



MISSION AND VALUES OF COUNCIL

"A Sustainable Community that is inclusive, attractive, healthy and pleasant to live in, that uses our land so as to preserve our history and environment, respects the rights and equality of our citizens and manages our future growth wisely."

AGENDA

FOR THE

ORDINARY MEETING OF COUNCIL

18 DECEMBER 2014

OUR VISION

"A thriving and friendly community that recognises our history and embraces cultural diversity and economic opportunity, whilst nurturing our unique natural and built environment."

OUR MISSION

"To deliver affordable and quality Local Government services."

CORE VALUES OF THE SHIRE

The core values that underpin the achievement of the mission will be based on a strong customer service focus and a positive attitude:

Communication

Integrity

Respect

Innovation

Transparency

Courtesy

DISCLAIMER

The purpose of Council Meetings is to discuss, and where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the Local Government Act 1995 (Section 5.25 (e)) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person. The Shire of Broome expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.

Councillor		Cr G Campbell	Cr J Bloom	Cr H Tracey	Cr D Male	Cr M Manado	Cr C Mitchell	Cr A Poelina	Cr M Lewis	Cr P Matsumoto
2013	21 November									LOA
	19 December									
2014	27 February							LOA		
	27 March – No quorum	A		LOA		LOA		LOA	NA	NA
	31 March			LOA						
	24 April								A	
	22 May		LOA	LOA				LOA		LOA
	26 June									LOA
	24 July							LOA	A	
	28 August						LOA			
	25 September					A			A	
	23 October		Resigned 16/10/14					LOA	A	
	27 November									
	18 December									
2015	26 February									
	26 March									
	30 April									
	28 May									
	25 June									
	30 July									
	27 August									
	24 September									
	15 October									

- LOA (Leave of Absence)
- NA (Non Attendance)
- A (Apologies)

2.25. Disqualification for failure to attend meetings

- (1) A council may, by resolution, grant leave of absence, to a member.
- (2) Leave is not to be granted to a member in respect of more than 6 consecutive ordinary meetings of the council without the approval of the Minister, unless all of the meetings are within a period of 3 months.
- (3A) Leave is not to be granted in respect of —
 - (a) a meeting that has concluded; or
 - (b) the part of a meeting before the granting of leave.
- (3) The granting of the leave, or refusal to grant the leave and reasons for that refusal, is to be recorded in the minutes of the meeting.
- (4) A member who is absent, without obtaining leave of the council, throughout 3 consecutive ordinary meetings of the council is disqualified from

continuing his or her membership of the council, unless all of the meetings are within a 2 month period.

- (5A) *If a council holds 3 or more ordinary meetings within a 2 month period, and a member is absent without leave throughout each of those meetings, the member is disqualified if he or she is absent without leave throughout the ordinary meeting of the council immediately following the end of that period.*
- (5) *The non-attendance of a member at the time and place appointed for an ordinary meeting of the council does not constitute absence from an ordinary meeting of the council —*
- (a) if no meeting of the council at which a quorum is present is actually held on that day; or*
 - (b) if the non-attendance occurs —*
 - (i) while the member has ceased to act as a member after written notice has been given to the member under section 2.27(3) and before written notice has been given to the member under section 2.27(5); or*
 - (ii) while proceedings in connection with the disqualification of the member have been commenced and are pending; or*
 - (iiia) while the member is suspended under section 5.117(1)(a)(iv); or*
 - (iii) while the election of the member is disputed and proceedings relating to the disputed election have been commenced and are pending.*
- (6) *A member who before the commencement of the Local Government Amendment Act 2009 section 5¹ was granted leave during an ordinary meeting of the council from which the member was absent is to be taken to have first obtained leave for the remainder of that meeting.*

[Section 2.25 amended by No. 49 of 2004 s. 19(1); No. 17 of 2009 s. 5.]

SHIRE OF BROOME
ORDINARY MEETING OF COUNCIL
THURSDAY 18 DECEMBER 2014
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NOTICE OF MEETING

Dear Council Member,

The next Ordinary Meeting of the Shire of Broome will be held on Thursday, 18 December 2014 in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 5.00pm.

Regards

A handwritten signature in blue ink, appearing to be 'K R Donohoe', with a stylized flourish at the end.

K R DONOHOE
Chief Executive Officer

5/12/2014

1. OFFICIAL OPENING

2. ATTENDANCE AND APOLOGIES

Attendance:

Leave of Absence:

Apologies:

Officers:

Public Gallery:

3. DECLARATIONS OF FINANCIAL INTEREST / IMPARTIALITY

FINANCIAL INTEREST			
Councillor	Item No	Item	Nature of Interest

IMPARTIALITY			
Councillor	Item No	Item	Nature of Interest

4. PUBLIC QUESTION TIME

The following questions were submitted prior to the Ordinary Meeting of Council 27 November 2014 by Sean Salmon.

Question 3: Other Shires in WA, such as Karratha and Busselton, when considering Airport Development Plans and their consequences, utilise current ANEF Australian Noise Exposure Forecasts (ANEF), Australian Noise Exposure Index, N70 contours (number of events of 70 decibels) or greater, N60 contours, independent noise assessments and referrals to the EPA for noise assessment. Considering the relocation of the Broome airport and airport noise has been a long standing issue for the Broome community, why has the Broome Shire not collected and utilized such information or referrals with regards to the Broome airport and can they do so for future planning?

Answer provided by Director Development Services

This question will be taken on notice

Officers have been investigating a response to this matter and once completed the answer will be presented in the February 2015 Agenda.

The following questions were submitted prior to the Ordinary Meeting of Council 27 November 2014 by Louise Middleton.

Question 3 On the 23 January 2014, the KJDAP/4 met in the Shire of Broome Council Chambers to hear Mi Australia development application for a Drilling Fluids Facility and

bulk chemical storage and toxic wastes on the foreshore of Roebuck Bay, at the Broome Port.

Condition 5 of that approval required a legal agreement between Mi Australia, the Shire of Broome and the Broome Port Authority that detailed appropriate penalties in the event that the storm water drainage system fails.

When was that legal agreement signed and what are the details of the appropriate penalties?

Condition 11 was that prior to occupation of the development MI Australia was to make a \$125,00 contribution to the Shire of Broome in accordance with the Local Planning Policy 8.20 – Provisions of Public Art.

When did the Shire of Broome receive this payment and how is the Shire planning to utilise these funds for Public Art?

Answer provided by Director Development Services

This question will be taken on notice

Officers have been investigating a response to these questions and once completed the answers will be presented in the February 2015 Agenda.

The following questions were submitted at the Ordinary Meeting of Council 27 November 2014 by Anne Poelina.

As a clarification as a citizen of Broome and a ratepayer of Broome. I would like to know whether all attachments can be minuted and recorded?

For the purpose of the minutes, in accordance with Regulation 11 of the Local Government (Administration) Regulations 1996 a summary of each question raised by members of the public at the meeting will be recorded.

Question 1: In relation to the public, the constituents of the Shire of Broome. Why are they here tonight as constituents of our Shire? Are they coming because they believe the Shire of Broome is their democratic process for advocating to promote well being and the well being of your family and community, where ever your community may be in the Shire of Broome?

In accordance with Regulation 7(1)(a) of the Local Government (Admin) Regulations 1996, the Presiding member advised that questions should be directed to the Council.

Question 2: The following questions are directed to the Premier, Colin Barnett, the Honourable Minister for State Development.

Why do you still want to pursue Walmadany James Price Point as an Industrial Precinct?

Why is the Premier creating new planning reform policy and legislation to excise the land from the Broome Shire Council and further more who will be responsible for the regulation of any environmental impacts relating to human health and the environment, particularly to water, air movement and air pollution proposed by any developers to this Industrial development?

Who will be legally liable for any cultural and or environmental impacts to the Walmadany, James Price Point Precinct?

Could the investment being directed to the “New EPA Assessment Team to reassess the State Strategic Assessment for Walmadany James Price Point be better directed to some innovation, science and better practice in keeping Aboriginal people and their families in their communities on country within the Shire of Broome?

Officers have been investigating a response to these questions and once completed the answers will be presented in the February 2015 Agenda.

5. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on 27 November 2014 be confirmed as a true and accurate record of that meeting.

6. ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION

7. PETITIONS

8. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

The Chief Executive Officer advises that there are matters for discussion on the agenda for which the meeting may be closed, in accordance with section 5.23(2) of the Local Government Act 1995.

Recommendation

That the following Agenda items be considered under 14. Matters Behind Closed Doors, in accordance with section 5.23(2) of the Local Government Act 1995, as specified:

9.1.2 NORTH WEST EXPO UPDATED REQUEST - VENUE LICENCE, SPONSORSHIP AGREEMENT AND BANK OVERDRAFT GUARANTEE

Item 9.1.2 and any attachments are confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains “a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government”, and section 5.23(2)((e)(iii)) as it contains “a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government”.

9.3.1 RATES REVIEW 2014/15

This attachment is confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)(b) as it contains “the personal affairs of any person”.

9.3.2 This attachment is confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)(c) as it contains “a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting”.

9.

**REPORTS
OF
OFFICERS**

9.1

OUR PEOPLE



PRIORITY STATEMENT

Embracing our cultural diversity and the relationship between our unique heritage and people, we aim to work in partnership with the community to provide relevant, quality services and infrastructure that meet the needs and aspirations of our community and those visiting and doing business in our region.

Supporting and contributing to the well-being and safety of our community is paramount, as is our focus on community engagement and participation.

Council aims to build safe, strong and resilient communities with access to services, infrastructure and opportunities that will result in an increase in active civic participation, a reduction in anti-social behaviour and improved social cohesion.

9.1.1 AUSTRALIA DAY CELEBRATIONS 2015

LOCATION/ADDRESS:	Town Beach Reserve, Pioneer Park
APPLICANT:	Nil
FILE:	REE21
AUTHOR:	Manager Community Development
CONTRIBUTOR/S:	Events Coordinator
RESPONSIBLE OFFICER:	Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	2 December 2014

SUMMARY: This report seeks Council's direction regarding Australia Day celebrations in 2015 in light of Buru Energy declining to sponsor the event and further sponsorship not forthcoming. Officers are recommending that the Shire stages the Australia Day Fireworks and Family Celebration with the shortfall sourced from organisational savings during the second quarter FACR process.

BACKGROUNDPrevious Considerations

OMC 18 December 2012 Item 12.3

In December 2012, after receiving word that the Mangrove Hotel intended *not* to host its annual Australia Day fireworks event, Council resolved to:

1. *Stage an afternoon/evening event on Australia Day that includes;*
 (a) a family concert at Pioneer Park, Town Beach Reserve and Foreshore
 (b) a fireworks display
2. *Include \$30,000 as the Shire's contribution to the event in the second quarter budget review.*
3. *Enter a sponsorship agreement with Buru Energy for the value of \$20,000 to fund the fireworks display associated with the event.*

A highly successful event was staged on 26 January 2013 that attracted approximately 3,000 people and included a smoke and alcohol-free family concert featuring local and visiting artists and local community stallholders, culminating in a 20 minute fireworks display over Roebuck Bay.

A similar event was planned and budgeted for 2014 with the added involvement of local businesses where hospitality providers were encouraged to plan and promote Australia Day activities at their venues, providing additional activation along the Roebuck Bay foreshore area. Inclement weather forced the cancellation of the Family Concert at Town Beach and Pioneer Park in 2014. However the fireworks display went ahead as planned with fireworks fired from the Old Jetty Groyne at Town Beach.

Buru Energy was the principal sponsor of the fireworks display in both 2013 and 2014 and Officers were in discussion with representatives from Buru regarding sponsorship of the 2015 event and the possibility of a multi-year sponsorship agreement to support future events. However, Buru has recently informed Officers that it is unable to provide support for the 2015 event due to the current economic climate.

Officers have subsequently approached a number of potential sponsors including The Prendiville Group, Kimberley Accommodation, Landcorp, Shell and the Commonwealth Bank. Given the timeline for the event and current economic constraints, all have declined.

The report seeks Council's direction with regard to the proposed 2015 Australia Day Family Concert and Fireworks event.

COMMENT

Officers had approached The Mangrove Hotel regarding the possibility of sponsoring this year's event prior to Buru Energy's decision with a view to providing a second firing point for the fireworks from a barge in front of The Mangrove and Moonlight Bay Apartments. However with The Mangrove's owners regretfully declined the invitation. Therefore, should Council agree, fireworks will again be fired from the Old Jetty groyne.

It is proposed that community stallholders are invited to again set up at Pioneer Park but in view of more stringent budget management, it is proposed that rather than the expense of a fully lit stage with performances by visiting artists, expressions of interest are sought from local buskers and roving entertainers to move through the crowds to create a festive atmosphere.

Spirit FM Radio has been approached to broadcast live from the event with amplification proposed to be provided at Pioneer Park.

Risk

In light of the forced cancellation of last year's concert and loss of sponsorship for this year's event, Officers have undertaken a risk assessment of the proposed event for 2015.

Weather

According to the WA Bureau of Meteorology, January has the highest number of days with rain of any month of the year averaging a 40% chance of rain. Last year's event was almost cancelled due to excessive rainfall leading up to the event and on the event day itself; impacting on the comfort and number of spectators attending the event. In addition, inclement weather resulted in risks to operators at the site including structures blowing over and electrical leads being inundated with water. Inclement weather mitigation strategies will have budget implications and/or mean cancellation of the event. Officers seeking quotes for independent 'rain' insurance cover for this event.

Health

The planned use of a barge for firing was abandoned immediately prior to the 2014 event due to tidal issues exacerbated by weather conditions. A secondary location of the Old Jetty was then identified and utilised. Although technically the Old Jetty is a preferred site as it does not have the associated higher risk of firing from a barge, the minimum exclusion zone between firing and spectators is 250m with '0' wind. Variable wind speeds at this time of year may require the exclusion zone to be up to 400m – directly encroaching and reducing spectator seating areas at Town Beach.

Environment

The excessive rain in the days leading up to and on the day of the event in 2014 meant that the heavy vehicle traffic, trailers and foot traffic affected the reserve and restitution was required post event due to damage to the reserve area.

Financial

The cost of the highly successful 2013 event was \$56,911 which included capital works to the value of \$8,776 to adapt the barge provided by Paspaley Pearls to allow firing of the fireworks from the barge. The event cost was offset by \$20,000 sponsorship from Buru Energy.

In 2014, the event cost was \$50,348 which included time and equipment to repair damages to the reserve and hire of the staging, marquees, promotion and the cost of the fireworks. The total was again offset by sponsorship of \$20,000 from Buru Energy.

In 2015, Officers budgeted for \$25,000 in sponsorship and \$25,000 contribution from the Shire. Given the lack of sponsorship forthcoming, Officers seek Council's consideration of increasing the Shire's contribution to fund the fireworks display. Following a Request for Quote, one quotation for the delivery of a 20 minute fireworks display was received for the amount of \$20,000.

Options

Officers suggest the following options for Council's consideration;

Option 1

Given the loss of sponsorship, the associated cost to the Shire and the risk of inclement weather, decline to hold the Australia Day Fireworks and Family celebration in 2015. This means that any dedicated Australia Day activities will be reliant upon individual businesses to organise. While this option would entirely mitigate the financial risk to the Shire, given the positive feedback from the 2013 event, it could be argued that this is a valued community celebration that should be supported by the Shire.

Option 2

In light of Buru's withdrawal and no further sponsorship forthcoming, choose not to present a fireworks display as part of the Shire's Australia Day celebrations. This option provides a family-friendly community event without the expense of a fireworks display however, the effect on the community response to the event is arguable. In addition, the event could still be cancelled in the instance of inclement weather. Officers do not favour this option.

Option 3

Council could choose to contribute an extra \$20,000 and proceed with plans to stage an Australia Day Fireworks and Family celebration at Town Beach and Pioneer Park in 2015. Officers propose that this option be considered as a once-off approval and that future events are dependent upon sponsorship and/or community contributions.

Officer Recommendation

Officers are recommending Option 3 with the extra funds sourced during the second quarter FACR process through organisational savings. Officers propose that negotiations are commenced as soon as possible with potential sponsors for multi-year support of the fireworks component of the Shire's Australia Day celebrations.

Officers are also seeking Council's approval to delegate authority to the Chief Executive Officer to approve the event permit subject to all regulatory requirements being met.

CONSULTATION

The Mangrove Hotel
 Matso's Broome Brewery
 Buru Energy
 Commbank
 Landcorp
 Shell

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

5.1.11 Events

FINANCIAL IMPLICATIONS

The table below outlines the costs for 2013 and 2014 events and the proposed budget for the 2015 event.

Expense	2013 Actual	2014 Actual	2015 Budget
Artist Performance Fees	\$5,996	\$1,879	\$3,500
Artist Travel & Accommodation	\$1,754	\$1,009	
Engineering Operations	\$6,468	\$14,210	\$11,000
Fireworks	\$20,000	\$19,955	\$20,000
Freight	\$801		\$650
Entertainment	\$8,006	\$11,061	\$6,500
Licences/Permits/Venue	\$625		\$625
Miscellaneous	\$9,071		
Promotional Material	\$3,762	\$2,234	\$2,725
Security	\$428	\$0	
Total Cost	\$ 56,911	\$ 50,348	\$ 45,000

Council could consider using a portion of the funds raised from the Tourism Rate Differential to support the increased Shire contribution. However, while it is anticipated that this event will attract visitors from outside Broome, Officers suggest that funds are sourced during the second quarter Financial and Costing Review process through organisational savings.

STRATEGIC IMPLICATIONS**Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:**

Affordable services and initiatives to satisfy community need

Accessible and safe community spaces

Participation in recreational activity

A healthy and safe environment

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

An organisational culture that strives for service excellence

Responsible resource allocation

Effective community engagement

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council:

1. *Notes the withdrawal of a key sponsor for the Australia Day Fireworks and Family Concert and Officers' efforts to seek further sponsorship;*
2. *Requests the Chief Executive Officer to:*
 - a) *stage an Australia Day Fireworks and Family Celebration at Town Beach and Pioneer Park;*
 - b) *source the increased Shire contribution of \$20,000 to fund the fire works during the second quarter FACR process; and*
 - c) *Begin negotiations with potential sponsors as soon as possible regarding future events; and*
3. *Delegates authority to the Chief Executive Officer to approve the Australia Day Fireworks and Family Celebration to be held at the Town Beach Reserve and Pioneer Park on Monday 26 January 2014 from 16:00 to 21:30 subject to all regulatory and policy requirements being met.*

Attachments

Nil

This item and any attachments are confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains “a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government”, and section 5.23(2)((e)(iii)) as it contains “a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government”.

9.1.2 NORTH WEST EXPO UPDATED REQUEST - VENUE LICENCE, SPONSORSHIP AGREEMENT AND BANK OVERDRAFT GUARANTEE

LOCATION/ADDRESS:	Broome Recreation and Aquatic Centre Reserve 42502
APPLICANT:	North West Expo Inc
FILE:	LSS078, REE11, LEG285
AUTHOR:	Manager Community Development
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	3 December 2014

SUMMARY: Following Council's consideration of this matter at the OMC 27 November 2014, North West Expo Inc has provided further information as requested and is now seeking approval to amend the dates of North West Expo for 2015 and future events, continued support for in kind activities and a Shire guarantee of a bank overdraft facility to the value of \$100,000.

This report seeks Council's consideration of these requests in light of the additional information provided. Officers are recommending approval of the change of dates but are proposing that the Shire decline to provide any overdraft guarantee but provide in-kind support only for the 2015 event. Officers are further recommending any future support for 2017 event onwards is considered after the 2015 event together with the provision of audited financial statements.

Attachments

1. Attachment 1 - NW Expo Janyba Strategic Plan 2014 (*Confidential to Councillors and Directors Only*)

This attachment is confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains “a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government”, and section 5.23(2)((e)(iii)) as it contains “a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government”.

2. Attachment 2 - NW Expo Budgets and cashflows.pdf (*Confidential to Councillors and Directors Only*)

This attachment is confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains “a matter that if disclosed, would reveal information that has a commercial value to a person, where the

information is held by, or is about, a person other than the local government”, and section 5.23(2)((e)(iii)) as it contains “a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government”.

3. Attachment 3 NW Expo Projects (Confidential to Councillors and Directors Only)

This attachment is confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains “a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government”, and section 5.23(2)((e)(iii)) as it contains “a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government”.

4. Attachment 4 - NW Expo - Janyba Funding Model.pdf (Confidential to Councillors and Directors Only)

This attachment is confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains “a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government”, and section 5.23(2)((e)(iii)) as it contains “a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government”.

5. Attachment 5 NW Expo - Financials (Confidential to Councillors and Directors Only)

This attachment is confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains “a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government”, and section 5.23(2)((e)(iii)) as it contains “a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government”.

6. Attachment 6 NW Expo - Sponsor support.pdf (Confidential to Councillors and Directors Only)

This attachment is confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains “a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government”, and section 5.23(2)((e)(iii)) as it contains “a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government”.

9.2

OUR PLACE



PRIORITY STATEMENT

The Shire of Broome has an abundance of unique natural features, coastal attractions, significant streetscapes, historic precincts and a mix of old and new urban developments.

Our aim is for all communities and settled areas, including the Broom Township, to be a place where the natural environment, on which life depends, is maintained, whilst at the same time the built environment contributes to the economy and a quality lifestyle for all.

Preserving the Shire's natural environment is a critical community outcome. Council will put into place strategies that nurture and improve the Shire's unique environment and biodiversity.

The Shire will work in partnership with the community and other agencies to ensure responsible and accountable management of both the natural and build environments is achieved in the short term and for future generations.

9.2.1 PROPOSED AMENDMENT TO DJARINDJIN LAYOUT PLAN NO.3

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	ABL02.1
AUTHOR:	Planning Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Manager Planning Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	25 November 2014

SUMMARY: The Department of Planning (DoP) has prepared amendments to the Djarindjin Layout Plan No.3 maps (refer Attachments 1 and 2) and requests the Shire of Broome endorse the amended Layout Plan maps as detailed in Attachments 3 & 4.

The proposed amendments to the Layout Plan maps are presented to Council for consideration.

This report recommends that Council notes the proposed amendments and expresses concern that:

- 1) the Layout Plan as proposed does not achieve adequate separation between Water Source Protection Areas and incompatible land-uses; and
- 2) does not provide consideration for how the intensification of the airport use may impact upon the amenity of residents and the locality.

BACKGROUNDPrevious Considerations

Planning Approval 2014/96 was granted under delegated authority to Djarindjin Aboriginal Corporation (DAC) on 7 August 2014 for 'Extension of Aircraft Apron Areas and Relocation of Buildings' at SL-lot 547, Djarindjin Junction. In considering the proposed upgrades to the Djarindjin-Lombadina airport site, a number of considerations pertinent to the currently proposed amendments were raised including the need to re-locate the currently designated 'future drinking bore' and associated drinking water source protection area to achieve adequate separation from incompatible land-use. A report prepared by consultant hydrologists Global Groundwater, submitted in support of the application approved 7 August 2014, supported the relocation of the bore, (as part of any future amendment to the Layout Plan), approximately 200 meters to the south. Written advice received from the Department of Water 8 August 2014 supporting the relocation of the 'designated future bore' to ensure that the airport and other land-uses within proximity will not compromise the integrity of the 500m buffer for the drinking water source protection area.

Site and Surrounds

The Djarindjin settlement and Djarindjin Junction are located approximately 175kms north of Broome. The proposed amendments relate to the Djarindjin community location as depicted in Attachments 1 & 3 and SL-lot 547 (the airport site) as shown in Attachments 2 & 4.

Description of Proposal

The DoP proposes to amend the Layout Plan as follows:

- a) Extend the boundaries of existing the airport site to the south (refer Attachments 2 & 4).
- b) Re-locate existing SL-Road Reserve connecting D1 Street (refer Attachment 1) to align with existing Djarindjin-Lombadina Road to create a four-way intersection providing separate access to both Djarindjin and Lombadina (refer Attachment 3).
- c) Re-name various streets throughout the Djarindjin settlement (refer Attachment 3).

The amendments to the Layout Plan are being undertaken to:

- a) Increase the area of SL- lot 547 to cater to anticipated growth of airport land-use;
- b) Provide distinct, differentiated road access to both Lombadina and Djarindjin;
- c) Review street names so properties can be identified for emergency services access and provision of services.

COMMENT

State Planning Policy 3.2 (SPP 3.2) requires that layout plans reflect the growth aspirations of communities based on sound planning principles including consideration of known cultural, environmental, and infrastructure constraints and opportunities.

Road Realignment

The proposed amendment to the road reserve alignment and vehicular access arrangements to Djarindjin will provide a clearer delineation of access between the Djarindjin and Lombadina communities.

Airport Expansion – Drinking Water Protection

The Layout Plan proposes to provide for the increased expansion of the airport site to accommodate anticipated future improvements to the airport to service off-shore industry. The amended Layout Plan however, does not account for the need to separate and delineate this land-use from 'drinking water source protection areas'.

Clause 4.15.1 of LPS 6, drinking water source protection areas are to be protected from inappropriate land-uses. The Western Australian Planning Commission's (WAPC) Statement of Planning Policy 2.7 – *Public Drinking Water Source Policy*, refers to the need for drinking water source protection areas to be managed in accordance with the principle of risk avoidance. Under the Public Drinking Water Source Policy, development and land-use within proximity to a water source protection area primarily designated for residential use should be characterised by low-intensity and low-risk land-use. An airport land-use, with ancillary development such as refuelling activities, fuel storage, and mechanical repair, is not considered to be low-intensity, low-risk form of land-use that is compatible with a drinking water source protection area.

It should also be noted that the Layout Plan report acknowledges the intention to re-locate the current 'drinking water source protection area' (shown as SL-lot 503). However,

the 'future settlement water source', (lot 552), will also be compromised by the proposed expansion of the airport land-use. Advice received from consultant hydrologists Global Ground Water and DoW, as part of the development approval 2014/96, supports the relocation of the designated future bore with a view to conserving the integrity of the water source protection area.

DoP has also confirmed that the re-location of the designated 'future bore' and drinking water source protection area is desirable and may be explored as part of a future amendment to the Layout Plan. Officers however recommend that this form part of the current proposed amendments to the Layout Plan, in order to ensure the issues are addressed now as the current proposed amendments will impact on the designated future bore and associated water source protection area.

Airport Expansion – Amenity Impacts

It is anticipated that the growth and development of off-shore resource projects will generate an intensification of the use of the airport. It is expected that increased air traffic, both with respect fixed-wing and helicopters, will increase the potential for noise impacts on the residents of the locality.

Whilst the proposed amendments to the layout plan caters for the expansion of airport land uses, the potential for amenity impacts associated with this expansion and the anticipated intensification of the airport has not been addressed in the proposed amendments to the Layout Plan. Further investigation and consideration for how such impacts may be managed should be included in these proposed amendments to the Layout Plan, and should also be considered in any future amendment to the Lombadina-Djarindjin Aerodrome Master Plan.

Summary

Officers consider there has not been sufficient consideration given to the issues of potential impacts on the amenity and public drinking water areas. As such it is recommended Council notes the proposed amendments and recommends that the following points be incorporated in the Djarindjin Layout Plan:

- a) The Layout Plan should consider a separation and delineation of land-use with consideration for 'drinking water source protection areas' and it is recommended that the amended Layout Plan include a new future location for the settlements drinking water source that is not compromised by surrounding land-uses.
- b) The Layout Plan and background report should provide adequate consideration for how the proposed expansion of SL-lot 547, and anticipated intensification of the airport use, may impact on the future amenity of residents and the locality.

CONSULTATION

DoP has confirmed that consultation with DAC was undertaken in relation to the proposed amendments to the Layout Plan. However, the DoP has not provided evidence that consultation with both the Djarindjin and Lombadina communities has been undertaken in relation to the proposed expansion of the airport use on SL-lot 547 and how the anticipated intensification of the airport use and associated noise may impact on the future amenity of residents and the locality.

It is therefore further recommended that DoP first undertake this consultation with the community prior to making the amendments to the Layout Plan.

STATUTORY ENVIRONMENT

Planning & Development Act 2005

State Planning Policy 3.2 'Planning for Aboriginal Communities' was prepared pursuant to the provisions of Part 3 of the Planning & Development Act 2005.

State Planning Policy 3.2

Objectives

2.1 To provide for the recognition of Aboriginal settlements through local planning schemes and strategies.

2.2 To collaboratively plan for the orderly and coordinated development of Aboriginal settlements.

4.0 Application of the Policy.

4.1 This policy applies to the planning and development of Aboriginal settlements throughout Western Australia.

Layout plans – Preparation

6.1 All Aboriginal settlements are to have an endorsed Layout Plan.

6.2 Layout Plans may be prepared for Aboriginal communities that exhibit special circumstances, such as a native title agreement that confers an undertaking of support by the State for development of a particular place.

6.3 Layout Plans are to be prepared in accordance with this policy and associated guidelines and are to comprise: a) map-set; b) background report, and; c) provisions.

6.4 Layout Plans are to reflect the growth aspirations of the resident community and traditional owners based on sound planning principles including consideration of known cultural, environmental, economic, tenure and infrastructure constraints, opportunities and requirements.

6.5 The Layout Plan map-set is to be based on appropriate spatial data and is to distinguish existing from proposed land uses.

6.6 The background report and provisions are to be prepared in accordance with WAPC specifications, which may be detailed as a guideline prepared under this policy.

6.7 A simplified version of a Layout Plan may be prepared if it is in accordance with a guideline prepared under this policy.

6.8 A drinking water source protection plan is to be prepared for each Aboriginal settlement and is to be incorporated into the Layout Plan.

Consultation

6.9 Consultation is to be undertaken with the resident community, traditional owners, local government and relevant key agencies and stakeholders in the preparation of Layout Plans.

Endorsement

6.11 The WAPC may endorse a Layout Plan if—

(c) the relevant local government has endorsed the Layout Plan, or in the case that the local government has not endorsed the Layout Plan, that the WAPC is satisfied that preparation of the Layout Plan has included appropriate consultation with the local government and that best endeavours were made to secure the endorsement of the local government.

Amendments

6.13 An endorsed Layout Plan may be amended at the request of any interested party, subject to the application of provisions 6.9 to 6.12 of this policy.

6.14 If an amendment is considered to be minor in nature it may be completed without the application of provisions 6.9 to 6.12 of this policy, other than the requirement for endorsement by the WAPC.

6.15 Amendments to layout plans are to be recorded on the map-set.

Interim Development Order No.4.

Application

This Order applies to: Land between the Scheme boundary of Town Planning Scheme No. 4 and extending northwards, eastwards and southwards to the boundaries of the Municipality.

Local Planning Scheme No.6 (to be gazetted)

4.15 Settlement Zone

4.15.1 The objectives of the Settlement Zone are to identify existing and proposed Aboriginal settlements and to plan for the orderly and proper development of those places by:

- (a) requiring preparation and endorsement of a Layout Plan;
- (b) ensuring that development accords with a Layout Plan;
- (c) providing for a mix of land uses typically found in Aboriginal Settlements, including light industrial, tourism, residential, commercial, community, recreation and public utility; protecting sensitive areas, such as No Go areas and drinking water source protection area from inappropriate development; and
- (d) providing for traditional law and culture.

4.42 Development in the Settlement Zone

4.42.1 Site and Development Requirements:

(a) Proposed development is to comply with a Layout Plan prepared in accordance with State Planning Policy 3.2

Shire of Broome Local Planning Strategy (to be gazetted)

Secondary Centres

Secondary Centres are defined as sustainable communities which generally source potable water from their own bore, operate their own generators, utilise septic tanks and have their own waste management facilities. These centres are well connected and can access the goods, services and facilities provided within the principal centre.

Objectives:

To provide settlement service centres to surrounding land uses including rural living, pastoral and tourism.

To provide Secondary Centres supported by appropriate land, infrastructure, facilities and services to meet economic and community needs.

To allow for the expansion of identified Secondary Centres to create sustainable communities.

Strategies:

Plan and facilitate the development of secondary service centres in the settlements of Ardyaloon, Djarindjin/Lombadina, Beagle Bay and Bidyadanga of between 500 - 1,000 people.

Develop a partnership between the Shire and the Department of Planning to consolidate layout plans for identified secondary service centres within this Strategy.

Burrjuk and Budgarjook are not considered to be secondary centres under this strategy, however they may develop into one in the future, and should be considered in a future review of this strategy.

Identify future development areas and development investigation areas that provide for future expansion within secondary centres.

Actions:

Set out a Settlement zone within the local planning scheme and provide relevant provisions for Layout Plans to guide the development within Secondary Centres.

Update Layout Plans for Ardyaloon, Djarindjin/Lombadina and Bidyadanga in accordance with SPP 3.2.

Verify that sufficient residential land is identified within the revised Layout Plans to meet current and longer-term needs of the centres.

Liaise with the Commonwealth and State Government on the bilateral agreement to ensure service provision within Aboriginal communities is financially responsible and sustainable for generations to come.

Assist the WA Planning Commission through the Department of Planning to review the Layout Plans developed for Aboriginal communities as Development Strategies that form part of the Local Planning Strategy.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Effective communication

Affordable services and initiatives to satisfy community need

A healthy and safe environment

Our Place Goal – Help to protect the nature and built environment and cultural heritage of Broome whilst recognising the unique sense of the place:

Realistic and sustainable land use strategies for the Shire within state and national frameworks and in consultation with the community

VOTING REQUIREMENTS

Simple Majority

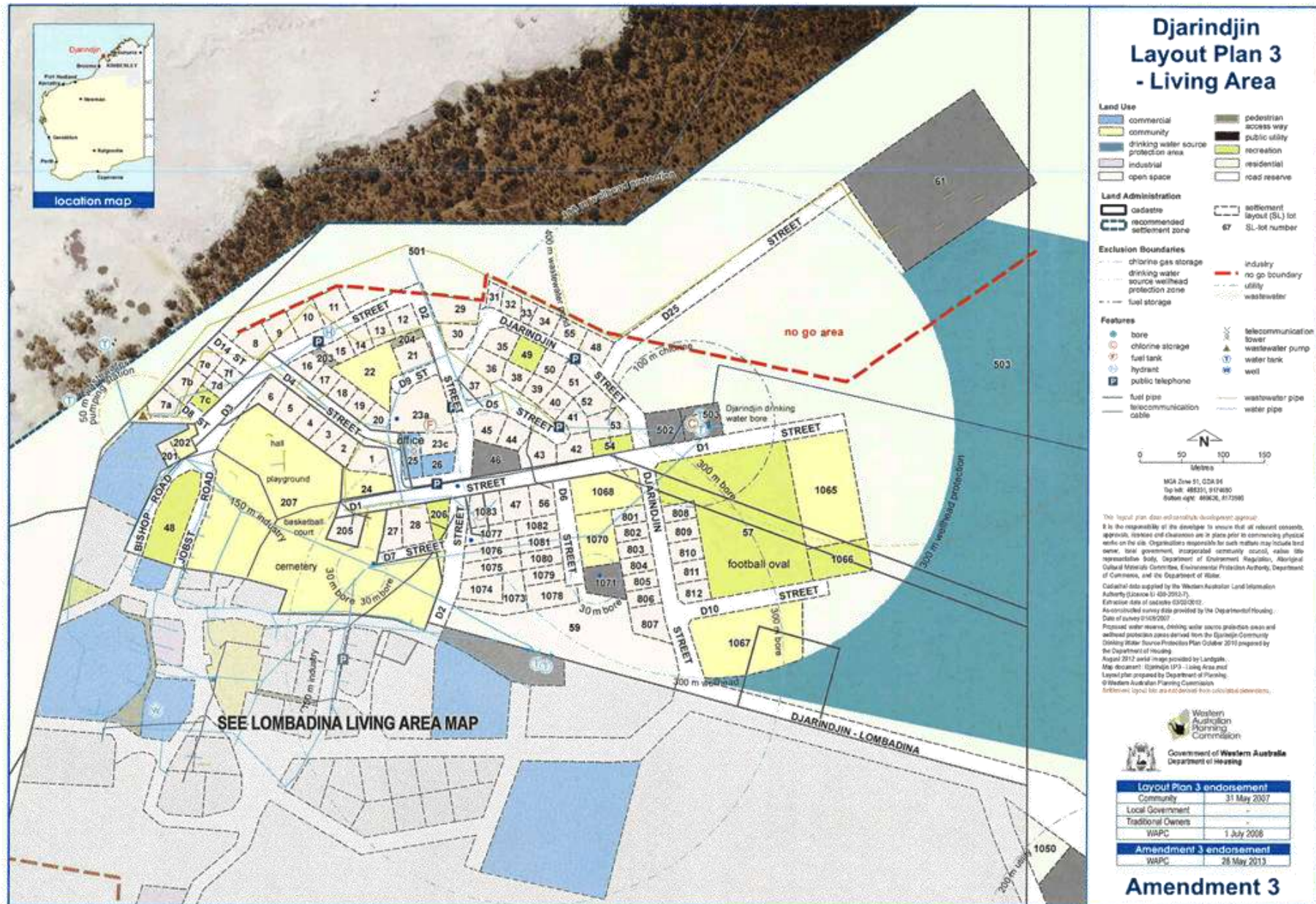
REPORT RECOMMENDATION:

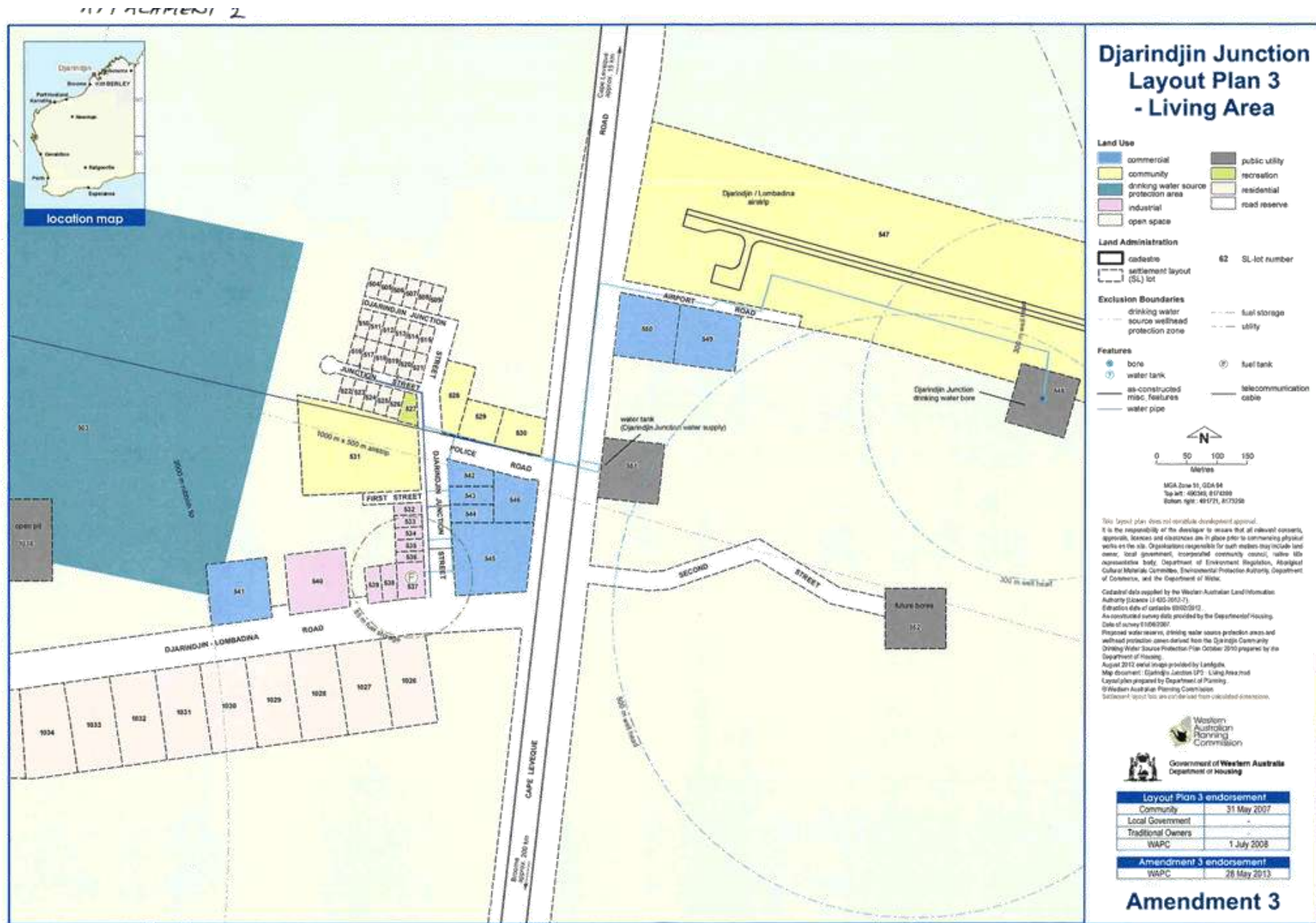
That Council:

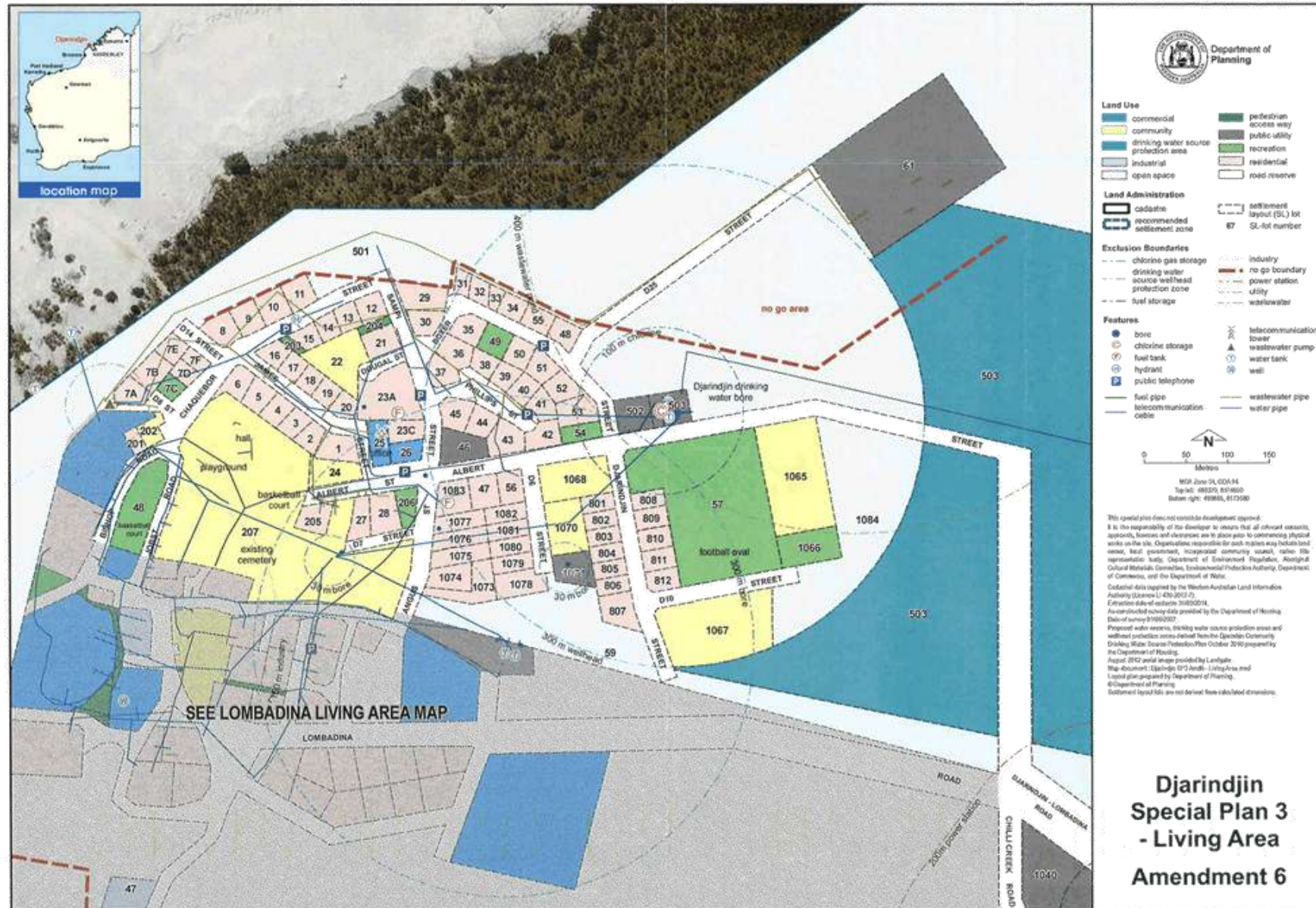
1. *Notes the proposed amendments to the Djarindjin Layout Plan No.3 as detailed in Attachments 3 & 4; and*
2. *Requests the Chief Executive Officer to write to the Department of Planning recommending that the following matters be adequately addressed in the preparation of the amendments to the Layout Plan:*
 - a) *Adequate separation and delineation of land-use with consideration for 'drinking water source protection areas';*
 - b) *Adequate consideration for how the proposed expansion of SL-lot 547, and anticipated intensification of the airport use, may impact on the future amenity of residents and the locality; and*
 - c) *that the communities of both Lombadina and Djarindjin be consulted with regards to these proposed amendments and potential impacts.*

Attachments

1. Attachments 1, 2, 3 & 4







ATTACHMENT 4



9.2.2 PETITION REQUESTING SHARED PATHWAY INSTALLATION ON PEMBROKE ROAD AND DICKSON DRIVE

LOCATION/ADDRESS:	Pembroke Road and Dickson Drive
APPLICANT:	Nil
FILE:	ENG04
AUTHOR:	Director of Engineering Services
CONTRIBUTOR/S:	Director Corporate Services
RESPONSIBLE OFFICER:	Director of Engineering Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	3 December 2014

SUMMARY: At the Ordinary Meeting of Council on 27 November 2014, Joe Hogan on behalf of local ratepayers and residents of Broome presented a petition to request that the Shire of Broome construct cycle paths along Pembroke Road and Dickson Drive.

This report recommends that the nominated pathways be considered for inclusion in the Shire of Broome's 10 Year Capital Works Program for Pathways.

BACKGROUND

Previous Considerations

NIL

At the Ordinary Meeting of Council on 27 November 2014, Joe Hogan on behalf of local ratepayers and residents of Broome presented a petition to request that the Shire of Broome complete dual use paths along the length of Pembroke Road and Dickson Drive.

The Petition reads as follows:

We the undersigned local ratepayers and residents of Broome Shire, request that the Broome Shire Council complete a cycle-path down the length of Pembroke Road to Clementson Street and from Germanus Kent down Dickson Drive to Pembroke Road. These paths are required for the following reasons:

- *Provide a safe means of travel for local residents and tourists, (pedestrians and cyclists), especially at night.*
- *Encourage local ratepayers and their families, to maintain an active healthy lifestyle, (cycling and walking etc)*
- *Offering an alternative for Germanus Kent staff and residents, Kimberley Land Council employees, dance studio patrons and other small business's in Pembroke Road and Dixon Drive ie. Walk and cycle rather than take car or bus.*
- *Assist all families in making Pembroke Road and Dickson Drive more in line with other streets in Broome that currently have pathways.*
- *Give children and staff at Catherine House (Babagarra Nyirwa) an access for prams, bikes, scooters etc. When going out to places such as Demco and Town Beach.*

Mr Hogan first contacted Council on this matter via the customer feedback form in early May 2014 with the following response provided by Shire Officers on 16 May 2014 by email.

Thank you for your recent footpath request via the Shire of Broome customer feedback form for new footpaths on:

Pembroke Street (Orr Street to Clementson Street)

Dickson Drive (Germanus Kent to Pembroke Street)

In response to your enquiry the following is offered:

All new subdivisional areas within the Shire of Broome are provided with footpaths paid for by the developer to Liveable Neighbourhoods planning guidelines. Unfortunately the Shire has many older subdivisions that were never provided with pathways and the small amount of available funds for footpath construction needs to be carried out on a priority basis, with priority for higher order paths that attract external funding from the State Government being at the top of the list.

The Shire of Broome has both a Five Year Footpath Plan and a longer term 10 Year Footpath Capital works plan that nominate all historical priority footpaths requiring installation as either new, renewal or upgrade and estimates for these paths have been including in the long term financial plan modelling.

The paths that you have requested are currently not on either of these plans and have not been requested or highlighted in the past. In saying that the plan is reviewed annually and the majority of the paths requested will be reviewed to be included at some time in the future, except the section of path on Pembroke Street from Dickson Drive to Clementson Street which will be installed by the developer as part of the adjacent future subdivision.

It must however be pointed out that the 10 Year Footpath Plan is already fully allocated and it would be some years off before Council could consider these paths for a formal budget allocation.

COMMENT

A review of the signed petitioners indicates that out of the 101 signatures, 39 are electors of the Shire of Broome. This report presents the petition to Council for its consideration.

The Shire of Broome has a 10 Year Capital Works Program for Pathways which nominates priority pathways for construction. Historically this Program been compiled focusing on pathways in high pedestrian traffic areas which would be eligible for grant funding and as per residents complaints/requests for pathways on less pedestrian trafficked streets. It should be noted that any proposed additions to the Program will require additional funding or alternatively, deferment of existing identified priorities.

There is currently no shortage of pathway candidates for both external and internal funded pathway projects, as a large proportion of the town was previously developed without any pathways being installed. This adds to the financial burden on the Shire in constructing these new paths, as well as allowing for future renewal works on existing paths.

The Regional Bicycle Network (RBN) Grant Scheme provides funding of up to 50% of pathway project costs. The RBN Grant Scheme selection criteria are as follows:-

- Connections to schools or education facilities.
- Attractions for tourist cycling.
- Connections to other regional pathway networks.
- Continuation of existing RBN Scheme pathways such as Guy Street Stage 3.
- It would solve an existing regional route that has non complaint pathway or serious safety concerns.

The pathways identified in the petition are discussed in detail below:-

Dickson Drive

- Germanus Kent (Aged Care Facility) to Pembroke Road (estimated cost \$40,000).

This pathway would link Pembroke Street to Germanus Kent Aged Care Facility. However, more importantly it would provide a continuous link from the Baba Garra Nyirwa Children's Residential Facility (Catherine House) which is located on the corner of Pembroke St and Dickson Drive to Demco Beach, Town Beach and Fongs Store. This would provide opportunities for the children and staff to walk and ride to nearby amenities.

It is unlikely that this pathway would attract RBN Grant Scheme funding and would need to be fully funded by the Shire.

Officers recommend that this pathways project be considered for inclusion in the 10 Year Capital Works Program for Pathways.

Pembroke Road

- Orr Street to Dickson Street (estimated cost \$70,000).

This pathway would provide a link between Dickson Drive and Orr Street, and would provide access for the residential properties on the eastern side of the Pembroke Road. The pathway would also provide a link north to the local distributor pathways running east/west along Guy Street, and provide access to St Marys Catholic School and BRAC.

This pathway project may be eligible for grant funding under the RBN Grant Scheme.

Officers recommend that this pathways project be considered for inclusion in the 10 Year Capital Works Program for Pathways.

- Dickson Street to Clementson Street (estimated cost \$ 60,000)

The pathway which links Dickson Street to Clementson Street provides a linkage to the existing pathway which runs east/west along Clementson St. This is a useful link, however the pathway should be constructed as part of the development of the Yawuru lot which fronts Pembroke Street. Although timing of the subdivision is more than likely to be some time off, this pathway is not critical and should not be funded by the Shire.

Officers recommend that this pathways project should be funded by developers and should not be considered for inclusion in the 10 Year Capital Works Program for Pathways.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

(1) A Petition, in order to be effective, is to –

- (a) be addressed to the President of the Shire of Broome;
- (b) be made by residents and/or electors of the district;
- (c) state the request on each page of the petition;
- (d) contain the names, addresses and signatures of the residents and/or electors making the request, and the date each resident and/or elector signed;
- (e) contain a summary of the reasons for the request;
- (f) state the name of the person upon whom, and an address at which, notice to the petitioners can be given;

- (g) *be in the form prescribed by the Act and Local Government (Constitution) Regulations 1998 if it is –*
 - (i) *a proposal to change the method of filling the office of President;*
 - (ii) *a submission about changes to wards, the name of a district or ward or the number of councillors for a district or ward.*
 - (h) *not contain any language that is disrespectful to the Council or likely to be defamatory to any person*
- (2) *A member of the Council presenting a petition shall be limited to a statement from the parties from whom it comes, the number of signatures attached to it, the material issues contained in it and to the reading of the preamble to the petition. It shall be incumbent on the member of Council presenting the petition to be familiar with the nature and contents of the petition, and to ascertain that it is in the form prescribed by subclause (1).*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

It is recommended that the Dickson Drive Pathway and the Pembroke Rd Pathway (Orr St to Dickson St) be considered for inclusion in the 10 Year Capital Works Program for Pathways as part of the 2015/16 budget deliberations. These projects will be subject to allocations towards pathway projects within the Long Term Financial Plan and other capital works priorities.

Cost breakdown and funding source for Pathways

Pathway	Estimated Cost	Shire Contribution	Grants/ Developer Contributions
Dickson Drive Pathway - Germanus Kent to Pembroke Road;	\$40,000	\$40,000	0
Pembroke Road Pathway - Orr Street to Dickson Street	\$70,000	\$35,000	\$35,000
Pembroke Road Pathway – Dickson St to Clementson St	\$60,000	0	\$60,000

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Affordable services and initiatives to satisfy community need

Accessible and safe community spaces

Participation in recreational activity

Our Place Goal – Help to protect the nature and built environment and cultural heritage of Broome whilst recognising the unique sense of the place:

Best practice asset management to optimise Shires' infrastructure whilst minimising life cycle costs.

Our Prosperity Goal – Create the means to enable local jobs creation and lifestyle affordability for the current and future population:

Affordable and equitable services and infrastructure

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council:

1. *Requests the Chief Executive Officer as part of the 2015/16 budget deliberations to consider for inclusion into the 10 Year Capital Works Program for Pathways, the following pathway projects (subject to allocations towards pathway projects within the Long Term Financial Plan and other capital works priorities):-*
 - *Dickson Drive Pathway between Germanus Kent (Aged Care) and Pembroke Road*
 - *Pembroke Road Pathway between Orr Street and Dickson Street*
2. *Request the Chief Executive Officer to advise the petitioner of Council's resolution.*

Attachments

1. Petition
2. Pathway Plan

and
101 signatures
confirmed on
the electoral
roll

5.3.14

Broome Shire Council,

To whom it may concern,

Dear Sir/Madam,

At present we have a great network of dual use paths around most of Broome. The newer areas (Roebuck and Broome North) are particularly well serviced as are the major roads such as Cable Beach Road, Frederick and Guy Streets.

However, there are certain streets that seem to have been either forgotten or neglected. For example, the cycle-path to Port runs most of the way but seems to finish abruptly. Similarly, the cycle-path in Old Broome along Dickson Rd runs though to Germanus Kent but doesn't extend through to the end of Dickson Rd. (see attached photos)

Pembroke Road is very much the same. Both these are lacking a full dual-use path that would provide a big benefit to both local people and tourists.

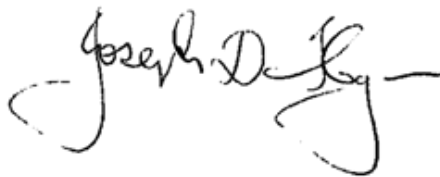
At present construction is also well underway for a new premises on Pembroke St for the Kimberley Land Council. This will also increase the volume of traffic. (see attached photos) . A cyclepath/dual use path would also encourage employees to cycle to work providing better choices for an active lifestyle. Walking and cycling up and down such roads, especially at night, also poses much greater risks. The safety of all is crucial. Especially in relation to the young children and the elderly in our community.

In the interests of local residents, the longer term tourist benefit and especially for safety concerns, a dual use pathway (cyclists and pedestrians) would provide many positives.

The benefits seem obvious so please give due consideration to this proposal in your next budget. Both safety and security are paramount. Besides, we need to do the best we can for both our community and those who come to share it with us.

Yours sincerely,

Joe Hogan
2 Ellies Crt,
Broome, WA 6725



Attached photos
were not
received
C. Secretary 28/11





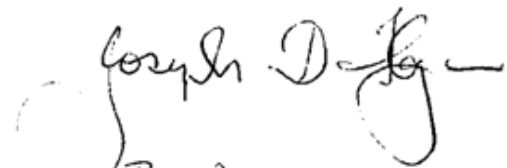
Cycle-paths for Pembroke Road and Dickson Drive.



We the undersigned local ratepayers and residents of Broome Shire, request that Broome Shire Council complete a cycle-path down the length of Pembroke Road to Clementson Street and from Germanus Kent down Dickson Drive to Pembroke Rd. These cycle-paths are required for the following reasons:

- Provide a safe means of travel for local residents and tourists, (pedestrians and cyclists), especially at night.
- Encourage local ratepayers and their families, to maintain an active, healthy lifestyle, (cycling and walking etc).
- Offering an alternative for Germanus Kent staff and residents, Kimberley Land Council employees, dance studio patrons and other small businesses in Pembroke Rd and Dixon Dve, ie; walk or cycle rather than take car or bus.
- Assist all families in making Pembroke Road and Dickson Drive more in line with many other streets in Broome that currently have path-ways,
- Give the children and staff of Catherine House (Babagarra Nyirrwa) an access for prams, bikes, scooters etc when going out to places such as Demco and Town Beach.

Yours sincerely,


PO Box 3314
Broome W.A 67
Ph. 0403947279.

Name	Address	Phone	Signature
Sengul Dillace	27 Hamersley St	X	Sengul Dillace
Evelyn Caputohan	60 Blocher St	X	Evelyn Caputohan
Olivier Tombaeson	21 SAVILLE ST	X	Olivier Tombaeson
MADILYN TORRES	19 BIN SALLIE	✓	MADILYN TORRES
Jane Williams	2 De Marchi St	X	Jane Williams
Sushila Aryal	31/3 Stewart St	X	Sushila Aryal
Nithya Y	No 29, Hoplon Street	?	Nithya Y
Rowena Warburton	7/1 Chavlis Road Cable Beach	X	Rowena Warburton
Asuncion Goy	#3 PALMER RD carat Beach	illegible	Asuncion Goy
Lisa Anderson	8 woods	✓	Lisa Anderson
Joy Ovens	30 Pembroke Rd	X	Joy Ovens
Linda Mitchell	5 Martin Court	✓	Linda Mitchell
YVONNE ISMAEL	50 TAYLOR RD	✓	YVONNE ISMAEL
At Stone			
Zotico Cagulada Jr.	17-21 Saville St, Broome	X	Zotico Cagulada Jr.
Rajinder Kaur	11B HUSSENWAY, BROOME	X	Rajinder Kaur
Gayle Schwarz	Unit 17/6 Ibis Way Broome	✓	Gayle Schwarz
Shumi Oniwara	17-21 Saville Street, Broome	X	Shumi Oniwara
Jo Brabazon	5 Ignatius Court Cable Beach	✓	Jo Brabazon
ETHANNAH WEYMOUTH	8 Millington Rd. CABLE BEACH	✓	ETHANNAH WEYMOUTH
MARIL DEHN	12 TAYLOR RD.	✓	MARIL DEHN
LESLEY CAMPBELL	21 SAVILLE ST	X	LESLEY CAMPBELL
ROSY GABRIEL	29 HOPTON ST.	X	ROSY GABRIEL
L. KELLY	212 Raible St.	X	L. KELLY
Jayne Livaie	3 Solway Ln	X	Jayne Livaie
Rob KIRWAN	20 Napier Tce.	✓	Rob KIRWAN
DEBORAH HERSH	c/o ECU	X	DEBORAH HERSH
Maghan McAnister	c/o Edin Court Uni	X	Maghan McAnister
IRAZOL CHACIK	Lot 36 MARRILL RIK	illegible	IRAZOL CHACIK

Name	Address	Phone	Signature
Andrea Barton	88 Guy St	0435129334	Andrea Barton X
Vivian Dhamija	University of Notre Dame	0450480442	Vivian Dhamija X
Joe Hogan	2 ELLIES CRT, BROOME	0403947279	Joe Hogan X
Tracey Cordingley	5 Rhatigan Pl, Cable Beach	0407380920	Tracey Cordingley
Joyce White	57 Herbert St Broome	91 921 554	Joyce White
Lisa Dore	136 Dora St Broome	0428714166	Lisa Dore X
Julianne Gence	366 Glenister Loop	0426959274	Julianne Gence
Joe Vernon	89 GUY ST	0432619255	Joe Vernon
Amanda Stewart	R.B.C.P	0487952986	Amanda Stewart
Sammy Wilson	18 KOT WAY, BROOME	0450657310	Sammy Wilson
Lana O'Brien	89 Guy St Broome	0437619255	Lana O'Brien
PATRICK SMITH	9 STREETER AVE	0427414422	Patrick Smith
ERSINE AYENBERG	6 Gregory St. Broome	0417947312	Ersine Ayenberg
Ari Gorrington	13 Streeter Ave	91921118	Ari Gorrington
Rebyn Bailey	59 Lorikeet Drive.	0431531842	Rebyn Bailey
Kyle Weatherall	PO Box 1669 Broome WA	0400665524	Kyle Weatherall
LIZZIE PARSONS	PO BOX 1281 BROOME	0419928893	Lizzie Parsons
Jessy Galbraith	1A Norman Street Broome	0487429851	Jessy Galbraith
LICINDA COOK	55 DORA ST.	0407557479	Licinda Cook
Nona Behl	18 BIRCHING CREEK	0499235590	Nona Behl
Charlie Marriott	45 RITA LOOP BROOME	0628228288	Charlie Marriott
CATLIN PILKINGTON	46 ROBINSON ST	0428302938	Catlin Pilkington
Matt Sear	17 Sayonara Pl.	0428579672	Matt Sear
Bec Murphy	PO Box 6168	0488302772	Bec Murphy
Daniel Tribble	PO BOX 1750	0400717896	Daniel Tribble
MURIEL MARTIN	PO Box 5695	0419675670	Muriel Martin
PETER REGAN	PO BOX 3190 BROOME WA	0455589351	Peter Regan

Name	Address	Phone	Signature
ROBERT PAWRIE	36 PEMBROKE RD BROOME 10 PEMBROKE RD BROOME	0429675587	R. Pawrie
Terrence Armes	" "	0408270199	Terrence Armes
BRADEN FERSTL	" "	0412555360	Braden Ferstl
David Winkler	" "	0405070863	David Winkler
Dieksha Sood	" "	0402811055	Dieksha Sood
Jill PAGNOCCHI	" "	0416071828	J. Pagnocchi
MICHAEL CARTER	" "	0429698903	Michael Carter
Lott	" "	0416290626	Lott
Steve Murphy	" "	0409522287	Steve Murphy
Mireille Keegan	" "	0475919391	Mireille Keegan
D. Murphy	15 CRAWFORD CL, CASEB	0403093240	D. Murphy
P. COULSON	20 PEMBROKE ROAD	0438054149	P. Coulson
Lewis Pegler	23 Pembroke Rd	0487980075	L. Pegler
S. SESAR	21 PEMBROKE Rd.		S. Sesar
E. HUNTER	21 PEMBROKE Rd		E. Hunter
S. CARLTON	29 PEMBROKE RD		S. Carlton
M. Valkering	11 Pembroke Rd	0475900913	M. Valkering
R. Dykman	11 Pembroke Rd	0475884170	R. Dykman
H. Murray	9 Owens	0401595583	H. Murray
J. Murray	4 Owens Pl	0448442916	J. Murray

BA-Entwurf

Jo

101 total signatures:

39 confirmed.

7 maybe/ illegible



LEGEND

DESCRIPTION	EXISTING
PATHWAYS	
EXISTING PATHWAY	
PROPOSED PATHWAY CONSTRUCTION COMMENCING:	
14/15	
15/16	
16/17	
17/18	
18/19	
LONG TERM PATH WAY NO FUNDING ALLOCATED OR FUNDING PROPOSED	
PROPOSED SUBDIVISIONS DEVELOP JETTY TO JETTY	
INTEGRATING TRANSPORT	
BUS ROUTE	
BUS STOP	
COACH STOP	
TAXI ZONE	
CAR PARK	
END OF USE FACILITIES PROVIDED BY THE SHIRE	
BICYCLE PARKING RAIL	
PUBLIC TOILETS	
PUBLIC TOILETS WITH ACCESS FOR DISABLED	
PUBLIC SHOWER	
WATER FOUNTAIN	
PICNIC TABLE	
OTHER END OF TRIP FACILITIES	
CAFE / RESTAURANT	
SUPERMARKET	
DELI / MEAT MARKET	
BICYCLE SHOP	
BICYCLE HIRE	
ROAD CROSSINGS	
SCHOOL CROSSINGS	
WALKWAY SCHOOL CROSSINGS	
SCHOOL 40km/h	
REDUCE SPEED ZONES (7.30-9.00 & 2.00-3.30)	
DEEN SENCE	
PARK & PUBLIC ACCESS WAY WITHIN BUILT UP AREAS	
DRAINAGE RESERVE	
BOUNDARY	
EXISTING ROAD RESERVE	
PLANNED ROAD RESERVE / FUTURE ROAD CONCEPT	
LOT BOUNDARY	
CONCEPT BOUNDARY	



SCALE 1:500 • A4

9.3

OUR PROSPERITY



PRIORITY STATEMENT

Our region has grown significantly over the past years in terms of population, economy and industry – this will continue! Balancing ecological sustainability with economic growth and retaining the ‘look and feel’ of Broome and its environs are an ongoing challenge for the region. Encouraging appropriate investment and business development opportunities to ensure a strong, diverse economic base is essential for community prosperity and the success of our future generations.

Focusing on developing clear pathways linking education with employment for our youth and the community at large is essential as we aim to retain our local people and continue to build a skilled and highly motivated workforce.

Business and Industry partnerships must be fostered to ensure sustainable economic growth is achieved, along with the provision of affordable and equitable services and infrastructure. Ensuring development meets community needs and legislative requirements whilst creating close community relationships and enhancing our understanding of local heritage and cultural issues will continue to be a major focus. The built environment must contribute to the economy, long term viability of the region and provide a quality lifestyle for all.

9.3.1 RATES REVIEW 2014/15

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	ARA12
AUTHOR:	Director Corporate Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	17 November 2014

SUMMARY: Council is requested to consider a proposal to phase out rate concessions that have been applied to properties located within the 12 Mile and Coconut Well area, in addition to properties which have a Horticultural Land Use within the Shire of Broome. Further, a Land Use Survey has been conducted within these areas and Council is also requested to consider the progress of a change in basis of valuation methodology for certain properties that have been assessed to be used for predominantly 'non-rural' purposes.

BACKGROUND*Previous Considerations*

At a Special Meeting of Council held on 24 July 2013 proposed differential rates for the 2013/14 financial year were considered by Council and endorsed for advertising. In endorsing the differential rates for advertising, regard was given to advice received from the Department of Local Government and Communities in relation to compliance matters associated with such. Specifically, the differential rating categories and the objects and reasons for each required review and were amended accordingly.

In comparison to the adopted 2012/13 Differential Rates, changes included required amendment to category titles to exclude any reference to a locality. In addition, all objects and reasons were reviewed and amended to improve clarity and justification, resulting in the creation of some new categories. This included the reforming of others to simplify matters and to ensure compliance.

In summary, with regard to Unimproved Value (UV) rating categories, two new categories were proposed, combining a number of former categories:

UV - Rural (The base rate for Unimproved Value) – proposed to contain the following former categories:

- UV-Dampier Coconut Well;
- UV-Dampier Twelve Mile;
- UV-Skuthorpe; and
- UV-Horticulture/Wattle Downs

UV- Commercial Rural – proposed to contain the following former categories:

- UV-Dampier Short Stay Accommodation;

- UV-Dampier Commercial Operations & Pearling; and
- UV-Dampier Pastoral

It is noted that UV – Mining was proposed to remain but, without reference to Dampier.

Further, the only changes proposed to the Gross Rental Value (GRV) differential rating categories were the deletion of reference to Broome as a locality and some variation to the objects and reasons.

Council subsequently resolved the following at the Special Meeting of Council held on 24 July 2013 in regards to the setting of Differential Rates:

COUNCIL RESOLUTION:
(REPORT RECOMMENDATION)

Moved: Cr A Poelina

Seconded: Cr D Male

That Council,

1. **Endorses the following differential rates across all categories and calls for public submissions under Section 6.36 of the Local Government Act 1995.**

DIFFERENTIAL RATE CATEGORY	CENTS IN THE DOLLAR	MINIMUM RATE
Residential (GRV)	8.0653	\$1131
Residential – Vacant (GRV)	14.7494	\$1131
Commercial (GRV)	9.3794	\$1131
Tourism (GRV)	11.7902	\$1131
Mining (UV)	13.2879	\$ 782
Rural (UV)	0.5145	\$1131
Commercial Rural (UV)	2.3729	\$1131

2. **Endorses the following rate concessions for inclusion in the 2013/14 Draft Budget.**

Concession Category	Concession in %
UV rated properties in the locality of Coconut Wells.	48%
UV rated properties in the locality of Twelve Mile.	27%
UV rated properties with a Horticulture recorded land use under Section 6.33 (1)(b) of the Local Governments Act 1995	11%
These concessions do not apply on minimum rates.	

3. **Adopts the objects and reasons for each of the proposed differential rates and minimum payments in 1. Above as detailed in Attachment.**
4. **Authorises the CEO to apply for the Minister's approval for under Section 6.33 of the Local Government Act 1995 to impose differential rates for those rates that are more than twice the lowest differential rate.**
5. **Authorised the Shire President and Chief Executive Officer to prepare and implement a Media/Information Strategy (utilising engagement framework principles) advising of Council's rate review in 2013/14, including notification with**

the Rate Information Brochure.

CARRIED UNANIMOUSLY 5/0

A further Special Meeting of Council was held on 28 August 2013 to consider formal adoption of the 2013/14 Annual Budget. There were no submissions received on the proposed Differential Rates and Council subsequently adopted the Differential Rates for 2013/14 as above.

Following this process, and as per point 5 of the aforementioned Council resolution, comment was provided within the Rates Information Brochure circulated with rates notices advising that a Rates Review would be occurring in 2013/14. As part of this rates review an initial internal Land Use Survey review was conducted of some properties within the Chinatown precinct and tourist areas of Broome. This was deemed necessary due to the change of the objects and reasons specifically in the Residential Differential Rating Category to be 'Land Use' based rather than 'Zoning' based. Properties that were clearly identified as having a residential use were therefore transferred into the GRV Residential category. Further reviews have continued to address this issue and with GRV revaluations due from the Value General's Office it is intended to scrutinise this information upon receipt in April 2015 and adjust any further anomalies that may be identified.

In regards to a broader Rates Review, a number of previous studies that had been undertaken in recent years were reviewed internally and re-presented to Council for consideration as part of the 2014/15 Annual Budget Process. A Council workshop was held on 23 April 2014 providing an overview of the following previously prepared Rates Studies by the consultant from DCA (Dominic Carbone and Associates), Mr Dominic Carbone:

- Tourism Initiative Review
- Change in Basis of Valuation Methodology Study for Coconut Well and 12 Mile

This workshop was attended by Councillors G Campbell, A Poelina, C Mitchell, D Male and former Councillor J Bloom.

Tourism Initiative Review

As further background on the Tourism component, the Shire of Broome, in 2009, undertook a review of the definition and intent of the collection of differential rates for tourism initiatives. Kadar Pearson Partners Pty Ltd (KPP) was appointed to undertake the first stage of the review.

Using stakeholder forums KPP were able to explore:

- i) The role of the local authority in supporting tourism for the Shire of Broome through marketing or servicing,
- ii) The funding level adequacies for tourism activity in the Shire of Broome,
- iii) To engage any other views on the direction of the strategy in marketing or servicing to assist tourism, commerce and the local economy in the Shire of Broome.

Following this, in 2010, the Shire of Broome appointed Dominic Carbone and Associates and Darren Long Consulting (DCA/DLC) to:

- i) Facilitate a workshop forum for all stakeholders,
- ii) Determine other tourism marketing initiatives, if any, to be considered for support by Shire funds in addition to current support given to ANW and BVC,

- iii) Investigate and engage views on developing a model between stakeholder groups that creates a broader and more equitable base for tourism revenue raising beyond local government rates collection,
- iv) Make recommendations to Council for revising the tourism differential rating objectives to meet policy objectives of a broader and more equitable model for tourism economic development strategy, as developed from the stakeholder workshop,
- v) Supply a report providing recommendations from the outcomes of the workshop and the future strategy for tourism differential rating.

As a result of the key findings, the following recommendations were developed by DCA/DLC for Council consideration:

- (1) That marketing and promotion of Broome as a tourist destination continue to be funded through the Local Government Property Rating Framework utilising the Differential Rating System.
- (2) That revenue collected through the differential rating system for the tourism component be distributed on a needs basis, with key stakeholders preparing and submitting to the Shire four (4) year business plans disclosing their operations and proposed tourism initiatives.
- (3) That the Council give consideration to using the Multiplier Effect for Broome as an alternative rates distribution model for the tourism differential component.
- (4) That the Council formulate a Tourism Policy, which outlines the Council's role in the financing of tourism initiatives, in order to develop constructive partnerships with the local community, business groups, tourism industry operators and community organisations.

A sample Tourism Policy is included in the Report for the Council's consideration.

- (5) That the Shire of Broome initiate discussions with the Board of Broome International Airport for the purpose of introducing a passenger head tax to complement the revenue derived from the tourism differential rate component to promote tourism initiatives in Broome.
- (6) That the formation of an Advisory Group be established at the discretion of the Chief Executive Officer to advise him in relation to any matter pertaining to Broome Tourism, which will assist him in the preparation of reports to Council.

The Tourism Initiative Review was formally presented to and considered by Council on 14 April 2011. The following was resolved at this meeting:

COUNCIL RESOLUTION:

Moved: Cr J Bloom

Seconded: Cr R J Lander

- 1. Receives the Tourism Initiative Review Report from Domenic Carbone and Associates/Darren Long Consulting,**
- 2. Adopts points 1,2,3,4 and 6 of the recommendations contained in the Tourism Initiative Review Report,**
- 3. refers recommendation 5 to the Advisory Group as specified in Point 6 for detailed consideration of the various options for further revenue generation for the promotion of Tourism in Broome including but not limited to the option of a head**

tax.

4. Requests staff:

- a. to prepare a draft Tourism Administration Policy for the purposes of advertising for a period of 35 days;**
- b. to incorporate into the policy the use of the multiplier principle for Tourism Differential rating that being:**

Broome Commercial	62.3%
Broome Tourism	37.1%
Dampier Short Stay Accommodation	0.6%

- c. to incorporate a section in the policy that clearly details the processes of applying the multiplier principle**
- d. to incorporate the funding allocation to Australia's North West, Broome Visitor Centre and a discretionary amount will be determined by Council during annual budget deliberations.**

CARRIED UNANIMOUSLY

A draft Tourism Administration Policy was subsequently presented and adopted by Council at the 19 April 2012 OMC as follows:

COUNCIL RESOLUTION:
(REPORT RECOMMENDATION)

That Council;

- 1). Adopts the Draft Tourism Administration Policy,**
- 2). Sets a sum certain yield of \$315,000 from tourism differential rates from the 2012/2013 budget for the purpose of tourism initiatives,**
- 3). Maintains the yield, plus any general increase, from the GRV Broome Tourism Group rate, and conforms to the 50% rule by lowering the minimum rate to the point of a 50/50 balance in minimums and non-minimums, with the balance of the required yield made up from the balance of non-minimum rates within that rating group.**

Moved: Cr J Bloom

Seconded: Cr E Yu

CARRIED UNANIMOUSLY 6/0

The Tourism Administration Policy has been reviewed biennially with other Council Policies and the yield of \$315k has remained unchanged since its inception. The funds are allocated to tourism initiatives annually including Australia's North West (\$175k), Broome Visitor Centre (\$110k) and other Tourism Initiatives on application and as approved by Council (\$30k). No changes are proposed to this current practice.

Change in Basis of Valuation Methodology Study for Coconut Well and 12 Mile

In 2007, Council staff commenced a land use study of rateable Dampier Ward properties to ascertain appropriate methods of rating in terms of land use as required under the *Local Government Act 1995*.

At the Ordinary Meeting of Council held on 8 May 2008, Council resolved the following:

- "1). That Council undertakes a review of the basis of valuation used for rating Dampier Ward rural land use activities.
- 2). That consultation occurs in the form of general advice to the district (via advertising) of the Council's decision to undertake the review, the rationale for the review and that comment is sought. Specific advice to affected ratepayers of the land use study.
- 3). That Council will consider review submissions as a basis to prepare a draft policy for advertising, with specific advice of the draft policy sent to affected ratepayers for comment."

After the review of 23 submissions, a report was presented to Council on 17 December 2008 and recommended that as a result of the land use review, Council adopt a Draft Rural Rating Policy for the purpose of advertising and further public comment.

At the Ordinary Council Meeting held on 17 December 2008, Council resolved to:

- "1). Adopts the Draft "Rural Rating Policy" for the purpose of advertising only for a period of 70 days for public comment.
- 2). Provide specific notice of the draft policy to affected ratepayers and invites submissions during the public comment period."

The second consultation was undertaken in accordance with Council's resolution of 17 December 2008, and a further 15 submissions were received. In summary, the following concerns were raised:

- Argued that they were undertaking rural pursuits (10);
- Argued that rural operations provide majority of income (6);
- Rural operations did not support majority of income (6);
- Lack of services or access to services because of distance (5);
- Rubbish services not provided or too expensive (3);
- No sealed road to Coconut Well and Willie Creek (3);
- Wanted to see indicative rate comparisons for UV and GRV (2);
- Is intending to use, or existing use of, property for B&B operations (3); and
- The Shire should not encourage smaller lot sizes(1).

A further report was presented to Council on 2 September 2009 recommending adoption of the Rural Rating Policy and that affected ratepayers be provided specific consultation where there is an intention to change the basis of rating.

At the Ordinary Council Meeting held on 2 September 2009, the Council resolved to:

- "1). Adopt the "Rural Rating Policy".

- 2). Undertake a "Community Ratings Workshop" with affected persons in relation to the Rural Rating Policy.
- 3). Provide specific notice to affected ratepayers where there is an intention to change the method of valuation, in terms of policy, and invite submissions during a comment period of 35 days."

The Community Ratings Workshop was held on 13 May 2011, facilitated by Domenic Carbone and Associates and Darren Long Consulting, with approximately 30 community members in attendance. During the workshop a number of specific issues were raised by workshop participants and answered by the consultants, as follows:

- The keeping of minutes for the workshop;
- The legal liability of a local government to levy rates as local government is not recognised in the Australian Constitution;
- The possibility of the Shire having a hidden agenda by using the change in valuation method as a revenue raising opportunity;
- The increase in market prices for land being looked upon as a trigger for GRV values increasing, leading to the possible change in methodology;
- Appointment of Valuer;
- Rural Rating Policy;
- Transparency and equity issues are of concern;
- Department of Local Government Guideline No. 2 – Changing Methods of Valuation of Land;
- Requests for Financial Information;
- Method of determining Valuations; and
- Concerns were raised over the time limitations regarding the time permitted from receiving the rate notice and when an appeal against the valuation must be lodged.

Consultant Recommendations

The Consultant provided the following three recommendations for Council consideration:

1. The Shire of Broome give consideration to utilising Spot Valuations in the localities of Coconut Well and 12 Mile.
2. In Order to bring the existing Rural Rating Policy into line with the rating requirements of the *Local Government Act* and (1) above, the Shire of Broome consider amending its Rural Rating Policy by deleting the Policy Statements and substituting the following- " To give effect to above guiding principles the Council is to observe the following:
 - a). Ensure that any rural (UV) property is assessed to determine whether the use of the property is "predominantly rural".
 - b). Subject to (a) above, the Shire is to utilise the Spot Valuation method where there is a number of individual lots within a valuation area that are used for purposes that are not consistent with the predominant use of land within that valuation area.
 - c). Properties that are considered to be predominantly used for non-rural purposes be referred to the Minister for Local Government with sufficient information to allow a determination to be made on the method of valuation to be applied.
 - d). Subject to Ministerial approval in (c) above, apply the GRV to rural land used predominantly for non-rural purposes.

- e). Ensure that the appeal rights are made clear to affected land owners.

The report presented to Council advised that this proposed amendment was considered to be an interim measure until such time the Shire appoints an independent expert to undertake the assessment of properties within Coconut Well and 12 Mile to determine the predominant use of the land for each individual lot.

3. The Shire of Broome gives consideration to appointing an independent expert to undertake a land use audit/assessment of properties within Coconut Well and 12 Mile to determine the predominant use of land for each individual lot.

At the Special Council Meeting held on 13 July 2011, Council resolved to:

- "1. Receive the Changes in Basis of Valuation Methodology Study from Domenic Carbone & Associates and Darren Long Consulting.
2. Adopts amended rural rating policy for the purpose of advertising for a period of 35 days."

2014/15 Rates Review

As part of the adoption of the 2014/15 Annual Budget on 27 June 2014, Council resolved the following:

"Request the Chief Executive Officer to;

- a. Convene a workshop of Councillors and staff by 30 August 2014 for the purpose for providing direction regarding the commencement of a full rates review and community consultation as per previous resolutions of Council; and
- b. Include with the 2014/2015 rates notice to property owners with UV rated properties in the locality of Coconut Well, 12 Mile and Skuthorpe advising a review of concessions will be included in the full rates review which may affect future concession rating."

Correspondence was forwarded in line with this resolution in conjunction with the issue of Rates Notices in August 2014. A workshop was accordingly convened on the 26 August 2014 which was attended by Councillors J Bloom, C Mitchell, M Lewis and H Tracey. Further information was provided at a follow up meeting held on 21 October 2014. Council was presented with a number of potential scenarios to phase out these concessions and this is now presented to Council for formal consideration.

In addition, Council was advised that Whelans Town Planning Consultants had been engaged to undertake an independent land use survey within the Coconut Well and 12 Mile location. This completed report and recommendations form a confidential attachment to this report. The survey was conducted through a visual drive-by inspection and followed up by a review of aerial mapping data. A number of properties have been identified as being utilised for predominantly 'non-rural' purposes. Council is requested to consider this information and accordingly progress a change in the basis of valuation methodology on certain properties from UV (Unimproved Value) to GRV (Gross Rental Value).

COMMENT

Section 6.47 of the *Local Government Act 1995* enables Council to grant a concession on rates. There is no prescribed limit on the amount of a concession, however based on the rating principles of fairness and equity, there should be sound justification to provide concessions to some ratepayers and not others. The aforementioned concessions were introduced through the 2012/13 budget adoption process as a means to ensure that

ratepayers within certain areas were not overburdened with a rate increase due to the reform required to be undertaken at the request of the Department of Local Government and Communities (DLGC). Essentially these properties were formerly in varied differential rating categories with different rates in the dollar having been applied over many years.

The introduction of concessions has since highlighted this issue and research indicates that there is no substantiated justification to provide ratepayers in 12 Mile, Coconut Well or properties with a Horticulture land use a concession over and beyond each other or other ratepayers within the Shire of Broome. A review of Council records back to the mid 1990's confirms that a differential rating philosophy has been applied at the Shire of Broome for many decades. Previous determinations by Council to apply different rates in the dollar for these properties have been based on providing a more 'equitable' rating philosophy.

Essentially, different rates in the dollar have been applied to negate the property valuation affect on the rates payable to the Shire. The DLGC have conducted a review of differential rates being applied across Western Australia over the last two years and have requested many Local Governments to review their categories and their objects and reasons for such. The Shire of Broome has continued to review and refine its objects and reasons over this period, resulting in an improved justification for the establishment of different categories in the first instance.

The DLGC's Local Government Operational Guidelines No. 2 Changing Methods of Valuation (Please refer to Attachment) states the following:

"In implementing suitable systems and procedures, local governments should observe the principles of:

- objectivity;*
- fairness and equity;*
- consistency;*
- transparency; and*
- administrative efficiency.*

The prospects for a satisfactory outcome will be significantly improved if these principles are correctly applied.

Objectivity

As far as possible the predominant use of land should be reviewed and determined on the basis of an objective assessment of relevant criteria. External parties should be able to understand how and why a particular determination was made.

Fairness and equity

Rating principles should be applied fairly and equitably. Each property should make a fair contribution to rates based on a method of valuation that appropriately reflects predominant use.

Consistency

Rating principles should be applied, and determinations should be made, in a consistent manner. Like properties should be treated in a like manner.

Transparency

Systems and procedures for determining the method of valuation of land should be clearly documented and available for the public to inspect. This is fundamental to the "good government" principle upon which the Act is based. The right to govern accompanies the obligation to do so openly and fairly.

Administrative efficiency

Rating principles and procedures should be applied and implemented in an efficient and cost-effective manner."

The first matter to be established is whether the predominant use of a property is 'rural' or 'non rural'. Section 6.28 of the Local Government Act 1995 states that the basis for a rate on any land must be based on UV or Unimproved Value where a property has a predominantly rural use and based on GRV or Gross Rental Value where the property is predominantly non rural. The attached report from Whelan's has identified a number of properties that are currently rated as UV that may in fact be used for a predominantly non-rural purpose.

It is recommended that the affected property owners be given an opportunity to comment on these findings, and this feedback be reviewed prior to formal consideration of Council to consider a request to the Minister to change the method of valuation.

Further, in review of the aforementioned rating principles, it is proposed for Council to consider the phase out of concessions that have been applied. An analysis of rates levied for 2014/15 was undertaken and a number of scenarios were provided through workshops for Council consideration of phasing out of concessions. In review of the financial impact the phasing out of concessions will have on affected ratepayers it is proposed to progressively reduce and remove the concessions applied over a three year period commencing in the 2015/16 Financial Year. It is recommended that affected property owners be advised in writing of this intention and provided an opportunity to attend a workshop to discuss this issue.

CONSULTATION

Department of Local Government and Communities
Whelans Town Planning Consultants

STATUTORY ENVIRONMENT

Local Government Act 1995

S6.28 Basis of Rates

- 1). The Minister is to -
 - (a) determine the method of valuation of land to be used by a local government as the basis for a rate; and
 - (b) publish a notice of the determination in the government gazette.
- 2). In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be -
 - (a) where the land is used predominantly for rural purposes, the unimproved value of the land, and
 - (b) where the land is used predominantly for non-rural purposes, the gross rental value of the land.

S6.33 Differential general rates

1. A local government may impose differential general rates according to any or a combination, of the following characteristics -
 - (a) the purpose for which the land is zoned under a local planning scheme in force under the Planning and Development Act 2005;

- (b) *the predominant purpose for which the land is held or used as determined by the local government;*
- (c) *whether or not the land is vacant land; or*
- (d) *any other characteristic or combination of characteristics prescribed.*

S6.47. Concessions

Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.*

** Absolute majority required*

POLICY IMPLICATIONS

2.1.5 Rural Rating

FINANCIAL IMPLICATIONS

In 2014/15 Council provided rates concessions to properties within 12 Mile, Coconut Wells and properties with a Horticultural land use to the value of approximately \$166k. It is proposed to phase this out over a three year period commencing in the 2015/16 Financial Year.

The financial impact of change of method of valuation on some properties from UV to GRV is not confirmed and will be dependent on valuations that will be required to be undertaken. Council will then be required to consider an applicable rate in the dollar for these properties with regard to the rates in the dollar applied to other GRV rating categories.

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Effective communication

Affordable services and initiatives to satisfy community need

Our Prosperity Goal – Create the means to enable local jobs creation and lifestyle affordability for the current and future population:

Affordable and equitable services and infrastructure

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

Responsible resource allocation

Effective community engagement

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council requests the Chief Executive Officer to:

1. *Undertake consultation with affected ratepayers regarding Council's intention to phase out concessions over a three year period commencing in the 2015/16 financial year as follows:*

<i>Property Type</i>	<i>Current 2014/15 Concession</i>	<i>Proposed 2015/16 Concession</i>	<i>Proposed 2016/17 Concession</i>	<i>Proposed 2017/18 Concession</i>
<i>Horticultural Land Use</i>	<i>11%</i>	<i>7.33%</i>	<i>3.67%</i>	<i>Nil</i>
<i>12 Mile</i>	<i>27%</i>	<i>18%</i>	<i>9%</i>	<i>Nil</i>
<i>Coconut Well</i>	<i>48%</i>	<i>32%</i>	<i>16%</i>	<i>Nil</i>

2. *Consults through direct correspondence to affected ratepayers in addition to the holding of a workshop on 5 March 2015.*
3. *Advise ratepayers identified within the attached confidential Land Use Survey that;*
 - (a) As part of the completion of a recent independent Land Use Survey, their properties have been identified as having a predominantly 'non-rural' land use;*
 - (b) Council seeks their comment on these findings prior to 27 February 2015; and*
 - (c) It is intended for all properties confirmed to have a predominantly 'non-rural' land use to be considered for a change in method of valuation from 'Unimproved Value' to 'Gross Rental Value' in accordance with Section 6.28 of the Local Government Act 1995.*
4. *Presents the outcomes of the workshop and feedback received on the land use survey to the March Ordinary Meeting of Council for Council's consideration.*

Attachments

1. DLGC Operational Guideline No. 2 - Changing Methods of Valuation of Land
2. Land use Investigations within the Shire of Broome (*Confidential to Councillors and Directors Only*)

This attachment is confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)(b) as it contains "the personal affairs of any person". (Under separate cover)



Government of **Western Australia**
Department of **Local Government and Communities**

Local Government Operational Guidelines

Number 02 – March 2012

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Changing Methods of Valuation of Land

1. Introduction

For most local governments, rates are the principal source of revenue. With limited alternatives, local governments need to optimise this source to generate revenue for their operations.

A key to optimising the rating system is to ensure that the appropriate method of valuation of land is used as the basis for rates. Urban land that is rated on its unimproved value (UV) would normally attract a lesser rate assessment than it would if rated on its gross rental value (GRV). Generally, this is also the case if rural land is rated on its GRV rather than its UV.

Applying the appropriate method of valuation to each property will also minimise complaints from ratepayers of inconsistent and inequitable treatment.

1.1 Purpose of Guidelines

The purpose of these guidelines is to facilitate changes to the method of valuation of land by:

- setting out a process to identify and make changes to methods of valuation;
- encouraging local governments to introduce appropriate systems to identify and record land use changes that may affect the predominant use of land;
- specifying and documenting factors that should be considered when determining the predominant use of land as publicly accessible policies;
- proposing when and how local governments should consult with affected ratepayers in the process of changing methods of valuation; and
- specifying the information needs of

the Department of Local Government and Communities and the Minister for Local Government.

1.2 Development of Guidelines

The guidelines are a continuation of work undertaken by a Government committee appointed in November 2000 to consider problems arising from mixed uses on rural land which were, for the most part, faced by local governments in the south west of the State and on the fringe of the metropolitan area. The Local Government (Non Urban) Valuation Review Committee (the committee), completed its report in April 2001 after consulting with 33 local governments.

The guidelines borrow from the research and findings of the committee and take into account:

- observations made by Departmental officers;
- difficulties raised by local government officers; and
- complaints received from ratepayers about unfair treatment.

1.3 Legislation

Under section 6.28 of the *Local Government Act 1995* (the Act), the Minister for Local Government is responsible for determining the method of valuation of land to be used by a local government as the basis for a rate.

In determining the method of valuation, the Minister is to have regard to the general principle that the basis for a rate on any land is to be:

- where the land is used predominantly for rural purposes, the UV of the land; and
- where the land is used predominantly for nonrural purposes, the GRV of the land.

1.4 Role of Local Government

Each local government has a role in ensuring that the rating principles of the Act are correctly applied to rateable land within their district such that rural land is rated on its UV and non-rural land is rated on its GRV.

To this end, local governments should have systems and procedures in place to:

- identify and record any changes in land use;
- review the predominant use of land affected by significant land use changes; and
- ensure timely applications for the Minister's approval.

These systems and procedures are discussed in the following guidelines.

1.5 Principles to Observe

In implementing suitable systems and procedures, local governments should observe the principles of:

- objectivity;
- fairness and equity;
- consistency;
- transparency; and
- administrative efficiency.

The prospects for a satisfactory outcome will be significantly improved if these principles are correctly applied.

Objectivity

As far as possible the predominant use of land should be reviewed and determined on the basis of an objective assessment of relevant criteria. External parties should be able to understand how and why a particular determination was made.

Fairness and equity

Rating principles should be applied fairly and equitably. Each property should make a fair contribution to rates based on a method of valuation that appropriately reflects predominant use.

Consistency

Rating principles should be applied, and determinations should be made, in a consistent manner. Like properties should be treated in a like manner.

Transparency

Systems and procedures for determining the method of valuation of land should be clearly documented and available for the public to inspect. This is fundamental to the "good government" principle upon which the Act is based. The right to govern accompanies the obligation to do so openly and fairly.

Administrative efficiency

Rating principles and procedures should be applied and implemented in an efficient and cost-effective manner.

2. Overview of the Process for Changing the Method of Valuation

There are several steps in the process of changing the method of valuation of land for rating purposes. Each step is important in achieving a successful outcome.

- Step 1 Identifying land use changes that may affect predominant use.
- Step 2 Reviewing predominant use.
- Step 3 Consulting affected parties.
- Step 4 Changing the method of valuation.

2.1 Step 1 – Identifying Land Use Changes that may Affect Predominant Use

New developments and changes to land use can alter the predominant use of land and thereby the method of valuation that is used to rate it. It is important that local governments are able to readily identify and record within their rating systems significant changes to the use of land.

Means of identifying and recording changes in land use

There are several ways to identify and record changes to land use for rating purposes. They include, but are not limited, to the following –

- (a) Development and other statutory approvals;
- (b) Property inspections; and
- (c) Land use surveys.

- (a) Development and other statutory approvals

Statutory approvals are the easiest way to identify changes to land use since the necessary information is already in the possession of the local government.

Planning, building and health approvals are especially effective.

Establishing a link between the planning, building and health approval systems and the rating system will enable a local government to readily identify approved changes to land use that may affect the predominant use of land. The approval of a subdivision, zoning or building application or a change in land use should trigger a review process that concludes with an assessment of the need for a valuation or rating change.

Local governments that have not linked these systems should consider doing so.

- (b) Property inspections

Property inspections provide another means of keeping track of land use changes. Persons carrying out inspections should possess information about approved developments on the inspected properties so that they can report any unauthorised change in land uses. These reports should be used to update the rate record.

- (c) Land use surveys

A land use survey can be a very important means of updating land use for rating purposes (valuation changes and differential rates) particularly in areas that have been subject to significant growth and development. A survey has the added benefit of enabling a local government to monitor compliance with town planning

schemes, building approvals and other legislation.

In local governments that have experienced significant growth or diversification in land uses and have been unable to keep track of land use changes across their district, a land use survey offers the opportunity to bring record systems up-to-date. Internal systems can then be used to maintain the accuracy of the local government's records.

Local governments should consider conducting a land use survey of their district (or part of it e.g. the area outside townsites) as the starting point for maintaining an accurate rate record.

2.2 Step 2 – Reviewing Predominant Use

Reviewing predominant use of land by individual lot or other means

The Act does not define the term "land" for the purpose of determining predominant use. Legal advice suggests that the term could be applied to a lot, part of a location or any part of a local government's district. It is for those administering the provisions of section 6.28 to define the term according to the prevailing circumstances.

Thus, where a local government identifies new developments or land uses, it can decide whether to review the predominant use of the affected land only, or a larger or smaller area of land. It has several options for doing so:

(a) By portion of a lot (split valuation)

Where a local government identifies that a rateable property contains distinctly

rural and non-rural uses on separately identifiable portions of the property, it may consider applying different methods of valuation to those distinct portions. This is commonly referred to as "split valuations".

Example 1:

A modern winery has over 90% of the land covered by vines for grape production. However, the remaining land has significant "non-rural" development including, restaurant, tearooms, sales office, onsite manufacturing/processing, chalets/accommodation and tourist attractions. These developments are clustered together on a separate part of the property. In this scenario, it may be difficult to make an objective assessment of predominant use and the option of split valuations may provide a fair and reasonable solution.

Example 2:

A large wheat/sheep farm contains a transport depot, mechanical workshop, small processing plant and sales outlet all located together on the property. In the interests of rating fairness the local government may consider applying GRVs to the non-rural uses leaving the working farm on UV.

Split valuations should only be considered as an option where the predominant use of a property cannot be determined objectively and fairly or where it is appropriate to do so for reasons of rating fairness.

They must be used consistently and fairly particularly in relation to properties of a similar type and use.

Where split valuations are used, the UV and GRV areas will need to be defined with reasonable precision. This may involve a limited Global Positioning Survey (GPS) being undertaken or the area being surveyed by a licensed surveyor so that Landgate can prepare a technical description of the areas. This will be at the local government's cost.

(b) By individual lot (spot valuation)

Individual lots are generally the smallest units of land for which a local government will review predominant use.

Spot valuations, as they are commonly referred to, are most frequently used in situations where there are a number of individual lots within a valuation area that are used for purposes that are not consistent with the predominant use of land within that valuation area.

Example 1:

In a predominantly rural area valued on UV, there are a number of non-rural uses including service stations, road houses, tourist accommodation and small commercial or industrial operations. The local government has the option of applying GRVs to each of these properties or leaving them on UV.

Spot valuations can be effective in promoting rating equity by ensuring that properties with similar uses are rated on the same method of valuation regardless of their location within the district.

However, they also can be more labour intensive and less administratively efficient than other options.

Spot valuations must be used consistently and fairly.

(c) By subdivision

This may be a suitable option where:

- the majority of lots within a subdivision are used for a purpose that is not consistent with the purpose for which the subdivision is valued; or
- land within an approved subdivision can only be used for a purpose that is not consistent with the purpose for which the land is valued.

Example 1:

Houses have recently been built on three two hectare lots within a 10 lot special rural subdivision currently valued on UV. Four of the lots already have houses on them. The local government could decide to review the predominant use of each of the seven lots with houses on them on the basis of their residential development or review the predominant use of all of the land within the subdivision on the basis that the subdivision is now predominantly non-rural.

Example 2:

A residential subdivision is approved on the fringes of the metropolitan area on land valued on UV. The local planning scheme does not permit the land to be used for rural purposes. The local government could decide to change the method of valuation of the approved subdivision to GRV on the basis that the development has changed the predominant use to non-rural.

While it can be more administratively efficient than other options, care should be taken to ensure that it is used fairly and consistently.

(d) By townsite or land outside the townsite

A number of local governments have adopted a very simple approach to defining land for valuation purposes. "Land" is either land within a townsite in which case it is predominantly non-rural and rated on its GRV or it is land outside a townsite and is predominantly rural and rated on its UV.

This option is suitable for local governments with few rural uses within townsites and few non-rural uses outside townsites. However, it is less suited to situations where land uses are more complex and varied and where in the interests of equity and consistency, another approach is desirable.

In areas where this option is currently being used and there are significant changes to land uses, local governments must decide whether to remain with this option or use spot valuations.

(e) By whole district

Whole districts are the largest unit of land for which a local government will determine predominant use. It is an option used by highly urbanised metropolitan and regional local governments. It is unlikely to be an option for local governments that are not in this situation.

Checking the district for like property

When a local government identifies the need to review the predominant use of land of a particular type, in the interests of equity, it should check its district to identify

properties of a similar type that should also be reviewed. Typically a local government would only do this when a property in a rural setting was developed or used for a non-rural purpose.

Example 1:

A council has approved a service station on a major highway outside a townsite. The property is rated on its UV and the predominant use needs to be reviewed.

However, there are two other service stations on major highways in the district rated on UV. The predominant use of each of these properties should be simultaneously reviewed to ensure fairness and consistency.

Example 2:

A fringe metropolitan local government is advised that the Western Australia Planning Commission has approved a new special rural subdivision with lots of between one and two hectares that cannot be used for rural pursuits under its planning scheme. The land is currently valued on its UV and the officer identifies a need to review the predominant use. However, there are several other subdivisions on UV rated land with similar sized lots and restrictions. For equity reasons, they should be reviewed together.

When predominant use should be reviewed

Local governments can begin to review the predominant use of land when it is apparent that the use of land has changed or is about to change. However, an application to change the method of valuation should not be made until a change in the predominant use of the land has actually occurred or substantially commenced.

Reviews of predominant use can be prompted by any of the following.

(a) Building and development approvals

The issuing of planning, building and other development approvals give a clear indication of what improvements are occurring or are likely to occur on the land. A review of predominant use can begin at this stage but an application to change the method of valuation should be left until development has substantially commenced.

Example:

A building licence is issued for the construction of six chalets on land in a rural area. The local government begins the review as soon as the licence is issued but waits until the floor and walls of the chalets have been completed before making application to change the method of valuation from UV to GRV. By this stage it is clear that a change from a rural to a non-rural use is inevitable.

(b) Town planning scheme amendments

Town planning scheme amendments can restrict the type of development that is permitted on land. Some planning

schemes for example, impose significant restrictions on the clearing of land and the use of livestock and other activities usually associated with the rural use of land. This can effectively restrict the use of affected land to a non-rural purpose eg residential, commercial etc.

A review of land affected by such restrictions can begin when the planning scheme amendment is approved but an application to change the method of valuation should be left until the land has been subdivided or substantially developed.

Example:

A planning scheme imposes clearing restrictions on two vacant rural lots, each of five hectares. An area of one hectare is left on each lot for development. The local government begins the review when the scheme amendment is approved but waits until the owners obtain building licences and construct houses to plate height before applying to change the method of valuation from UV to GRV.

(c) Subdivision of land

The subdivision of land into smaller lots often leads to a change in the predominant use of the land. For example, the subdivision of a broad acre farm into small rural/residential lots may signal a change to a non-rural use. A review of the predominant use of land affected by a subdivision application can begin when the application receives conditional approval. However, an application to change the method of valuation of the land should not be made until the WA Planning Commission has endorsed the surveyed plan of subdivision.

In the case of farmland that has been subdivided into smaller rural/residential lots, local governments should carry out an inspection of the subdivided land to ensure it is no longer used for farming purposes before making application for approval. There are instances where subdivided land has continued to be used for rural purposes after the subdivision is approved.

Example 1:

A large track of land on the outskirts of Perth is cleared and subdivided into residential blocks. Road and drainage works are carried out and real estate agents appointed to pre-sell the land on a stage by stage basis prior to the issue of titles. The local government applies to change the method of valuation of the new lots to GRV as the predominant use of the land is no longer rural.

Example 2:

Part of a farm is subdivided into rural/residential lots. The land has been rezoned to special rural zone. However, the land is still used for farming purposes and, while this remains the case, an application should not be made to change the method of valuation from UV to GRV.

Predominant use – factors to be considered

Assessing the predominant use of land is fundamental to determining the method of valuation to be used for rating purposes. The Act does not define the term "predominant". Consequently, an assessment has to be made on a case by case basis as a question of "fact and degree" as to whether or not the use of a

particular property should be categorised as predominantly rural or non-rural.

Local governments should take all relevant factors into consideration, including the following:

(a) Activity conducted on the land

Many activities may be associated with the use of a property. The nature, scale and extent of each activity should be taken into account in any assessment of predominant use.

Example:

A house is situated on a two hectare property. On the property, there is a vegetable patch and some fruit trees. The occupier also keeps live stock, including a cow, two sheep, two horses and several chickens and ducks. There is no doubt some rural activities are undertaken on the property. However, these activities are undertaken on a small scale. The produce is mainly for personal consumption. Although from time to time the occupier may sell some produce at a roadside stall, the occupier is not deriving his/her livelihood from "working the land". The predominant use can be said to be residential.

(b) Development on the land

The nature, scale and extent of the development of a property can give an indication of the nature, scale and intensity of associated uses. They can also affect the capacity for a property to be used for other purposes.

Example 1:

More than half of a small rural property is occupied by chalets and associated developments. The rest of the lot is used occasionally to graze sheep and cattle. Given the scale of the chalet development it would be difficult to determine that the predominant use is rural.

Example 2:

A large rural property is used for growing wheat and grazing sheep and next to the farmhouse is two chalets for holiday accommodation (eg farm stays). It would be difficult to assess the property as having a predominant non-rural use when the majority of the land is being used for primary production.

Note. In Example 2 even though the main income may be derived from rental of holiday accommodation, it would be difficult to sustain an argument that the predominant use is non-rural when only a very small portion is used for holiday accommodation. A split valuation may offer a better alternative.

(c) Income

Where a property is used for two or more different purposes, the income generated from each use can be a guide to assessing the predominant use of the land.

Example:

A portion of a property is being used for an agricultural purpose and the remainder is being used for holiday accommodation. The income generated from the holiday accommodation is significantly more than that from the agricultural pursuit. The predominant use could arguably be said to be non-rural.

Note 1.

Care should be taken to ensure the "rural" component of the income is not abnormally affected, at the time of assessment by drought, short term market fluctuations or transitional phases from one type of rural activity to another. For example, the progressive down-sizing of a sheep flock prior to converting the property to beef production.

Note 2.

Local governments have no legislative power to require information on income generated by various activities undertaken on land. It can request this information but there is no obligation on an owner/occupier to provide such information. Local governments also need to be mindful of the sensitivity of supplying such information and ensure the management and publication of such information protects an individual's privacy and/or commercial confidentiality.

(d) Town planning scheme restrictions

A town planning scheme can effectively restrict the use of land to a rural or non-rural purpose and should be considered in assessing predominant use.

Example:

Some town planning schemes prohibit the keeping of live stock on certain small rural holdings. In addition, severe limitations may be placed on clearing of the land so that only a building envelope for a house may be cleared. It is arguable that these restrictions effectively determine that the land cannot be used for rural purposes.

Note.

Where rural land is re-zoned for nonrural purposes but continues to be used for rural purposes it should retain its rural (UV) valuation.

Vacant land

As vacant land is generally not used for any purpose, it is arguable what the predominant use of such land might be. In determining the "predominant use" of vacant land consideration should be given to the predominant use of the surrounding land and any planning/development restrictions that apply to the vacant land in question.

Example:

A vacant two hectare property is situated in a special rural zone. The surrounding properties are of a similar size and zoning and most of them are developed for residential purposes with people living on them. Most of the residents of these properties keep some animals and grow produce mainly for personal consumption. However, due to the small scale of the "rural activities" the predominant use is residential. As the majority of

the surrounding properties are used predominantly for non-rural purposes, the vacant land could be deemed to be predominantly non-rural.

Rating of mining, petroleum and resource interests

As of 1 July 2012, local governments will be able to apply gross rental valuations to mining, petroleum and resource interests. This policy will be trialled for three years, ending on 30 June 2015.

Gross Rental Valuations can apply to land defined as a relevant interest under section 6.29(1) of the *Local Government Act 1995*, such as a mining tenement held under the *Mining Act 1978*, or a permit, drilling reservation, leave or licence held under the *Petroleum and Geothermal Energy Resources Act 1967*, or any other type of mining, petroleum or resource interest used for the extraction, processing or refining of minerals or petroleum as defined under the above legislation.

However, gross rental valuations will only apply to the above in respect of particular improvements such as accommodation, recreation and administration facilities, associated buildings and maintenance workshops that are expected to be situated permanently (a minimum of 12 months).

It should be noted that nothing in this policy affects existing gross rental valuation arrangements between a proponent and a local government, or from a proponent and a local government reaching an agreement to include any other type of improvements for gross rental valuation.

2.3 Step 3 – Consulting Affected Parties

Valuer General (VG)

Prior to making any significant changes to valuation systems, local governments should liaise with the VG to obtain an indication of the notional values and likely costs associated with supplying additional valuations. The notional values will assist local governments to model the effects of the changes for the local government and ratepayers alike. This will assist decision making.

It should be noted that there is no requirement for the VG to supply these additional values, therefore a charge on a fee for service basis applies. Where there is no Water Corporation requirement for a GRV, additional values supplied would be charged at the full prescribed rate. No valuation subsidy is available.

Where a local government wishes to undertake analysis of the likely impacts resulting from a change to the method of valuation, it may be more cost effective to request the VG to supply values for a random or a representative sample of the affected properties.

Consulting Ratepayers

Community participation in the decisions and affairs of the local government is a key principle of the Act. In keeping with this principle, affected property owners should be informed of proposed changes to the method of valuing their properties and provided with an opportunity to comment especially where the changes are expected to significantly alter the rates payable.

For this comment to be meaningful, the information disseminated should include reasons for seeking to change the method of valuation, an indication of the overall likely impact of such changes and details of how to comment on the proposed changes.

It should be noted that where the need to change the method of valuation is being driven by frontal development (e.g. large scale subdivisions in metropolitan fringe local governments) a modified consultation process may be more appropriate.

(a) When to consult and inform

Each local government should decide on the extent of consultation required in each situation. The following examples highlight some of the scenarios, which should prompt a local government to inform and/or consult ratepayers about proposed changes –

- the local government believes there is inequity in the rating of some properties within the district and is considering changing the method of valuing them to address this inequity;
- there may be some doubt about the predominant use of the land;
- the proposed changes are likely to have a significant impact on ratepayers; or
- information is required to make an assessment of the appropriate valuation system to be used.

This consultation should take place prior to Council's final decision to seek approval for the proposed changes.

(b) Methods

Many options exist for consulting or informing the community or special interest groups therein. For example:

- letters to each affected landowner;
- advertisements in local news papers/news letters;
- public meetings/workshops; and/or
- use of the Internet.

2.4 Suggested Information to be Provided to Property Owners

- a) General advice to the district (via advertisement) of Council's decision to undertake the review and the rationale for the review. (Could be based on the discussion paper presented to Council.)
- b) Advice to the affected property owners of a land use study. (Should include rationale for the review and details of the review process.)
- c) Advice to the affected property owners on the outcome of the land use study as it relates to their property, the likely impact that any change in valuation method will have on their property, the details of how to lodge an objection to the determined land use and appeal procedures.
- d) The outcome of any objections or appeals.

2.5 Step 4 – Changing the Method of Valuation**Making recommendation to council**

Changes to the method of valuing land may have significant impacts on ratepayers and a local government's rate revenue.

Accordingly, the council should consider any proposal for change before it is presented to the Minister for a decision.

The officer's report to the council should include the following information –

- details of the property(s) involved, including size and current uses;
- details of improvements on the land;
- current system of valuation used and the proposed change;
- indication of the likely impact that the change would have on the rate assessment of the affected property(s);
- details of consultation undertaken with affected ratepayers and their views;
- a statement indicating whether similar properties in the district are valued on the same system;
- whether consideration should be given to phasing in the effects of the valuation change; and
- the date when the proposed change should take effect.

Where valuation changes are proposed on a "by lot" basis, it may be appropriate to present the above information in a table format showing details for each lot with a map for information purposes.

If changes are proposed affecting a larger area with many properties it is recommended that a map identifying the properties concerned is provided to council.

Note.

The above information forms the basis of the information required for an application to the Minister.

Making a submission to the Minister

Applications should be made to the Department of Local Government and Communities. They can be made at any time during a financial year. The Act does not place any limitation on when a new valuation can apply.

For administrative purposes, it may be simpler for new valuations to be made effective from 1 July each financial year. To ensure this occurs, it is important that the Department receives applications no later than April in any year. This will allow sufficient time to obtain the Minister's approval, obtain technical descriptions from Landgate and advertise the changes in the Government Gazette prior to the new financial year. However this would depend on whether the VG can provide the new valuations.

(a) Content of submission

The Department's role is to assess applications and prepare a report for the Minister's consideration.

Applications must include the following information:

Assessment of predominant use

The local government's assessment of the predominant use of the property (ie an explanation of the factors that were considered when determining the predominant use). The officer's report to council together with an extract from the Council minutes of the item and Council's resolution should be included in the submission.

Description of the land

The description of the affected land must be accurate and clear. If details are provided in a table form, information should include certificate of title details, lot or location numbers, location names and street names.

Plans of individual lots or certificates of titles may also be provided. Where the land involves a subdivision, a copy of the approved subdivisional plan should be provided showing the lots involved. Other cadastral plans may also be provided showing relevant properties. If a plan is used to depict the land the land area must be clearly marked and the markings must follow cadastral boundaries or GPS readings.

Impact on rate assessment

Proposals for change should include information on the likely impact on the rate assessments of the affected land. This may require valuations for the properties to be obtained from the VG (based on the proposed valuation method). However, if the VG is not prepared to provide valuations, indicative comparisons could be made with similar land. If the impact is substantial it may be appropriate to include evidence that the landowner has been advised of the proposed changes.

Like land to be included

Information is to be included confirming that council has considered whether there are other similar properties in the district that should also have their system of valuation changed. This is to ensure that the local government has treated similar properties in the district consistently, equitably and with fairness. If other properties have already had their system

of valuation changed, this fact should also be disclosed to show that the property(s) currently under consideration are being brought into line with the others.

Effective date

It is possible for changes to take effect from the commencement of a particular financial year or during the financial year. Local governments should specify the date that they would like the Minister to approve as the date from which the change is to take effect (i.e. an effective date of the Minister's approval, or date of gazettal). The effective date cannot be retrospective because approvals cannot be granted retrospectively.

Rating of mining, petroleum and resource interests submission content

The following detailed information is required to be submitted with an application:

Description of the land

A full description and plan of the improvements to be rated on gross rental value are required, as well as any maps and diagrams of the land, where possible, to help identify any improvements.

Impact on rate assessment

An estimated gross rental valuation from the VG for the subject site, at the local government's expense, should also be included in the submission so that a comparison can be made to the site's existing rates.

Consultation with affected parties

Local governments are required to consult with the proponents of such facilities to achieve a common understanding, and ideally, reach an agreement on the improvements that are subject to the proposal.

Submissions will require evidence that the proponent has been informed of the estimated gross rental valuation, as well as any copies of objections or comments the proponent has submitted in response.

Determining the application

The Minister will determine the method of valuing the land in accordance with the provisions of section 6.28.

Action following the Minister's decision

Following the Minister's approval, the Department may need to obtain technical descriptions of the land from Landgate so that it may be included in a notice published in the Government Gazette. The effective date of the change is either the date of publication of the notice or such other date as may be determined by the Minister and specified in the notice.

The Department will write to the local government and the VG enclosing a copy of the notice. This signifies that the action has been completed.

3. Implementation Options

3.1 Phasing in of Valuations

Section 6.31 of the Act provides that valuations can be phased in, in accordance with Schedule 6.1. In particular, clause 2 of Schedule 6.1 deals with phasing in of valuations where a determination is made by the Minister under section 6.28 of the Act to change the method of valuing land from UV to GRV.

It is recommended that officers inform their council about the option to phase in valuations pursuant to Schedule 6.1 when submitting proposals for council approval.

Where changes are made which result in significant increases in rate assessments on properties, local governments are urged to consider phasing in the valuations.

3.2 Differential Rating

Changes to the method of valuing land can result in increases or decreases in rate assessments. For example, the conversion of small rural holdings to GRV could lead to a significant increase or decrease in the rate assessment (depending on the geographic location and property values) and consequently an increase or reduction in revenue for the local government. Differential rating can be used to modify the impact of the change.

3.3 Concessions

Section 6.47 of the Act enables a council to grant a concession on rates. There is no limit on the amount of the concession. For example, it can be 1% to 100% of the total rates assessed on a property. Granting concessions can offset sharp increases or decreases in rate assessments following a change to the method of valuation.

To grant a concession, a schedule showing the full details of the property, the person(s) and the amount of the concession must be submitted for the council's approval each financial year.

4. Differential Rating

4.1 Recommendations of the Local Government (Non Urban) Valuation Review Committee

The Local Government (Non Urban) Valuation Review Committee in its report recommended the use of a tiered approach to UV-based rating using the differential rating provisions of the Act. The proposal recognises that there is considerable variation in scale, nature and intensity of commercial use on some rural properties. It recommended that properties be categorised into groups according to the level and scale of non-rural activity. A progressively higher rate in the dollar could then be applied (for example, up to 5 times higher) depending on the level of non-rural activity.

The Committee recommended the following possible rating groups.

- Non-rural (GRV) – For example, include service large scale mining activity with significant infrastructure and high density caravan parks.
- Rural (UV) – For example, broad acre farms, vineyards, poultry farms, piggeries, farms with small scale ancillary development.
- Associated Rural (UV times 2) – For example, low density holiday chalets on rural properties, small scale retail outlet for goods produced on-site – for example, cellar door sales associated with small scale wine production or a craft shop selling goods produced on-site, etc.
- Associated Rural (UV 5 times) – for example, small hotel or resort style accommodation, wine production, other rural related activities such as a small restaurant associated with the agricultural activity on the property.

Local governments are free to consider an approach of this kind to address perceived rating anomalies or inequities within their districts. Before doing so however, local governments should satisfy themselves (and if necessary, the Minister) that the method of valuation of the land they intend to rate is the correct method in terms of the Act. Differential rating should not be used as a substitute for properly applying the principles of section 6.28.

5. Conclusion

Local governments have an obligation to ensure that rateable land in their district is valued on the appropriate method for rating purposes. As the use of land can change from time to time, it is important for local governments to have a system in place to detect land use changes so that it can modify the valuation method accordingly. Having this information up to date will avoid criticism from ratepayers about the equities of their rating policies.

These guidelines are also available on the Department's website at www.dlgc.wa.gov.au



Government of **Western Australia**
Department of **Local Government and Communities**



Local Government Advisory Hotline
1300 762 511
Email: lghotline@dlgc.wa.gov.au
8.30am–5.00pm, Monday to Friday

About the Guideline series

This document and others in the series are intended as a guide to good practice and should not be taken as a compliance knowledge, understanding, observation of, and appropriate consultation on contemporary good practice in local government. Guidelines may also involve the Department's views on the intent and interpretation of relevant legislation.

All guidelines are subject to review, amendment and re-publishing as required. Therefore, comments on any aspect of the guideline are welcome. Advice of methods of improvement in the area of the guideline topic that can be reported to other local governments will be especially beneficial.



For more information about this and other guidelines, contact the Local Government Regulation and Support Branch at:

Department of Local Government and Communities

Gordon Stephenson House, 140 William Street, Perth WA 6000

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Freecall (Country only): 1800 620 511

Email: info@dlgc.wa.gov.au Website: www.dlgc.wa.gov.au

Translating and Interpreting Service (TIS) – Tel: 13 14 50

9.3.2 LORIKEET DRIVE EXTENSION

LOCATION/ADDRESS:	Lorikeet Drive, Roebuck
APPLICANT:	Nil
FILE:	14/13
AUTHOR:	Senior Project Engineer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director of Engineering Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	3 December 2014

SUMMARY: This report considers Tenders received for the Lorikeet Drive Extension Project and seeks adoption of the recommendation contained in the confidential tender evaluation report.

BACKGROUNDPrevious Considerations

OMC 23 October 2014 Item 9.2.4

The eastern section of Lorikeet Drive is currently a "No Through Road" in Roebuck Estate servicing 10 residential properties on its northern side with an adjacent drainage reserve on the southern side.

Initial planning for Roebuck Estate contained two proposed connection points (Lorikeet Drive and Spoonbill Avenue) from the estate to a new, realigned Main Roads WA road that ran between Roebuck Estate and the One Mile Community. For a number of reasons, these works were never constructed. This is now having the effect of creating excessive traffic volumes within the subdivision.

From a traffic efficiency perspective, it is essential to have additional access points for Roebuck Estate which gives direct access to and from the Old Broome Road arterial traffic route. This will reduce travel times in general and have a beneficial effect on driver safety.

The need for this was always recognised in planning for the Estate and the situation has been further amplified by the closure of right hand turn movements out of Sanderling Drive onto Gubinge Road by Main Roads WA. Many residents from the northern sections of Roebuck Estate previously would travel to and from Town via this route.

Currently nearly all traffic from within Roebuck Estate heading towards the Town, utilise Sanderling Drive, Sandpiper Avenue and Old Broome Road as their primary traffic route. This pushes traffic volumes in Sanderling Drive to the upper limit of acceptable environmental traffic flows, and adds considerably to the safety risk along this section of road.

COMMENT

The scope of the work to construct the new section of Lorikeet Drive is as follows:-

- Removal of the existing cul-de-sac head and associated works on the eastern end of Lorikeet Drive.
- Location and protection of Horizon Power, Water Corporation and Telstra services.
- New drainage culverts under the proposed roadway in the existing main open drain running along the back of Roebuck Estate and along the existing table drain on Old Broome Road.
- Vegetation clearing, mulching and topsoil removal.
- Construction of 312m of new road pavement including a prime and 2 coat seal.
- Install semi mountable kerbing and appropriate drain chutes into drainage outlets.
- New intersection and appropriate channelisation treatment at Old Broome Road.
- Installation of regulatory signage and line marking to Main Roads WA standards.
- Provision of 2m wide pathway on the north side of Lorikeet Drive.
- Rural style fencing on the southern road reserve boundary to prevent public access into sensitive areas.
- Installation of street lighting to Australian Standards along length of the road extension and the new intersection.

Tenders for the Lorikeet Drive Extension Project were advertised on 1 November 2014 and closed on 19 November 2014, utilising the WALGA Procurement Consultancy Service. The tender recommendation is contained within the confidential tender recommendation report (attached).

CONSULTATION

WALGA
Pritchard Francis
Water Corporation
Horizon Power
Telstra
Adjoining Landowners

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 1.8 Statewide public notice.

Where under this Act Statewide public notice of a matter is required to be given, section 1.7 applies except that the newspaper referred to in section 1.7(1)(a) is required to circulate generally throughout the State.

Section 3.57 Tenders for providing goods or services

(1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply good or services.*

(2) *Regulations may make provision about tenders*

Local Government (Functions and General) Regulations 1996

Section 5 R14 Requirements for publicly inviting tenders

- (1) When regulation 11(1), 12 or 13 requires tenders to be publicly invited, Statewide public notice of the invitation is to be given.
- (2) If the CEO has, under regulation 23(4), prepared a list of acceptable tenderers, instead of giving Statewide public notice the CEO is required to give notice of the invitation to each acceptable tenderer listed.
- (2a) If a local government —
 - (a) is required to invite a tender; or
 - (b) not being required to invite a tender, decides to invite a tender, the local government must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.
- (3) The notice, whether under subregulation (1) or (2), is required to include —
 - (a) a brief description of the goods or services required;
 - (b) particulars identifying a person from whom more detailed information as to may be obtained;
 - (c) information as to where and how tenders may be submitted; and
 - (d) the date and time after which tenders cannot be submitted.
- (4) In subregulation (3)(b) a reference to detailed information includes a reference to
 - (a) such information as the local government decides should be disclosed to those interested in submitting a tender;
 - (b) detailed specifications of the goods or services required;
 - (c) the criteria for deciding which tender should be accepted;
 - (d) whether or not the local government has decided to submit a tender; and
 - (e) whether or not the CEO has decided to allow tenders to be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted.
- (5) After a notice has been given under subregulation (1) or (2), a local government may vary the information referred to in subregulation (3) by taking reasonable steps to give each person who has sought copies of the tender documents or each acceptable tenderer, as the case may be, notice of the variation.

[Regulation 14 amended in Gazette 29 Jun 2001 p. 3130.]

Section 5 R15 Minimum time to be allowed for submitting tenders

- (1) If the notice is published in the newspaper as part of giving Statewide public notice, the time specified in the notice as the time after which tenders cannot be submitted has to be at least 14 days after the notice is first published in the newspaper as part of giving Statewide public notice.
- (2) If the notice is given to a person listed as an acceptable tenderer, the time specified in the notice as the time after which tenders cannot be submitted has to be at least 14 days after the notice is given.

Local Government Act 1996

Clause 2.4 The Local Government (Functions and General) Regulations 1996, Part 4, Division 2, regulation 18, paragraph (2)

- (1) *A tender that is submitted at a place, and within the time, specified in the invitation for tenders but that fails to comply with any other requirement specified in the invitation may be rejected without considering the merits of the tender.*

POLICY IMPLICATIONS

The tender has been managed in accordance with Policy 2.3.7 Purchasing, as the value of the tender is \$100,000 +.

FINANCIAL IMPLICATIONS

See attached confidential evaluation report for details of financial implications.

The current budget is sufficient to complete all required work to undertake the road construction and the tender for the construction works is within the budgeted amount.

The table below outlines funding sources for the project.

Funding Source: Lorikeet Drive Extension Project

Funding Type	Capital or Start Up Expense	Funding Details	Account Number
Grant	\$500,000	Regional Road Group	121779
Grant	\$750,000	Roads to Recovery	121776
Shire	\$65,000	Municipal Funds	
TOTAL	\$1,315,000		

The recommended tender received and the associated costs for this project are within budget allocations.

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Affordable services and initiatives to satisfy community need

Accessible and safe community spaces

Our Place Goal – Help to protect the nature and built environment and cultural heritage of Broome whilst recognising the unique sense of the place:

Best practice asset management to optimise Shires' infrastructure whilst minimising life cycle costs.

Our Prosperity Goal – Create the means to enable local jobs creation and lifestyle affordability for the current and future population:

Affordable and equitable services and infrastructure

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

Responsible resource allocation

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council:

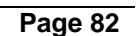
1. *Endorses the recommendations as contained in the confidential tender assessment report for Tender 14/13 Lorikeet Drive Extension.*
2. *Notes details of the successful tenderer will be available for public information in the Tender Register in accordance with regulation 17 of the Local Government (Functions and General) regulations 1996.*
3. *Authorises the Shire President and Chief Executive Officer to engross the Contract Document.*

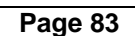
Attachments

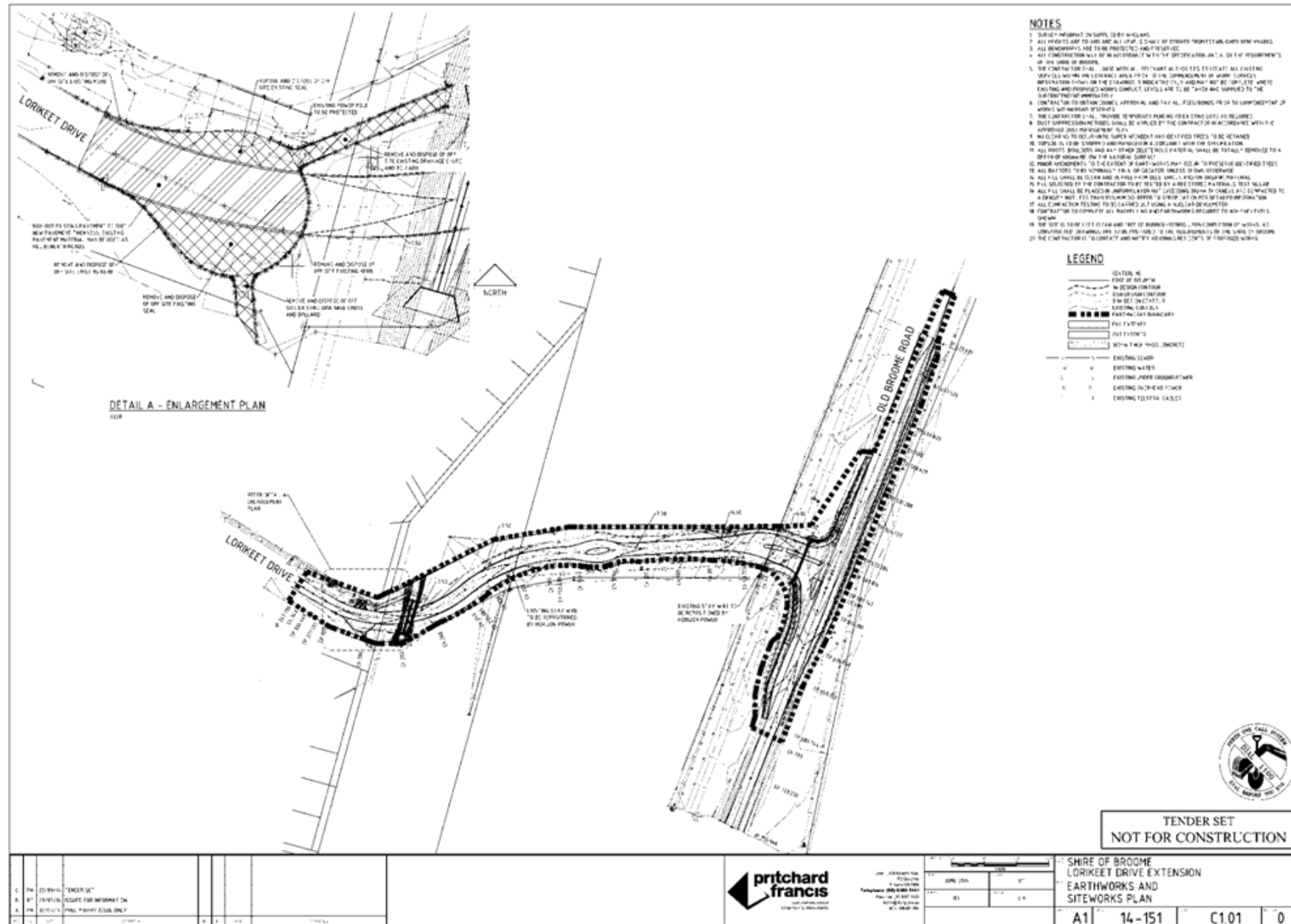
1. Recommendation Report - Lorikeet Drive Extension (*Confidential to Councillors and Directors Only*)

This attachment is confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)(c) as it contains "a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting".

2. Lorikeet Drive Extension - Plan 1
3. Lorikeet Drive Extension - Plan 2
4. Lorikeet Drive Extension - Plan 3







OUR ORGANISATION



PRIORITY STATEMENT

Council will strive to create an environment where local governance is delivered in an open and accountable manner; where we provide leadership to the region in such areas as planning and financial management; where the community has the opportunity to contribute to the Council's decision making thereby fostering ownership of strategies and initiatives.

In delivering open, accountable and inclusive governance, we will be ever mindful that we operate within a highly regulated environment that requires a high level of compliance.

Council will strive to be the conduit between the other spheres of government and the community, translating State and Federal law, policy and practice into customer focussed, on ground service delivery that support's Broome's unique lifestyle.

The Region is experiencing significant change with Council dedicated to sound governance, effective leadership and innovation, and high quality services. Building organisational capacity is a priority with a commitment to delivering services to the community in a sustainable, effective and accountable way.

9.4.1 PAYMENTS - NOVEMBER 2014

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FRE02
AUTHOR:	Finance Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	2 December 2014

SUMMARY: This report recommends that Council records the list of payments made under delegated authority, as per the attachment to this report, for the month of November 2014.

BACKGROUND*Previous Considerations***COMMENT**

The Chief Executive Officer (CEO) has delegated authority to make payments from the Municipal and Trust funds in accordance with budget allocations.

The Shire provides payments to suppliers by either Electronic Funds Transfer (EFT), cheque, credit card or direct debit.

Attached is a list of all payments processed under delegated authority during the month of November, 2014.

CONSULTATION

Nil

STATUTORY ENVIRONMENT***Local Government (Financial Management) Regulations 1996*****13. Lists of accounts**

(1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*

- (a) *the payee's name;*
- (b) *the amount of the payment;*
- (c) *the date of the payment; and*
- (d) *sufficient information to identify the transaction.*

(3) *A list prepared under sub regulation (1) is to be —*

- (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
- (b) *recorded in the minutes of that meeting.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

List of payments made in accordance with budget and delegated authority.

STRATEGIC IMPLICATIONS

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

An organisational culture that strives for service excellence

Sustainable and integrated strategic and operational plans

Responsible resource allocation

Effective community engagement

Retention and attraction of staff

Improved systems, processes and compliance

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council records the accounts as paid under delegated authority for November 2014, totalling \$3,348,805.60, as attached, covering:

- *EFT Vouchers 28689-29008 totalling \$3,002,629.33;*
- *Municipal Cheque Vouchers 57203-57229 totalling \$116,318.14;*
- *Trust Cheque Voucher 3382-3385 totalling \$11,370.21 and*
- *Municipal Direct Debits DD17924.1-17971.9 totalling \$218,487.92*

Attachments

1. Accounts for Payment - November 2014

PAYMENTS - NOVEMBER 2014

Part 5. Division 4. Section 5.42 Delegation of some powers to CEO. Sub Section Finance Management Regulation 12.
Each payment must show on a list the payees name, the amount of the payment, the date of the payment and sufficient

This report incorporates the Delegation of Authority (Administration Regulation 19)

PAYMENTS BY EFT & CHEQUE AND FROM TRUST - NOVEMBER 2014					
Chq / EFT	Date	Name	Description	Amount	Del Auth
EFT28689	06-11-2014	FIRST NATIONAL REAL ESTATE BROOME	Staff Rent	88.30	MFS
EFT28690	06-11-2014	BOC LIMITED	Gas cylinder storage carrier for Workshop	443.60	MFS
EFT28691	06-11-2014	CENTURION TRANSPORT	Freight Charges - Library	83.45	MFS
EFT28692	06-11-2014	IT VISION	2014/15 Synergy Rates service contract as per service agreement - Qtr 1 Billing	11389.95	MFS
EFT28693	06-11-2014	THE SHELL COMPANY OF AUSTRALIA LTD	29.85L Diesel - Rangers	49.85	MFS
EFT28694	06-11-2014	STAPLES AUSTRALIA P/L	HP Laptop x 3 & HP Desktop x 1	11079.15	MFS
EFT28695	06-11-2014	PINDAN WELDING	Repairs to tank straps on Hino truck	935.00	MFS
EFT28696	06-11-2014	KIMBERLEY QUARRY PTY LTD	Supply and deliver road base to Cape Leveque Road & Waste Management Facility as per Contract 13/07	172349.96	MFS
EFT28697	06-11-2014	SUNNY SIGN COMPANY PTY LTD	Various street, warning signs and posts to suit	12124.68	MFS
EFT28698	06-11-2014	KOMATSU AUSTRALIA PTY LTD	Spare parts for large machinery	2656.88	MFS
EFT28699	06-11-2014	THERESA DE BIASI BENGTON	Reimbursement of fuel expenses	139.04	MFS
EFT28700	06-11-2014	NORTH WEST COAST SECURITY	1 x security guard for AKMAL show at the Civic Centre on 16th October 2014	177.10	MFS
EFT28701	06-11-2014	GREENLINE AG PTY LTD	Spare parts for large machinery	2326.45	MFS
EFT28702	06-11-2014	GREGORY JAMES BOWEN	Town rubbish bag collection. Week ending 02/11/14	305.00	MFS
EFT28703	06-11-2014	JULIE THOMAS	Town rubbish bag collection. Week ending 02/11/14	125.00	MFS
EFT28704	06-11-2014	KIMBERLEY SECURITY SHREDDING	Security shredding service	264.00	MFS
EFT28705	06-11-2014	TALIS CONSULTANTS	Consultancy Services Project No. TW14014 - Broome waste management facility site selection and master plan - July 2014	16351.50	MFS
EFT28706	06-11-2014	YEEDA (AUSTRALIAN RANGELAND MEAT PTY LTD)	Catering for DES 5 meeting at Depot	20.40	MFS
EFT28707	06-11-2014	JIM'S MOBILE SERVICE	Repairs to Shindiawa brush cutter	132.50	MFS
EFT28708	06-11-2014	ARTISTRALIA	Copyright for screening of the Lego Movie on 26 November 2014 at the Library	165.00	MFS
EFT28709	10-11-2014	CABLE BEACH CLUB RESORT & SPA	Accommodation for media presenter for the Perth Royal Show	750.00	MFS
EFT28710	10-11-2014	CARPET PAINT & TILE CENTRE	Supply and install carpet tiles to Broome Museum - 1st instalment = 50%	7905.48	MFS
EFT28711	10-11-2014	CENTURION TRANSPORT	Freight - IT Dept	409.12	MFS
EFT28712	10-11-2014	ASSORTED SIGNS	Stickers for library cards	49.41	MFS
EFT28713	10-11-2014	KIMBERLEY SIGNS & DESIGNS	3 x 'No Life Guard on Duty' signs	258.50	MFS
EFT28714	10-11-2014	LOMBADINA ABORIGINAL CORPORATION	8 nights accommodation for shoulder maintenance on Cape Leveque Road	1960.00	MFS
EFT28715	10-11-2014	THE SHELL COMPANY OF AUSTRALIA LTD	Fuel Card Purchases - October 2014	30.25	MFS
EFT28716	10-11-2014	BROOME PISTOL CLUB	Contribution towards renewal as part of Dept of Sport & Recreation CSRFF funding to upgrade facility	10000.00	MFS
EFT28717	10-11-2014	LO-GO APPOINTMENTS	Labour hire - Relief Finance Officer	2747.78	MFS

PAYMENTS - NOVEMBER 2014

EFT28718	10-11-2014	NORTHWEST SHEDMASTERS PTY LTD	Works Depot, supply and install replacement motorised roller door, insurance recoupable expense. Preferred Contractor 13/14	8540.40	MFS
EFT28719	10-11-2014	TOTALLY WORKWEAR - BROOME	Uniforms	2579.10	MFS
EFT28720	10-11-2014	HORIZON POWER	Haynes Oval Sports Lighting project - as per RFT14/12	34185.75	MFS
EFT28721	10-11-2014	GREENWAY ENTERPRISES	Small machinery spare parts and consumables for Parks & Gardens	5767.97	MFS
EFT28722	10-11-2014	IBIS STYLES PERTH	Accommodation and meals for library exchange in Perth	734.50	MFS
EFT28723	10-11-2014	BROOME RETICULATION	Remove BRAC effluent tank roof and liner and replace as per RFQ 14/29	18678.00	MFS
EFT28724	10-11-2014	GARVS AUTO ELECTRICS PTY LTD	Relocate stop switch on elevated work platform	110.00	MFS
EFT28725	10-11-2014	BEINGTHERE SOLUTIONS PTY LTD	Video conferencing subscription 17/10/2014 - 16/10/2015	8580.00	MFS
EFT28726	10-11-2014	FRANCIS LEONARD (LEN) BOYLING	Reimbursement of travel and work related expenses - Relief Assistant Finance Manager	1112.69	MFS
EFT28727	10-11-2014	THE GRATEFUL PALATE	Catering for Heads of Department attendees at meeting held at KTI 20/10/14	302.50	MFS
EFT28728	10-11-2014	BIG HEAD DIGITAL	Mail Chimp charges - Perth Royal Show	134.19	MFS
EFT28729	10-11-2014	BRIDGESTONE AUSTRALIA LTD	Tyre repairs and replacements to various Shire vehicles	6449.34	MFS
EFT28730	11-11-2014	LGIS INSURANCE BROKING	Statutory & Business Practices, Property, Public Liability & Workers Compensation Insurance 2nd Instalment - 01/07/14 - 30/06/15	582739.44	MFS
EFT28731	11-11-2014	DIGITAL MAPPING SOLUTIONS (DMS)	QGIS training 28 - 29/10/14 - Planning Officer - Shire of Broome	1210.00	MFS
EFT28732	11-11-2014	CABLE BEACH PRIMARY SCHOOL	Donation from CEO's Ad hoc sponsorship programme to graduation awards 2014	100.00	MFS
EFT28733	11-11-2014	KIMBERLEY DISTRIBUTORS	Stock & consumables for BRAC kiosk	1127.80	MFS
EFT28734	11-11-2014	NEC AUSTRALIA PTY LTD	NEC NECARE Remote Support Service Agreement - 10/10/14 - 09/10/15	3451.27	MFS
EFT28735	11-11-2014	ESPLANADE HOTEL FREMANTLE	Accommodation for Director Corporate Services (LGMA Conference)	980.00	MFS
EFT28736	11-11-2014	BP AUSTRALIA PTY LTD - FUEL	Diesel - 14,000 Litres for Shire fleet	39601.23	MFS
EFT28737	11-11-2014	HORIZON POWER	Electricity Charges at various Shire facilities - 02/09/14 - 02/10/14	44293.87	MFS
EFT28738	11-11-2014	SUBWAY BROOME	Catering for Lifeguard end of year function	84.00	MFS
EFT28739	11-11-2014	BROOME TREE & PALM SERVICE	Mulching of green waste at Waste Management Facility as per Contract 13/03	8791.20	MFS
EFT28740	11-11-2014	CHRISTIE PARKSAFE	BBQ element for Town Beach	418.00	MFS
EFT28741	11-11-2014	KI RECRUITMENT PTY LTD	Labour hire to replace mobile plant operator whilst on annual leave	5761.80	MFS
EFT28742	11-11-2014	REGAL TRANSPORT	Freight - Depot	280.52	MFS
EFT28743	11-11-2014	WOODLANDS PUBLISHING	12 month magazine subscription for 2015 - Broome Library	42.00	MFS
EFT28744	11-11-2014	BROOME PLUMBING & GAS	At Cable Beach Ablutions, attend to cistern not flushing	371.00	MFS
EFT28745	11-11-2014	BROOME FREIGHTLINES	Freight - Waste Management Facility	257.35	MFS
EFT28746	11-11-2014	HAYLEE MLIKOTA	Reimbursement of travel expenses while in Perth for training	73.82	MFS
EFT28747	11-11-2014	RYDGES ESPLANADE HOTEL FREMANTLE	Accommodation for CEO (LGMA State Conference)	735.00	MFS

PAYMENTS - NOVEMBER 2014

EFT28748	11-11-2014	BLUEBOTTLE CONSULTING	Kimberley Youth Strategy - DLGC Grant 2014 - Commencement of Project 10%	6709.00	MFS
EFT28749	11-11-2014	METRON PRODUCTS (AUST) PTY LTD	48 hook key cabinets	348.00	MFS
EFT28750	11-11-2014	HALLS CREEK TRAVEL & TOURISM	Charter flight for December 2014 Kimberley Zone/RCG Meeting in Halls Creek (to be reimbursed by Kimberley Zone members)	8465.00	MFS
EFT28751	12-11-2014	KLEENHEAT GAS	Annual rental of gas cylinder for forklift at Depot	99.00	MFS
EFT28752	12-11-2014	LOMBADINA ABORIGINAL CORPORATION	Hire of backhoe to carry out gravel inspections at the bulk gravel pit - Cape Leveque Road	1540.00	MFS
EFT28753	12-11-2014	TNT AUSTRALIA PTY LTD T/AS TNT EXPRESS	Freight Charges - P & G, Depot & Health Services	559.33	MFS
EFT28754	12-11-2014	ROYAL LIFE SAVING SOCIETY - WA	Award fees for life saving bronze medallion full course and re-qualification for 7 people	158.40	MFS
EFT28755	12-11-2014	PINDAN WELDING	Welding and fabrication to large machinery	2368.85	MFS
EFT28756	12-11-2014	NORTHERN LANDSCAPES WA	Drainage repair works to Cable Beach Road West as part of WANDRRA AGRN 606	5995.00	MFS
EFT28757	12-11-2014	NEIL DOUGLAS HAIGH	Reimbursement of travel expenses whilst in Perth for testing & tagging training	80.38	MFS
EFT28758	12-11-2014	BROOME MOTORS	Purchase of 2014 Isuzu D-Max SX crew cab with canopy	40852.45	MFS
EFT28759	12-11-2014	KATIE BIDEWELL	Town rubbish bag collection. Week ending 09/11/14	20.00	MFS
EFT28760	12-11-2014	AQUALYTE SOLUTION	6 x boxes electrolyte drink for Depot	1047.00	MFS
EFT28761	12-11-2014	LANCE ROBERT SMITH	Town rubbish bag collection. Week ending 09/11/14	20.00	MFS
EFT28762	12-11-2014	JEANETTE HUNT	Town rubbish bag collection. Week ending 09/11/14	12.50	MFS
EFT28763	12-11-2014	NORTH WEST LOCKSMITHS	14 x keys cut	70.00	MFS
EFT28764	12-11-2014	GREGORY JAMES BOWEN	Town rubbish bag collection. Week ending 09/11/14	252.50	MFS
EFT28765	12-11-2014	TYME FENCING	Install ring lock gate to northern grease pond at Waste Management Facility	1375.00	MFS
EFT28766	12-11-2014	JULIE THOMAS	Town rubbish bag collection. Week ending 09/11/14	90.00	MFS
EFT28767	12-11-2014	FLOWERS ON SAVILLE STREET	Floral wreath for Remembrance Day ceremony	70.00	MFS
EFT28768	12-11-2014	CAPS HIRE	Hire of trailer for clean up crew for 3 days	110.00	MFS
EFT28769	12-11-2014	BRAINTREE COMMUNICATIONS PTY LTD	EFTPOS transaction delivery service for Waste Management Facility 01/07/14 - 31/08/14	82.97	MFS
EFT28770	12-11-2014	SEAT ADVISOR PTY LTD	Civic Centre ticket sales commission fees - October 2014	210.93	MFS
EFT28771	13-11-2014	AUSTRALIAN TAXATION OFFICE	PAYG Tax: Pay period ending 11/11/14	119472.22	MFS
EFT28772	13-11-2014	SALARY PACKAGING	Salary Packaging	628.00	MFS
EFT28773	13-11-2014	SALARY PACKAGING	Salary Packaging	624.00	MFS
EFT28774	13-11-2014	SALARY PACKAGING	Salary Packaging	215.00	MFS
EFT28775	13-11-2014	SALARY PACKAGING	Salary Packaging	900.00	MFS
EFT28776	13-11-2014	SALARY PACKAGING	Salary Packaging	896.29	MFS
EFT28777	13-11-2014	SALARY PACKAGING	Salary Packaging	376.79	MFS
EFT28778	13-11-2014	SALARY PACKAGING	Salary Packaging	236.36	MFS
EFT28779	13-11-2014	SALARY PACKAGING	Salary Packaging	585.00	MFS
EFT28780	13-11-2014	SALARY PACKAGING	Salary Packaging	1523.00	MFS
EFT28781	13-11-2014	SALARY PACKAGING	Salary Packaging	600.00	MFS
EFT28782	13-11-2014	SALARY PACKAGING	Salary Packaging	330.00	MFS

PAYMENTS - NOVEMBER 2014

EFT28783	13-11-2014	SALARY PACKAGING	Salary Packaging	325.00	MFS
EFT28784	13-11-2014	EXPRESS SALARY PACKAGING	Payroll deductions	1309.67	MFS
EFT28785	13-11-2014	PAYROLL DEDUCTIONS	Payroll deductions	619.42	MFS
EFT28786	13-11-2014	COMMONWEALTH TRADING BANK	Payroll - S & W Pay period ending 11/11/14	351867.00	MFS
EFT28787	13-11-2014	DEPARTMENT OF FIRE & EMERGENCY SERVICES	Bond refund for Civic Centre event	525.00	MFS
EFT28788	13-11-2014	GRASS ROOT TOURS	Bond refund for Civic Centre event	525.00	MFS
EFT28789	13-11-2014	SANDRA DARRINGTON	Bond refund for Civic Centre event	200.00	MFS
EFT28790	14-11-2014	SHIRE OF BROOME	Donation of Library membership bond to Broome Library	40.00	MFS
EFT28791	14-11-2014	SHIRE OF BROOME	Refund tickets sales YOH Fest event. Offset shire invoice 34655	4875.50	MFS
EFT28792	14-11-2014	COMMUNITY SOLUTIONS INC	Bond refund for Civic Centre event	80.50	MFS
EFT28793	14-11-2014	BRETT PERKINS	Refund library membership bond	20.00	MFS
EFT28794	14-11-2014	STUART NOBLE	Refund library membership bond	20.00	MFS
EFT28795	14-11-2014	RICHARD PERGOLITI	Refund library membership bond	20.00	MFS
EFT28796	14-11-2014	DOROTHY STOCKWELL	Refund library membership bond	20.00	MFS
EFT28797	14-11-2014	MACARENA SMARTT	Refund library membership bond	20.00	MFS
EFT28798	17-11-2014	WESTERN AUSTRALIAN TREASURY CORPORATION	Loan No. 194 payment - BRAC Oval Pavilion	63714.43	MFS
EFT28799	18-11-2014	A-LIST ENTERTAINMENT	Refund Broome Civic Centre ticket sales for Akmal - 16.10.2014	16049.90	MFS
EFT28800	18-11-2014	ALBERT WIGGAN	Musical performance fees Perth Royal Show	1185.00	MFS
EFT28801	18-11-2014	BROOME SHIRE COUNCIL	BRB Commission October 2014	205.21	MFS
EFT28802	18-11-2014	DEPARTMENT OF COMMERCE - BUILDING COMMISSION	BRB Levy - October 2014	5732.44	MFS
EFT28803	19-11-2014	FIRST NATIONAL REAL ESTATE BROOME	Rental for community storage facility for period 14/11/14 - 14/12/14	505.00	MFS
EFT28804	19-11-2014	CABLE BEACH ELECTRICAL SERVICE	Replaced supplied element to BBQ at Town Beach	264.00	MFS
EFT28805	19-11-2014	ELSPETH MARGARET HENNESSY	Rates refund for over-payment of assessment A110878 - due to govt rebate	1569.47	MFS
EFT28806	19-11-2014	ANTHONY JOHN GIBBS	Reimbursement of travel expenses whilst in Perth for training	63.00	MFS
EFT28807	19-11-2014	HORIZON POWER	Electricity Charges - 01.10.14 - 31.10.14 (Street Lighting & various shire facilities)	61936.58	MFS
EFT28808	19-11-2014	ELIZABETH RICHARDS SCHOOL SUPPLIES PTY LTD	Furniture for children's area in Library	350.00	MFS
EFT28809	19-11-2014	NORTH WEST COAST SECURITY	Conduct security patrols at various Shire facilities as per contract scope 13/01 - week ending 26/10/14 & 09/11/14	15774.00	MFS
EFT28810	19-11-2014	BROOM TIME CLEANING	Conduct regular cleaning works at various Shire facilities as per contract 12/09 - October 2014	37334.66	MFS
EFT28811	19-11-2014	BROOME TREE & PALM SERVICE	Mulching of green waste at Waste Management Facility as per Contract 13/03	9372.00	MFS
EFT28812	19-11-2014	BROOME SMALL MAINTENANCE SERVICES	Conduct small maintenance tasks as directed at various Shire facilities	2123.50	MFS
EFT28813	19-11-2014	JEANETTE HUNT	Town rubbish bag collection. Week ending 16/11/14	12.50	MFS
EFT28814	19-11-2014	GREGORY JAMES BOWEN	Town rubbish bag collection. Week ending 16/11/14	290.00	MFS
EFT28815	19-11-2014	JODI NEINDORF	Reimbursement of travel costs while in Perth for library exchange	109.32	MFS
EFT28816	19-11-2014	JULIE THOMAS	Town rubbish bag collection. Week ending 16/11/14	5.00	MFS

PAYMENTS - NOVEMBER 2014

EFT28817	19-11-2014	NORTH WEST STRATA SERVICES (NWSS)	Key worker housing - six monthly admin/sink levy 01/10/14 - 31/03/15	2692.50	MFS
EFT28818	19-11-2014	A1 PLAQUES AUSTRALIA	Supply one brass plaque for the Beaufighter memorial	1128.55	MFS
EFT28819	19-11-2014	IGA - SEAVIEW	Daily newspapers - Media & Promotions Officer	54.00	MFS
EFT28820	19-11-2014	FLEET LOGISTICS PTY LTD	3 month subscription renewal to Ezy2c website	371.69	MFS
EFT28821	19-11-2014	SECUREPAY PTY LTD	Web payments transaction fees for Civic Centre - October 2014	18.81	MFS
EFT28822	19-11-2014	BROOME SHIRE COUNCIL	CTF Commission - October 2014	222.75	MFS
EFT28823	20-11-2014	BLUE HAZE SCAFFOLD HIRE	Provide and erect scaffolding to BRAC effluent tank No 1	550.00	MFS
EFT28824	20-11-2014	AUSTRALIA'S NORTH WEST TOURISM	Differential rate Tourism Marketing Contribution 2014/15	192500.00	MFS
EFT28825	20-11-2014	OASIS EATERY	Catering for shire staff meeting at Depot	253.75	MFS
EFT28826	20-11-2014	OPTEON (NORTH WEST WA)	Provide land valuation's on Lot 3130 Sanctuary Road Cable Beach & for RAC Wilderness Retreat	4400.00	MFS
EFT28827	20-11-2014	PMK WELDING AND METAL FABRICATION	Replace aluminium lid over drain on Dampier Terrace & welding to various heavy machinery	2980.46	MFS
EFT28828	20-11-2014	KIMBERLEY BUG BUSTERS	Pest control	716.00	MFS
EFT28829	20-11-2014	AARLI BAR	Catering for Perth Royal Show post event sundowner	420.00	MFS
EFT28830	20-11-2014	SURVEY NORTH PTY LTD	Volumetric survey of Buckleys Road landfill - First quarter 2014/15	1633.50	MFS
EFT28831	20-11-2014	ST JOHN AMBULANCE AUSTRALIA - BROOME	First aid course x 5	1100.00	MFS
EFT28832	20-11-2014	INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALIA LTD (IPWEA)	Parks Management Practice Notes - Australian Standards	187.00	MFS
EFT28833	20-11-2014	BROOME ABORIGINAL MEDIA ASSOCIATION	Kimberley Girl Sponsorship 2014	4400.00	MFS
EFT28834	20-11-2014	NORTH WEST LOCKSMITHS	BRAC, repairs to lock and key cutting	245.00	MFS
EFT28835	20-11-2014	AVERY AIRCONDITIONING PTY LTD	At various Shire facilities, conduct air conditioning monthly filter cleans as per scope contract 13/16	6155.08	MFS
EFT28836	20-11-2014	KIMBERLEY WASHROOM SERVICES	Provide sanitary waste removal at various Shire facilities - October 2014	780.00	MFS
EFT28837	20-11-2014	ALGERI PLANNING & APPEALS	DEA20 - Shire of Broome representative at State Administration Tribunal DR 178 of 2014 - Unacceptable conditions	632.50	MFS
EFT28838	20-11-2014	DOMINO'S PIZZA	Catering for CEO 15 function held 24/10/14	225.15	MFS
EFT28839	20-11-2014	IGA - SEAVIEW	Daily and weekend newspapers for the Broome Public Library	172.00	MFS
EFT28840	20-11-2014	JB HI-FI GROUP PTY LTD	Apple MacBook Air11 & iPhone 4	1585.92	MFS
EFT28841	20-11-2014	AMPAC DEBT RECOVERY	Debt recovery costs - October 2014	1821.16	MFS
EFT28842	20-11-2014	RSM BIRD CAMERON	Audit of the 2013-2014 Roads to Recovery standard annual report	1100.00	MFS
EFT28843	21-11-2014	PAYROLL DEDUCTIONS	Payroll deductions	19.40	MFS
EFT28844	21-11-2014	PAYROLL DEDUCTIONS	Payroll deductions	975.70	MFS
EFT28845	21-11-2014	PAYROLL DEDUCTIONS	Payroll deductions	880.00	MFS
EFT28846	21-11-2014	PAYROLL DEDUCTIONS	Payroll deductions	940.00	MFS
EFT28847	21-11-2014	PAYROLL DEDUCTIONS	Payroll deductions	19.40	MFS
EFT28848	21-11-2014	PAYROLL DEDUCTIONS	Payroll deductions	975.70	MFS
EFT28849	21-11-2014	PAYROLL DEDUCTIONS	Payroll deductions	880.00	MFS
EFT28850	21-11-2014	PAYROLL DEDUCTIONS	Payroll deductions	920.00	MFS
EFT28851	21-11-2014	FIRST NATIONAL REAL ESTATE BROOME	Staff Rent - 01/12/14 to 31/12/14	6413.32	MFS
EFT28852	21-11-2014	REALMARK BROOME	Staff Rent - 01/12/14 to 31/12/14	5373.00	MFS

PAYMENTS - NOVEMBER 2014

EFT28853	21-11-2014	PRD NATIONWIDE BROOME	Staff Rent - 01/12/14 to 31/12/14	4446.66	MFS
EFT28854	21-11-2014	RICHARD DOWDING	Staff Rent - 01/12/14 to 31/12/14	2400.00	MFS
EFT28855	21-11-2014	MARTIN HUBER	Field marking for conduit trenching and design compliance at BRAC	100.00	MFS
EFT28856	21-11-2014	MARK ANTHONY MARCHETTI	Rates refund for over-payment of assessment A110716	633.94	MFS
EFT28857	21-11-2014	LJ HOOKER	Staff Rent - 01/12/14 to 31/12/14	5416.66	MFS
EFT28858	21-11-2014	RAY WHITE BROOME	Staff Rent - 01/12/14 to 31/12/14	9294.99	MFS
EFT28859	21-11-2014	HORIZON POWER	Electricity Charges at various Shire facilities - 13/09/14 to 13/11/14	1630.55	MFS
EFT28860	21-11-2014	HORIZON POWER	Lorikeet Drive Extension WKS0042 - Street Lights - Commissioning. Funding Cost	36013.15	MFS
EFT28861	21-11-2014	JTAGZ PTY LTD	Dog/cat registration tags	390.50	MFS
EFT28862	21-11-2014	MAX BERNARD GRAFFEN	Staff Rent - 01/12/14 to 31/12/14	2166.66	MFS
EFT28863	21-11-2014	WEST COAST ON HOLD	On-hold telephone messages for Shire of Broome - November 2014	69.00	MFS
EFT28864	21-11-2014	BROOME FLORIST	Flowers for birth of baby boy for staff member	55.00	MFS
EFT28865	21-11-2014	BLUE SEAS CLEANING SERVICE	At Shire of Broome Public Library, attend to carpet cleaning as directed	168.00	MFS
EFT28866	21-11-2014	ASTRID GERRITS	2014/15 Community Sponsorship Program - Upcycle Art Broome	1000.00	MFS
EFT28867	21-11-2014	MOAMA ON MURRAY RESORT	Staff Rent - 01/12/14 to 31/12/14	4420.00	MFS
EFT28868	21-11-2014	R.P. DETAILING	Detail Isuzu ute	390.00	MFS
EFT28869	21-11-2014	JARROD WITHERS & JULIA SCOTT	Staff Rent - 01/12/14 to 31/12/14	2600.00	MFS
EFT28870	21-11-2014	LIFT 'N' RIG PTY LTD	Supply of crane to unload precast concrete panels - Town Beach launching ramp	3300.00	MFS
EFT28871	21-11-2014	FINN FILMS	50% deposit - Supply visual projection installation near Streeters Jetty during the 4th December Christmas street party	2700.00	MFS
EFT28872	21-11-2014	SHIRE OF BROOME	Library membership bond refund donation to Broome Library	80.00	MFS
EFT28873	24-11-2014	AUSTRALIA POST	Postage Charges. Period ending 31/10/14	3152.82	MFS
EFT28874	24-11-2014	BROOME CRETE	Delivery of cracker dust and river sand to various Shire facilities	687.50	MFS
EFT28875	24-11-2014	BROOME RETRAVISION	Microwave & grill - Admin kitchen	297.98	MFS
EFT28876	24-11-2014	BROOME FURNISHINGS	Furniture for the Broome Public Library public seating area	458.00	MFS
EFT28877	24-11-2014	CHINATOWN NEWSAGENCY (DELRAY NOMINEES PTY LTD)	Periodical payment for magazine subscription - Broome Public Library	19.50	MFS
EFT28878	24-11-2014	COATES HIRE OPERATIONS PTY LTD	Hire of road saw for Town Beach boat ramp upgrade	640.06	MFS
EFT28879	24-11-2014	BROOME BP CENTRAL SERVICE STATION	Unleaded fuel for small plant at Depot	386.55	MFS
EFT28880	24-11-2014	SAI GLOBAL LIMITED	Membership Fee - Buyer advantage program	512.60	MFS
EFT28881	24-11-2014	TNT AUSTRALIA PTY LTD	Freight Charges - Depot & Health Services	299.12	MFS
EFT28882	24-11-2014	THE AUSTRALIAN LOCAL GOVERNMENT JOB DIRECTORY	1/4 page advertisement, local government jobs directory - Engineering Technical Officer	550.00	MFS
EFT28883	24-11-2014	WEST AUSTRALIAN NEWSPAPERS	Fortnightly Shire News page in Broome Advertiser - October 2014	7200.00	MFS
EFT28884	24-11-2014	AUTO ONE BROOME	2 x gas struts for Hino Truck	111.20	MFS
EFT28885	24-11-2014	NORTH AUSSIE ICE	Ice for Depot staff	53.90	MFS
EFT28886	24-11-2014	COLES SUPERMARKETS - CHINATOWN, S324	Refreshments for various meetings and workshops & vouchers for OHS monthly prizes for Depot staff	1262.58	MFS

PAYMENTS - NOVEMBER 2014

EFT28887	24-11-2014	ADVANCED ELECTRICAL EQUIPMENT PTY LTD	Moller pressure switch, junction box & cable pliers	738.10	MFS
EFT28888	24-11-2014	REEN AUTO ELECTRICS	2-way radio for four Shire vehicles	1352.50	MFS
EFT28889	24-11-2014	KIMBERLEY TRAINING INSTITUTE	Forklift course - Workshop mechanic	560.00	MFS
EFT28890	24-11-2014	AMO CONTRACTING	As Per RFT 13/08 Construction of concrete footpaths and cross overs - Footpath construction in Sunset Rise	55257.40	MFS
EFT28891	24-11-2014	BP SHINJU	Ice	18.00	MFS
EFT28892	24-11-2014	BROOME TREE & PALM SERVICE	Mulching of green waste at Waste Management Facility as per Contract 13/03	21595.20	MFS
EFT28893	24-11-2014	BLACKWOODS	Dyna drill ramset rotary combo-hammer	6077.62	MFS
EFT28894	24-11-2014	TOTAL PACKAGING (WA) PTY LTD	5 x boxes of pooch bags	508.75	MFS
EFT28895	24-11-2014	KIMBERLEY SIGNS & DESIGNS	Refuse and Recycling Facility sign	599.50	MFS
EFT28896	24-11-2014	MERCURE HOTEL PERTH	Accommodation & meals for Planning Officer to attend QGIS training in Perth	1322.95	MFS
EFT28897	24-11-2014	KIMBERLEY QUARRY PTY LTD	Gravel / road base blend delivered to BRAC as per RFT 13/07	5769.98	MFS
EFT28898	24-11-2014	TECHWEST SOLUTIONS	Group fitness microphone for BRAC	57.20	MFS
EFT28899	24-11-2014	BROLGA DEVELOPMENTS & CONSTRUCTION PTY LTD	Crossover Subsidy x 2	1000.00	MFS
EFT28900	24-11-2014	KIMBERLEY GOLD PURE DRINKING WATER	19 Litre water refills for various Shire facilities	532.00	MFS
EFT28901	24-11-2014	BROOME MOTORS	Vehicle repairs and spare parts	2379.00	MFS
EFT28902	24-11-2014	CABLE BEACH TYRE SERVICE PTY LTD	Tyre repairs and replacements to various shire vehicles	1162.00	MFS
EFT28903	24-11-2014	WOOLWORTHS LIMITED	Meals for bush camp workers & refreshments for various meetings	1140.20	MFS
EFT28904	24-11-2014	BROOME BOLT SUPPLIES WA PTY LTD	Hardware & consumables for Depot	1146.15	MFS
EFT28905	24-11-2014	GOOD EARTH GARDEN PRODUCTS PTY LTD	Bulk potting mix	709.50	MFS
EFT28906	24-11-2014	DICK SMITH ELECTRONICS	Wireless keyboard & IT consumables	262.78	MFS
EFT28907	24-11-2014	KI RECRUITMENT PTY LTD	Labour hire to replace mobile plant operator whilst on annual leave	5025.57	MFS
EFT28908	24-11-2014	BROOME BUILDERS PTY LTD	Crossover Subsidy x 1	500.00	MFS
EFT28909	24-11-2014	MONICA WAGER	Reimbursement - Dog sterilisation subsidy	220.00	MFS
EFT28910	24-11-2014	LARA JEAN ASSOCIATION INC	2014/15 Community Sponsorship Program - Movie Mayhem	1000.00	MFS
EFT28911	24-11-2014	QUANTIFIED TREE RISK ASSESSMENT LIMITED	Training for Parks & Gardens staff x 2 to attend in Perth QTRA & Visual Tree Assessment training 04/12/14	1890.90	MFS
EFT28912	25-11-2014	MCLEODS	Legal fees - Matter 36509 Advice - need for extension to planning scheme IDO, Matter 31569 Beach Polo, Matter 35047 Aboriginal Lands Trust - Health act proceedings, Matter 36400 Excess dogs at Mallingbarr Aboriginal Community, Matter 35691 Polo Enterprises Australia, Advice on rates exemption	20911.82	MFS
EFT28913	25-11-2014	WALGA (WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION)	Recruitment advertising costs and Public Notices in various newspapers	12962.11	MFS
EFT28914	25-11-2014	JACK AND JILL PLAYGROUP	2014/15 Community Sponsorship Program - Civic Centre Christmas Party venue hire	700.00	MFS

PAYMENTS - NOVEMBER 2014					
EFT28915	25-11-2014	UHY HAINES NORTON (WA) PTY LTD	Conduct, review and report on Audit Regulation 17 as per RFQ14-14 & review of Strategic Community Plan & Corporate Business Plan as per RFO 14-39	11786.50	MFS
EFT28916	25-11-2014	BROOME SMALL MAINTENANCE SERVICES	At storage units, provide labour to transfer stored materials from sea container to lock up	255.00	MFS
EFT28917	25-11-2014	RARAS CAFE CATERING FOODSTORE	Catering for workshop - Review of Community Strategic Plan	413.00	MFS
EFT28918	25-11-2014	GREGORY JAMES BOWEN	Town rubbish bag collection. Week ending 23/11/14	280.00	MFS
EFT28919	25-11-2014	JULIE THOMAS	Town rubbish bag collection. Week ending 23/11/14	27.50	MFS
EFT28920	25-11-2014	HERBERT SMITH FREEHILLS	Legal fees - Matter 82220011 Hyde Park extension of lease, Matter 82346902 Magabala Books lease preparation, Matter 82319456 Kimberley Port Authority - Intertidal zones	14292.26	MFS
EFT28921	26-11-2014	SHIRE OF BROOME	Donation of Library membership bond to Broome Library	40.00	MFS
EFT28922	26-11-2014	AMANDA RILEY	Refund Library membership bond	20.00	MFS
EFT28923	26-11-2014	SIMONE TAYLOR	Refund Library membership bond	20.00	MFS
EFT28924	26-11-2014	SHAUN SPRUNT	Refund Library membership bond	20.00	MFS
EFT28925	26-11-2014	IAN STEPHENS	Refund Library membership bond	20.00	MFS
EFT28926	26-11-2014	KALLISTA BOLTON	Refund Library membership bond	20.00	MFS
EFT28927	26-11-2014	MARTA KACZMAREK	Refund Library membership bond	20.00	MFS
EFT28928	26-11-2014	BROOME DIESEL & HYDRAULIC SERVICE	Vehicle repairs and spare parts	1263.00	MFS
EFT28929	26-11-2014	CASTROL AUSTRALIA PTY LTD	2 x 205lts of Castrol engine oil TCF410	1985.24	MFS
EFT28930	26-11-2014	MCCORRY BROWN EARTHMOVING PTY LTD	Supply and delivery of pindan to the Waste Management Facility as per Contract 14/07 - October 2014	38069.21	MFS
EFT28931	26-11-2014	KIMBERLEY KERBS	Construction of extruded concrete kerbing in Hunter Street as per RFT 13/09	5434.00	MFS
EFT28932	26-11-2014	PRINTING IDEAS	Dog and cat registration renewal forms	840.07	MFS
EFT28933	26-11-2014	COCA COLA AMATIL	Stock and consumables for BRAC kiosk	301.44	MFS
EFT28934	26-11-2014	KIMBERLEY CAMPING & OUTBACK SUPPLIES	Uniforms	3088.45	MFS
EFT28935	26-11-2014	BROOME 4WD RECYCLERS	Vehicle repairs and spare parts	621.60	MFS
EFT28936	26-11-2014	SGS AUSTRALIA PTY LTD	Asbestos testing of property due to house fire as required for environmental impact testing	176.00	MFS
EFT28937	26-11-2014	COASTAL DISTRIBUTING & PROVEDORING	Ice creams for BRAC kiosk stock	678.83	MFS
EFT28938	26-11-2014	BROOME WHEEL ALIGNING & SUSPENSIONS	Wheel alignment	97.00	MFS
EFT28939	26-11-2014	SURFMET PTY LTD T/A KIMBERLEY SOILS LABORATORY	Carry out compaction testing on the base course to Hunter and Lucas Street pavement repairs	319.00	MFS
EFT28940	26-11-2014	AUSTRALIAN YOGA LIFE	2015 magazine subscription for Broome Public Library	30.00	MFS
EFT28941	26-11-2014	MPL LABORATORIES (ENVIROLAB SERVICES WA)	Lot 228 Buckleys Road - liquid waste pond samples	2468.40	MFS
EFT28942	26-11-2014	BROOME TYREPOWER & EXHAUST	Tyre repairs and replacements to various shire vehicles	3344.00	MFS
EFT28943	26-11-2014	POSITION PARTNERS	Magnet Office product maintenance 12 months	1100.00	MFS
EFT28944	26-11-2014	WESTWATER ENTERPRISES PTY LTD	Spare parts for Town Beach water park	1038.62	MFS
EFT28945	26-11-2014	CLARITY COMMUNICATIONS	Shire E-News - October 2014	73.17	MFS

PAYMENTS - NOVEMBER 2014

EFT28946	26-11-2014	STREET FURNITURE AUSTRALIA	2 x drinking fountains for Cable Beach Reserve	8041.00	MFS
EFT28947	26-11-2014	DALLCON	Supply and delivery of 16 precast concrete ramp panels as detailed in RFQ14-32 for Town Beach boat ramp upgrade	39704.00	MFS
EFT28948	27-11-2014	AUSTRALIAN TAXATION OFFICE	PAYG	115107.90	MFS
EFT28949	27-11-2014	SALARY PACKAGING	Salary Packaging	628.00	MFS
EFT28950	27-11-2014	SALARY PACKAGING	Salary Packaging	624.00	MFS
EFT28951	27-11-2014	SALARY PACKAGING	Salary Packaging	215.00	MFS
EFT28952	27-11-2014	SALARY PACKAGING	Salary Packaging	500.00	MFS
EFT28953	27-11-2014	SALARY PACKAGING	Salary Packaging	900.00	MFS
EFT28954	27-11-2014	SALARY PACKAGING	Salary Packaging	896.29	MFS
EFT28955	27-11-2014	SALARY PACKAGING	Salary Packaging	376.79	MFS
EFT28956	27-11-2014	SALARY PACKAGING	Salary Packaging	236.36	MFS
EFT28957	27-11-2014	SALARY PACKAGING	Salary Packaging	585.00	MFS
EFT28958	27-11-2014	SALARY PACKAGING	Salary Packaging	1523.00	MFS
EFT28959	27-11-2014	SALARY PACKAGING	Salary Packaging	600.00	MFS
EFT28960	27-11-2014	SALARY PACKAGING	Salary Packaging	330.00	MFS
EFT28961	27-11-2014	SALARY PACKAGING	Salary Packaging	325.00	MFS
EFT28962	27-11-2014	PAYROLL DEDUCTIONS	Payroll deductions	1309.67	MFS
EFT28963	27-11-2014	PAYROLL DEDUCTIONS	Payroll deductions	716.28	MFS
EFT28964	27-11-2014	COMMONWEALTH TRADING BANK	Payroll S & W pay period ending 25/11/14	339223.00	MFS
EFT28965	28-11-2014	AUSTRALIAN TAXATION OFFICE	PAYG Tax: Pay period ending: 28/10/14	388.61	MFS
EFT28966	28-11-2014	CUTTING EDGES REPLACEMENT PARTS PTY LTD	Cutting edge and fittings for heavy machinery	256.14	MFS
EFT28967	28-11-2014	MCINTOSH & SON	Spare parts for heavy machinery	2399.43	MFS
EFT28968	28-11-2014	JASON SIGNMAKERS	Roadwork signs	446.60	MFS
EFT28969	28-11-2014	PURCHER-INTERNATIONAL PTY LTD	Spare parts for heavy machinery	114.71	MFS
EFT28970	28-11-2014	RAECO	Stationery for Library	157.75	MFS
EFT28971	28-11-2014	E & M J ROSHER PTY LTD	Spare parts for heavy machinery	147.25	MFS
EFT28972	28-11-2014	SHINJU MOTOR GROUP	Vehicle repairs and spare parts	207.35	MFS
EFT28973	28-11-2014	FULTON HOGAN INDUSTRIES PTY LTD	Pallet of 60 premix asphalt bags	1980.00	MFS
EFT28974	28-11-2014	OFFICEMAX AUSTRALIA LTD	Monthly stationary order	3166.75	MFS
EFT28975	28-11-2014	MERCURE HOTEL PERTH	Accommodation for Shire President in Perth for WARCA meeting	221.00	MFS
EFT28976	28-11-2014	LO-GO APPOINTMENTS	Labour Hire - Relief Finance Officer	1217.04	MFS
EFT28977	28-11-2014	REDWAVE MEDIA PTY LTD	Radio advertising contract with Redwave Media (Spirit FM, WAFM) - October 2014	1320.00	MFS
EFT28978	28-11-2014	PMK WELDING AND METAL FABRICATION	Replaced incorrect connecting straps from precast concrete panels with fabricated steel chemi-anchors - Town Beach boat ramp upgrade	9826.04	MFS
EFT28979	28-11-2014	HORIZON POWER	Electricity Charges - 17/09/14 - 19/11/14	61.92	MFS
EFT28980	28-11-2014	MONSOONAL LANDSCAPES	Separable Portion 1 & 2 - Park maintenance as per written specification - June & October 2014	38482.20	MFS
EFT28981	28-11-2014	KENNETH RAYMOND DONOHOE	Reimbursement of travel expenses while attending various meetings in Perth, Darwin & Canberra	511.72	MFS
EFT28982	28-11-2014	ORD RIVER ELECTRICS	Electrical installations and maintenance at various Shire facilities - September 2014. Preferred contractor 13/14	6407.69	MFS
EFT28983	28-11-2014	SEAT ADVISOR PTY LTD	Travel costs associated with workshop on training of ticketing system used for Civic Centre shows	2299.00	MFS

PAYMENTS - NOVEMBER 2014

EFT28984	28-11-2014	EASIFLEET MANAGEMENT	Monthly vehicle lease payment for Kimberley Zone Project Manager (to be reimbursed by Kimberley Zone members)	983.59	MFS
EFT28985	28-11-2014	WAYNE HALLIDAY	Refund of Library charge - audio book returned	63.20	MFS
EFT28986	28-11-2014	TOX FREE AUSTRALIA PTY LTD	Contract 14/01 Supply of waste disposal goods and the provision of goods and services in respect to the collection of recycle waste - September 2014	11325.33	MFS
EFT28987	28-11-2014	THE MANGROVE RESORT HOTEL (GARRETT HOSPITALITY PTY LTD)	Venue hire & catering for workshop - review of Community Strategic Plan 14/11/14	1106.00	MFS
EFT28988	28-11-2014	KIMBERLEY TRUSS (NORTRUSS (NT) PTY LTD)	Hardware & consumables for Depot	3084.38	MFS
EFT28989	28-11-2014	PARKER BLACK & FORREST PTY LTD	Four padlocks keyed to A106 - 1002 for Admin building	733.70	MFS
EFT28990	28-11-2014	MIDALIA STEEL PTY LTD	Lengths of flat bar, round bar, galvanised pipe for various repairs	1872.34	MFS
EFT28991	28-11-2014	A & M MEDICAL SERVICES PTY LTD	Annual service of three oxy soks and one defibrillator for BRAC	519.83	MFS
EFT28992	28-11-2014	LANDMARK OPERATIONS LTD	Fertiliser, sodium bi-carb and star pickets for Parks & Gardens	10847.32	MFS
EFT28993	28-11-2014	TUTT BRYANT EQUIPMENT	2x seal kits #05851257 for compactor	1548.67	MFS
EFT28994	28-11-2014	TOTAL SAFETY & FIRE SOLUTIONS	Assorted safety equipment for spray technician	571.70	MFS
EFT28995	28-11-2014	WIRTGEN AUSTRALIA PTY LTD	Spare parts & consumables for heavy machinery	1037.42	MFS
EFT28996	28-11-2014	HITACHI CONSTRUCTION MACHINERY (AUSTRALIA)	Spare parts & consumables for heavy machinery	312.61	MFS
EFT28997	28-11-2014	CLARK EQUIPMENT SALES PTY LTD	Spare parts & consumables for heavy machinery	187.06	MFS
EFT28998	28-11-2014	CSIRO PUBLISHING	2 x books for Planning	158.90	MFS
EFT28999	28-11-2014	CHAMPION COMPRESSORS PTY LTD (SULLAIR)	Parts for air compressor in Workshop	1221.90	MFS
EFT29000	28-11-2014	GREENLINE AG PTY LTD	Spare parts & consumables for heavy machinery	1370.97	MFS
EFT29001	28-11-2014	HOLDFAST FLUID POWER NW PTY LTD	Replace hydraulic hose to road sweeper	1069.30	MFS
EFT29002	28-11-2014	PERFEKT PTY LTD	Hitachi AMS hardware and software support; Brocade switch support & AMS HDLM Software support expiring 31.10.2015	2978.80	MFS
EFT29003	28-11-2014	GARDEN CITY PLASTICS	Planter pots and bags for Nursery	1529.64	MFS
EFT29004	28-11-2014	TRUCK CENTRE (WA) PTY LTD	Spare parts & consumables for heavy machinery	240.16	MFS
EFT29005	28-11-2014	VORGE PTY LTD	Goggles and Pro Shop equipment for BRAC kiosk	1367.08	MFS
EFT29006	28-11-2014	KWOK PING CHAN	Refund Library membership bond	20.00	MFS
EFT29007	28-11-2014	SIODAHN DOOHAN	Refund Library membership bond	20.00	MFS
EFT29008	28-11-2014	JUDITH MCKENNA	Refund Library membership bond	20.00	MFS
MUNICIPAL ELECTRONIC FUNDS TRANSFER TOTAL:				3,002,629.33	

MUNICIPAL CHEQUES NOVEMBER 2014

Cheque	Date	Name	Description	Amount	Del Auth
57203	11-11-2014	TRUCKLINE	Spare parts for low loader	119.58	MFS
57204	11-11-2014	WATER CORPORATION	Water usage at various Shire facilities 02.09.14 - 03.11.14	474.06	MFS
57205	11-11-2014	FIONA HARDMAN	Refund 50% of withdrawn Planning Application No. 2014/13	73.50	MFS
57206	11-11-2014	DEPARTMENT OF TRANSPORT (BM PLATES)	Shire of Broome Plates x 2	400.00	MFS

PAYMENTS - NOVEMBER 2014

57207	11-11-2014	XJ'S PTY LTD	Stationery for Library	52.00	MFS
57208	12-11-2014	TELSTRA	Call charges 28 Sept 2014 to 27 Oct 2014	962.14	MFS
57209	12-11-2014	WATER CORPORATION	Water usage at various Shire facilities 02.09.14 - 03.11.14	17856.81	MFS
57210	12-11-2014	DEPARTMENT OF CORRECTIVE SERVICES	Refund duplicate payment of INV# 34763	17036.09	MFS
57211	12-11-2014	DEPARTMENT OF CORRECTIVE SERVICES	Refund duplicate payment of INV# 34764	21235.91	MFS
57212	14-11-2014	TELSTRA	Call charges 28 Sep 2014 to 27 Oct 2014	1716.47	MFS
57213	14-11-2014	WATER CORPORATION	Water usage at various Shire facilities 02.09.14 - 03.11.14	5751.80	MFS
57214	14-11-2014	THE PENINSULA RIVERSIDE APARTMENTS	2 x nights accommodation for Storeman (T- Quip Machinery visit) 06 - 08/11/14	876.00	MFS
57215	26-11-2014	BROOME SHIRE COUNCIL	Petty cash reimbursement - BRAC	93.60	MFS
57216	26-11-2014	GARY NOEL BURTON	Refund 50% of Planning Application 2014/154 - not required	73.50	MFS
57217	26-11-2014	MINSHULL, WARREN EDWARD	Refund BSL fee due to Building App# 10818 being cancelled	39.50	MFS
57218	26-11-2014	SHIRE OF WYNDHAM EAST KIMBERLEY (SWEK)	Regional Collaborative Group contribution to the Takeaway Alcohol Management System (TAMS) project. Funding sourced from the RCG Project Seed fund.	7626.30	MFS
57219	26-11-2014	TELSTRA	Call and usage charges to 04/11/2014, Service charges to 04/12/2014	8482.67	MFS
57220	26-11-2014	WATER CORPORATION	Water usage at various Shire facilities 19.09.14 - 19.11.14	24247.98	MFS
57221	26-11-2014	CITY OF BUSSELTON	Lost book title	9.90	MFS
57222	26-11-2014	ALYSON DIANE GALE	Reimbursement of dog sterilisation as per subsidy application	140.00	MFS
57223	26-11-2014	PEARL COAST INDUSTRIAL RAGS	6 x bags of rags	263.40	MFS
57224	26-11-2014	JAY THOMAS AMIES	Crossover Subsidy x 1	500.00	MFS
57225	26-11-2014	NEW SCIENTIST	12 month magazine subscription for 2015 for the Broome Public Library	250.00	MFS
57226	26-11-2014	WARREN THOMAS FRYER	50% refund of Planning Application #2014/159 - not required	73.50	MFS
57227	26-11-2014	BETH INALL	Refund duplicate payment of Term 4 swimming lessons	100.00	MFS
57228	26-11-2014	NAOMI COSTELLO	Reimbursement - Cat sterilisation subsidy	98.00	MFS
57229	27-11-2014	MAGABALA BOOKS ABORIGINAL CORPORATION	Refund debtors balance. Overpaid rent for month of July 2014 on INV# 33488	7765.43	MFS
MUNICIPAL CHEQUES TOTAL:				116,318.14	

TRUST CHEQUES - NOVEMBER 2014

Cheque	Date	Name	Description	Amount	Del Auth
3382	14-11-2014	MARLENE REIFFEL	Refund Library membership bond	20.00	MFS
3383	14-11-2014	PETER WALSH	Refund Library membership bond	20.00	MFS
3384	19-11-2014	CONSTRUCTION TRAINING FUND	CTF Levy - October 2014	10450.21	MFS
3385	19-11-2014	CALSEN PTY LTD	Refund BCITF Levy - Duplicated payment	880.00	MFS
TRUST CHEQUES TOTAL:				11,370.21	

MUNICIPAL DIRECT DEBIT - NOVEMBER 2014

DD#	Date	Name	Description	Amount	Del Auth
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PAYMENTS - NOVEMBER 2014

DD17924.1	25-09-2014	FACEBOOK	Facebook advertising - September 2014	149.91	MFS
DD17863.1	03-11-2014	COMMONWEALTH TRADING BANK	Direct debit merchant fee	1475.34	MFS
DD17863.2	02-11-2014	COMMONWEALTH TRADING BANK	CBA Point of sale fee	1319.50	MFS
DD17870.1	11-11-2014	PAYROLL DEDUCTIONS	Payroll deductions	86861.70	MFS
DD17870.10	11-11-2014	SUPERANNUATION	Superannuation contributions	949.98	MFS
DD17870.11	11-11-2014	SUPERANNUATION	Superannuation contributions	712.91	MFS
DD17870.12	11-11-2014	SUPERANNUATION	Superannuation contributions	273.96	MFS
DD17870.13	11-11-2014	SUPERANNUATION	Superannuation contributions	1027.82	MFS
DD17870.14	11-11-2014	SUPERANNUATION	Superannuation contributions	23.36	MFS
DD17870.15	11-11-2014	SUPERANNUATION	Superannuation contributions	475.84	MFS
DD17870.16	11-11-2014	SUPERANNUATION	Superannuation contributions	259.57	MFS
DD17870.2	11-11-2014	SUPERANNUATION	Superannuation contributions	276.14	MFS
DD17870.3	11-11-2014	SUPERANNUATION	Superannuation contributions	265.20	MFS
DD17870.4	11-11-2014	SUPERANNUATION	Superannuation contributions	576.52	MFS
DD17870.5	11-11-2014	SUPERANNUATION	Superannuation contributions	509.47	MFS
DD17870.6	11-11-2014	SUPERANNUATION	Superannuation contributions	391.77	MFS
DD17870.7	11-11-2014	SUPERANNUATION	Superannuation contributions	252.87	MFS
DD17870.8	11-11-2014	SUPERANNUATION	Superannuation contributions	383.65	MFS
DD17870.9	11-11-2014	SUPERANNUATION	Superannuation contributions	411.31	MFS
DD17906.1	17-11-2014	COMMONWEALTH TRADING BANK	BPAY transaction fee	974.04	MFS
DD17906.2	14-11-2014	COMMONWEALTH TRADING BANK	CommBiz transaction fees	44.00	MFS
DD17924.10	25-09-2014	BUDGET CAR & TRUCK RENTAL	Car hire for CEO while in Perth for meetings & for Assistant Manager Finance in Broome	1417.91	MFS
DD17924.11	25-09-2014	IBIS STYLES KALGOORLIE	Accommodation for CEO while attending WARCA meeting in Kalgoorlie	1438.00	MFS
DD17924.12	25-09-2014	VETERINARY SURGEONS' BOARD	Annual authorised person fee for 2014/15 for two Rangers	400.00	MFS
DD17924.13	25-09-2014	KITCHENWARE DIRECT	Catering items	209.65	MFS
DD17924.2	25-09-2014	QANTAS AIRWAYS	20 x Airfares for relief staff to Broome & various staff members and Shire president to attend meetings in Perth - September 2014	13129.00	MFS
DD17924.3	25-09-2014	WASTE & RECYCLE CONFERENCE	Registration for Waste Coordinator to attend Waste & Recycle Conference 2014	1550.00	MFS
DD17924.4	25-09-2014	VIRGIN BLUE AIRLINES	5 x Airfares for relief staff to Broome & various staff members to attend meetings and training in Perth - September 2014	2542.20	MFS
DD17924.5	25-09-2014	PEARL SHED FRAMING STUDIO	Supply of framed pearl gift for visiting Consul-General of Japan 05/09/14	180.00	MFS
DD17924.6	25-09-2014	THE MURRAY HOTEL	Accommodation and meals for Deputy CEO 10-11/09/14 to attend KRO meetings	647.00	MFS
DD17924.7	25-09-2014	SURVEY MONKEY	Market research for club development survey	228.00	MFS
DD17924.8	25-09-2014	THE SEBEL MANDURAH	Accommodation for Mosquito Control Assoc. Conference in Perth – Health Officers x 2	885.56	MFS
DD17924.9	25-09-2014	FOOD EQUIPMENT DISTRIBUTORS	1 x Cafarina coffee maker for Council chambers	482.17	MFS
DD17960.1	25-11-2014	PAYROLL DEDUCTIONS	Payroll deductions	84590.30	MFS
DD17960.10	25-11-2014	SUPERANNUATION	Superannuation contributions	411.31	MFS
DD17960.11	25-11-2014	SUPERANNUATION	Superannuation contributions	949.98	MFS

PAYMENTS - NOVEMBER 2014

DD17960.12	25-11-2014	SUPERANNUATION	Superannuation contributions	1006.03	MFS
DD17960.13	25-11-2014	SUPERANNUATION	Superannuation contributions	273.96	MFS
DD17960.14	25-11-2014	SUPERANNUATION	Superannuation contributions	964.79	MFS
DD17960.15	25-11-2014	SUPERANNUATION	Superannuation contributions	140.46	MFS
DD17960.16	25-11-2014	SUPERANNUATION	Superannuation contributions	475.84	MFS
DD17960.17	25-11-2014	SUPERANNUATION	Superannuation contributions	259.57	MFS
DD17960.2	25-11-2014	SUPERANNUATION	Superannuation contributions	276.14	MFS
DD17960.3	25-11-2014	SUPERANNUATION	Superannuation contributions	263.09	MFS
DD17960.4	25-11-2014	SUPERANNUATION	Superannuation contributions	380.00	MFS
DD17960.5	25-11-2014	SUPERANNUATION	Superannuation contributions	563.68	MFS
DD17960.6	25-11-2014	SUPERANNUATION	Superannuation contributions	309.72	MFS
DD17960.7	25-11-2014	SUPERANNUATION	Superannuation contributions	199.13	MFS
DD17960.8	25-11-2014	SUPERANNUATION	Superannuation contributions	8.02	MFS
DD17960.9	25-11-2014	SUPERANNUATION	Superannuation contributions	383.65	MFS
DD17971.1	30-09-2014	VIRGIN BLUE AIRLINES	Airfare for Records relief staff member Broome to Perth 11/10/14	506.70	MFS
DD17971.2	16-10-2014	ASSOCIATED ADVERTISING & PROMOTIONS PTY LTD	Registration fee for CEO to attend Northern Australia Food Futures Conference in Darwin 03-05/11/14	1545.00	MFS
DD17971.3	21-10-2014	QANTAS AIRWAYS	Airfares for Deputy Shire President to attend RCA Workshop in Canberra & Deputy CEO to attend meetings in Kununurra & Darwin	2280.02	MFS
DD17971.4	13-10-2014	YAFFA PUBLISHING GROUP PTY LTD	2015 Subscription for Nature & Health magazine for the Broome Public Library	50.00	MFS
DD17971.5	21-10-2014	MAGS ONLINE	2015 subscription for Gardening Australia magazine for the Broome Public Library	107.90	MFS
DD17971.6	21-10-2014	VIRGIN BLUE AIRLINES	Airfare for Acting Manager of Property to Perth 22/10/14 (end of contract)	456.70	MFS
DD17971.7	22-10-2014	QANTAS AIRWAYS	Airfare for Property Maintenance Manager to attend training in Perth 30/10/14	272.00	MFS
DD17971.8	23-10-2014	QANTAS AIRWAYS	Airfares for Cr Harold Tracey to attend RCA Workshop in Canberra with CEO	1059.58	MFS
DD17971.9	23-10-2014	FACEBOOK	Facebook advertising 23/10/14	30.00	MFS
MUNICIPAL DIRECT DEBIT TOTAL:				218,487.92	

MUNICIPAL ELECTRONIC TRANSFER TOTAL 3,002,629.33

MUNICIPAL CHEQUES TOTAL 116,318.14

TRUST CHEQUES TOTAL 11,370.21

MUNICIPAL DIRECT DEBIT TOTAL 218,487.92

TOTAL PAYMENTS - NOVEMBER 2014: 3,348,805.60

Key for Delegation of Authority:

CEO	Chief Executive Officer
MFS	Manager of Financial Services
AMFS	Acting Manager of Financial Services
DCS	Director Corporate Services
ACC	Accountant

9.4.2 REVIEW OF DELEGATIONS OF AUTHORITY

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	ARE02
AUTHOR:	Manager Governance
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	21 November 2014

SUMMARY: The purpose of this report is for Council to review and consider its delegations to the Chief Executive Officer and to adopt the Delegations of Authority Register.

BACKGROUND*Previous Considerations*

OMC 21 December 2006	Item 9.1.3
OMC 24 July 2008	Item 9.1.5
OMC 17 December 2008	Item 9.1.7
OMC 19 March 2009	Item 9.1.2
OMC 18 March 2010	Item 9.1.1
OMC 17 March 2011	Item 9.1.2
OMC 15 March 2012	Item 9.4.4
OMC 20 June 2013	Item 9.4.4
OMC 27 March 2014	Item 9.4.4

Under section 5.42 of the *Local Government Act 1995* (the Act), a Local Government may delegate to the Chief Executive Officer any of its powers or the discharge of any of its duties under the *Local Government Act 1995*, other than those prescribed under section 5.43 and any of its duties under the *Planning and Development Act 2005* section 214(2)(3) or (5).

The purpose of delegating authority to the Chief Executive Officer is to provide for the efficient and orderly administration of the day to day functions of the Shire. The Chief Executive Officer exercises the delegated authority in accordance with the Instrument of Delegation Register and Council policies.

All delegations made by Council must be carried by an Absolute Majority and be in accordance with section 5.42 of the Act.

Section 5.18 and 5.46(2) of the *Local Government Act 1995* requires that a Local Government keep a register of delegations of authority made under the Act and that these are reviewed at least once every financial year. Council do not currently delegate any powers or duties to Committees.

The Instrument of Delegation Register was last presented to Council for review on 27 March 2014.

COMMENT

The Chief Executive Officer, Executive Management Group and responsible officers have reviewed the current delegations. The Instrument of Delegation Register, with amendments marked, forms an Attachment to this report. Additions or revisions are in red and any text to be deleted is ~~struck through~~.

It is proposed that the following delegation be removed.

- **Insurance, Public Liability Claims** – to ensure consistency and provision of protection against a possible eventuality, all claims (potential or otherwise) against the Shire of Broome as a result of Public Liability are to be lodged with Council's insurer, who will on behalf of the Shire of Broome, accept or reject a claim on an individual basis and indemnify the Shire of Broome from further recourse.

The existing instrument of delegation has the potential to expose Council to future liability in the event of a claim being accepted by the Shire of Broome, due to the value at the time being deemed below the Policy Excess threshold, leaving Council responsible for the claim (in its entirety) without recourse for indemnity. Accordingly, it is proposed this delegation be removed.

There are 3 proposed new delegations listed below which are also included in red in the attachment to this report. The existing delegations have been renumbered to allow for these inclusions.

- **Built Strata Certificate of Approval – Form 26** – Every strata plan when lodged for registration is required to be accompanied by a certification of approval from the Western Australian Planning Commission (WAPC). The authority to issue the Certificate of Approval – Form 26 has been delegated under the *Strata Title Act 1985* to Local Governments.
- **Certifying Premise Complies with Planning Laws – Motor Vehicles** – This delegation enables a Certificate of Planning Authority to be issued in accordance with the *Motor Vehicle Repairers Act 2003*.
- **Write Off of Debts Up to \$1,000** – This delegation will enable an efficient process to write off immaterial unrecoverable sundry or rates debts and penalty interest accrued on that debt of \$1,000 and under. Currently all requests for bad debt write offs are presented to Council for consideration.

With the gazettal of Local Planning Scheme No 6 a further review of the Planning Delegations will be required. Any changes to these Delegations will be presented to Council at that time.

It should be noted that Section 5.44 of the *Local Government Act 1995* allows for the Chief Executive Officer to sub-delegate to any employee of the Local Government the exercise of any of the Chief Executive Officer's powers or the discharge of any of the Chief Executive Officer's duties under the Act, other than the power of delegation. Sub delegations are included in the Shire of Broome Instrument of Delegation Register for consolidation purposes only and are not a matter for Council consideration.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

5.42. Delegation of some powers and duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
- (a) this Act other than those referred to in section 5.43; or
 - (b) the Planning and Development Act 2005 section 214(2), (3) or (5).

* Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.43. Limits on delegations to CEO

A local government cannot delegate to a CEO any of the following powers or duties -

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- (h) any power or duty that requires the approval of the Minister or the Governor;
- (i) such other powers or duties as may be prescribed.

5.44. CEO may delegate powers and duties to other employees

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —
- (a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and
 - (b) the exercise of that power or the discharge of that duty by the CEO's delegate,
- are subject to any conditions imposed by the local government on its delegation to the CEO.
- (4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.
- (5) In subsections (3) and (4) –
conditions includes qualifications, limitations or exceptions.

5.45. Other matters relevant to delegations under this Division

- (1) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984-
 - (a) a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and
 - (b) any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.
 - (2) Nothing in this Division is to be read as preventing -
 - (a) a local government from performing any of its functions by acting through a person other than the CEO; or
 - (b) a CEO from performing any of his or her functions by acting through another person.
- 5.46. Register of, and records relevant to, delegations to CEO and employees
- (1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
 - (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
 - (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

Other statutes administered by local governments such as *Planning and Development Act 2005*, *Building Act 2011*, *Health Act 1911*, *Food Act 2008*, *Cat Act 2011*, *Control of Vehicles (Off Road Areas) Act 1978*, *Caravan Parks and Camping Grounds Regulations 1997*, *Dog Act 1975* and *Gaming and Wagering Commission Act 1987* also enable Local Governments to delegate specific functions and powers to Officers.

POLICY IMPLICATIONS

Relevant Policies are cross referenced throughout the Instrument of Delegation Register.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Our Organisation Goal – Continually enhance the Shire’s organisational capacity to service the needs of a growing community:

An organisational culture that strives for service excellence

Improved systems, processes and compliance

VOTING REQUIREMENTS

Absolute Majority

REPORT RECOMMENDATION:

That Council adopts the reviewed delegations tabled within the attached Instrument of Delegation Register, noting:

1. the removal of the Insurance, Public Liability Claims delegation.

2. *the inclusion of the following new delegations:*

- a) Built Strata Certification of Approval – Form 24,*
- b) Certificate of Premise Complies with Planning Laws – Motor Vehicles, and*
- c) Write Off of Debts up to \$1,000.*

(ABSOLUTE MAJORITY REQUIRED)

Attachments

- 1. Instrument of Delegation Register



Instrument of Delegation Register

Powers and Duties of the Council Delegated to the Chief Executive Officer

All delegations are presented in accordance with Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers. In accordance with Section 5.44 of the LGA 1995 as amended, sub-delegations are listed in this document for consolidation purposes only and are not a matter that are to be considered by Council.

Presentation to Council at the Ordinary Council Meeting

19 December 2014

Notice to Officers XX 2014

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D.01 Activities Requiring Approval

Head of Power**Local Government Act 1995****Power/Duty Delegated**

Part	3 – Functions of local governments
Division	2 – Legislative functions of local governments
Section	3.5 – Legislative power of local governments
Sub section	1
Local Law	Shire of Broome Local Government Property and Public Places Local Law 2012 (or as amended) Clause 3.3
Relevant Policies	4.5.1 – Commercial Camel Activities on Cable Beach 4.5.2 – Horses on Cable Beach

Detail of delegation

The Chief Executive Officer is delegated authority to approve activities on any local government property or public place within the Broome town site area in accordance with the local law.

Conditions Imposed**Sub-delegation Permitted** Yes

Sub-delegated to

- Deputy Chief Executive Officer
- Director Development Services
- Director Engineering Services
- ~~Manager Law Enforcement and Compliance~~
- Manager Health & **Ranger** Services
- Manager Planning Services
- Manager Community Development

Record requirements Documentation to be placed on file and in the delegated authority register

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.02 Applications to Main Roads WA for the installation of Regulatory Signs

Head of Power Local Government Act 1995

Power/Duty Delegated

Part	5
Division	4
Section	5.42 Delegation of some powers and duties to CEO
Sub section	
Local Law	Nil
Relevant Policies	3.1.11 Advisory Signs – MRWA Delegation

Detail of delegation

The Chief Executive Officer is delegated authority to make application to Main Roads Western Australia for the installation of stop, give-way, roundabout signs and all 'regulatory' signs at such places as the CEO considers warranted.

Conditions Imposed

The Chief Executive Officer is to take into consideration the road safety aspects, plans and AS/NZ 1742.

Sub-delegation Permitted Yes

Sub-delegated to Director Engineering Services
Manager Asset and Design

Record requirements Documentation to be placed on the road file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.03 Appointment of Acting CEO

Head of Power**Local Government Act 1995 – section 5.42****Power/Duty Delegated**

Part	5 Administration
Division	4 – Local government employees
Section	5.36 – Local government employees
Sub section	(1)
Local Law	Nil
Relevant Policies	Nil

Detail of delegation

Council delegates to the Chief Executive Officer the power under section 5.36(1) of the *Local Government Act 1995* to appoint an employee of the Shire of Broome to be the Acting Chief Executive Officer for a period of absence of the Chief Executive Officer of not greater than 30 days.

Conditions Imposed

1. The Chief Executive Officer must be satisfied that the person appointed as Acting CEO is suitably qualified for the position (refer to section 5.36(2)(a) of the Local Government Act.
2. The Chief Executive Officer must advise Council when an appointment is made.

Sub-delegation Permitted No**Sub-delegated to** N/A

Record requirements The Chief Executive Officer is to ensure that an appropriate record is kept of all appointments to Acting CEO via the Higher Duties Official documentation. The original documentation to be placed on relevant staff members personnel file.

Reporting requirements The Chief Executive Officer to provide written advice to Councillors when this delegation is exercised.

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	FILE ARE 02
Acknowledged	Date	Reference
Signature		

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.04 Authorised Persons - Building

Head of Power Building Act 2011 (Section 96)

Power/Duty Delegated

Part	8, Enforcement
Division	2 Authorised Persons
Section	96 Authorised Persons
Sub section	
Local Law	
Relevant Policies	

Detail of delegation

The Chief Executive Officer is delegated authority to appoint authorised persons under Section 96.

Conditions Imposed

Nil

Sub-delegation Permitted No

Sub-delegated to N/A

Authorised Persons

Director Development Services
Manager Building Services
Manager ~~Law Enforcement and Compliance~~ **Health and Ranger Services**
Building Surveyor(s)
Building Technical Officer
Designated swimming pool inspector
Consultant/Contract Building Surveyor employed by Council on an "as required basis"

Record requirements ID cards and Personal files.

Reporting requirements Information to be kept up to date on the Authorised Persons Register

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	FILE ARE 02
Acknowledged	Date	Reference
Signature		

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.05 Authorised Persons - Planning

Head of Power Local Government Act 1995 (sections 5.42 & 5.44)
Planning and Development Act 2005
Town Planning Scheme No 4 (section 11.1.1)

Power/Duty Delegated

Part	Part 11 – Enforcement and Administration
Division	
Section	11.1.1
Sub section	c)
Local Law	Nil
Relevant Policies	Local Planning Policy 8.13 - Compliance

Detail of delegation

The Chief Executive Officer delegates authority to enter any building or land for the purpose of ascertaining whether the provisions of the Town Planning Scheme No 4 are being observed.

Conditions Imposed

The Chief Executive Officer is to have regard to Local Planning Policy 8.13 - Compliance.

Sub-delegation Permitted No

Sub-delegated to N/A

Authorised Persons Director Development Services
Manager Planning Services
Manager Law Enforcement & Compliance ~~Health & Rangers~~
~~Senior Planning Officer~~ **Statutory Planning Coordinator**
Planning Officer

Record requirements Documentation to be placed on property file and in the information bulletin

Reporting requirements To be reported monthly in the Information Bulletin

DECISION**The Delegator
Reviewed by****Date
Date****Reference
Reference****Amended by****Date****Reference**

NOTICE OF DELEGATION**Notice in writing****Date****FILE ARE 02****Acknowledged****Date****Reference****Signature****Prohibition (s5.71) and Code of Conduct**

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.06 Authority to Commence Prosecutions

Head of Power Building Act 2011 (127)

Power/Duty Delegated

Part	12 Legal Proceedings
Division	1 General provisions about legal proceedings
Section	133 & Prosecutions
Sub section	
Local Law	
Relevant Policies	

Detail of delegation

The Chief Executive Officer is delegated authority to commence prosecutions pursuant to section 133 of the *Building Act 2011*.

Conditions Imposed

Nil

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services
Manager Building Services

Record requirements Documentation to be placed on relevant property / prosecution / legal file.

Reporting requirements To be reported when action is taken, in the monthly Information Bulletin

DECISION

The Delegator Reviewed by	Date Date	Reference Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	FILE ARE 02
Acknowledged	Date	Reference
Signature		

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.07 Bank Guarantees and Performance Bonds**Head of Power** Local Government Act 1995 (sections 5.42 & 5.44)**Power/Duty Delegated**

Part	5
Division	4
Section	5.42 Delegation of some powers and duties to CEO
Sub section	Financial Mgmt Regs 3 to 10
Local Law	Nil
Relevant Policies	Local Planning Policy 8.2 - Bonds and/or Bank Guarantees

Detail of delegation

The Chief Executive Officer delegates authority to determine and negotiate bank guarantees or bonds relating to subdivisions or development conditions.

Conditions Imposed

The Chief Executive Officer is to have regard to Local Planning Policy 8.2 - Bonds and/or Bank Guarantees.

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services
Director Engineering Services
Manager Asset and Design
Manager Planning Services

Record requirements Documentation to be placed on the property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.08 Breach of the Food Act 2008, Issuing an Infringement Notice

Head of Power Food Act 2008, Section 126

Power/Duty Delegated

Part	11
Division	4
Section	126
Sub section	2
Local Law	
Relevant Policies	

Detail of delegation

The Manager Health & Ranger Services is delegated authority as a 'Designated Officer' to issue an Infringement Notice for a breach of the Food Act 2008.

Conditions Imposed

This person is prohibited by the Food Act 2008 from withdrawing an Infringement Notice.

Sub-delegation Permitted Yes

Sub-delegated to Senior Environmental Health Officer

Record requirements Documentation to be placed on the property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.09 Breach of the Food Act 2008 - Withdrawal of Infringement Notice**Head of Power** Food Act 2008, Section 126**Power/Duty Delegated**

Part	11
Division	4
Section	126
Sub section	13
Local Law	
Relevant Policies	

Detail of delegation

The Chief Executive Officer is delegated authority to withdraw an Infringement Notice issued for a breach of the Food Act 2008.

Conditions Imposed

To carry out the provisions of Section 126 (6) and (7) of the Food Act 2008.

These persons are prohibited by the Food Act 2008 from serving an Infringement Notice.

Sub-delegation Permitted Yes**Sub-delegated to** Director Development Services**Record requirements** Documentation to be placed on the property file and in the Information Bulletin Report**Reporting requirements** To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.10 Broome Recreation and Aquatic Centre – Trading hours, Extension of**Head of Power** Local Government Act 1995 (Section 5.42)**Power/Duty Delegated**

Part	5
Division	4 Local Government Employees
Section	5.42 Delegation of some powers and duties to the CEO
Sub section	
Local Law	Nil
Relevant Policies	Nil

Detail of delegation

The Chief Executive Officer is delegated authority to approve extension of these trading hours for special and/or extraordinary events subject to all costs for extra staff, security, waste removal, cleaning and any other costs being covered by the users/customers.

Conditions Imposed

The Chief Executive Officer is to have regard to both the wet season and dry season trading hours for the Broome Recreation and Aquatic Centre.

Sub-delegation Permitted Yes

Sub-delegated to Deputy Chief Executive Officer
Manager Community Development
Manager Broome Recreation and Aquatic Centre

Record requirements Documentation to be placed on file and in the delegated authority register

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.11 Broome Recreation and Aquatic Centre Reserve Kiosk/Bar and the Glenn and Pat Medlend Pavilion – Special Event access

Head of Power Local Government Act 1995 (Section 5.42)

Power/Duty Delegated

Part	5
Division	4 Local Government Employees
Section	5.42 Delegation of some powers and duties to the CEO
Sub section	
Local Law	
Relevant Policies	4.2.5 – Alcohol Management 5.2.3 – Safe Alcohol Policy – Liquor License Trading at the Broome Recreation and Aquatic Centre

Detail of delegation

The Chief Executive Officer is delegated authority to approve access to the Broome Recreation and Aquatic Centre Reserve's kiosk/bar and the Glenn and Pat Medlend Pavilion for special events that are in the public interest, within liquor licence specifications, and financially viable.

Conditions Imposed

The Chief Executive Officer is to have regard to the Liquor Licensing Act 1988 and the Shire of Broome Policies 4.2.5 - Alcohol Management and 5.2.3 - Safe Alcohol Policy – Liquor License Trading at the Broome Recreation and Aquatic Centre.

Sub-delegation Permitted Yes

Sub-delegated to Deputy Chief Executive Officer
Manager Community Development
Manager Broome Recreation and Aquatic Centre

Record requirements Documentation to be placed on file and in the delegated authority register

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.12 Broome Street Number Markers

Head of Power**Local Government Act 1995****Power/Duty Delegated**

Part	3
Division	3
Section	3.54 Reserves under control of a local government
Sub section	
Local Law	Nil
Relevant Policies	Nil

Detail of delegation

The Chief Executive Officer is delegated authority to have installed new street house-numbers, remarks or changes to existing numbers to be painted on existing on-street kerbing, utilising Council staff, contract or other organisation (such as the Department of Corrective Services).

Conditions Imposed**Sub-delegation Permitted** Yes

Sub-delegated to Director Engineering Services
Manager Engineering Operations
Manager Asset & Design

Record requirements Documentation to be placed on the property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.13 Building Orders

Head of Power Building Act 2011 (Section 127)

Power/Duty Delegated

Part	8	Enforcement
Division	5	Building orders
Section	110	Building orders
	117	Revocation of building order
Sub section		
Local Law		
Relevant Policies		

Detail of delegation

The Chief Executive Officer is the delegated authority:

- 1) To make Building Orders pursuant to section 110 of the *Building Act 2011*
- 2) Revoke Building Orders pursuant to section 117 of the *Building Act 2011*.

Conditions Imposed

Nil

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services
Manager Building Services

Record requirements Documentation to be placed on building/property/legal file and in the information bulletin

Reporting requirements To be reported in the monthly Information Bulletin when a Building Order has been issued.

DECISION**The Delegator
Reviewed by****Date
Date****Reference
Reference****Amended by****Date****Reference**

NOTICE OF DELEGATION**Notice in writing****Date****FILE ARE 02****Acknowledged****Date****Reference****Signature****Prohibition (s5.71) and Code of Conduct**

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.14 Building Permit – Approve or Refuse

Head of Power Building Act 2011 (Section 127)

Power/Duty Delegated

Part	2 Building & demolition permits
Division	2 Application for building or demolition permits
Section	20, 22, 23, 24
Sub section	
Local Law	
Relevant Policies	

Detail of delegation

The Chief Executive Officer is delegated authority to:

- 1) Under Section 20 to grant a building permit.
- 2) Under Section 22 not grant a building permit.
- 3) Under Section 23 approve or refuse an uncertified application within the required time frame.
- 4) Under Section 24 record decision not to grant a building permit.

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services
Manager Building Services
Building Surveyor(s)
Consultant/Contract Building Surveyor employed by Council on an "as required basis"

Record requirements Documentation to be placed on the building file and in the information bulletin

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	FILE ARE 02
Acknowledged	Date	Reference
Signature		

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.15 Building Permits, Refund of Building Permit Fees

Head of Power Local Government Act 1995

Power/Duty Delegated Administrative

Part	N/A
Division	N/A
Section	N/A
Sub section	N/A
Local Law	
Relevant Policies	

Detail of delegation

The Chief Executive Officer is already authorised to carry out a range of administrative functions, which would include a refund of fees paid for the issue of the building licence.

This instrument authorises a refund of fees if:

- (i) The officer is satisfied that a refusal would cause hardship to the owner or builder, and/or
- (ii) An incorrect fee was paid as a result of an administrative error by a Shire officer.

In all other cases a refund is to be refused.

Conditions Imposed

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services
Manager Building Services

Record requirements Documentation to be placed on the building & property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.16 Built Strata Certificate of Approval – Form 26**Head of Power****Strata Title Act 1985
Planning and Development Act 2005****Power/Duty Delegated**

Part	2 Strata Schemes and Survey Strata Schemes
Division	3 Creation of lots and common property
Section	25 Certificate of Commission
Sub section	Nil
Local Law	Nil
Relevant Policies	Nil

Detail of delegation

The Chief Executive Officer is delegated authority to under the Strata Title Act 1985 to issue a certificate of approval (Form 26).

Conditions Imposed

Any applications are to be in accordance with Town Planning Scheme No 4 or Interim Development Order No 4.

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services
Manager Planning Services
Statutory Planning Coordinator

Record requirements Documentation to be placed on the property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference
Signature		

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.17 Camping, Approval to Camp in an Area other than a Caravan Park and Camping Ground

Head of Power Caravan Parks and Camping Grounds Regulations 1997, Section 11

Power/Duty Delegated

Part	2
Division	
Section	
Sub section	2 (c) (ii)
Local Law	
Relevant Policies	4.2.10 – Approval to Camp for Up to 3 months in Areas Other Than Caravan Parks & Camping Grounds

Detail of delegation

The Chief Executive Officer is delegated authority to approve camping on land other than a licenced caravan park.

Conditions Imposed

Approval may be considered for up to 3 months in areas other than Caravan Parks and Camping grounds and must be in accordance with Policy 4.2.10 Approval to Camp for Up to 3 months in Areas Other Than Caravan Parks & Camping Grounds.

Approval may be considered for up to 12 months where a current building licence for the dwelling, a concrete slab or equivalent has been laid and approval will not be granted within the Broome townsite and must be in accordance with Policy 4.2.10 Approval to Camp for Up to 3 months in Areas Other Than Caravan Parks & Camping Grounds.

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services
Manager Health & Ranger Services
~~Senior Co-ordinator Environmental Health Officer~~

Record requirements Documentation to be placed on file and in the delegated authority register

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.18 Cape Leveque Road, Wet Season Closure and Load Limits

Head of Power Local Government Act 1995

Power/Duty Delegated

Part	Part 3
Division	2
Section	Subdivision 5
Sub section	3.50
Local Law	10.1 Notice to repair damage to thoroughfare 10.2 Act and Regulations deal with closing of thoroughfares 10.3 No access without consent
Relevant Policies	3.1.22 – Closure of Unsealed Roads Due to Wet Weather

Detail of delegation

The Chief Executive Officer is delegated authority to grant permits for the section of the Broome – Cape Leveque Road from the end of the bitumen south of the Manari Road turn off to the start of the northern most sealed section near Beagle Bay to all classes of vehicles of gross mass (GVM) 11 tonnes or more, for the period from 1st Dec to 31st March; each year;

That permits only be issued for heavy vehicles in excess of 11 tonne GVM and assessed as providing “essential” transport under the conditions outlined below.

Conditions Imposed

Authority to grant permits is subject to the following conditions:

- Bogie Drive vehicles allowed only, rigid truck, B - Double or rigid truck and single trailer combination;
- Road Train trip requests to be considered on their merits and be subject to appropriate conditions;
- One trip per week only, unless a special permit is provided by the Chief Executive Officer;
- Each trip cannot commence before confirmation by the Shire that substantial rain has not occurred on the road within the 48 hours preceding the trip and that clear weather is forecast;
- If substantial rain has occurred or is occurring, the vehicle will have to wait until cleared by the Shire;
- No responsibility will be taken by the Shire to recover bogged or disabled vehicles and any damages caused by any ‘permit’ vehicles may be chargeable to the permit holders, depending on circumstances at the time;
- The permit can be cancelled at any time at the discretion of the Chief Executive Officer, if circumstances warrant;
- These conditions may be varied at the discretion of the Chief Executive Officer based on a risk assessment basis.

Sub-delegation Permitted Yes

Sub-delegated to Director Engineering Services
Manager Engineering Operations

Record requirements Register of all actions is maintained on the appropriate road file

Reporting requirements Schedule of approvals granted shall be provided to Council through the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.19 Caravan Parks, Licence**Head of Power** Caravan Parks and Camping Act 1995, Section 7**Power/Duty Delegated**

Part	Part 2
Division	1
Section	7
Sub section	4 and 5
Local Law	
Relevant Policies	

Detail of delegation

The Chief Executive Officer is delegated authority to grant, renew or refuse to grant or renew an application for licence of a caravan park and camping, transit park and nature based park.

Conditions Imposed

Authority to grant or renew or refuse to grant or renew a licence of a caravan park, camping ground, transit park or nature based park in accordance with the Caravan Parks and Camping Grounds Act 1995.

Sub-delegation Permitted Yes**Sub-delegated to** Manager Health & **Ranger** Services**Record requirements** Documentation to be placed on the property file and in the Information Bulletin Report**Reporting requirements** To be reported monthly in Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.20 Certifying Premise Complies with Planning Laws

Head of Power **Liquor Control Act 1988**
Section 40

Power/Duty Delegated

Part	3 – Licenses and permits
Division	2 - Licences
Section	40 - Certificate of planning authority as to whether use of premises complies with planning laws
Sub section	Nil
Local Law	Nil
Relevant Policies	Nil

Detail of delegation

The Chief Executive Officer is delegated authority to under Liquor Control Act 1988 Section 40 – to issue a certificate of planning authority as to whether the use of the premises complies with planning laws

Conditions Imposed

Any applications are to be in accordance with Town Planning Scheme No 4 or Interim Development Order No 4.

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services
Manager Planning Services
Statutory Planning Coordinator

Record requirements Documentation to be placed on the property file and in the
Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.21 Certifying Premise Complies with Planning Laws – Motor Vehicles

Head of Power

Motor Vehicle Repairers Act 2003

Power/Duty Delegated

Part	2 Licensing of Motor Vehicle Repair Businesses
Division	2 Application for and grant of business licence
Section	13 Application Requirements
Sub section	Nil
Local Law	Nil
Relevant Policies	Nil

Detail of delegation

The Chief Executive Officer is delegated authority to under the Motor Vehicles Repairs Act 2003 to issue a certificate of planning authority as to whether the use of the premises complies with planning laws.

Conditions Imposed

Any applications are to be in accordance with Town Planning Scheme No 4 or Interim Development Order No 4.

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services
Manager Planning Services
Statutory Planning Coordinator

Record requirements Documentation to be placed on the property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.22 Condom Trees

Head of Power Local Government Act 1995 (sections 5.42 & 5.44)

Power/Duty Delegated

Part	3
Division	3
Section	3.54 Reserves under control of a local government
Sub section	
Local Law	
Relevant Policies	

Detail of delegation

The Chief Executive Officer is delegated authority to approve other applications for condom trees.

Conditions Imposed

Sub-delegation Permitted Yes

Sub-delegated to Manager Health & Ranger Services
~~Senior Co-ordinator~~ Environmental Health Officer

Record requirements Documentation to be placed on the property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.23 Council Chambers

Head of Power Local Government Act 1995

Power/Duty Delegated

Part	5
Division	4
Section	5.42 Delegation of some powers and duties to CEO
Sub section	
Local Law	
Relevant Policies	

Detail of delegation

The Chief Executive Officer is delegated authority to the use of the Council Chambers for functions and meetings, other than Council related functions and meetings, when special circumstances exist.

Conditions Imposed

The Chief Executive Officer is to liaise with the Shire President in regard to these bookings.

Sub-delegation Permitted Yes

Sub-delegated to Director Corporate Services

Record requirements To be recorded in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.24 Delegation to Change/Waive/Refund Planning Fees

Head of Power **Local Government Act 1995 (sections 5.42 & 5.44)**
Planning & Development Regulations 2009

Power/Duty Delegated

Part	7 - Local government planning charges
Division	2 - Fees and other charges
Section	48A – Fees for DAP applications 48 – Fees for Scheme Amendments and structure plans (Sch 3 & 4) 49 – Additional costs and expenses payable by applicants 52 – Local government may wavier or refund fees
Sub section	Nil
Local Law	Nil
Relevant Policies	Local Planning Policy 8.14 - Refunding and Waiving/Reducing of Planning Fees

Detail of delegation

Under section 5.42 *Local Government Act 1995* the Chief Executive Officer is delegated the exercise of powers and discharge of duties under sections 48, 49, & 52 of the Planning & Development Regulation 2009; to change, waive or refund planning fees.

Conditions Imposed

Refunding of fees/waiver thereof must be in accordance with a Council adopted Policy and schedule of fees and changes.

Sub-delegation Permitted Yes

Sub-delegated to Director of Development Services
Manager Planning Services
Statutory Planning Coordinator

Record requirements Documentation to be placed on property or subdivision file and in the information bulletin

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	FILE ARE 02
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.25 Demolition Permit – Approve or Refuse

Head of Power Building Act 2011 (Section 127)

Power/Duty Delegated

Part	2 Building and demolition permits
Division	2 Application for building or demolition permits
Section	21, 22, 23, 24
Sub section	
Local Law	
Relevant Policies	

Detail of delegation

The Chief Executive Officer is delegated authority to:

1. Under Section 21 grant a demolition permit.
2. Under Section 22 not grant a demolition permit.
3. Under Section 23 approve or refuse an uncertified application within the required time frame.
4. Under Section 24 record decision not to grant a demolition permit

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services
Manager Building Services
Building Surveyor(s)
Consultant/Contract Building Surveyor employed by Council on an “as required basis”

Record requirements Documentation to be placed on the building file and in the information bulletin

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	FILE ARE 02
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.26 Determine Development Application (Interim Development Order 4)

Head of Power Local Government Act 1995 (sections 5.42 & 5.44)
Planning and Development Act 2005

Power/Duty Delegated

Part	10 Subdivision and development control
Division	5 Development controls
Section	164 No development except with approval
Sub section	4
Local Law	Nil
Relevant Policies	Local Planning Policy (LLP) 8.8 – Transient Workers Accommodation 8.17 - Signs

Detail of delegation

Pursuant to the *Local Government Act 1995*, section 5.42, the Chief Executive Officer is delegated the following powers and discharge of duties to determine any applications pursuant to section 164 of the Planning & Development Act 2005, under Interim Development Order No. 4 (IDO 4):

1. Make determinations on the sufficiency of information provided with applications for planning consent pursuant to clause 4(A) and 4(B) of IDO 4.
2. Determine applications pursuant to clause 4 and 5 of IDO 4 for planning approval or refusal including:
 - a. Any conditions to be imposed;
 - b. The period of validity; and
 - c. The scope of the planning approval.
3. Prescribe, vary, specify and determine requirements, standards or limitations which may be prescribed, varied, specified or determined under IDO 4 with respect to the use or development of land or buildings.
4. Determine land use/development pursuant to clause 3 of IDO 4.
5. Make any determination & exercise any discretionary powers contained in IDO 4.

Conditions Imposed

1. Authority only to be exercised following appropriate consideration of the matters listed in 4A Matters to be considered by Council" of IDO 4.
2. Appropriate consultation has to be conducted, delegation can be exercised where concerns raised through consultation is not relevant planning consideration or where concerns can be addressed by way of conditions or mitigated design. Where concerns raised cannot be addressed or mitigated through conditions a report to Council shall be prepared.
3. Delegation can only be exercised to the extent that the IDO 4 or Council Policy provides for variations, where variation to Council policy is proposed a report will be prepared to Council.

Sub-delegation Permitted Yes

Sub-delegated to Director of Development Services
Manager Planning Services; ~~apart from Delegation~~

Record requirements	Documentation to be placed on the property file and in the Information Bulletin Report
Reporting requirements	To be reported monthly in the Information Bulletin

DECISION

The Delegator Reviewed by	Date Date	Reference Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	FILE ARE 02
Acknowledged	Date	Reference

Signature**Prohibition (s5.71) and Code of Conduct**

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.27 Determine Development Application (Town Planning Scheme No 4)

Head of Power Local Government Act 1995 (sections 5.42 & 5.44)
Town Planning Scheme No 4 (Part 11 Section 11.2)

Power/Duty Delegated

Part	3, 4, 5, 7, 8, 10
Division	
Section	
Sub section	4.3, 4.7, 4.8, 4.25.5, 5.4, 5.5, 5.9, 5.11, 5.12, 5.13, 7.5, 8.2, 8.3, 8.4, 9.2, 9.3, 9.4, 10.3, 10.5, 10.9
Local Law	Nil
Relevant Policies	<p>4.1.2 – Industrial Building, Caretaker's Dwelling and Attached Offices 4.1.3 – Bed & breakfast Accommodation 4.1.10 – Tourist Accommodation Developments (Excluding caravan Parks) within the Tourist Zone 4.1.16 – Sail and Shade Structures (including Solar Control) - Concessions for Planning and building Approvals 4.1.17 – Residential design Codes 2002 – regional Exceptions 4.1.18 – Residential Design Codes 2002 – Clause 3.8 – Privacy Requirements in relation to Screening</p> <p>Local Planning Policy (LLP) 8.1 – LPP for the Provision and Development of Open Space Reserves managed by the Shire of Broome 8.4 – Additional Accommodation in General Rural, Rural Agricultural and Rural Living Zone 8.5 – Shipping and / or Storage Containers 8.6 – Municipal Heritage Inventory – Development of Listed Places 8.7 – Sprinkler and Hydrant Water Tanks 8.8 – Transient Workers Accommodation 8.9 – Cash In Lieu of Car Parking – Town Centre Chinatown Zone 8.10 – Parking, Storage, Crossover and Drainage Standards for Planning Applications 8.11 – Satellite Dishes, Masts and Antennas 8.12 – Fences within the Townsite of Broome 8.15 – Planning Approvals – Amendments/extensions to Term of Approval and Requests for Further Information 8.16 – Parking – Car, Motorcycle, Bicycle 8.17 - Signs 8.19 – Telecommunications Infrastructure</p>

Detail of delegation

Pursuant to Clause 11.2.1 of Town Planning Scheme No 4 (TPS) and the *Local Government Act 1995*, section 5.42, the Chief Executive Officer is delegated the following powers and discharge of duties under TPS 4:

1. Make determinations on the sufficiency of information provided with applications for planning consent pursuant to clause 9.2 and 9.3 of TPS 4.
2. Advertise and provide notice of applications for planning approval or consent pursuant to clause 9.4 of TPS 4.
3. Determine applications pursuant to Part 10 of TPS 4 for planning approval or refusal including:
 - a. Any conditions to be imposed;
 - b. The period of validity; and

- c. The scope of the planning approval.
4. Allow for the extension of the term of any planning approved in accordance with 10.5.
5. Determine applications where variations to Development Requirements of TPS 4 pursuant to clauses 4.7 (Extension of Non-Conforming Use), 4.8 (Change of Non-Conforming Use), 5.4 (Variation to Site and Development Requirements), 5.5 (Car Parking), 5.9 (Height of Buildings), 5.10 (Broomestyle Architecture of Buildings), 5.11 (Landscaping and Existing Trees), 5.12 (Subdivision and Development Requirements), and 5.13 (Control of Advertisements) are proposed.
6. Any matter described in the Residential Design Codes including variations and determinations under performance criteria.
7. Prescribe, vary, specify and determine requirements, standards or limitations which may be prescribed, varied, specified or determined under the Scheme with respect to the use or development of land or buildings.
8. Determine any works that are temporary and in existence longer than 48 hours pursuant to clause 8.2(e) of TPS 4
9. Determine any amendment applications pursuant to clause 8.3 (Amending or Revoking Planning Approval) of TPS 4.
10. Determine any retrospective applications pursuant to clause 8.4 (Unauthorised Existing Developments) of TPS 4.
11. Make determinations to vary provisions pursuant to clause 7.5 of TPS 4 to facilitate the conservation of a place entered in the Register of Places under the Heritage of Western Australia Act 1990 or Listed in the Heritage List under Clause 7.1.1 of TPS 4.
11. Determine land use pursuant to clause 4.3 of TPS 4.
12. Determining Applications in accordance with Development plans pursuant to clause 4.25.5.
13. In accordance with clause 10.9 agree to the extension of the Deemed Refusal time frame.
14. ~~Make determinations to vary provisions pursuant to clause 7.5 of TPS 4 to facilitate the conservation of a place entered in the register of places under the Heritage of Western Australia Act 1990 or Listed in the heritage list under Clause 7.1.1 of TPS 4.~~
15. Make any determination and exercise any discretionary powers contained in TPS 4 and its Schedules
16. Determine the land use pursuant to clause 4.3 of TPS 4
17. ~~Determining Applications in accordance with Development plans pursuant to clause 4.25.5~~
18. In accordance with clause 10.9 agree to the extension of the Deemed Refusal time frame

Conditions Imposed

Authority only to be exercised following appropriate consideration of the matters listed in Clause 10.2 of the TPS 4.

1. Appropriate consultation has to be conducted, delegation can be exercised where concerns raised through consultation is not relevant planning consideration or where concerns can be addressed by way of conditions or mitigated design. Where concerns raised are relevant planning considerations that cannot be addressed or mitigated through conditions a report to Council shall be prepared.
2. Delegation can only be exercised to the extent that the Scheme or Council Policy provides for variations, where variation to Council policy is proposed a report will be prepared to Council.

Sub-delegation Permitted Yes

Sub-delegated to Director of Development Services
Manager Planning Services; apart from Delegation 8 and 45. 14
Statutory Planning Coordinator; apart from Delegations 5, 7, 8, 11, and 14

Record requirements Documentation to be placed on the property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator Reviewed by	Date Date	Reference Reference
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Amended by	Date	Reference
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NOTICE OF DELEGATION

Notice in writing	Date	FILE ARE 02
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Acknowledged	Date	Reference
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Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.28 Determine Development Application Where Development has Commenced (Interim Development Order 4)

Head of Power Local Government Act 1995 (sections 5.42 & 5.44)
Planning & Development Act 2005

Power/Duty Delegated

Part	10 – Subdivision and development control
Division	5 Development controls
Section	164 Development may be approved if commenced
Sub section	4
Local Law	Nil
Relevant Policies	Nil

Detail of delegation

Pursuant to the *Local Government Act 1995*, section 5.42, the Chief Executive Officer is delegated the following powers and discharge of duties to determine any retrospective applications pursuant to section 164 of the *Planning & Development Act 2005*, under Interim Development Order No. 4 (IDO4):

Conditions Imposed

1. Authority only to be exercised following appropriate consideration of the matters listed in 4A 'Matters to be considered by Council' of IDO4.
2. Appropriate consultation has to be conducted, delegation can be exercised where concerns raised through consultation is not relevant planning consideration or where concerns can be addressed by way of conditions or mitigated design. Where concerns raised cannot be addressed or mitigated through conditions a report to Council shall be prepared.
3. Delegation can only be exercised to the extent that the IDO4 or Council Policy provides for variations, where variation to Council policy is proposed a report will be prepared to Council.

Sub-delegation Permitted Yes

Sub-delegated to Director of Development Services
Manager Planning Services

Record requirements Documentation to be placed on the property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION**The Delegator
Reviewed by****Date
Date****Reference
Reference****Amended by****Date****Reference**

NOTICE OF DELEGATION**Notice in writing****Date****FILE ARE 02****Acknowledged****Date****Reference****Signature****Prohibition (s5.71) and Code of Conduct**

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.29 Disposal and Acquisition of Assets (Other than Land)**Head of Power** Local Government Act 1995 (sections 5.42 & 5.44)**Power/Duty Delegated**

Part	3 Functions of local governments
Division	3 Executive functions of local governments
Section	3.58 Disposing of Property
Sub section	
Local Law	
Relevant Policies	3.1.18 Disposal of Assets 1.2.9 Local Regional Price Preference 2.3.7 Purchasing

Detail of delegation

The Chief Executive Officer is delegated authority to acquire or dispose of Shire assets (other than land) by public tender, expressions of interest or public auction valued at an amount not exceeding \$100,000

Conditions Imposed

The delegation shall be exercised provided that appropriate provision is made in Council's Budget.

Sub-delegation Permitted Yes

Sub-delegated to Deputy Chief Executive Officer
Director Engineering Services
Director Corporate Services
Director Development Services
Executive Officer

In accordance with values endorsed by the Chief Executive Officer.

Record requirements The Chief Executive Officer is to ensure that an appropriate record is kept of all proposals to dispose of property in a register of property disposal.

Reporting requirements The Chief Executive Officer is to inform the Council of the detail of all acquisitions or disposals under this delegation.

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.30 Events in Public Places other than Roads and Hired Venues

Head of Power Local Government Act 1995 (Section 3.54)

Power/Duty Delegated

Part	3
Division	3
Section	3.54 Reserves under control of a local government
Sub section	
Local Law	Local Government Property and Public Places Local Law 2012 Part 5 - Hiring of Local Government Property
Relevant Policies	5.1.11 Events

Detail of delegation

The Chief Executive Officer is delegated authority to authorise events in public places subject to Local Law.

Where appropriate and where the event will impact upon a public road the requirements of the Traffic Management for Events Code of Practice shall be adhered to.

Conditions Imposed

The Chief Executive Officer shall have regard to Local Government Property and Public Places Local Law and the Shire's Events Policy 5.1.11.

Detail of delegation

Sub-delegation Permitted Yes

Sub-delegated to Deputy Chief Executive Officer
Director Development Services
Director Engineering Services
Manager Law Enforcement and Compliance Health & Rangers
Manager Community Development

Record requirements Documentation to be placed on file and in the delegated authority register

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.31 Events on Roads

Head of Power Local Government Act 1995

Power/Duty Delegated

Part	3
Division	3
Section	3.50 Closing certain thoroughfares to vehicles
Sub section	
Local Law	10.1, 10.2 , 10.3
Relevant Policies	3.1.20 Traffic Management for Events

Detail of delegation

The Chief Executive Officer is delegated authority to determine applications for the temporary closure of roads for the purpose of conducting events in accordance with the Traffic Management for Events Code of Practice and the Road Traffic (Events on Roads) Regulations 1991.

Conditions Imposed

The Chief Executive Officer shall have regard to Section 3.50 of the Local Government Act 1995 and Policy 3.1.14 Events on Roads.

Sub-delegation Permitted Yes

Sub-delegated to Director Engineering Services
Manager Engineering Operations
Manager Asset & Design

Record requirements Documentation to be placed on road file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.32 Execution of Documents – Authorisation without Common Seal

Head of Power Local Government Act 1995 (sections 5.42 & 5.44)

Power/Duty Delegated

Part	9 – Miscellaneous Provision
Division	3 – Documents
Section	9.49A Execution of Documents
Sub section	(4)
Local Law	Nil
Relevant Policies	Nil

Detail of delegation

Council delegates authority to the Chief Executive Officer to sign certain documents on behalf of the Shire of Broome.

Conditions Imposed

This delegation is specific to documents that are necessary or appropriate for the Chief Executive Officer to sign in carrying out of his/her functions under any written law or in accordance with Section 5.41 of the *Local Government Act 1995*.

The document must be consistent with a Council Policy or resolution.

In addition, the document to be executed must be consistent with approved expenditure contained within the adopted Annual Budget or in accordance with Section 6.8 of the *Local Government Act 1995*.

This delegation does not apply to the execution of documents that require affixing of the Common Seal of the Shire of Broome.

Sub-delegation Permitted Yes

Sub-delegated to Deputy Chief Executive Officer

Record requirements Documentation to be placed on the relevant subject file.

Reporting requirements To be reported monthly in the Information Bulletin, or to be included in the Accounts for Payment and presented to Council via the Ordinary Council Meeting as appropriate.

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference
Signature		

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.33 Extended Trading Permits

Head of Power Liquor Control Act 1998, Section 64

Power/Duty Delegated

Part	3
Division	6
Section	64 Power of licensing authority to impose, vary or cancel
Sub section	
Local Law	
Relevant Policies	

Detail of delegation

The Chief Executive Officer is delegated authority to determine, support or otherwise applications for extended trading for licensed premises.

Conditions Imposed

The Chief Executive Officer shall determine the need for a road traffic management plan and litter control plan prior to granting approval.

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services
 Manager Health & Ranger Services
~~Senior Co-ordinator Environmental Health Officer~~

Record requirements Documentation to be placed on property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference
Signature		

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.34 Food Act 2008 - Functions of Enforcement Agencies

Head of Power Food Act 2008, Section 118

Power/Duty Delegated

Part	10
Division	2
Section	118
Sub section	
Local Law	
Relevant Policies	

Detail of delegation

The Chief Executive Officer is delegated authority to perform the functions in relation to the administration of the Food Act 2008 that are delegated to the enforcement agency in accordance with this Act.

Conditions Imposed

Sub-delegation Permitted Yes

Sub-delegated to Manager Health & Ranger Services
Senior Co-ordinator Environmental Health Officer

Record requirements Documentation to be placed on the property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.35 Food Act 2008 - Registration of Food Businesses**Head of Power** Food Act 2008, Section 110**Power/Duty Delegated**

Part	9
Division	
Section	110
Sub section	
Local Law	
Relevant Policies	

Detail of delegation

The Chief Executive Officer is delegated authority to register a food business in respect of any premises for the purposed of this Part of the Food Act 2008.

Conditions Imposed**Sub-delegation Permitted** Yes

Sub-delegated to Director Development Services
 Manager Health & Ranger Services
~~Senior Co-ordinator-Environmental Health Officer~~

Record requirements Documentation to be placed on the reserve file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.36 Food Act 2008 - Variation of Conditions or Cancellation of Registration of Food Businesses

Head of Power Food Act 2008, Section 112

Power/Duty Delegated

Part	9
Division	
Section	112
Sub section	
Local Law	
Relevant Policies	

Detail of delegation

The Chief Executive Officer is delegated authority to vary the conditions of, or cancel, the registration of a food business in respect of any premises under this Part of the Food Act 2008.

Conditions Imposed

The registration of a food business may be cancelled on one or more of the following grounds –

1. any annual or other fee –
 - a. prescribed by the regulations in relation to the registration of the food business in respect of those premises has not been paid by the time the regulations require payment to be made; or
 - b. fee imposed by the appropriate enforcement agency in relation to the registration of the food premises has not been paid by the time the agency requires the payment to be made.

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services
Manager Health & Ranger Services
~~Senior Environmental Health Officer~~

Record requirements Documentation to be placed on the reserve file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference
Signature		

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.37 Gaming and Wagering, Applications & Renewals

Head of Power Gaming and Wagering Commission Act 1987, Section 5.42

Power/Duty Delegated

Part	5
Division	4 Local Government Employees
Section	5.42 Delegation of some powers to CEO
Sub section	
Local Law	Nil
Relevant Policies	Nil

Detail of delegation

The Chief Executive Officer is delegated authority to deal with applications and renewals under the Gaming and Wagering Commission Act 1987 and issue the Section 55 – Certification of local Government Authority

Conditions Imposed

Any applications are to be in accordance with Town Planning Scheme No 4, Food Act 2008 and Health Act 1911.

Sub-delegation Permitted Yes

Sub-delegated to

- Director Development Services
- Manager Health & Ranger Services
- Manager Planning Services

Record requirements Documentation to be placed on the property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.38 Impounded Vehicles

Head of Power Local Government Act 1995 – (Part 3 Division 3 Subdivision 4)

Power/Duty Delegated

Part	3
Division	3
Section	3.37 Contraventions that can lead to impounding 3.47 Disposing of confiscated or uncollected goods
Sub section	
Local Law	
Relevant Policies	

Detail of delegation

The Chief Executive Officer is delegated authority to sell impounded vehicles upon receipt of an offer.

Conditions Imposed

This delegation is exercised provided that the estimated resale value of that particular vehicle is estimated at less than \$5,000 and the statutory two month waiting period is completed.

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services
 Manager ~~Law Enforcement and Compliance~~ **Health & Ranger Services**

Record requirements Documentation to be placed on the register of impounded vehicles and in Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.39 Insurance

Head of Power**Local Government Act 1995 Section 5.42****Power/Duty Delegated**

Part	5
Division	4 Local Government Employees
Section	5.42 Delegation of some powers to CEO
Sub section	Regulation 5. (1).(e) CEO's Duties as to Financial Management
Local Law	
Relevant Policies	

Detail of delegation

The Chief Executive Officer is delegated authority to enter into appropriate contracts of insurance on behalf of Council, whilst Council's insurance portfolio is managed by Local Government Insurance Service.

Conditions Imposed**Sub-delegation Permitted** Yes**Sub-delegated to** ~~Deputy Chief Executive Officer~~ **Executive Officer****Record requirements** Documentation to be placed on the Insurance File and recorded in the Annual Insurance Register.**Reporting requirements** Record in the annual insurance register

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.40 Insurance, Public Liability Claims**Head of Power** ~~Local Government Act 1995 Section 5.42~~**Power/Duty Delegated**

Part	5
Division	4 Local Government Employees
Section	5.42 Delegation of some powers to CEO
Sub-section	Regulation 5. (1).(e) CEO's Duties as to Financial Management
Local Law	
Relevant Policies	

Detail of delegation

~~The Chief Executive Officer is delegated authority to consider claims against Council for property damage that do not exceed the insurance policy excess levels, and to accept or deny liability on behalf of Council.~~

Conditions Imposed

~~In cases where liability is accepted, payment may only be made up to the value of Council's relevant insurance excess amount and on then upon receipt of a release form.~~

Sub-delegation Permitted ~~Yes~~**Sub-delegated to** ~~Deputy Chief Executive Officer~~**Record requirements** ~~Documentation to be placed on the Insurance File and recorded in the Annual Insurance Register.~~**Reporting requirements** ~~Record in the annual insurance register~~

DECISION**The Delegator** _____ **Date** _____ **Reference** _____**Reviewed by** _____ **Date** _____ **Reference** _____**Amended by** _____ **Date** _____ **Reference** _____

NOTICE OF DELEGATION**Notice in writing** _____ **Date** _____ **Reference** _____**Acknowledged** _____ **Date** _____ **Reference** _____**Signature** _____**Prohibition (s5.71) and Code of Conduct**

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.41 Investment of Surplus Funds

Head of Power Local Government Act 1995 (sections 5.42 & 5.44)

Power/Duty Delegated

Part	6. Financial management
Division	General financial management
Section	6.14 Power to invest
Sub section	Local Government (Financial Management) Regulations 19, 19C
Local Law	
Relevant Policies	2.1.2 – Investment of Surplus Funds

Detail of delegation

The Chief Executive Officer is delegated authority to invest surplus funds from the Municipal, Trust and Reserve funds in asset classes as set out in Policy 2.1.2 Investment of Surplus Funds

Conditions Imposed

The Chief Executive Officer shall have regard to Policy 2.1.2 Investment of Surplus Funds.

Sub-delegation Permitted Yes

Sub-delegated to Director Corporate Services
Manager Financial Services

Record requirements Documentation to be placed on the Funds Investment Register

Reporting requirements To be reported monthly to Council in the Financial Activity Report

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.42 Issue of Prohibition Order

Head of Power Food Act 2008, Section 65

Power/Duty Delegated

Part	8
Division	2
Section	65
Sub section	1
Local Law	
Relevant Policies	

Detail of Delegation

The Chief Executive Officer is delegated authority to issue a Prohibition Order where a food proprietor has not complied with an improvement notice of the order is required to mitigate a serious danger to Public Health.

Conditions imposed

Sub-delegation Permitted No

Sub-delegated to

Record requirements Documentation to be placed on the property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference
Signature		

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.43 Issue of Stop, Direction, Works Notices - Planning

Head of Power **Local Government Act 1995 (sections 5.42 & 5.44)**
Planning and Development Act 2005
Town Planning Scheme No 4 (section 11.1.1)
Interim Development Order No 4 (clause 4B)

Power/Duty Delegated

Part	Town Planning Scheme No 4 (TPS4) - Part 11 – Enforcement and Administration Interim Development Order No 4 (IDO4) – Clause 4B – Conditions to be Complied with
Division	
Section	TPS4 - 11.1.1
Sub section	TPS4 - c)
Local Law	Nil
Relevant Policies	Local Planning Policy 8.13 - Compliance

Detail of delegation

The Chief Executive Officer delegates authority to issue stop, direction and or works notices for the purpose of ensuring the provisions of the Town Planning Scheme No 4 and Interim Development Order No 4 are being observed.

1. Issue a written direction to the owner or other person undertaking the development to stop and not recommence pursuant with Clause 214 (2) of the Planning and Development Act 2005 (the Act)
2. Issue a written direction to the owner or other person undertaking the development to remove, pull down, take up or alter the development and not recommence pursuant with Clause 214 (3) of the Planning and Development Act 2005 (the Act)
3. Issue a written direction to the owner or other person undertaking the development to execute works if it appears that delay in the execution of the works would prejudice the effective operation of TPS4 or IDO4 pursuant with Clause 214 (5) of the Planning and Development Act 2005 (the Act)

Conditions Imposed

The Chief Executive Officer is to have regard to Local Planning Policy 8.13 - Compliance.

Sub-delegation Permitted: No

Sub-delegated to: N/A

Authorised Persons Director Development Services

Record requirements Documentation to be placed on property file and in the information bulletin

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator Reviewed by	Date Date	Reference Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	FILE ARE 02
Acknowledged	Date	Reference
Signature		

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.44 Keeping of 3-6 Dogs Policy 4.5.4

Head of Power Dog Act 1976 s10AA and s26.

Power/Duty Delegated

Part	Dog Act 1976
Division	Part II
Section	S10AA
Sub section	(1) (2) (3) (4) (5)
Local Law	Shire of Broome Dogs Local Laws 2012
Relevant Policies	Keeping of 3-6 Dogs Policy 4.5.4

Detail of delegation

Authorise the Chief Executive Officer to approve applications to keep more than two (2) and less than six (6) dogs

Conditions Imposed Delegation to be exercised in accordance with the draft policy requirements of Policy 4.5.4.

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services
Manager Health and Rangers

Record requirements Documentation to be placed on the property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

N/A

NOTICE OF DELEGATION

Notice in writing	Date	FILE ARE 02
Acknowledged	Date	Reference
Signature		

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.45 ~~Licence to Deposit Materials on or Excavate~~ ~~Adjacent to a Street~~ **Permission to construct on,** **over or under a public thoroughfare or public** **place**

Head of Power **Local Government Act 1995**
~~Local Government (Miscellaneous Provisions) Act 1960~~
Local Government (Uniform Local Provisions) Regulations
1996

Power/Duty Delegated

Part	XV Buildings Regulation 17
Division	Division 2 - Submission of plans, installation of electricity for lighting, depositing of materials, protective hoardings Schedule 3.2 - Particular things local governments can do on land even though it is not local government property
Section	377
Sub section	
Local Law	Nil
Relevant Policies	Nil

Detail of delegation

The Chief Executive Officer is delegated authority to ~~issue licences to deposit materials on a street, way or other public place and to excavate on land abutting or adjoining a street, way or other public place pursuant to Section 377 of the Local Government (Miscellaneous Provisions) Act 1960.~~ **approve applications to undertake a construction on, over, or under a specified public thoroughfare or public place that is local government property.**

The Chief Executive Officer shall first obtain confirmation from appropriate staff that the proposed activity will not create undue interference with the operation of the street, way or public place. Permission is to be issued subject to the conditions detailed in Regulation 17 of the Local Government (Uniform Local Provisions) Regulations 1996 and such other conditions as considered relevant by the Chief Executive Officer.

Conditions Imposed

~~Licenses are to be issued~~ **Permission will be** subject to the conditions detailed in ~~Section 377 of the Act~~ **Regulation 17 of the Local Government (Uniform Local Provisions) Regulations 1996** and such other conditions as considered relevant by the Chief Executive Officer.

Sub-delegation Permitted Yes

Sub-delegated to Director Engineering Services
Manager Asset and Design
Manager Engineering Operations

Record requirements Documentation to be placed on the property or road file and in Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.46 Liquor, Sale and Consumption – Council Property

Head of Power**Local Government Act 1995 5.42****Power/Duty Delegated**

Part	5
Division	4 Local Government Employees
Section	5.42 Delegation of some powers to CEO
Sub section	
Local Law	Local Government Property and Public Places Local Law Clause 4.1 (or as amended)
Relevant Policies	4.2.5 Alcohol Management Policy

Detail of delegation

The Chief Executive Officer is delegated authority to approve applications for the sale of liquor from property under the care, control and management of the Council and to approve applications to consume liquor on property under the care, control and management of Council.

Conditions Imposed

The Chief Executive Officer is to have regard to the Alcohol Management Policy 4.2.5.

The approval is subject to the subsequent issue of an approved liquor licence issued by the appropriate authority for the sale of liquor on council property.

Deputy Chief Executive Officer, Director Development Services and Manager Health & Ranger Services shall liaise with Manager Community Development, Manager Planning Services and Manager Asset and Design.

Sub-delegation Permitted Yes

Sub-delegated to Deputy Chief Executive Officer
Director Development Services
Manager Health & Ranger Services

Record requirements Documentation to be held on property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.47 Local Government (Uniform Local Provisions) Regulations 1996, Consent Permission or Approvals

Head of Power Local Government Act 1995
Local Government (Uniform Local Provisions) Regulations 1996

Power/Duty Delegated

Part	5
Division	4 Local Government Employees
Section	5.42 Delegation of some powers to CEO
Sub section	Local Government (Uniform Local Provisions) Regulations 1996
Local Law	Nil
Relevant Policies	Nil

Detail of delegation

The Chief Executive Officer is delegated authority to give consent, permission or approval required under the Local Government (Uniform Local Provisions) Regulations 1996.

Conditions Imposed

That no cost is imposed upon Shire of Broome.

Sub-delegation Permitted Yes

Sub-delegated to Director Engineering Services
Manager Engineering Operations

Record requirements Documentation to be placed on the property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.48 Management Orders, Acceptance of

Head of Power**Local Government Act 1995 Section 5.42 (1) (a)****Power/Duty Delegated**

Part	5
Division	4 Local Government Employees
Section	5.42 Delegation of some powers to CEO 3.53 & 3.54 of Local Government Act Part 9 Land Administration Act 1997
Sub section	
Local Law	Nil
Relevant Policies	Nil

Detail of delegation

The Chief Executive Officer is delegated authority to advise the Department of Regional Development and Lands that the Shire of Broome is willing to accept Management Orders for land.

Conditions Imposed

The Chief Executive Officer is to take into consideration the requirements of Subdivision 6 – Various Executive Functions Section 3.53 and 3.54 of the Local Government Act and Part 9 of the Land Administration Act 1997.

The Chief Executive Officer is to take into consideration as appropriate the provisions of Sections 3.58 and 3.59 of the Local Government Act and Local Government (Functions and General) Regulations 7, 8, 9, 10 and 30.

Sub-delegation Permitted Yes

Sub-delegated to Deputy Chief Executive Officer
Director Development Services

Record requirements Documentation to be placed on file and in the delegated authority register

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.49 Municipal / Trust Fund, Authorisation of Payments, including Creditors

Head of Power *Local Government Act 1995* (sections 5.42 & 5.44)

Power/Duty Delegated

Local Government (Financial Management) Regulations 1996

Part	2 General financial management – s6.10
Division	
Section	
Sub section	
Regulation	12 Payment from municipal fund or trust fund
Local Law	
Relevant Policies	

Detail of delegation

The Chief Executive Officer is delegated authority to authorise payments from the municipal and trust funds with the information required under Regulation 12 of the *Local Government (Financial Management) Regulations 1996*.

Conditions Imposed

Authority is to be exercised in accordance with Regulation 12 of the *Local Government (Financial Management) Regulations 1996*.

Each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled for each month showing:

- The payee's name,
- The amount of the payment,
- The date of the payment, and
- Sufficient information to identify the transaction

The list referred to above is to be presented to the Council at the next Ordinary Meeting of the Council following the preparation of the list and is to be recorded in the minutes of the meetings at which it is presented.

Sub-delegation Permitted Yes

Sub-delegated to Director Corporate Services
Manager Financial Services
~~Accountant~~

Record requirements Authorisation of expenditure schedules

Reporting requirements Presented to Council via the Ordinary Council Meetings.

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.50 Occupancy Permit & Building Approval Certificates - Extension of Duration

Head of Power Building Act 2011 (Section 127)

Power/Duty Delegated

Part	4 Occupancy permits and building approval certificates
Division	3 Making and dealing with applications for occupancy permits and building approval certificates
Section	65 Extension of period of duration
Sub section	
Local Law	
Relevant Policies	

Detail of delegation

The Chief Executive Officer is delegated authority to extend the period of duration of an Occupying Permit or Building Approval Certificate under section 65 of the *Building Act 2011*.

Conditions Imposed

Nil

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services
Manager Building Services
Building Surveyor(s)
Consultant/Contract Building Surveyor employed by Council on an "as required basis"

Record requirements Documentation to be placed on the building file and in the information bulletin

Reporting requirements To be reported monthly in the Information Bulletin

DECISION**The Delegator
Reviewed by****Date
Date****Reference
Reference****Amended by****Date****Reference**

NOTICE OF DELEGATION**Notice in writing****Date****FILE ARE 02****Acknowledged****Date****Reference****Signature****Prohibition (s5.71) and Code of Conduct**

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.51 Occupancy Permits & Building Approval Certificates – Issue of

Head of Power Building Act 2011 (Section 127)

Power/Duty Delegated

Part	4 Occupancy Permits and building approval certificates
Division	3 Making and dealing with applications for occupancy and building approval certificates
Section	58 59 60
Sub section	
Local Law	
Relevant Policies	

Detail of delegation

The Chief Executive Officer is delegated authority to issue:

- 1) In accordance with Section 58 grant an occupancy permit, building approval certificate.
- 2) In accordance with Section 59 whether or not to grant or modify an occupancy permit, building approval certificate within the required timeframe.
- 3) In accordance with Section 60 record decision to refuse to grant or modify an occupancy permit, building approval certificate.

Conditions Imposed

Nil

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services
Manager Building Services
Building Surveyor(s)
Consultant/Contract Building Surveyor employed by Council on an "as required basis".

Record requirements Documentation to be placed on the building file and in the information bulletin

Reporting requirements To be reported monthly in the Information Bulletin

DECISION**The Delegator
Reviewed by****Date
Date****Reference
Reference****Amended by****Date****Reference**

NOTICE OF DELEGATION**Notice in writing****Date****FILE ARE 02****Acknowledged****Date****Reference****Signature****Prohibition (s5.71) and Code of Conduct**

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.52 Operational – Authorised Officers, Appointment of

Head of Power Local Government Act 1995 – Part 9 Division 2 Section 9.10
Local Government (Miscellaneous Provisions) Act 1960
Council's Local Laws and Regulations as prescribed

Power/Duty Delegated As listed below

Part	9 Miscellaneous provisions
Division	2 Enforcement and legal proceedings
Sub Division	1 Miscellaneous Provisions about enforcement
Section	9.10 Appointment of Authorised Officers Persons
Sub section	Dog Local Law 2012, Parking and Parking Facilities Local Law 2012 Trading, Outdoor Dining and Street Entertainment Local Law 2012, Local Government Property and Public Places Local Law

Detail of delegation

The Chief Executive Officer is delegated the power to appoint persons or classes of person as authorised officers in accordance with the various Acts, Regulations and Local Laws listed hereunder:

- Local Government Act 1995 – Part 9 Division 2 Section 9.10
- Local Government (Miscellaneous Provisions) Act 1960 - Part XX Section 449 (appointment of Pound Keeper and/or Rangers) Act to be read as part of the Local Government Act

Conditions Imposed

Sub-delegation Permitted No

Sub-delegated to

Record requirements

Reporting requirements

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference
Signature		

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.53 Operational – Authorised Officers, Appointment of for the Purposes of Administering the Food Act 2008

Head of Power Food Act 2008, Section 122

Power/Duty Delegated As listed below

Part	10
Division	3
Section	122
Sub section	
Local Law	
Relevant Policies	

Detail of delegation

The Manager Health & Ranger Services, Coordinator–Senior Environmental Health Officer and Environmental Health Officers are delegated authority as ‘Authorised Officers’ for the purpose of administering the Food Act 2008

Conditions Imposed

Sub-delegation Permitted No

Sub-delegated to

Record requirements Documentation to be placed on the ~~property file~~ **personnel files** and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference
Signature		

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.54 Operational – Authorised Officers (Cat Act 2011), Appointment of

Head of Power

Cat Act 2011

Power/Duty Delegated

Part	4 - Administration and Enforcement
Division	2 - Delegations 3 - Authorised persons
Section	44 - Delegation by Local Government 45 - Delegation by CEO of local government 48 - Authorised persons
Sub section	

Detail of delegation

44. Delegation by local government

(1) The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Act.

45. Delegation by CEO of local government

(1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under another provision of this Act.

48. Authorised persons

(1) A local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions under this Act.

Conditions Imposed

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services

Record requirements

Reporting requirements

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

Note details of the notice of any sub-delegation here. This will be the date of the Memo from the CEO to the designated employee (s)

NOTICE OF DELEGATION

Notice in writing	Date	FILE ARE 02
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Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.55 Operational – Community Sponsorship Program

Head of Power Local Government Act 1995 (Section 5.42)

Power/Duty Delegated

Part	5 Administration
Division	4 Local government employees
Section	5.42 Delegation of some powers to the CEO
Sub section	6.2 Local government to prepare annual budget
Local Law	Nil
Relevant Policies	5.1.5 Community Sponsorship Program

Detail of delegation

The Chief Executive Officer is delegated authority to approve ad hoc sponsorship to a maximum of \$1,000 after reference to the Community Sponsorship Assessment Working Party Group and Council's approved Financial Year Budget.

Conditions Imposed

The Chief Executive Officer shall have regard to Policy 5.1.5 Community Sponsorship Program

Sub-delegation Permitted Yes

Sub-delegated to Deputy Chief Executive Officer

Record requirements Documentation kept on Community Sponsorship file

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.56 Operational – Contract Price Variations

Head of Power Local Government Act 1995 (sections 5.42 & 5.44)

Power/Duty Delegated

Local Government (Functions and General) Regulations 1996

Part	4 Provision of goods and services
Division	2 Tenders for providing goods and services (s3.57)
Section	
Sub section	20 Variation of requirements before entry into contract
Local Law	
Relevant Policies	2.3.7 – Purchasing Policy

Detail of delegation

The Chief Executive Officer is delegated authority to approve minor variations to a contract subject to sufficient funds being available within the approved expenditure budget and that the price variation is necessary.

Conditions Imposed

Any contract variation is to be recorded in a register of contracts and is to be reported to the Council.

Sub-delegation Permitted No

Sub-delegated to

Record requirements Documentation to be placed in the register of contracts.

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.57 Operational – Designated Officer, Appointments of for the Purposes of Administering the Food Act 2008

Head of Power Food Act 2008, Section 126

Power/Duty Delegated As listed below

Part	11
Division	4
Section	126
Sub section	13
Local Law	
Relevant Policies	

Detail of delegation

The Manager Health & Ranger Services is delegated authority as 'Designated Officer' for the purpose of administering the Food Act 2008.

Conditions Imposed

Sub-delegation Permitted No

Sub-delegated to

Record requirements Documentation to be placed on the reserve file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.58 Operational – Designated Persons (Planning) for issuing of Infringement Notices

Head of Power Local Government Act 1995 (sections 5.42 & 5.44)
Planning and Development Act 2005

Power/Duty Delegated

Part	13
Division	3
Section	234
Sub section	
Local Law	
Relevant Policies	Local Planning Policy – 8.13 Compliance

Detail of delegation

The Chief Executive Officer delegates authority to issue, amend or withdraw infringement notices for the purpose of ensuring the provisions of Town Planning Scheme No 4 (TPS4) and Interim Development Order No 4 (IDO4) are being observed

1. Issue an Infringement Notice pursuant with Clause 228 of the Planning and Development Act 2005 (the Act)
2. Extending the time to pay the infringement notice pursuant with clause 230 of the Act'
3. Withdrawal of the infringement notice pursuant with clause 231 of the Act

Conditions Imposed

In accordance with the Act 2005 clause 234 (2) a person who is authorised to give infringement notice under clause 228 is not eligible to be a Designated Person for the purpose of any other section

The Chief Executive Officer is to have regard to Local Planning Policy 8.13 - Compliance

Sub-delegation Permitted No

Sub-delegated to

Designated Persons Director of Development Services; apart from Delegation 1
Manager Planning Services; apart from Delegation 1 and 3
~~Manager Law Enforcement and Compliance; apart from Delegation 2 and 3~~
Statutory Planning Coordinator apart from Delegation 2 and 3
Planning Officer; apart from Delegation 2 and 3
Ranger; apart from Delegation 2 and 3

Record requirements Documentation to be placed on the property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.59 Operational – Legal Representation, Costs Indemnification

Head of Power Local Government Act 1995

Power/Duty Delegated

Part	5
Division	4
Section	5.42 Delegation of some powers and duties to CEO
Sub section	
Local Law	
Relevant Policies	Policy 1.2.7

Detail of delegation

The Chief Executive Officer is delegated authority to approve applications from elected members or staff for urgent legal services where there is a need for the services, before an application can be considered by Council.

Conditions Imposed

The Chief Executive Officer should reference legal advice on any application if he/she deems necessary and can exercise this authority up to the value of \$20,000.

The Chief Executive Officer is to take into account Policy 1.2.7 of the Council in relation to this matter as determined and varied from time to time.

Sub-delegation Permitted Yes

Sub-delegated to Deputy Chief Executive Officer
Director Development Services

Record requirements The advice is recorded in a register of legal advice.

Reporting requirements The Council is to be informed of all legal advice obtained and the advice is to be made available for inspection upon request.

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.60 Operational – Prosecution of Offences

Head of Power Bush Fires Act 1954 – Part V Section 59

Power/Duty Delegated

Part	V - Miscellaneous
Division	
Section	59 – Prosecution of Offences
Sub section	(1), (3), (4) and (5)
Local Law	
Relevant Policies	

Detail of delegation

The Chief Executive Officer is authorised to commence legal proceedings pursuant to offences against the Bush Fires Act 1954.

Conditions Imposed

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services

Record requirements Documentation to be held on prosecution file

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.61 Outdoor Dining Licenses

Head of Power**Local Government Act 1995 (sections 5.42 & 5.44)****Power/Duty Delegated**

Part	
Division	
Section	
Sub section	Clause 2.3
Local Law	Trading, Outdoor Dining and Street Entertainment Local Law 2003
Relevant Policies	Local Planning Policy 8.3 - Outdoor Dining

Detail of delegation

The Chief Executive Officer is delegated authority to approve applications for Outdoor Dining Licenses

Conditions Imposed

Authority to be exercised in accordance with Local Planning Policy 8.3 - Outdoor Dining and Trading Outdoor Dining and Street Entertainment Local Law 2003 following appropriate referral.

Sub-delegation Permitted Yes**Sub-delegated to**

Director Development Services
~~Manager Planning Services~~
 Manager Health & **Ranger** Services

Record requirements

Documentation to be placed on file and in the delegated authority register

Reporting requirements

To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.62 Permits, Road Trains and Extra Mass

Head of Power**Local Government Act 1995****Power/Duty Delegated**

Part	3
Division	3
Section	3.50 Local Government Act
Sub section	
Local Law	3.2, 3.3, 3.4, 3.5
Relevant Policies	3.1.22 – Closure of Unsealed Roads Due to Wet Weather

Detail of delegation

The Chief Executive Officer is delegated authority to determine any application recommending approval or refusal, with conditions, to Main Roads WA to use road trains and applications for extra mass permits and/or over-dimensional vehicle permits on any local road within the district.

Conditions Imposed

The Chief Executive Officer is to have regard to

- 1) All roads are subject to the appropriate approval by Main Roads WA and subsequent issue of relevant permits
- 2) Applicants to supply Council with a copy of Main Roads WA permit before operations commence
- 3) That the speeds of the vehicles do not exceed 90km/h on gravel roads
- 4) Applicants are requested to utilise sealed routes, where possible, particularly during periods of wet weather
- 5) Council reserves the right to withdraw the approval with twenty four (24) hours notice.
- 6) Any policy of Council in place from time to time.

Sub-delegation Permitted Yes

Sub-delegated to Director Engineering Services

Record requirements Documentation to be placed on the road files and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.63 Powers and Functions Under the Health Act 1911 and Subsidiary Regulations, Local Laws and Orders made thereunder

Head of Power Health Act 1911, Section 26

Power/Duty Delegated

Part	2
Division	2
Section	26
Sub section	
Local Law	
Relevant Policies	

Detail of delegation

The Chief Executive Officer is delegated authority to exercise and discharge all or any of its powers and functions under the Health Act 1911 and subsidiary Regulations, Local Laws and order made thereunder.

Conditions Imposed

Sub-delegation Permitted Yes

Sub-delegated to Manager Health & Ranger Services
Senior Coordinator Environmental Health Officer

Record requirements Documentation to be placed on the property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.64 Private Works

Head of Power Local Government Act 1995

Power/Duty Delegated

Part	6
Division	5
Section	6.15 Local government's ability to receive revenue and income
Sub section	
Local Law	Nil
Relevant Policies	3.1.5 Private and Community Works

Detail of delegation

The Chief Executive Officer is delegated authority to undertake private works within the Shire of Broome when determined to be in the interests of Council and when written authorisation is provided by the client to proceed.

Conditions Imposed

Sub-delegation Permitted Yes

Sub-delegated to Director Engineering Services
Manager Engineering Operations

Record requirements Documentation to be placed on the property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.65 Purchase Orders, Issue of

Head of Power Local Government Act 1995 (sections 5.42 & 5.44)

Power/Duty Delegated Local Government (Financial Management) Regulations 1996

Part	2
Division	Regulations 5, 11(2), 12(1)(a), 13
Section	
Sub section	
Local Law	N/A
Relevant Policies	2.3.7 - Purchasing 1.2.9 - Local Regional Price Preference

Detail of delegation

The Chief Executive Officer is delegated authority to issue Purchase Orders for those goods and services provided for in Council's adopted budget.

Conditions Imposed

The Chief Executive Officer is to refer to Policy 2.3.7 Purchasing Policy

Sub-delegation Permitted Yes

Sub-delegated to

~~Deputy Chief Executive Officer~~
~~Director Corporate Services~~
~~Director Engineering Services~~
~~Director Development Services~~

~~and others in line with~~ In accordance with Management Directive 008 as endorsed by Chief Executive Officer.

Record requirements

~~Audit trail maintained within Synergy Soft Financial Management System Purchasing Module. Monthly financial statements~~

Reporting requirements

~~Provide to Council as part of the monthly financial statements.~~
As per Management Directive 008 as reviewed and amended by the Chief Executive Officer from time to time.

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
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Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.66 Rates and Service Charges

Head of Power

Local Government Act 1995 (sections 5.42 & 5.44)

Power/Duty Delegated

Part	6 Financial management
Division	6 Rates and service charges
Section	6.39 Rate record 6.40 Effect of amendment of rate record 6.41 Service of rate notice 6.45 Options for payment of rates or service charges
Sub section	
Local Law	
Relevant Policies	2.1.3 – Rates Debt Recovery

Detail of delegation

The Chief Executive Officer is delegated authority of the following;

1. The duty to compile a record, as soon as practicable after Council resolves to impose rates in a financial year, in the form and manner prescribed, for that financial year, of all rateable land in the district, and all land on which a service charge is imposed.
2. The power to amend the rate record for the 5 years preceding the current financial year.
3. The duty to amend, from time to time, a rate record for the current financial year to ensure that the information contained in the record is current and correct and that the record is in accordance with this Act.
4. The duty to reassess, where the rate record in relation to land, is amended under 6.39(2) as a result of change in rateable value, rateability or rate imposed on that land, and to give notice to the owner of any change in the amount of rates payable.
5. The duty to reassess the service charge in relation to any land amended under 6.39 (2) and give notice to the owner or occupier as the case requires, of any change in the amount thereof.
6. The power to make a refund, if as a result of reassessment of rates, a rate on land is reduced, the amount overpaid.
7. The power to make a refund, if a reassessment results in a reduction in a service charge, of that amount.
8. The duty to refund, if requested by the current owner in accordance with various statutes.
9. The duty to give to the owner of rateable land, and the owner or occupier, as the case may be a notice of rate imposed.
10. The power to accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with that person.

Conditions Imposed

To observe all relevant provisions of the *Local Government Act 1995*, all other written law and regulations, Council policies, directions and guidelines.

Sub-delegation Permitted Yes

Sub-delegated to

Director Corporate Services
Manager Financial Services

Record requirements

To be recorded in the Delegation of Authority Monthly Schedule

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference
Signature		

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.67 Rates and Service Charges, - Agreements

Head of Power**Local Government Act 1995 (sections 5.42 & 5.44)****Power/Duty Delegated**

Part	6. Financial management
Division	6. Rates and service charges
Section	6.49 – Agreement as to payment of rates and service charges
Sub section	
Local Law	Nil
Relevant Policies	2.1.3 – Rates Debt Recovery

Detail of delegation

The Chief Executive Officer is delegated the power to accept payment of a rate or service charge that is due and payable by a person in accordance with an agreement made with that person.

Conditions Imposed

1. The Chief Executive Officer is required to observe any relevant policy.
2. In making any such agreement, the Chief Executive Officer is to exercise discretion in negotiating the best possible repayment schedule to protect the interests of the Shire without imposing undue financial hardship on the person.
3. The Chief Executive Officer is to ensure that appropriate written agreements are entered into and that appropriate internal controls are in place to monitor compliance with the agreed repayment schedule.
4. The Chief Executive Officer is to have regard to the Shire's debt collection policy should the person materially default with the terms of the agreement.

Sub-delegation Permitted Yes

Sub-delegated to Director Corporate Services
Manager Financial Services

Record requirements A written, signed agreement is to be entered into and recorded into a register of debt repayment agreements to be recorded in the Delegation of Authority Monthly Schedule.

Reporting requirements The Chief Executive Officer is required to report to the Council any material matters associated with the exercising of this delegation. Monthly in the Council Information Bulletin.

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.68 Rates, Unpaid – Power for Sale

Head of Power

Local Government Act 1995 (sections 5.42 & 5.44)

Power/Duty Delegated

Part	6. Financial management
Division	6. Rates and service charges
Section	6.56 Rates or service charges recoverable in court 6.64 Actions to be taken, 6.65 Power to lease – procedure 6.66 Effect of lease 6.67 Release of property after payment of arrears 6.68 Exercise of power to sell land
Sub section	
Local Law	
Relevant Policies	2.1.3 – Rates Debt Recovery

Detail of delegation

The Chief Executive Officer is delegated the authority to commence proceedings under Section 6.64 of the *Local Government Act 1995* to recover rates **and service charges** owing to the Council where ~~rates~~ **an amount** payable to the Council ~~have~~ **has** been unpaid for not less than a period of three years.

These proceedings could involve proceedings to recover rates and service charges where appropriate:

1. Lease of the land;
2. Sale of the land;
3. Cause the transfer of land to the Crown; or
4. Cause the transfer of land to the local government.

Conditions Imposed

1. The Chief Executive Officer is required to observe any relevant policy.
2. The action is only to be taken, where in the opinion of the Chief Executive Officer, that action is necessary.
3. Any land taken possession of must be released as per Section 6.67 of the *Local Government Act 1995*.

Sub-delegation Permitted Yes

Sub-delegated to Director Corporate Services
Manager Financial Services

Record requirements ~~Documentation to be placed on the property file and in the Information Bulletin Report~~ **To be recorded in the Delegation of Authority Monthly Schedule**

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.69 Rating and Service Charges, Caveat

Head of Power

Local Government Act 1995 (sections 5.42 & 5.44)

Power/Duty Delegated

Part	6. Financial management
Division	6 Rates and service charges
Section	6.64 Actions to be taken
Sub section	3
Local Law	
Relevant Policies	2.1.3 – Rates Debt Recovery

Detail of delegation

The Chief Executive Officer is delegated the power to lodge a caveat to preclude dealings in land where rates or services charges are in arrears^s and the CEO is of the opinion that it is in the interests of the Shire to lodge the caveat.

Conditions Imposed

1. The Chief Executive Officer is required to observe any relevant policy.
2. The action to lodge a caveat is only to be taken, where in the opinion of the Chief Executive Officer, that action is necessary.
3. The action is only to be taken by persons with the specific written authority to lodge the caveat.

Sub-delegation Permitted No

Sub-delegated to

Record requirements ~~A written, signed agreement is to be entered into and recorded into a register of debt repayment agreements.~~ **To be recorded in the Delegation of Authority Monthly Schedule**

Reporting requirements ~~The Chief Executive Officer is required to report to the Council any material matters associated with the exercising of this delegation.~~ **To be reported monthly in the Information Bulletin**

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.70 Rating and Service Charges, Legal Action for Recovery

Head of Power Local Government Act 1995

Power/Duty Delegated

Part	6. Financial Management
Division	6 Rates and Service Charges
Section	6.56 Rates and Service Charges Recoverable in Court
Sub section	
Local Law	
Relevant Policies	2.1.3 – Rates Debt Recovery

Detail of delegation

The Chief Executive Officer is delegated the power to instigate action through a court to recover a debt, including recovery costs, associated with a rate or service charge, if it remains unpaid after the time for payment under the Act, and ~~after the procedures under~~ **in accordance with procedures outlined in** the Shire debt collection policy ~~has been unsuccessful~~.

Conditions Imposed

1. The Chief Executive Officer is required to observe any relevant policy.
2. The legal action is only to be taken, where in the opinion of the Chief Executive Officer, that action is a last resort to obtain payment.
3. The legal action is only to be taken by persons with the specific written authority to commence the action.

Sub-delegation Permitted Yes

Sub-delegated to Director Corporate Services
Manager Financial Services

Record requirements ~~A written, signed agreement is to be entered into and recorded into a register of debt repayment agreements.~~ **To be recorded in the Delegation of Authority Monthly Schedule**

Reporting requirements ~~The Chief Executive Officer is required to report to the Council any material matters associated with the exercising of this delegation.~~ **To be reported monthly in the Information Bulletin**

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
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Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.71 Records Destruction Approval Lists

Head of Power State Records Act 2000

Power/Duty Delegated

Part	3 Record keeping plans for government organisations
Division	1 General
Section	16 Content of Plans
Sub section	3 (a-c)
Local Law	
Relevant Policies	

Detail of delegation

The Chief Executive Officer is delegated authority to approve, in accordance with the General Disposal Authority for Local Government Records, disposal lists for records identified for destruction in the destruction processes.

Conditions Imposed

To observe all relevant provisions of the Local Government Act 1995, the State Records Act 2000, the Shire of Broome Recordkeeping Plan and all other written law and regulations, Council policies, directions and guidelines.

Sub-delegation Permitted Yes

Sub-delegated to Manager Information Services

Record requirements As required to the State Records Act 2000

Reporting requirements As required to the State Records Act 2000 and the Shire of Broome Recordkeeping Plan

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.72 Recovery of Rates and Service Charges – Leased Properties

Head of Power Local Government Act 1995 (sections 5.42 & 5.44)

Power/Duty Delegated

Part	6 Financial Management
Division	6 Rates and Service Charges
Subdivision	
Section	6.52, 6.55. 6.60 Local government may require lessee to pay rent
Sub-Section	
Local Law	
Relevant Policies	

Detail of delegation

The CEO is delegated the power:

- ~~1. To recover rates and service charges which are apportioned between successive owners in respect of time as if they accrue.~~
- ~~2. The duty to recover rates and charges outstanding from the owner or the person who becomes the owner.~~
3. To give notice to the lessee of land if payment of a rate or service charge imposed is due and payable requiring the lessee to pay any rent as it falls due in satisfaction of the debt.
4. The duty to give the lessor a copy of the notice with an endorsement that the original of it has been given to the lessee.
5. The power to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with the notice.
6. The power to request the occupier of property, or an agent of the owner of property to disclose the name and address of the owner or of the person receiving or authorised to receive the rate or service charge.
7. The duty to apply the money for or towards rates or service charges where money is paid on rates and charges due on the land in the order in which they become due.

Conditions Imposed

To observe all relevant provisions of *the Local Government Act 1995*, all other written law and regulations, Council policies, directions and guidelines.

Sub-delegation Permitted Yes

Sub-delegated to Director Corporate Services
Manager Financial Services

Record requirements A written, signed agreement is to be entered into and recorded into a register of debt repayment agreements. **To be recorded in the Delegation of Authority Monthly Schedule.**

Reporting requirements The Chief Executive Officer is required to report to the Council any material matters associated with the exercising of this delegation. **Monthly in the Council Information Bulletin.**

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference
Signature		

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.73 Road Closures, General and Temporary

Head of Power**Local Government Act 1995****Power/Duty Delegated**

Part	3 – Functions of Local Government
Division	3 – Executive Functions of Local Governments
Section	3.50, 3.50A and 5.42
Sub section	
Local Law	Shire of Broome Property and Public Places Local Law 2012 - 10.1 10.2 , 10.3
Relevant Policies	3.1.22 Closure of Unsealed Roads Due to Wet Weather

Detail of delegation

The Chief Executive Officer is delegated the authority to temporarily close a street or a portion of a street and/or any local road under Council's control to all traffic for any period not exceeding 28 days if it is of the opinion that by reason of heavy rain, a street is likely to be damaged by the passage of traffic generally and/or if it is considered the road is unsafe for public traffic.

Conditions Imposed

In accordance with Local Laws.

Sub-delegation Permitted Yes

Sub-delegated to Director Engineering Services
Manager Engineering Operations

Record requirements Documentation to be placed on the road file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.74 Roads, Sand, Silt and Other Soil Material - Removal from Shire Roads**Head of Power** Local Government Act 1995**Power/Duty Delegated**

Part	3
Division	3
Section	3.54 Reserves under control of a local government
Sub section	
Schedule	3.1 Powers under notices to owners or occupiers of land
Local Law	
Relevant Policies	3.1.1 Sand Removal from Shire Roads

Detail of delegation

The Chief Executive Officer is delegated the authority to impose a charge for all removal of sand, silt and other soil materials originating from adjoining private land.

Conditions Imposed

The Chief Executive Officer is to exercise this delegation where soil and sand becomes a risk to vehicular and pedestrian traffic utilising the road reserve.

Sub-delegation Permitted Yes

Sub-delegated to Director Engineering Services
Manager Engineering Operations

Record requirements Documentation to be placed on the road and property file and in Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.75 Strata Titles, Certificate of Approval

Head of Power **Planning and Development Act 2005 (section 16(3) (e))**
Strata Titles Act 1985

Power/Duty Delegated

Part	2 – Strata schemes and survey-strata schemes
Division	3 – Certificates and approvals
Section	25
Sub section	(1)
Local Law	Nil
Policy	Nil

Detail of delegation

Section 25 of the Strata Titles Act 1985 requires every strata scheme lodged for registration to be accompanied by a certificate of approval by the Commission.

The Western Australian Planning Commission has delegated its power to issue a certificate of approval under section 25 of the Strata Title Act 1985 to local government except in relation to:

- the creation of a vacant lot
- the creation of vacant air stratas in multi tiered strata scheme developments
- Where in the opinion of the WAPC or local government having notified the other party in writing it relates to:
 - A type of development and/or
 - Land is within an area which is of state or regional significance or in respect of which the WAPC has determined is otherwise in the public interest for WAPC to determine .

Conditions imposed

This delegation may only be excised if the application complies with the relevant planning approval and conditions.

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services
 Manager Building Services

Record requirements Documentation to be placed on the subdivision file in the
 Information Bulletin Report and report to WAPC

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.76 Strata Titles, Issue of an Occupancy Permit Strata or Building Approval Certificate Strata for registration of strata scheme, plan of re-subdivision

Head of Power Building Act 2011 (Section 127)

Power/Duty Delegated

Part	4 Occupancy permits and building approval certificates
Division	2 Kinds of applications for occupancy and building approval certificates
Section	50 Application for occupancy permit or building approval certificate for registration of strata scheme, plan of re-subdivision
Sub section	
Local Law	Nil
Relevant Policies	Nil

Detail of delegation

The Chief Executive Officer is delegated authority to authorise the appropriate Council Officers to approve such certificates

Conditions Imposed

This delegation can only be exercised after the authorised Council Officers have been satisfied that all relevant Building Act requirements applicable to the issue of these certificates have been met.

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services
Manager Building Services
Building Surveyor(s)
Consultant/Contract Building Surveyor employed by Council on an "as required basis"

Record requirements Documentation to be placed on the building and property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.77 Subdivision and Amalgamation Applications

Head of Power **Local Government Act 1995 (section 5.2.& 5.44)**
Planning & Development Act 2005

Power/Duty Delegated

Part	10 – Subdivision and development control
Division	2 – Approval for subdivision and certain transactions
Section	142 - Consultation with local governments etc, as to proposed subdivision
Sub section	
Local Law	Nil
Relevant Policies	Nil

Detail of delegation

The Chief Executive Officer is delegated authority to respond to the Western Australian Planning Commission regarding applications for subdivision or amalgamation or strata submissions.

Conditions Imposed

Authority to be exercised only when those applications are in accordance with an approved Development Plan or Development Approval recommending conditions considered appropriate having regard to the provisions of the Council's Town Planning Scheme No 4 and policies.

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services
Manager Planning Services

Record requirements Documentation to be placed on subdivision file and in
Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.78 Subdivision Clearance

Head of Power **Local Government Act 1995 (sections 5.42 & 5.44)**
Planning and Development Act 2005

Power/Duty Delegated

Part	10 – Subdivision and development control
Division	2 – Approval for subdivision and certain transactions
Section	145 - Approving diagram or plan of survey of approved plan of subdivision
Sub section	
Local Law	Nil
Relevant Policies	Nil

Detail of delegation

The Chief Executive Officer is delegated authority to issue clearance certificates for subdivision and strata subdivision applications.

Conditions Imposed

Authority is only to be exercised where the development has met with Council's requirements of development approval or represents only a minor departure thereof, this to include the acceptance of bonds or securities as performance guarantees against unfulfilled conditions.

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services
Manager Planning Services
~~Senior Planning Officer~~ / Statutory Planning Coordinator

Record requirements Documentation to be placed on subdivision file and in the information bulletin

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.79 Submit Responsible Authority Report (Town Planning Scheme No 4 & Interim Development Order No 4))

Head of Power **Local Government Act 1995 (sections 5.42 & 5.44)**
Planning and Development Act 2005 (section 171A, 171B)
Planning and Development (Development and Assessment Panels) Regulation 2011 (regulation 12)
Town Planning Scheme No 4 (part 11 Section 11.2)
Interim Development Order No 4 (clause 4A and 4B)

Power/Duty Delegated

Part	11A
Division	1
Section	171A, 171B
Sub section	nil
Local Law	Nil
Regulation	12
Relevant Policies	<p>4.1.2 – Industrial Building, Caretaker's Dwelling and Attached Offices 4.1.3 – Bed & breakfast Accommodation 4.1.10 – Tourist Accommodation Developments (Excluding caravan Parks) within the Tourist Zone 4.1.16 – Sail and Shade Structures (including Solar Control) - Concessions for Planning and building Approvals 4.1.17 – Residential design Codes 2002 – regional Exceptions 4.1.18 – Residential Design Codes 2002 – Clause 3.8 – Privacy Requirements in relation to Screening</p> <p>Local Planning Policy (LLP) 8.1 – LPP for the Provision and Development of Open Space Reserves managed by the Shire of Broome 8.4 – Additional Accommodation in General Rural, Rural Agricultural and Rural Living Zone 8.5 – Shipping and / or Storage Containers 8.6 – Municipal Heritage Inventory – Development of Listed Places 8.7 – Sprinkler and Hydrant Water Tanks 8.8 – Transient Workers Accommodation 8.9 – Cash In Lieu of Car Parking – Town Centre Chinatown Zone 8.10 – Parking, Storage, Crossover and Drainage Standards for Planning Applications 8.11 – Satellite Dishes, Masts and Antennas 8.12 – Fences within the Townsite of Broome 8.15 – Planning Approvals – Amendments/extensions to Term of Approval and Requests for Further Information 8.16 – Parking – Car, Motorcycle, Bicycle 8.17 - Signs 8.19 – Telecommunications Infrastructure</p>

Detail of delegation

Pursuant to Section 171A, 171B of the Planning and Development Act 2005 and Planning and Development (Development and Assessment Panels) Regulation 2011 the Chief Executive Officer is delegated to submit the Responsible Authority Report to the Development Assessment Panel:

Conditions Imposed

Authority only to be exercised following appropriate consideration of the matters listed in Clause 10.2 of the TPS 4 or 4A 'matters to be considered by council' of IDO4 as applies.

1. Appropriate consultation has to be conducted, delegation can be exercised where concerns raised through consultation is not relevant planning consideration or where concerns can be addressed by way of conditions or mitigated design. Where concerns raised are relevant planning considerations that cannot be addressed or mitigated through conditions a report to Council shall be prepared.

Sub-delegation Permitted Yes

Sub-delegated to Director of Development Services
Manager Planning Services

Record requirements Documentation to be placed on the property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator Reviewed by	Date	Reference
	Date	Reference

Amended by	Date	Reference
	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	FILE ARE 02
	Date	Reference

Acknowledged	Date	Reference
	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.80 Tenders, Decision to Invite

Head of Power**Local Government Act 1995 (sections 5.42 & 5.44)****Power/Duty Delegated**

Part	3 Functions of local governments
Division	3 Executive functions of local governments
Section	3.57 Tenders for providing goods or services
Sub section	
Local Law	Nil
Relevant Policies	2.3.7 – Purchasing Policy

Detail of delegation

The Chief Executive Officer is delegated the power:

1. To make the decision to invite tenders for goods and services;
2. To call tenders before the Shire enters into a contract of a prescribed kind;
3. To accept a tender where the consideration is less than \$100,000; and
4. Determine the criteria for deciding which tender should be accepted

Conditions Imposed

1. The decision to accept a quotation or tender must relate to goods or services that are subject to a specific budget expenditure authorisation or other express written authority of the Council.
2. The decision must be based upon a proper, fair and impartial public tender process that only considers quotations or tenders that comply with all relevant requirements on opening.
3. The decision must be based upon the best value for money proposal that has been assessed by a proper and accountable assessment process.
4. The decision must be based upon full compliance with Local Government (Functions and General) Regulations 1996 Part 4 Division 2, any relevant written law, Council policy or procedures. Including Policy 2.3.7_Purchasing Policy.

Sub-delegation Permitted Yes**Sub-delegated to**

Director Corporate Services
Executive Officer

Record requirements

Entry in the Tender Register in accordance with regulations with tenders

Reporting requirements

Tender report to Council for tenders called over \$100,000 and entry in the Tender Register in accordance with regulations
For tenders under \$100,000, to be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.81 Town Planning, Detailed Area Plans - Variation

Head of Power Local Government Act 1995 (section 5.42 & 5.44)
Town Planning Scheme No 4 (4.27.4)
Planning & Development Act 2005

Power/Duty Delegated

Part	4 – Zones and the Use of Land
Division	
Section	
Sub section	4.27.4 – Variation to detailed area plan
Local Law	Nil
Relevant Policies	Nil

Detail of delegation

The Chief Executive Officer is delegated authority to modify or vary an approved detailed area plan in accordance with Shire of Broome Town Planning Scheme No 4 clause 4.27.4.

Conditions Imposed

The Chief Executive Officer is to take into consideration the intent of any related Development Plan and any planning policy applicable from time to time within the Shire of Broome.

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services
Manager Planning Services

Record requirements Documentation to be placed on the property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference
Signature		

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.82 Town Planning, Directions to comply with Scheme or Interim Development Order (IDO)

Head of Power Local Government Act 1995 (section 5.42 & 5.44)
Town Planning Scheme No 4 (11.3)
Planning & Development Act 2005

Power/Duty Delegated

Part	13 – Enforcement and legal proceedings
Division	1 - Enforcement
Section	214 – Illegal development, responsible authority's powers as to
Sub section	(2) (3) (5)
Local Law	Nil
Relevant Policies	Local Planning Policy 8.13 - Compliance

Detail of delegation

The Chief Executive Officer is delegated authority to issue and/or withdraw written direction to the owner or any other person undertaking works contrary to the Town Planning Scheme No 4 or the Interim Development Order 4; under the Planning and Development Act 2005 as per Sections 2.14(2),(3) or (5).

Conditions Imposed

The Chief Executive Officer is to take into consideration any planning policy applicable from time to time within the Shire of Broome.

Sub-delegation Permitted Yes

Sub-delegated to Director Development Services

Record requirements Documentation to be placed on the property file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.83 Trading Approvals, Suspension of

Head of Power Local Government Act 1995

Power/Duty Delegated

Part	5 Administration
Division	4 Local Government Employees
Section	5.42 Delegation of some powers and duties to CEO
Sub section	
Clause	2.8 Local Law
Local Law	Trading, Outdoor Dining and Street Entertainment Local Law 2003
Relevant Policies	Local Planning Policy 8.3 – Outdoor Dining

Detail of delegation

The Chief Executive Officer is delegated authority to suspend/cancel any approval should licence conditions be breached.

Conditions Imposed

The Chief Executive Officer shall exercise this delegation in accordance with Trading, Outdoor Dining and Street Entertainment Local Law 2003, Clause 2.7.

Sub-delegation Permitted Yes

Sub-delegated to	<p>Director Development Services Manager Health & Ranger Services Responsibility for trading in relation to goods and services that primarily encompass food shall be undertaken by the Manager Health Services.</p> <p>Manager of Planning Services. Responsibility for outdoor dining licenses for premises approved as restaurant shall be undertaken by the Manager of Planning Services.</p> <p>Coordinator Environmental Health Responsibility for outdoor dining licenses for premises approved as restaurant shall be undertaken by the Coordinator Environmental Health.</p> <p>Manager Law Enforcement and Compliance Responsibility for trading in relation to goods and services other than food on Council's Reserves and Public Places shall be undertaken by the Manager Law Enforcement and Compliance.</p>
Record requirements	Documentation to be placed on the reserve/property file and in Information Bulletin Report
Reporting requirements	To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.84 Trading, Outdoor Dining and Street Entertainment

Head of Power Local Government Act 2005

Power/Duty Delegated

Part	5 Administration 4.9
Division	4 Local Government Employees
Section	5.42 Delegation of some powers and duties to CEO
Sub section	
Clause	
Local Law	Trading, Outdoor dining and Street Entertainment 2003
Relevant Policies	4.2.3 Street Entertainment/Busking; 4.2.12 Trading in Public Places; 5.1.3 Commercial Activities on Cable Beach; 5.1.4 Commercial Camel activities on Cable Beach;

Detail of delegation

The Chief Executive Officer is delegated authority to approve applications to conduct activities in accordance with the Trading, Outdoor Dining and Street Entertainment Local Law 2003.

Conditions Imposed

Director Development Services and Manager Law Enforcement and Compliance shall liaise with Manager Health Services, Manager Planning Services and Manager Asset and Design.

Sub-delegation Permitted Yes

Sub-delegated to	Director Development Services Manager Health & Ranger Services Responsibility for trading in relation to goods and services that primarily encompass food or noise shall be undertaken by the Manager Health Services.
	Manager Planning Services Responsibility for issuing outdoor dining licenses for premises approved as restaurants, cafe, alfresco shall be undertaken by the
	Manager Law Enforcement and Compliance Responsibility for trading in relation to goods and services other than food on Council's Reserves and Public Places shall be undertaken by the Manager Law Enforcement and Compliance.
Record requirements	Documentation to be placed on the reserve/property file and in the Information Bulletin Report
Reporting requirements	To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.85 Vehicular Access to Prohibited Areas of Cable Beach

Head of Power Control of Vehicles (Off Road Areas) Act 1978

Power/Duty Delegated

Part	
Division	
Section	6 – Driving and Use of Off Road Vehicles
Sub section	(1) A person shall not drive or use an off-road vehicle in any area to which this section applies otherwise than – (a) on private land by consent; or (b) on land comprised within a permitted area, unless permitted to do so pursuant to section 8(4) or deemed to have been permitted to do so pursuant to subsection (5) of that section.
Local Law	Local Government Property and Public Places 2012
Relevant Policies	5.1.3 Commercial Activities on Cable Beach 5.1.7 Events Held on Local Government Property and Public Places

Detail of delegation

In accordance with the exemption notice published in the Government Gazette No 131 on the 26 July 2013, the Chief Executive Officer is delegated authority to approve vehicular access to the prohibited areas of Cable Beach.

Conditions Imposed

1. The Chief Executive Officer may only approve access to the prohibited areas of Cable Beach for up to one vehicle plus a trailer where the approval is associated with an approved private function or event.
2. The Chief Executive Officer may approve access to the prohibited areas of Cable Beach for any number of vehicles where the approval is associated with an approved function or event which is for charitable purpose.

Sub-delegation Permitted No

Sub-delegated to N/A

Record requirements Documentation to be placed on the relevant file.

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	FILE ARE 02
Acknowledged	Date	Reference
Signature		

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.86 Venue and Facility Hire – Broome Civic Centre**Head of Power** Local Government Act 1995 (Section 5.42)**Power/Duty Delegated**

Part	5
Division	4 Local Government Employees
Section	5.42 Delegation of some powers to CEO
Sub section	
Local Law	Local Government Property and Public Places Local Law 2012 Part 5 – Hiring of Local Government Property
Relevant Policies	

Detail of delegation

The Chief Executive Officer is delegated authority to approve applications for hire of areas, rooms and facilities within the Broome Civic Centre.

Conditions Imposed

The Chief Executive Officer shall consider the appropriate use of the facilities prior to granting approval.

Sub-delegation Permitted Yes

Sub-delegated to Deputy Chief Executive Officer
Manager Community Development
~~Events and Venue Coordinator~~
~~Events and Venue Officer~~

Record requirements Documentation to be placed on the Civic Centre file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.87 Venue and Facility Hire – Broome Recreation and Aquatic Centre

Head of Power Local Government Act 1995 (Section 5.42)

Power/Duty Delegated

Part	5
Division	4 Local Government Employees
Section	5.42 Delegation of some powers to CEO
Sub section	
Local Law	Local Government Property and Public Places Local Law 2012 Part 5 – Hiring of Local Government Property
Relevant Policies	4.2.2 Guidelines for Concerts, Events and Organised Gatherings. 5.2.1 BRAC – Non Sporting Special Events 5.2.2 Advertising/Sponsors Signs within Active Reserves 5.2.3 Safe Alcohol Policy – Liquor Licence trading at the Broome Recreation and Aquatic Centre 5.1.11 Events

Detail of delegation

The Chief Executive Officer is delegated authority to approve applications for hire of areas, rooms and facilities within the Broome Recreation and Aquatic Centre (BRAC) Reserve (including the Glenn and Pat Medlend Pavilion).

Conditions Imposed

The Chief Executive Officer is to have regard to Council's Policy:

~~4.2.2 Guidelines for Concerts, Events and Organised Gatherings.~~

5.2.1 BRAC – Non Sporting Special Events

5.2.2 Advertising/Sponsors Signs within Active Reserves

5.2.3 Safe Alcohol Policy – Liquor Licence trading at the Broome Recreation and Aquatic Centre

5.1.11 Events

The Chief Executive Officer shall consider the appropriate use of the tennis courts, indoor sports courts, multi-purpose room, swimming pool, squash courts, ~~licensed kiosk/bar~~ area, the Glenn and Pat Medlend Pavilion and the BRAC sports fields prior to granting approval.

~~The Chief Executive Officer shall determine the need for a road traffic management plan, risk management plan and litter control plan prior to granting approval.~~

Sub-delegation Permitted Yes

Sub-delegated to Deputy Chief Executive Officer
Manager Community Development
Manager Broome Recreation and Aquatic Centre

Record requirements Documentation to be placed on the reserve file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.88 Venue Hire – Cable Beach Amphitheatre, Town Beach, Concourse - Male and Haynes Ovals, ~~Glen & Pat Medlond Pavilion, Father McMahon Sports Field and Joseph Nipper Roe Sports Field~~

Head of Power Local Government Act 1995 (Section 3.54)

Power/Duty Delegated

Part	3
Division	3
Section	3.54 Reserves under control of a local government
Sub section	
Local Law	Local Government Property and Public Places Local Law 2012 Part 5 – Hiring of Local Government Property
Relevant Policies	2.3.4 Parks and Reserves Venue Hire Charges and Conditions 5.1.11 Events

Detail of delegation

The Chief Executive Officer is delegated authority to approve events to be held on the Cable Beach Amphitheatre, Town Beach, Concourse - Male and Haynes Ovals, ~~Father McMahon and Joseph Nipper Roe Sports Fields and Glen & Pat Medlond Pavilion.~~

Conditions Imposed

The Chief Executive Officer is to have regard for Council's Policy:

2.3.4 Parks and Reserves Venue Hire Charges and Conditions
5.1.11 Events

The Chief Executive Officer shall determine the need for a road traffic management plan, risk management plan and litter control plan prior to granting approval.

The Deputy Chief Executive Officer shall liaise with Manager ~~Emergency, Ranger and Beach Health & Ranger~~ Services, ~~Manager Health Services~~, Manager Planning Services, Manager Asset and Design, ~~Manager Engineering Operations~~ and Manager Community Development.

Sub-delegation Permitted Yes

Sub-delegated to Deputy Chief Executive Officer
Director Engineering Services
Director Development Services

Record requirements Documentation to be placed on the reserve file and in the Information Bulletin Report

Reporting requirements To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference

Signature

Prohibition (s5.71) and Code of Conduct

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The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

D.89 Write Off of Debts Up to \$1,000**Head of Power****Local Government Act 1995****Power/Duty Delegated**

Part	6. Financial Management
Division	4 General financial provisions
Section	6.12 Power To Defer, Grant Discounts, Waive Or Write Off Debts
Sub section	
Local Law	
Relevant Policies	2.1.3 Rates Debt Recovery Policy X.X.X – Business Operating Procedure - Sundry Debt Recovery and Write Off

Detail of delegation

The Chief Executive Officer is delegated the authority to write off small amounts of any monies owed to the local government, up to a maximum of \$1,000 per rates assessment and/or debtor record.

Conditions Imposed

1. The Chief Executive Officer is required to observe any relevant policy.
2. The debt write off is only to be actioned, where in the opinion of the Chief Executive Officer all of the following conditions are satisfied:
 - a. the value of the debt inclusive of penalty interest, up to \$1,000 is unrecoverable;
 - b. it would be uneconomical to pursue formal debt recovery procedures; and
 - c. the debtor has maintained a low credit risk history.
3. Monies owing and outstanding after 240 days that are considered doubtful and uneconomical to pursue further debt recovery may be written off after authorisation by either the Director Corporate Services or the Manager Financial Services.
4. All amounts stated are exclusive of GST

Sub-delegation Permitted Yes**Sub-delegated to**Director Corporate Services
Manager Financial Services**Record requirements**

Documentation to be recorded in the register of bad debt write offs and in the Information Bulletin

Reporting requirements

To be reported monthly in the Information Bulletin

DECISION

The Delegator	Date	Reference
Reviewed by	Date	Reference
Amended by	Date	Reference

NOTICE OF DELEGATION

Notice in writing	Date	Reference
Acknowledged	Date	Reference
Signature		

Prohibition (s5.71) and Code of Conduct

If an employee has been delegated a power or duty relating to a matter in which the employee has an interest that employee must not exercise the power or duty and must refer the matter to the CEO, and if the CEO to the President.

The disclosure must be recorded in the Register of Disclosures.

Disclosure requirements (s5.75 and s5.76)

The delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The LGA contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

10.

**REPORTS
OF
COMMITTEES**

10.1 ACCESS AND INCLUSION ADVISORY COMMITTEE - MINUTES 25 NOVEMBER 2014

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	COS09
AUTHOR:	Manager Community Development
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	2 December 2014

SUMMARY: This report presents the Minutes of the Access and Inclusion Advisory Committee Meeting held 25 November 2014 for Council's consideration.

BACKGROUND

The Access and Inclusion Advisory Committee (AIAC) meets quarterly to advise Council on matters of Access and Inclusion and to oversee the development, implementation and review of the Shire's Disability Access and Inclusion Plan.

Previous Considerations

As outlined in the attached minutes.

COMMENT

The AIAC discussed one item: *5.1 Meeting Dates for 2015* at the meeting held 25 November 2014 and this report now seeks Council's endorsement of the proposed meeting dates for 2015.

A morning tea was held following the meeting to thank members of the AIAC for their contribution during the year.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

WA Disability Services Act 1993 (as amended 2004)

Equal Opportunity Amendment Act Western Australia (1988)

Disability Discrimination Act (1992)

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Effective communication

Accessible and safe community spaces

Participation in recreational activity

A healthy and safe environment

High level social capital that increases community capacity

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

An organisational culture that strives for service excellence

Effective community engagement

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council receives the Minutes of the Access and Inclusion Advisory Committee (AIAC) meeting held on 3 June 2014 and;

- 1. Adopts the following meeting dates for 2015 to be held on Tuesday, commencing at 10.30am in the Shire of Broome Committee Room;
Tuesday 17 February 2015
Tuesday 19 May 2015
Tuesday 18 August 2015
Tuesday 17 November 2015*
- 2. Requests the Chief Executive Officer to schedule a half hour briefing session immediately prior to each meeting commencing at 10am.*
- 3. Requests the Chief Executive Officer to arrange training for the committee regarding meeting procedure and legislative requirements.*

Attachments

1. MINUTES - Access and Inclusion Advisory Committee - 25 November 2014



MINUTES

ACCESS AND INCLUSION ADVISORY COMMITTEE MEETING

HELD AT THE SHIRE OF BROOME –
FUNCTION ROOM AT 10.00AM

25 NOVEMBER 2015

OUR MISSION

"To provide a quality range of affordable and sustainable services to our community with a strong commitment to customer focus so that our citizens and visitors enjoy a quality lifestyle."

CORE VALUES OF THE SHIRE

The core values that underpin the achievement of the mission will be based on a strong customer service focus and a positive attitude:

Communication

Respect

Integrity

Transparency

Courtesy

DISCLAIMER

The purpose of Council Meetings is to discuss, and where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the Local Government Act 1995 (Section 5.25 (e)) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person. The Shire of Broome expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.

SHIRE OF BROOME

ACCESS AND INCLUSION ADVISORY COMMITTEE MEETING
25 NOVEMBER 2014

INDEX - AGENDA

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7.	MEETING CLOSURE	9

1. OFFICIAL OPENING

The Chairperson declared the meeting open at 10.07am.

2. ATTENDANCE AND APOLOGIES

Attendance:	Bec Jennings	Broome CIRCLE
	Dorothy McKee	Broome Primary School
	Justin Mortley	Education Department
	Marie Shinn	Ethnic Disability Advocacy Centre
	Elaine Clarke	Kimberley Individual & Family Support Assoc.
	Andy Guidera	Bali Hai Resort
	Kristie Courtenay	Kimberley Training Institute
	Steve Cook	Kimberley Personnel

Apologies: Cr Anne Poelina
Caterina Ponzio

Officers:	Paul Martin	Deputy CEO
	Michael Dale	Director Engineering Services
	Suzie Haslehurst	Manager Community Development
	Traci Alchin	Administration Officer

Public Gallery: Nil

3. DECLARATIONS OF FINANCIAL INTEREST / IMPARTIALITY

Nil

4. CONFIRMATION OF PREVIOUS MINUTES

Moved: Dorothy McKee

Seconded: Steve Cook

That the Minutes of the Access and Inclusion Advisory Committee meeting held on 2 September 2014 be confirmed as a true and accurate record of that meeting.

UNANIMOUSLY CARRIED 8/0

5. ITEMS FOR DISCUSSION

5.1 MEETING DATES FOR 2015 – ACCESS AND INCLUSION ADVISORY COMMITTEE

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	COS09
AUTHOR:	Youth and Community Development Officer
CONTRIBUTOR/S	Nil
RESPONSIBLE OFFICER:	Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	17 November 2014

SUMMARY: This report recommends that the Access and Inclusion Advisory Committee adopts the proposed meeting dates for meetings to be held in 2015, to enable advertising as required under the Local Government Act 1995.

It is proposed that a short briefing session is held immediately prior to each meeting to allow for discussion and clarification of items prior to the meeting and informal discussion of minor matters that do not require a committee recommendation.

It is also proposed that training is scheduled for the committee in February 2015 regarding meeting procedure and legislative requirements.

BACKGROUND

Previous Considerations

OMC 21 November 2013 Item 9.4.6

In accordance with Regulation 12(1) of the *Local Government (Administration) Regulations 1996*, at least once each year a local government is to give local public notice of the dates, times and place at which the Meetings of Council are to be held in the next 12 months. As such, the Shire of Broome is required to advertise the meeting dates for the Access and Inclusion Advisory Committee (AIAC) for 2015.

Over the last year the committee has adopted a more formalised meeting structure which has enabled more effective meetings and allowed direct reporting to Council through ordinary Council meetings. However the formal meeting structure does not allow for general discussion of agenda items, informal discussions and networking. This may be enabled by scheduling a short briefing session prior to the meeting.

Many committee members are community representatives and are not familiar with formal Council meeting procedure and the legislative requirements of a committee of Council. As such it is proposed that training is provided for all committee members.

COMMENT

In accordance with the terms of reference the Access and inclusion Advisory Committee meet quarterly. It is proposed that the meetings are held in the Shire of Broome Committee Room on Tuesdays commencing at 10:30am.

The following four (4) meeting dates are proposed for Arts, Culture and Heritage Advisory Committee Meetings for 2015:

Tuesday 17 February 2015
Tuesday 19 May 2015
Tuesday 18 August 2015
Tuesday 17 November 2015

It is proposed a briefing session is held half an hour prior to each scheduled meeting, commencing at 10am. The purpose of the briefing session will be for committee members to seek clarification regarding agenda items and to discuss minor matters that do not require committee resolution. Committee members may share information about projects and upcoming events and training opportunities.

A training session will be scheduled for the committee to cover meeting procedure and legislative requirements of Committees of Council. The Committee will be notified of the date and venue for the training once these have been confirmed.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

5.3. Ordinary and special council meetings

- (1) A council is to hold ordinary meetings and may hold special meetings.
- (2) Ordinary meetings are to be held not more than 3 months apart.
- (3) If a council fails to meet as required by subsection (2) the CEO is to notify the Minister of that failure.

5.25. Regulations about council and committee meetings and committees

- (1) Without limiting the generality of section 9.59, regulations may make provision in relation to:
 - (g) the giving of public notice of the date and agenda for council or committee meetings;

Local Government (Administration) Regulations 1996

12. Public notice of council or committee meetings — s.5.25(1)(g)

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,are to be held in the next 12 months.

- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in sub-regulation (1).
- (3) Subject to sub-regulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.
- (4) If a special meeting of a council is to be open to members of the public but, in the CEO's opinion, it is not practicable to give local public notice of the matters referred to in sub-regulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO's opinion, is practicable.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Encourage communication.

Nurture and build social capital to increase community capacity.

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

Develop an organisational culture that strives for service excellence.

Encourage community engagement.

Improve systems, processes and compliance.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

The Committee recommends that Council:

1. Adopts the following Access and Inclusion Advisory Committee meeting dates for 2015. Meetings to be held quarterly on Tuesdays commencing at 10:30am, in the Shire of Broome Committee Room;

Tuesday 17 February 2015
Tuesday 19 May 2015
Tuesday 18 August 2015
Tuesday 17 November 2015
2. Requests the Chief Executive Officer to schedule a half hour briefing session immediately prior to each meeting commencing at 10am.
3. Requests the Chief Executive Officer to arrange training for the committee regarding meeting procedure and legislative requirements.

Moved: Steve Cook

Seconded: Dorothy McKee

CARRIED UNANIMOUSLY 8/0

Attachment: Nil

COMMITTEE RESOLUTION:

Moved: Steve Cook

Seconded: Justin Mortley

That Standing Orders be suspended at 10:11am.

CARRIED UNANIMOUSLY 8/0

COMMITTEE RESOLUTION:

Moved: Steve Cook

Seconded: Marie Shinn

That Standing Orders be reinstated at 10:15am.

CARRIED UNANIMOUSLY 9/0

**COMMITTEE RECOMMENDATION:
(REPORT RECOMMENDATION)**

The Committee recommends that Council:

- 1. Adopts the following Access and Inclusion Advisory Committee meeting dates for 2015. Meetings to be held quarterly on Tuesdays commencing at 10:30am, in the Shire of Broome Committee Room;**

**Tuesday 17 February 2015
Tuesday 19 May 2015
Tuesday 18 August 2015
Tuesday 17 November 2015**
- 2. Requests the Chief Executive Officer to schedule a half hour briefing session immediately prior to each meeting commencing at 10am.**
- 3. Requests the Chief Executive Officer to arrange training for the committee regarding meeting procedure and legislative requirements.**

Moved: Steve Cook

Seconded: Dorothy McKee

CARRIED UNANIMOUSLY 8/0

6. NEXT MEETING

The date of the next meeting of the Access and Inclusion Advisory Committee will be confirmed by Council at the 18 December 2014 Ordinary Meeting of Council. It is proposed the meeting will be held on 17 February 2014 at 10:30am in the Committee Room of the Shire Offices

7. MEETING CLOSURE

There being no further business the Chairperson declared the meeting closed at 10.17 am.

10.2 ARTS, CULTURE AND HERITAGE COMMITTEE - MINUTES 27 NOVEMBER 2014

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	RCS12
AUTHOR:	Manager Community Development
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	2 December 2014

SUMMARY: This report presents the minutes of the Arts, Culture and Heritage Advisory Committee Meeting held 27 November 2014 and seeks Council's consideration of the Committee's recommendations.

BACKGROUND

The purpose of the Arts, Culture and Heritage Advisory Committee (ACHAC) is:

To provide advice to Council on matters of Arts, Culture and Heritage. This includes matters relating to the Shinju Matsuri Festival such as the scope of financial and in kind support provided to the festival and participation in the Shinju Matsuri Acquisitive Arts Prize.

To provide advice to Council to guide the implementation of the Shire of Broome Public Art Policy.

Previous Considerations

As detailed in the Minutes attached.

The meeting was originally scheduled to take place on 18 November 2014. However after 30 minutes, it was determined that a quorum did not exist and the meeting was adjourned until 27 November 2014 in accordance with Regulation 8 (c) of the Local Government (Administration) Regulations 1996 (s 5.25 (1) (c) Local Government Act 1995).

COMMENT

At the meeting held on 27 November 2014, the ACHAC was asked to consider the following items:

5.1 Broome Civic Centre Logo

5.2 Meeting Dates for 2015

As one member of the ACHAC declared a financial interest relating to Item 5.1 and was required to leave the room, it was determined that a quorum did not exist and that this item could not be formally considered by the Committee. The matter was discussed informally after the closure of the meeting and in the interests of progressing this matter, Officers seek Council's endorsement of Concept 1 as the basis for the development of a logo for the Broome Civic Centre. This concept is the one favoured by members of the ACHAC.

Meeting Dates were discussed and a recommendation made by the Committee to hold meetings quarterly on a Thursday commencing at 3pm.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

As detailed in the Minutes attached.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

As detailed in the Minutes attached.

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Effective communication

Affordable services and initiatives to satisfy community need

High level social capital that increases community capacity

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

An organisational culture that strives for service excellence

Effective community engagement

Improved systems, processes and compliance

VOTING REQUIREMENTS

Simple Majority

COMMITTEE RECOMMENDATION:

1. *That Council receives the Minutes of the meeting of the Arts, Culture and Heritage Advisory Committee held on 27 November and adopts the following meeting dates for 2015 to be held on Thursdays, commencing at 3pm in the Shire of Broome Committee Room;*

Thursday 5 February 2015

Thursday 16 April 2015

Thursday 16 July 2015

Thursday 15 October 2015

OFFICER RECOMMENDATION:

That Council requests the Chief Executive Officer to use Concept 1 to develop the logo for the Broome Civic Centre as outlined in the Officer report contained in the attached Minutes.

Attachments

1. MINUTES - Arts Culture & Heritage Advisory Committee 27 November 2014



MINUTES

ARTS, CULTURE & HERITAGE ADVISORY COMMITTEE MEETING

HELD AT THE SHIRE OF BROOME –
FUNCTION ROOM AT 3:00PM

18 November 2014
(Adjourned to 27 November 2014)

OUR MISSION

"To provide a quality range of affordable and sustainable services to our community with a strong commitment to customer focus so that our citizens and visitors enjoy a quality lifestyle."

CORE VALUES OF THE SHIRE

The core values that underpin the achievement of the mission will be based on a strong customer service focus and a positive attitude:

Communication

Respect

Integrity

Transparency

Courtesy

DISCLAIMER

The purpose of Council Meetings is to discuss, and where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the Local Government Act 1995 (Section 5.25 (e)) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person. The Shire of Broome expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.

SHIRE OF BROOME

**ARTS, CULTURE & HERITAGE ADVISORY COMMITTEE MEETING
18 NOVEMBER 2014**

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NOTICE OF MEETING

Dear Committee Member,

The next Arts, Culture & Heritage Advisory Committee Meeting of the Shire of Broome will be held on 18 November 2014, in the Function Room, Corner Weld and Haas Streets, Broome, commencing at 3pm.

Regards

K R DONOHOE
Chief Executive Officer

11 November 2014

It was established that after 30 minutes there was no quorum and the meeting was adjourned in accordance with Regulation 8 of the Local Government (Administration) Regulations 1996 as follows:

8. No quorum, procedure if (Act s. 5.25(1)(c))
If a quorum has not been established within the 30 minutes after a council or committee meeting is due to begin then the meeting can be adjourned —
- (a) in the case of a council, by the mayor or president or if the mayor or president is not present at the meeting, by the deputy mayor or deputy president; or
 - (b) in the case of a committee, by the presiding member of the committee or if the presiding member is not present at the meeting, by the deputy presiding member; or
 - (c) if no person referred to in paragraph (a) or (b), as the case requires, is present at the meeting, by a majority of members present; or
 - (d) if only one member is present, by that member; or
 - (e) if no member is present or if no member other than the CEO is present, by the CEO or a person authorised by the CEO.

The meeting was adjourned at 3.32pm in accordance with Regulation 8 (c), until Thursday 27 November at 3.30pm.

1. OFFICIAL OPENING

The Chairperson declared the meeting open at 3.48pm.

2. ATTENDANCE AND APOLOGIES

Attendance: Eunice Yu (Chairperson)
Gwen Knox
Rani Middleton
Cr Anne Poelina
Sarah Yu

Apologies: Adele Peek
Cr Mark Manado
Cr Philip Matsumoto

Officers: Paul Martin Deputy Chief Executive Officer
Suzie Haslehurst Manager Community Development
Traci Alchin Administration Officer, Community &
Economic Development

3. DECLARATIONS OF FINANCIAL INTEREST / IMPARTIALITY

FINANCIAL INTEREST			
Committee Member	Item No	Item	Nature of Interest
Rani Middleton	5.1	Broome Civic Centre logo	Member's husband's architecture studio designed the logo concept 1

IMPARTIALITY			
Committee Member	Item No	Item	Nature of Interest

4. CONFIRMATION OF PREVIOUS MINUTES

Moved: Rani Middleton

Seconded: Gwen Knox

That the Minutes of the Arts, Culture & Heritage Advisory Committee meeting held on 27 May 2014 be confirmed as a true and accurate record of that meeting.

CARRIED UNANIMOUSLY 5/0

5. ITEMS FOR DISCUSSION

With regard to Item 5.1 R Middleton declared a Financial Interest as the "Member's husband's architecture studio designed the logo" and departed the room at 3.52pm.

It was noted that with R Middleton's departure there was a lack of a quorum.

The Chairperson advised that there was no quorum to consider Item 5.1 and proceeded to the next item of business.

5.1 BROOME CIVIC CENTRE LOGO

LOCATION/ADDRESS:	Broome Civic Centre
APPLICANT:	Nil
FILE:	COC001
AUTHOR:	Events and Venue Officer
CONTRIBUTOR/S	Manager Community Development
RESPONSIBLE OFFICER:	Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	23 October 2014

SUMMARY: This report seeks the Arts, Culture and Heritage Advisory Committee's consideration and endorsement of the graphics for the newly designed Broome Civic Centre Logo.

BACKGROUND

Previous Considerations

OMC 12 July 2012	Item 9.1.3
OMC 4 October 2012	Item 9.1.2
OMC 17 October 2013	Item 10.1
ACAHC 27 May 2014	Item 5.3
OMC 24 July 2014	Item 10.4

An allocation for the development of a dedicated website for the Broome Civic Centre was approved by Council in the 2013/14 budget. Officers engaged Market Creations in December 2013 to build and design website and during development the need for a logo was identified.

Market Creations was engaged in March 2014 to provide concepts for the logo. A number of design concepts were presented which captured the unique heritage of the building while communicating the diverse functionality and vibrancy of the newly refurbished venue. Several preliminary concepts were considered and six concepts were presented to the Arts, Culture and Heritage Advisory Committee and consequently Council for consideration.

The Committee approved the logo template but made the following alternate recommendation which was endorsed by Council at the OMC held on 24 July 2014.

1. Seek submissions from local artists for the three images contained within the concept; and
2. Ensure cultural protocols are considered; and
3. Present the final concept design options to the Committee for consideration and recommendation to Council

COMMENT

Officers sought public submissions for the artwork, to fill the three separate graphics for each of the coloured squares in the approved logo template.

The design brief included the following specifications:

- The design will need to ensure it complements the current Shire of Broome logo and keeps within the Shire of Broome's Corporate Identity Guide.
- The design should reflect the history and culture of the Civic Centre.
- The design will reflect the function and purpose of the Civic Centre as a multipurpose centre which hosts events including conferences, meetings, seminars, comedy, theatre, birthdays, community festival events and more.
- The final design must be able to be reproduced in various sizes and formats including letterhead, business cards, large signage, and website and embroidered on uniforms.
- The design should be contemporary, original and creative

Submissions were sought from the public during the period 14 to 31 October 2014. Officers promoted the design brief through the Shire News (both electronic and print versions), Shire of Broome website, Shire of Broome Facebook page, Broome Civic Centre Facebook page, and electronic direct mail outs to local artists and schools. A \$500 cash prize was offered for the winning design.

At the close of the submissions period four design concepts were received which are now presented for the committee for consideration. The concepts are outlined below including comments from the artists:

Concept 1

"This design is based on the people of Broome involved with the performance of Sammy the Dragon. It's the people that gives the Civic Centre, and Sammy, its heart and place in Broome. Sammy's body also makes the form of the aerial view of Broome's Roebuck Bay; this creates a relationship of the Shire of Broome's logo which has the land and water incorporated into their logo".

Three separate logos were submitted in conjunction with the Shire of Broome logo on white and dark backgrounds and also one presented using the Shire of Broome corporate colours.

Concept 2

No description was provided by the artist. Three separate images include a camel, crocodile and turtle. The images have been put together on both a white and dark background with the Shire of Broome Logo.

Concept 3

"It features Jessica Malboy singing from the movie Bran Nue Dae, the Civic Centre roof line and Sammy the Dragon". The logo has been presented with both a white and dark background next to the Shire of Broome Logo.

Concept 4

"I tried to reflect the history and the Chinese influence on the Civic Centre. I also tried to catch its' function and purpose, and the activities and celebrations which it will be used for". The three separate images have been presented on the colour squares using similar colours to the design brief.

Summary

Officers have reviewed the concepts and recommend that concept 1 be used as part of the new Civic Centre Logo. This design reflects the history of the Centre and its strong connection with Shinju Matsuri - Festival of the Pearl. A number of Shinju Matsuri events are held at the Civic Centre throughout the festival and is the home of the Shinju Matsuri mascot, Sammy the Dragon. The logo design also strongly complements the Shire of Broome Corporate Logo. It is proposed that some work is done to increase the definition of the image to ensure quality reproduction.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

1.3.1 Media Policy

2.4.1 Asset Management Policy

FINANCIAL IMPLICATIONS

A sum of \$500 is to be awarded to the creator of the winning design from the 2014/15 Broome Civic Centre marketing budget (GL 116493).

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Encourage communication.

Create community spaces.

Encourage recreational activity.

Our Place Goal – Help to protect the nature and built environment and cultural heritage of Broome whilst recognising the unique sense of the place:

Preserve and promote the unique and significant historical and cultural heritage of Broome.

Retain and build on Broome's iconic tourism assets and reputation.

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

Develop an organisational culture that strives for service excellence.

Encourage community engagement.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That the Committee recommends that Council requests the Chief Executive Officer to use Concept 1 (as attached) to develop the logo for the Broome Civic Centre.

Moved:

Seconded:

FOR:

AGAINST:

Attachment: [17 Pages](#)

R Middleton rejoined the meeting at 3.53pm.

5.2 MEETING DATES FOR 2015 – ARTS CULTURE AND HERITAGE ADVISORY COMMITTEE

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	RCS12
AUTHOR:	Youth and Community Development Officer
CONTRIBUTOR/S	Nil
RESPONSIBLE OFFICER:	Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	6 November 2014

SUMMARY: This report recommends that the Arts, Culture and Heritage Advisory Committee adopts the proposed meeting dates for meetings to be held in 2015, to enable advertising as required under the Local Government Act 1995.

It is also recommended that training is scheduled for the committee in February 2015 regarding meeting procedure and legislative requirements.

BACKGROUND

Previous Considerations

ACHAC 10 January 2013 Item 6.2

OMC 21 November 2013 Item 9.4.6

In accordance with Regulation 12(1) of the *Local Government (Administration) Regulations 1996*, at least once each year a local government is to give local public notice of the dates, times and place at which the Meetings of Council are to be held in the next 12 months. As such, the Shire of Broome is required to advertise the meeting dates for the Arts, Culture and Heritage Advisory Committee (ACHAC) for 2015.

Over the last year the committee has adopted a more formalised meeting structure which has enabled more effective meetings and allowed direct reporting to Council through Ordinary Council Meetings. However many committee members are community representatives and are not familiar with formal Council meeting procedure and the legislative requirements of a committee of Council. As such it is recommended that training is provided for all committee members.

COMMENT

In accordance with the terms of reference the Arts Culture and Heritage Committee will meet quarterly. It is proposed that the meetings are held in the Shire of Broome Committee Room on Wednesdays commencing at 3pm.

The following four (4) meeting dates are proposed for Arts, Culture and Heritage Advisory Committee Meetings for 2015:

Wednesday 4 February 2015

Wednesday 14 April 2015

Wednesday 14 July 2015
Wednesday 13 October 2015

A training session will be scheduled for the committee to cover meeting procedure and legislative requirements of Committees of Council. The Committee will be notified of the date and venue for the training once these have been confirmed.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

5.3. Ordinary and special council meetings

- (1) A council is to hold ordinary meetings and may hold special meetings.
- (2) Ordinary meetings are to be held not more than 3 months apart.
- (3) If a council fails to meet as required by subsection (2) the CEO is to notify the Minister of that failure.

5.25. Regulations about council and committee meetings and committees

- (1) Without limiting the generality of section 9.59, regulations may make provision in relation to:
 - (g) the giving of public notice of the date and agenda for council or committee meetings;

Local Government (Administration) Regulations 1996

12. Public notice of council or committee meetings — s.5.25(1)(g)

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,are to be held in the next 12 months.
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in sub-regulation (1).
- (3) Subject to sub-regulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.
- (4) If a special meeting of a council is to be open to members of the public but, in the CEO's opinion, it is not practicable to give local public notice of the matters referred to in sub-regulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO's opinion, is practicable.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Encourage communication.

Nurture and build social capital to increase community capacity.

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

Develop an organisational culture that strives for service excellence.

Encourage community engagement.

Improve systems, processes and compliance.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

The Committee recommends that Council adopts the following Arts Culture and Heritage Advisory Committee meeting dates for 2015. Meetings to be held quarterly on Wednesdays commencing at 3pm, in the Shire of Broome Committee Room;

Wednesday 4 February 2015
Wednesday 14 April 2015
Wednesday 14 July 2015
Wednesday 13 October 2015

Moved:

Seconded:

**FOR:
AGAINST:**

Attachment: Nil

COMMITTEE RECOMMENDATION:

The Committee recommends that Council adopts the following Arts Culture and Heritage Advisory Committee meeting dates for 2015. Meetings to be held quarterly on Wednesdays commencing at 3pm, in the Shire of Broome Committee Room;

Thursday 5 February 2015
Thursday 16 April 2015
Thursday 16 July 2015
Thursday 15 October 2015

Moved: Cr Anne Poelina

Seconded: Gwen Knox

CARRIED UNANIMOUSLY 5/0

Reason: Wednesday meeting times did not suit some members of the committee.

6. NEXT MEETING

The date of the next meeting will be confirmed by Council at the 18 December 2014 Ordinary Meeting of Council. It is proposed the meeting will be held on 5 February 2014 at 3pm in the Committee Room of the Shire Offices

7. MEETING CLOSURE

There being no further business the Chairperson declared the meeting closed at 4pm.

11. NOTICES OF MOTION

12. BUSINESS OF AN URGENT NATURE

13. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

14. MATTERS BEHIND CLOSED DOORS

15. MEETING CLOSURE