As this report is composed at a nature and type level, variance commentary considers the most significant items that comprise the variance.

COUNCILLOR/OFFICER CONSULTATION
Executives and Management have been involved in monthly reviews of their operational and departmental budgets and notifying the Financial Services team of trends and variances arising from their operational areas.

COMMUNITY CONSULTATION
No community consultation is required.

POLICY IMPLICATIONS
The Council's financial reporting is prepared in accordance with Accounting Policy CF12. This is reviewed periodically to ensure compliance with legislative and statutory obligations.

FINANCIAL IMPLICATIONS
The report represents the financial position of the Council at the end of August 2023 with a year-to-date budget surplus position of $47,071,989 (comprising $47,009,860 of unrestricted surplus and $62,129 restricted surplus) and a current surplus position $58,866,386 (comprising $58,804,257 unrestricted surplus and $62,129 restricted surplus) subject to consideration of year-end adjustments, and the annual financial audit. The restricted balance comprises PUPP service charges levied in 2014/15.

STRATEGIC IMPLICATIONS
This item is relevant to the Council's approved Strategic Community Plan 2020-2030 and the Corporate Business Plan 2020-2025. In particular, the Operational Plan 2023-2024 provided for this activity:

Our Programs/Services:	4. c.1.1	Management Accounting Services
Our Projects/Actions:	4. c.1.1.19.1	Conduct monthly and annual financial reviews and reporting

RISK MANAGEMENT CONSIDERATIONS
The level of risk to the city is considered to be as follows:

Category	Risk level	Comments
Health	N/A	Nil
Financial	Low	Completion of the Monthly Financial Activity Statement report is a control that monitors this risk. Strong internal controls, policies and monitoring ensure risks are assessed regularly and managed appropriately. Expenditure and revenue streams are monitored against approved budgets by management and the financial team with material variances being reported.
Service Interruption	N/A	Nil
Environment	N/A	Nil
Reputation	N/A	Nil
Compliance	Low	Financial reports are prepared in accordance with the Local Government Act, Regulations and Accounting Standards.

IMPACT ON CAPACITY
There is no impact on capacity or resourcing to carry out the Officer's recommendation.

RELEVANT PRECEDENTS
This is a monthly process advising Council of the current financial position of the City.

VOTING REQUIREMENTS
Simple Majority.

OPTIONS:

Option 1
As per Officer's recommendation.

Option 2
That Council to:

1. RECEIVE the Financial Reports for the financial period ending 31 August 2023; and
2. APPROVE the following actions:
   a) _____
   b) _____

Option 3
That Council NOT RECEIVE the Financial Report for the financial period ending 31 August 2023.

CONCLUSION
Council is obliged to receive the monthly financial reports as per statutory requirements. Details in regard to the variances and the commentary provided are to be noted as part of the report.

11.2 LIST OF ACCOUNTS – 24 AUGUST 2023 TO 26 SEPTEMBER 2023

File No:	FM.19
Responsible Executive Officer:	Director Corporate & Commercial
Reporting Author:	Creditors Officer
Date of Report:	27 October 2023
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. List of Payments September 2023 2. List of Credit Card Payments (August 2023)

PURPOSE
To advise Council of payments made for the period from 24 August 2023 to 26 September 2023.

OFFICER'S RECOMMENDATION

That Council ACCEPT payments totalling $7,925,350.03 submitted and checked with vouchers, detailed in Attachments 1 and 2 being made up of:

1. **Trust Vouchers: nil;**
2. **EFT 327 to 356 and 6755 to 7403 (Inclusive): $5,286,820.81;**
3. **Cheque Voucher: nil;**
4. **Cancelled Payments: nil;**
5. **Direct Debits: nil;**
6. **Credit Card Payments (August 2023): $18,443.16;**
7. **Payroll Cheques: $2,620,086.06.**

BACKGROUND
Council has delegated authority to the Chief Executive Officer (Delegation 1.6) the power to make payments from the City's Municipal and Trust funds.

In accordance with *Regulations 12 and 13* of the *Local Government (Financial Management) Regulations 1996* a list of accounts paid by the Chief Executive Officer is to be provided to Council, where such delegation is made.

The list of accounts paid must be recorded in the minutes of the Council Meeting.

LEVEL OF SIGNIFICANCE
In accordance with Council Policy CG-8 Significant Decision-Making Policy, this matter is of high significance in terms of Council's ability to perform its role.

COUNCILLOR/OFFICER CONSULTATION
Officers have been involved in the approvals of any requisitions, purchase orders, invoicing and reconciliation matters.

COMMUNITY CONSULTATION
No community consultation is required.

STATUTORY IMPLICATIONS
Payments are to be made in accordance with Part 6, Division 4 of the *Local Government Act 1995* and as per the *Local Government (Financial Management) Regulations 1996*. Payments are to be made through the municipal fund, trust fund or reserve funds. Payments are to be in accordance with approved systems as authorised by the CEO.

POLICY IMPLICATIONS
Staff are required to ensure that they comply under Council Policy CG12 – Purchasing Policy and CG11 - Regional Price Preference Policy (where applicable) and that budget provision is available for any expenditure commitments.

FINANCIAL IMPLICATIONS
Payments are made under delegated authority and are within defined and approved budgets. Payment is made within agreed trade terms and in a timely manner.

Payments for the period 24 August 2023 to 26 September 2023 (including credit card transactions - August 2023) totalled $7,925,350.03, which included the following payments:

- DFES – ESL Q1 Contribution - $614,869
- Thomas Building – KRMO Progress Claim #6 - $311,212
- ATO – August BAS - $241,167

Consistent with CG-11 Regional Price Preference Policy, 59% of the value of external payments reported for the period were made locally.

STRATEGIC IMPLICATIONS
This item is relevant to the Council's approved Strategic Community Plan 2020-2030 and the Corporate Business Plan 2020-2025. In particular, the Operational Plan 2023-2024 provided for this activity:

Our Program: 4.c.1.4 Accounts Receivable and Accounts Payable

RISK MANAGEMENT CONSIDERATIONS
The level of risk to the City is considered to be as follows:

Category	Risk level	Comments
Health	N/A	Nil
Financial	Low	Failure to make payments within terms may render Council liable to interest and penalties
Service Interruption	Moderate	Failure to pay suppliers may lead to delays in the future provision of goods and services from those suppliers
Environment	N/A	Nil
Reputation	Moderate	Failure to pay for goods and services in a prompt and professional manner, in particular to local suppliers, may cause dissatisfaction amongst the community
Compliance	N/A	Nil

IMPACT ON CAPACITY
There is no impact on capacity or resourcing to carry out the Officer's recommendation.

RELEVANT PRECEDENTS
There are no relevant precedents related to this matter.

VOTING REQUIREMENTS
Simple Majority

OPTIONS:

Option 1
As per Officer's recommendation.

Option 2
That Council ACCEPT payments totalling $7,925,350.03 submitted and checked with vouchers, being made up of:

1. Trust Vouchers: nil;
2. EFT 327 to 356 and 6755 to 7403 (Inclusive): $5,286,820.81;
3. Cheque Voucher: nil;
4. Cancelled Payments: nil;
5. Direct Debits: nil;
6. Credit Card Payments (August 2023): $18,443.16;
7. Payroll Cheques: $2,620,086.06;

with the EXCEPTION OF (as listed).

CONCLUSION
Payments for the period 24 August 2023 to 26 September 2023 and credit card payments for the period 1 August 2023 to 31 August 2023 totalled $7,925,350.03. Payments have been approved by authorised officers in accordance with agreed delegations, policies and budget.

11.3 INVESTMENTS FOR PERIOD ENDED 31 AUGUST 2023

File No:	FM.19
Responsible Executive Officer:	Director Corporate & Commercial
Reporting Author:	Financial Analyst
Date of Report:	12 September 2023
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	Nil

PURPOSE
To provide a summary of Council's investment position for the period ending 31 August 2023.

OFFICER'S RECOMMENDATION

That Council RECEIVE the Investment Report for the financial period ending 31 August 2023.

BACKGROUND
In accordance with section 6.14 of the *Local Government Act 1995* and Regulation 19C of the *Local Government (Financial Management) Regulations 1996*, the City will invest excess funds not required for any specific purpose in authorised deposit taking institutions as defined in *the Banking Act 1959* (Cth) Section 5 and/or the Western Australian Treasury Corporation established by the *Western Australian Treasury Corporation Act 1986*, for a term not exceeding 3 years.

The City's surplus funds are invested in bank term deposits for various terms and Property related investments to facilitate maximum investment returns in accordance with the City's Investment Policy (CF03).

The City also seeks to support Council's strategic goals through investment in property in accordance with the City's Investment Policy – Property (CF04).

DETAILS
Details of the investments are included in the report
- Schedule of Cash and Financial Investments
- Allocation of Cash and Financial Investments
- Schedule of Maturity of Cash and Financial Investments
- Schedule of Liquidity
- Schedule of Other Investments
- Aging of Outstanding Lessees Balances
- Schedule of Loan Agreement

Schedule of Cash and Financial Investments
The following table indicates the financial institutions where the City has investments as of August 2023

Institution	Accounts	Principal Investment $	Balance 31 August 2023 $	Interest %	Investment Term	Maturity	Source
RESERVE FUNDS							
WBC	Business Premium Cash Reserve		2,517,923	2.35	At Call		Reserve at Call
WBC	Reserve Term Deposit	5,000,000	5,189,287.65	4.70	12 months	Nov-23	Reserve TD
BOQ	Reserve Term Deposit	4,000,000	4,126,290.42	4.30	12 months	Dec-23	Reserve TD
CBA	Reserve Term Deposit	6,000,000	6,172,504.12	4.95	12 months	Feb-24	Reserve TD
CBA	Reserve Term Deposit	20,000,000	20,288,334.25	5.21	12 months	May-24	Reserve TD
BOQ	Reserve Term Deposit	10,000,000	10,121,342.47	5.15	12 months	Jun-24	Reserve TD
CBA	Reserve Term Deposit	10,000,000	10,021,287.67	5.55	12 months	Aug-24	Reserve TD
MUNICIPAL FUNDS							
WBC	Municipal Term Deposit	5,000,000	5,027,567.12	5.59	12months	Jul-24	Muni TD
WBC	Municipal Term Deposit	2,500,000	2,563,297.93	5.05	12months	Mar-24	Muni TD
CBA	Municipal (Transactional)		19,562,049.75	3.95	At Call		Muni at Call
	TOTAL	**62,500,000**	**85,589,884**				
The balance of all Term Deposits includes interest accrued to 31 August 2023							

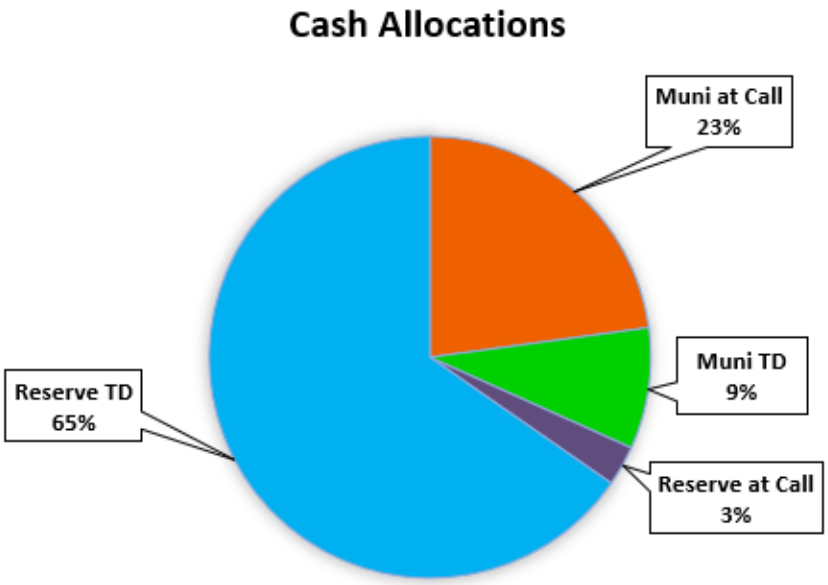
Table 10.1a. Schedule of Cash and Financial Investments

On average, the City is earning 4.86% across Municipal Term Deposits and 4.98% across Reserve Term Deposits.

The RBA official cash rate (overnight money market interest rate) remained unchanged at 410 basis points during the month of August. As a result, the Municipal Funds held in the Westpac transaction account are earning 3.95% interest. Reserve funds held in the Westpac Business Premium Cash Reserve account are earning 2.35% in interest on balances over $1m.

Allocations of Cash and Financial Investments
Council's Municipal and Reserve Bank Accounts are to be maintained so that a maximum return can be achieved from funds required in the short term.

The following graph depicts the allocation of our Cash and Financial Investments to maximise return on investment which shows that over 74% of our Cash and Financial Investments are invested in Term Deposits.



Graph 10.1a. Percentage of Cash Allocations

Schedule of Maturity of Cash and Financial Investments
In accordance with the City's Investment Policy (CF3), in respect to liquidity of funds, the following schedule shows the maturity of our various investments. 8% of Cash and Financial Investments will mature in the next 3 months, 16% maturing in the next 4-6 months and 76% maturing in the next 7-12 months.

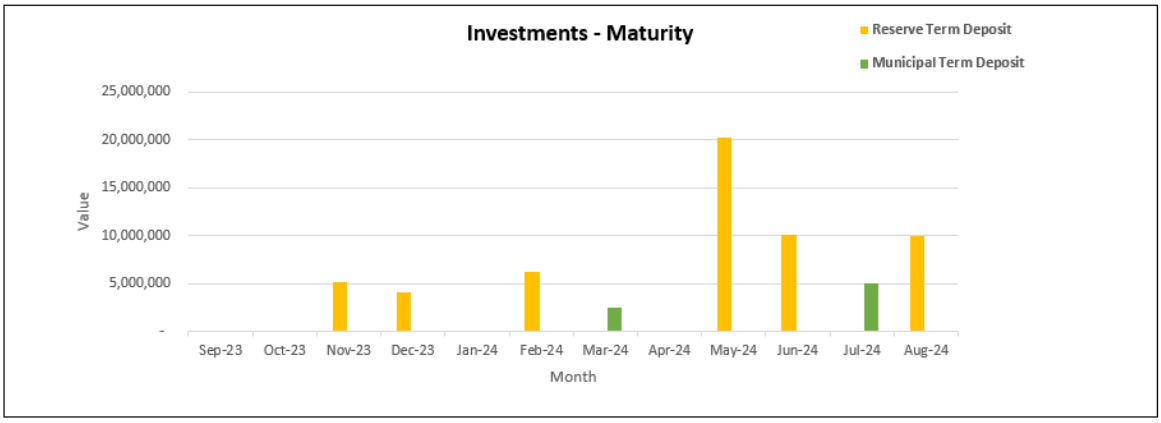


Table 10.1b. Schedule of Maturity of Cash and Financial Investments

Schedule of Liquidity
Administration reviews funds to ensure there is sufficient liquidity to meet the operational cash flow requirements.

The liquidity graph for 2023/24 demonstrates a slight increase compared to August forecasts.

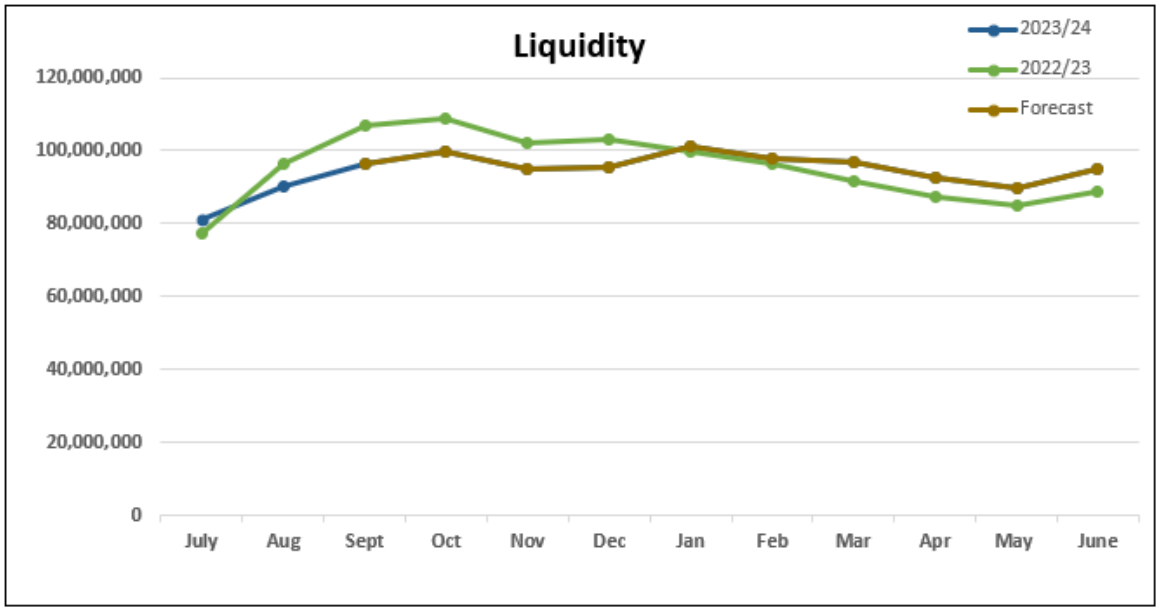


Table 10.1c. Schedule of Liquidity

Schedule of Other Investments

Hangar Lease – Aspen Medical

On 1 November 2018, a Lease agreement was entered into with Aspen Medical for the use of a newly built Hangar in relation to their provision of emergency medical services. The lease agreement was for an initial term of seven (7) years with two extensions of two (2) years each. Rent increases every two years, as per the schedule set out in the lease agreement. The performance of the hangar lease is shown in the table below.

	Month 31 August 2023 $	Year to Date 31 August 2023 $	Life to Date 31 August 2023 $
Total Income Received	32,667	65,333	1,933,387
Total Expenditure Paid	-	(15,180)	(116,162)
Net Income	**32,667**	**50,153**	**1,817,225**
Annualised ROI	**13.0%**	**10.0%**	**36.3%**

Table 10.1d. Aspen Medical – Hangar Lease Performance

Ground and Hangar Lease – Babcock Offshore

In March 2019, an agreement was entered into with Babcock Offshore in relation to the construction, purchase, lease and buy-back of a Hangar. The initial lease agreement, including the ground and hangar, covered a term of nine (9) years and no further terms, with rent increases annually at 4.5%. The option is available to repurchase the Hangar for a fixed price, plus a new Ground Lease for a five (5) year term at a pre-determined rate, increasing annually by 4%. The performance of the hangar and ground lease is shown in the table below.

	Month 31 August 2023 $	Year to Date 31 August 2023 $	Life to Date 31 August 2023 $
Total Income Received	45,647	91,293	2,128,372
Total Expenditure Paid	-	-	(17,611)
Net Income	**45,647**	**91,293**	**2,145,983**
Annualised ROI	**12.9%**	**12.9%**	**30.9%**

Table 10.1e. Babcock Offshore – Ground & Hangar Lease Performance

The Quarter HQ

As part of Council's investment strategy, reserve funds were used to purchase a commercial property 'The Quarter HQ' in June 2017. The following table provides a summary of all income and expenditure for The Quarter for the current financial year:

	Month 31 August 2023 $	Year to Date 31 August 2023 $	Life to Date 31 August 2023 $
Total Income Received	229,158	641,286	19,853,893
Total Expenditure Paid	(129,418)	(329,839)	(9,692,497)
Net Income	**99,739**	**311,446**	**10,161,396**
Annualised ROI	**6.0%**	**9.3%**	**8.2%**

Table 10.1f. The Quarter HQ Performance

Aging of Outstanding Lessees Balances
The following table highlights The Quarter lessees with aged balances in excess of $5,000 as of 31 August 2023 by month.

Suite ID	Lessee	Current	July 2023	June 2023	May 2023 and Prior	Total	Commentary
0005	Maria Cecelia Walker Trading as Cecil Filipino & Asian Food Pty Ltd	192.53	93.42	79.06	460,669.65	461,034.66	Discussions with Lessee are occurring.

Table 10.1g. Aged Debtors of The Quarter

Schedule of Loan Agreement
As part of Council's investment strategy, Council resolved at its May 2020 meeting to execute a loan agreement with Scope Property Group Pty Ltd for the acquisition and redevelopment of the Dampier Shopping Centre. This loan is to be funded utilising Reserve funds and borrowings from WATC (if required) and is to be for a maximum initial term of ten years. To date, no borrowings from WATC have been required.

	Month 31 August 2023 $	Year to Date 31 August 2023 $	Life to Date 31 August 2023 $
Funded Amount	-	-	3,800,000
Interest Charges*	12,667	12,667	211,752
Remaining Loan Amount	**(300,000)**	**(300,000)**	**(300,000)**

*Interest Charges of $12,666.67 for July are included here, August Interest of $12,666.67 was received on 1st September
Total loan approved of $4.1M, with a 10-year repayment period, to be repaid by 2030

Table 10.1h. Scope Property Group Loan Agreement Schedule

The Scope Property Loan earns the City interest at 4% per annum which may incur an opportunity cost, being the value of alternative investment options foregone. At the average rate indicated in Table 10.1a, there is an opportunity cost for the year to date of $4,260 and a life to date benefit of $73,589. For the current month of August 2023, the opportunity cost is $2,130. This is reflective of current market rates and represents the community benefit to Dampier and the broader community.

LEVEL OF SIGNIFICANCE
In accordance with Council policy CG-8 Significant Decision Making policy, this matter is considered to be of high significance in terms of Council's ability to perform its role.

STATUTORY IMPLICATIONS
In accordance with section 6.14 of the Local Government Act and Regulation 19C of the Financial Management Regulations, the City will invest excess funds not required for any specific purpose in authorised deposit taking institutions as defined in the Banking Act 1959 (Cth) Section 5 and/or the Western Australian Treasury Corporation established by the *Western Australian Treasury Corporation Act 1986*, for a term not exceeding 3 years.

COUNCILLOR/OFFICER CONSULTATION
Executives and Management have been involved in monthly reviews of their operational and departmental budgets and notifying the Financial Services team of trends and variances arising from their operational areas.

COMMUNITY CONSULTATION
No community consultation is required.

POLICY IMPLICATIONS
The Council's financial reporting is prepared in accordance with Accounting Policy CF03, CF04, & CF12. This is reviewed periodically to ensure compliance with legislative and statutory obligations.

FINANCIAL IMPLICATIONS
The financial implications of this report are noted in the detail sections of the report. The Administration is satisfied that appropriate and responsible measures are in place to protect the City's financial assets.

STRATEGIC IMPLICATIONS
This item is relevant to Council's approved Strategic Community Plan 2020-2030 and the Corporate Business Plan 2020-2025. In particular, the Operational Plan 2023-2024 provided for this activity:

Our Programs/Services:	4. c.1.1	Management Accounting Services
Our Projects/Actions:	4. c.1.1.19.1	Conduct monthly and annual financial reviews and reporting

RISK MANAGEMENT CONSIDERATIONS
The level of risk to the City is considered to be as follows:

Category	Risk level	Comments
Health	N/A	Nil
Financial	Low	Administration has developed effective controls to ensure funds are invested in accordance with City's Investment Policy. This report enhances transparency and accountability for the City's Investments.
Service Interruption	N/A	Nil
Environment	N/A	Nil
Reputation	N/A	Nil
Compliance	Low	Financial reports are prepared in accordance with the Local Government Act, Regulations and Accounting Standards.

IMPACT ON CAPACITY
There is no impact on capacity or resourcing to carry out the Officer's recommendation.

RELEVANT PRECEDENTS
This is a monthly process advising Council of the current investment position of the City.

VOTING REQUIREMENTS
Simple Majority.

OPTIONS:

Option 1
As per Officer's recommendation.

Option 2
That Council:

3. RECEIVE the Investment Report for the financial period ending 31 August 2023; and

4. APPROVE the following actions:
   a) _____
   b) _____

Option 3
That Council NOT RECEIVE the Investment Report for the financial period ending 31 August 2023.

CONCLUSION
Council is obliged to receive the monthly investment report (report previously formed part of the monthly financial reports) as per statutory requirements. Details in regard to the variances and the commentary provided are to be noted as part of the report.

11.4 AUDIT AND ORGANISATIONAL RISK COMMITTEE – 11 SEPTEMBER 2023

File No:	FM.1
Responsible Executive Officer:	Director Corporate & Commercial
Reporting Author:	Manager Governance and Organisational Strategy
Date of Report:	5 October 2023
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Minutes Audit and Organisational Risk Committee 11 September 2023 2. Confidential Financial Management Services Review Report 3. Confidential Internal Audit – Corporate Credit Cards

PURPOSE

To receive the minutes of the Audit and Organisational Risk Committee (AORC) meeting held on 11 September 2023.

OFFICER'S RECOMMENDATION

That Council:

1. **RECEIVE the Minutes of the Audit and Organisational Risk Committee meeting held on 11 September 2023;**

2. **RECEIVE the recommendations outlined in the Financial Management Review carried out by Australian Audit in 2023; and**

3. **RECEIVE the recommendations from the Internal Audit on Credit Cards.**

BACKGROUND

The following matters were discussed at the meeting:

a) Financial Management Review 2023

A financial management systems review (FMSR) is required under r.5(2)(c) of the *Local Government (Financial Management) Regulations 1996* every three years to ensure that the CEO has considered the appropriateness and effectiveness of financial management systems and procedures of the local government.

The Committee considered the recommendations outlined in the confidential report produced by Australian Audit. There were no high risk management control matters identified by the consultants and they further conclude that existing systems within the City are satisfactory. They did indicate that there is always opportunities for improvement. Two medium risks and two low risk items were identified to improve the City's current systems.

b) Internal audit on Corporate Credit Cards
An internal audit was undertaken on the management of corporate credit cards over a six month period to ensure compliance to the Council's *Corporate Credit Card Policy CF-07* and reporting protocols. The audit was undertaken during a period where corporate systems were transitioning so the audit noted a number of matters regarding implementation that impacted upon delays in recording and reporting over a short window of time. The confidential internal audit identified no high risks were noted during the review with credit card custodians maintaining a high degree of rigour. Further improvement opportunities to be implemented over the next 12 months to the Council policy, acquittal/reconciliation periods and greater staff awareness.

c) Local Government Professionals (WA) – Audit Survey analysis
Survey analysis was undertaken by LG Professionals WA with their members to get an awareness of the effectiveness of audits transitioning across to the Office of Auditor General and opportunities for further consultation with stakeholders to improve existing arrangements. Areas noted were:
- Timeframe and delays in concluding audits
- Additional workload on local government staff
- Costs generally reasonable although they lacked transparency
- Inconsistent advice between contract auditors and OAG
- Asset revaluation requirements to be simplified

d) Office of Auditor General – Audit Fees 2023
Providing notice of their indicative audit fee for 2022/23 under a full cost recovery basis.

LEVEL OF SIGNIFICANCE
In accordance with Council policy CG-8 Significant Decision Making policy, this matter is considered to be of moderate significance in terms of Council's ability to perform its role.

STATUTORY IMPLICATIONS
Part 7 of the *Local Government Act 1995* makes provision for the Audit Committee and the conduct of audits.

Regulations 10, 14, 16 and 17 of the *Local Government (Audit) Regulations 1996* refers to the reporting by auditors, compliance audits, function of the audit committee and internal audits on risk management, internal controls and legislative compliance.

COUNCILLOR/OFFICER CONSULTATION
The Audit and Organisational Risk Committee, Chief Executive Officer, A/Director Corporate and Commercial Services, Finance staff and Governance staff have been consulted.

COMMUNITY CONSULTATION
No community consultation is required.

POLICY IMPLICATIONS
Item related credit cards is influenced by the *Corporate Credit Card Policy CF-07*

FINANCIAL IMPLICATIONS
The Council budget for 2023/24 caters for audits undertaken. The FMSR Review was $9,845 and the OAG audit is proposed to be $82,150 +GST.

STRATEGIC IMPLICATIONS
This item is relevant to the Council's approved Strategic Community Plan 2020-2030 and the Corporate Business Plan 2020-2025. In particular, the Operational Plan 2023-2024 provided for this activity:

Programs/Services:	4.c.1.1	Management Accounting Services
Projects/Actions:	4.c.1.1.19.1	Conduct monthly and annual financial reviews and reporting
Programs/Services:	4.e.1.2	Organisational Risk Management
Projects/Actions:	4.e.1.2.19.1	Implement Internal Audit Program
	4.e.1.2.21.1	Assist the Office of Auditor General with financial and performance audits

RISK MANAGEMENT CONSIDERATIONS
The level of risk to the City is considered to be as follows:

Category	Risk level	Comments
Health	Nil	Nil
Financial	Moderate	The FMSR Review ensures that there are sound systems and practices in place throughout the year to monitor financial performance. Audits assist in minimising risks.
Service Interruption	Nil	Nil
Environment	Nil	Nil
Reputation	Nil	Nil
Compliance	Nil	Nil

IMPACT ON CAPACITY
There is no impact on capacity or resourcing to carry out the Officer's recommendation.

RELEVANT PRECEDENTS
The FMSR Review is completed every three years to provide surety to the CEO, elected members and community that the City has sound financial management systems and procedures. The undertaking of internal audits and management system reviews ensures risks are proactively monitored and action taken to prevent any material departure from expected norms.

VOTING REQUIREMENTS
Simple Majority.

OPTIONS:

Option 1
As per Officer's recommendation.

Option 2
That Council DEFER consideration of this matter pending further information.

CONCLUSION
The primary focus of the 11 September 2023 AORC meeting was to receive the Financial Management Systems Review as required by statute with the pleasing outcome of no high risks, two moderate risks and two low risks noted with opportunities to improve current standards.
Additionally the internal audit of corporate credit cards was also submitted indicating mostly compliance to council policy and approved procedures with an opportunity to reassess practices once system issues are fully implemented.

11.5 APPOINTMENTS TO COMMITTEES AND ADVISORY GROUPS

File No:	CM.63
Responsible Executive Officer:	Director Corporate & Commercial
Reporting Author:	Manager Governance and Organisational Strategy
Date of Report:	3 October 2023
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	Terms of Reference

PURPOSE

For Council to consider appointments to the Audit and Organisational Risk Committee, Council advisory groups and external organisations that have Council representatives.

OFFICER'S RECOMMENDATION

That Council:

1. **DISBAND the Airport Advisory Group and the Waste Advisory Group;**

2. **APPOINT Council representation as follows:**

   a) **to the Audit and Organisational Risk Committee for a two-year term three (3) Councillors – Cr _____, Cr _____ and Cr _____;**

   b) **to the Arts Development and Events Advisory Group for a two-year term four (4) Councillors – Cr _____, Cr _____ and Cr _____;**

   c) **to the Environment and Sustainability Advisory Group for a two-year term three (3) Councillors – Cr _____, Cr _____, Cr _____ and Cr _____;**

   d) **to the Youth Advisory Group for a two-year term five up to three (3) Councillors – Cr _____, Cr _____ and Cr _____;**

   e) **as Council representative to the Murujuga Rock Art Stakeholder Reference Group for a two-year term – Cr _____;**

   f) **as Council representatives to the Pilbara Joint Development Assessment Panel for a term expiring 26 January 2024:**
   Two (2) Councillors – Cr _____, and Cr _____; and
   Two (2) proxies – Cr _____, and Cr _____ (if required);

   g) **as Council representative to the Pilbara Ports Community Consultation Group for a two-year term – Cr _____;**

   h) **as Council representative to the Pilbara Regional Road Group for a two-year term – Cr _____;**

i) as Council representative to the Rio Tinto Coastal Communities Environment Forum for a two-year term – Cr _____;

j) as Council representatives to the Western Australia Local Government Association (WALGA) Pilbara Zone for a two-year term:
Two (2) Councillors – Cr _____ and Cr _____;

k) as Council representative to the Western Australia Local Government Association (WALGA) State Council for a two-year term – Cr _____;

l) as Council representative to the Wickham Key Stakeholders Meeting for a two-year term – Cr _____;

m) as Council representative to the Woodside Community Liaison Group for a two-year term – Cr _____; and

3. REVIEW Terms of References of all Advisory Groups to ensure that their aims, objectives and key deliverables are clear and up to-date, with the revised/updated Terms of References to be presented to Council for consideration.

BACKGROUND
The three types of groups that have Council representatives are as follows:

Type	Number currently	Proposed	Function
Committees of Council	1	1	• Statutory requirement established under s5.8 of the *Local Government Act*. • May have delegated authority.
Advisory Groups	6	3	• Run by the City • Provide advice to Council on Strategy / Direction. • Often involve the public. • No delegated authority.
External Bodies	8	8	• Not coordinated by the City. • Representative requested by the group.

The following is summary of existing groups for consideration to appoint Council representatives:

Type	Function	Comments
Committee of Council	**Audit and Organisational Risk Committee (AORC)** provides oversight of the Council's responsibilities for audit related matters, compliance with legislation and policy, accounting policy, review of the annual accounts and internal controls, and risk management processes and procedures.	• Minimum of three Councillors • Meets at least three times pa (currently meeting 5 - 6 times per annum) • Statutory requirement
Advisory Groups of Council	**Arts Development & Events Advisory Group (ADEAG)** provides input and feedback to Council in relation to the nature and range of programs, events, activities and infrastructure to optimise community capacity, exposure to and participate in all forms of arts and culture in the City.	• Up to Four Councillors. • Meets four times pa. • Includes Community reps.

Type	Function	Comments
	Environmental & Sustainability Advisory Group (ESAG) provides advice to Council on environment and sustainability matters.	• Up to 4 Councillors • Meets bi-annually • Includes Community reps.
	Youth Advisory Group creates a mutually respectful partnership with young people in the City and provides a mechanism whereby young people's ideas, skills, perspectives and contributions are received by Council.	• Up to 3 Councillors. • Meets monthly. • Includes Community reps (young people).
External Bodies	**Murujuga Rock Art Stakeholder Reference Group (MRASRG)** The MRASRG contributes constructively to the monitoring and protection of rock art, being considerate of the views of all stakeholders including: • provision of advice to **DWER** and the Minister for Environment on the design, implementation and analysis of the scientific monitoring and analysis program; • consult, inform and educate other stakeholders on other matters referred by DWER for input or comment, including further development of the Strategy, implementation of the Strategy and 5 yearly review; and • inform the Government's broader consideration of other strategic issues relating to the protection of the rock art on Murujuga.	• One Council representative plus one City Officer • Meets quarterly
	Pilbara Joint Development Assessment Panel (JDAP) The key function of the JDAP is to determine significant applications for development approval. It services local governments in the Pilbara and reports to the Minister.	• 2 Council representatives and 2 proxies. • Maximum 10 days notice to attend meetings. • Meets as required. In 2023, met twice. • All members are appointed by the Minister for Planning and members must be trained prior to sitting on the JDAP. • Consider Conflict of Interest in relation to large industry partners.
	Pilbara Ports Community Consultation Group (PPCCG) The PPCCG facilitates information sharing and consultation between the Port Authority and the local community.	• One Council representative plus one City Officer • Meets quarterly
	Pilbara Regional Road Group (PRRG) Through RRGs the State Government provides Local Government with a voice in how the State's contribution to local roads is spent.	• One Council representative. • Meets as required.

Type	Function	Comments
	Rio Tinto Coastal Communities Environment Forum The Forum is to liaise with the local community and stakeholders with members represented from the Dampier, Point Samson, Wickham and Roebourne communities, Department of Environment and Conservation, Dampier Port Authority, Water Corporation, Department of Water, Pilbara Development Commission and Rio Tinto.	• One Council representative plus one City Officer • Meets as required *(Minimum two meetings pa)*
	Western Australia Local Government Association (WALGA) Pilbara Zone provides services to and on behalf of the participants (City of Karratha, Shire of Ashburton, Shire of East Pilbara and the Town of Port Hedland).	• 2 Council representatives. • Meets as required.
	Wickham Key Stakeholders Meeting (WKSM) The WKSM provides a regular forum for government and non-government agencies that have an interest in the Wickham community to network and exchange reciprocal information that informs their planning and decision-making processes. The WKSM is not a forum to resolve issues or orchestrate a desired outcome.	• One Council representative plus one City Officer • Meets quarterly
	Woodside Community Liaison Group (CLG) The Karratha CLG disseminates information and seeks community knowledge and input on issues of relevance and concern relating to Woodside's operational, development and planning activities within the Pilbara region. The group provides a vehicle for community engagement with Woodside in Karratha; and assists Woodside to identify local issues and discuss appropriate future management strategies.	• One Council representative plus one City Officer • Meets quarterly

In determining appointments to each of the groups listed, consideration should be given as to:
(a) whether the body is still relevant; and
(b) the number of elected representatives and proxies (as required if a member is unable to attend).

Other matters such as terms of reference (attached), including frequency of meetings, should be discussed at the next meeting of each of these groups.

It is proposed that the following Advisory Groups be discontinued:

Type	Function	Comments
Advisory Groups of Council	**Airport Advisory Group (AAG)** provides advice to Council on the strategic directions of operations at the Karratha Airport.	• Five Two Councillors. • Meets four times pa.
	Waste Advisory Group provides advice to Council on the strategic directions of operations for Waste Services.	• Five Councillors. • Meets four times pa.

Both the Airport Advisory Group and the Waste Advisory Group have met very infrequently over recent years and the matters before these two groups have invariably been project progress updates or commercial activity updates. Instead of a continuation of the Airport and Waste advisory groups in their current form, it is proposed that they be disbanded and all Councillors will now be informed quarterly through Councillor Briefing Sessions or as an

Information Item on the Council Agenda on any significant developments and progress on major projects affecting these two business units. Should the need arise in the future for either of these groups to be reformed, this can be considered at a later date.

The Safety Communities Partnership (SCP) Advisory Group was disbanded 31 January 2022 as per Res No 154943:

Type	Function	Comments
Advisory Groups of Council	**Safer Communities Partnership (SCP)** provides advice to Council on the development and implementation of a range of preventative and responsive actions to create safe, healthy and liveable communities within the City.	• Up to five Councillors including the Mayor as Chair. • Meets bi-monthly. Includes Community reps.

LEVEL OF SIGNIFICANCE
In accordance with Council Policy CG-8 Significant Decision Making Policy, this matter is considered to be of moderate significance in terms of parties affected issues and Council's ability to perform its role.

STATUTORY IMPLICATIONS
Section 5.8 and 7.1A of the *Local Government Act 1995* provides that a local government may establish committees of 3 or more persons to assist the Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

COUNCILLOR/OFFICER CONSULTATION
Councillors were consulted at the Briefing session held on 23 October 2023.

COMMUNITY CONSULTATION
No community consultation is required.

POLICY IMPLICATIONS
There are no policy implications.

FINANCIAL IMPLICATIONS
There are no financial implications. Membership of Council committees, advisory groups and external organisations does not affect the fees paid by the City to elected members.

STRATEGIC IMPLICATIONS
This item is relevant to the Council's approved Strategic Community Plan 2020-2030 and the Corporate Business Plan 2020-2025. In particular, the Operational Plan 2023-2024 provided for this activity:

Programs/Services: 4.a.2.7 Government Relations

RISK MANAGEMENT CONSIDERATIONS
The level of risk to the City is considered to be as follows:

Category	Risk level	Comments
Health	N/A	Nil
Financial	N/A	Nil
Service Interruption	N/A	Nil
Environment	N/A	Nil
Reputation	N/A	Nil
Compliance	High	Failure to have an Audit Committee and appoint three or more Elected Members to the committee is a breach the *Local Government Act 1995*

IMPACT ON CAPACITY
There is no additional impact on capacity or resourcing to carry out the Officer's recommendation.

RELEVANT PRECEDENTS
Appointments to the internal and external bodies have previously been considered by the new Council following each local government election.

VOTING REQUIREMENTS
Absolute Majority.

OPTIONS:

Option 1
As per Officer's recommendation.

Option 2
That Council AMEND:

1. _____
2. _____

Option 3
That Council DEFER the appointments until the November 2023 Council meeting pending further consideration of these groups.

CONCLUSION
Following the recent local government elections, it is necessary for Council to determine appointments to the Audit and Organisational Risk Committee, Council advisory groups and external organisations that have Council representatives.

12 COMMUNITY EXPERIENCE

12.1 ADVERTISING OF AMENDED POLICY - COMMUNITY LEASING OF LAND POLICY

File No:	CS.22
Responsible Executive Officer:	Director Community Experience
Reporting Author:	Acting Community Infrastructure Coordinator
Date of Report:	25 September 2023
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. DRAFT Community Leasing of Land Policy (CS-25) 2. Operational Guidelines – Leasing of Land 3. Community Discount Matrix

PURPOSE

For Council to approve, for the purpose of community consultation, the proposed amendments to the Community Leasing of Land Policy (CS-25), and associated Leasing of Land operational guidelines.

OFFICER'S RECOMMENDATION

That Council APPROVE for the purpose of community consultation, the proposed amendments to the Community Leasing of Land Policy (CS-25), the Leasing of Land Operational Guidelines (including the Community Discount Matrix), detailed at Attachments 1, 2 and 3.

BACKGROUND

The intent of the Community Leasing of land policy is to provide a framework to establish a standard, transparent and equitable approach to the Community leasing of real property owned and managed through the City.

Council first considered this issue in August 2022 (Resolution Number 155063) when it resolved to adopt the policy subject to two amendments, which were:

1. *That all appeals be submitted to Council for consideration, and*
2. *For the Policy to be reviewed in 12 months' time.*

In January 2023, the City conducted a review and discovered that several Community groups who had existing $10 per year peppercorn lease had income over the proposed threshold of $250,000. For some organisations this triggered a lease in the range of $50,000 per annum.

On 30 January 2023 Council then resolved (Resolution 155132) to:

REQUEST Administration to review Policy CS-25 Community Leasing of Land Policy and REPORT to Council on industry models of applying a discount method to Community Leases that considers:

a) The Broader range of Community Benefits provided by an organisation.

b) *Its alignment to the City's strategic priorities.*
c) *Allow for the normalised comparison of financials, considering abnormal one-off items such as grant funding or any pass-through income.*
d) *Pros and Cons of a sliding scale or matrix that applies criteria to calculate a discount method.*

DISCUSSION

Local Government Industry Models
To understand industry trends Officers have reviewed leasing policies implemented by several local governments. The review focused on a mix of regional and metro councils.

The below table is a summary of findings:

LG	FINDINGS
City of Busselton	• Refers to a Council Policy plus Operational Guidelines • No matrix used to determine discounts, instead negotiated operationally • Outlines NFP lessees will generally be charged nominal rent as a contribution to admin costs
City of Vincent	• Refers to a Council Policy plus Property Management Framework • Policy is brief, outlines intention for fairness, equality, and transparency etc • Policy is not operational in nature, outlines property management objectives and scope • Property Management Framework is significant • Fee is determined by Gross Rental Value (GRV), then discounted based on a Community Benefit Matrix • Matrix scores against number of factors including but not limited to - organisation structure, personnel resourcing, ability to generate income, link to strategic plan, breadth of benefit to community • Matrix is subjective in measurement approach
City of Greater Geraldton	• Refers to a Council Policy only • Leases negotiated in line with identified principles, no mention of guidelines to apply discounts
City of Mandurah	• Refers to a Council Policy only, sits within a general 'Community and Recreation Facilities Policy', mostly covers facility planning and briefly refers to the opportunity for lease and licensing • No reference made to how fees are determined for community groups
City of Bayswater	• Refers to a Council Policy with operational aspects • $1 fee set for smaller volunteer community groups & sporting clubs/Rec Groups • $1,390 for NFPs, $1,360 for Community Child Care Centres • Larger NFPs, State & National Associations, Places of worship start at 40% of market valuation or as determined by Council • No rationale to explain how the Policy distinguishes between classifications
City of Albany	• Refers to a Council Policy only • Peppercorn ($10) available to community groups leasing for community purposes • No explanation of criteria to determine eligibility for 'Community' classification • No reference made to fees outside of a peppercorn rate
Town of Port Hedland	• Refers to a Council Policy only • A Standard Community Lease Fee is set in the annual Fees & Charges ($200) • Reference is made to measuring the net community benefit of an organisation to consider financial subsidy, grant or discount, however no method is given for how this is done

Industry Themes
The policies reviewed shared common themes in shaping their approach to leasing and fee structures. These shared themes include;

- using Gross Rental Value as a basis for determining lease fees.
- the categorisation of tenants based on the nature of their operations, and
- references to discounts based on community benefits.

Gross Rental Value vs Gross Income

While a Gross Rental Value method is commonly used elsewhere to first determine a lease fee, Officers do not recommend this approach for the City of Karratha due to local property market fluctuation.

Instead, Officers recommend capacity to pay, by using the Gross Income threshold for the organisation. This has been included in the draft policy.

Tenant Categorisation

Many of the reviewed Councils categorised Tenants based on the nature of their operations, ranging from small community groups and volunteer organisations to Not-for-Profits, sporting associations, clubs, and larger commercial businesses.

This form of categorisation has been included in the draft policy.

Community Benefit & Community Discount Matrix

When discounting lease fees based on community benefit, only one of the reviewed councils, City of Vincent, provided evidence of a matrix to guide this discount. This is considered best practice in guiding a Community discount matrix.

Policy Framework

For the policy framework, Council use either Council Policy alone or Council Policy with supporting Operational Guidelines. Officers will recommend the use of a Council Policy with supporting Operational Guidelines.

The Council Policy will outline the objectives, scope, and principles of the Policy. The Operational Guidelines are used by City Officers for their day-to-day operations to ensure a consistent approach to the Policy. The guidelines also allow Officers flexibility in refining their internal operational leasing processes.

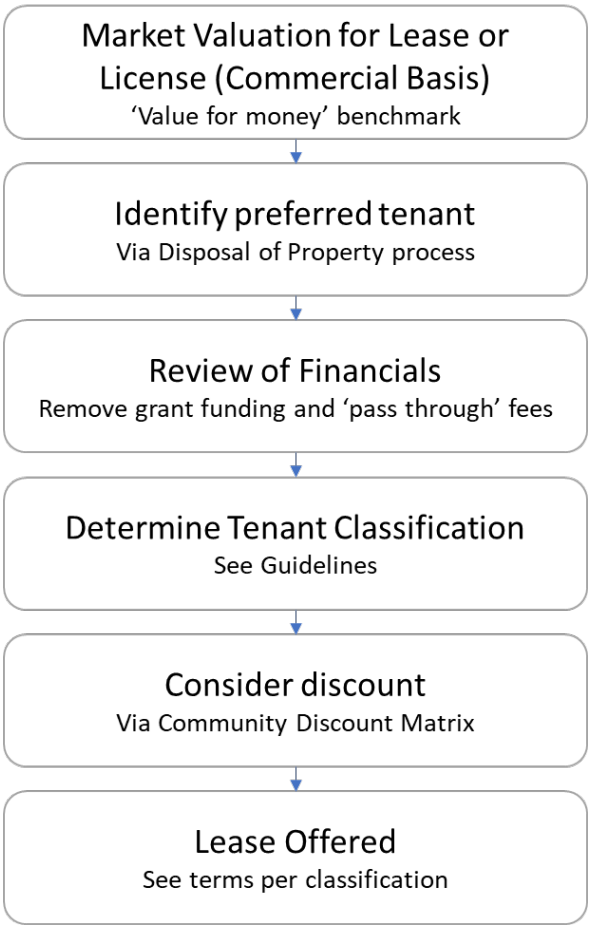
PROS AND CONS OF A SLIDING SCALE OR COMMUNITY BENEFIT MATRIX
Council requested advice on the pros and cons of a sliding scale or matrix, to apply criteria to the calculation of a discount method, which is as follows:

POSITIVES	NEGATIVES
• **Incentivise Community Contributions –** Encourages Community Groups / Organisations to actively contribute to betterment of community	• **Complexity** – Designing and implementing a matrix is complex, requires defining and measuring various benefits which can be challenging
• **Accountability -** Community Groups / Organisations may be more accountable for delivering on promised community benefits due to lease fees tied to performance	• **Subjectivity in Measurement** – measuring the value of community benefits can be subjective and open to interpretation, leading to disputes
• **Direct link to benefits –** directly ties lease fee to benefits the Community Group / Organisation offers the community	• **Data & Reporting Burden** – Community groups and Organisations may face additional administrative burden in collecting & reporting data to demonstrate their contributions to community
• **Provides operational framework –** will guide City staff in ensuring equity, transparency, and consistency in approach.	• **Risk of inaccurate reporting** – risk of manipulation of reported benefits to pay lower lease fees, potential to undermine the purpose
	• **Inflexibility –** Matrix may not adapt well to changing circumstances or needs, less flexibility
	• **Potential for conflicts –** Disagreements can arise over how to measure and value different types of community benefits

PROPOSED APPROACH
Recognising the potential for community groups who offer significant benefits to the community, to be classified with an unfavourable rental fee which may negatively impact their service to the community, it is important Council consider a balanced approach. This approach should recognise the benefit to the community while also encouraging sustainable operational governance.

Officers recommend an initial classification of tenants based on their gross annual income, followed by accompanying considerations that allow for potential additional lease fee discounts, subject to evaluation against a Community Benefit Matrix.
The Community benefit matrix can be used to prioritise benefits to the community. It focuses largely on the City's strategic priorities and may reward those organisations that are closely aligned to these priorities.

The below flow chart demonstrates the process in determining leasing fees:



LEVEL OF SIGNIFICANCE
In accordance with Council Policy CG-08 Significant Decision-Making Policy, this matter is considered to be of minor significance in terms of Council's future revenue streams and optimising use of City owned or managed assets.

STATUTORY IMPLICATIONS
The *Local Government Act 1995* refers to a property lease or licence as an 'asset disposal'.

Sections 3.58 and 3.59 of the *Local Government Act 1995* are applicable to property disposal by way of lease or licence.

This policy complies with the provisions in the Act.

COUNCILLOR/OFFICER CONSULTATION
Council has previously considered the Community Leasing of Land Policy (CS-25) in August 2022, January 2023 and recently via an individual appeal against this Policy for Karratha Community House in August 2023.

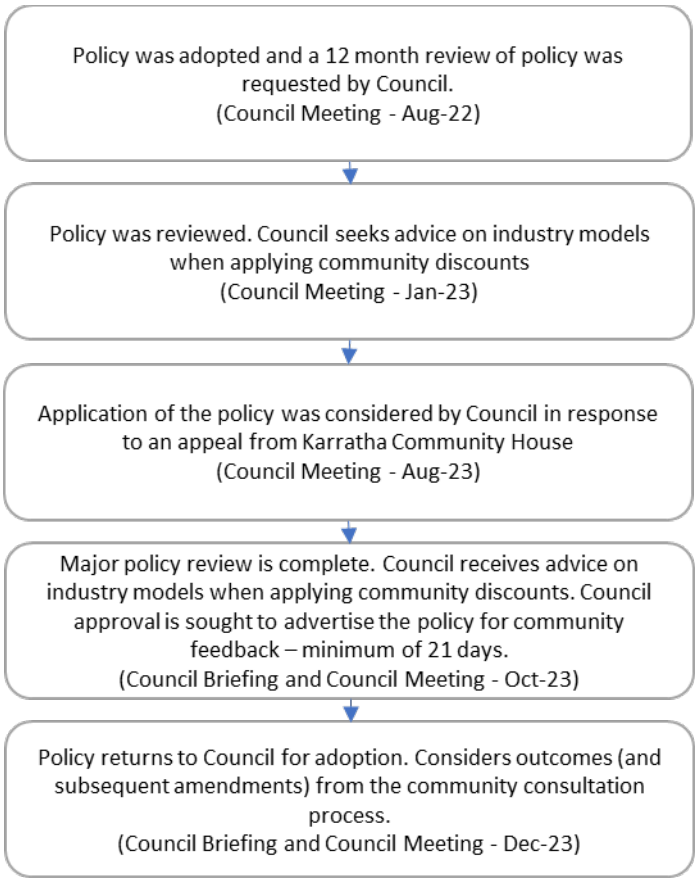
In preparation for community advertising the amended Community Leasing of Land Policy (CS-25) and the Leasing of Land Operational Guidelines (including the Community Discount Matrix), as attached to this agenda paper, have been reviewed by Councillors at a Council Briefing on Monday 23 October 2023.

Following community advertising, officers will consider community feedback and may recommend further amendments to the policy and guidelines prior to presenting it to Council for adoption.

When presenting the policy and guidelines to Council for adoption, the officer's report will include:

a) The Community Leasing of Land Policy (CS-25) and the Leasing of Land Operational Guidelines (including the Community Discount Matrix), as advertised;
b) A marked-up copy of any changes to the Community Leasing of Land Policy (CS-25) and the Leasing of Land Operational Guidelines (including the Community Discount Matrix), made subsequent to community advertising; and
c) Detail of community feedback received.

In summary, the following flow chart shows the current and future councillor consultation process:



COMMUNITY CONSULTATION

As this is a significantly amended policy it will be advertised for a period exceeding 21 days in the following ways:

- notice published on the City's website;
- notice posted to the City's social media;
- notice published in the Pilbara News;
- notice exhibited on the notice board at the City's Administration and Library; and
- letters distributed to existing and prospective tenants and relevant community groups

POLICY IMPLICATIONS
The existing Policy (CS-25) remains in place until Council approves amendments. As indicated above, this is planned to occur in the December 2023 Council meeting.

FINANCIAL IMPLICATIONS
There are no significant financial implications arising from the review of this policy.

STRATEGIC IMPLICATIONS
This item is relevant to Council's approved Strategic Community Plan 2020-2030 and the Corporate Business Plan 2020-2025. In particular, the Operational Plan 2023-2024 provided for this activity:

Programs/Services:	2.a.2.4	Lease Management
Programs/Services:	1.a.1.8	Sports Fields and Grounds Management
Projects/Actions:	2.a.2.4.20.1	Manage commercial and community leasing arrangements
Projects/Actions:	2.a.2.4.20.2	Promote competitive leasing opportunities for City property and land through commercial and community use
Projects/Actions:	1.a.1.8.21.1	Manage facility usage agreements at relevant facilities.

RISK MANAGEMENT CONSIDERATIONS
The level of risk to the City is considered to be as follows:

Category	Risk level	Comments
Health	N/A	Nil
Financial	Moderate	A greater degree of uniformity in the determination of lease arrangements and obligations imposed on Tenants across all City Community Facilities.
Service Interruption	N/A	Nil
Environment	N/A	Nil
Reputation	Low	Transparency and fairness as a result of this Policy may improve the City's reputation with Tenants.
Compliance	Moderate	The Community Infrastructure team will need to monitor the use of facilities to ensure compliance with the policy

IMPACT ON CAPACITY
There is no impact on capacity or resourcing to carry out the Officer's recommendation. The City has a leasing team that coordinates the delivery of leasing agreements.

RELEVANT PRECEDENTS
Council adopted a previous version of a Community Leasing of Land policy in August 2022 and requested a review in January 2023.

VOTING REQUIREMENTS
Simple Majority.

OPTIONS:

Option 1
As per Officer's recommendation.

Option 2
That Council:
1. APPROVES for the purpose of community consultation, the proposed amendments to the Community Leasing of Land Policy (CS-25), the Leasing of Land Operational Guidelines (including the Community Discount Matrix), detailed at Attachments 1, 2 and 3; and

2. REQUESTS further changes to Attachments 1, 2 and 3, including:
   a)
   b)
   c)

Option 3
That Council ADOPT the amendments to the Community Leasing of Land Policy (CS-25), the Leasing of Land Operational Guidelines (including the Community Discount Matrix), detailed at Attachments 1, 2 and 3.

Option 4
That Council:

1. DOES NOT APPROVE, for the purpose of community consultation, the proposed amendments to the Community Leasing of Land Policy (CS-25), the Leasing of Land Operational Guidelines (including the Community Discount Matrix), detailed at Attachments 1, 2 and 3; and
2. REQUESTS Administration to:
   a)
   b)
   c)

CONCLUSION
The Community Leasing of Land policy and associated operational guidelines are required to ensure a standard, transparent and equitable approach to the leasing of City owned and managed property.

13 DEVELOPMENT SERVICES

No reports.

14 STRATEGIC PROJECTS & INFRASTRUCTURE

14.1 AIRPORT PASSENGER SECURITY SCREENING AND FRONT OF HOUSE SERVICES

File No: TT.415

Responsible Executive Officer: Director Strategic Projects & Infrastructure

Reporting Author: Manager Airport Services

Date of Report: 27 September 2023

Applicant/Proponent: Nil

Disclosure of Interest: Nil

Attachment(s): Nil

PURPOSE
For Council to consider calling tenders to procure aviation security screening and front of house services for the Karratha Airport.

OFFICER'S RECOMMENDATION

That Council:

1. **ENDORSE the scope of works for the Aviation Security Screening tender including:**

   a) **Maintaining security screening of people and baggage during scheduled operating hours which can be amended from time to time; and**
   b) **Services for operating security screening points, checked bag security screening system, explosive trace detection, body scanners, screening of unattended items and security sweeps of the terminal.**

2. **CALL tenders to provide Aviation Security Screening services at Karratha Airport for the period of three years (3) with two (2) x one (1) year extension options.**

3. **ENDORSE the following tender evaluation weighting criteria:**

Criteria	Weighting
Relevant Airport Experience	**10%**
Capacity to Deliver	**15%**
Respondents Resources	**10%**
Price	**60%**

4. **NOTE that the security services are budget neutral and will be recovered from airline security charges.**

BACKGROUND
Karratha Airport is a regulated security controlled airport, which is classified and required to provide full baggage and passenger screening services. Such a service is regulated through an approved screening agent.

The current service agreement with MSS Security for the provision of Security Screening and Front of House Services, was awarded by Council at its meeting in May 2019 and is due to expire on 30 June 2024. The contract was for an initial term of three (3) years with two (2) x one (1) year extension option periods. All options have now been exercised.

DISCUSSION
The alternate to contracting security service is to directly employ staff to provide the services. in-house. This approach does not provide any tangible security outcomes or financial benefits to the City as in-house processing is likely to:

- Reduce the competitive pricing opportunity (economies of scale purchase).
- Increase staff resourcing pressure and timeframe to delivery.
- Potentially reduce reliability and compliance with regulations; and
- Increase management, training and regulatory costs.

The service also requires a high level of specialised manpower with specialised training which is not available with the City. Security screening is not a core business for the airport and there is no financial benefit to be gained by the City, as the screening service costs are budget neutral and recovered through passenger security charges.

If supported, the scope of works proposed in the tender includes:
- Maintaining security screening of people and baggage during scheduled operating hours which can be amended from time to time.
- Provision of services for operating security screening points, checked bag security screening system, explosive trace detection, body scanners, screening of unattended items and security sweeps of the terminal; and
- Manage and control of vehicular and pedestrian traffic flow at kerbside, in front of terminal and in airport's carparks.

Additions to the Standard Service Contract will include:
- Key Performance Indicators (KPIs) which will include System Tests conducted by the Department of Home Affairs, staffing levels, screening accuracy and compliance with regulations; and
- Financial penalties, Performance Improvement Plans (PIP) and termination clause for non-performance.

Officers propose replicating the previous contract's duration, starting with an initial three-year term with two one-year extensions.

LEVEL OF SIGNIFICANCE
In accordance with Council Policy CG-8 Significant Decision Making Policy, this matter is considered to be of high significance in terms of economic and functional ability for the Council to maintain the airports operational capability.

STATUTORY IMPLICATIONS
In terms of the *Aviation Transport Security Act 2004,* Karratha Airport is classified as a Security Controlled airport. Under Section 16(2) of this Act, the City of Karratha as owner/operator of Karratha Airport, has a Transport Security Plan (TSP) aimed at ensuring the security integrity of the aviation network at Karratha Airport. Our TSP will be resubmitted to Home Affairs to reflect changes to these screening arrangements at Karratha Airport.

COUNCILLOR/OFFICER CONSULTATION
No Councillor or Officer consultation is required.

COMMUNITY CONSULTATION
No community consultation is required.

POLICY IMPLICATIONS
The proposal is in accordance with Council's CG 12 Purchasing Policy and CG11 – Regional Price Preference is applicable to this matter.

The scope of works proposed is based on legislative requirements in respect to managing a security controlled airport.

The tender criteria proposed is based largely on costs, compliance, capability and resources to deliver the services, with the following weighting for the selection evaluation:

Criteria	Weighting
Relevant Airport Experience	15%
Capacity to Deliver	15%
Respondents Resources	10%
Price	60%

FINANCIAL IMPLICATIONS
Tender costs are expected to be budgeted in the 2024/25 financial year. Screening costs are budget neutral and will be recovered from the airlines through Fees and Charges, once approved by Council. Recovery of these costs are standard practice across all airports. The airlines will ultimately on charge the costs to the passenger. In the 2023/24 financial year, the City anticipates spending $2.2m for screening costs associated with the current contract.

STRATEGIC IMPLICATIONS
This item is relevant to the Council's approved Strategic Community Plan 2020-2030 and the Corporate Business Plan 2020-2025. In particular, the Operational Plan 2023-2024 provided for this activity:

Programs/Services: 1.a.1.4 Airport Facility Management

RISK MANAGEMENT CONSIDERATIONS
The level of risk to the City is considered to be as follows:

Category	Risk level	Comments
Health	N/A	Nil
Financial	Low	Screening costs are budget neutral and will be recovered from airline charges.
Service Interruption	Extreme	Lack of security screening services will shut down all passenger and airline operations at the airport.
Environment	N/A	Nil
Reputation	High	Closure of the airport terminal due to unavailability of security services will have a high reputational risk for the City.
Compliance	Low	Conducting a tender process to contract an airport security screening provider is expected to ensure security integrity of the aviation network at Karratha Airport.

IMPACT ON CAPACITY
There is no impact on capacity or resourcing to carry out the Officer's recommendation. The contract will be managed in-house by the Airport team.

RELEVANT PRECEDENTS
The current service agreement with MSS Security for the provision of Security Screening and Front of House Services, as awarded by Council at its May 2019 meeting is due to expire on 30 June 2024.

Previously in June 2014, the Council had also awarded the contract to MSS Security which expired in June 2019.

VOTING REQUIREMENTS
Simple Majority.

OPTIONS:

Option 1
As per Officer's recommendation.

Option 2
That Council by SIMPLE Majority pursuant to Section 3.57 of the *Local Government Act 1995* RESOLVES to NOT CALL tenders for the Airport Security Screening Services at this time.

CONCLUSION
In terms of the *Aviation Transport Security Act 2004,* Karratha Airport is classified as a Security Controlled airport and to maintain the classification having security screening at the airport is mandatory.

With the current security screening and front of house services contract due to expire at the end of June 2024, Officers recommend the City manage and commence a new tender process to procure Aviation Security Screening and Front of House Services at Karratha Airport.

14.2 AMENITY TREE PRUNING – TENDER OUTCOME

File No:	CM.577
Responsible Executive Officer:	Director Strategic Projects & Infrastructure
Reporting Author:	Parks & Gardens Coordinator
Date of Report:	27 September 2023
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	Confidential – Tender Evaluation Report

PURPOSE
For Council to consider the tender for the Amenity Tree Pruning Tender, Number RFT12-22/23

OFFICER'S RECOMMENDATION

That Council:

1. **ACCEPT the tender submitted by Lewright Pty Ltd t/a North West Tree Services Pilbara (ABN 51 659 703 787) as the preferred tenderer subject to any satisfactory contract negotiations and resultant amendments;**

2. **EXECUTE a contract with Lewright Pty Ltd t/a North West Tree Services Pilbara (ABN 51 659 703 787) for the delivery of Amenity Tree Pruning Services SUBJECT to any further variations of a minor nature.**

BACKGROUND
The City historically contracts out Amenity Tree pruning works. The current contract for these services was awarded under RFT 01-18/19 which commenced on 30 November 2018 for a period of three (3) years with two (2) x one (1) year extensions, the current contract expires on 30 November 2023. The current contractor for this service assists with high-risk tree works, supplements our internal workforce throughout periods of high demand and completes pre cyclone season tree pruning to ensure trees are as healthy as possible to survive a cyclone.

A new tender was called for a competent and experienced Contractor to provide tree pruning services in parks, gardens, residential and open spaces throughout all towns within the City of Karratha boundaries. The services to be provided consist of set services on a regular basis as well as additional services on an as required basis. These include, but are not limited to:

a) Reactive tree maintenance generated through internal works and public requests
b) Programmed maintenance generated through project works and precinct area maintenance
c) Tree pruning
d) Tree removal
e) Stump grinding and root grinding

f) Pollarding
g) Supply and installation of tree root barriers
h) Supply and installation of mulch
i) Basal bark/pesticide treatment
j) Tree and/or soil termite treatment
k) Provision of Arborist reports on health and structure of a tree for integrity, and soundness
l) Provision of afterhours and emergency resources, as requested
m) Maintenance and provision of work records
n) Provide maintenance and removal of trees along power lines to maintain adequate clearances between the power lines and tree branches under normal and adverse weather conditions as per Horizon Power standards

The tender was invited under CEO's delegation and advertised on 2 August 2023 and closed 30 August 2023.

Two (2) tenders were received by the closing date:

- North West Tree Services Pilbara
- Norcape Tree and Contracting Services

The tenders were evaluated by a three (3) person panel comprising of:

- Manager Asset Maintenance
- Parks & Gardens Coordinator
- Parks & Gardens Maintenance Supervisor

The tenders were first assessed for compliance with the tender documents. The tenders were then assessed against the weighted qualitative criteria.

The criteria and associated weightings were as follows:

Criteria	**Weighting**
Relevant Experience	20%
Methodology	10%
Capacity to Deliver	20%
Price	50%

The Regional Price Preference Policy applied to one (1) local tenderer.

A copy of the Evaluation Report is contained within the confidential section of the Agenda.

The Director Strategic Projects & Infrastructure and the Chief Executive Officer have endorsed the recommendation.

LEVEL OF SIGNIFICANCE
In accordance with Council policy CG-8 Significant Decision Making policy, this matter is considered to be of low significance in terms of economic and environmental issues.

STATUTORY IMPLICATIONS
Tenders were called in accordance with Section 3.57 of the *Local Government Act 1995* and associated regulations.

COUNCILLOR/OFFICER CONSULTATION
No Councillor or Officer consultation is required.

COMMUNITY CONSULTATION
No community consultation is required.

POLICY IMPLICATIONS
Council Policies CG12 – Purchasing and CG11 – Regional Price Preference is applicable to this matter.

FINANCIAL IMPLICATIONS
The contract value for Amenity Tree Pruning is estimated at $1,000,000 excl GST over a five year term.

The contract consideration for the term is within Council's Budget allowances, however, there is potential for severe weather systems that could increase the total contract spend to make safe, tidy up and improve tree health.

STRATEGIC IMPLICATIONS
This item is relevant to the Council's approved Strategic Community Plan 2020-2030 and the Corporate Business Plan 2020-2025. In particular, the Operational Plan 2023-2024 provided for this activity:

Programs/Services:	1.a.1.2	Parks and Gardens Maintenance
Projects/Actions:	1.a.1.2.21.2	Implement the Streetscapes and Verges Maintenance Program
Programs/Services:	1.a.2.2	Parks and Gardens
Projects/Actions:	1.a.2.2.20.1	Implement Street Tree Planting as per Street Tree Strategy
Programs/Services:	1.d.1.4	Cyclone and Bushfire Inspection Program
Projects/Actions:	1.d.1.4.21.1	Undertake seasonal bushfire and cyclone inspections within all townsites

RISK MANAGEMENT CONSIDERATIONS
The level of risk to the City is considered to be as follows:

Category	Risk level	Comments
Health	Low	Promotion and retention of a healthy tree canopy poses great health benefits to City residents and improper tree management techniques can compromise this.
Financial	Low	Potential for overall contract value to increase due to unpredictable severe weather events over the length of the contract
Service Interruption	N/A	Nil
Environment	Low	Protects street trees and ensures their survival rate in severe weather in accordance with the internal Street Tree Strategy
Reputation	Low	Failure to update and maintain the City maintained street trees may result in increased public complaints to the City
Compliance	Low	All works are to be undertaken in accordance with relevant OSH provisions, standards, legislation, and best industry practice

IMPACT ON CAPACITY
There is no impact on capacity or resourcing to carry out the Officer's recommendation. The contract will be managed by the City's Asset Maintenance Department.

RELEVANT PRECEDENTS
There are no relevant precedents related to this matter.

VOTING REQUIREMENTS
Simple Majority.

OPTIONS:

Option 1
As per Officer's recommendation.

Option 2

That Council ACCEPT the tender submitted by the alternate supplier as the preferred tendered for the Amenity Tree Pruning tender subject to any satisfactory contract negotiations and resultant amendments

Option 3
That Council:

That Council REJECT all tenders for Amenity Tree Pruning under RFT12-22/23 and READVERTISE the tender.

CONCLUSION
The Evaluation Panel believes the preferred tenderer has the capacity to deliver the works to the standard expected by the City, has proven capability and capacity within their organisation and provides the most advantageous outcome for the contract.

Considering the prices submitted, and to effectively maintain the current level of service across all towns within the City of Karratha's purview, it is the Officer's recommendation that the tender is awarded to the preferred Contractor.

15 ITEMS FOR INFORMATION ONLY

Responsible Officer: Chief Executive Officer

Reporting Author: Minute Secretary

Disclosure of Interest: Nil

PURPOSE
To advise Council of the information items for September 2023.

VOTING REQUIREMENTS
Simple Majority.

OFFICER'S RECOMMENDATION

That Council note the following information items:
15.1 Community Experience update
15.2 Development Services update
15.3 Record of Tender

15.1 COMMUNITY EXPERIENCE UPDATE

File No: CS.23

Responsible Executive Officer: Director Community Experience

Reporting Author: Manager Community Facilities

Date of Report: 4 October 2023

Applicant/Proponent: Nil

Disclosure of Interest: Nil

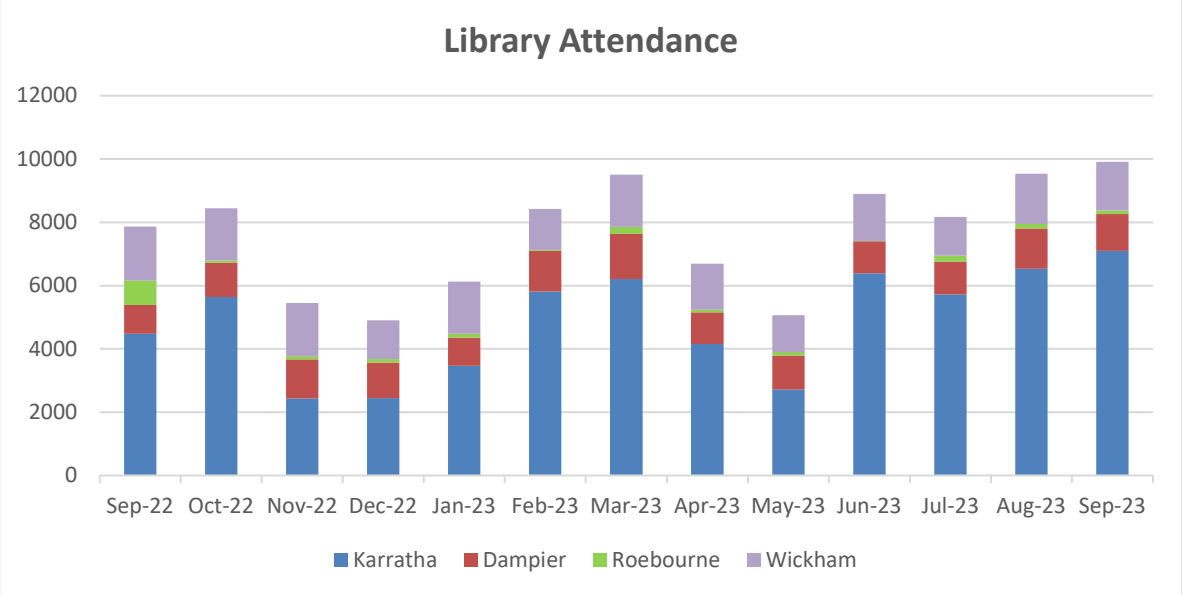
Attachment(s) Nil

PURPOSE
To provide Council with a Community Services update for September 2023.

Community Facility Attendance Summary

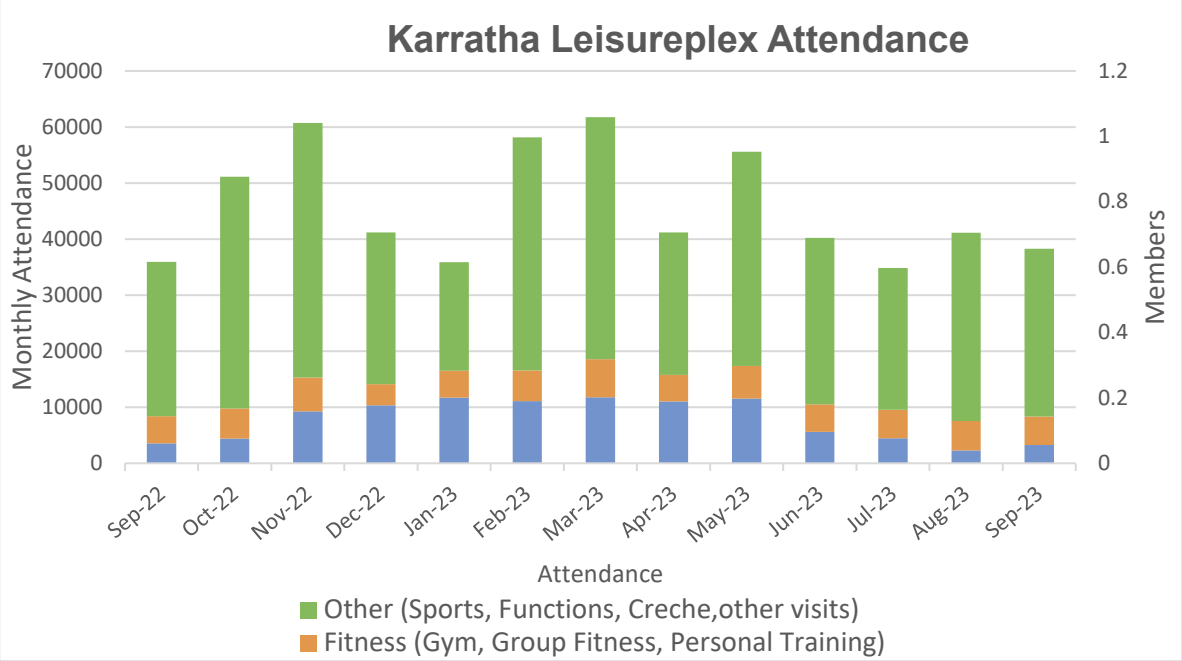
Facility Attendance	**Sep 2022**	**Sep 2023**	**%**
The Youth Shed	601	940	↑56%
The Base	691	1411	↑104%
Total Library	7871	9907	↑26%
Karratha Leisure plex	41654	47096	↑13%
Wickham Recreation Precinct	3334	4418	↑33%
Roebourne Aquatic Centre	Closed	359	-
Red Earth Arts Precinct	4722	5505	↑17%
Indoor Play Centre	1783	2499	↑40%
Community Liveability Programs	**Sep 2022**	**Sep 2023**	**%**
Security Subsidy Scheme properties	16	13	↓19%
Meet the Street parties	1	0	↓100%

Library Services



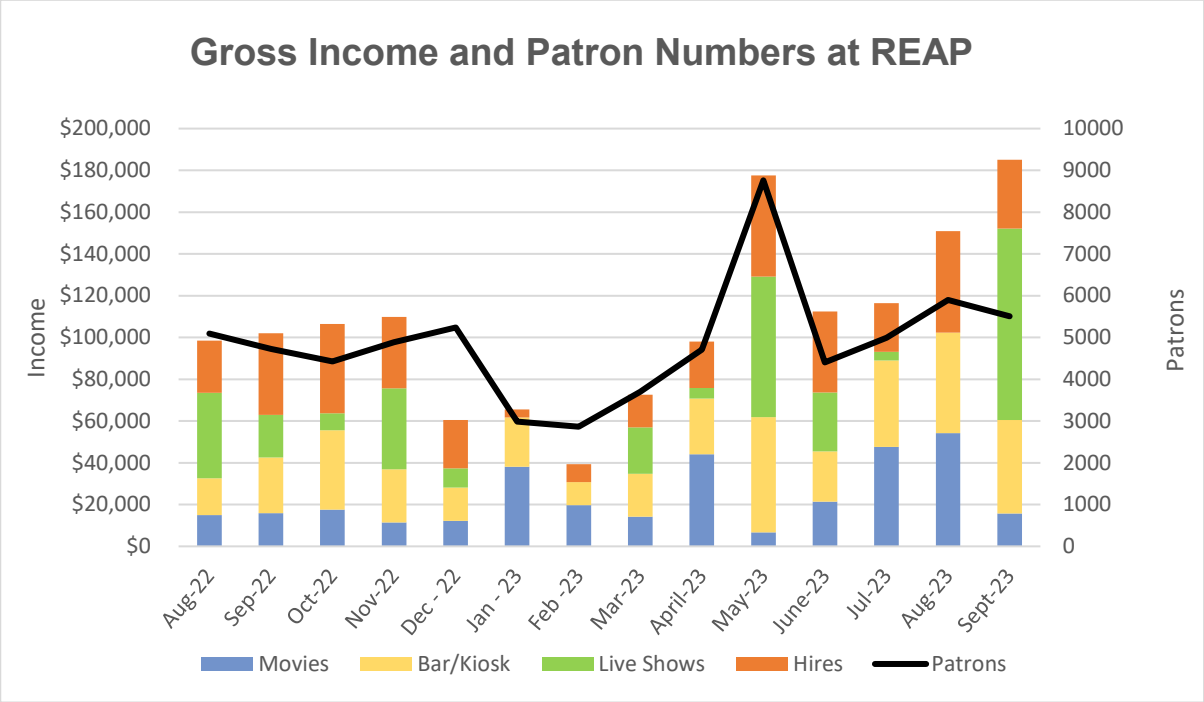
10651 Total memberships (**86** new members signed up in June)	**3328** physical items and **988** eResources borrowed.
819 individual computer log ins by members and guests (excludes Wi-Fi).	**3** external requests for local history information.
985 program participants at **50** programs, (including Rhyme Time, Story Time, Family Funday and Special Science Week and Book Week Programs)	**44** Better beginnings Packs were distributed to Population Health, Kindy classes and Library Patrons.
916 Technical enquiries (including assistance with Computers, Wifi, Printing and Scanning) Roebourne Library has reopened within limited operating hours (six hours per week compared with 50 hours per week under the former caretaking agreement)	

Karratha Leisureplex



Total increase of 13% and 47096 visits during September. Strong membership growth with 243 more members that last year. Aquatic numbers are strong despite shade issues. No significant drop in attendance is noticed as yet.

Red Earth Arts Precinct

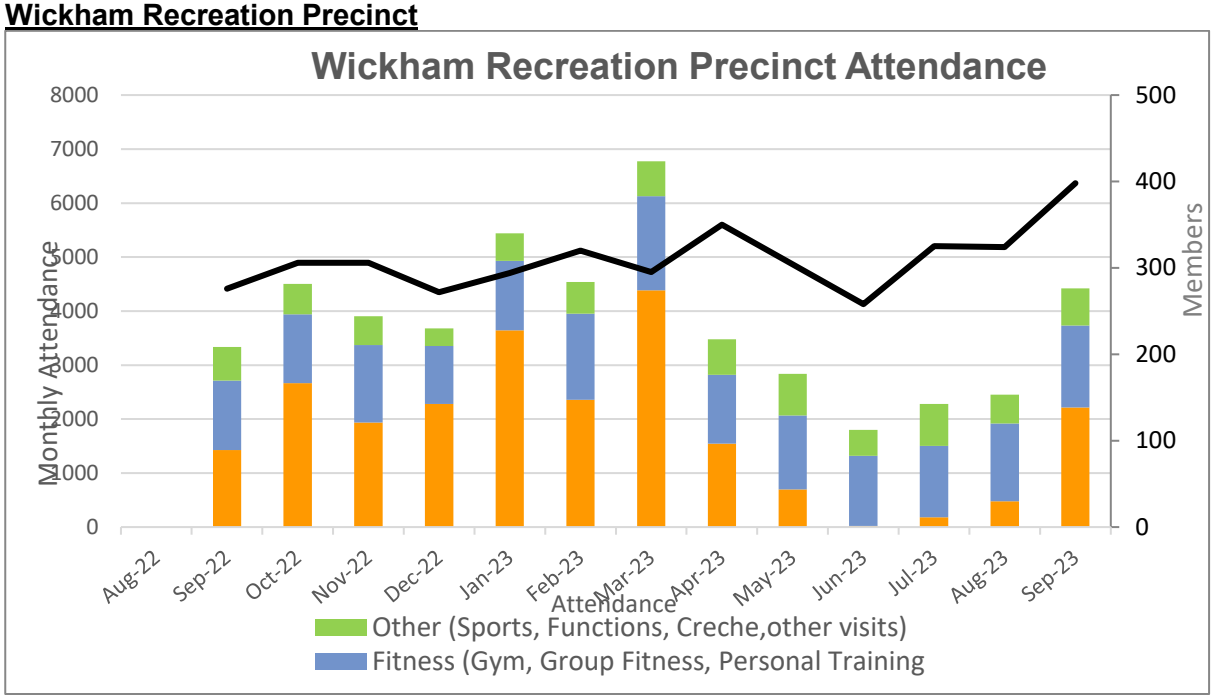


Red Earth Arts Precinct:

REAP is showcasing strong performance and growth in various areas of our venue. In September 2023 the total revenue reached an impressive $185,116.

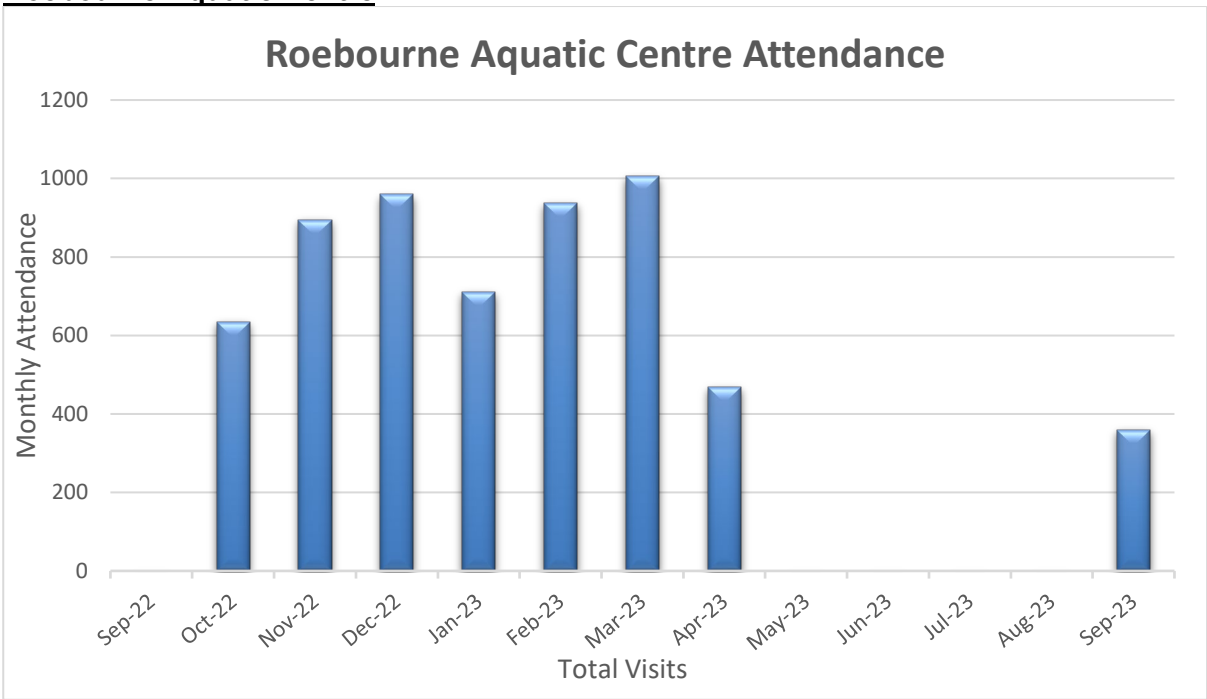
Movies: Movie sales for this September remained consistent with last, with an average of 49 patrons per sessions across 23 movies, compared with 42 patrons last year per session. The town has been noticeably quiet, likely due to many families being away on holiday and country week events in Perth and Broome.
Bar/Kiosk: We saw an increase of 67% in bar/kiosk sales, with revenues reaching $44,727 in August 2023. This growth can be attributed to some large-scale venue hires for the Draphy and WASO live show, Karratha Ballet's yearly performance, Legally Blonde – KSHS musical and the Rio Tinto service dinner.
Live Shows: Live shows contributed $91,618 to our revenue, up 348% on last September. This was on the back of two sell out shows for Draphy and WASO in early September, followed by two shows for Karratha Ballet's Alice in Wonderland (with the highest number of tickets sold for this academy in the past 5 years of their performances). Our final education live show for the year JUST performed to large numbers to the public but school show attendance was down by 50%. Schools had too much on their calendars to be able to attend at this time.
Hires: Venue hire revenue experienced a slight decrease of 15% in September 2023, amounting to $32,976. This was down to venue availability as we had many enquiries but were unable to accommodate with the theatre and studio rooms unavailable due to live shows bump in and bump out and community/school groups using spaces for extra rehearsals. We did however have 17 corporate venue hires in September compared with 12 from 2022.
Patrons: An increase in patrons, up by 16% with a count of 5,505 in September 2023.
In conclusion, the financial performance of our venue showed a positive trend in September 2023. This improvement can be largely attributed to notable events such as Draphy WASO, Karratha Ballet, KSHS musical and various corporate events that took place during the bustling month of September.

Wickham Recreation Precinct



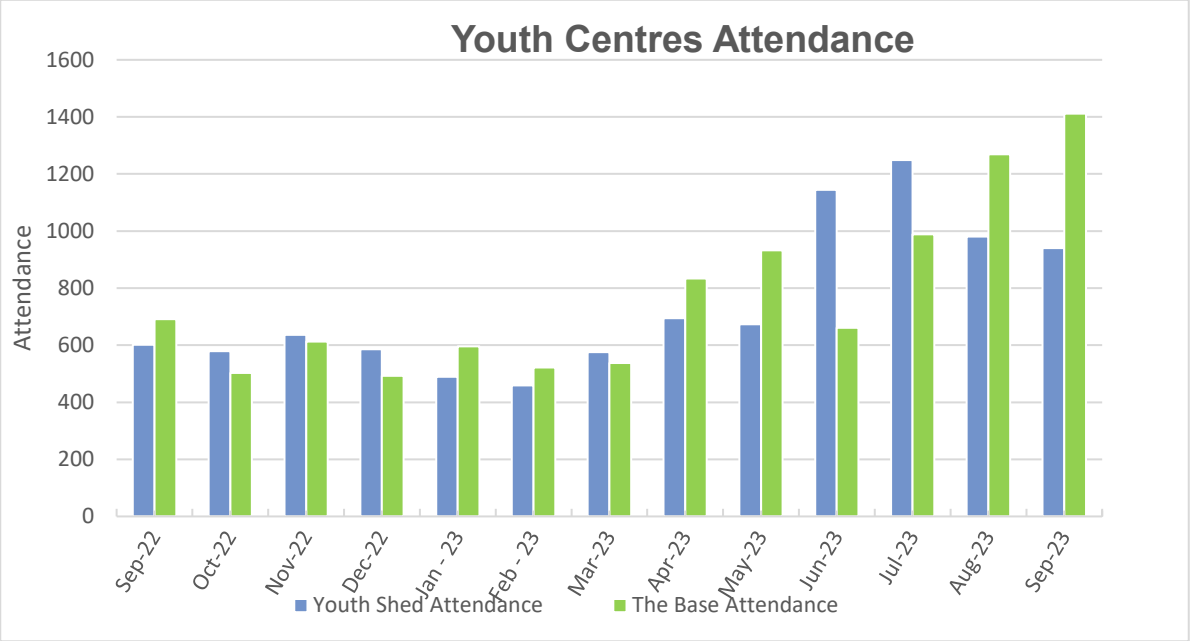
Total increase of 33% for Wickham Rec Precinct for September. Influenced by Summer Opening Pool Party with 240 participants on the day, availability of instructors and an increase in personal trainer sessions. Also, strong attendance in the school holiday programme with Rio Funding allowing for the doubling of sessions available.

Roebourne Aquatic Centre



RAC did not open until October last year due to the timing of the school holidays.

Youth Services

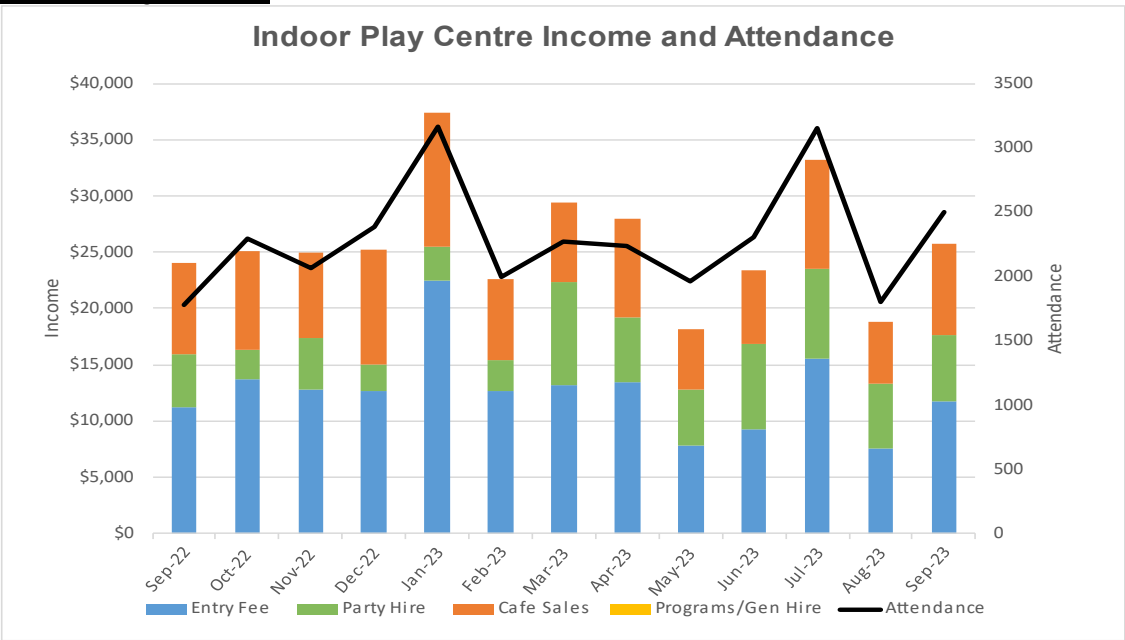


The Base and Youth Shed:

The Base has always been consistent in attendance. Although it is the school holidays, many of our kids still make their way down to Base to engage and enjoy the School Holiday Programs. It is worth noting that The Base has seen an increase in the confidence of parents allowing their children to stay almost to closing time on most days over the past months. Great engagement all around.

The Youth Shed attendance numbers are still at a steady high although we have seen a decrease in regular attendance due to families leaving town, the warmer weather and closure due to staff shortages. Term programming and school holiday programming have brought new faces to the Youth Shed again.

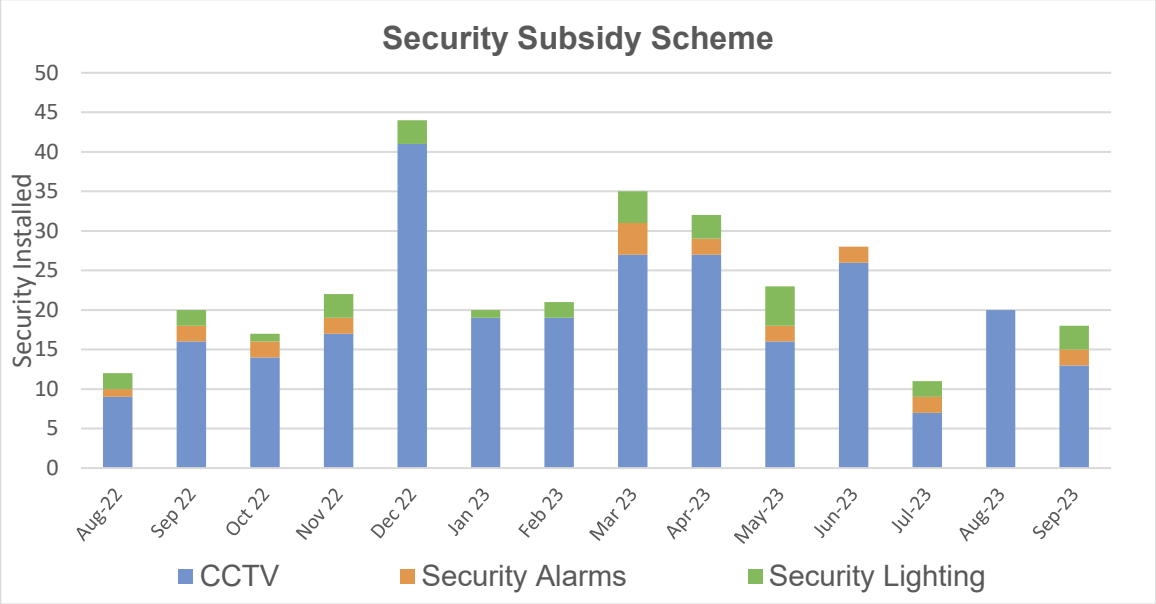
Indoor Play Centre:



Attendance is up from last September by 38%. Quite a warm September and School Holidays started last week of the month.

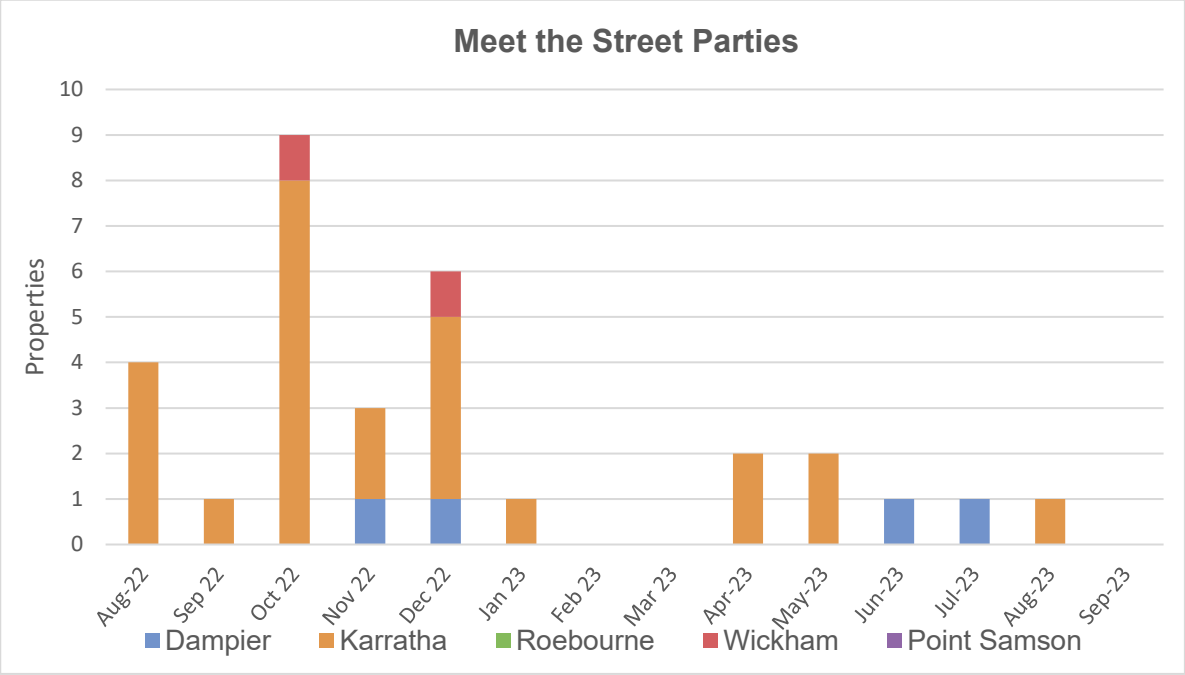
Liveability

Security Subsidy



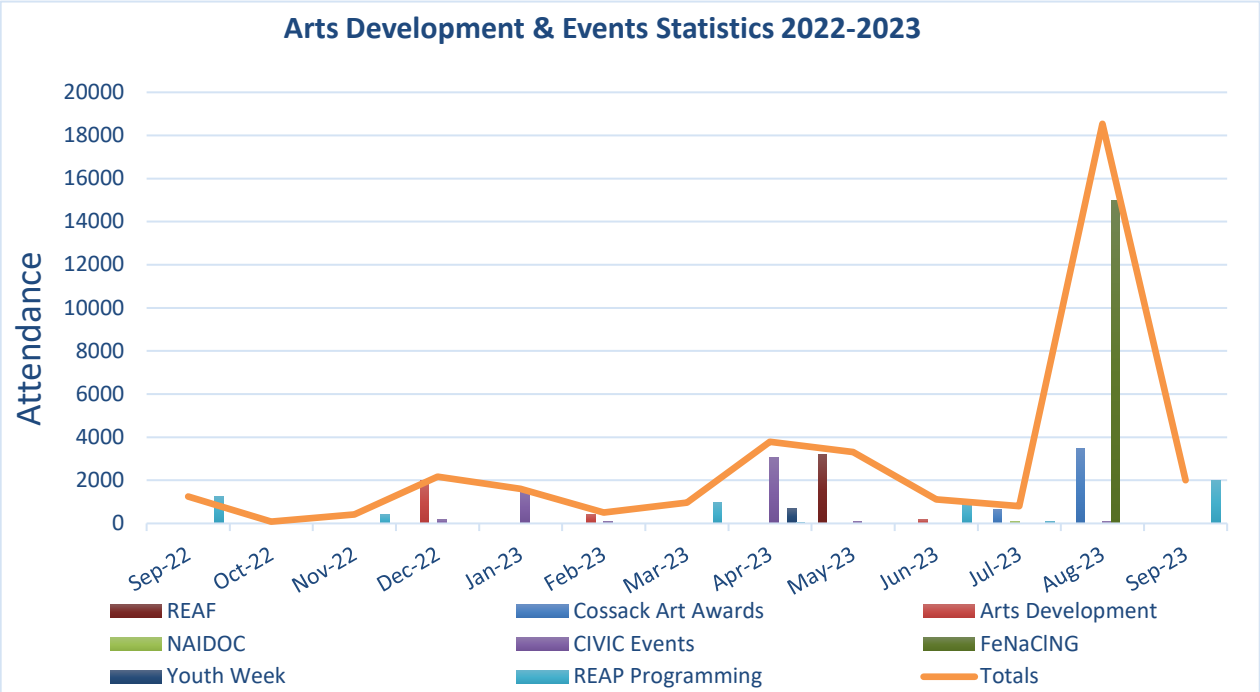
13 application this month, which is a bit less than this time last year. Still a well-used initiative.

Meet the Street:



No Meet the Street parties this month. Still not very much uptake. Working with Comms on a re-fresh of the marketing and new promotion video, filming is planned to take place in November 2023 in cooperation with Pitter Pat and more.

Arts Development & Events:



WASO/Drapht concerts were very well attended with the REAP theatre almost at capacity for both shows. 421 and 425 attendees for a venue that holds 478 people. The Tura performance at the Quarter was also well received with approximately 150 attending. The associated WA Museum display, also at the Quarter, was very popular with approximately 350 people attending.

15.2 DEVELOPMENT SERVICES UPDATE

File No:	DB.32
Responsible Executive Officer:	Director Development Services
Reporting Author:	Statutory Planning Coordinator
Date of Report:	4 October 2023
Disclosure of Interest:	Nil
Attachment(s)	List of current decisions subject of State Administrative Tribunal Review and List of current Joint Development Assessment Panel applications

PURPOSE

To provide information relating to current State Administrative Tribunal (SAT) Reviews and development applications to be determined by the Joint Development Assessment Panel (JDAP).

This information is provided to keep Council informed of major development applications within the City of Karratha that will be determined by the JDAP rather than the City, and decisions made under planning legislation within the City that are being challenged in SAT.

These matters may also be of interest to members of the local community. The attached summaries also make information publicly available on major development applications and decisions that are being challenged.

As of 4 October 2023

APPLICATION (Name, No., City File Reference &/or JDAP File Reference)	APPLICANT	PROPERTY	DATE FOR SAT REVIEW / APPLICATION LODGED	STATUS	RESPONSIBLE OFFICER	DATE CLOSED / COMPLETED
SAT						
Nil						
JDAP						
DA23-003 DAP/23/02422 Construction of Solar PV Farm (Renewable Energy Facility) and Ancillary Infrastructure	Rowe Group on behalf of Woodside Energy Ltd	Lot 1502 North West Coastal Highway, MAITLAND WA 6714	25/01/2023	• Extension of Time Request (EOTR) approved by JDAP for the RAR to be provided to the JDAP by 30 November 2023. • EOTR sought and granted as the proposal is still being determined by the EPA under Section 38G(1)(b) of the *Environmental Protection Act 1986.* The assessment under this act prevents the development application being determined by the JDAP until a statement is published under the Act by the relevant minister. • The EPA has finalised its report and recommendation on the proposal on 13 September 2023, with this being sent to the Minister for Environment for final approval. • The appeals period for the proposal close 4 October 2023 with a Ministerial Statement (approval) likely in the coming weeks. • Once the Ministerial Statement has been released, the City is aiming to have its Responsible Authority Report (RAR) to the Regional Joint Development Assessment Panel (JDAP) for consideration within 2-3 weeks of the Ministerial Statement being released.	Statutory Planning Coordinator	N/A

15.3 RECORD OF TENDER OUTCOME UNDER DELEGATION

File No: CM.583; CM.557

Responsible Executive Officer: Director Strategic Projects and Infrastructure

Reporting Author: Project Administration Supervisor

Date of Report: 21 September 2023

Disclosure of Interest: Nil

Attachment(s) Nil

PURPOSE

To inform Council of the outcome of tenders that have been determined under delegation since the last Ordinary Council Meeting.

BACKGROUND

Under Delegation 1.1 'Tenders & Expressions of Interest', the Chief Executive Officer (CEO) is able to award a tender where the consideration does not exceed $500,000 and Directors $250,000 (excluding GST) on the provision there is an approved budget.

Alternatively, under section 5.42 of the *Local Government Act 1995*, Council may specifically delegate to the CEO the authority to award a particular tender up to a specific value limit.

Policy CG-12 'Purchasing Policy' requires that on each occasion a tender is determined under delegated authority a report is to be provided to Council at its next ordinary meeting that provides the information as detailed below:

Tender No:	RFT02-23/24	**Project Budget:**	$350,000 excluding GST
Tender Title:	Central Business District Bus Shelters		
State-wide Advertising Commenced:	2/08/2023	**Tender Closing Date/ Time:**	1/09/2023
Scope of Works:	Design and construct two (2) bus shelters at existing stops within the central business district located at the Karratha Health Campus and Karratha City Shopping Centre.		
Selection Criteria:	Price		60%
	Relevant Experience		10%
	Capacity to Deliver		10%
	Methodology		20%
Submissions Received:	Pilbara Building Company Pty Ltd Trasan Contracting Pty Ltd		
Tender Awarded:	☒ Yes ☐ No	**Date of Decision:**	19/09/2023
Tender Awarded to:	Trasan Contracting Pty Ltd		
Contract Value:	$284,683.54 excluding GST		
Contract Term:	Six (6) months	**Contract Options:**	N/A

16 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

17 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

18 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

19 MATTERS BEHIND CLOSED DOORS

OFFICER'S RECOMMENDATION

In accordance with Section 5.23 (2) (e) (iii) of the *Local Government Act 1995*, that Council move in camera to discuss item:

ATTACHMENT TO ITEM 11.4 AUDIT AND ORGANISATIONAL RISK COMMITTEE – 11 SEPTEMBER 2023 - CONFIDENTIAL FINANCIAL MANAGEMENT SERVICES REVIEW REPORT, AND CONFIDENTIAL INTERNAL AUDIT – CORPORATE CREDIT CARDS

ATTACHMENT TO ITEM 14.2 AMENITY TREE PRUNING – TENDER OUTCOME - CONFIDENTIAL – TENDER EVALUATION REPORT

These matters if disclosed would reveal information about the business, professional, commercial or financial affairs of a person.

20 CLOSURE & DATE OF NEXT MEETING

The meeting closed at _____.

The next meeting is to be held on Monday, 20 November 2023 at 6pm at Council Chambers - Welcome Road, Karratha.