



## **TOWN OF PORT HEDLAND**

### **ORDINARY COUNCIL MEETING MINUTES**

**WEDNESDAY 28 JUNE 2017 AT 5:30PM**

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

**“A nationally significant, friendly city that people are proud  
to call home”**

*David Pentz  
Chief Executive Officer*

Distribution Date: 11 July 2017

<b>Item 1</b>	<b>Opening of Meeting.....</b>	<b>4</b>
<b>Item 2</b>	<b>Acknowledgement of Traditional Owners.....</b>	<b>4</b>
<b>Item 3</b>	<b>Recording of Attendance.....</b>	<b>4</b>
	3.1 Attendance.....	4
	3.2 Apologies.....	4
	3.3 Approved Leave of Absence.....	4
	3.4 Disclosure of Interests .....	4
<b>Item 4</b>	<b>Response to Previous Questions .....</b>	<b>5</b>
	4.1 Response to Questions taken on notice from Public at the Ordinary Council Meeting held on Wednesday 24 May 2017 .....	5
	4.1.1 Mr John Peters.....	5
	4.1.2 Mr Arnold Carter.....	5
	4.1.3 Mr Frank Edwards.....	6
	4.1.4 Ms Nina Pangahas.....	6
	4.2 Response to Questions taken on notice from Elected Members at the Ordinary Council Meeting held on Wednesday 24 May 2017 .....	6
<b>Item 5</b>	<b>Applications for Leave of Absence.....</b>	<b>6</b>
<b>Item 6</b>	<b>Attendance by Telephone/Instantaneous Communications.....</b>	<b>7</b>
<b>Item 7</b>	<b>Public Time .....</b>	<b>7</b>
	7.1 Public Question Time.....	7
	7.1.1 Ms Nina Pangahas.....	7
	7.1.2 Mr John Peters.....	8
	7.2 Public Statement Time.....	9
	7.2.1 Mr John Peters.....	9
	7.3 Petitions/Deputations/Presentations/Submissions.....	9
<b>Item 8</b>	<b>Questions from Members without Notice .....</b>	<b>9</b>
	8.1 Councillor Troy Melville .....	9
	8.2 Councillor Louise Newbery.....	10
<b>Item 9</b>	<b>Declarations of All Members to Have Given Due Consideration to All Matters Contained in the Business Paper before the Meeting.....</b>	<b>10</b>
<b>Item 10</b>	<b>Confirmation of Minutes of Previous Meeting .....</b>	<b>11</b>
	10.1 Confirmation of Minutes of the Ordinary Council Meeting held on Wednesday 24 May 2017 .....	11
	10.2 Confirmation of Minutes of the Special Council Meeting held on Tuesday 6 June 2017 .....	11
<b>Item 11</b>	<b>Announcements by Presiding Member without Discussion .....</b>	<b>11</b>

<b>Item 12</b>	<b>Reports of Officers.....</b>	<b>13</b>
12.1	Corporate and Performance .....	13
12.1.1	Revocation - Confirmation of Minutes of the Ordinary Council Meeting held on Wednesday 22 February 2017.....	13
12.1.2	Adoption of Policy 2/021 'Fee Waiver for Not-for-Profit and Non-Government Organisations and Groups' .....	17
12.1.3	Insurance Renewal for the 2017/18 Financial Year.....	26
12.1.4	Statement of Financial Activity for the period ended 31 May 2017.....	30
12.2	Development, Sustainability and Lifestyle.....	49
12.2.1	Trading In Public Places Applications .....	49
12.2.2	Award of Tender 2017/08 Management of Port Hedland Visitor Centre and Courthouse Gallery.....	56
12.3	Infrastructure and Town Services .....	61
12.3.1	Award of Tender 2017/06 Cleaning of Town of Port Hedland Facilities .....	61
<b>Item 13</b>	<b>Reports of Committees.....</b>	<b>66</b>
<b>Item 14</b>	<b>Motions of Which Previous Notice Has Been Given .....</b>	<b>66</b>
<b>Item 15</b>	<b>New Business of an Urgent Nature.....</b>	<b>66</b>
15.1	Section 40 Certificate Application for Gateway Village.....	66
15.2	Short Term Recreation Vehicle Accommodation at Port Hedland Racecourse .....	66
<b>Item 16</b>	<b>Matters for Which Meeting May Be Closed (Confidential Matters) .....</b>	<b>70</b>
16.1	Variation to Award of Tender 2016/05 Construction of Pinga Street Upgrade – Stage 2.....	70
<b>Item 17</b>	<b>Closure.....</b>	<b>71</b>
17.1	Date of Next Meeting .....	71
17.2	Closure .....	71

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**Item 1 Opening of Meeting**


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The Mayor declared the meeting open at 5:30 pm.

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**Item 2 Acknowledgement of Traditional Owners**


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The Mayor acknowledges the traditional custodians, the Kariyarra people, and recognises the contribution of Kariyarra elders past, present and future, in working together for the future of Port Hedland.

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**Item 3 Recording of Attendance**


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**3.1 Attendance**

Mayor Camilo Blanco  
 Deputy Mayor Troy Melville  
 Councillor Jan Gillingham  
 Councillor David Hooper  
 Councillor Julie Arif  
 Councillor Louise Newbery  
 Councillor Richard Whitwell  
 Councillor Lincoln Tavo

David Pentz	Chief Executive Officer
Gerard Sherlock	Director Infrastructure and Town Services
Robert Leeds	Director Development, Sustainability and Lifestyle
Josephine Bianchi	Manager Governance and Policy
Linda Zietsman	Acting Manager Financial Services
Louise O'Donnell	Governance Officer / Minute Taker

Public	8
Media	1
Officers	9

**3.2 Apologies**

Nil

**3.3 Approved Leave of Absence**

Nil

**3.4 Disclosure of Interests**

Name	Item no.	Interest	Nature
Councillor Hooper	12.2.2 Award of Tender 2017/08 Management of Port Hedland Visitor Centre and Courthouse Gallery	Financial	The Courthouse Gallery occasionally sells Councillor Hooper's paintings

Councillor Arif	12.2.2 Award of Tender 2017/08 Management of Port Hedland Visitor Centre and Courthouse Gallery	Financial	Councillor Arif is a paid contractor to conduct tours for visitors at the Port Hedland Visitors Centre and the Visitors Centre sells Councillor Arif's book
Councillor Whitwell	12.3.1 Award of Tender 2017/06 Cleaning of Town of Port Hedland Facilities	Financial	One of the tenderers listed in the agenda item are a previous client of Councillor Whitwell

#### Item 4 Response to Previous Questions

#### 4.1 Response to Questions taken on notice from Public at the Ordinary Council Meeting held on Wednesday 24 May 2017

##### 4.1.1 Mr John Peters

*Can the Town advise how many employees are employed by the Town in comparison to the employment status as notified in the Audit Report 2016?*

The Director Corporate and Performance advises that there are 45 less staff employed at the Town at the end of May 2017 compared to 30 June 2016 as reported in the Annual Report 2016.

##### 4.1.2 Mr Arnold Carter

*In reference to the interest earned in the Towns financial statements dated 30 April 2017, which was \$7.639m, against the budget of \$7.379m. In the Towns investment fund, the Town anticipates a further \$3.795m payable to 30 June 2017. What amount of the interest earned of \$7.639m is from the lease of the Port Hedland International Airport?*

The Director Corporate and Performance advises that the interest earned from the lease of the Port Hedland International Airport is \$5.37m which includes accrued interest up until 30 June 2017.

*In the Towns financial statements for the period ending 30 April 2017, the Town indicates an income of \$49.083m, but on the monthly statement of financial activity for the period ended 30 April 2017 by nature and type, the Town indicates a current budget of \$48.703m. The same applies for the year to date figures. Why are these different?*

The Director Corporate and Performance advises that the difference between Statement of Financial Activity by Nature and Type and Statement of Financial Activity by Program was due to a budget amendment on Proceeds from Asset Disposals as per revised budget adopted on February OCM.

The Director Corporate and Performance also advises that the Activity by Program has picked up the budget amendment under both operating revenue (Proceeds from Sale of Assets) and operating expenditure (Written-Down Value of Assets Sold – Plant) hence the zero impact on budgeted Municipal Surplus between two reports.

#### 4.1.3 Mr Frank Edwards

*The Town had given me a letter which stated that housing could be built on the land. The State Government have flatly refused. Now, I have received a letter from the Town saying that it is proposed to be made 'commercial/ industrial' when the land is owned by the State. How can the Town do this?*

The Director Corporate Services advises that the Town is investigating this concern, and will respond directly to Mr Edwards.

#### 4.1.4 Ms Nina Pangahas

*In regards to agenda item 12.1.3 'Audit, Risk and Governance Committee Membership' I am not questioning the integrity of the CEO, I want to understand how the Town made this conclusion without consultation or giving the community members the opportunity to say something. Publishing this in the public domain is totally unacceptable. The risk rating on this item says 'Low', and officers say that the risk is acceptable. Can the Town provide a copy of the risk assessment?*

The Director Corporate and Performance advises that risk assessments are not created as a separate document, and are determined solely by the officer who writes each report. A copy of the risk matrix is found in the Town's Policy Manual, and this matrix is used by the relevant officer to determine the rating.

#### 4.2 Response to Questions taken on notice from Elected Members at the Ordinary Council Meeting held on Wednesday 24 May 2017

Nil

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### Item 5 Applications for Leave of Absence

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#### CM201617/231 COUNCIL DECISION

**MOVED: CR GILLINGHAM**

**SECONDED: CR MELVILLE**

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

- **Councillor Melville from 7 August to 29 August 2017;**
- **Councillor Gillingham from 4 July to 17 July 2017;**
- **Councillor Hooper from 2 July to 11 July 2017, and 21 July to 5 August 2017;**  
**and**
- **Councillor Arif from 1 July to 8 July 2017.**

**CARRIED 8/0**

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**Item 6 Attendance by Telephone/Instantaneous Communications**

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**CM201617/232 COUNCIL DECISION****MOVED: CR MELVILLE****SECONDED: CR HOOPER****That Council;**

- 1. Approve Councillor Gillingham's application to attend any Special Council Meetings via telephone in the period of her leave of absence from 4 July to 17 July 2017 whilst she is in Perth, Western Australia; and**
- 2. Approve Councillor Tavo's application to attend the Audit, Risk and Governance Committee Meeting scheduled for 4 July 2017 via telephone whilst he is in Perth, Western Australia.**

**CARRIED 8/0**

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**Item 7 Public Time**

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*Important note:*

*'This meeting is being recorded on audio tape as an additional record of the meeting and to assist with minute-taking purposes which may be released upon request to third parties. If you do not give permission for recording your participation please indicate this at the meeting. The public is reminded that in accordance with Section 6.16 of the Town of Port Hedland Local Law on Standing Orders nobody shall use any visual or vocal electronic device or instrument to record the proceedings of any meeting unless that person has been given permission by the presiding member to do so. Members of the public are also reminded that in accordance with section 6.17(4) of the Town of Port Hedland Local Law on Standing Orders mobile telephones must be switched off and not used during the meeting.'*

*In accordance with section 6.7(3) of the Town of Port Hedland Local Law on Standing Orders, members of the public are required to complete a question form and place the completed form in the tray provided.*

The Mayor opened Public Question Time at 5:38pm

**7.1 Public Question Time****7.1.1 Ms Nina Pangahas**

*In regards to the response to the question taken on notice in item 4.1.4, does the Town have any supporting documents from which the summary of the risk rating was derived?*

The Chief Executive Officer advised that the risk rating is located in the Town's Policy Manual.

*Are there any other supporting documents from which this summary of the risk rating was based?*

The Mayor asked the Chief Executive Officer if there were any other supporting documents in relation to the risk rating.

The Chief Executive Officer advised in the negative and that when an author writes a report, the report, including the risk assessment, is reviewed by peers and the Executive.

*So the risk assessment is just a summary and not a working document. Is it fair to say that for all risk assessments that have been done, there are no supporting documents to support the summary?*

The Chief Executive Officer advised that the author of the report would create their own assessment and that would be reviewed by the peer reviewer and then the Executive.

*What is being reviewed by the authors peer? The summary or a risk assessment?*

The Chief Executive Officer advised that the summary provided in their draft report is reviewed by their peer.

### **7.1.2 Mr John Peters**

*Recently Council appointed two Councillors to attend the Pilbara Regional Council Forum in the Kimberley region. Has a report been received from the Councillors, and if so, when will the reports be available to the community?*

The Mayor advised that the two reports have been received by Council and that a copy of the reports would be provided to Mr Peters.

*At the previous Ordinary Council Meeting in regards to the process of the Marina development, it was advised by the Mayor that a business plan was being prepared for the Minister of Regional Development. What progress has been made by the Town to complete this submission?*

The Mayor advised that he was unaware of using the term 'business plan', and that the proposal for a new direction in regards to the waterfront is currently being constructed by the Town.

*Will a business plan be prepared for the development?*

The Mayor advised that the matter is not yet at a business plan stage and that the Town is currently investigating other options on the waterfront development.

*Will the development be shelved?*

The Mayor advised that Council agreed to stop progress on the marina proposal until clarification was received from the State Government in regards to funding.

*At a recent meeting, the Minister for Regional Development, Alannah MacTiernan, wanted a business plan and it appeared that Council was going to prepare one. Are you saying that the development is being canned?*

The Mayor advised that his understanding of the outcome from the meeting with Minister MacTiernan was that any proposal of any development moving forward required a business plan which would be financially sustainable for the Town.

*Do you think the development will not be sustainable?*

The Mayor advised that the Town is currently investigating options moving forward, and that the matter has not yet come to Council for consideration.

*Does the Town have a timeframe of when this will be available?*

The Mayor advised in the negative.

*At the last Ordinary Council Meeting, I requested a copy of the Mayor's report to Councillors regarding his recent visit to Canberra. I was advised that I would receive a copy of the report. As I have not yet received a copy, can you please advise where it is available for my information?*

The Mayor advised that he would ensure a copy is sent to Mr Peters.

The Mayor closed Public Question Time at 5:44pm

The Mayor opened Public Statement Time at 5:44pm

## **7.2 Public Statement Time**

### **7.2.1 Mr John Peters**

I refer to an article in the Telegraph Newspaper dated 7 June 2017 regarding the Town clearing and repairing dwellings which have caused concern to the community.

It is noted in the article that the Town has completed one house clean up over a period of six months. It also states that the Town has fifteen houses awaiting repairs. Residents and ratepayers would be more interested in seeing a list of all the houses, a timeline for repairs and the expenses.

The Mayor closed Public Statement Time at 5:45pm

## **7.3 Petitions/Deputations/Presentations/Submissions**

Nil

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## **Item 8 Questions from Members without Notice**

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### **8.1 Councillor Troy Melville**

*When will Council receive information in regards to the Kevin Scott Oval master plan?*

The Chief Executive Officer advised that funding is proposed in the new financial year and that once funding is confirmed, the Town will commence with the project.

*Approximately how long will that take?*

The Chief Executive Officer advised that it would take approximately six months.

## **8.2 Councillor Louise Newbery**

*At Council briefings I have requested information on sewerage sampling in Port Hedland a number of times. I spoke with Senior Sergeant Snashall at a community meeting a few weeks ago regarding this matter, and he stated that he did not believe it was confirmed that Port Hedland was on the list for the sewerage sampling to be done. Can the Town send a letter to the Minister for Health requesting that we proceed with sewerage sampling?*

The Mayor advised members of the public that the Department of Health has a process where they sample sewerage to determine if there is a high level of methamphetamines being consumed in the town. The Mayor asked the Chief Executive Officer if the Town can send a letter of request to the Minister for Health.

The Chief Executive Officer advised in the affirmative.

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## **Item 9    Declarations of All Members to Have Given Due Consideration to All Matters Contained in the Business Paper before the Meeting**

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The following Elected Members declared that they had given due consideration to all matters contained in the agenda:

- Mayor Camilo Blanco
- Deputy Mayor Troy Melville
- Councillor Jan Gillingham
- Councillor David Hooper
- Councillor Julie Arif
- Councillor Louise Newbery
- Councillor Richard Whitwell
- Councillor Lincoln Tavo

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**Item 10 Confirmation of Minutes of Previous Meeting**


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**10.1 Confirmation of Minutes of the Ordinary Council Meeting held on Wednesday 24 May 2017**
**CM201617/233 OFFICER RECOMMENDATION/ COUNCIL DECISION**
**MOVED: CR ARIF**
**SECONDED: CR MELVILLE**

That Council confirm that the Minutes of the Ordinary Council Meeting held on Wednesday 24 May 2017 are a true and correct record.

***CARRIED 8/0***

**10.2 Confirmation of Minutes of the Special Council Meeting held on Tuesday 6 June 2017**
**CM201617/234 OFFICER RECOMMENDATION/ COUNCIL DECISION**
**MOVED: CR MELVILLE**
**SECONDED: CR GILLINGHAM**

That Council confirm that the Minutes of the Special Council Meeting held on Tuesday 6 June 2017 are a true and correct record.

***CARRIED 8/0***

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**Item 11 Announcements by Presiding Member without Discussion**


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Date:	Meeting:
2/05/2017	Spirit Radio Chat
3/05/2017	WARCA Meeting
3/05/2017	BHP Meeting
4/05/2017	BHP Connect Communities Meeting
4/05/2017	MRI Global Diagnostics
4/05/2017	Meeting with Auditors
5/05/2017	ABC Radio
5/05/2017	Foodbank WA
5/05/2017	Australian Centre for Astrobiology
9/05/2017	Wilson Security
9/05/2017	Spirit Radio Chat
10/05/2017	FMG Community Office Opening
10/05/2017	Meeting with Hon Cheryl Edwardes
11/05/2017	WA Police – Paul Coombes
11/05/2017	Meeting with John Peters – Labor Party
14/05/2017	Mother's Day Classic Opening
15/05/2017	Meeting with CQU

18/05/2017	AMG/VSU meeting at Bloodwood Tree
18/05/2017	Monthly PHCCI Meeting
19/05/2017	Welcome to Hedland Opening
19/05/2017	South Hedland Vet Opening
22/05/2017	Rates Payers Association
23/05/2017	WALGA Integrated Strategic Planning Workshop
24/05/2017	Department of Child Protection
24/05/2017	AICD teleconference
24/05/2017	BBI Group Presentation
25/05/2017	Radio Interview
26/05/2017	Hedland Road Wise Meeting
26/05/2017	Port Hedland Retirement Village
26/05/2017	Scoreboard opening at Kevin Scott Oval
29/05/2017	BHP Meeting

*Disclaimer*

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

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**Item 12 Reports of Officers**

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**12.1 Corporate and Performance****12.1.1 Revocation - Confirmation of Minutes of the Ordinary Council Meeting held on Wednesday 22 February 2017**

File No:	05/09/0048
Applicant/ Proponent:	N/A
Subject Land/ Locality:	N/A
Date:	25 May 2017
Author:	Louise O'Donnell, Governance Officer
Authorising Officer:	Kathryn Crothers, Director Corporate and Performance
Disclosure of Interest from Author:	Nil
Authority/Discretion:	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Executive <input type="checkbox"/> Legislative <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes

Attachments:  
Nil

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The Mayor called for a show of hands in favour (1/3 of the number of offices of Council members whether vacant or not – this being three) to consider the revoking of decision CM201617/159 of item 10.1 'Confirmation of Minutes of Previous Meeting' presented to the Ordinary Council Meeting held on Wednesday 22 March 2017, and recorded on page 13 of those minutes. The following Elected Members raised their hands:

- Councillor Melville
- Councillor Gillingham
- Councillor Tavo

**CM201617/235 OFFICER RECOMMENDATION 1/ COUNCIL DECISION****MOVED: CR HOOPER****SECONDED: CR WHITWELL**

**That Council revoke decision CM201617/159 of the Ordinary Council Meeting held 22 March 2017, which reads:**

**"That Council confirm that the Minutes of the Ordinary Council Meeting held on Wednesday 22 February 2017 are a true and correct record"**

***CARRIED BY ABSOLUTE MAJORITY 8/0***

**CM201617/236 OFFICER RECOMMENDATION 2 / COUNCIL DECISION****MOVED: CR HOOPER****SECONDED: CR TAVO**

**That Council confirms that the Minutes of the Ordinary Council Meeting held on 22 February 2017 are a true and correct record subject to the following amendment to Item 12.3.1 Award of Tender 16-08 – Faye Gladstone Netball Pavilion Construction by deleting the following text on page 108:**

- “1) They own a local concrete supplier in Port Hedland, Mobile Concrete Solutions (MCS) and are able to provide competitive pricing for this component of works.”**

**And replacing it with the following text:**

- “1) Mobile Concreting Solutions is a shareholder in Emirge Pty Limited and state they have substantial financial means and capability for the delivery of this project.”**

**CARRIED 8/0**

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**EXECUTIVE SUMMARY**

On the 22 February 2017, Council resolved to award the tender for the Faye Gladstone Netball Pavilion. This report however contained an administrative error regarding the ownership of a company.

This report is presented to enable Council to revoke its resolution to confirm the Council minutes of 22 February and enable reconfirmation of the minutes subject to correction of this error.

**DETAIL**

Emirge Pty Ltd has advised the Town that the Report titled “Award of Tender 16-08 – Faye Gladstone Netball Pavilion Construction” did not accurately reflect the relationship between the successful tenderer Emirge Pty Ltd and Mobile Concreting Solutions. Emirge Pty Ltd have requested that this error be corrected.

This correction does not change the decision to award the tender to Emirge as the report accurately represented the tender assessment which evidenced that they are competent and satisfied the selection criteria and were the most suitable tenderer.

The proposed correction is to ensure the commercial relationship between Emirge Pty Limited and Mobile Concreting Solutions is accurately represented in the public record.

*Engagement and Communications*

The Town consulted with Emirge Pty Limited and Mobile Concreting Solutions.

**LEGISLATION AND POLICY IMPLICATIONS**

In accordance with section 5.25(1)(e) of the Local Government Act 1995 which allows Council to revoke a decision and regulation 10 of the Local Government (Administration) Regulations 1996 which outlines the criteria to revoke a decision which in these circumstances it is to revoke Council's resolution to confirm the ordinary council minutes dated 22 February 2017.

**FINANCIAL IMPLICATIONS**

There are no financial implications for the Town.

**STRATEGIC AND RISK IMPLICATIONS***Environmental*

There are no significant identifiable environmental impacts arising from adoption of the officer's recommendation.

*Economic*

There are no significant identifiable Economic impacts arising from adoption of the officer's recommendation.

*Social*

There are no significant identifiable social impacts arising from adoption of the officer's recommendation.

*Financial*

There are no significant identifiable financial impacts arising from adoption of the officer's recommendation.

*Strategic*

As part of the Strategic Community Plan 2014-2024 section 2.2 states the need for Port Hedland to be a nationally significant gateway city and destination.

*Risk*

There is a risk rating of Low (3) assigned to the risk that Council will refuse to revoke confirmed minutes of the Ordinary Council Meeting held on 22 February 2017.

**OPTIONS***Option 1 - Adopt Officers Recommendation**Option 2 – Do not adopt Officers Recommendation*

The decision to 'not adopt' the officers recommendation will be supported if the vote is lost.

**CONCLUSION**

The recommendation for revocation of Council's resolution to confirm the Council Minutes of 22 February 2017 and to resolve to confirm these minutes subject to amendment, is proposed to ensure the public record is accurate.

### 12.1.2 Adoption of Policy 2/021 'Fee Waiver for Not-for-Profit and Non-Government Organisations and Groups'

File No: 04/03/0001  
Applicant/ Proponent: N/A  
Subject Land/ Locality: N/A  
Date: 1 June 2017  
Author: Louise O Donnell, Governance Officer  
Authorising Officer: Kathryn Crothers, Director Corporate and Performance  
Disclosure of Interest from Author: Nil  
Authority/Discretion: ☐ Advocacy  
☒ Executive  
☐ Legislative.  
☐ Quasi-Judicial  
☐ Information Purposes

Attachments:

1. Draft 2/021 'Fee Waiver for Not-for-Profit and Non-Government Organisations and Groups' Policy
2. Current Town of Port Hedland Delegation Register section '1.5 Waiver of Fees and Charges and Write Off of Debts'
3. Draft Town of Port Hedland Delegation Register section '1.5 Waiver of Fees and Charges and Write Off of Debts'

#### CM201617/237 OFFICER RECOMMENDATION 1/ COUNCIL DECISION

MOVED: CR TAVO

SECONDED: CR MELVILLE

That Council amend the Delegation Register under section 1.5 'Waiver of Fees and Charges and Write off of Debts' to include a condition to be listed as follows:

*"Application for waiver of Fees and Charges for the use of community facilities by Not-for-Profit and Non-Government Organisations and Groups to be determined in accordance with 'Fee Waiver for Not-for-Profit and Non-Government Organisations and Groups' Policy".*

**CARRIED BY ABSOLUTE MAJORITY 8/0**

#### CM201617/238 OFFICER RECOMMENDATION 2/ COUNCIL DECISION

MOVED: CR TAVO

SECONDED: CR ARIF

That Council adopt policy 2/021 'Fee Waiver for Not-for-Profit and Non-Government Organisations and Groups'.

**CARRIED 8/0**

## EXECUTIVE SUMMARY

Town Officers are proposing that Council adopt a new policy 'Fee Waiver for Not-for-Profit and Non-Government Organisations and Groups' to provide an opportunity for not-for-profit and non-government organisations and groups to apply for a fee waiver for future hiring of community facilities. This will also produce a framework to simplify Fees and Charges which form part of the annual budget.

## DETAIL

Policies are adopted by Council and establish guidelines or provide direction for the Town's activities and actions. Policies are defined as the principles and intent behind the programs that a local government implements.

The Town is currently reviewing all policies contained in the Policy Manual to ensure they are still current and have not been superseded by legislation or guidelines from other government departments.

Fees and charges are established for the hire of community facilities and venues as part of the Town's annual budget process. 'Fee Waiver for Not-For-Profit and Non-Government Organisations and Groups' policy is created to enable the Town's Fees and Charges to be simplified and manageable for the Town's administration while also giving non-for-profit and non-government organisations and groups the opportunity to apply for a fee waiver for the hiring of community facilities.

The Town is committed to providing services and facilities to the Port Hedland Community. In doing this, community groups will benefit as the fees are significantly reduced in support of the development of local organisations. This in turn will add value to the overall lifestyle of the community as a whole as more organisations and groups will be able to continue operating and will significantly benefit from receiving a fee waiver of up to 75% to a total of \$1,000 annually.

This policy sets out clear guidelines in the form of a criteria list that are required to be met in order to receive a fee waiver.

The Town is also required to add a condition into its Delegation Register to ensure this policy is in line with the current delegations that are in place. Under s.1.5 'Waiver of Fees and Charges and Write off of Debts' it sets out that the Chief Executive Officer (CEO) can waive fees and charges under 6.12(1)(b) of the *Local Government Act 1995* as per the schedule of fees and charges in the following instance:

*"1. For an amount of up to \$1,000 (ex GST) for Not-For-Profit or Non-Governmental Organisations".*

In doing this it is important to have a condition added to the delegation register that makes it clear that fees that are waived are determined in accordance with 'Fee Waiver for Not-for-Profit and Non-Government Organisations and Groups' Policy.

### *Engagement and Communications*

Town officers consulted with:

- Elected Members regarding the concept at the 2017/18 Fees and Charges workshops on 26<sup>th</sup> April and 24<sup>th</sup> May;

- Executive Team in creation of the 'Fee Waiver for Not-for-Profit and Non-Government Organisations and Groups' Policy.

## LEGISLATION AND POLICY IMPLICATIONS

No other Town of Port Hedland policies are affected by the adoption of the Fee Waiver for Not-for-Profit and Non-Government Organisations and Groups' Policy.

Legislative requirements under section 6.12 (1)(b) of the *Local Government Act 1995* sets out the power to waive a fee.

## FINANCIAL IMPLICATIONS

There is a financial implication for the fee waiver of Community Facilities as there will be less financial fees received from unincorporated not-for-profit groups that normally hire the Town's community facilities, as they have not previously been offered a discounted fee under the current fees and charges. However, there also could be a positive financial gain as more community groups or clubs will be using the facilities due to their inexpensive cost of fees applied.

## STRATEGIC AND RISK IMPLICATIONS

### *Environmental*

There are no significant identifiable environmental impacts arising from adoption of the officer's recommendation.

### *Economic*

There are no significant identifiable economic impacts arising from adoption of the officer's recommendation.

### *Social*

There may be positive social impacts arising from adoption of the officer's recommendation, due to the decrease in cost for unincorporated groups to hire facilities.

### *Financial*

There are no significant identifiable financial risks arising from adoption of the officer's recommendation.

### *Strategic*

Section 4.2 of the Town's Strategic Community Plan, Engage our Community and Stakeholders, applies. The core objectives of the proposed Policy is to establish strong governance principles and thereby mitigate risks for the Town of Port Hedland, whether they be financial, reputational or other. In addition the Town aims to ensure community members know how to access the Town's services and facilities.

*Risk*

There is a risk rating of medium (5-9) assigned to the risk that the community will be unsatisfied with the existing process without the adoption of the 'Fee Waiver for Not-for-Profit and Non-Government Organisations and Groups' policy.

**OPTIONS***Option 1 - Adopt Officers Recommendation**Option 2 - Amended Officers Recommendation*

That Council adopt policy 2/021 'Fee Waiver for Not-for-Profit and Non-Government Organisations and Groups', with the following changes:

- 

*Option 3 – Do not adopt Officers Recommendation*

That Council do not adopt policy 2/021 'Fee Waiver for Not-For-Profit and Non-Government Organisations and Groups'.

**CONCLUSION**

It is recommended that Council adopt the proposed policy 2/021 'Fee Waiver for Not-for-Profit and Non-Government Organisations and Groups', as it will have a positive result to lead a community-oriented organisation that delivers responsive and helpful services at a reduced fee for Not-for-Profit and Non-Government organisations and groups for the hiring of community facilities.

This policy was also developed to ensure policies are adopted to be current and relevant.

## ATTACHMENT 1 TO ITEM 12.1.2

**Policy Objective**

The Town of Port Hedland (Town) is committed to supporting not-for-profit and non-government organisations and groups that service the needs and priorities of the Port Hedland community. This policy outlines the Town's approach to enable community based groups, not-for-profit and non-government organisations to obtain a waiver of fees for the hire costs of community facilities.

This policy is created to provide the opportunity for social inclusion and community engagement for the community of Port Hedland.

Any fee waiver granted under this policy will not count to any cap outlined in Policy 6/003 Funding and Donations.

**Policy Content**

Fees and charges are established for the hire of community facilities and venues as part of the Town's annual budget process. Hire fees are consistent for each classification of community facility based on its size and capacity. Fees and charges are designed to assist the Town to subsidise the costs of operating and maintaining community facilities.

Reduced fees and charges will apply to registered not-for-profit and non-government organisations and clubs based within Port Hedland and may apply to unincorporated community based groups, with the provision of meeting the criteria below.

This policy provides a consistent fee waiver framework for the hire of community facilities and venues and the Town is committed to supporting local initiatives that provide opportunities for the community to access and participate in a wide range of recreation, cultural, community and environmental activities and projects.

This policy does not apply to commercial properties that are leased from the Town, and for which contractual lease agreements have been established.

All hirers are required to abide by the conditions outlined in the relevant 'Terms and Conditions of Hire' for the facility they are hiring.

**Criteria**

Providers of community programs may receive a fee waiver for hiring of community facilities and venues if their program meets the following criteria:

- a) Meets an identified need/demand within the community;
- b) Is free or low cost for participants;
- c) Is open to all and not exclusive;
- d) Provide evidence that they are a non-for-profit organisation or group; and



- e) Provide evidence that all members of the organisation or group are volunteers

Additional information may be requested:

- a) Declare all income received, or likely to be received, such as ticket sales, and applications for assistance from any government or non-government agency. This may include providing receipts, invoices and evidence of organisational expenditure, along with a report outlining activities that were conducted.
- b) Unincorporated not-for-profit community organisations and groups can apply for a fee waiver provided they can provide sufficient evidence that the organisation/ group exists, is for the benefit of the community and also provide the club or groups financials.

Submitting an application is not a guarantee that your application will receive a fee waiver. Only information that is contained in the application is assessed.

#### **Discount Application**

Applications are determined annually as part of the facility booking process and will be retained for future bookings.

Eligible Unincorporated Community Based Groups, registered Not-for-Profit and Non-Government Organisations may be approved for a maximum 75% fee waiver on standard facility hire fees and charges to a maximum of \$1,000 within any financial year.

#### **Ineligible Applicants:**

Subject to the Town's discretion, the following organisation are not eligible for assistance:

- a) Individuals:
- b) Commercial organisation
- c) Clubs or groups with a delinquent debt to the Town
- d) Clubs or groups that have not provided a financial report deemed to be satisfactory by the Town.
- e) Clubs or groups that has declared bankruptcy

#### **Definitions**

Nil

Council adoption date and resolution no.	
Date of adoption of amendment and resolution number	
<b>do not delete the previous dates</b>	

Town of  
Port Hedland

## Fee Waiver for Not-for-Profit and Non-Government Organisations and Groups

Relevant legislation	<i>Local Government Act 1995 section 6.12 (1)(b)</i>
Delegated authority	CEO as per s1.5 of the Delegation Register
Business unit	Finance
Directorate	Corporate and Performance
Review frequency	Annually

**Document Control Statement**

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

**ATTACHMENT 2 TO ITEM 12.1.2**

## DELEGATION REGISTER

## 1.5 Waiver of Fees and Charges and Write Off of Debts

**Legislative Power**

Local Government Act 1995 Section 6.12

**Delegate**

- Chief Executive Officer

**Function to be Performed**

The Chief Executive Officer is delegated to waive fees and charges (other than rates or service charges) under section 6.12(1)(b) of the Act as per the schedule of fees and charges in the following instances.

1. For an amount of up to \$1,000 (ex GST) for Not-For-Profit or Non-Governmental Organisations.
2. For an amount of up to \$1,000 (ex GST) for individuals for fundraising or charitable purposes.
3. For an amount of up to \$2,000 (ex GST) for Town of Port Hedland organised events.
4. For an amount of up to \$2,000 (ex GST) for landfill fees in relation to Town of Port Hedland projects (per project).
5. For an amount of up to \$200 (ex GST) for promotional purposes (i.e. giving away tickets).
6. Any other amount at the CEO's discretion only.

The Chief Executive Officer is delegated to write off debts (rates and others) with an invoice balance of \$500 or less pursuant to section 6.12(1)(c) of the Act.

**Condition**

This delegation does not negate the need for community groups or individuals to apply for funding and donation through policy 6/003 'Funding and Donations'.

**ATTACHMENT 3 TO ITEM 12.1.2**

## DELEGATION REGISTER

## 1.5 Waiver of Fees and Charges and Write Off of Debts

**Legislative Power**

Local Government Act 1995 Section 6.12

**Delegate**

- Chief Executive Officer

**Function to be Performed**

The Chief Executive Officer is delegated to waive fees and charges (other than rates or service charges) under section 6.12(1)(b) of the Act as per the schedule of fees and charges in the following instances.

1. For an amount of up to \$1,000 (ex GST) for Not-For-Profit or Non-Governmental Organisations.
2. For an amount of up to \$1,000 (ex GST) for individuals for fundraising or charitable purposes.
3. For an amount of up to \$2,000 (ex GST) for Town of Port Hedland organised events.
4. For an amount of up to \$2,000 (ex GST) for landfill fees in relation to Town of Port Hedland projects (per project).
5. For an amount of up to \$200 (ex GST) for promotional purposes (i.e. giving away tickets).
6. Any other amount at the CEO's discretion only.

The Chief Executive Officer is delegated to write off debts (rates and others) with an invoice balance of \$500 or less pursuant to section 6.12(1)(c) of the Act.

**Condition**

This delegation does not negate the need for community groups or individuals to apply for funding and donation through policy 6/003 'Funding and Donations'.

Application for waiver of Fees and Charges for the use of community facilities by Not-for-Profit and Non-Government Organisations and Groups to be determined in accordance with 'Fee Waiver for Not-for-Profit and Non-Government Organisations and Groups' Policy.

### 12.1.3 Insurance Renewal for the 2017/18 Financial Year

File No:	12/12/0005
Applicant/ Proponent:	N/A
Subject Land/ Locality:	N/A
Date:	12 June 2017
Author:	Tanya Reid, Leasing Officer
Authorising Officer:	Kathryn Crothers, Director Corporate and Performance
Disclosure of Interest from Author:	Nil
Authority/Discretion:	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive <input type="checkbox"/> Legislative <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Information Purposes

Attachments:  
Nil

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#### CM201617/239 OFFICER RECOMMENDATION/ COUNCIL DECISION

**MOVED: CR WHITWELL**

**SECONDED: CR ARIF**

**That Council note the outcome of the market testing conducted by the Western Australian Regional Capital Alliance on behalf of the Town of Port Hedland.**

***CARRIED 8/0***

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#### EXECUTIVE SUMMARY

For information purposes only on the positive outcome of the market testing conducted by Western Australian Regional Capitals Alliance (WARCA) on the Town of Port Hedland's behalf. The market testing undertaken by WARCA demonstrates the Town is obtaining the best value for money from the LGIS scheme and there is no benefit in going out to tender for a new supplier.

#### DETAIL

The Town of Port Hedland currently hold a membership with Local Government Insurance Services (LGIS) who have provided insurance coverage in the past. The LGIS Scheme was established by WALGA as a member based self-insurance scheme, owned and controlled by its members. The scheme aimed to give WA Local Governments control over their own insurance approach and allow for collective buying power for the WA Local Government Sector.

In an effort to reduce costing heading into the 2017/18 financial year's annual budget, the Town partnered with Western Australia Regional Capital Alliance in an effort to obtain competitive process for market testing of insurance services on behalf of its members.

*Previous Decisions*

In February 2017, Council resolved to complete this market testing for insurance portfolio in an attempt to gain better savings in this area. This process was driven by WARCA who undertook a tender process on behalf of its members.

*Engagement and Communications*

The Leasing Officer has discussed all three submissions with the Director of Corporate Performance who, based on financial impact, agreed that the preferred proposal to accept would be from LGIS.

The Leasing Officer consulted with Western Australia Local Government Association (WALGA) regarding the options the Town has by way of accepting or rejecting the tender proposals and the process that is required to close out the tender process carried out on its behalf.

**LEGISLATION AND POLICY IMPLICATIONS**

The Leasing Officer sought advice from WALGA's Governance department regarding the process the Town was required to undergo in relation to the tender run by WACRA for the insurance coverage on behalf of its members. The outcome was that the process could only be relied upon as market testing. Therefore the tender process does not need to be closed out from the Town's perspective.

**FINANCIAL IMPLICATIONS**

The Town received three proposals inclusive of LGIS, for the 2017/18 financial year, of which a financial comparison is outlined below: (Please note all excess are the same for all policies)

	LGIS		AON	Marsh
	FY16/17	Premium	Premium	Premium
Cyber Liability	11,900.00	11,900.00	70,000.00	11,900.00
Contingency	3,118.00	3,118.00	3,338.00	3,218.00
Corporate Travel	750.00	750.00	800.00	750.00
Journey Injury Top Up	100.00	100.00	70.00	100.00
Management Liability	12,689.00	12,689.00	17,000.00	11,000.00
Marine Cargo	600.00	600.00	500.00	600.00
Motor Vehicle	98,327.00	78,999.00	90,000.00	90,000.00
Personal accident	425.00	425.00	700.00	425.00
Pollution Liability	16,031.00	19,579.00	30,000.00	16,031.00
Property	701,595.00	576,277.00	600,000.00	650,000.00
Liability	196,481.00	147,741.00	267,865.00	178,000.00
Work Care	312,091.00	307,954.00	320,373.00	250,000.00
Bushfire	-	1,500.00	-	-
Crime	1,990.00	2,189.00	5,000.00	1,800.00
Pollution (Fully funded)	-	-	30,000.00	600.00
Casual Hirer (Fully funded)	-	-	1,000.00	1,750.00
<b>PROPOSAL</b>	<b>1,356,097.00</b>	<b>1,163,821.00</b>	<b>1,436,646.00</b>	<b>1,216,174.00</b>

The current financial impact remaining with LGIS over switching to Marsh would be \$52,353. Taking into account other financial benefits of the membership scheme would indicate an upside of \$124,753 should the Town remain with LGIS.

As well as the lowest cost provided for the renewal, there are also significant membership benefits should the Town accept the proposal from LGIS:

- Understanding of coverage under the current policies, including previously negotiated excess reduction for more effective claim process
- Membership rebate and reward from scheme
- Contribution to staff wellness program of \$60,000
- 40% Rebate for valuation of property portfolio, valued at \$12,400
- Capping of claims contribution for scheme policies (scheme meets the gap when claim reaches predetermined cap).

At the last WARCA meeting at which the CEO and Mayor attended via telephone, the initial indication reported by WARCA a saving of around \$100,000 based on the previous financial year's premium. Taking into account the saving the Town has made on the property premium proposed for this financial year of \$125,000 through the LGIS proposal, there is no indicative cost benefit of switching to a different provider.

It is also to be noted that a valuation is being undertaken of the Towns portfolio to ensure adequate coverage of Town assets for building insurance. The Town expects further reduction of this particular premium once the valuation is complete. As a member under LGIS, the Town is eligible for a 40% rebate on cost of building and land valuation contract with APV.

## STRATEGIC AND RISK IMPLICATIONS

### *Environmental*

There are no significant identifiable environmental impacts arising from adoption of the officer's recommendation.

### *Economic*

There are no significant identifiable economic impacts arising from adoption of the officer's recommendation.

### *Social*

There are no significant identifiable social impacts arising from adoption of the officer's recommendation.

### *Financial*

There are no significant identifiable financial impacts arising from adoption of the officer's recommendation.

### *Risk*

As there is no decision being made under this item there is no identifiable risk. This item is for information purposes only.

**OPTIONS**

Options for this agenda item are not applicable, as it is only for information purposes.

**CONCLUSION**

The market testing undertaken by WARCA demonstrates that the Town is obtaining the best value for money from the LGIS scheme and there is no benefit in going out to tender for a new supplier. This report is for information purposes only, on the positive outcome of the market testing conducted by WARCA on the Town of Port Hedland's behalf.

**12.1.4 Statement of Financial Activity for the period ended 31 May 2017**

File No: 12/14/0003  
Applicant/ Proponent: N/A  
Subject Land/ Locality: N/A  
Date: 13/05/2017  
Author: Chirantha Perera, Acting Manager Financial Services  
Authorising Officer: Kathryn Crothers, Director Corporate and Performance  
Disclosure of Interest from Author: Nil  
Authority/Discretion: ☐ Advocacy  
☐ Executive  
☐ Legislative  
☐ Quasi-Judicial  
☒ Information Purposes

## Attachments:

1. Monthly Financial Health Check for the period ended 31 May 2017
2. Statement of Financial Activity for the period ended 31 May 2017 (Under separate cover)
3. Material Variance Report for period ended 31 May 2017 (Under separate cover)
4. Accounts paid under delegated authority for period ended 31 May 2017 (Under separate cover)
5. Credit Card Statements for period ended 31 May 2017
6. Bank Account Summary for period ended 31 May 2017

**CM201617/240 OFFICER RECOMMENDATION/ COUNCIL DECISION****MOVED: CR TAVO****SECONDED: CR ARIF**

**That with respect to the Statement of Financial Activity for the period ended 31 May 2017, Council:**

- 1. Receive the Monthly Financial Health Check;**
- 2. Receive the Statement of Financial Activity (and supporting information);**
- 3. Note the Material Variance report;**
- 4. Note the accounts paid under delegated authority;**
- 5. Receive the Credit Card Statements;**
- 6. Receive the Bank Account Summary.**

***CARRIED 8/0*****EXECUTIVE SUMMARY**

This report presents the Statement of Financial Activity for the period ended 31 May 2017. Supplementary information regarding the Town's financial activities is attached to this report.

The net current assets and opening surplus figure presented in this report are consistent with the 2015/16 annual financial statements adopted at November OCM. Council adopted a revised 2016/17 budget on February OCM to accommodate and adjust the key performance indicators in line with the update economic and fiscal outlook.

Operating expenditure is generally on track YTD, however overall tracking 26% under budget, mainly due to the \$14.8m airport works yet to be spent due to scoping and project delivery timeline. Operating income is overall on target YTD with grant payments, fees and charges mainly related to GP housing, tipping fees, town planning and infrastructure maintenance revenue is under budget due to timing lag of invoicing and collection.

Capital expenditure is 57% below YTD budget with majority of large spend projects in scoping or tendering phase with majority of project delivery undertaken after the cyclone season. A concerted effort is being made to ensure majority of projects already identified as carry forwards are completed by 30 June 2017.

The Capital Works Program Report highlights each project and the expenditure incurred to date as well as projects carried forward as Works in Progress arising from the previous financial year.

In a separate report to Council, forecast budget amendments are presented for approval to reflect the anticipated closing municipal surplus 30 June 2017, including a revision of the operating income and expenditure and forecast position of the capital works expenditure and revenue.

## DETAIL

The attachments detail the Town's financial performance for the period ending 31 May 2017.

When Council adopted the 2016/17 Budget on 25 August 2016, the threshold of materiality to be used in statements for reporting material variances was set as detailed under the Policy Implications section of this report.

Commentary is provided on variances as per attachment 3 Material Variance report.

The net current asset position as at 31 May 2017 is \$11.876M. The net Municipal balance (after Matured Investments and Restricted Reserves taken into account) as at 31 May 2017 is 1.565M. This means the Town has sufficient funds to cover expenditure without utilising cash dedicated to cash backing reserves or requiring an overdraft facility.

	2016/17 Actuals
Current Assets: Cash and Investments	241.949M
Restricted Cash – Reserves	240,384M
Unrestricted Cash Position as at 31 May 2017	1.565M

### *Previous Decisions*

The Statements of Financial Activity are presented to Council each month for noting.

### *Engagement and Communications*

All consultation and engagement is conducted internally.

## LEGISLATION AND POLICY IMPLICATIONS

Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996* detail the form and manner in which a local government is to prepare its Statement of Financial Activity.

In accordance with regulations 34 (5) of the *Local Government (Financial Management) Regulations 1996* and *AASB 1031 Materiality*, the level to be used in statements of financial activity in 2016/17 for reporting material variances adopted by the Council on 25 September 2016 shall be:

1. With regards to expenditure classified as operating, a variance of 10% or \$10,000, whichever is the greater, of the year to date current month Current Budget, with Program as the level that requires explanation;
2. With regards to expenditure classified as capital, a variance of 10% or \$10,000, whichever is the greater, of the 12 month Current Budget, with individual project as the level that requires explanation;
3. With regards to income, a variance of 10% or \$100,000, whichever is the greater, of the 12 month Current Budget, with Nature and Type as the level that requires explanation;
4. With regards to all other items not specifically identified above, a variance of 10% or \$100,000, whichever is the greater, of the 12 month Current Budget, with Nature and Type as the level that requires explanation.

## FINANCIAL IMPLICATIONS

A municipal surplus occurs where revenue exceeds expenditure in a particular financial year. The adopted 2016/17 budget estimated municipal surplus of \$1,589. The mid-year budget review was undertaken throughout January and a budget variation was adopted on 22 February 2017 Council Resolution CM201617/149, resulting in a municipal surplus position as at 30 June 2017 of \$144,579. This amendment has been reflected in the February Financial Statements. The budgeted closing municipal surplus position as at 30 June 2017 has changed to \$243,241 as a result of the variations adopted in April.

Council Decision CM201617/038 Part J states that the organisation continue to identify efficiencies, savings, and business system improvements and /or additional revenues, such that the budget draw on the forecast interest earned on the Port Hedland International Airport Long Term Lease Reserve at 30 June 2017 is reduced by \$2M, from such areas as, but not limited to:

- a. Consultants
- b. Contractors
- c. Legal expenses
- d. IT expenses
- e. Accommodation and travel expenses etc.

## STRATEGIC AND RISK IMPLICATIONS

### *Environmental*

There are no significant identifiable environmental impacts arising from adoption of the officers recommendation.

*Economic*

There are no significant identifiable economic impacts arising from adoption of the officer's recommendation.

*Social*

There are no significant identifiable social impacts arising from adoption of the officer's recommendation.

*Strategic*

The Town provides monthly Statements of Financial Activity as part of its delivery of high quality corporate governance, accountability and compliance. The Town's goals and actions in this regard are set out in the Leading our Community section of the Strategic Community Plan 2014-2024.

*Risk*

There is a risk rating of medium (6) assigned to the risk that as at 30 June 2016 the budgeted closing balance of the Waste Management Reserve is \$11.957m. Council will need to adopt a strong policy position with regards to the replenishment of the Waste Management Reserve in order to meet future capital costs for the closure and rehabilitation of the current landfill site at the end of its useful life and for the establishment of a new landfill site. The risk action plan is to manage by building reserve balance to required level to mitigate financial loss.

There is a risk rating of medium (6) assigned to the risk that the Town has one debtor who is currently disputing the works on the basis of rateability. The value of this debtor is over \$271K with accrued interest. The risk has been managed by recognising the debt in the doubtful debt provision of the 2015/16 Financial Statements.

**OPTIONS***Option 1 – Adopt Officers Recommendation**Option 2 – Amended Officers Recommendation*

That Council receive the Statement of Financial Activity for the period ended 31 May 2017 and request further information or clarification.

*Option 3 – Do Not Adopt Officers Recommendation*

That Council do not note or receive the Statement of Financial Activity for the period ended 31 May 2017.

**CONCLUSION**

As at 31 May 2017, the Town's financial performance is considered satisfactory. The net current assets position is \$11,876M with operating expenditure overall 26% under budget, operating income overall on track with only 7% remaining to collect for the year. The capital expenditure is 57% below budget mainly due to project delivery timelines, however a concerted effort is being made to ensure majority of projects not already identified as carry forwards are completed by 30 June 2017.

The variances will be monitored in the final period to ensure corrective action is taken in a timely manner. Over the remainder of the financial year the net current asset position will decrease as operating and capital budgets are expended. The budgeted closing municipal surplus position as at 30 June 2017 has changed to \$243K as a result of the variations adopted in April 2017.

## ATTACHMENT 1 TO ITEM 12.1.4

# MONTHLY FINANCIAL HEALTH CHECK



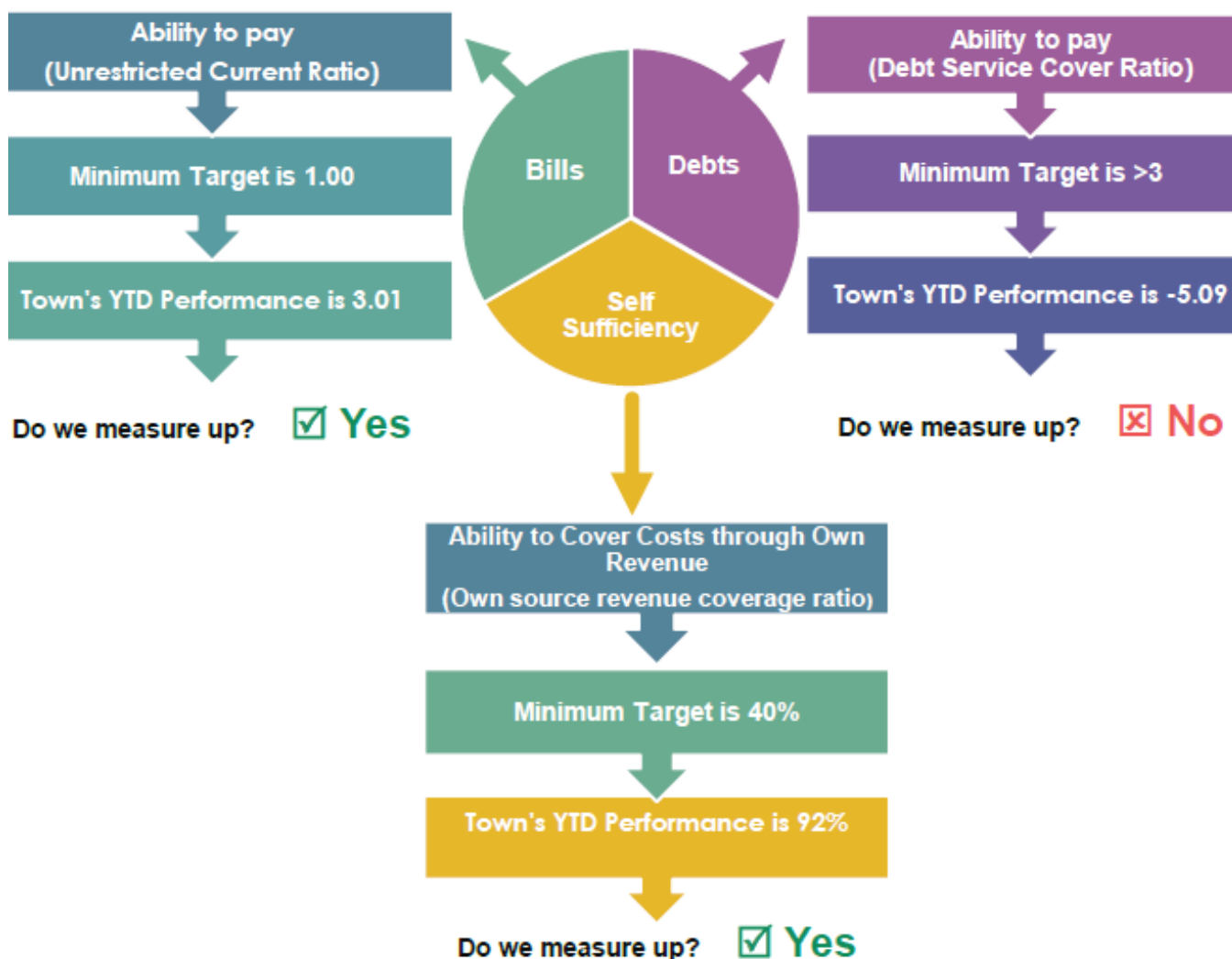
As at 31 May 2017

Highlighting how the Town of Port Hedland is tracking  
against financial ratios



Financial Snapshot (Year to Date)	Actual (000's)
Operating Revenue	\$45,613
Operating Expenditure (Including Non-Cash Items)	(\$45,907)
Non-Cash Items	\$11,071
Capital Revenue	\$4,424
Capital Expenditure	(\$7180)
Loan Repayments	(\$1,008)
Transfers to/from Reserves	(\$787)
Surplus Brought Forward 1 July 2016	\$5,650
Current Municipal Surplus Position at 31 May 2017	\$11,876
Current Budget Municipal Surplus Position at 30 June 2017	\$243

## Financial health indicators



## Cash in the bank



The increase in depreciation (following revaluation of assets at fair value over the last three years) has significantly increased the annual depreciation charge and puts pressure on the operating surplus result, which has an impact on YTD debt service cover ratio.

## ▶ How are we tracking against our budgeted targets?

### Adjusted Operating Surplus

A measure of the Town's ability to cover its operational costs including depreciation and have funds left over to cover capital expenditure (including principal loan repayments) without relying on debt or reserves.

*Note: Adjusted for one off expenditure related to major works at PHIA classified as operating due to lease of the facility*

- To assist in reaching the target ratio, the budget adoption Council Resolution CM201617/038 included an additional \$2M savings is to be identified in efficiencies, savings and business system improvements and/or revenues across the organisation by 30 June 2017.
- Adjusted operating surplus and self-sufficient ratios are high due to rates being fully invoiced at beginning of the financial year. However as the year progresses, operating expenditure will continue to draw on this revenue source reducing to target by 30 June 2017.

Minimum Target is 1%

Town's YTD Performance is -1%

Do we meet the target? ☒ No

### Asset Sustainability Ratio

Measures if the Town is replacing or renewing existing non-financial assets at the same rate that its overall asset stock is wearing out.

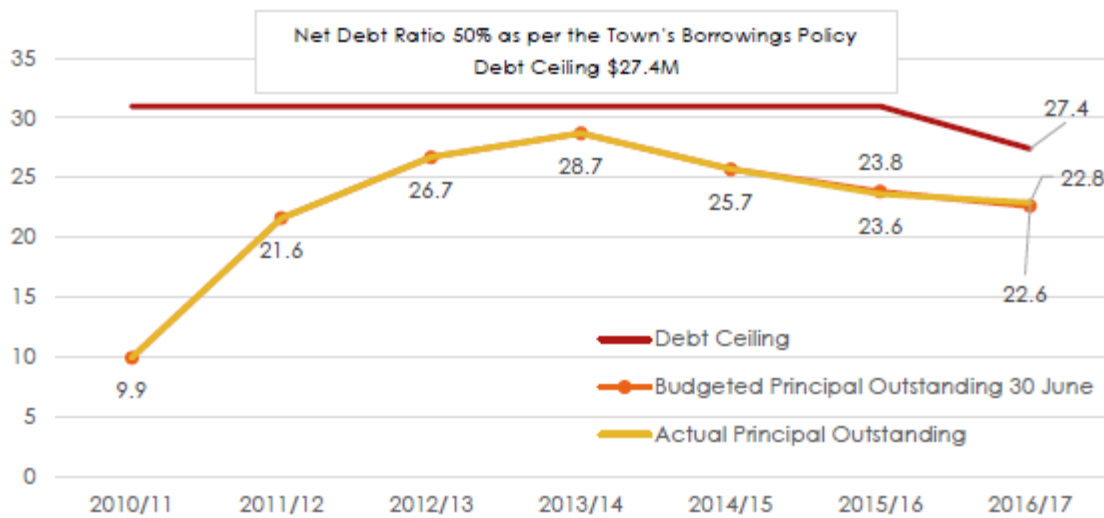
- A reduced Capital Works Program (including renewals) and an increase in the budgeted depreciation as a result of revaluations has had a two-fold effect on the asset sustainability ratio resulting in the ratio coming in just below the target.
- With a history of high levels of capital expenditure in the past 4 years, the Town need to ensure expenditure on capital renewal is maintained at the same rate as depreciation moving forwards.

Minimum Target is 90%

Town's YTD Performance is 73%

Do we meet the target? ☒ No

## Debt levels



**Original Budget Principal Outstanding Forecast at 30 June 2017 = \$22.6M**

**Original Budget Operating Revenue = \$54.8M**

**Budgeted Net Debt Ratio = 41%**

**Actual Net Debt Ratio = 52%**

**Total Actual Principal Amount Outstanding 31 May 2017 = \$22.8M**

**Debt Ceiling 50% pursuant to Policy (\$54.8M x 50%) = \$27.4M**

### Intergenerational Loans

Loan Purpose	Principal Amount Outstanding	Remaining Term
1. Marquee Park	\$4.40M	14/15 years
2. JD Hardie Upgrade	\$2.53M	14/16 years
3. Wanangkura Stadium	\$8.76M	15/16 years
4. GP Housing	\$1.30M	16 years

Any feedback on this document is greatly appreciated and can be emailed to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

## ATTACHMENT 5 TO ITEM 12.1.4



NAB Connect

## Account Balance History Report

Details

---

Date range: 31-May-2017 to 31-May-2017  
Account name: TOPH MUNICIP  
Account number: XXX-XXX-XXX-4446  
Currency: AUD

---

Date	No. of debits	Debit amount	No. of credits	Credit amount	EOD balance
31/05/2017	3	4,489.95	34	92,438.12	2,387,941.84 CR

---

End of report



NAB Connect

## Account Balance History Report

---

**Details**

**Date range:** 31-May-2017 **to** 31-May-2017  
**Account name:** TOPH TRUST  
**Account number:** XXX-XXX-XXX -4489  
**Currency:** AUD

---

Date	No. of debits	Debit amount	No. of credits	Credit amount	EOD balance
31/05/2017	0	0.00	0	0.00	102,158.87 CR

---

**End of report**



NAB Connect

## Account Balance History Report

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Details

---

Date range: 31-May-2017 to 31-May-2017  
Account name: TOWN OF PORT  
Account number: XXX-XXX-XXX -9096  
Currency: AUD

---

Date	No. of debits	Debit amount	No. of credits	Credit amount	EOD balance
31/05/2017	0	0.00	0	0.00	3,991,599.44 CR

---

End of report



NAB Connect

## Account Balance History Report

Details

---

Date range: 31-May-2017 to 31-May-2017  
Account name: TOPH RES FND  
Account number: XXX-XXX-XXX-4462  
Currency: AUD

---

Date	No. of debits	Debit amount	No. of credits	Credit amount	EOD balance
31/05/2017	0	0.00	0	0.00	1,000.00 CR

---

**End of report**

**ATTACHMENT 6 TO ITEM 12.1.4****TOWN OF PORT HEDLAND****Summary of Credit Card Statements for the Month of May 2017****Attachment 6**

Account Name	Account Number	Card Holder	Debit Balance (\$)
Town of Port Hedland	██████████-6321	David Pentz	\$ 4,377.94
Town of Port Hedland	██████████-8364	Jessica Dodd	\$ 10,095.90
Town of Port Hedland	██████████-8868	Jessica Rankin	\$ 4,436.38
Town of Port Hedland	██████████-4948	Megan Cocciardi	\$ 3,835.59
Total			\$22,745.81

At the Town of Port Hedland, the Council's Corporate Services Directorate and Finance Team have an overriding objective of providing quality corporate governance; accountability; transparency and compliance and welcome any questions or queries on the credit card statements from not just Elected Members, but the general public.



NAB Connect

## Transaction History Report

Account details

**Account name**  
TOWN OF PORT HEDLAND  
**Account number**  
XXX-XXX-XXX-6321  
**Currency**  
AUD

Account balance summary

**Opening balance:** 0.00 CR  
**Total credits:** 145.80 CR  
**Total debits:** 4,377.94 DR  
**Closing balance:** 0.00 CR  
  
**Date from:** 01 May 2017  
**Date to:** 31 May 2017

Transaction details

Date	Narrative	Reference	Debit amount	Credit amount	EOD balance
12/05/2017	CREDIT CARD PURCHASE PORT HEDLAND AIRPORT		51.00 DR		51.00 DR
18/05/2017	CREDIT CARD PURCHASE CMFRT INN BEL EYRE		145.80 DR		145.80 DR
19/05/2017	CREDIT CARD REFUND CMFRT INN BEL EYRE			145.80 CR	145.80 CR
22/05/2017	CREDIT CARD PURCHASE VIRGIN AUST 7958226286060		29.64 DR		
22/05/2017	CREDIT CARD PURCHASE VIRGIN AUST 7952138848865		2,280.00 DR		2,309.64 DR
23/05/2017	CREDIT CARD PURCHASE THE MURRAY HOTEL		108.00 DR		108.00 DR
26/05/2017	CREDIT CARD PURCHASE 8MARK AUSTRALIA PTY		855.00 DR		855.00 DR
29/05/2017	CREDIT CARD PURCHASE THE MURRAY HOTEL		216.00 DR		
29/05/2017	CREDIT CARD PURCHASE QANTAS AIRW		344.50 DR		560.50 DR
31/05/2017	CREDIT CARD PURCHASE SURVEYMONKEY.COM		348.00 DR		348.00 DR

**End of report**



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## Transaction History Report

Account details

**Account name**  
TOWN OF PORT HEDLAND  
**Account number**  
XXX-XXX-XXX-8364  
**Currency**  
AUD

Account balance summary

**Opening balance:** 0.00 CR  
**Total credits:** 40.17 CR  
**Total debits:** 10,095.90 DR  
**Closing balance:** 0.00 CR  
  
**Date from:** 01 May 2017  
**Date to:** 31 May 2017

Transaction details

Date	Narrative	Reference	Debit amount	Credit amount	EOD balance
01/05/2017	CREDIT CARD PURCHASE WOOLWORTHS ON LINE		176.45 DR		
01/05/2017	CREDIT CARD PURCHASE TECH PRO RESEARCH		401.63 DR		
01/05/2017	CREDIT CARD PURCHASE QANTAS AIRWAYS		964.00 DR		1,542.08 DR
02/05/2017	CREDIT CARD REFUND WOOLWORTHS ON LINE			17.67 CR	17.67 CR
03/05/2017	CREDIT CARD PURCHASE WOOLWORTHS 4316		47.15 DR		47.15 DR
05/05/2017	CREDIT CARD PURCHASE AYESHA'S CAFE PTY LT		120.00 DR		120.00 DR
08/05/2017	CREDIT CARD PURCHASE DROPBOX*JGBX3D791HCR		85.00 DR		85.00 DR
09/05/2017	CREDIT CARD PURCHASE VIRGIN AUST 7958226118003		9.93 DR		
09/05/2017	CREDIT CARD PURCHASE VIRGIN AUST 7958226118091		11.00 DR		
09/05/2017	CREDIT CARD PURCHASE MAILCHIMP *MONTHLY		68.57 DR		
09/05/2017	CREDIT CARD PURCHASE GATE GP PTY LTD		132.00 DR		
09/05/2017	CREDIT CARD PURCHASE VIRGIN AUST 7952138537120		764.01 DR		
09/05/2017	CREDIT CARD PURCHASE VIRGIN AUST 7952138537064		970.00 DR		1,955.51 DR
11/05/2017	CREDIT CARD PURCHASE QANTAS AIRWAYS		1,098.20 DR		1,098.20 DR
12/05/2017	CREDIT CARD PURCHASE VIRGIN AUST 7958226179756		8.29 DR		
12/05/2017	CREDIT CARD PURCHASE Hotel Ibis Perth FD Int		314.03 DR		
12/05/2017	CREDIT CARD PURCHASE Hotel Ibis Perth FD Int		314.03 DR		

2 of 5

**Transaction History Report (Continued)**

<b>Date</b>	<b>Narrative</b>	<b>Reference</b>	<b>Debit amount</b>	<b>Credit amount</b>	<b>EOD balance</b>
12/05/2017	CREDIT CARD PURCHASE VIRGIN AUST 7952138647247		638.00 DR		
12/05/2017	CREDIT CARD PURCHASE QANTAS AIRWAYS		688.90 DR		1,963.25 DR
15/05/2017	CREDIT CARD REFUND WOOLWORTHS ON LINE			22.50 CR	
15/05/2017	CREDIT CARD PURCHASE Mercure Darwin Airport FD		109.00 DR		
15/05/2017	CREDIT CARD PURCHASE Mercure Darwin Airport FD		110.42 DR		
15/05/2017	CREDIT CARD PURCHASE WOOLWORTHS ON LINE		186.19 DR		383.11 DR
17/05/2017	CREDIT CARD PURCHASE PERSONAL SECURITY CO		200.00 DR		200.00 DR
18/05/2017	CREDIT CARD PURCHASE CREATIVE SPIRITS		39.44 DR		
18/05/2017	CREDIT CARD PURCHASE WOOLWORTHS ON LINE		190.90 DR		230.34 DR
19/05/2017	CREDIT CARD PURCHASE EZI DUN & BRADSTREET		77.00 DR		77.00 DR
23/05/2017	CREDIT CARD PURCHASE WOOLWORTHS 4316		36.80 DR		
23/05/2017	CREDIT CARD PURCHASE SONIC HEALTHPLUS PTY		374.00 DR		
23/05/2017	CREDIT CARD PURCHASE QANTAS AIRW		893.00 DR		1,303.80 DR
24/05/2017	CREDIT CARD PURCHASE SONIC HEALTHPLUS PTY		374.00 DR		
24/05/2017	CREDIT CARD PURCHASE SONIC HEALTHPLUS PTY		374.00 DR		748.00 DR
25/05/2017	CREDIT CARD PURCHASE WOOLWORTHS 4316		40.35 DR		
25/05/2017	CREDIT CARD PURCHASE RAIKAS CAFE PTY LTD		57.20 DR		97.55 DR
29/05/2017	CREDIT CARD PURCHASE WOOLWORTHS 4316		13.80 DR		
29/05/2017	CREDIT CARD PURCHASE WOOLWORTHS 4316		32.53 DR		46.33 DR
30/05/2017	CREDIT CARD PURCHASE WOOLWORTHS ON LINE		120.08 DR		120.08 DR
31/05/2017	CREDIT CARD PURCHASE RAIKAS CAFE PTY LTD		56.00 DR		56.00 DR

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**End of report**



NAB Connect

## Transaction History Report

Account details

**Account name**  
TOWN OF PORT HEDLAND  
**Account number**  
XXX-XXX-XXX-8868  
**Currency**  
AUD

Account balance summary

**Opening balance:** 0.00 CR  
**Total credits:** 0.00 CR  
**Total debits:** 4,436.38 DR  
**Closing balance:** 0.00 CR  
  
**Date from:** 01 May 2017  
**Date to:** 31 May 2017

Transaction details

Date	Narrative	Reference	Debit amount	Credit amount	EOD balance
02/05/2017	CREDIT CARD PURCHASE AUSTRALIA POST - SOU		96.15 DR		
02/05/2017	CREDIT CARD PURCHASE AUSTRALIA POST - SOU		100.00 DR		196.15 DR
04/05/2017	CREDIT CARD PURCHASE COLES 0385		204.64 DR		204.64 DR
05/05/2017	CREDIT CARD PURCHASE AIM INTERNET		1,033.00 DR		1,033.00 DR
08/05/2017	CREDIT CARD PURCHASE QANTAS AIRWAYS		760.80 DR		760.80 DR
15/05/2017	CREDIT CARD PURCHASE COLES 0385		84.70 DR		
15/05/2017	CREDIT CARD PURCHASE QANTAS AIRW		196.00 DR		280.70 DR
16/05/2017	CREDIT CARD PURCHASE VIRGIN AUST 7958226211936		9.28 DR		
16/05/2017	CREDIT CARD PURCHASE VIRGIN AUST 7952138707064		714.00 DR		723.28 DR
17/05/2017	CREDIT CARD PURCHASE DEPT OF TRANSPORT		68.65 DR		68.65 DR
19/05/2017	CREDIT CARD PURCHASE BEAUREPAIRES 5262		35.33 DR		35.33 DR
22/05/2017	CREDIT CARD PURCHASE CSR BUILDING PRODUCT		420.89 DR		420.89 DR
23/05/2017	CREDIT CARD PURCHASE TOOLMART AUSTRALIA P		117.90 DR		117.90 DR
25/05/2017	CREDIT CARD PURCHASE Charmers Jewellers		60.00 DR		
25/05/2017	CREDIT CARD PURCHASE COLES 0385		186.36 DR		246.36 DR
29/05/2017	CREDIT CARD PURCHASE Four Points Sheraton		190.68 DR		190.68 DR
30/05/2017	CREDIT CARD PURCHASE QANTAS AIRW		158.00 DR		158.00 DR

4 of 5



NAB Connect

## Transaction History Report

Account details

**Account name**  
TOWN OF PORT HEDLAND  
**Account number**  
XXX-XXX-XXX-4948  
**Currency**  
AUD

Account balance summary

**Opening balance:** 0.00 CR  
**Total credits:** 0.00 CR  
**Total debits:** 3,835.59 DR  
**Closing balance:** 0.00 CR  
  
**Date from:** 01 May 2017  
**Date to:** 31 May 2017

Transaction details

Date	Narrative	Reference	Debit amount	Credit amount	EOD balance
01/05/2017	CREDIT CARD PURCHASE KARRATHA TAVERN		110.00 DR		
01/05/2017	CREDIT CARD PURCHASE FACEBK 4H7JCC6XK2		240.00 DR		350.00 DR
05/05/2017	CREDIT CARD PURCHASE AMBER ROSE FLOWERBOX		80.00 DR		80.00 DR
10/05/2017	CREDIT CARD PURCHASE QANTAS AIRWAYS		1,378.00 DR		1,378.00 DR
11/05/2017	CREDIT CARD PURCHASE VIRGIN AUST 7958226160204		16.59 DR		
11/05/2017	CREDIT CARD PURCHASE VIRGIN AUST 7952138610443		1,276.00 DR		1,292.59 DR
15/05/2017	CREDIT CARD PURCHASE BRUMBY'S GO		195.00 DR		195.00 DR
16/05/2017	CREDIT CARD PURCHASE DOME PORT HEDLAND		100.00 DR		
16/05/2017	CREDIT CARD PURCHASE DOME PORT HEDLAND		150.00 DR		250.00 DR
25/05/2017	CREDIT CARD PURCHASE PRO PHONE TECHNOLOGY		290.00 DR		290.00 DR

**End of report**

## 12.2 Development, Sustainability and Lifestyle

### 12.2.1 Trading In Public Places Applications

File No: 19/04/0001  
Applicant/ Proponent: N/A  
Subject Land/ Locality: N/A  
Date: 26 May 2017  
Author: Olivia Johnston, Environmental Health Officer  
Authorising Officer: Ray Davy, Acting Director Community & Development Services  
Disclosure of Interest from Author: Nil  
Authority/Discretion: ☐ Advocacy  
☐ Executive  
☐ Legislative  
☒ Quasi-Judicial  
☐ Information Purposes

Attachments:  
Nil

#### CM201617/241 OFFICER RECOMMENDATION/ COUNCIL DECISION

**MOVED: CR TAVO**

**SECONDED: CR GILLINGHAM**

**That with respect to the Town of Port Hedland Policy 13/014 'Trading in Public Places', Council:**

- 1. Approve the following Trading in Streets and Public Places applications for renewal of the following Mobile Food Businesses for a period of 12 months (1 July 2017 to 30 June 2018):**
  - a) Ando's Kebab Hut**
  - b) Austin Warung**
  - c) Cab City Pizzeria**
  - d) Indian Curry in Hedland**
  - e) Pilbara Flavours**
  - f) Putri Kitchen**
  - g) Wati's Bagus Burgers**
- 2. Approve the following new applications for Trading in Streets and Public Places for Mobile Food Businesses for a period of 12 months (1 July 2017 to 30 June 2018):**
  - a) Crimson Rose Catering**
  - b) Phatcharin's Thai Cuisine**
  - c) Spurlo's Catering Services**

***CARRIED 7/1***

For: Mayor Blanco, Cr Melville, Cr Gillingham, Cr Hooper, Cr Arif, Cr Newbery, Cr Tavo  
Against: Cr Whitwell.

Reason: Cr Whitwell would like the application fee for trading in public places to be increased.

## EXECUTIVE SUMMARY

The Town of Port Hedland's Environmental Health Department submits an annual report to Council requesting consideration of all compliant Trading in Public Places Category 3 Medium Risk annual applications. The Town of Port Hedland's Trading in Public Places Policy 13/014 (The Policy) requires Council to approve or refuse all compliant applications.

The Town has ten (10) Trading in Public Places applications to be assessed by Council. Details of each application will be provided, including overall compliance with the Food Safety Standards Australia. There are three (3) new applications for a 12-month licence and seven (7) applications for renewal of existing mobile food businesses.

## DETAIL

Under the current Policy, approvals of applications for Category 3 mobile food businesses are at the discretion of the Council. Decisions are to be made based upon the foreseen benefit of each application to the community. Only applications that are known to be compliant with the *Food Act 2008* and the *Food Safety Standards* will be presented.

On the 19<sup>th</sup> of April 2017, a briefing session was held with elected members where options for amending the current Policy were presented. This was in response to concerns received from the public in relation to the ongoing operation of food vans. Though the matter was thoroughly discussed no consensus was reached. As such the current Policy remains in effect. This report does not deal with or alter the policy in any way, but rather grants licenses for traders to operate under the policy as it currently stands.

### *Licence Renewal Applications for Trading in Public Places*

**Ando's Kebab Hut** has been operating for over four (4) years. The mobile food business serves kebabs with various combinations of meat and salad ingredients, in addition to chips and soft drink. The vehicle typically operates at Dreamers Corner, South Hedland. However, on 16 March 2017, the Trading in Public Places licence was suspended for seven (7) days due to breach of the maximum number of vehicles that are permitted to be present at one allocated site at one time, under the Policy.

**Austin Warung** has been operating for almost one year. This mobile food business serves Indonesian cuisine, including fried rice, beef rendang, spring rolls, potato chips, curry puffs, fried noodles, honey chicken and lamb and chicken satay. Austin Warung typically trades under the Trading in Public Places licence at Dreamers Corner, South Hedland and participates in several community-based events. However, on 16 March 2017, the Trading in Public Places licence was suspended for seven (7) days due to breach of the maximum number of vehicles that are permitted to be present at one allocated site at one time, under the Policy.

**Cab City Pizzeria** has been operating for almost one year. The mobile food business serves a variety of pizzas and soft drink. Cab City Pizzeria typically operates at Dreamers Corner, South Hedland, at the Richardson St Boat Ramp, Port Hedland and participates in community-based events. There are currently no compliance issues that may prevent the ongoing operation of the business.

**Indian Curry in Hedland** has been operating under new ownership for almost one (1) year. The mobile food business serves a variety of curries, including butter chicken, chicken tikka masala, chicken cashew, lamb korma, pork curry, beef vindaloo, rice and samosas. Indian Curry in Hedland typically operates at Don Rhodes Museum, Port Hedland once per week. There are currently no compliance issues that may prevent the ongoing operation of the business.

**Pilbara Flavours** has been operating for around six (6) years. The mobile food business serves a variety of hot takeaway food, including burgers, hot chips, breakfast (egg and bacon) rolls, pastry food, salad rolls, smoothies, frappes, milkshakes, hot milk drinks and soft drink. Pilbara Flavours typically operates at the Wheelbarrow entrance of Wedgefield and participates in community-based events. There are currently no compliance issues that may prevent the ongoing operation of the business.

**Putri Kitchen** has been operating for almost two (2) years. The mobile food business serves Malaysian cuisine, including satay beef, curry chicken and curry puffs. Putri Kitchen typically operates at Dreamers Corner, South Hedland and participates in community-based events. However, on 16 March 2017, the Trading in Public Places licence was suspended for seven (7) days due to breach of the maximum number of vehicles that are permitted to be present at one allocated site at one time, under the Policy.

**Wati's Bagus Burgers** has been operating for almost one (1) year. The mobile food business serves a variety of burgers and wraps, in addition to potato chips and sausage rolls. Wati's Bagus Burgers typically operates at Dreamers Corner, South Hedland and Don Rhodes Museum, Port Hedland and participates in community-based events. However, on 16 March 2017, the Trading in Public Places licence was suspended for seven (7) days due to breach of the maximum number of vehicles that are permitted to be present at one allocated site at one time, under the Policy.

#### *New Applications for Trading in Public Places*

**Crimson Rose Catering** is a new mobile food business requesting approval to operate in the community. The mobile food business will serve potato chips, hamburgers, sausage rolls, meat pies, fish, spaghetti bolognese, sandwiches, beef curry, salad and soft drink. Preliminary inspections have been carried out by authorized officers and a temporary licence for one month has been granted. However, the food proprietors have been unable to begin operation. Food preparation and food safety practices have not been assessed. Officers will complete further inspections to ensure compliance prior to operation.

**Phatcharin's Thai Cuisine** is a new mobile food business proposed to operate at any of the locations permitted under the Policy, serving take-away meals of Thai cuisine. As the business is not currently in operation and the applicant is yet to purchase a suitable vehicle for the purpose, food safety inspections have not been conducted. Authorised officers will ensure compliance with the relevant legislative requirements prior to operation.

**Spurlo's Catering Services** has been operating under a temporary one-month licence for almost six (6) months and has been renewed as required. Spurlo's serves beef, lamb, chicken and vegetable burgers, fish and other seafood, potato chips and soft drink. The food business typically operates at the Richardson St Boat Ramp in Port Hedland and participates in various community-based events. There are currently no compliance issues that may prevent the ongoing operation of the business.

*Options for Council Consideration***a) Approve all applications for a 12-month Trading in Public Places licence**

## Advantages:

- Financial income of \$11,871.00 for the Town
- Maintain a variety of food services to the community

## Disadvantages:

- Increase difficulty for operators to maintain compliance with the Policy, particularly relating to the maximum number of food vehicles permitted to be present at one allocated site at one time
- May present a financial imbalance in operation costs between fixed and mobile food business and reduce the capacity of fixed businesses to remain open

**b) Reject all applications for a 12-month Trading in Public Places licence**

## Advantages:

- Alleviate the financial imbalances in the operation costs between fixed and mobile food businesses
- Increase potential for temporary food premises to comply with the Policy

## Disadvantages:

- Lose financial income of \$11,871.00 for the Town
- Reduce the variety of food services provided to the community
- Reduce competitiveness and quality of food services provided to the community

**c) Approve a portion of the applications for a 12-month Trading in Public Places licence**

## Advantages:

- Increase the potential for temporary food premises to maintain compliance with the Policy
- Improve the financial imbalances between fixed and mobile food businesses

## Disadvantages:

- Reduce financial income for the Town
- Reduce the variety of food services provided to the community

Option a) approval of all applications is recommended. The officer's recommendation is based on the compliance the applicants with food safety legislation. As the applicants are generally compliant, selection of only a portion of applicants is not justified.

*Previous Decisions*

Previous Council decision on this matter was made at the Ordinary Council Meeting (OCM) on 22 June 2016. The officer recommendation to approve a total of eight (8) applications for a 12-month Trading in Public Places licence was supported by Council.

*Engagement and Communications*

Contact was made with the operators of eight (8) fixed premises food businesses in both Port and South Hedland to determine whether they object to the operation of mobile food businesses.

Of the eight (8) businesses contacted:

- Four (4) businesses registered no objections on the following grounds
  - Mobile food businesses increase competition and motivate operators of fixed premises food businesses to improve the quality of their product and service
  - Mobile food businesses provide a greater variety of food products for the community
- Four (4) businesses registered objections on the following grounds
  - Mobile food businesses have greater accessibility to public
  - Mobile food businesses have less financial burden in the absence of operating costs, particularly rent, power, rates, water, trade waste permits and costs related to operation and maintenance of grease arrestors
  - Mobile food businesses offer similar products to fixed premises businesses but are able to keep product costs low due to reduced operating costs
  - Mobile food businesses contribute less to employment opportunities in the community by requiring employment of less personnel

During the previous year (2015-2016), six (6) additional business operators were consulted. Four (4) of these operators registered objections that reflect those listed above.

In the past year, two (2) complaints were received regarding the operation of mobile food businesses in Port and South Hedland. The complaints raised issues that reflect those listed above.

**LEGISLATION AND POLICY IMPLICATIONS**

Environmental Health regulation of the operation of mobile food businesses occurs under the *Food Act 2008*, *Food regulations 2009* and the Food Safety Standards Australia.

**FINANCIAL IMPLICATIONS**

Annual licensing fees for mobile food businesses currently consist of \$59.00 application fee and \$1,260.00 registration fee under the 2016-2017 Budget. If the Council approves the applications detailed in this report, annual operation of Category 3 Medium Risk Food Premises (Food Preparation) may be expected to generate an income of \$11,871.00 for the Town.

**STRATEGIC AND RISK IMPLICATIONS***Environmental*

There are no significant identifiable environmental impacts arising from adoption of the officer's recommendation.

*Economic*

There are no significant identifiable economic impacts arising from adoption of the officer's recommendation.

*Social*

There are no significant identifiable social impacts arising from adoption of the officer's recommendation.

*Financial*

There are no significant identifiable financial risks arising from adoption of the officer's recommendation.

*Strategic*

The applications for Trading in Public Places detailed in this report are relevant to sections 1.1 A unified community across our townships, 1.2 A vibrant community rich in diverse cultures, 2.1 A thriving, resilient and diverse economy and 2.2 A nationally significant gateway city and destination of the 2014-2024 Strategic Community Plan. Mobile food vehicles provide additional services to the community, improve accessibility of community members to those services and facilitate the success of community events. However, potential economic impacts upon existing food businesses must also be considered.

*Risk*

There is a risk rating of Low (4) assigned to the risk that Council does not approve all applications for a 12-month Trading in Public Places licence. The ratings according to measures of consequence and likelihood are Minor and Unlikely, respectively.

**OPTIONS***Option 1 - Adopt Officers Recommendation**Option 2 - Amended Officers Recommendation*

That with respect to the Town of Port Hedland Trading in Public Places Policy 13/014, Council:

1. Approve the following Trading in Streets and Public Places applications for renewal of the following Mobile Food Businesses for a period of 12 months (1 July 2017-30 June 2018):
  - a)
  - b)
2. Approve the following new applications for Trading in Streets and Public Places for Mobile Food Businesses for a period of 12 months (1 July 2017-30 June 2018):
  - a)
  - b)

Expected amendment:

The number of mobile food businesses to be approved may be reduced.

*Option 3 – Do not adopt Officers Recommendation*

For Council to choose this option, this would be achieved simply by the vote being lost.

**CONCLUSION**

This report provides recommendations for all Category 3 mobile food businesses that have applied to operate throughout the 2017-2018 financial year. The officer's recommendation is based on compliance of each food business with food safety legislation and supporting regulations.

- 6:07pm Councillor Hooper declared a financial interest in item 12.2.2 'Award of Tender 2017/08 Management of Port Hedland Visitor Centre and Courthouse Gallery, as the Courthouse Gallery occasionally sells Councillor Hooper's paintings. Councillor Hooper left the room.
- 6:07pm Councillor Arif declared a financial interest in item 12.2.2 'Award of Tender 2017/08 Management of Port Hedland Visitor Centre and Courthouse Gallery as Councillor Arif is a paid contractor to conduct tours for visitors at the Port Hedland Visitors Centre and the Visitors Centre sells Councillor Arif's book. Councillor Arif left the room.

### **12.2.2 Award of Tender 2017/08 Management of Port Hedland Visitor Centre and Courthouse Gallery**

File No: 03/09/0008  
Applicant/ Proponent: N/A  
Subject Land/ Locality: N/A  
Date: 9 June 2017  
Author: Ray Davy, Acting Director Development, Sustainability & Lifestyle  
Authorising Officer: David Pentz, Chief Executive Officer  
Disclosure of Interest from Author: Nil  
Authority/Discretion: ☐ Advocacy  
☒ Executive  
☐ Legislative  
☐ Quasi-Judicial  
☐ Information Purposes

Attachments:

1. Tender Evaluation Report for Tender 2017/08 'Management of Port Hedland Visitor Centre and Courthouse Gallery' (Confidential – Under separate cover)

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#### **CM201617/242 OFFICER RECOMMENDATION/ COUNCIL DECISION**

**MOVED: MAYOR BLANCO**

**SECONDED: CR GILLINGHAM**

**That Council award Tender 2017/08 to FORM: building a state of creativity Inc. to the value of \$815,000 (excluding GST) for a period of one (1) year with an option to extend the contract for two further one (1) year periods for the management of the Port Hedland Visitor Centre and Courthouse Gallery, and authorise the Chief Executive Officer to finalise and execute a contract for the services.**

***CARRIED 6/0***

- 6:08pm Councillors Hooper and Arif re-entered the room and resumed their chairs.
-

## EXECUTIVE SUMMARY

Management of the Port Hedland Visitor Centre and Courthouse Gallery has been carried out for the last five years by FORM: building a state of creativity Inc under a contract due to expire on 30 June 2017. Tenders were publicly invited for the management of either or both facilities for an initial one year term with two further one year options. Only one tender was received, from the incumbent managers.

## DETAIL

The existing contract for the management of the Port Hedland Visitors Centre and the Courthouse Gallery will expire on 30 June 2017. Tenders were recently publicly invited for the management of either or both facilities for an initial one year term with two further one year options.

The tender specification noted that the Town is currently engaged in examining the feasibility of developing a new Cultural Centre in the West End precinct, with a preferred location being adjacent to the (previously) proposed Spoilbank Marina. The potential for incorporation of a Visitor Centre and Gallery within the Cultural Centre forms part of that study, and will be subject to an examination of the commercial viability of each facility.

There is no agreed timing for the development of the Cultural Centre, although it is expected to be completed by 2020.

It was also noted that the Town intends to undertake a broad-based strategic review of the arts and culture needs of Port Hedland and the appropriate role of the Council/Town in addressing those needs. It is possible that as an outcome of that review the Town may elect to either reduce or increase its involvement in arts and culture and as a consequence to vary the nature and number of facilities that are owned by the Town.

For these reasons it was not considered appropriate to lock the Town into a long-term management contract for the existing facilities. The intention stated in the tender specification was that the Town will consult with the Company appointed to manage the existing Visitor Information Centre and Courthouse Gallery during the course of the initial term, to review the outcome of these processes. In consideration of the assistance provided by the Manager in this regard, and subject to reaching a mutual agreement on terms for matters such as the transfer of the management contract to the new Cultural Centre (if that project proceeds), or the expansion or reduction of the Town's involvement in arts and culture, the Manager will be granted first rights to an option to continue management of the facilities, including any additional or replacement facilities.

Given the uncertainty surrounding these outcomes, a one year initial term with two further options was considered appropriate to provide the Managers with a degree of certainty while giving the Town the necessary flexibility to respond to changing circumstances. The relevant provision of the tender specification provides as follows:

*"The Town is currently engaged in examining the feasibility of developing a new Cultural Centre in the West End precinct. The potential for incorporation of a Visitor Centre and Gallery within the Cultural Centre forms part of that study, and will be subject to an examination of the commercial viability of each facility. There is no agreed timing for the development of the Cultural Centre, although it is expected to be completed by 2020."*

*The Town is also about to undertake a broad-based strategic review of the arts and culture needs of Port Hedland and the appropriate role of the Council/Town in addressing those needs. It is possible that as an outcome of that review the Town elects to either reduce or increase its involvement in arts and culture and as a consequence to vary the nature and number of facilities that are owned by the Town.*

*During the course of the initial term, the Town will consult with the Contractor to review the outcome of these processes. In consideration of the assistance provided by the Contractor in this regard, and subject to reaching mutual agreement on terms for matters such as transfer of the management contract to the new Cultural Centre (if that project proceeds), or the expansion or reduction of the Town's involvement in arts and culture, the Contractor will be granted first rights to an option to continue management of the facilities, including any additional or replacement facilities".*

This provision provides maximum flexibility for the Town to decide on the future of these facilities without being locked into a contract with FORM (albeit that it will be required in good faith to give FORM the opportunity to manage any new facilities on mutually acceptable terms).

Given the relatively short term of the proposed contract, it was also considered that requiring tenderers to submit detailed operating plans and budgets as part of the tender process would be unduly onerous. Accordingly, tenderers were required only to submit a proposed management fee for each facility, with detailed budgets to be developed in consultation with the Town in the first two months of the contract.

Because the management fee forms only part of the overall financial impact of these facilities, tenders were invited on a "non price weighted" basis, meaning that tenders would be evaluated on the credentials of the tenderers rather than price. In the event, only one tender was received with quoted fees almost identical to the last years of the current contract.

The sole tenderer (FORM) has a good track record of managing the facilities and acceptance of their tender will provide for a seamless transition as at 30 June 2017. A few minor administrative details may need clarification in the process of finalising a new contract, but these will have no direct financial impact on the Town's budget. One matter that will need to be addressed, however, is the role of FORM as the "face" of the Town through the Visitor Centre in particular, and the need for the two organisations to have a unified public face on key issues. By way of example, FORM has been openly critical of the recent Council decision regarding overflow RV parking and ensuring that there is a consistent message on such issues as this will be addressed in the final contract negotiations.

#### *Previous Decisions*

The existing contract for management of the facilities was awarded to FORM for a period of 3 years at the OCM on 22 August 2012 (decision 201213/083) and varied to provide for a further 2 years at the OCM on 24 June 2015 (decision 201415/278).

#### *Engagement and Communications*

The present report has been subject to internal consultation only.

## LEGISLATION AND POLICY IMPLICATIONS

Tenders for the management of these facilities were publicly invited in accordance with section 3.57 of the *Local Government Act 1995*, and part 4, division 2 of the *Local Government (Functions and General) Regulations 1996*.

RFT 2017/08 was conducted in accordance with the following policies: The Town of Port Hedland's Procurement Policy 2/007 and Tender Policy 2/011.

## FINANCIAL IMPLICATIONS

The management fees payable by the Town in the initial term will be:

- Port Hedland Visitor Centre - \$365,000 (currently \$365,000)
- Courthouse Gallery - \$450,000 (currently \$418,130)

## STRATEGIC AND RISK IMPLICATIONS

### *Environmental*

There are no identifiable environmental impacts arising from the officer's recommendation.

### *Economic*

Maintaining an experienced management regime at the Visitor Centre and Courthouse Gallery will contribute positively to the economic development of Port Hedland.

### *Social*

There are no identifiable social impacts arising from the officer's recommendation.

### *Financial*

The management fees are fixed for the initial term only with the Town free to negotiate any variation for the following years if it elects to extend the contract. Any financial risk is therefore considered minimal.

### *Strategic*

This decision aligns with the Town's *Strategic Community Plan 2014-2024*, specifically:

- 2.2 A nationally significant gateway city and destination Success Indicator – Increased tourism opportunities and accommodation offerings.

The project also aligns with Town's *Corporate Business Plan 2014-2018*:

- 2.2.2 Develop our tourism industry, facilitate increased accommodation offerings and position Port Hedland as a unique destination

*Risk*

There is a risk rating of high (15) assigned to the risk that not awarding a contract for the ongoing management of the Visitor Centre will lead to a loss of visitation and visitor expenditure in Port Hedland. A much lower risk rating (4) is assigned to the risk associated with the closure of the Courthouse Gallery should a contract for the ongoing management not be awarded, although this would have significant implications for a smaller number of patrons.

**OPTIONS**

*Option 1 – Adopt Officers Recommendation*

*Option 2 – Do Not Adopt Officers Recommendation*

Reject Officers Recommendation and allow the facilities to close on 30 June 2017 while the future of both is further evaluated.

**CONCLUSION**

The current contract arrangements have served the Town well and there is no reason not to continue those arrangements for a limited period while the Town re-evaluates its overall involvement in arts and culture and considers the potential for development of a new Cultural Centre.

**12.3 Infrastructure and Town Services**

6:09pm Councillor Whitwell declared a financial interest in item 12.3.1 'Award of Tender 2017/06 Cleaning of Town of Port Hedland Facilities' as one of the tenderers is a previous client of his. Councillor Whitwell left the room.

**12.3.1 Award of Tender 2017/06 Cleaning of Town of Port Hedland Facilities**

File No:	05/09/0052
Applicant/ Proponent:	Town of Port Hedland
Subject Land/ Locality:	N/A
Date:	30 May 2017
Author:	Desiree Grossmith, Property Administration Officer
Authorising Officer:	Gerard Sherlock, Director Infrastructure & Town Services
Disclosure of Interest from Author:	Nil
Authority/Discretion:	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Executive <input type="checkbox"/> Legislative <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes

## Attachments:

1. Evaluation Report for Tender 17/06 Cleaning of Town of Port Hedland Facilities (Confidential – Under separate cover)
2. Tender 2017/06 'Cleaning of Town of Port Hedland Facilities' Scope of Works (Under separate cover)

**CM201617/243 OFFICER RECOMMENDATION/ COUNCIL DECISION****MOVED: CR ARIF****SECONDED: CR MELVILLE**

**That with respect to the Town of Port Hedland's facilities, Council award the Tender 2017/06 'Cleaning of Town of Port Hedland Facilities' to Los Tres Cleaning Services Pty Ltd to the value of \$636,960.00 (excluding GST) for a period of two (2) years, with an option of a one (1) year extension, and authorise the Chief Executive Officer to finalise and execute a contract for the services.**

***CARRIED 7/0***

6:10pm Councillor Whitwell re-entered the room and resumed his chair.

**EXECUTIVE SUMMARY**

The purpose of this report is to summarise the assessment of submissions received for Request for Tender (RFT) 2017/06 Cleaning of Town of Port Hedland Facilities.

This tender is for **scheduled** cleaning of thirteen (13) (see attachment 1) Town of Port Hedland (Town) community and Town occupied facilities across Port Hedland, South Hedland, and Wedgefield.

#### DETAIL

The Town of Port Hedland have a total of thirteen (13) areas which require regular scheduled cleaning, including Town occupied buildings and public facilities.

In 2014, the Town went out to tender and under that process the elected members awarded the contract to Los Tres Cleaning for a period of 3 years fixed. The service agreement with Los Tres is due to expire on 8 June 2017.

The Town recently undertook the tendering process in order to comply with the Local Government Act for contract agreements over \$150,000. As a result there were eight (8) submissions received for these works which have been assessed and presented in the attached.

#### *Request for Tender*

The tender document was released on 27 April 2017 and when tender submissions closed on Friday 12 May 2017 there were eight (8) submissions received.

Submissions were received from the companies listed below:

Company Name	Address	ABN
Los Tres Cleaning	2 Harper Street, Port Hedland, WA	50 146 369 495
Damel Cleaning Services	5/5 Warambie Rd, Karratha, WA	79 162 991 193
Delron Cleaning Services	316 Lord St, East Perth, WA	84 008 806 004
Kestrel Cleaning Services & Supplies	6 Manganese Street, Wedgefield, WA	78 099 926 673
Papa Cleaning	22 Lawson St, South Hedland, WA	64 141 318 738
National Cleaning & Gardening Services	8a Weaver Pl, South Hedland, WA	21 973 079 315
Pilbara Cleaning & Gardening Services	39 Somerset Cres, South Hedland, WA	68 345 460 616
Unicorn Cleaning & Gardening Services	59 Stanley St, South Hedland, WA	60 100 511 644

#### *Tender Assessment*

All tender submissions have been evaluated by a panel of four (4) Town employees whose main objectives were:

- (a) Make a recommendation to the CEO, as to the Tenderer that best represents value for money;
- (b) Ensure the tender submissions are assessed fairly in accordance with a predetermined weighting schedule;
- (c) Ensure adherence to Local Government policies and legislation; and
- (d) Ensure that the requirements specified in the Request are evaluated in a way that can be measured and documented.

Evaluation Panel consisted of:

- Property Administration Officer, Voting Member
- Manager Depot Operations, Voting Member
- Director Infrastructure & Town Services, Voting Member
- Governance Administration Officer, Non-Voting Member

Each tender submission was assessed and scored based on the criteria listed below. Regional price preference was taken in to consideration where applicable. Governance & Risk undertook a separate compliance check.

Criteria	(%)
Competitive Price (inclusive of application of Regional Preference Policy)	45%
Recent and Relevant Experience	20%
Tenderers Resources, Key Personnel, Skills and Experience & Capacity to Deliver	20%
Demonstrated Understanding and Work Methodology	15%
	<b>100%</b>

#### *Previous Decisions*

At the Ordinary Council Meeting held on 28 May 2014, Council resolved the following:

#### *“201314/327 RECOMMENDATION/ COUNCIL DECISION*

*MOVED: CR JACOB*

*SECONDED: CR HUNT*

*That Council award Request for Tender 14-01 Cleaning of Town of Port Hedland Facilities (Various) to Los Tres Cleaning Services Pty Ltd for the lump sum annual price of \$299,250.00 (excluding GST) for the period 9 June 2014 to 8 June 2017.*

*CARRIED 7/0”*

#### *Engagement and Communications*

Internal consultation has taken place with staff members whose areas fall under the terms and conditions of the contract outlined in the scope. This was undertaken to ensure a clear understanding of works to be undertaken and to better understand the overall outcome for each area.

Discussions have also taken place with Governance & Risk in relation to compliance and non-compliance related matters.

#### **LEGISLATION AND POLICY IMPLICATIONS**

The Local Government Act and Town of Port Hedland's Procurement Policy were observed when preparing and awarding this tender.

*The Local Government Act (1995) section 3.57 and the Local Government (Functions and General) Regulations 1996 part 4, division 2 provide statutory requirements for the release, assessment, and award of tenders.*

RFT 2017/06 was conducted in accordance with the following policies: The Town of Port Hedland's Procurement Policy 2/007, Tender Policy 2/011, and Regional Price Preference Policy 2/016.

### FINANCIAL IMPLICATIONS

The financial implications represent an operational cost to the Town. The cost for this procurement was estimated at \$342,058 (ex GST) per annum and the appropriate budget has been put forward for consideration in the 2017/18 Operational Budget.

Should the Town wish to vary the contract once the level of service for the organisation has been reviewed and adopted, then this can be done by varying the contract.

### STRATEGIC AND RISK IMPLICATIONS

#### *Environmental*

There are no significant identifiable environmental impacts arising from adoption of the preferred tenderer.

#### *Economic*

There are no significant identifiable economic impacts arising from adoption of the preferred tenderer.

#### *Social*

There are no significant identifiable economic impacts arising from adoption of the preferred tenderer. If in the event the recommendation is rejected, there is a risk that the Town's facilities will not be maintained and cleaned to adequate levels and impact standards and service levels for each of its facilities affected until a new contract is in place.

#### *Financial*

There are no apparent financial risks associated with the item as the scope of works to be undertaken at each facility is clearly documented within the RFT and this information will be clearly laid out in the accompanying contract. Should any financial risks become apparent in the future, the contract can be varied to address these risks.

#### *Strategic*

Within Section 3.1 Sustainable services and infrastructure of the 2014 – 2024 Strategic Community Plan (SCP) we aim to facilitate the delivery of high quality and enduring built and natural environment, and develop and maintain our infrastructure to ensure the long-term sustainability of our built and natural environment.

Effective cleaning services across Town facilities aligns with the current SCP.

#### *Risk*

There is a risk rating of Low (4) assigned to the risk that there could be minor first aid injuries to cleaning staff for the duration of the tender contract which would have a minor consequences and unlikely likelihood, not affecting day to day operations of the contract.

## OPTIONS

*Option 1 – Adopt Officers Recommendation*

*Option 2 – Do not adopt Officers Recommendation*

That Council does not award RFT 2017-06 to the preferred tenderer and instead opts to call individual quotations and tenders for specific cleaning services. This option is not supported by Officers due to the volume of administrative effort this would require and the potential to have higher costs through smaller purchases.

## CONCLUSION

Town Officers recommend the awarding of RFT 2017-06 to the preferred tenderer indicated in the Tender Evaluation Report as they have met and exceeded all selection criteria requirements and also represent best value for money for the Town of Port Hedland.

Should the Town wish to vary the contract once the level of service for the organisation has been reviewed and adopted, then this can be done by varying the contract.

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**Item 13 Reports of Committees**

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Nil

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**Item 14 Motions of Which Previous Notice Has Been Given**

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Nil

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**Item 15 New Business of an Urgent Nature**

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**15.1 Section 40 Certificate Application for Gateway Village**

*Note\* Item 15.1 'Section 40 Certificate Application for Gateway Village' was removed from the agenda.*

**15.2 Short Term Recreation Vehicle Accommodation at Port Hedland Racecourse**

File No: 08/02/0050  
Applicant/ Proponent: N/A  
Subject Land/ Locality: Lot 2052 McGregor Street Port Hedland  
Date: 13 June 2017  
Author: Megan Cocciardi, Administration Officer  
Authorising Officer: Robert Leeds, Director Development Sustainability & Lifestyle  
Disclosure of Interest from Nil  
Author:  
Authority/Discretion: ☐ Advocacy  
☒ Executive  
☐ Legislative  
☐ Quasi-Judicial  
☐ Information Purposes

Attachments:

1. Correspondence received from the Visitors Centre relating to the RV Camping area and complaints from RV tourists (Confidential – Under separate cover)
2. Correspondence from Black Rock Caravan Park (Confidential – Under separate cover)

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**CM201617/244 OFFICER RECOMMENDATION/ COUNCIL DECISION****MOVED: CR ARIF****SECONDED: CR GILLINGHAM****That with respect to the RV Overflow Camping at the Port Hedland Turf Club, Council:**

1. **Open the RV Overflow Camping at the Port Hedland Turf Club from 5 July 2017;**
2. **Continue to offer the overflow camping for free, with RV tourists being allowed to stay for no longer than 3 nights in line with decision CM201617/192 made on 26 April 2017 at the Ordinary Council Meeting; and**

3. **Re-evaluate the program at the end of the 2017 season and undertake further consultation with relevant stakeholders ahead of any further extension of the program.**

***CARRIED 8/0***

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## EXECUTIVE SUMMARY

At the 26 April 2017 Ordinary Council Meeting council increased the minimum occupancy threshold required in the caravan parks from 50% to 75%, to open the Recreational Vehicle (RV) Overflow Camping at the Port Hedland Turf club (decision 201617/192). As a result, the RV Overflow has not yet opened this season. The Town has received resoundingly negative feedback from tourists during the season, with many by-passing Port Hedland altogether and identifying the lack of cheap camping as the reason. This feedback has raised concerns surrounding the ongoing reputation of both the Town of Port Hedland, and Port Hedland as a tourism destination, prompting officers to recommend opening the overflow for the rest of the season.

## DETAIL

At the 26 April 2017 Ordinary Council Meeting (decision 201617/192), Council agreed to the recommendation to remove the \$10 camping fee for the 2017 season and open the area at such time as the three caravan parks in the Town of Port Hedland district reach 75% occupancy but otherwise in accordance with the conditions set out in part 3 of Council Decision 201516/185. This decision was based on a need to support the local established caravan park businesses.

As a result of the overflow camping not yet being open, the Town has received significant negative feedback from individual tourists and the Visitors Centre. This is impacting the town's reputation amongst tourists with many by-passing Port Hedland for other areas with free or reduced price camping. Feedback suggests that if the RV Overflow area was open, they would have made a point of stopping in town. Furthermore, some travellers have become disgruntled when told they would have to stay in a caravan park, given the previous availability of the overflow camping.

The change from 50% occupancy to 75% occupancy has not impacted the ability to open the RV Overflow as Black Rock has only reached 50% once to date and has averaged 39% for the season, with the Landing reaching a maximum of just 30% occupancy to date.

Black Rock Tourist Park are concerned opening the overflow will have a detrimental impact on their business as this has been a quiet and late season so opening free camping may limit the number of vans staying at Black Rock even further. In the 2016 Season, 68% of the RV tourists surveyed were planning to come to Port Hedland irrespective of the RV Overflow Camping, and therefore could have stayed in the caravan parks, however an alternative low cost option was available. Feedback suggests that opening the overflow will increase the overall number of RVs stopping in the Town, however it is difficult to gauge how many people will elect not to use the commercial parks, who otherwise would have, if the overflow opens.

Opening the RV overflow camping area for the rest of the season will help to mitigate any further reputational damage to the local tourist industry and help to protect future tourist seasons. This is a short term measure only and officers will need to bring all stakeholders together at the completion of the season to determine a sustainable way forward for future seasons. This work will need to be completed prior to the end of the calendar year in order to enable effective and early communication to campers which did not occur this year and has exacerbated the negative feedback.

#### *Engagement and Communications*

A request for comment was sent to the Discovery Parks, Black Rock Tourist Park and the Landing, however only Black Rock have responded to date.

The Visitors Centre has provided significant correspondence raising their concerns regarding the RV Overflow not being opened.

### LEGISLATION AND POLICY IMPLICATIONS

Under the *Caravan Parks and Camping Grounds Regulations 1997*, camping may generally be approved for no more than 3 nights although the Chief Executive Officer has delegation to allow more than three nights (capped at three months) under Part 2, Reg 11 (2) (a).

### FINANCIAL IMPLICATIONS

There are no significant identifiable financial impacts to the Town arising from adoption of the officer's recommendation.

### STRATEGIC AND RISK IMPLICATIONS

#### *Environmental*

There are no significant identifiable environmental impacts arising from adoption of the officer's recommendation.

#### *Economic*

The increased number of tourists entering the Town will directly lead to a greater spend on local businesses. However the principal outlet for expenditure by RV tourists is at the nearby national chain supermarket which limits the local economic benefit generated. There is no hard data that indicates what percentage of users of the facility would only visit Port Hedland if this low cost facility were provided.

#### *Social*

The town's reputation amongst the tourists would improve, which should ensure a greater number of tourists coming through the town, this season and into the future.

#### *Strategic*

This project aligns with the Town's Strategic Community Plan 2014-2024, specifically:

"2.2 A nationally significant gateway city and destination Success Indicator – Increased tourism opportunities and accommodation offerings".

The project also aligns with Town's Corporate Business Plan 2014-2018:

"2.1.3 Work closely with businesses, government and industry groups to drive local employment and investment, encourage entrepreneurship and achieve sustainable economic growth".

"2.2.2 Develop our tourism industry, facilitate increased accommodation offerings and position Port Hedland as a unique destination".

### *Risk*

There is a risk rating of Medium (9) assigned to the risk that not opening the RV Overflow Camping area will cause a major risk to both the Town's and Port Hedland's reputation.

### **OPTIONS**

*Option 1 - Adopt Officers Recommendation*

*Option 2 - Amended Officers Recommendation*

1. Reduce the minimum occupancy rate at the caravan parks from 75% to 50%
2. Continue to offer the overflow camping for free once the minimum occupancy rate is met, with tourists being allowed to stay for no longer than 3 nights
3. Re-evaluate the program at the end of the 2017 season and undertake further consultation with relevant stakeholders ahead of any further extension of the program.

*Option 3 – Do not adopt Officers Recommendation*

Reinforce the position taken by council during the 26 April 2017 OCM to allow the RV Overflow camping to open at such time as the three caravan parks in the Town of Port Hedland district reach 75% occupancy.

### **CONCLUSION**

The Town has received significant feedback advising tourists were by-passing Port Hedland and moving onto other camping sites in the region. This represents lost income for local businesses, and a significant loss to the reputation of Port Hedland. Opening the RV Overflow, will enable positive promotion of the Town while a long-term evidence based policy for overflow camping can be determined.

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**Item 16 Matters for Which Meeting May Be Closed (Confidential Matters)**

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**CM201617/245 COUNCIL DECISION****MOVED: CR MELVILLE****SECONDED: CR TAVO**

**That Council close the meeting to members of the public as prescribed in section 5.23(2) of the Local Government Act 1995.**

***CARRIED 8/0***

6:12pm The Mayor advised that the meeting is now closed to the public.

**16.1 Variation to Award of Tender 2016/05 Construction of Pinga Street Upgrade – Stage 2****CM201617/246 OFFICER RECOMMENDATION/ COUNCIL DECISION****MOVED: CR MELVILLE****SECONDED: CR TAVO**

**That with respect to the Contract 2016-05: Construction of Pinga Street Upgrade – Stage 2, Council:**

- 1. Amend the 2016-17 Budget or make allowance in the 2017-18 Budget for the additional works undertaken as part of the Construction of Pinga Street Upgrade – Stage 2 to include \$1,497,752.96.**
- 2. Approve the additional funds of \$1,497,752.96 for the Tender 2016-05 Construction of Pinga Street Upgrade – Stage 2 Agreement.**

***CARRIED BY ABSOLUTE MAJORITY 8/0*****CM201617/247 COUNCIL DECISION****MOVED: CR GILLINGHAM****SECONDED: CR MELVILLE**

**That Council open the meeting to members of the public.**

***CARRIED 8/0***

6:14pm The Mayor advised that the meeting is now open to the public and advised the members of public of Council's decision made behind closed doors.

**Item 17 Closure**

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**17.1 Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday 26 July 2017, commencing at 5:30pm, with the Public Agenda Briefing being held on Wednesday 19 July 2017, commencing at 5:30pm.

**17.2 Closure**

There being no further business, the Mayor declared the meeting closed at 6:15pm.