



VISION OF COUNCIL

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

AGENDA

FOR THE

ORDINARY MEETING OF COUNCIL

22 FEBRUARY 2018

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 R Johnston	Cr H Tracey	Cr M Fairborn	Cr W Fryer	Cr E Foy	Cr D Male	Cr P Matsumoto	Cr C Mitchell	Cr B Rudeforth
2015	26 November							LOA		
2015	17 December									
2016	25 February					A				
2016	31 March					LOA				
2016	28 April		LOA	A	LOA	LOA				
2016	26 May			A				LOA		
2016	30 June		LOA							LOA
2016	28 July									
2016	25 August					LOA				
2016	29 September		A				LOA			
2016	27 October								LOA	
2016	24 November			LOA			A			
2016	15 December					A				A
2017	23 February									A
2017	30 March			LOA		LOA				
2017	27 April		A	LOA	A					
2017	25 May 2017					LOA				
2017	29 June 2017				A	LOA				
2017	27 July		A			LOA				
2017	7 September	A				LOA			LOA	
2017	28 September	LOA			LOA				LOA	LOA
2017	19 October	LOA		LOA						
2017 Local Government Ordinary Election held 21 October										
Councillor		Cr H Tracey	Cr D Male	Cr M Fairborn	Cr W Fryer	Cr E Foy	Cr C Marriott	Cr P Matsumoto	Cr C Mitchell	Cr B Rudeforth
2017	23 November					LOA				
2017	14 December			A	A	A				

- 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 22 FEBRUARY 2018
INDEX – AGENDA

1.	OFFICIAL OPENING AND ATTENDANCE	8
2.	DECLARATIONS OF FINANCIAL INTEREST / IMPARTIALITY	8
3.	PUBLIC QUESTION TIME	8
4.	APPLICATIONS FOR LEAVE OF ABSENCE.....	8
5.	CONFIRMATION OF MINUTES.....	8
6.	ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION.....	9
7.	PETITIONS	9
8.	MATTERS FOR WHICH THE MEETING MAY BE CLOSED	9
9.	REPORTS OF OFFICERS.....	10
9.1	OUR PEOPLE	11
9.1.1	CHINATOWN REVITALISATION PROJECT SIX MONTH UPDATE.....	12
9.2	OUR PLACE.....	130
9.2.1	RESERVE 31340 (TOWN BEACH) - CHANGE TO INTERTIDAL BOUNDARIES FOR TOWN BEACH REVETMENT WALL AND FISHING PLATFORM	131
9.2.2	WATERBANK – PORTION LOT 259 ON DEPOSITED PLAN 220696.....	136
9.2.3	PROPOSED THIRD PARTY APPEAL RIGHTS FOR DECISIONS MADE BY DEVELOPMENT ASSESSMENT PANELS	141
9.2.4	CONSTRUCTION OF CAR PARKING IN ROAD RESERVE IN ASSOCIATION WITH NEW SHOWROOM - LOT 50 GUY STREET.....	163
9.2.5	LOCAL GOVERNMENT PROPERTY AND PUBLIC PLACES AMENDMENT LOCAL LAW 2017	172
9.2.6	TRADING, OUTDOOR DINING AND STREET ENTERTAINMENT AMENDMENT LOCAL LAW 2017	266
9.3	OUR PROSPERITY	328
	NIL	
9.4	OUR ORGANISATION	330
9.4.1	MONTHLY PAYMENT LISTING - DECEMBER 2017	331
9.4.2	MONTHLY PAYMENT LISTING - JANUARY 2018.....	351

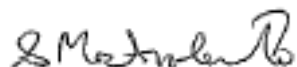
9.4.3	MONTHLY STATEMENT OF FINANCIAL ACTIVITY REPORT DECEMBER 2017	377
9.4.4	MONTHLY STATEMENT OF FINANCIAL ACTIVITY REPORT JANUARY 2018	493
9.4.5	ANNUAL ELECTORS MEETING HELD 14 DECEMBER 2017	612
9.4.6	LOCAL GOVERNMENT ACT REVIEW SUBMISSION	623
9.4.7	PUBLIC LIBRARIES STRATEGY CONSULTATION 2017	842
9.4.8	WESTERN AUSTRALIA NATIONAL DISASTER RELIEF RECOVERY ARRANGEMENTS - CONTRACTS RFQ17-103 TO 17-108 AND RFQ17-110.....	904
10.	REPORTS OF COMMITTEES.....	905
10.1	LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING MINUTES - 13 DECEMBER 2017	906
10.2	BUSH FIRE ADVISORY COMMITTEE MEETING MINUTES - 13 DECEMBER 2017	940
10.3	YAWURU PARK COUNCIL MINUTES AND RECOMMENDATIONS OF MEETINGS HELD ON 17 OCTOBER, 15 NOVEMBER AND 20 DECEMBER 2017.....	954
10.4	MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD 13 FEBRUARY 2018	1124
11.	NOTICES OF MOTION.....	1209
12.	BUSINESS OF AN URGENT NATURE.....	1209
13.	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	1209
14.	MATTERS BEHIND CLOSED DOORS	1209
	9.4.8 WESTERN AUSTRALIA NATIONAL DISASTER RELIEF RECOVERY ARRANGEMENTS - CONTRACTS RFQ17-103 TO 17-108 AND RFQ17-110	1209
15.	MEETING CLOSURE.....	1209

NOTICE OF MEETING

Dear Council Member,

The next Ordinary Meeting of the Shire of Broome will be held on Thursday, 22 February 2018 in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 5.00pm.

Regards

A handwritten signature in dark ink, appearing to read 'S Mastrolembo', with a stylized flourish at the end.

S MASTROLEMBO
Chief Executive Officer

15/02/2018

1. OFFICIAL OPENING AND ATTENDANCE

Attendance:

Apologies:

Officers:

Public Gallery:

2. DECLARATION OF FINANCIAL INTEREST / IMPARTIALITY

FINANCIAL INTEREST			
Councillor	Item No	Item	Nature of Interest

IMPARTIALITY			
Councillor	Item No	Item	Nature of Interest

3. PUBLIC QUESTION TIME**4. APPLICATIONS FOR LEAVE OF ABSENCE**

A written request for Leave of Absence for the period 23 April 2018 to 14 May 2018 inclusive was received from Cr C Marriott:

RECOMMENDATION:

That leave of absence for Cr C Marriott be granted for the period 23 April 2018 to 14 May 2018 inclusive.

A written request for Leave of Absence for the period 12 February to 20 March 2018 inclusive was received from Cr W Fryer:

RECOMMENDATION:

That leave of absence for Cr W Fryer be granted for the period 12 February 2018 to 20 March 2018 inclusive.

5. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on 14 December 2017, as published and circulated, 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:

9.4.8 WESTERN AUSTRALIA NATIONAL DISASTER RELIEF RECOVERY ARRANGEMENTS - CONTRACTS RFQ17-103 to 17-108 AND RFQ17-110

Item 9.4.8 and any attachments are confidential in accordance with Section 5.23(2) of the Local Government Act 1995 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.

**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 CHINATOWN REVITALISATION PROJECT SIX MONTH UPDATE

LOCATION/ADDRESS:	N/A
APPLICANT:	Nil
FILE:	PLA94
AUTHOR:	Chief Executive Officer
CONTRIBUTOR/S:	Manager Planning & Building Services Manager Community and Economic Development Chinatown Investment & Development Coordinator
RESPONSIBLE OFFICER:	Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	7 February 2017

SUMMARY: This report seeks to provide Council with an update on the progress made to date on the delivery of the Chinatown Revitalisation Project (CRP) and also seeks Council endorsement of proposed amendments to the Financial Assistance Agreement.

BACKGROUNDPrevious Considerations

OMC 26 June 2014	Item 9.3.1
OMC 30 April 2015	Item 9.2.7
OMC 2 June 2015	Item 9.2.5
OMC 27 August 2015	Item 9.3.1
OMC 26 November 2015	Item 9.4.5
SMC 17 June 2016	Item 6.2.1
OMC 25 August 2016	Item 9.1.6
OMC 27 October 2016	Item 10.2
OMC 15 December 2016	Item 9.3.1
OMC 23 February 2017	Item 9.1.2
OMC 25 May 2017	Item 9.3.1
OMC 28 September 2017	Item 9.1.1
OMC 14 December 2017	Item 9.3.1
OMC 14 December 2017	Item 9.2.12
OMC 14 December 2017	Item 9.3.1

At the Special Meeting of Council held 17 June 2016, Council resolved as follows;

COUNCIL RESOLUTION:
(REPORT RECOMMENDATION)**Moved: Cr B Rudeforth****Seconded: Cr H Tracey****That Council:**

- 1. Thanks the State of Western Australia for the \$10 million grant funding for the Chinatown Revitalisation Project.**
- 2. Thanks Tourism Western Australia for confirmation for the Tourism Demand Driver Infrastructure Grant of \$300,000 to be applied towards the Frederick Street/Dampier**

Terrace Lookout Facility, which forms part of the Chinatown Revitalisation Project.

- 3. *Endorses the Draft Financial Assistance Agreement with the Department of Regional Development and authorises the Shire President and Chief Executive Officer to engross the final documentation as required.***
- 4. *Endorses the updated Memorandum of Understanding between the Shire of Broome, Landcorp and Kimberley Development Commission and authorises the Shire President and Chief Executive Officer to engross the documentation as required.***
- 5. *Endorses the Chinatown Revitalisation Steering Group Terms of Reference and Governance structure and appoints the Chief Executive Officer to be the Shire's representative on this group.***
- 6. *Requests the Chief Executive Officer to:***
 - (a) *Allocate \$1.7 million dollars over the 2016/17 and 2017/18 financial years to the Chinatown Revitalisation Project.***
 - (b) *Commence procurement of the relevant consultancies together with the project collaborative group in line with the project documentation.***
 - (c) *Ensure incentives are included within project tender specifications to encourage submissions from and/or involvement of local businesses where appropriate.***
 - (d) *Provide six monthly updates on the project for Council's information.***

CARRIED UNANIMOUSLY 7/0

In accordance with point 6(d) of the above resolution, six monthly updates on the CRP are to be provided to Council and this has been provided at the Ordinary Meetings of Council (OMC) held 23 February 2017 and 28 September 2017. This report seeks to provide Council with a further six-monthly update. It is also noted that Steering Committee meeting minutes have been provided to Council through the Councillor Information Bulletin monthly and feedback sought for project specifics from Councillor workshops or formally where need be through OMCs.

The Financial Assistance Agreement (FAA) between the WA Department of Primary Industries and Regional Development (DPIRD) and the Shire of Broome (the Shire) provides for an investment of \$10 million by the State for the delivery of various key projects. The Shire and Tourism WA have also allocated a further \$2 million and \$700k respectively, resulting in a total project spend of \$12.7 million. These Projects are as follows:

Item of Expenditure	Budget	Source of Funds
Gray Street Extension Feasibility & Technical Studies	\$1,000,000	Royalties for Regions (\$745,000) Shire of Broome (\$255,000)
Roebuck Bay Reconnection and Coastal Protection Feasibility	\$1,000,000	Royalties for Regions (\$855,000) Shire of Broome (\$145,000)
Cultural Centre Feasibility	\$850,000	Royalties for Regions Tourism WA (\$100,000)
Dampier Terrace Renovation	\$3,800,000	Royalties for Regions
Carnarvon Street Upgrades	\$2,725,000	Royalties for Regions
Frederick Street Lookout	\$900,000	Shire of Broome (\$600,000)

		Tourism WA (\$300,000)
Tourist Rest Facilities	\$700,000	Shire of Broome
Connection of Dampier Terrace and Terrace Street	\$600,000	Shire of Broome (\$300,000) Tourism WA (\$300,000)
Enhanced laneways strategy and funding program	\$290,000	Royalties for Regions
Chinatown Commercial Liaison Officer (over 2 years) and funding program	\$600,000	Royalties for Regions
Administration/Audits/Reporting	\$235,000	Royalties for Regions
Total Budget	\$12,700,000	

Following the engrossing of the FAA, an amount of \$10 million was deposited into the Shire's account. These funds were then deposited into a Western Australian Treasury Corporation Account (Treasury) and are transferred across in agreed lump sums upon successful achievement of project milestones set out in the agreement. The aforementioned projects have been scheduled across two years with deliverable milestones allocated across this period.

The first milestone was the signing of the FAA with DPIRD which occurred on 27 June 2016 and released \$500,000 of funding. In accordance with the adopted Business Case and the FAA, the first items of expenditure incurred in 2016/17 were the recruitment of a Chinatown Investment and Development Coordinator (CIDC) and the engagement of a Project Director consultancy (DEVMAN).

Further to this, the Communications and Engagement consultancy team were also engaged by LandCorp on 12 September 2016. This was awarded to the partnership of RFF Australia and the Broome Chamber of Commerce and Industry. The role of this consultancy is to manage all external communications for the suite of projects forming part of the CRP and manage community and stakeholder engagement for the feasibility projects, with the exception of the Kimberley Centre for Culture, Art and Story.

The second milestone date was 31 December 2016 and required the submission of finalised project plans for all ten sub-projects, recruitment of the CIDC, and the completion of the CIDC Two Year Activity Plan and preliminary community engagement on the Kimberley Centre. These milestone requirements have been met and further funds of \$1.3 million were released in February 2017.

A team of specialist consultants have also been engaged by LandCorp to deliver the feasibility studies and/or design and construction projects detailed in the Chinatown Revitalisation Business Case. These consultants include:

- Place Making Consultant – The Planning Group (TPG);
- Environmental Consultant – Strategen;
- Civil Engineer – TABEC;
- Public Realm Architecture – UDLA;
- Research and Engagement – Simon McArthur & Associates;
- Engagement – NBY;
- Environmental Assessment – GHD;
- Coastal Design – MP Rogers;
- Traffic Assessments – DVC; and

o Gray St Reclamation Valuation – Colliers.

The third milestone date was 30 June 2017. At the OMC held 25 May 2017, Council endorsed proposed amendments to some of the milestones defined within the FAA (The revised FAA is **Attachment 1** to this report). The amendments related solely to the wording around the deliverables and did not impact milestone dates and payments themselves, resulting in a nil impact on the budget cash flow for the project. These milestone requirements were also met with further funds of \$4.75 million released in September 2017. In review and reconciliation of milestone payments it has been identified that a further \$200k was due for release at this time, however has not been transferred to date. A payment request follow-up is pending with DPIRD.

The fourth milestone date was 31 December 2017 and the milestones and respective amount of funding that was due for release is outlined below:

Project	Performance Method	Payment
Dampier Terrace Upgrade		
<ul style="list-style-type: none"> Tender documentation complete. 	Quarterly Reports on progress provided to the Department.	\$1,000,000
Carnarvon St Upgrade		
<ul style="list-style-type: none"> Tender documentation complete. 	Quarterly Reports on progress provided to the Department.	\$1,000,000
Enhanced Laneways Strategy and Grant Funding Program		
<ul style="list-style-type: none"> Practical completion of one laneway and evidence of successful negotiation with laneway owners. 	Quarterly Reports on progress provided to the Department.	\$150,000
Chinatown Investment and Development Coordinator		
<ul style="list-style-type: none"> 12 month review of position and implementation. 	Annual Report provided to the Department.	\$200,000
Total Amount Due		\$2,350,000

In brief, the milestone relating to the Chinatown Investment and Development Coordinator has been met, however the milestones relating to the Dampier Tce and Carnarvon St Upgrades and the Enhanced Laneways Strategy and Grant Funding Program have not been met. It is noted that following agreement from the Steering Committee, DPIRD were advised in September 2017 of the need to adjust the milestone for Tender documentation completion. The Steering Committee are also proposing to revise the milestone relating to the Enhanced Laneway and Grant Funding Program. A revised FAA is attached for Council consideration of endorsement.

This report will provide more detail on the progress of the milestone tasks to 31 December 2017 and an update on progress of the broader Chinatown Revitalisation project. A copy of the minutes of the Chinatown Stakeholder Reference Group meetings held between August and December 2017 are also tabled for Council's information.

COMMENT

A six-monthly update is provided below and has been summarised by:

1. CIDC activities;
2. Design and Constructions Projects;
3. Feasibility Projects; and
4. Chinatown Stakeholder Reference Group Minutes

1. Chinatown Investment and Development Coordinator Activities

Over the last six months the CIDC has undertaken the following based on the following four sub roles:

- Community & Trader Engagement
- CIDC led Initiatives
- Grants Support & Project Development
- Administration

Community & Trader Engagement

- Trader Workshop: 29 November 2017 regarding 2018 grants end events calendar
- CIDC Towns Walks, General and HQ Correspondence, details
 - Approximately one town walk per month, visiting 70 – 80 traders per visit
 - Correspondence with approximately 20 traders or owners per month (phone, email, meeting)
 - Approximately 50 visitors at HQ per week with queries such as requesting project info, trader assistance, general interest and directions

CIDC led Initiatives

- Project HQ, Activators
 - Hive Handmade;
 - Artist Michael Torres; and
 - Corrugated Lines Festival Hub
- Music mornings
 - 6 August 2017;
 - 13 August 2017;
 - 20 August 2017; and
 - 27 August 2017
- Friday late night trading:
 - 25 August 2017;
 - 15 September 2017;
 - 6 October 2017; and
 - 10 November 2017
 - 8 December (Christmas Party Support)

Grants Support and Project Development

Johnny Chi Lane Refurbishment

- Meetings/discussions with applicant prior to application regarding project scope
- Review and assessment of application
- Ongoing artwork development

- Status: complete

Aarli Bar Redevelopment

- Meetings/discussions with applicant prior to application regarding project scope
- Review and assessment of application
- Design Development with Streetscape design team
- Ongoing project development with applicant
- Status: in progress

Sun Pictures

- Meetings/discussions with applicant prior to application regarding project scope
- Review and assessment of application
- Ongoing project development with applicant
- Event Communications & oversight
- Status: complete

Incredible Edible Broome

- Meetings/discussions with applicant prior to application regarding project scope
- Review and assessment of application
- Ongoing project development with applicant
- Status: complete

Signage and Relocation of Azure Beach

- Meetings/discussions with applicant prior to application regarding project scope and viability
- Review and assessment of application
- Status: open

Betty's Frock Shop Refurbishment

- Meetings and discussions with applicant prior to application regarding project scope and viability
- Review and assessment of application
- Ongoing project development with applicant
- Status: in progress

Corrugated Lines Festival

- Meetings/discussions with applicant prior to application regarding project scope
- Review and assessment of application
- HQ and event communications & oversight
- Status: complete

T.B Eliies Store Refurbishment Artwork

- Meetings/discussions with applicant prior to application regarding project scope and viability
- Review and assessment of application
- Negotiation of Project scope
- Ongoing project development with applicant
- Status: in progress

Chinatown Historical Models

- Meetings/discussions with applicant prior to application regarding project scope
- Review and assess application
- Negotiation of Project scope
- Ongoing project development with applicant
- Status: in progress

Goolari Media Chinatown Stories App Development

- Meetings and discussions with applicant prior to application
- Review and assessment of application
- Follow up project development meetings
- Status: open

Chinatown Nights Event

- Meetings and discussions with applicant prior to application
- Review and assessment of application
- Relationship management following exclusion of project
- Status: not supported

Jetty to Jetty Activation Events

- Meetings/discussions with applicant prior to application regarding project scope
- Review and assessment of application
- Event Communications & oversight
- Status: complete

Shinju Pearl Harvest Party

- Meetings/discussions with applicant prior to application regarding project scope
- Review and assessment of application
- HQ and Events Communications & oversight
- Status: complete

Sun Pictures al fresco Area

- Meetings and discussions with applicant prior to application regarding project scope and viability
- Review and assessment of application
- Ongoing project development with applicant
- Status: open

Sun Pictures 100 Year Anniversary Plaques

- Meetings/discussions with applicant prior to application regarding project scope
- Review and assessment of application
- Ongoing project development with applicant
- Event Communications & oversight
- Status: complete

Administration

- Annual Report (see **Attachment 2**) completed and provided to DPIRD as per milestone requirement.
- The Steering Committee have proposed a revised milestone relating to the Laneway Enhancement Strategy and Grant Funding Program. The revision is to

remove the requirement for the construction of a new laneway and replace this with the need for the first round of laneway matching grants to have been advertised and awarded. This revised milestone has been met.

- Monthly EMG updates
- Laneway Enhancement Strategy
 - Development and finalisation of Draft Strategy December 2017
 - Commenced review of strategy with key landholders
- Communications
 - Attended monthly 'round table' strategy meetings
 - Assisted with review of media releases 7-9.
 - Interviews with Goolari Media, ABC Kimberley and Spirit Radio relating to Grants and Project HQ media releases

For Council's information, it is noted that the incumbent CIDC has recently taken on a new role with the Shire of Broome and as such this position is currently under recruitment. At the Steering Committee meeting held on 31 January 2018 a proposal was presented for this position to be funded for an additional 6 months by the Chinatown Revitalisation Project. The position was originally intended to be a 2 year fixed term position, however there is concern that the resource will be lost at the time that construction is due for completion.

Activation of the Chinatown CBD is critical post construction to ensure the project is successful. Staff had prepared a Project Brief for Council to consider extending this resource as part of the 2018-19 Annual Budget deliberations, however the Steering Committee has now provided commitment to fund the project up until at least 30 June 2019, subject to Council providing in principal support for the position continuing post this time. It is believed a general *Place Making* role could build on the capacity of existing staff resources to focus on improved activation of prime precincts into the future. In addition to Chinatown, this could also include both Cable Beach and Town Beach. Council is requested to support this proposal.

2. Design and Construction Projects

The draft Chinatown Masterplan was developed following extensive consultation with Chinatown traders, landowners and other key stakeholders. It was advertised for public comment for 21 days following endorsement at the Ordinary Meeting of Council on 28 September 2017.

The Masterplan aims to re-establish Chinatown as the 'heart and soul' of Broome with proposed improvements to draw the community and visitors to the precinct, and stimulate economic activity.

The proposed improvements include:

- A major renovation of Carnarvon Street that will provide expansive, shaded, engaging pedestrian areas and event spaces, with less bitumen and wider footpaths resulting in amended parking and improved cross-street access. The upgrades will improve amenities such as signage, lighting, street furniture and public art, and WiFi will be available across Chinatown.
- Upgrades to Dampier Terrace including widening footpaths to create space for alfresco dining. Much-needed shade would be provided by additional tree planting and structures to create a welcoming space for pedestrians.

- A new Tourist Rest Facility on the eastern edge of Male Oval on Carnarvon St. This would include replacing current toilet facilities, adding shade structures, street furniture, bus parking, power and lighting and a significant landscape upgrade acting as an arrival point for visitors.

The 21 day advertising period closed on 30 October 2017. Overall the Masterplan was well received during the public consultation period. It is considered that the Masterplan will provide guidance to deliver positive public realm improvements, and lay the foundations for projects to move from the theoretical to practical implementation.

The number of submissions received demonstrate the high community interest in the project and highlight the willingness of residents and traders alike to help shape the future of Broome's iconic town centre. There were a number of comments/suggestions that have been tabled for consideration in the preparation of the detailed design, however did not trigger any significant amendments to the Masterplan.

In response to submissions received, the Chinatown Steering Committee and Council (at the 14 December 207 OMC) endorsed the Masterplan subject to the following amendments:

1. Remove the lookout shown on Napier Terrace.
2. Remove the northern laneway link shown in Section 8 of the Masterplan.
3. Amend section 2.2 and 2.3 to show Streeters Jetty Plaza being a 'Priority 2 – Light Touch Project' and the Male Oval Tourist Rest Facilities being a 'Priority 3 – Medium Term Project'.

The Shire President, Chief Executive Officer and representatives from the design team and Steering Committee provided Minister MacTiernan an update on the progress of the Masterplan and the project in general in Perth on 18 December 2017. The plans were well received by the Minister and in addition, constructive feedback was also provided by two independent peer review architects. In brief, the feedback provided sought for the design works to be quality, robust, imaginative, cognisant of the existing built form and that consideration be given to car parking in the precinct. The feedback was well received and provided confidence to all partners and the design team that the project was progressing in the right direction.

With respect to car parking, this is a matter that remains outstanding for Steering Committee consideration and resolution. Concerns over parking were a common theme raised in the public submissions received for the Masterplan. Whilst it is widely acknowledged that the amount of bitumen will need to be reduced to improve the public realm; there remain concerns relating to the impact that this could have on car parking availability for visitors and traders alike. Other car parking concerns were also raised, including a lack of long term parking options for local workers, as well as the equity of removing bays paid for by developers as part of a 'cash in lieu' car parking agreement.

To address the concerns raised regarding previous collection of cash-in-lieu funds and also in recognition that the availability of car parking does have an impact on the viability of a town centre (particularly in Broome where there is minimal provision of public transport); it is recommended that the reinstatement of the bays lost through the implementation of the Masterplan form part of the project costs. A concept design has been prepared that confirms that the land between Sam Su Lane and the Broome Visitors Centre Car Park can accommodate up to 40 parking bays. The Steering Committee in January 2018 have authorised the detailed design to be progressed, however whether the project will fund the construction of the bays remains undecided. It is therefore recommended that

Council request the Steering Committee to formally consider reallocation of any surplus funds that may be available to the reinstatement of lost carparking bays caused by the Chinatown Revitalisation Project.

With regard to the lookout project on the corner of Frederick Street and Dampier Terrace, this has progressed to detailed design and the Shire has called for tenders. The tender period opened on the 3 February 2018 and closes on the 6 March 2018. An item will be presented to the March 2018 Ordinary Council Meeting to consider the responses received and to award the tender to a successful contractor. It is anticipated that works will commence on site in early April 2018 and conclude by the 30 June 2018 deadline. Engagement has also progressed with Yawuru to incorporate public art and interpretation into the lookout structure.

Further to the Masterplan, a Draft Chinatown Public Art and Strategy was also presented to the OMC held on 17 December 2017. The development of this Strategy reflects the previous direction provided by the Arts, Culture and Heritage Advisory Committee and Council in relation to the incorporation of public art, heritage values and multiculturalism into the Chinatown Revitalisation Project. The opportunities and themes articulated by the Strategy also take into account a number of previous documents, plans and proposals, in addition to the feedback gathered from key stakeholders.

Planning for the detailed design of streetscape upgrades within Chinatown will incorporate further costings, consideration and prioritisation of public art and interpretative projects in order to achieve the best outcomes in parallel with the balance of works. The Strategy was endorsed by Council for the seeking of public comment which is due to commence in February 2018. At a Council workshop held on 6 February 2018, Council provided an indication of priority projects for Steering Committee consideration, based on the available project budget.

Finally, at the September Steering Committee meeting it became apparent that due to delays experienced in finalisation of the Chinatown Masterplan that it was not going to be possible to meet the upcoming 31 December 2017 milestone; which required completion of tender documentation for both the Dampier Tce and Carnarvon St upgrades. As such the Steering Committee agreed for DPIRD to be updated on the revised timing of this milestone which is now proposed to be 30 April 2018. KDC and most recently the Shire have been in consultation with DPIRD to update and amend the FAA accordingly. The revised Draft FAA is attached (**Attachment 3**) for Council consideration for endorsement with this aforementioned change. No additional changes have been proposed at this time with construction timeframes to be reviewed post detailed design.

3. Feasibility Projects

Gray Street Extension and Roebuck Bay Reconnection

As part of the last 6 monthly update to Council reported at the 28 September 2017 OMC, it was advised that a fatal flaw analysis had been undertaken on both the Gray St Extension and Roebuck Bay Reconnection projects and project cessation had been recommended.

A formal request was tabled with DPIRD in August 2017, however at the time of writing this report a response remains outstanding. Members of the PCG have been in deliberations with DPIRD and a revised FAA has been proposed to finalise the matter. The attached revised FAA includes a revised budget proposal based on Steering Committee decisions

to date, including the reallocation of these available funds due to the cancellation of these feasibility projects.

Kimberley Centre for Culture, Art and Story

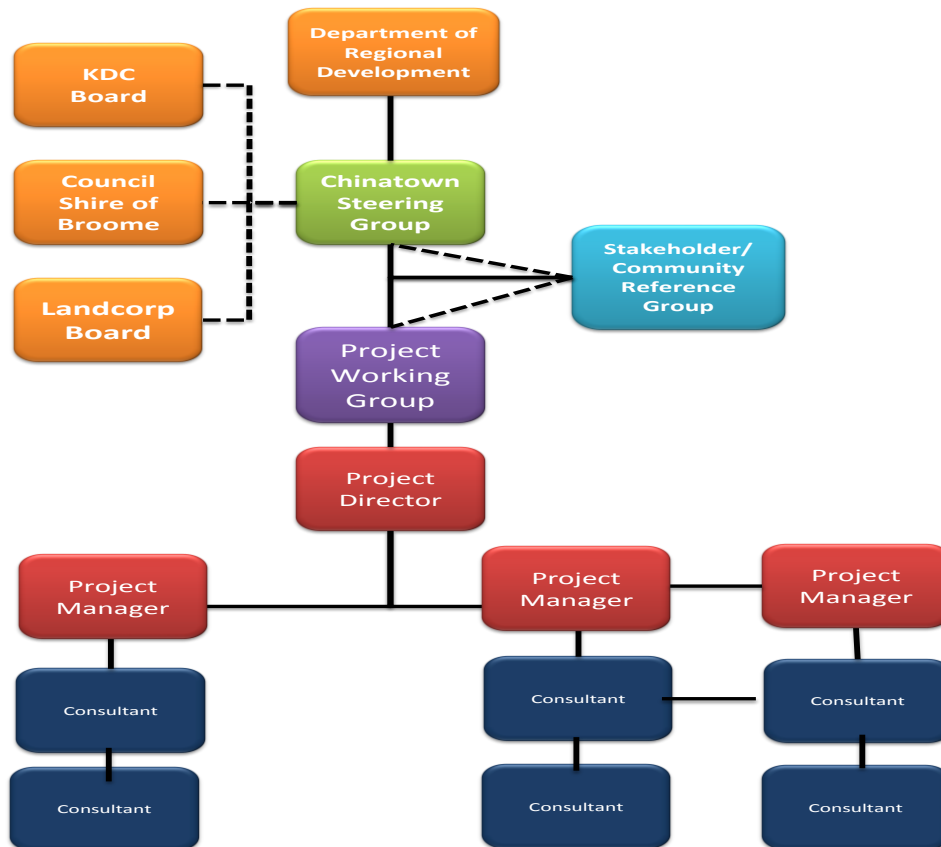
Following the previous formal update provided to Council, this project has made continued progress towards the completion of a feasibility study and business case for the Kimberley Centre for Culture, Art and Story. Key elements completed in the past six months include:

- Review and revision to the governance and operational structure for the project, which was subsequently endorsed by the three Project Partners, including Council as part of the December 2017 Ordinary Meeting of Council. The key focus of the change is to allow a focus on the technical aspects by adding stakeholders with more relevant skills to allow them add value to the process. The Working Group consists of representatives from Nyamba Buru Yawuru, Shire of Broome, Tourism WA, Landcorp, Kimberley Development Commission, WA Museum and project consultants SMA.
- Working Group Meetings were held in November and December 2017 to provide input and feedback into key project milestones including a phased timeline for development of a potential centre, high level location analysis, concept design and emerging key experiences. This group also discussed the potential for the centre to play a key role in marketing and growing cultural tourism across the Kimberley.
- Further consultation with the region's Aboriginal leaders was undertaken by Nyamba Buru Yawuru and SMA at the JALALAY Festival in September at Lombadina. The consultation included further feedback regarding the project as a regional opportunity – rather than being Broome centric.
- Presentation of high level feasibility of development costs, operational viability and risks to moving forward to allow the Working Group and Steering Committee to provide direction to the progress of the project into its final phases (finalization of feasibility study and business case).

Project updates continue to be published on the project's website and emailed to key stakeholders to keep them abreast of developments. Further discussion around potential governance structures and other key elements is due to be workshopped by the Working Group throughout March, in addition to the drafting of the feasibility study and business case.

4. Chinatown Stakeholder and Community Reference Group

During development of the governance structure for the CRP, the following structure was endorsed:



The Chinatown Stakeholder and Community Reference Group was established at the Ordinary Meeting of Council held 27 August 2015. The first meeting of the Group was held on 4 March 2016 and meetings have occurred for the most part on a monthly basis since then. Minutes from each meeting held during the update period (held in October and November) are contained in **Attachment 4** of this report and provided for Council's information.

The Terms of Reference state that the purpose of the Chinatown Stakeholder and Community Reference Group is to:

1. Provide input and feedback to the Project Control Group and Council on the Revitalisation of Chinatown.
2. Ensure the community and key stakeholders are appropriately engaged in the design and delivery of projects as part of the Chinatown Revitalisation.
3. Act as a conduit between the Project Working Group and the community and traders and landowners in Chinatown.

In brief, the Group has been presented the following information and/or deliberated on the following initiatives since the previous six-monthly update:

- Review on the Business Case and process and Governance Structure for delivery of the CRP;
- Updates from the Project Control Group;
- Project information and updates, expected activities for 2017 including:
 - consultation and engagement;
 - design;
 - approvals; and
 - tender.
- Presentations from the Communications consultant;
- Presentations from the Chinatown Investment and Development Coordinator;
- Land tenure queries within the Chinatown precinct;

- Presentation on the Public Art and Interpretation Strategy;
- Consideration of one-way street in Dampier Terrace; and
- Activities workshop and liaison with Japanese, Chinese and European cultural groups for the Kimberley Centre Project and presentations from the Chair of the Working Group on this Project.

Council is requested to note the minutes of these meetings.

CONSULTATION

Kimberley Development Commission
Landcorp
Nyamba Buru Yawuru Ltd
Chinatown Stakeholder and Reference Group
Chinatown Investment and Development Coordinator
Chinatown Traders
Chinatown Land Owners
Tourism WA

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

At the SMC held on 17 June 2016, Council resolved to:

- (a) Allocate \$1.7 million dollars over the 2016/17 and 2017/18 financial years to the Chinatown Revitalisation Project.*

An additional \$300k was also allocated to the Frederick St/Dampier Tce Link sub-project.

The Terms of Reference for the Steering Group includes responsibility;

- *To approve and manage the release of funds in accordance with agreed budget, process, timelines and milestones within each project and within standard government accountability guidelines;*

Total Contracted Expenditure to end of January 2018 is **\$2,557,987.**

Total Actual Expenditure to end of January 2018 is **\$1,801,426.**

RISK

The Governance Agreement and Terms of Reference for the CRP have been developed with high regard for the risks associated with the project as outlined in the report considered by Council at the SMC held 17 June 2016.

The project schedule remains a project risk as the CRP moves forward. Current schedules place the CRP up to two months behind target with regard to compilation of tender documentation. Project delays have occurred in the concept design period and options for delivery projects.

There is a risk that businesses could be negatively impacted during the construction period. The Steering Committee is analysing the construction methodology in significant detail to ensure these impacts are minimised. The final construction program will be determined upon completion of Detailed Design. This body of work requires finalisation and then scrutiny to ensure the scheduling and construction is carried out in a manner to minimise disruption to local businesses. The completion target of 31 December 2018 will be reviewed in due course with consideration of all of the above.

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

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:

A preserved, unique and significant historical and cultural heritage of Broome

Retention and expansion of Broome's iconic tourism assets and reputation

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:

Sustainable and integrated strategic and operational plans

Responsible resource allocation

Effective community engagement

Improved systems, processes and compliance

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council:

- 1. Notes the progress achieved to date in the delivery of the Chinatown Revitalisation Project as outlined in this report;*
- 2. Notes the Chinatown Investment and Development Coordinator Annual Report 2016/17 as attached;*

3. *Notes the minutes of the Chinatown Stakeholder and Reference Group meetings as attached;*
4. *Provides in principal support to continue to resource the Chinatown Investment and Development Coordinator post 30 June 2019 through the provision of a general Place Making role within the Shire of Broome, in addition to noting the support of existing internal resources;*
5. *Endorses the attached revised Draft Financial Assistance Agreement, as provided in **Attachment 3** to this report and authorises the Shire President and Chief Executive Officer to engross the necessary documentation with any minor amendment; and*
6. *Requests the Chinatown Steering Committee to formally consider a budget allocation for the cost of reinstatement of lost carparking bays that are due to the Chinatown Revitalisation Project.*

Attachments

1. Revised FAA May 2017
2. CIDC Annual Report
3. Draft Revised FAA Feb 2018
4. CSRG Minutes

SCHEDULE 4 – ROYALTIES FOR REGIONS PROJECT DETAILS

1. Use of Funding by the Recipient

Without limiting clause 8(b) or clause 11.3 in any way, the Recipient must use the Funding (and any interest which accrues on that Funding) to carry out the Project in accordance with this Agreement and for no other purpose.

2. Funding Amount

Funding of up to \$10,000,000 (excluding GST) will be provided by the State to the Recipient in the manner and within the timeframes outlined in item 3.2 of this Schedule 4 and in Schedule 6.

Disbursal of Funding will be subject to availability of funds through the State budget and mid-year review of the State budget each financial year.

3. Detailed Description of Project

3.1. Project Description

The Broome Chinatown Revitalisation project has been developed with an aim to best utilise a \$10 million investment under Royalties for Regions. The project will see the delivery of key activities to boost economic activity along with preserving and enhancing Chinatown's role as the social, cultural and economic hub of Broome. The project is comprised of 10 distinct sub projects that will result in key planning and feasibilities being undertaken as well as some on ground activity.

1. Gray Street Extension

This sub-project will investigate and if feasible address the heritage, native title, environmental, tenure, planning and geotechnical issues entailed in extending Gray Street via a raised road/sea wall, to provide additional developable land and provide coastal protection for the Chinatown precinct. The final components to be delivered with funding (post feasibility) will be engineering, detailed design, and commercial analysis of the options to develop the land made available and preparation of a business case.

2. Roebuck Bay Reconnection and Coastal Protection

This sub-project will investigate and if feasible address the heritage, native title, environmental, tenure, planning and geotechnical issues entailed in providing water front access infrastructure along the seaward side of Dampier Terrace. If feasibility is confirmed the final tasks will be to undertake stakeholder consultation, commercial analysis, detailed design of the options and a business case. The options for this sub-project include:

- A boardwalk along the eastern boundary of the Dampier Terrace properties, opening up opportunities for commercial/retail development and providing a scenic walk.
- An eastern seawall and boardwalk extending over the mangrove environment that links up with the Streeters Jetty and Fredrick Street Lookout.
- A landscaped forecourt in front of Streeters Jetty.

3. Cultural Centre

This sub-project will undertake the community and stakeholder engagement, site services investigation, planning, tenure, and detailed analysis of the capital, operational and governance requirements for a Broome Cultural Centre. The final task will be to undertake a detailed design and finalise architectural plans and site selection.

4. Dampier Terrace Upgrade

This sub-project will undertake concept design, site services investigation, community engagement, detailed design and construction of a range of upgrades to Dampier Terrace to improve its functions as a pedestrian, traffic, retail and social centre. The upgrade will likely include:

- Traffic calming, shade and improved landscapes supporting pedestrian movement.
- Lighting, street furniture, event infrastructure, multi-poles, bubblers, public art and entry statements.
- Improved pathways and connections between Dampier Terrace and Carnarvon Street.
- Improved drainage management through water sensitive urban design.
- Crime prevention through environmental design principles, including lighting to support night time activities.

5. Frederick Street Lookout

This sub-project will undertake design (from preliminary to detailed stages) and stakeholder engagement, address any heritage and environmental issues and then complete construction of an elevated lookout over Roebuck Bay. Royalties for Regions funding is not provided for this sub project.

6. Tourist Rest Facilities at the Pearl Luggers

This sub-project will investigate and obtain tenure, heritage and environmental approvals for the selected site and then undertake design and construction of tourism facilities at the Pearl Luggers site including toilets, shade, street furniture, parking and a range of other improvements to improve the sites function as a way point for tourists. Royalties for Regions funding is not provided for this sub project.

7. Connection of Dampier Terrace and Frederick Street

This sub-project will connect Frederick and Dampier Terraces via the existing road reserve. This road development will provide functional connectivity, reduce traffic congestion and facilitate the development of blocks to the south of Fredrick Street. Royalties for Regions funding is not provided for this sub project.

8. Enhanced laneways

This sub-project will determine a strategy with stakeholder engagement, aiming to create at least one new laneway and further activate the existing laneways by enhancing connections between Carnarvon Street and Dampier Terrace and improving shaded connections. Implementation of the strategy will be enabled under this project via a small grants/seed funding program to be delivered by the Recipient.

9. Chinatown Investment and Development Coordinator

This sub-project will secure a suitably skilled coordinator to implement a commercial and social activation strategy for two years. The role will drive commercial tenant

attraction and engagement, connecting small businesses with vacant leases and supporting smaller activation projects such as merchandising, retailer displays, promotional activities and working with traders to enhance their understanding of planning requirements.

The Coordinator will drive an ongoing programme of events, place activation and branding for Chinatown whilst undertaking key communication/information programs for the community on the broader Chinatown revitalisation project. A small grants/seed funding program will be established for appropriate activation projects, to be delivered by the Recipient and the role will be reviewed after 12 months.

10. Carnarvon Street Upgrades

This sub-project will undertake the design, site services investigation, stakeholder engagement and construction required to provide pedestrian, traffic and stormwater management. The upgrade will include:

- Traffic calming, shade and improved landscapes supporting pedestrian movement.
- Lighting, street furniture, event infrastructure, multi-poles, bubblers, public art and entry statements.
- Improved pathways and connections between Dampier Terrace and Carnarvon Street.
- Improved drainage management through water sensitive urban design.
- Crime prevention through environmental design principles, including lighting to support night time activities.

3.2. *Recipient's Obligations and Payment of Royalties for Regions Funding*

After this Agreement has been executed by both Parties, the Department will authorise the payment of the full Funding to the Recipient. The full amount of Funding is required to be invested by the Recipient with the Western Australian Treasury Corporation as outlined in Schedule 7. The Recipient may draw funds held under the terms in Schedule 7 in the manner described in item 3.2.

Deliverable Recipient's Obligations	Performance Measures	Performance method Measure	Milestone	Payment details and timing	Payment Amount \$
Confirmation of leveraged Funding	Timing and amount of leveraged funding for the project.	Written confirmation from the Shire of Broome and Tourism WA provided to the Department.	30 Jun 2016 (Completed)	Payment will be authorised within 20 business days upon acceptance that the deliverable has been met*.	500,000
	Projects plans (including key review gateways and milestones, detailed budget estimates and risk assessment) approved and signed by the Project Steering Committee.	Documented evidence of finalised agreements and project plans including detailed budget and risk assessments provided to the satisfaction of the Department.	31 Dec 2016 (Completed)	Payment will be authorised within 20 business days upon acceptance that the deliverable has been met*.	1,000,000
Project Plans finalised for all 10 sub projects	Agreements signed by the Recipient and all project delivery partners.	Quarterly Reports on progress provided to the Department.			
	Fatal Flaw Analysis	Documented evidence provided to the satisfaction of the Department.	30 Jun 2017	Payment will be authorised within 20 business days upon acceptance that deliverables have been met*.	500,000
Gray Street Extension	Confirmation of Costings for Geotechnical Investigation.	Quarterly Reports on progress provided to the Department.			
	Completion of Coastal Technical Study and Geotechnical Investigation.	Documented evidence provided to the Department.	31 Dec 2017		200,000

Roebuck Bay Reconnection and Coastal Protection Feasibility	Fatal Flaw Analysis.	Quarterly Reports on progress provided to the Department.	30 Jun 2017	Payment will be authorised within 20 business days upon acceptance that deliverables have been met*.	600,000
	Confirmation of Costings for Geotechnical Investigation.	Documented evidence provided to the Department.			
	Completion of Coastal Technical Study and Geotechnical Investigation.	Documented evidence provided to the Department.	31 Dec 2017		200,000
	Completion of concept design and preliminary cost estimates.				
Cultural Centre Feasibility	Completion of preliminary community stakeholder engagement.	Quarterly Reports on progress provided to the Department.	31 Dec 2016 (Completed)	Payment will be authorised within 20 business days upon acceptance that this deliverable has been met*.	100,000
	Completion of:				
	<ul style="list-style-type: none"> Preliminary investigation into governance models. Course benchmarking of comparable facilities. Preliminary identification of suitable sites. Commence stakeholder consultation. 	Quarterly Reports on progress provided to the Department.	30 Jun 2017	Payment will be authorised within 20 business days upon acceptance that this deliverable has been met*.	400,000
	Completion of:				
	<ul style="list-style-type: none"> commercial analysis of options governance structure confirmation of preferred concept. 	Quarterly Reports on progress provided to the Department.	30 Jun 2018	Payment will be authorised within 20 business days upon acceptance that both deliverables have been met*.	200,000
		Documented evidence provided to the Department.			

Dampier Terrace Upgrade	<p>Completion of:</p> <ul style="list-style-type: none"> • preliminary community stakeholder engagement; • functional design brief; and • concept design and cost estimates. 	Quarterly Reports on progress provided to the Department.	30 Jun 2017	Payment will be authorised within 20 business days upon acceptance that this deliverable has been met*.	1,650,000
	Tender documentation complete.	Quarterly Reports on progress provided to the Department.	31 Dec 2017	Payment will be authorised within 20 business days upon acceptance that this deliverable has been met*.	1,000,000
Carnarvon Street Upgrades	<p>Completion of:</p> <ul style="list-style-type: none"> • preliminary community stakeholder engagement; • functional design brief; and • concept design and cost estimates. 	Quarterly Reports on progress provided to the Department	30 Jun 2017	Payment will be authorised within 20 business days upon acceptance that this deliverable has been met*.	1,600,000
	Tender documentation complete.	Quarterly Reports on progress provided to the Department	31 Dec 2017	Payment will be authorised within 20 business days upon acceptance that this deliverable has been met*.	1,000,000
Frederick Street Lookout, Tourist Rest Facilities at Pearl Luggier and connection of Dampier Terrace and Frederick Street	Completion of works on time.	Quarterly Reports on progress provided to the Department	30 Jun 2018	-	-
Enhanced Laneways Strategy and Grant Funding program	Completion of a grant funding strategy (guidelines).	Documented evidence provided to the satisfaction of the Department.	31 Dec 2016	Payment will be authorised within 20 business days upon acceptance that this deliverable has been met*.	100,000

Royalties for Regions – Variation to Schedule 4 Financial Assistance Agreement – Shire of Broome – Broome Chinatown Revitalisation

Page 6 of 21

Chinatown Investment and Development Coordinator	Practical Completion of one laneway and evidence of successful negotiation with laneway owners.	Quarterly Reports on progress provided to the Department	31 Dec 2017	Payment will be authorised within 20 business days upon acceptance that this deliverable has been met*	150,000
	Recruitment to the position, establishment of the Chinatown Traders Reference Group and completion of a two year activity plan.	Quarterly Reports on progress provided to the Department.	31 Dec 2016	Payment will be authorised within 20 business days upon acceptance that this deliverable has been met*	100,000
	Completion of a grant funding strategy (guidelines) for Chinatown commercial activation activities.	Documented evidence provided to the satisfaction of the Department.	30 Jun 2017	Payment will be authorised within 20 business days upon acceptance that this deliverable has been met*.	200,000
	12 month review of position and implementation.	Annual Report provided to the Department.	31 Dec 2017	Payment will be authorised within 20 business days upon acceptance that this deliverable has been met*.	200,000
Practical Completion	All construction activities for sub projects completed.	Quarterly Reports on progress provided to the Department.			
	Feasibility Reports and business cases finalised for: <ul style="list-style-type: none"> • Gray St Extension; • Roebuck Bay connection and Coastal Protection; and • Cultural Centre. 	Documented evidence provided to the Department.	31 Dec 2018	Payment will be authorised within 20 business days upon acceptance that this deliverable has been met*.	300,000
Completion of the Project including all of the Recipient's Obligations				Total Payment Amount	\$10,000,000

*Disbursal of funds will be authorised subject to:

- evidence of approval of the milestones having been met by the Project Steering Committee; and,
- provision of a valid Western Australian Treasury Corporation Notice of Withdrawal

The Recipient agrees to commence the Project within six (6) months after execution of the Agreement.

3.3. Project Budget

Item of Expenditure	Budget	Source of Funds
Gray Street Extension	\$1,000,000	Royalties for Regions (\$745,000) Recipient (\$255,000)
Roebuck Bay Reconnection and Coastal Protection Feasibility	\$1,000,000	Royalties for Regions (\$855,000) Recipient (\$145,000)
Cultural Centre Feasibility	\$850,000	Royalties for Regions (\$750,000) Tourism WA (\$100,000)
Dampier Terrace Upgrade	\$3,800,000	Royalties for Regions
Frederick Street Lookout	\$900,000	Recipient (\$600,000) Tourism WA (\$300,000)
Tourist Rest Facilities	\$700,000	Recipient
Connection of Dampier Terrace and Terrace Street	\$600,000	Recipient (\$300,000) Tourism WA (\$300,000)
Enhanced laneways strategy and funding program	\$290,000	Royalties for Regions
Chinatown Commercial Liaison Officer (over 2 years) and funding	\$600,000	Royalties for Regions
Carnarvon Street Upgrades	\$2,725,000	Royalties for Regions
Administration/Audits/Reporting	\$235,000	Royalties for Regions
Total Budget	\$12,700,000	

4. Special Conditions

4.1. Project Governance – Broome Chinatown Revitalisation

Project Governance will be in accordance with the Chinatown Revitalisation – Governance Terms of Reference, November 2016.

4.2. Leveraged Funding

- (a) The Recipient must obtain the funding from the sources set out in the table immediately below (**Leveraged Funding**), which the Recipient must use to carry out the Project in accordance with this Agreement and for no other purpose:

Source of Leveraged Funding	Amount
Recipient	\$2,000,000

Source of Leveraged Funding	Amount
Tourism Western Australia	\$700,000

- (b) Despite anything express or implied to the contrary in this Agreement, before the Recipient is entitled to any payment under this Agreement, it has to provide evidence to the Department which proves to the satisfaction of the State, in its absolute discretion, that the Recipient has obtained the Leveraged Funding. If the Recipient does not obtain any part of the Leveraged Funding (that part being the **Shortfall**), the State may reduce the amount it is to pay the Recipient under this Agreement by the amount of the Shortfall.

4.3. Insurance

4.3.1 Policies of insurance

4.3.1.1 Effecting, maintaining and keeping in force policies of insurance

Subject to sub-item 4.2.1.3 below, the Recipient must effect, maintain and keep in force, or cause to be effected, maintained and kept in force, from the Commencement Date until it receives the Notification (or for a longer period where it is required to keep any insurance current for a longer period as set out in this subitem below) adequate insurance cover in its name for its rights and interests in relation to the Project:

- (a) with a reputable and solvent insurer (with a Standard and Poor's rating of not less than A minus) which carries on insurance business in Australia and is authorised in Australia to operate as an insurance company; or
- (b) only for insurance policies which the Recipient effects, maintains and keeps in force, with LGISWA instead of an insurer of the type set out in subitem 4.2.1.1(a) immediately above,

including effecting, maintaining and keeping in force, or causing to be effected, maintained and kept in force, the following policies of insurance for the Project:

- (c) a public liability policy for an amount of indemnity of not less than 20 MILLION DOLLARS (\$20,000,000) (or any higher sum as is determined by the State from time to time (acting reasonably)) for any one occurrence and unlimited as to the number of occurrences which must:
 - (i) be effected, maintained and kept in force from the Commencement Date until the later of one year from the date the Recipient receives the Notification and the end of any Defects Liability Period;
 - (ii) must contain or be endorsed to contain an indemnity extension in favour of the State to the extent of its vicarious liability caused, contributed to, or arising directly or indirectly out of the negligent acts or omissions of the Recipient, its employees, contractors or agents in their performance or non-performance of the Project;
 - (iii) cover liability resulting from loss of or damage to property and the death or illness of, or injury to, any person (other than liability which is required by Law to be insured under a workers compensation policy of insurance) arising out of or in connection with the Project, this Agreement or both;

- (iv) be endorsed to cover;
 - (A) the use of unregistered motor vehicles, plant and equipment; and
 - (B) sudden and accidental pollution.
- (d) where the Recipient has obligations in this Agreement to Construct any Structure, a policy of insurance in relation to all work required for and incidental to the Construction of that Structure and rectifying Defects (**Works**) which must:
 - (i) be in the joint names of the Recipient and all agents and contractors employed from time to time in relation to the Works and:
 - (A) note the State as a person to whom the benefit of the insurance cover provided by that insurance policy extends; and
 - (B) expressly provide that to the extent (if any) that noting the State in the manner set out in subitem 4.2.1.1(d)(i)(A) above does not have the effect that the State's interests and rights, and liabilities of, and owed to, the State (howsoever these interests, rights and liabilities arise, including if they arise under clause 8(c) of this Agreement) are noted on that insurance policy, that insurance policy also notes those interests, rights and liabilities;
 - (ii) cover against any and all physical loss or damage to the Works including covering the:
 - (A) full replacement value of that Structure, including any extension of or addition to that Structure;
 - (B) the cost of removal of materials and debris from the Site;
 - (C) any loss or damage to any equipment used in relation to the Works;
 - (iii) covering the cost of making good resultant damage arising in connection with faulty design;
 - (iv) provide that any breach of the conditions of this policy of insurance by an insured under the policy will not in any way prejudice or diminish any rights which any other person has under the policy;
 - (v) provide that the insurance provided under this policy is primary with respect to the interest of the State and any other insurance or self-insurance arrangements maintained by the State is excess to and not contributory with this policy; and
 - (vi) be effected, maintained and kept in force from the Commencement Date until the end of any Defects Liability Period, or if there is no Defects Liability Period, then until one year from the date the Recipient receives the Notification;
- (e) where the Recipient has obligations in this Agreement to Construct any Structure, a vehicle and equipment policy of insurance for the Recipient's vehicles, registered plant and equipment brought on to the Site or used in connection with the Project whether owned, hired or leased (**Recipient's Vehicles**) in addition to any compulsory motor vehicle third party insurance

- required to be taken out by the Recipient under any Law. This vehicle and equipment insurance policy must;
- (i) cover third party liability for personal injury or death (other than compulsory third party motor vehicle insurance) and property loss or damage involving the Recipient's Vehicles;
 - (ii) be for not less than \$20 million third party liability insurance for any one occurrence and unlimited as to the number of occurrences;
 - (iii) to the extent available at the times of placement and each renewal, be endorsed to cover the State to the extent of its vicarious liability caused, contributed to, or arising directly or indirectly out of the use of the Recipient's vehicles; and
 - (iv) be effected, maintained and kept in force from the Commencement Date until the later of one year from the date the Recipient receives the Notification and the end of any Defects Liability Period;
- (f) where the Recipient has obligations in this Agreement to Construct any Structure, in addition to the insurance cover set out in subitems 4.2.1.1(d) and 4.2.1.1(e) of this Schedule 4, it must take out, or cause to be taken out, any other policies of insurance consistent with Best Industry Practice for the engineering, design, procurement, supply, Construction, testing and commissioning of the Project, which must be effected, maintained and kept in force from the Commencement Date until the end of any Defects Liability Period, or if there is no Defects Liability Period, then until one year from the date the Recipient receives the Notification;
- (g) where the Recipient is in the business of providing professional services, has Obligations to provide professional services, or both, a professional indemnity policy of insurance, which must:
- (i) to the extent available at the times of placement and each renewal, be endorsed to contain an indemnity extension in favour of the State if the Recipient has Obligations to provide professional services;
 - (ii) include one full automatic reinstatement of the limit of liability;
 - (iii) cover liability arising from any negligent act or omission in connection with or arising out of the professional activities and duties under this Agreement;
 - (iv) cover claims in respect of this Agreement or otherwise under the *Competition and Consumer Act 2010 (Cth)*, *Fair Trading Act 2010 (WA)*, *Fair Trading Act 1987 (WA)*, and any similar legislation in any other state or territory insofar as they relate to the provision of professional advice; and
 - (v) be effected, maintained and kept in force from the Commencement Date until seven (7) years from the date the Recipient receives the Notification for not less than five (\$5) million for each and every claim and in the aggregate annually; and
- (h) a policy of insurance which:
- (i) insures against liability under any applicable statute relating to workers or accident compensation for death of, or illness or injury to, natural

persons employed or engaged by the Recipient which are required to be insured under the *Workers' Compensation and Injury Management Act 1981 (WA)* or equivalent legislation in other Australian jurisdictions in work under this Agreement including liability by statute and, where available, at common law; and

- (ii) which must be effected, maintained and kept in force from the Commencement Date until the date the Recipient receives the Notification. Where common law claims are not fully covered under this policy of insurance, the Recipient must effect, maintain and keep in force, or cause to be effected, maintained and kept in force, from the Commencement Date until the date the Recipient receives the Notification a policy of insurance which insures against employer's liability at common law for not less than fifty million dollars (\$50,000,000.00) for any one event.

4.3.1.2 *Noting the State*

In accordance with subitem 4.2.1.1(d), where the Recipient has obligations in this Agreement to Construct any Structure, it must effect, maintain and keep in force, or cause to be effected, maintained and kept in force, a policy of insurance in relation to the Works in the terms set out in that subitem, including noting the State in the manner set out in subitem 4.2.1.1(d)(i). Each other policy of insurance which the Recipient effects, maintains and keeps in force (or causes to be effected, maintained and kept in force) in relation to the Project, must note the interests of the State.

4.3.1.3 *State may extend time by which Recipient has to procure certain policies of insurance*

The Recipient must comply in full with subitem 4.2.1.1 of this Schedule 4 except that, with respect to the policies of insurance required to be effected, maintained and kept in force (or caused to be effected, maintained and kept in force) set out in subitems 4.2.1.1(d), 4.2.1.1(e) and 4.2.1.1(f), if the State has provided written notice to the Recipient prior to the Commencement Date (which notice, notwithstanding that this Agreement had not been executed at the time the notice was given, must comply with clause 10 of this Agreement as if both parties were bound by clause 10 at the time the notice was given) which:

- (a) provides that the Recipient may effect (or cause to be effected) one or more of those policies of insurance from a later date than the Commencement Date; and
- (b) specifies the date from which the Recipient must effect, maintain and keep in force (or cause to be effected, maintained and kept in force) that policy of insurance or those policies of insurance (as the case may be),

then the Recipient may effect (or cause to be effected) that policy of insurance or those policies of insurance (as the case may be) from the date specified in that written notice. For the avoidance of doubt, if the State provides written notice of the type outlined in this subitem 4.2.1.3:

- (c) the policy of insurance or policies of insurance (as the case may be) to be effected, maintained and kept in force by the Recipient (or which it causes to

be effected maintained and kept in force) specified in that written notice must comply in all other respects with the relevant Provisions in subitem 4.2.1.1 (and comply with subitem 4.2.1.2) and only the time by which the Recipient must effect that policy of insurance or those policies of insurance (as the case may be) is altered; and

- (d) if that notice only alters the time by which one or some of the policies of insurance set out in subitems 4.2.1.1(d), 4.2.1.1(e) and 4.2.1.1(f) must be effected, the Recipient must still effect the other policy of insurance or policies of insurance (as the case may be) by the Commencement Date.

4.3.2 Proof of insurance

- (a) Within ten (10) Business Days from:

- (i) the Commencement Date;
- (ii) the date the Recipient receives the Notification (except in relation to insurance cover which is only required under this Agreement to be maintained until receipt by the Recipient of the Notification);
- (iii) the date any insurance policy is renewed or varied; and
- (iv) any other request by the State,

the Recipient must provide the Department with the following information in relation to all insurance cover for the Project (regardless of whether the Recipient or another party effected the policies or whether one or more of the policies are in the joint names of the Recipient and one or more other parties):

- (v) certificates of currency from the insurer which provided the insurance. These certificates of currency must be accurate as at the time of issue, must not contain a general disclaimer to the effect that they can not be relied upon and must contain sufficient information to enable the Recipient to demonstrate to the satisfaction of the State in its absolute discretion that the Recipient has complied with its Obligations under item 4.2 of Schedule 4. Where, in the opinion of the State in its absolute discretion, these certificates of currency do not provide this information, then the Recipient must provide such further information as the State may require to demonstrate compliance with the Recipient's Obligations under item 4.2 of Schedule 4. The Recipient is entitled to redact commercially sensitive information in any insurance policies which relates to other projects; and
 - (vi) receipts for premiums paid for each policy of insurance.
- (b) If, after being requested in writing by the State to do so, the Recipient fails to produce evidence (to the satisfaction of the State in its absolute discretion) of compliance with its Obligations under Item 4.2 of Schedule 4, the State may do one or more of the following:
 - (i) effect and maintain the required insurance and pay the premiums. The amount paid by the State in effecting and maintaining the required insurance is a debt due and payable on demand from the Recipient to the State;
 - (ii) exercise its rights under clause 11 of this Agreement; or
 - (iii) suspend one or both of the performance of the Recipient's Obligations and the provision of Funding to the Recipient until evidence that the Recipient

has complied with its Obligations under item 4.2 of Schedule 4 is provided to the Department and is satisfactory to the State in its absolute discretion.

The rights given to the State by this subitem 4.2.2(b) of Schedule 4 are in addition to any other rights the State may have.

4.3.3 Recipient's Obligations and Recipient's further obligations

- (a) Unless the Recipient first obtains the State's prior written consent, which consent can be given or withheld by the State in its absolute discretion, the Recipient must not:
 - (i) do, allow to be done by another person (except the State), or suffer the doing of, anything which adversely affects any insurance cover taken out by, or on behalf of, the Recipient or the State in relation to the Project or this Agreement or both, or which may increase the premium on that insurance;
 - (ii) store or use inflammable, volatile or explosive substances on the site or premises on which the Project is being carried out except those normally used in the Recipient's business; or
 - (iii) settle or compromise, or allow any other person (except an insurer who is legally entitled to, and does, take over conduct of the matter) to settle or compromise, any claim under any policy of insurance relating to the Project or this Agreement, or both.
- (b) The Recipient must give notice to the Department immediately if:
 - (v) an event occurs which may give rise to a claim under any of the policies of insurance in relation to the Project (including under any of the policies of insurance held by a sub-contractor or sub-grantee in relation to the Project) and must keep the Department informed of subsequent developments concerning the claim. This requirement does not apply to those occurrences that may give rise to a motor vehicle or worker's compensation claim;
 - (vi) an event occurs which could adversely affect any of the policies of insurance in relation to the Project (including under any of the policies of insurance held by a sub-contractor or sub-grantee in relation to the Project); or
 - (vii) any of the policies of insurance in relation to the Project (including under any of the policies of insurance held by a sub-contractor or sub-grantee in relation to the Project) are cancelled.
- (c) The Recipient must pay (or procure the payment of) all premiums and all deductibles applicable to the policies of insurance effected by it, or which it causes to be effected, in relation to the Project and promptly reinstate any of these policies which lapse or under which cover is exhausted.
- (d) Each policy of insurance effected by the Recipient, or which the Recipient causes to be effected, in relation to the Project must:
 - (i) provide that where the number of persons (in each case, an "insured") who are either:
 - (1) named on that policy of insurance; or
 - (2) otherwise entitled to insurance cover under that policy of insurance,

exceeds one person, that policy of insurance must include a cross liability clause in which the insurer agrees to waive all express and implied rights of subrogation against any insured under that policy and agrees that the term "insured" applies to each insured under that policy as if a separate policy of insurance has been issued to each of them in the same terms as that policy of insurance but not so as to increase the limit of liability or sum insured under that policy;

- (ii) state that they are governed by the laws of Western Australia and that each insurer irrevocably submits to the non-exclusive jurisdiction of courts exercising jurisdiction in Western Australia; and
 - (iii) provide that the excess in any of these policies must not exceed 1% of the insurance amount.
- (e) The Recipient must not do or omit to do, and must ensure that the Recipient's personnel (including its agents and contractors) not do or omit to do, any act or thing that would be grounds for an insurer to refuse to pay the whole of or any part of a claim made under any of the insurance policies effected by the Recipient, or which the Recipient causes to be effected, in relation to the Project.
- (f) The Recipient must give the Department prior notice of at least one (1) month of the cancellation, non-renewal, or a material alteration to the detriment of cover of any of the insurance policies effected by the Recipient, or which the Recipient causes to be effected, in relation to the Project or in accordance with the *Insurance Contracts Act 1984 (Cth)*.

4.3.4 Insurance policies primary

- (a) Each policy of insurance effected by the Recipient, or which the Recipient causes to be effected, in relation to the Project is primary and not secondary to the indemnity given by the Recipient to the State in clause 8(c) of this Agreement. However, the State is not obliged to make a claim or institute proceedings against any insurer under any of these insurance policies before enforcing any of its rights or remedies under the indemnity given by the Recipient to the State in clause 8(c) of this Agreement, or generally. In addition, the parties acknowledge that if a claim is made under any of these insurance policies by the State, it is their intention that the insurer cannot require the State to exhaust the indemnity given by the Recipient to the State in clause 8(c) of this Agreement before the insurer considers or meets the relevant claim.
- (b) The Recipient acknowledges that regardless of whether any of the policies of insurance effected by the Recipient, or which the Recipient causes to be effected, in relation to the Project respond or not, and regardless of the reason why any of these insurance policies respond or fail to respond, the Recipient is not released (in whole or in part), from any of its obligations under the indemnity given by the Recipient to the State in clause 8(c) of this Agreement, or any of its Obligations generally.

4.3.5 Settlement of claims

Upon settlement of a claim under any of the policies of insurance effected by the Recipient, or which the Recipient causes to be effected, in relation to the Project, to the extent that the work to be reinstated or services to be repeated have been the subject of a payment of Funding by the State to the Recipient, the State may determine

in its absolute discretion whether the Recipient must repay that Funding (and any interest accrued on that Funding) to the State out of the proceeds of insurance or use the proceeds of insurance to reinstate the work or repeat the services for which the Funding was provided. If the State requests that the Recipient repay that Funding (and any interest accrued on that Funding), or any part of that Funding (and any interest accrued on that Funding), to the State, the Recipient must do so:

- (a) within ten (10) Business Days of the date of the State's request (if the Recipient has already received the proceeds of insurance); and
- (b) within ten (10) Business Days of receipt of the proceeds of insurance (if the Recipient has not received the proceeds of insurance by the date of the State's request).

In order to ensure that the Recipient can fulfil its obligations under this subitem 4.2.5, the Recipient must ensure that any other party (except the State) named as an insured or otherwise noted or covered under any of the policies of insurance effected by the Recipient in relation to the Project, or which the Recipient causes to be effected in relation to the Project, has a contractual obligation to the Recipient to, if it receives proceeds of insurance under any of those policies, pay on request:

- (a) the Recipient; or
- (b) the State if directed by the Recipient to do so,

within a sufficient timeframe a sufficient part of those proceeds of insurance, to enable the Recipient to fulfil its obligation to the State in this subitem 4.2.5.

4.3.6 Insurance review

- (a) The State may, from time to time, review the adequacy and appropriateness of the policies of insurance effected by the Recipient, or which the Recipient causes to be effected, in relation to the Project. As part of this review, the State may ascertain whether, in the State's reasonable opinion, any additional insurance policies are required, or whether any insurance policies effected by the Recipient, or which the Recipient causes to be effected, in relation to the Project and maintained at the time of the review are still required or require amendment.
- (b) To allow the State to perform this function, it may make a request for the documents set out in subitem 4.2.2 of this Schedule 4 which the Recipient must comply with.
- (c) The Recipient must commence negotiations to obtain insurances or amend the policies of insurance effected by the Recipient, or which the Recipient causes to be effected, in relation to the Project within ten (10) Business Days of receiving notice from the State to do so, and must, as soon as practicable thereafter at the Recipient's own cost, obtain insurances or amend the policies of insurance effected by the Recipient, or which the Recipient causes to be effected, in relation to the Project to reflect the recommendations made by the State following its review.
- (d) The Recipient must promptly notify the Department if it is unable to, or it becomes apparent that it will be unable to, comply with the recommendations arising in connection with the State's review. The parties must determine what action, if any, is to be taken following receipt of this notice.

4.4. Local Products and Services

The Recipient agrees to comply with the State's Buy Local Policy and Building Local Industry Policy when purchasing goods or services or works for the Project.

4.5. Aboriginal Participation

In carrying out the Project, the Recipient must comply with any applicable State policies in relation to creating employment opportunities and engaging and developing relationships with Indigenous peoples.

SCHEDULE 5 – ACCOUNTS AND REPORTING

- (a) The Recipient is to provide to the Department progress reports on a quarterly basis (as at 30 September, 31 December, 31 March and 30 June), or as determined from time to time by the State, until receipt by the Recipient of the Notification. These progress reports must be certified by the Chief Financial Officer or other accountable officer of the Recipient and include:
- (i) a financial report containing information with respect to the Project, which must include the information set out in Schedule 2; and
 - (ii) a project report which must include the information set out in Schedule 3, showing how and to what extent the Funding (and any interest accrued on the Funding) was spent and the extent to which the Recipient's Obligations were performed and the Milestones met.

Note – quarterly reports are to be submitted within one (1) month after the end of each quarter.

For the avoidance of doubt the State may:

- (i) request progress reports at more regular intervals than one progress report every quarter but must not request progress reports at more regular intervals than every week; and
 - (ii) determine in its absolute discretion what information the Recipient is required to include in a progress report and requiring less information in a progress report than that prescribed in item (a) of this Schedule 5 in any one instance does not constitute a waiver of the State's right to receive the information prescribed in item (a) of this Schedule 5 in every other progress report.
- (b) The Recipient is to provide to the Department an annual report on the Project based on a financial year ending 30 June until receipt by the Recipient of the Notification. These annual reports must be certified by the Chief Financial Officer or other accountable officer of the Recipient and audited by an Auditor, and include:
- (i) a financial report containing information with respect to the Project which must include the information set out in Schedule 2; and
 - (ii) a project report which must include the information set out in Schedule 3, showing how and to what extent the Funding (and any interest accrued on the Funding) was spent and the extent to which the Recipient's Obligations were performed and the Milestones met.

Note – the annual report on the Project is to be submitted within three (3) months after the end of the financial year to which the annual report relates.

- (c) The Recipient must provide the Department with a report (**Final Report**) within three (3) months after receipt by the Recipient of any written request from the State to do so or of any earlier termination of this Agreement, which must be certified by the Chief Financial Officer or other accountable officer of the Recipient and audited by an Auditor, and include:
- (i) a financial report certifying that the Funding (and any interest accrued on the Funding) was used for the Project, confirming the amount of Funding spent and which must include the information set out in Schedule 2; and

- (ii) a project report which must include the information set out in Schedule 3, showing how and to what extent the Funding (and any interest accrued on the Funding) was spent and the extent to which the Recipient's Obligations were performed and the Milestones met.

SCHEDULE 6 – PAYMENT OF THE FUNDING

Funding will be made available subject to, in the manner outlined in, and for the purpose outlined in, this Agreement.

The payment of the Funding or each tranche of the Funding (if applicable) will be processed by the State and by the time required by this Agreement, transferred into the following bank account of the Recipient by electronic funds transfer:

Account name:	Shire of Broome
BSB:	066-505
Account number:	000-003

SCHEDULE 7 – REQUIREMENT FOR FUNDS TO BE INVESTED WITH THE WESTERN AUSTRALIAN TREASURY CORPORATION (WATC)

The full amount of the Funding provided under this Agreement is required to be invested by the Recipient with the Western Australian Treasury Corporation (WATC) until expended as per the Approved Budget detailed in Schedule 4.

The Recipient must invest the Funding with the WATC by opening a separate Overnight Cash Deposit Facility (OCDF) and depositing in the OCDF the Funding, within seven (7) days of receipt of the Funding from the Department. This facility gives the Recipient access to their funds at call. Interest is calculated daily and paid monthly.

The Recipient is required to authorise the Department as joint signatory's to its WATC OCDF account relating to the Funding and all withdrawals/drawdowns will require the approved signatures of the Department and the Recipient before WATC will release the funds.

The Recipient provides authority for the WATC to send to the Department copies of all investment confirmations and monthly statements as evidence of investments and/or transactions.

The Recipient may invest the whole or any part of the Funding from the OCDF into one or more WATC Short Term Inscribed Stock facility (STIS facility). On maturity of investment of the Funding in a STIS facility, the Funding may be reinvested in a further STIS facility. The Funding must be redeposited into the OCDF once it is no longer held in a STIS facility.

Any interest earned from either the Recipient's OCDF account or a STIS facility must be deposited into the OCDF and utilised for the Project in accordance with this Agreement.

The contact at Western Australian Treasury Corporation is:

Tamara Marsh
Client Relationship Manager, Client Services
Western Australian Treasury Corporation
PO Box 7282
Perth Cloisters Square, WA 6850
Tel: (08) 9235 9153
Fax: (08) 9235 9199
Email: tamara.marsh@watc.wa.gov.au

EXECUTION OF THIS AGREEMENT

EXECUTED by the Parties as an Agreement.

SIGNED for and on behalf of the)
STATE OF WESTERN AUSTRALIA by)
Ralph Addis of the **DEPARTMENT OF**)
REGIONAL DEVELOPMENT in the)
presence of:)

Signature of Department witness

Full name and position of Department witness

SIGNED for and on behalf of the **SHIRE OF BROOME**.

The Common Seal of the Shire of Broome was hereto duly affixed in the presence of:



Signature

Sam Mastrolembo

Chief Executive Officer



Signature

Cr Ron Johnston

Shire President



Chinatown Investment & Development Coordinator 16/17 Annual Report and Review



Prepared by Shire of Broome
November 2017

BROOME
CHINATOWN
REVITALISATION
THE HEART AND SOUL OF BROOME



Contents

CIDC Annual Snap Shot	4
Introduction	5
Community & Trader Engagement	6
Overview	7
Workshops & Collaboration	8
Other Engagement Tasks	10
Grants Coordination	14
Overview	15
Grant Guideline Development	16
Grant Funded Projects	17
CIDC Led Initiatives	26
Overview	27
Easter Promotions and Event	28
Tales on the Terrace Tours	29
Music Mornings	31
Late Night Trading	32
Project HQ	34
Project HQ Activators	35
Administration	36
Overview	37
Actions & Outcomes	38
Summary of works	40
Overview	41
Attitudes and Behaviours	41
Major Tasks & Milestones	42
Upcoming works	44
Overview	45
Upcoming Major Tasks & Milestones	46
Activities & Events Descriptions	48
Conclusion	50

Revision	Date	Author	Status
A	24/11/2017	J. Macmath Shire of Broome	For PCG review
B	06/12/2017	J. Macmath Shire of Broome	For SC endorsement

cover: Project HQ Late Night Trading Trial 1

left: Late Night Trading Trial 2

CIDC Annual Snap Shot

12 Grant funded
initiatives supported*
~\$120,000 funding allocated
~\$360,000 total project cost (1:3)

*some projects are still 'open' or have not yet completed

 10 CIDC events

 ~\$60,000 CIDC fund spent

 ~500 meetings

 120 stakeholders contact

 20+ trader emails

 3 tenancy assistance

 18 cruise ships

9 HQ Activators

18 Town Walks

 140 HQ Days

Introduction

As outlined within the Chinatown Revitalisation Business Case and further defined through the Financial Assistance Agreement (FAA), the Chinatown Investment and Development Coordinator (CIDC), is one of the ten Chinatown Revitalisation sub projects focused on activating Chinatown.

The CIDC is involved in creating more activity, events and private investment into Chinatown during the project and paving the way for the future Place Management in Chinatown.

This human resource/sub-project involves implementation of a commercial and social activation strategy for two years outlining an ongoing programme of events, place activation and branding for Chinatown whilst supporting key communication/information programs for the community and the Chinatown Owners, Traders and Stakeholders (COTS) on the broader Chinatown Revitalisation Project.

This document is part annual progress report, part role handbook and part prospectus for upcoming year for the CIDC role.



above: Betty's Frock Shop Late Night Trading Picnic
right: CIDC Role Functions Diagram

For the sake of simplifying the roles and responsibilities of a complex and broad role, it can be split into the following four functions:

Community & Trader Engagement: Town Walks, Trader Workshops, Info Sessions, Data Capture, Conduit between community and Chinatown Revitalisation Project.

Grants Coordination: guideline development, application development and review, grant project development and delivery assistance.

CIDC Led Initiatives: project planning, implementation and reporting

Administration: strategic planning, reporting and training.

Examples of works in 16/17 period is described within each of the above sections. Specific objectives of the role and measurable outcomes can be found in "summary of Works Section' on page 41 and the scope for the delivery of the role in 17/18 can be found in 'upcoming works' section on page 45.



Community & Trader Engagement





Overview

Community and Trader Engagement is a critical component of the role and underpins the success of the role and it's viability in the future. It can be further broken into the below sub categories that can be defined as the following:

Conduit to Chinatown Revitalisation Project (CRP): Given the complexity of the project governance structure and the many sub projects, the CIDC acts as a conduit between Chinatown Owners, Traders and Stakeholders (COTS). This role is important in retaining good communication with COTS and maintaining transparency in the operations.

Workshops and Collaboration: Workshops are used as a tool to inform, share ideas and educate.

Town Walks: A regular drop in to businesses the 'town walks' keep the CIDC and therefore the project on the front of traders' minds. It is an opportunity to have informal conversations and remind traders of upcoming activities or events.

Data Capture: Important information gathering to help assess success of initiatives and COTS sentiment.

*top: key components of community & trader engagement
left: Easter Eggstravaganza at Sun Pictures*

Workshops & Collaboration

Throughout the year, several workshops and information sessions have been run to inform traders on the upcoming project developments, or to act as engagement sessions for CIDC initiatives.

Trader's Workshop: Activation in Chinatown | 8 February 2017

A morning workshop held at The Roebuck Hotel Pearler's Bar with the aim to describe and outline the role of the CIDC. The following topics were presented and discussed

1. **CIDC Guiding Principles Discussion & Ranking:** presented to explain the intent of the CIDC role. Attendants were then asked to rank them from highest to lowest importance to give CIDC an understanding of what was deemed important by Traders.
2. **Activation Initiative Categories Discussion & Ranking:** presented to illustrate activation using successful projects. Attendants were then asked to rank these in order of importance.
3. **General Group Discussions:** General project questions and problem-solving discussion were had to give all traders an opportunity to comment.



Feedback and Outcomes

This session was deemed very successful with over 45 traders and owners attending. Feedback suggests that attendees believed the principal role of the CIDC is making Chinatown more vibrant and safe through events and business driven infrastructure improvements



safer, more vibrant and active for tourists & locals



balance between differing views. opportunities for tenants & short term traders



quick wins, seeding ideas to grow into future



broaden shoulders of the season and the day



a larger share for all

above: CIDC Guiding Principles
left: Easter Eggstravaganza at Sun Pictures
right: markets site analysis
far right: grants presentation

Markets Workshop 24, 28 February 2017

Two workshops, one solely with BCCI (24/02/17) and one with CSCRG members (28/02/17) to come up with a solution to the problem of no ideal location for cruise ship markets and the future of markets in Chinatown more broadly.

Topics included:

- Aims and requirements of Markets
- Precedence markets and Market typologies
- Locations for markets in Broome.

Feedback and Outcomes

14 participants in the two workshops. Following the CSCRG presentation, attendees agreed on the following preferred locations for Chinatown markets:

1. Johnny Chi Lane
2. Short Street
3. Male Oval Concourse
4. Streeter's Jetty



johnny chi lane



Trader's Workshop: Funding Guidelines Info Session and Project HQ Launch. 24 May 2017

Round One Activation and Laneway Enhancement Grants were launched to the community in early June 2017. In the lead up, CIDC arranged a workshop to run through grant streams, sub categories and guidelines for funding. The evening was held at Project HQ and acted as the first event to be held there and an opportunity to advertise the space to attendees.

Feedback and Outcomes

Over 40 attendees to session, with robust and detailed questions being asked by interested attendees. Some concerns raised relating to the turnaround from idea to grant application and that grants weren't available for the start for the dry season.

Ensuing one on one meetings and discussions with owners and traders showed genuine interest in the matched funding schemes.



Trader's Workshop: Late Night Trading & Promotions | 5 July '17

Sundowner Session organised at Project HQ to discuss and seek interest on future Promotions/Marketing and Late Night Trading Trial. Specific topics included:

- Components are required for late night trading to be successful
- Examples of good late night retail areas
- Broome weekly calendar and existing gaps/opportunities
- Components for a good Promotions
- Past Promotions campaigns in Broome

Discussion then focused on

1. Key Sales/Promotions Periods
2. What type of campaign will we run?
3. What do traders want to see happen?
4. Methods for increasing Trader interest
5. Methods for recording interest/uptake and behaviour change.

Feedback and Outcomes

7 attendees to session (lower than anticipated) however discussion



was in depth and positive. Strong interest shown in developing a monthly Friday night trading evening with scope to expand.

CIDC to assist with promotions, pop- up infrastructure/materials and activities to run during trials

Other Engagement Tasks

CIDC Towns Walks

A recurring community and trader engagement task that simply put, is 'pounding the pavement' and spending time one on one listening to traders. This time can be spent informally chatting, updating traders on upcoming initiatives or seeking feedback on past initiatives.

Feedback and Outcomes

Town walks have occurred at least once monthly and during busy periods, up to 4 times monthly, visiting 70 – 80 traders per visit. Town walks have proven to be a very useful way to build rapport with COTS and strengthen the trust that COTS have with the Revitalisation Project more broadly.

Project HQ Correspondence

Project HQ has proven to be a very useful tool in communicating with the community and informing COTS. The store is frequently visited by traders, locals and tourists requesting project info, trader assistance, general interest and directions

Feedback and Outcomes

During busy periods in town or around key grant submission periods, Project HQ was seeing ~50 visitors per day. This has dropped in later months however Traders appreciate the service and at time prefer discussion at Project HQ rather than in store when customers may be present.

*left: Easter Promotions
right: Chinatown Traders*



Data Collection

The role the CIDC is administering is at it's core a behaviour change project. As initiatives are developed and implemented, so too is it important to collect data form traders and community. This is a task that will continue through 2017/18 period as a way of understanding the change in behaviour in Broome's community and retail spaces.

Late Night trading Surveys

Surveying was undertaken for each trial, on the night with community and in subsequent days with traders. The data that was collected helped to inform and tweak the trial for future months and provide a reasoning to why certain components had been added (such as food vans).

Paint the Town Red Chinatown Late Night Trading Trial Survey

1. Store _____ Open Til _____
2. How would you describe visitation during LNTT compared to your expectations (0 poor - 10 exceeding expectation)
3. How would you describe sales during LNTT compared to your expectations (0 poor - 10 exceeding expectation)
4. What do you like about Paint LNTT?
5. What do you dislike about LNTT?
6. Would you take part again next month?
7. How would you improve the LNTT?
8. What could you contribute to upcoming LNTT?
9. Other comments?



Paint the Town Red Chinatown Late Night Trading Trial Survey

1. Are you a Trader / Local / Tourist
2. What brought you in town tonight?
3. What do you like about Paint the Town Red Late Night Trading Night?
4. What do you dislike about the Late Night Trading Night?
5. Would you attend again next month?
6. How would you improve the Late Night Trading Night?
7. How did you hear about the Late Night Trading Night?
8. Other comments?



Roebuck Primary School Visit

Roebuck Primary School Students attended a presentation by CIDC at project HQ. As part of a term 3 society and environment class, Spoonbill 3 students researched Chinatown, undertook a site visit and came to Project HQ to learn more about the Revitalisation Project.

The class group then developed their own designs for the Revitalisation of Chinatown's key assets, including the laneways and Streeter's Jetty.



above: Roebuck Primary Students at HQ
left: Late Night Trading Surveys
right: Easter Promotions



Grants Coordination



Overview

Grants Coordination is a large component of the role and is the strongest link between the Revitalisation Project and leveraged private investment into the town centre by land and business owners. The following sub categories best define the role that can be defined as the following:

Grant Guideline Development: Develop funding streams, grant categories, grant guidelines, assessment criteria, application packs and budget allocations. Will be reviewed for round two of grants.

Project Planning Assistance: Assisting COTS in understanding the grants process, discussing and developing potential protects with COTS.

Application Review, Recommendation & Negotiation: Essentially undertake a grant review process and present all grants to PCG for approval. Negotiate figures, start dates and conditions with recipient.

Project Delivery Assistance: This involves assisting recipients with the nuts and bolts of project delivery, including contractor procurement, purchasing, approvals and detail review. Also involves attending site meetings and overseeing delivery of events.

Project Review: Any monitoring, data collection or review that needs to take place. Grant acquittal review.

*above: key components of grant coordination
left: Sun Pictures Plaques Launch Event*

Grant Guideline Development

Principles for Activation

1. Broaden shoulders of the season and the day
2. Safer, more vibrant and active for tourists (land, air, sea) and locals
3. Quick wins, seeding ideas to grow into future
4. A larger share for all
5. Reveal unique cultural and physical layers through interpretation and conservation
6. Compromise between views & provide opportunities for tenants & short term traders

Funding Streams

Activation Initiate Grants: for Owners, Traders and Stakeholders located within Chinatown

Laneway Enhancement Grants: for Owners, Traders and Stakeholders located adjacent to one of Chinatown's laneways.

Funding Sub Categories

Infrastructure: This type of initiative will focus on minor works that are portable (but will remain on site), short term or semi permanent additions/modifications to key amenity within Chinatown that is located in thresholds between public and private space

Events: Key way to activate a place within a short amount of time and act as a testing ground for understanding how spaces are used by people and how well existing infrastructure and management systems operate and at what capacity

Tours: Offer a short period, but long term opportunity for activating Chinatown through the interpretation and explanation of stories, culture and history

Small scale: quick wins ideas require small amount of capital and planning to implement and have large ongoing benefits

Large Scale/Planning: Visionary initiatives that will require a high amount of private development input

Assessment Considerations

1. The extent to which the project will contribute to the objectives of the broader Revitalisation Project.
2. The submission of a detailed project plan that includes business finances, demonstrating the financial viability of the business and evidence that equal financial contribution will be made by the applicant.
3. Considerations
 - Tenure of the land/lease
 - Timing of the project
 - Term of Effect (flow on benefits)
 - Effect on Chinatown patronage
 - Likelihood of stimulating private investment
 - Ability to attract/stimulate public grants/funding
 - Support for the Chinatown heritage story
 - Support for the local Indigenous story
 - Likelihood of stimulating long term change & growth



above: Laneway Enhancement Strategy Guidelines and Project Management Plan

Grant Funded Projects

The following fact sheets show all grant projects considered in 2016/17 period.

Aarli Bar Redevelopment

Organisation: Aarli Bar
Stream: Activation Initiative Grants
Category: Infrastructure
Total Project Cost: \$40,546.30
CRP Funding: \$11,673.15
Initial Request: \$19,423.15

Status: Approved

Progress: Design Development

Likely Completion: December 2017

Project Overview

- To upgrade, make more amenable and make safer Aarli's al fresco area

Funding Used For:

- al fresco area umbrellas (fixed in)
- install security and lighting
- new signage

Purpose & Objective:

- Improve general aesthetic for customer and public impression of Chinatown from a key entry point
- Allow business to better service customers by having contractors maintain and upgrade

Benefits for Chinatown

- Encourage more diners and improve visitor experience
- Increase existing trading hours

Project Control Group Decision

- Support lighting, security cameras and umbrellas, with concept developed in collaboration with streetscape design team to ensure similar product and finish to be used in streetscape enhancement.

CIDC Role & Responsibility

- Meetings and discussions with applicant prior to application regarding project scope
- Review and assessment of application
- Design Development with Streetscape design team
- Ongoing project development with applicant

Kimberley Way

Organisation: Agunya Ltd
Stream: Activation Initiative Grants
Category: Events, Small Scale
Total Project Cost: \$42,000.00
CRP Funding: \$18,000.00

Status: Not Allowed

Progress: Cancelled

Likely Completion: n/a

Project Overview

"Kimberley way" mobile gallery will represent Aboriginal Communities and Individual artists from the Kimberley and support opportunities to trade in and around Chinatown while assisting CruiseBroome and other initiatives build authentic representation of Culture, Craft and Country

Funding Used For:

- To help build, stock and mobilise the gallery.

Purpose & Objective:

- enhance the trading opportunities for Aboriginal people and tourists while providing an opportunity to support indigenous advancement in Broome

Benefits for Chinatown

- providing authentic representation of local culture while adding a measurable social impact

Project Control Group Decision

- Socially supported but not with this money. Look to assist to include this van in future events/projects

CIDC Role & Responsibility

- Meetings and discussions with applicant prior to application regarding project scope and viability
- Review and assessment of application.
- Relationship management following exclusion of project



Relocation of Azure Beach

Organisation: Azure Beach Pty. Ltd.
Stream: Laneway Enhancement
Category: Infrastructure
Total Project Cost: \$60,000.00
CRP Funding: \$5,500.00

Status: Open

Progress: Awaiting applicant details

Likely Completion: unsure

Project Overview

- Azure Beachwear moving to the larger premises of Kinney's Store on Carnarvon St in December 2017.
- Shop 20 Johnny Chi Lane to become "Broome Style Local Wares & Asian Curiosities" concept store for Broome and Asian souvenirs and treasures.
- Will move to Azure premises once Kinney's is complete.

Funding Used For:

- Signage and branding for "Broome Style Local Wares & Asian Curiosities"

Purpose & Objective:

- Looking to enhance the laneway with new business
- Create vibrant and colourful atmosphere in lane to Attract visitors

Benefits for Chinatown

- Leasing two shopfronts
- Azure Beach will be adding to the streetscape of Chinatown.
- Broome Style brings multi-cultural culture
- Embrace and celebrate Broome's Asian influences.

Project Control Group Decision

- Awaiting further details from applicant

CIDC Role & Responsibility

- Meetings and discussions with applicant prior to application regarding project scope and viability
- Review and assessment of application.



Betty's Frock Shop Refurbishment

Organisation: Betty's Pty Ltd
Stream: Activation Initiative Grants
Category: Infrastructure
Total Project Cost: \$11,575.00
CRP Funding: \$5,000.00

Status: Approved

Progress: Design Development

Likely Completion: Jan 2018

Project Overview

This project seeks to recreate a facade for the Betty's Frock Shop storefront (Shop 1, 17 Carnarvon Street in Chinatown) that is more in keeping with the traditional Asiatic heritage that has sadly been lost in the streetscape of Chinatown.

Funding Used For:

- Supply and fabricate new shopfront facade in keeping with asiatic themes of Chinatown's past.

Purpose & Objective:

- To enhance the streetscape of Chinatown and recreate a distinctly Asiatic feel, which the town's centre was previously renowned for.

Benefits for Chinatown

- Enhance the visual aspect of Chinatown and the experience of all passers by.
- Provide photo opportunities for locals and tourists alike and underpin a reinvigorated experience of Broome's historically vibrant Chinatown

Project Control Group Decision

- Approved strongly

CIDC Role & Responsibility

- Meetings and discussions with applicant prior to application regarding project scope and viability
- Review and assessment of application.
- Ongoing project development with applicant



Corrugated Lines Festival

Organisation: Backroom Press
Stream: Activation Initiative Grants
Category: Events
Total Project Cost: \$1,950.00
CRP Funding: \$950.00

Status: Approved

Progress: Complete, awaiting acquittal

Likely Completion: Dec 2017

Project Overview

Project Broken into three parts:

1. Corrugated Lines Festival Hub- use of HQ as festival hub Friday- Sunday.
2. Printing programs to be handed out during festival
3. Biggest Book Club morning tea events at Kimberley Bookshop

Funding Used For:

- Parts 2 & 3 above

Purpose & Objective:

- Provide adequate event programs to visitors
- Create a community event that draws people into a local Chinatown business

Benefits for Chinatown

- Activate Project HQ over the weekend and following the objectives of the HQ.
- Use of HQ as benefit to both parties: will bring visitors into the space to explore both the festival and explore scope of the revitalisation project
- Attract visitors into the heart of Chinatown.

Project Control Group Decision

- Approved

CIDC Role & Responsibility

- Meetings and discussions with applicant prior to application regarding project scope
- Review and assessment of application.
- HQ and Events Communications & oversight



T.B. Ellies Store Artwork

Organisation: Ellies Pty. Ltd
Stream: Laneway Enhancement
Category: Infrastructure
Total Project Cost: \$1.3 million
CRP Funding: \$20,000.00

Status: Approved

Progress: Design Development

Likely Completion: Jan 2018

Project Overview

Total renovation of T.B Ellies Store 23 Carnarvon Street that will activate the laneway through the shop. (\$1.3 million total budget)

Funding Used For:

- To create an open art steel back lit or possibly glass boab, or other artwork to marry in with T.B Ellies history.

Purpose & Objective:

- To create a public artwork

Benefits for Chinatown

- Opening the back of a beautiful heritage building, creating extra open area and a walk through access from Carnarvon street to Johnny Chi lane

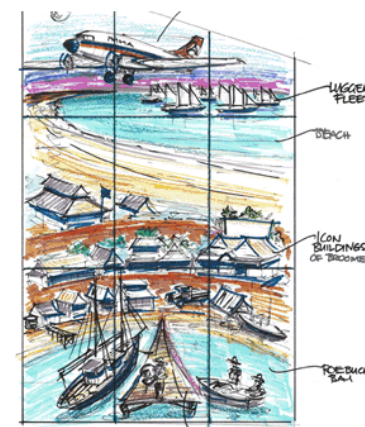
Project Control Group Decision



- Approved following additional information

CIDC Role & Responsibility

- Meetings and discussions with applicant prior to application regarding project scope and viability
- Review and assessment of application.
- Negotiation of Project scope
- Ongoing project development with applicant



Chinatown Historic Models

Organisation: Lachlan Fraser
Stream: Laneway Enhancement
Category: Placemaking
Total Project Cost: \$38,300.00
CRP Funding: \$10,000.00
Initial Request: \$18,500.00

Status: Approved

Progress: Design Development

Likely Completion: Dec 2017

Project Overview

Construction of scale model of Johnny Chi Lane to be placed within Johnny Chi Lane

Funding Used For:

- Construction of Johnny Chi Lane model
- Complete construction of shell sorting shed model
- Construct housings for models

Purpose & Objective:

- Celebrate the history and Architecture of Chinatown

Benefits for Chinatown

- Enhance tourist experience of Chinatown
- Draw traffic into Johnny Chi Lane
- Celebrate the history and Architecture of Chinatown

Project Control Group Decision

- Approved to a lesser amount

CIDC Role & Responsibility

- Meetings and discussions with applicant prior to application regarding project scope
- Review and assess application.
- Negotiation of Project scope
- Ongoing project development with applicant



Goolari Media

Organisation: Goolari Media
Stream: Activation Initiative Grants
Category: Large Scale, Tours
Total Project Cost: \$50,600.00
CRP Funding: \$20,000.00

Status: Open

Progress: Awaiting information from applicant

Likely Completion: unknown

Project Overview

Development of a multimedia app to complement the Chinatown Public Art and Interpretation Strategy (CPAIS) by showcasing the multicultural and multi dimensional Chinatown story.

Funding Used For:

- Identify Broome families that lived in Chinatown and undertake time critical recording of personal stories from Chinatown Cultural Elders.
- Form a small reference group that will oversee and contribute to the project and ensure the cultural and social authenticity of the stories.
- Identify existing appropriate archival material to be used in the project.
- Research and develop appropriate App technology

Purpose & Objective:

- Develop a pilot app that is accessible by mobile device users whilst they are walking around Chinatown. This App will give users a multimedia story of significant people, sites and events from old Chinatown (as investigated through CPAIS).

Benefits for Chinatown

- Whole new interpretive dimension to CRP.
- Pin point and develop multimedia content that supports the themes and stories identified in the CPAIS and gives the end user a much more authentic cultural experience.
- Form the development of a walking trail around Chinatown, with QR codes to match signage and/or future public artworks, thereby engaging the community and visitors alike in the precinct, increasing numbers to Chinatown and consequential retail sales.

Project Control Group Decision

- Awaiting further information regarding content and app ownership

CIDC Role & Responsibility

- Meetings and discussions with applicant prior to application
- Review and assessment of application.
- Follow up project development meetings

Chinatown Nights

Organisation: Mary G Ltd ATF
Stream: Activation Initiative Grants
Category: Events
Total Project Cost: \$150,000.00
CRP Funding: \$20,000.00

Status: Not allowed
Progress: no further development
Likely Completion: n/a

Project Overview

- A street market with casual dining facilities plus stage and performance space, focused on activating Carnarvon Street and male Oval concourse precincts.
- 4 consecutive weeks of Friday and Saturday evenings from 6-10, incorporating a road closure on Carnarvon Street from the statues to Short Street

Funding Used For:

- Prepare a program of events and activities
- Engage local traders and vendors to coordinate participation and maximise possible outcomes
- Fully budget events and pursue alternate forms of funding to cover shortfalls.
- Engage Local Community to increase awareness and participation.

Purpose & Objective:

- To support the professionals required to produce an event so that it is not reliant on volunteer hours. An undertaking such as this deserves to be equally well funded as any other component of the revitalisation project in it's planning and execution if it is to be successful and credible.

Benefits for Chinatown

- Primary attractor of affordable food in a relaxed historic setting with family entertainment. This is not a new or revolutionary concept, it has been done in situ previously and the benefits have been proven.
- Attracting local people and tourists into the precinct after hours providing extended trading prospects for local businesses.

Project Control Group Decision

- Look to working with Andrew Chambers on development of future CRP driven events/projects if possible.

CIDC Role & Responsibility

- Meetings and discussions with applicant prior to application
- Review and assessment of application.
- Relationship management following exclusion of project

Jetty to Jetty Activation Events

Organisation: Nyamba Buru Yawuru
Stream: Activation Initiative Grants
Category: Events
Total Project Cost: \$25,130.00
CRP Funding: \$11,630.00

Status: Approved
Progress: Completed, awaiting acquittal
Likely Completion: Dec 2017

Project Overview

Event that brings to life the Jetty to Jetty App and town tour through cultural events, story telling, performance and artwork projections at some of the sites.

Funding Used For:

- Fees for MC, storytellers and live musicians, at each site
- Fees for a consultant to provide artistic direction and coordinate the project. They will create content, liaise with lighting and sound technicians, and manage and coordinate the logistics of delivering the event.
- Installation of lighting and sound equipment for three nights.
- Fees for audio visual technician

Purpose & Objective:

- Activate sites that enhance cultural landscapes and demonstrate that locations have multiple historical narratives.

Benefits for Chinatown

- The project will activate Broome's Chinatown precinct and foreshore at night when the town is otherwise deserted.
- It will provide an exciting night-time destination and through performance, images and sound, it aims to re-engage the audience with the pearling stories and songs of Broome.

Project Control Group Decision

- Support event following further event details being developed and provided

CIDC Role & Responsibility

- Meetings and discussions with applicant prior to application regarding project scope
- Review and assessment of application.
- HQ and Events Communications & oversight



Pearl Harvest Party

Organisation: Project 3
Stream: Activation Initiative Grants
Category: Events
Total Project Cost: \$39,875.00.00
CRP Funding: \$17,500.00
Initial Request: \$20,000.00

Project Overview

The Pearl Harvest Party will establish connection to the pearling industry and work more closely with the difference cultural groups present within Broome. The event concept has strong support from the pearling industry and aligns well with Tourism WA's objectives to drive Tourism in Broome.

Funding Used For:

- Production, audio, staging, entertainment, and theming for the whole event.

Purpose & Objective:

To provide a vibrant event that will revitalise Chinatown during Shinju Matsuri. The event will also look to establish strong connections with the pearling industry and Chinese community through activations and retail opportunities for both stall holders and existing retail outlets.



Status: Supported

Progress: Complete

Likely Completion: Sep 2017

Benefits for Chinatown

- The timing of the event in September, enables us to broaden the shoulders of the season attracting visitors and locals.
- Sunday and Evening Activation-trading opportunities
- safe family environment with chill out areas and family entertainment
- planting the seed for additional events and activities through year.

Project Control Group Decision

- Support event to lesser amount following further details.

CIDC Role & Responsibility

- Meetings and discussions with applicant prior to application regarding project scope
- Review and assessment of application.
- HQ and Events Communications & oversight

Sun Pictures al fresco Area

Organisation: Sun Pictures Food
Stream: Activation Initiative Grants
Category: Infrastructure
Total Project Cost: \$100,000.00
CRP Funding: \$20,000.00

Status: Open

Progress: Awaiting street scape design development

Likely Completion: Dec 2018

Project Overview

Activate Sun Pictures' street frontage day & night.

Funding Used For:

- Construction of the physical perimeter required to define and contain the alfresco dinning area on the Carnarvon St footway
- Populate this area with furniture and shade infrastructure. All local regulatory approvals for this activity have already been sought and obtained.

Purpose & Objective:

- Please refer above for detail but simply put, to drive interaction between our site, the street it lives on and its Chinatown surrounds.

Benefits for Chinatown

- Integral to street front activation is the appointment of an alfresco sitting & dining area. Its function to animate the impressive Sun Pictures facade, creating a social hub and driving interaction between site and street, day & night. The Sun Pictures street front experience invites further exploration, both inwardly to what will be a newly functioning interior of the site and outwardly to Chinatown's streets and laneways

Project Control Group Decision

- Remain open until more is known through streetscape enhancement design development

CIDC Role & Responsibility

- Meetings and discussions with applicant prior to application regarding project scope and viability
- Review and assessment of application.
- Ongoing project development with applicant

Wicked Wicking Beds

Organisation: Incredible Edible Inc.
Stream: Activation Initiative Grants
Category: Events
Total Project Cost: \$9,000.00
CRP Funding: \$4,500.00

Status: Approved

Progress: Completed, awaiting acquittal

Likely Completion: n/a

Project Overview

The Wicked Wicking Beds Project proposes the design, build, and installation of portable timber box garden beds throughout Chinatown, each of which contains edible plants.

Funding Used For:

- Construction, filling and planting of 15 wicking beds

Purpose & Objective:

- Show Broome the type of fresh foods that can be grown here
- Create points of interest for tourists
- Provide access to fresh herbs and vegetables for cafés and restaurants, and inspire them to 'grow their own'
- Demonstrate the benefits of using wicking beds for edible gardening
- Potentially part of a larger 'Edible Trails' project
- Promote the work IEB

Benefits for Chinatown

- Activated street and shop frontage through small scale amenity improvements
- A sense of ownership and collaboration amongst traders – an opportunity for low risk collective action to build a stronger trader network

Project Control Group Decision

- Supported

CIDC Role & Responsibility

- Meetings and discussions with applicant prior to application regarding project scope
- Review and assessment of application.
- Ongoing project development with applicant



Sun Pictures 100 Year Anniversary Plaques

Organisation: Sun Pictures
Stream: Activation Initiative Grants
Category: Events, Infrastructure
Total Project Cost: \$26,350
CRP Funding: \$6,100

Status: Approved

Progress: Completed, awaiting acquittal

Likely Completion: Dec 2017

Project Overview

Interpretive works to inform visitors of the age and importance of Sun Pictures

Funding Used For:

- "Sun Pictures Walk of Fame" - Eight bronze Plaques will be permanently installed in the footpath that borders the street.
- "Interpretive Board" - 'Now Showing' board retrofit into a 'History Board' of the theatre.
- Unveiling Event" free community event will be held on the afternoon 22nd July outside of Sun Pictures.

Purpose & Objective:

- Tell the story of Sun Pictures and Broome's multicultural history and multi-cultural community involvement

Benefits for Chinatown

- The project will provide further interpretive information in town
- Engage local and tourists in celebration of 100 year anniversary

Project Control Group Decision

- Supported

CIDC Role & Responsibility

- Meetings and discussions with applicant prior to application regarding project scope
- Review and assessment of application.
- Ongoing project development with applicant
- Event Communications & oversight





Johnny Chi Lane Refurbishment

Organisation: Norcrest Pty. Ltd.
Stream: Laneway Enhancement Grant
Category: Infrastructure
Total Project Cost: \$150,000.00
CRP Funding: \$20,000.00

Status: Approved

Progress: Completed

Likely Completion: April 2016

Project Overview

Install artwork panels into upgraded Johnny Chi Lane shelter

Funding Used For:

- Design and construction of laser cut artwork panels

Purpose & Objective:

- Increase artwork in Chinatown
- Upgrade laneway facilities

Benefits for Chinatown

- Activated laneway and shop frontage through artwork and amenity improvement

Project Control Group Decision

- Supported

CIDC Role & Responsibility

- Meetings and discussions with applicant prior to application regarding project scope
- Review and assessment of application.
- Ongoing artwork development



left: Johnny Chi Lane Shelter Refurbishment

2016 Christmas Party

Organisation: BCCI
Stream: Activation Initiative Grants
Category: Events
Total Project Cost: \$28,000
CRP Funding: \$10,000

Status: Approved

Progress: Completed

Likely Completion: Dec 2016

Project Overview

Provide financial assistance to the 2016 Christmas Party

Funding Used For:

- Pay for services associated with Christmas Party

Purpose & Objective:

- Create a unique Chinatown Event in the wet season for all Broome community

Benefits for Chinatown

- Greatly increased visitation in Chinatown
- Traders opportunity to increase trade

Project Control Group Decision

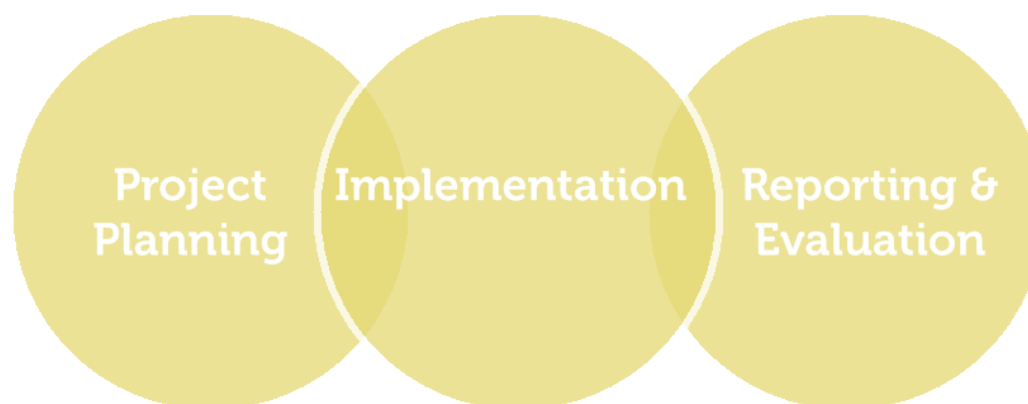
- Supported

CIDC Role & Responsibility

- Meetings and discussions with applicant prior to application regarding project scope
- Review and assessment of application.



CIDC Led Initiatives



Overview

CIDC led initiatives are essentially activities and events to create interest in Chinatown that have been developed by the CIDC. The process to creating CIDC Initiatives is illustrated in the above diagram and described below. This has been borrowed from the CIDC Activity Plan

Project Planning: Involves preparation works and laying the groundwork. Ideas raised or tasks flagged during this stage that require immediate action are also undertaken in stage one to ensure smooth transition towards implementation (such tasks as applying for licenses and approvals, etc). This primary stage will source funding, develop relationships, present grant funding and design guidelines to COTS and initiative specific interest groups in order to garner support in the progress of the project.

Implementation: This is the phase that will see activity throughout Chinatown, including minor works undertaken by COTS and events being realised. At the macro project level, the implementation stage will take approximately 18 months and at a micro scale will vary from a lengthy process for infrastructure and long term initiatives to a short, sharp project stage for events

Reporting: This sub task involves surveying and data capture regarding the initiative and levels of success. This is seen as a review, report and support phase. At a macro scale, this final stage of the CIDC role will evaluate and report on initiatives and acquit funding as required. At a micro scale, this stage will provide an evaluation and feedback period with COTS and interest groups related to initiatives. This will provide an opportunity to improve project delivery in the second phases of initiatives. Equally as important to evaluation, works by CIDC in this stage will assist COTS with ongoing advice, management, communications and advocacy, to enable initiatives to continue sustainably into the future.

*above: key components of CIDC Led Initiatives
left: WASAMBA Broome setting up at Project HQ for late Night Trading Trial 1*

The following projects are CIDC driven projects. Some community input has been provided to tweak and improve initiatives, however largely these projects have been developed and implemented solely by CIDC.



Easter Promotions and Event

Overview

As a joint promotions campaign and event, CIDC initiated Chinatown Easter Sale and Easter 'Eggstravaganza' Family day.

Easter Promotions campaign involved CIDC speaking to all Chinatown traders and encouraging them to take part either through creating a store-wide sale or individual sale items. Flyers, window signs and radio advertisements were arranged by CIDC for all participating businesses. All shoppers who purchased sale items were given a token to win a prize hamper drawn at Easter Eggstravaganza Event.

Held at Sun Pictures at Sun Pictures on Saturday 15th April, Easter 'Eggstravaganza' was a culmination of the sale and an opportunity to create a family friendly event at Sun Pictures during the day. This event also launched the opening of Good Cartel's hole-in-the-wall cafe at Sun Pictures. A bouncy castle, balloons and bubbles, face painting, arts and crafts and Easter egg hunting activities were arranged by CIDC for children.

Role and Responsibility

CIDC engaged traders, managed the development, implementation and reporting of the initiative. Event managed and coordinated sub contractors who assisted in the event. Similar will be undertaken in 2018 season.

Outcomes

- Captured the school holiday crowd and gave many families a reason to come to Chinatown on a Saturday morning and entice them to shop.
- 50 businesses took part in the promotions campaign
- ~\$500 were donated by Chinatown Traders and raffled off (100 entries).

Expenses

The entire event and promotions cost \$2,000 and was delivered through CIDC event funds.

Tales on the Terrace Tours

Overview

This event held Thursday 4 May 2017 was a collaboration between CIDC, Broome Historical Tours and Gallery Sobrane to launch the Gallery for the season. Wil Thomas from Broome Historical Tours took a tour group for a walk up Streeter's Jetty to tell stories of history and mystery relating to Pearlising and the Jetty. Sobrane Simcock, owner of Gallery Sobrane launched her gallery with snacks, refreshments and a live painting display.

Role and Responsibility

CIDC assisted with concept development, event development. Similar tours will be undertaken in 2018 season.

Outcomes

- Approximately 45 people attended the ticketed tour with a further 30 attending the launch of the gallery, providing a level of energy in Dampier Terrace that is rarely seen during the evening

Expenses

No expenses were incurred through this project, however future collaboration on developing this concept in 2018 will likely be through grant funding.

*left: Easter Eggstravaganza
right: Tales on the Terrace*





Music Mornings

Overview

Music Mornings took place over four Sundays in Chinatown through August and aimed to benefit the community in the following ways:

- giving local musicians an opportunity to perform to a different audience
- giving café and shop goers a reason to choose Chinatown for their Sunday caffeine rituals
- giving traders a unique soundtrack for their Sunday mornings and potentially more business.

The initiative also aims to indirectly support Chinatown by working towards a simpler fees and charges structure for street entertainers in Chinatown.

Role and Responsibility

CIDC assisted with concept development, liaison with venues, promotional and communications materials and engagement of and assistance to music coordinator.

Outcomes

Increased patronage in Chinatown

Expenses

The entire event and promotions cost \$7,000 and was delivered through CIDC event funds.

left: Late Night Trading Trial 3
top right: Music Mornings Flyer
bottom right: Music Mornings performer



Late Night Trading

Overview

The concept of late night trading is standard in many parts of Australia however it does not exist in Broome. The opportunity arose to create an evening trading trial, that allows all Chinatown traders to 'test the waters' of extended trading. This took form in Broome through 3 trial events in August, September and October and will culminate in an final trial in December as part of the Christmas Party.

This initiative was shown strong support from a small group of traders who believe that the success of the initiative will be a gradual growth, allowing 'business as usual' traders to join in as they see the merit and success of 'early adopters'.

The CIDC role was to drive trader engagement and participation, and inject funding for promotions, pop up infrastructure such as lighting and signage and coordinating services and activities such as buskers, light projections, performers and food vans at 'hot spot hubs'.

Role and Responsibility

- Canvass and remain engaged with interested traders and inform broader Chinatown Traders.
- Coordinate communications, promotions and 'hot spot hub' infrastructure (lighting, signs, food stalls)
- Administer set up on the day and hub planning.
- Promotions and marketing
- Report and data collection

Outcomes

- initiative became the vehicle for all CIDC activation initiatives
- 30 - 50 retail and food & beverage outlets open for the trials
- There was a distinct growth in community interest and increased patronage in Chinatown

Expenses

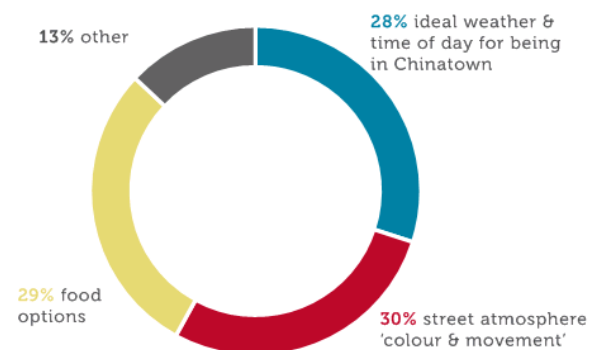
The entire event and promotions cost ~\$15,000 and was delivered through CIDC event funds.



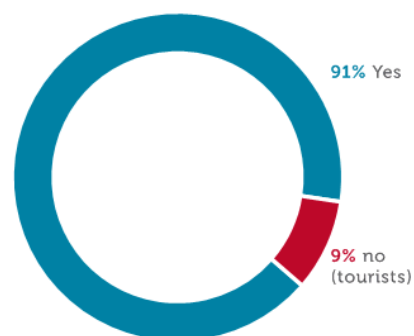
Survey Data

The following is the aggregate data collected from community at three late night trading trials (n= 118).

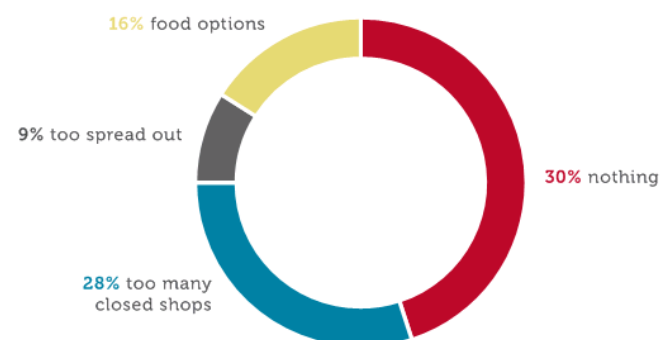
What do you like about LNTT?



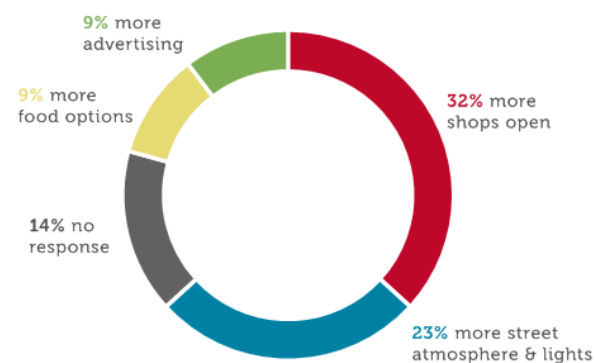
Would you attend LNTT again next month?



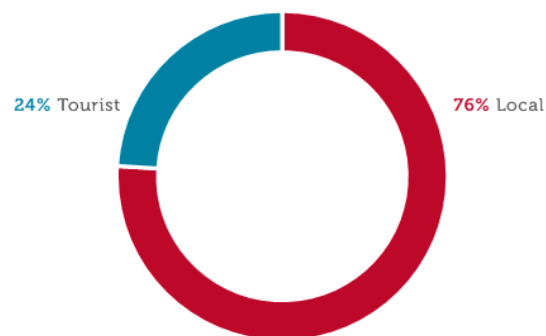
What do you dislike about LNTT?



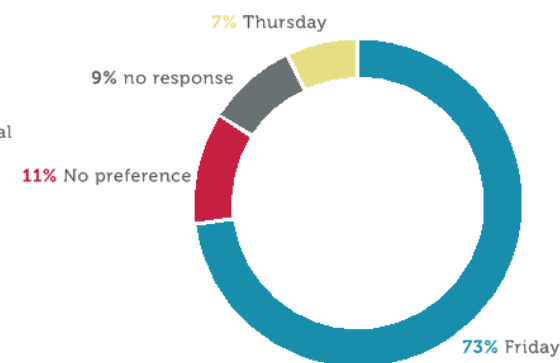
How would you improve LNTT?



Tourist or Local



Preference for Thursday or Friday?



far left: Paint The town red Flyer
left: Street Performers Late Night Trading Night 1
above: aggregate survey data for 3 late night trading trials

Project HQ

Overview

Chinatown Revitalisation Project is currently challenged by a lack of perceived activity. This allowed an opportunity to create a tangible presence in town through the activation of a Chinatown shop front. Project HQ is microcosm of the larger CRP and an opportunity to develop a demonstration site of activation.

An initiative described in the CIDC Activity Plan, the team saw an opportunity to develop the concept for a multifunctional space within Chinatown the can be a test case that demonstrates activation initiatives on a small scale and in the controlled environment of one premises in Chinatown.

Benefits for Chinatown

- Place to base CIDC and Communications activities
- Increase awareness and perceptions of the revitalisation project for broader Broome community.
- Source of project promotions information
- Conduit for activation initiatives and physically activates street frontage and laneway surrounding building.
- Drop in space for COTS to discuss the project and activation.
- Curated small scale retail and artwork space
- Hub for project meetings, workshops and project activities
- Visual site near 'catalytic growth' areas improves public image.

Functions of Project HQ

- **Workspace:** office space for Chinatown Investment & Development Coordinator and other project consultants
- **Community:** business workshop, tour groups and town information
- **Micro retail:** first step into retail
- **Event Space:** exhibitions, launch or part of larger Broome festivals
- **Art Space:** exposure for emerging artists in town based studio
- **CRP Interface:** Face of the project for community and traders to get up to date on development Flyers, newsletters, latest drawings Storage space for project infrastructure

Role and Responsibility

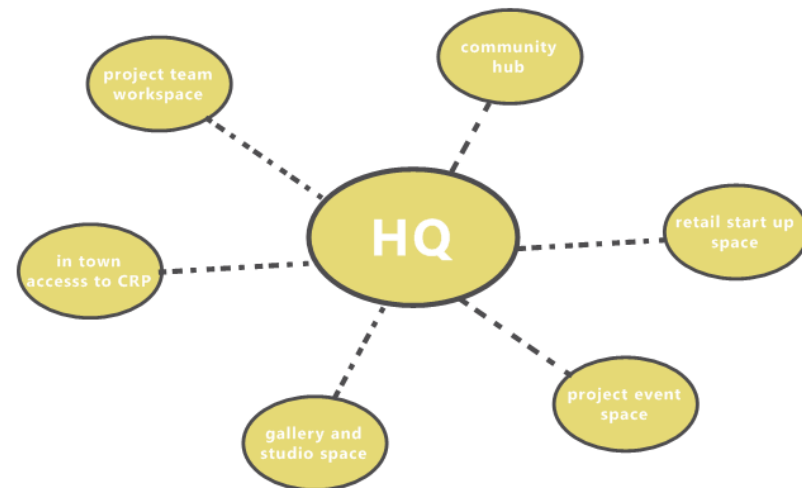
- Developed HQ Proposal internally.
- Negotiations with activators, property managers, land holders, WALGA and Shire staff.
- Developed site selection criteria report
- Agenda item for amendment to fees and charges (SMC 04/05/2017)
- Negotiated Offer to Lease and Commercial Lease Agreement
- Coordinated fit out for Chinatown Project HQ, including painting, plants, signage, furniture, library display
- establishment of activation calendar and activator attraction campaign
- CIDC operating out of HQ 10:00 - 2:00 daily.

Outcomes

- initiative became the vehicle for all CIDC activation initiatives
- 30 - 50 retail and food & beverage outlets opening for the trials
- There was a distinct growth in community interest and increased patronage in Chinatown

Expenses

The entire initiative will cost ~\$45,000 annually delivered through CIDC event funds.



above: Project HQ functions diagram

Project HQ Activators

HQ EXIF

Yawuru Artist and Portrait Photographer, Michael Torres curated an exhibition titled EXIF that was held at the Chinatown Project HQ for the duration of the Shinju Matsuri Festival. This exhibition included prints from his latest successful SCAR series, as well as collaborations with other local Broome Artists. Michael's exhibition drew Shinju visitors into the HQ and had an obvious and strong symbiotic relationship with the Hive Handmade collective pop up store.

Hive Handmade (twice)

Hive Handmade Collective set up a pop up shop twice at HQ: in both May and September. During this time, HQ was activated daily from 9:00 - 5:00 and was also open for late night trading events. Racks, flags and seating on the verandah helped activate the street and create a strong presence in town. On top of gifts, craft and clothing, Hive CO Founder (and MasterChef) Tamara Graffen sold pastry goods that drew large crowds of people to the shop. Many customers to Hive said they came specifically to Chinatown for the Hive and would generally continue shopping or would complement pastries with a coffee in town during their visit. This shows a direct positive correlation between pop up store and continuous financial benefit for Chinatown.

Hive Handmade also ran a series of resin artwork workshops in the Project HQ that time with September's Late Night Trading Trial. A total of 15 attendants took part in this event

Corrugated Lines

Perhaps the most obvious presence of the 2017 Corrugated Lines Festival was the transformation of the Chinatown Revitalisation HQ to the Corrugated Lines Festival Hub. From Friday 11 to Sunday 13 August, visitors flowed in and out of the space, reading about the authors and events, collecting programs, chatting to festival coordinators and volunteers, and playing giant scrabble.

Room Full of Words and Barking Gecko Children's Workshop

As part of the Corrugated Lines Festival, local artist Vanessa Margetts created an installation artwork 'A Room Full of Words' which immersed the viewer in words from formative literature. Drama teacher Rani Middleton opened the space up to children for an interactive story telling event on Sunday.

Public Comment

Project HQ was open for extended hours six days a week during the masterplan public comment period. CIDC resource, display panels, hard copy reports, feedback forms and a digital presentation were available to people wishing to respond.

Chinatown Models

Two great modelling projects were on display through the masterplan public comment period.

Roebuck Primary Students have been busy model making as a part of a term 3 Project. Spoonbill 3 students came up with designs for their visions of Chinatown with some of the best models on display to show their ideas of how the town could look!

Local Carpenter and Model Maker Lachlan Fraser had also loaned his replica of a Chinatown House dating back to the early 1900s.

Administration



Overview

The administration component of the role is important and is worth reporting on as a separate section. Administration is made up of the below sub categories that can be defined as the following:

Review & Reporting: The governance structure of the role and it's positioning within the Shire of Broome requires several lines of reporting. Day to day reporting to Shire of Broome CEO, strategic reporting to Steering Committee, monthly reporting to Shire Council, Executive Management Group, Chinatown Project Control Group and Chinatown Stakeholder and Community Reference Group. Review involves document review such as communications releases and capital project presentations.

Policy Review & Council Interface: In line with Position Description and Business Case role objectives, this component is aligned with streamlining processes and procedures to facilitate the improvement of local planning and development rules to enable greater flexibility for Chinatown land uses.

Project Planning: Strategic initiative and project development.

Project Management: This includes the nuts and bolts of project delivery, including contractor procurement, purchasing,

*above: key components of Administration Tasks
left: Project HQ activated by EXIF Portrait exhibition*

Actions & Outcomes

The following illustrate key administrative actions & outcomes

Activity Plan

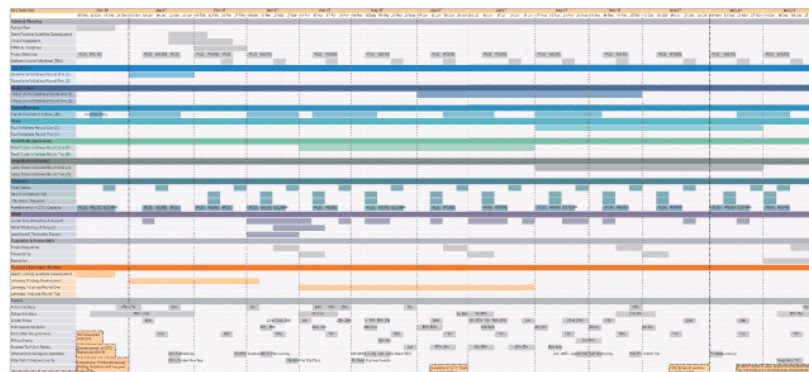
- Revised Activity Plan (REV E)
- Developed CIDC funding guidelines to release matched funding for activation events.
- Presented Activity Plan and ran Workshop with Traders

Project Management Plans

- Chinatown Investment & Development Coordinator
- Laneway Enhancement Project

Laneway Enhancement Strategy

- Developed Laneway Enhancement Strategy RFQ- folded into place maker scope.
- Task undertaken within Capital Works design phase and to be undertaken by TPGPM & UDLA
- Scope has been refined and timeline tightened. Works to be completed late July, and will be able to inform future Laneway Enhancement projects.



Capital Work Projects Input

- Developed Laneway Enhancement Strategy RFQ now being undertaken by TPGPM/UDLA.
- Review of Landscape Architect and Place Makers scope in all engagement rounds
- Review master plan
- ongoing fortnightly role in consultants meeting

Communications

- Monthly attendant at Communications Round Table meetings
- Media releases 1 – 4 review.
- Involved in streamlined internal review process.
- Interviews with Goolari Media, ABC Kimberley and Spirit Radio relating to Grants and Project HQ media releases
- Impromptu discussion with Prime Minister Turnbull 4 August regarding CIDC role during his trip to Broome.
- Meeting with Minister MacTiernan 8 September regarding project update.
- Facebook and Instagram admin and content development



above: PM and CIDC 4 August 2017
left: Activity Plan Schedule

Promotions

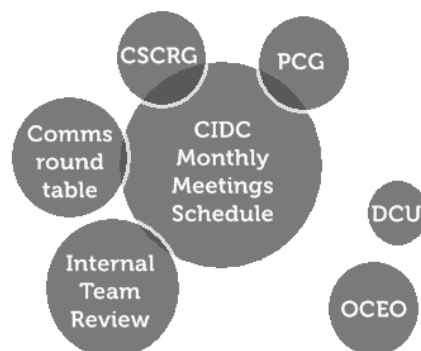
- **Late Night Trading:** posters, flyers, maps, newspaper advertisements, proof radio advertisements, social media content
- **HQ Activators:** Flyers, social media content
- **Music Mornings:** Social media content
- **Easter Eggstravaganza:** posters, flyers, maps, newspaper advertisement, proofing of radio grab, social media content

Training

- Grant Writing Workshops
- Attended Circuit West Workshop on touring events capacity

Other Administrative Tasks

- Developed Agenda Item for April SMC to allow Project HQ to operate and amend fees and charges for activators.
- Purchasing and Financial Reporting
- Information Recording & Filing
- Letter Writing
- Refining Strategic Event Development for Revitalisation Project to tailor events to needs of town.
- Input into Draft Commercial Strategy
- Grant funding investigations (events, innovation, infrastructure)
- Updates to Executive and Middle Management Groups and Shire Council on an as needs basis.



above: CIDC meetings schedule diagram
right: CIDC Promotional material



PROJECT HQ

CALLING ALL ACTIVATORS !



Summary of works

Overview

Works undertaken can be seen below measured against Shire of Broome Position Description/Business Case Role Objectives. This is also shown graphically overleaf as a Timeline of Major Tasks and Milestone overleaf. This information provides a snapshot of work undertaken and how this relates to the objectives of the role. More detail can be found in monthly reports, provided to PCG

Attitudes and Behaviours

Through the course of the role, COTS have shown a change in attitudes towards marketing, promotion and activation of Chinatown.

An example of this is shown best through the incremental growth in interest and uptake of late night trading trials. This saw a shift in attitude from one of mistrust and denial of the initiatives' benefits to one of collaboration and participation in the growth of the initiative in 2018. Behaviour changed from passive involvement by sceptical early adopters, to active promotion and encouragement of laggard traders by the engaged early adopters.

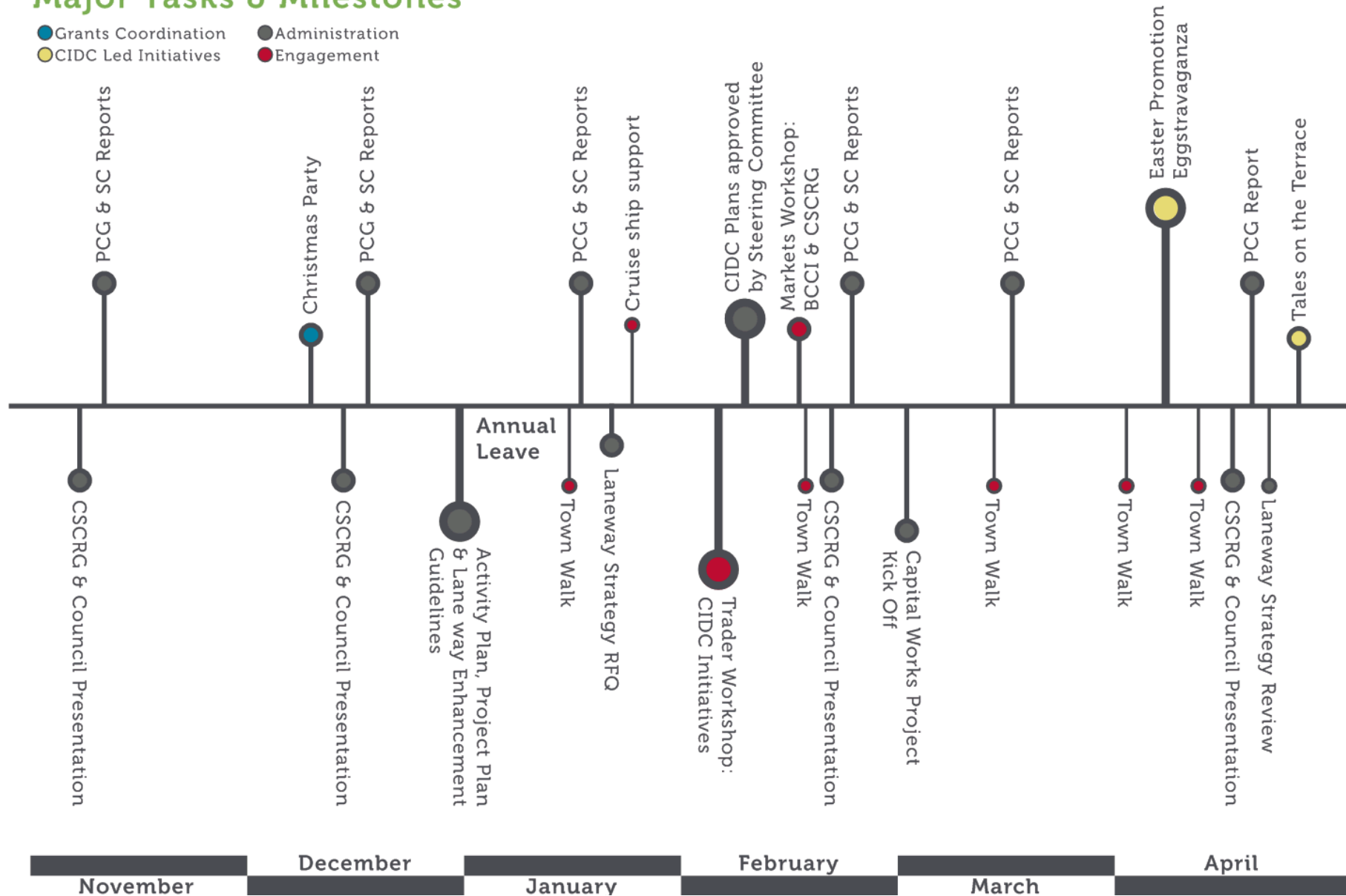
There is growing sentiment amongst traders that the CIDC role and its ongoing support is a critical part in continuing Chinatown's success in the future.

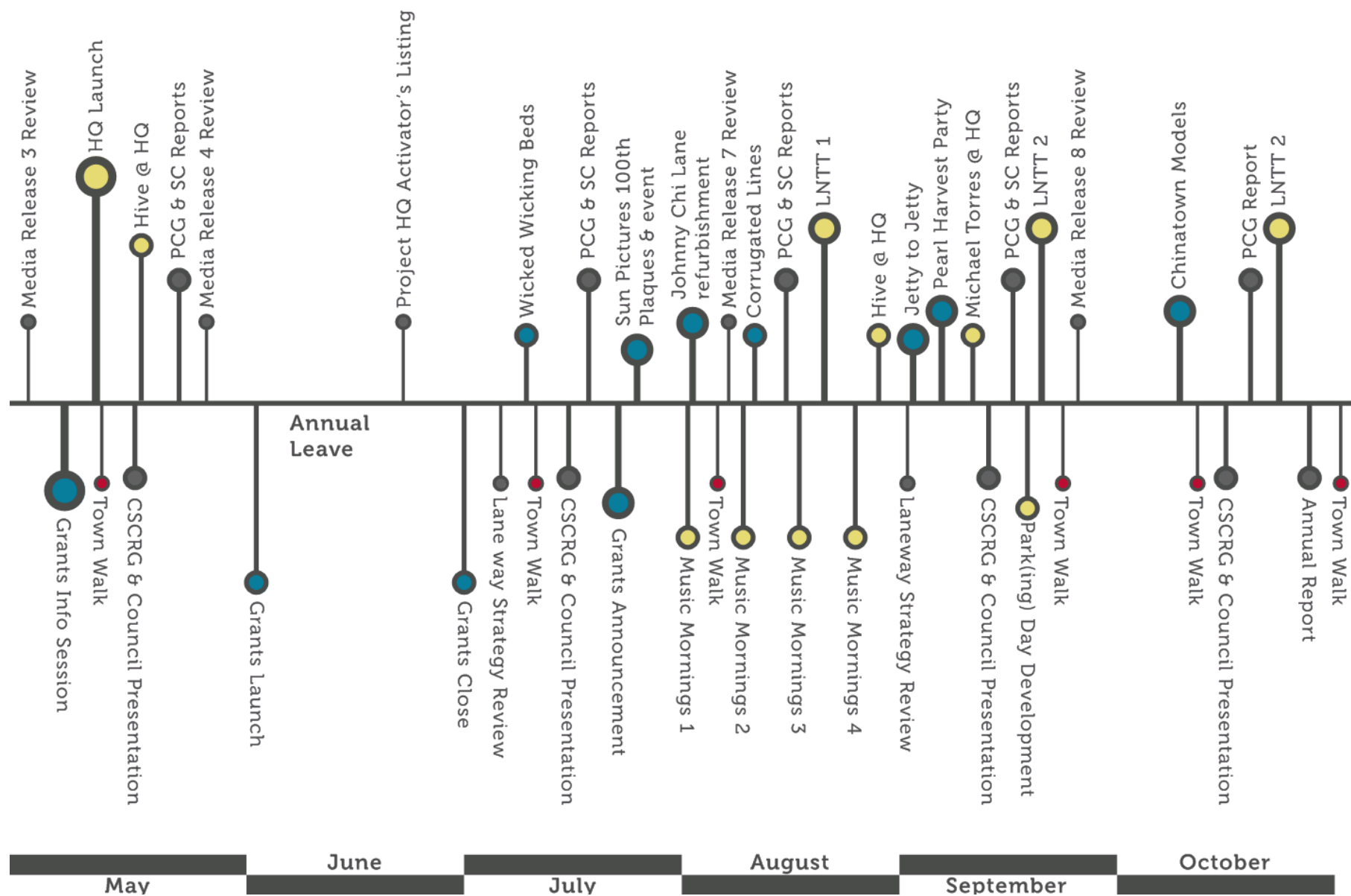
The CSCRG have also shown increasing resolve in empowering the CRP team, actively supporting the project and disseminating information to the community.

Position Description/Role Objectives	Measurable Actions for 16/17	Status
Develop a two-year business plan that incorporates a grant funding strategy outlining a program of activities and events for the activation of Chinatown.	Developed and sent to DRD by 31 December 2016 as part of FAA Milestone. Endorsed by Steering Committee February 2017.	Completed. Update to be completed by January 2017
Maintain effective and co-operative communications with traders, land owners and other key stakeholders in Chinatown.	Monthly town walk, workshops and one on one meetings.	ongoing
Provide a central point of communication for consultants engaged to undertake, manage and/or facilitate sub-projects.	Manage grant recipients and related contractors	ongoing
Develop strategies to encourage commercial tenant attraction and engagement, and facilitate and realise investment in Chinatown.	Assisted with negotiations for Johnny Chi Lane Broome Maker's Gallery. Set up Project HQ.	ongoing
Project manage/coordinate activation events, small capital projects and promotional activities in Chinatown	Initiatives as above	ongoing
Seek, administer and acquit funding for relevant activities as required	Not required at this point	to be developed
Work with traders to create a focused business offer, including focused business activities at specific times such as when cruise ship passengers are in town.	Easter promotions, support to cruise ship group, Christmas shopfront displays, late night trading activation	ongoing
Assist stakeholders to understand design guidelines, planning schemes, how to apply for approvals, how to achieve planning bonuses etc.	Grant funding workshops, liaison between Shire and businesses	ongoing
Facilitate the improvement of local planning and development rules to enable greater flexibility for Chinatown land uses.	Working towards trading in public place simplifications	ongoing
Facilitate an ongoing programme of events, place activation and branding.	Activity plan, activation initiatives	ongoing

left: Trader's Workshop February 2017

Major Tasks & Milestones





Upcoming works

Overview

Upcoming tasks and initiatives have been defined within this section as falling under the focus of the four pillars of the CIDC role:

Community & Trader Engagement: Ongoing town walks ,cruise ship support and on going business development workshops

Grants Coordination: Release and review funding, continue to develop, event and project manage grant recipient projects

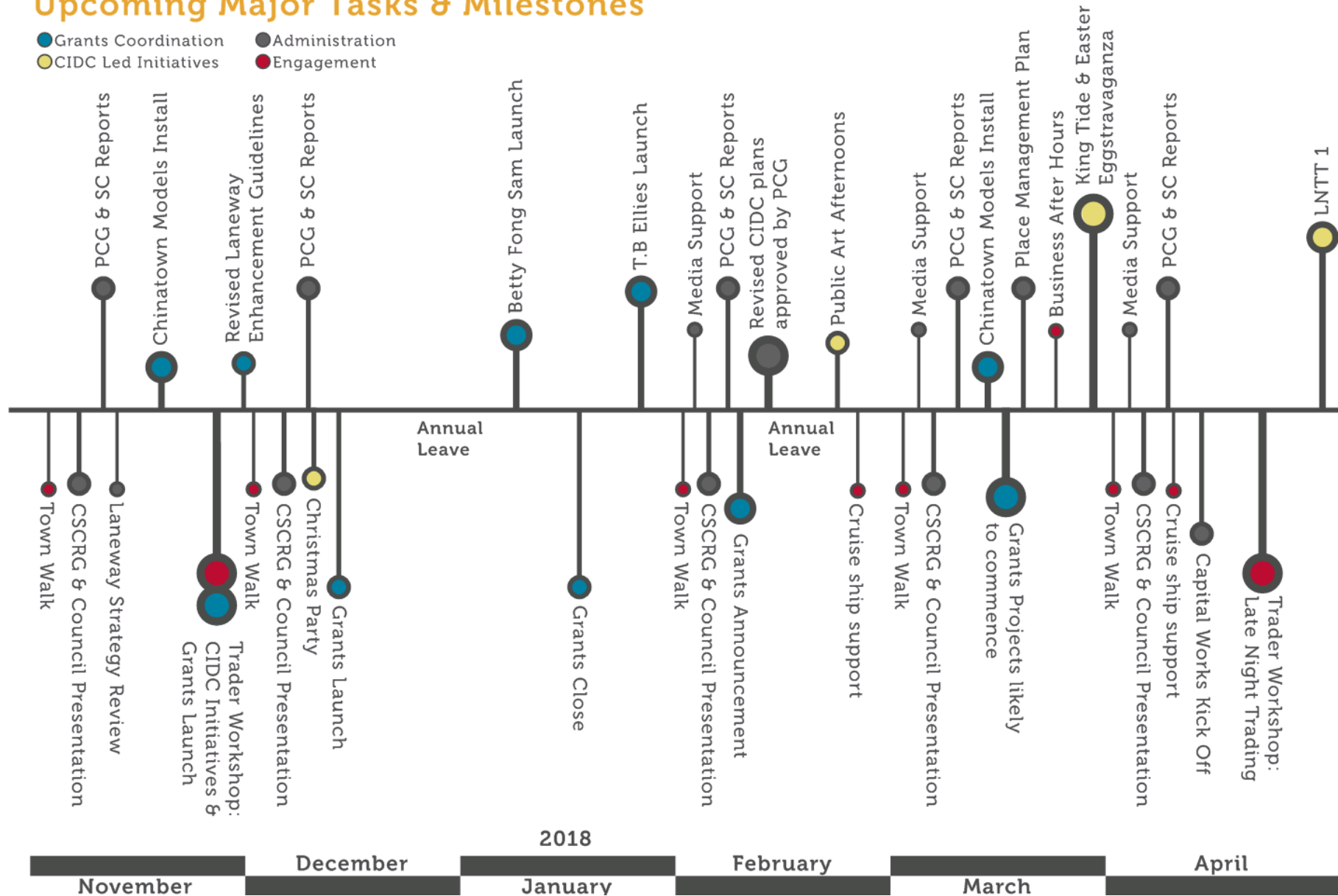
CIDC Led Initiatives: The focus will be on creating 'enhancer' as compared to 'attractor' events and activities. Where possible CIDC initiatives will cluster with other existing events or festivals to value add and share responsibility. Will provide greater chances of sustainability beyond the scope of the CIDC funding.

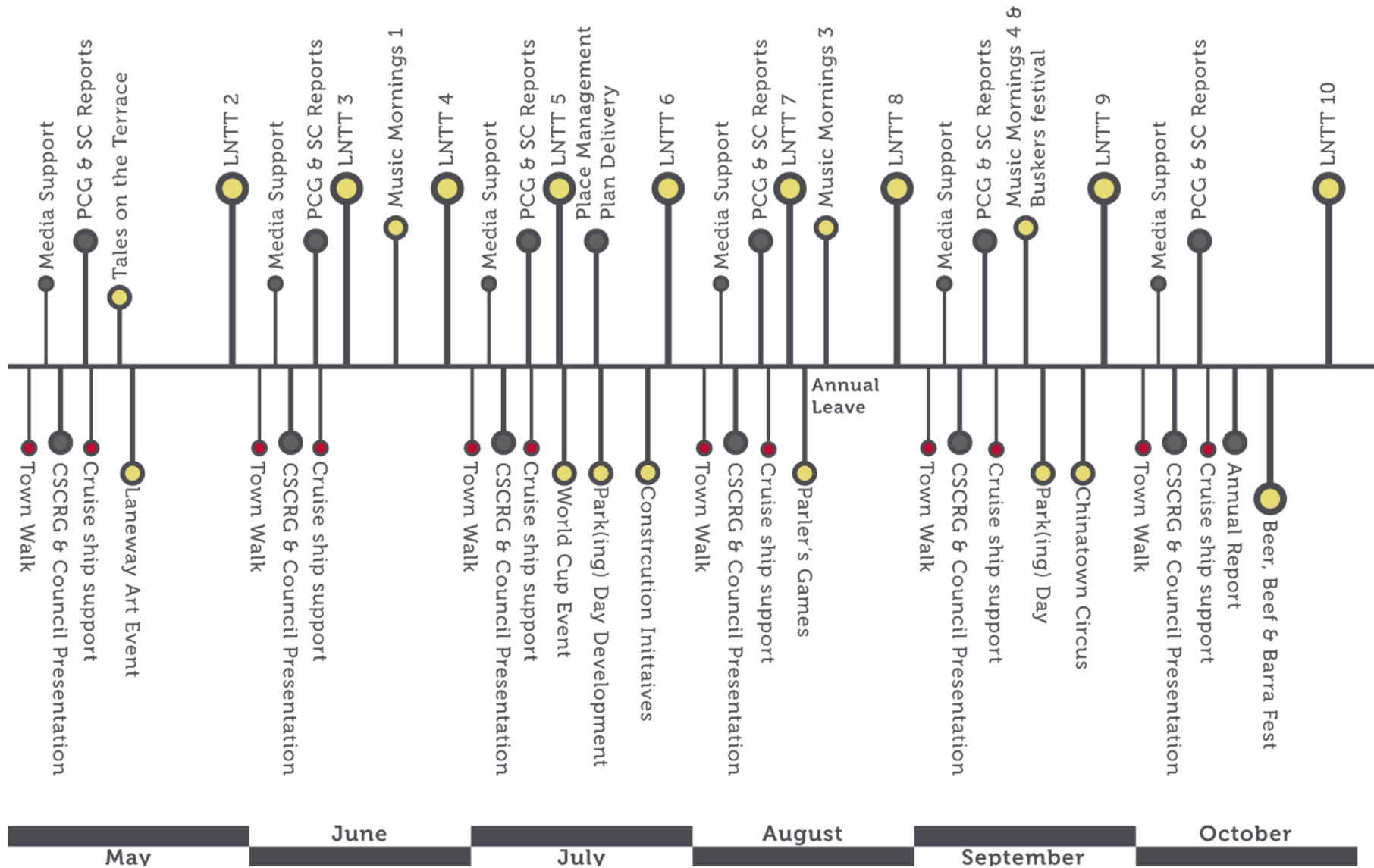
Administration: Largely regular tasks, but also including activity plan review into a events and activities schedule, completion and endorsement of the Laneway Strategy and development of Place Management Plan

Position Description/Role Objectives	Measurable Actions for 17/18
Develop a two-year business plan that incorporates a grant funding strategy outlining a program of activities and events for the activation of Chinatown.	Revise Activity Plan Activities & Events Schedule by February 2018 Funding Guidelines reviewed, endorsed and released by December 2017 Development of Place Management Plan by April 2018
Maintain effective and co-operative communications with traders, land owners and other key stakeholders in Chinatown.	Continue to undertake monthly town walk, information sessions, workshops and one on one meetings with Chinatown owners, traders and stakeholders Review Laneway Enhancement Strategy with Laneway Owners by January 2018 Investigate Chinatown Town Team
Provide a central point of communication for consultants engaged to undertake, manage and/or facilitate sub-projects.	Continue to Event and Project Manage CIDC initiatives Continue to develop, event and project manage grant recipient projects
Develop strategies to encourage commercial tenant attraction and engagement, and facilitate and realise investment in Chinatown.	Continue to work with land owners and property managers to attract tenants in key Chinatown locations of Paspaley Plaza and Johnny Chi Lane Work with Laneway owners to further develop laneway enhancement partnership projects
Project manage/coordinate activation events, small capital projects and promotional activities in Chinatown	Development, coordination and implementation of extended scope of 2018 initiatives in partnership with local business and other stakeholders
Seek, administer & acquit funding for activities as required	Review need for further funding and lobby to secure further revitalisation project funding
Work with traders to create a focused business offer, including focused business activities at specific times such as cruise days	Continue to work with businesses on promotions campaigns Work closely with CruiseBroome to jointly deliver high quality offering for cruise days
Assist stakeholders to understand design guidelines, planning schemes, how to apply for approvals, how to achieve planning bonuses etc.	Arrange for policy review charrettes with Shire Staff through second round of grant funding
Facilitate the improvement of local planning and development rules to enable greater flexibility for Chinatown land uses.	Review ability to simplify planning policies for place management and activation
Facilitate an ongoing programme of events, place activation and branding for Chinatown.	Continue to implement the Activity Plan and coordinate activation initiatives as per revised activities and events schedule

left: Pearl Harvest Party

Upcoming Major Tasks & Milestones





Activities & Events Descriptions

Events and activities shown in the Tasks and Milestones Timeline are described below. Details and partners to be developed within the revised events and activities schedule and through engagement with partners. To be completed February 2018.

Public Art Afternoon: Guided by street and public art principles, attendees will undertake a day long master class and competition in public. The product of which will involve the installation of multiple ephemeral public (or private) artworks throughout Chinatown. Could include a photo competition or integrate into the public art for street scape construction.

Late Night Trading: Due to success of trial, Late Night Trading will occur monthly from April- October with additional nights to be scheduled for cruise ships and in the high season. May include add on initiatives such as car boot sales, street games and performance, hawker's markets and Dampier Terrace specific components.

Construction Activation: Guided by 'tactical urbanism' principles, attendees will undertake a day long master class and competition in street activation. The product of which will involve the installation of multiple ephemeral public (or private) interventions throughout Chinatown.

King Tide Easter Eggstravaganza: Following success of 2017 event, this promotions and kids event will grow to include more family activities and link to the king tide through event location.

Tales on The Terrace: Expansion of 2016 tour event to include

more Dampier Terrace businesses and stories.

Laneway Art Event: Opportunity to invite well known street artists to interpret Broome's background, history and future into high quality street art installations.

World Cup and AFL Finals Events: Opportunity to capitalise on high interest sporting events at venues or locations in Chinatown.

Park(ing) Day: Motivated by the desire to activate the metered parking space as a site for creative experimentation, political and cultural expression, and unscripted social interaction, PARK(ing) Day is a prototype for open-source urban design, accessible to all. It is a worldwide initiative that runs yearly on the third Friday of September.

Pearler's Games: A sports carnival reminiscent of the old days: tug of war, wheel barrow marathons and other activities between pearling company staff within Chinatown.

Chinatown Circus: Opportunity to engage local performance groups to deliver a performance in Chinatown about Chinatown. Could involve fringe type performances as well.

Beer, Beef and Barra Fest: Opportunity to create a food and beverage festival that aligns with national beer week and celebrates Kimberley fine produce.

right: activation initiative examples



Conclusion

The role of the Chinatown Investment and Development Coordinator (CIDC) during the 2016-17 year has been described and reported on in regards to the four pillars of the role:

- Trader & Stakeholder Engagement
- Grants Communication
- CIDC Led Initiatives
- Administration

On top of this, undertaken work has been summarised against the CIDC Position Description and plotted on a milestone time line for the 2016-17 period.

Further, a plan for 2017-18 has been outlined against the CIDC Position Description, plotted on a milestone time line for the 2016-17 period and upcoming activities and events described.

-----SCHEDULE 4 – ROYALTIES FOR REGIONS PROJECT DETAILS

1. Use of Funding by the Recipient

Without limiting clause 8(b) or clause 11.3 in any way, the Recipient must use the Funding (and any interest which accrues on that Funding) to carry out the Project in accordance with this Agreement and for no other purpose.

2. Funding Amount

Funding of up to \$10 000 000 (excluding GST) will be provided by the State to the Recipient in the manner and within the timeframes outlined in item 3.2 of this Schedule 4 and in Schedule 6.

Disbursal of Funding will be subject to availability of funds through the State budget and mid-year review of the State budget each financial year.

3. Manner in which Funding is to be Paid

After this Agreement has been executed by both Parties, the Department will authorise the Department of Treasury to transfer the Funding to the Recipient in the manner described in item 3.1 of Schedule 4.

The transfer of the Funding will be subject to an assessment, with the Department being satisfied with the results of the assessment, of actual Project expenditure and material cash at bank balances of the Funding previously paid and available to the Recipient.

3.1. Payment of Royalties for Regions Funding

Deliverable	Payment details and timing	Amount \$'000 (ex GST)
Execution of Financial Assistance Agreement	<p>The Department will initiate payment following:</p> <ul style="list-style-type: none"> • The signing of this Agreement by both Parties. • Provision of a valid Tax Invoice. <p>Payment made June 2016.</p>	10,000,000
Total Payment		10,000,000

3.2. Payment of Royalties for Regions held in Western Australian Treasury Corporation Account

Milestone Date	Deliverable	Payment details and timing	Amount \$'000 (ex GST)
30/06/2016 (complete)	Funding Transferred to a Western Australian Treasury Corporation account.	<p>Payment will be authorised within 20 business days upon evidence of:</p> <ul style="list-style-type: none"> The transfer of funding to a Western Australian Treasury Corporation account. Provision of a valid Western Australian Treasury Corporation Notice of Withdrawal. <p>Payment made August 2016.</p>	500,000
31/12/2016 (complete)	<ul style="list-style-type: none"> Project plans (see Schedule 4 for detail) finalised for all 10 sub-projects. Kimberley Centre Feasibility <ul style="list-style-type: none"> Completion of preliminary community stakeholder engagement. Grant funding strategy (guidelines) for Enhanced Laneways Strategy and Grant Funding program completed. Chinatown Investment and Development Coordinator <ul style="list-style-type: none"> Recruitment to the position establishment of the Chinatown Traders Reference Group Completion of a two year activity plan. 	<p>Payment will be authorised within 20 business days upon evidence of:</p> <ul style="list-style-type: none"> The deliverables have been met to the satisfaction of the Department. Provision of a valid Western Australian Treasury Corporation Notice of Withdrawal. <p>Payment made February 2017.</p>	<p>1,000,000</p> <p>100,000</p> <p>100,000</p> <p>100,000</p> <p>Sub-total: \$1,300,000</p>

30/06/2017 (complete)	<p>Gray Street Extension:</p> <ul style="list-style-type: none"> Fatal Flaw Analysis (Environmental, Heritage and other approvals). Confirmation of Costings for Geotechnical Investigation. 		500,000
	<p>Roebuck Bay Reconnection and Coastal Protection Feasibility:</p> <ul style="list-style-type: none"> Fatal Flaw Analysis (Environmental, Heritage and other approvals) Confirmation of Costings for Geotechnical Investigation. 	<p>Payment will be authorised within 20 business days upon evidence of:</p> <ul style="list-style-type: none"> The deliverables have been met to the satisfaction of the Department. Provision of a valid Western Australian Treasury Corporation Notice of Withdrawal. 	600,000
	<p>Kimberley Centre Feasibility</p> <ul style="list-style-type: none"> Preliminary investigation into governance models. Coarse benchmarking of comparable facilities. Preliminary identification of suitable sites. Commence stakeholder consultation. 		400,000
	<p>Dampier Terrace Upgrade Completion of:</p> <ul style="list-style-type: none"> Preliminary community stakeholder engagement. Functional design brief. Concept design and cost estimates. 		1,650,000
	<p>Carnarvon Street Upgrades:</p> <ul style="list-style-type: none"> Preliminary community stakeholder engagement. Functional design brief Concept design and cost estimates. 		1,600,000
	<p>Chinatown Investment and Development Coordinator:</p> <ul style="list-style-type: none"> Completion of a grant funding strategy (guidelines) for Chinatown commercial activation activities. 	<p>Payment made September 2017.</p> <p>PAYMENT REQUEST PENDING</p>	<p>Sub-total: 4,750,000</p> <p>200,000</p>

31/12/2017 (complete, to be invoiced)	<ul style="list-style-type: none"> Enhanced Laneways Strategy and Grant Funding program – First round of laneway enhancement matching grants advertised and awarded. 12-month review of Chinatown Investment and Development Coordinator position and implementation. 	<p>Payment will be authorised within 20 business days upon evidence of:</p> <ul style="list-style-type: none"> The deliverables have been met to the satisfaction of the Department. Provision of a valid Western Australian Treasury Corporation Notice of Withdrawal. <p>PAYMENT REQUEST PENDING</p> <p>PAYMENT REQUEST PENDING</p>	<p>150,000</p> <p>200,000</p>
30/04/2018	<ul style="list-style-type: none"> Dampier Terrace Upgrade - Tender documentation complete. Carnarvon Street Upgrades - Tender documentation complete. <p>4</p>	<p>Payment will be authorised within 20 business days upon evidence of:</p> <ul style="list-style-type: none"> The deliverables have been met to the satisfaction of the Department. Provision of a valid Western Australian Treasury Corporation Notice of Withdrawal. 	<p>1,200,000</p> <p>1,200,000</p>
31/12/2018	<p>Kimberley Centre Feasibility:</p> <ul style="list-style-type: none"> Completion of Feasibility Study and Business Case 	<p>Payment will be authorised within 20 business days upon evidence of:</p> <ul style="list-style-type: none"> The deliverables have been met to the satisfaction of the Department. Provision of a valid Western Australian Treasury Corporation Notice of Withdrawal. 	<p>200,000</p>

31/12/2018	<p>Practical Completion:</p> <ul style="list-style-type: none"> • All construction activities for sub-projects completed. 	<p>Payment will be authorised within 20 business days upon evidence of:</p> <ul style="list-style-type: none"> • The deliverables have been met to the satisfaction of the Department. • Provision of a valid Western Australian Treasury Corporation Notice of Withdrawal. 	300,000
		Total:	10,000,000

Note: Disbursal of funds will be authorised subject to:

1. Evidence of approval of the milestones having been met by the Project Steering Committee.
2. Provision of a valid Western Australian Treasury Corporation Notice of Withdrawal.

4. Detailed Description of Project

4.1. Project Description

The Broome Chinatown Revitalisation project has been developed with an aim to best utilise a \$10 million investment under Royalties for Regions. The project will see the delivery of key activities to boost economic activity along with preserving and enhancing Chinatown's role as the social, cultural and economic hub of Broome. The project is comprised of 10 distinct sub-projects that will result in key planning and feasibilities being undertaken as well as some on ground activity.

Each sub-project will have a project plan developed that will include key review gateways and milestones, detailed budget estimates and risk assessment approved and signed by the Chinatown Project Steering Committee.

Chinatown Project Steering Committee

A Chinatown Project Steering Committee (Steering Committee) has been established to encourage the development of other inputs into the project area. The Steering Committee ensures that the approved projects proceed in a logical, measured and timely manner.

The Steering Committee also ensures that, during the life of the capital phase of the Project, all major stakeholders in particular, but also the general community are kept apprised of the Project and the opportunities that it is creating.

At a meeting held on 6 July 2017, the Steering Committee agreed that, given the limited budget, it would be best to focus on those revitalisation projects that present the greatest opportunity to strengthen Chinatown in the short term. To that end, following completion of a fatal flaw analysis and confirmation of costings for geotechnical investigation, for the Gray Street Extension and the Roebuck Bay Reconnection and Coastal Protection feasibility studies, it was agreed to cease work on each of these sub-projects.

The components of the overall Broome Chinatown Revitalisation include:

1. Gray Street Extension

As per the original FAA executed on 24 June 2016, this sub-project was to investigate and if feasible address the heritage, native title, environmental, tenure, planning and geotechnical issues entailed in extending Gray Street via a raised road/sea wall, to provide additional developable land and provide coastal protection for the Chinatown precinct.

The following components of the original Agreement have been completed:

- Fatal Flaw Analysis
- Confirmation of costings for geotechnical investigation.

As agreed by the Steering Committee, it has been recognised that additional road access is not required to meet traffic requirements until 2031 therefore this sub-project will not continue and no further components will be undertaken.

2. Roebuck Bay Reconnection and Coastal Protection

This sub-project will investigate and if feasible address the heritage, native title, environmental, tenure, planning and geotechnical issues entailed in providing water front access infrastructure along the seaward side of Dampier Terrace.

The following components of the original Agreement have been completed:

- Fatal Flaw Analysis
- Confirmation of costings for geotechnical investigation.

As agreed by the Steering Committee, research and expert advice has indicated it is highly likely that this sub-project would do little to activate Chinatown, therefore this sub-project will not continue and no further components will be undertaken.

3. Kimberley Centre for Culture, Art and Story

The Kimberley Centre will provide Broome and the Kimberley with a major new visitor attraction, situated in Chinatown. The Kimberley Centre will share all the stories (multicultural, pearling, Indigenous etc) of Broome and the Kimberley and aims to whet the appetite of visitors to explore the Kimberley and experience those stories first hand.

This sub-project will undertake a feasibility study and prepare a business case for the Kimberley Centre for Culture, Art and Story (Kimberley Centre). The Kimberley Centre feasibility study will aim to determine:

- The demand for a Kimberley Centre in Broome
- Identify potential audience
- Establish ownership and leadership of the Kimberley Centre
- Community and industry support for and contributions to the Centre
- An outline of activities, displays, and uses for the Centre
- Conceptual Design Brief and spatial requirements
- Identification of a suitable site
- Governance and Management Structure
- Capital and operational cost estimates, revenue and financial viability & sustainability
- Potential sources of funding: Local State and Federal, Industry, Private / Philanthropic contributions
- Potential economic impact

4. Dampier Terrace Upgrade

This sub-project will undertake concept design, site services investigation, community engagement, detailed design and construction of a range of upgrades to Dampier Terrace to improve its functions as a pedestrian, traffic, retail and social centre. The upgrade will likely include:

- Traffic calming, shade, improved landscapes supporting pedestrian movement and Wi-Fi.
- Lighting, street furniture, event infrastructure, multi-poles, bubblers, public art and entry statements.

- Improved pathways and connections between Dampier Terrace and Carnarvon Street.
- Improved drainage management through water sensitive urban design.
- Crime prevention through environmental design principles, including lighting to support night time activities.

5. Frederick Street Lookout

This sub-project will undertake design (from preliminary to detailed stages) and stakeholder engagement, address any heritage and environmental issues and then complete construction of an elevated lookout over Roebuck Bay. Royalties for Regions funding is not provided for this sub-project.

6. Tourist Rest Facilities at the Male Oval

This sub-project will investigate and obtain tenure, heritage and environmental approvals for the selected site and then undertake design and construction of tourism facilities at the Male Oval site including landscaping, street furniture, bus parking and a range of other improvements to improve the sites function as a way point for tourists. Royalties for Regions funding is not provided for this sub-project.

7. Connection of Dampier Terrace and Frederick Street

This sub-project will connect Frederick Street and Dampier Terraces via the existing road reserve. This road development will provide functional connectivity, reduce traffic congestion and facilitate the development of blocks to the south of Fredrick Street. Royalties for Regions funding is not provided for this sub-project.

8. Enhanced laneways

This sub-project will determine a strategy with stakeholder engagement, aiming to create at least one new laneway and further activate the existing laneways by enhancing connections between Carnarvon Street and Dampier Terrace and improving shaded connections. Implementation of the strategy will be enabled under this project via a small grants/seed funding program to be delivered by the Recipient.

9. Chinatown Investment and Development Coordinator

This sub-project will fund the employment of a suitably skilled coordinator to implement a commercial and social activation strategy for two years. The role will drive commercial tenant attraction and engagement, connecting small businesses with vacant leases and supporting smaller activation projects such as merchandising, retailer displays, promotional activities and working with traders to enhance their understanding of planning requirements.

The Coordinator will drive an ongoing programme of events, place activation and branding for Chinatown whilst undertaking key communication/information programs for the community on the broader Chinatown revitalisation project. A small grants/seed funding program will be established for appropriate activation projects, to be delivered by the Recipient and the role will be reviewed after 12 months.

10. Carnarvon Street Upgrades

This sub-project will undertake the design, site services investigation, stakeholder engagement and construction required to provide pedestrian, traffic and stormwater management. The upgrade will include:

- Traffic calming, shade, improved landscapes supporting pedestrian movement and Wi-Fi.
- Lighting, street furniture, event infrastructure, multi-poles, bubblers, public art and entry statements.
- Improved pathways and connections between Dampier Terrace and Carnarvon Street.
- Improved drainage management through water sensitive urban design.

- Crime prevention through environmental design principles, including lighting to support night time activities.

4.2. Project Outcome

The outcomes/outputs and the performance measures of the Project are as follows:

Output	Performance Measures	Performance Measure Method
Confirmation of Leveraged Funding		
Timing and amount of leveraged funding for the project	Leveraged funding provided for the project on time.	Written confirmation from the Shire of Broome and Tourism WA provided to the Department.
Project Plans for all 10 Sub-projects		
Project plans include key review gateways and milestones, detailed budget estimates and risk assessment approved and signed by the project steering committee.	Documented evidence of finalised agreements and project plans including detailed budget and risk assessment provided to the satisfaction of the Department.	Quarterly reports on progress provided to the Department.
Gray Street Extension		
<ul style="list-style-type: none"> • Fatal Flaw Analysis (Environmental, Heritage and other approvals) • Confirmation of Costings for Geotechnical Investigation. 	Documents completed on time and to the satisfaction of the Steering Committee and the Department.	Quarterly reports on progress provided to the Department.
Roebuck Bay Reconnection		
<ul style="list-style-type: none"> • Fatal Flaw Analysis (Environmental, Heritage and other approvals) • Confirmation of Costings for Geotechnical Investigation 	Documents completed on time and to the satisfaction of the Steering Committee and the Department.	Quarterly reports on progress provided to the Department.
Kimberley Centre Feasibility		
Completion of preliminary community stakeholder engagement	Evidence that stakeholder engagement has been undertaken to the	Quarterly reports on progress provided to the Department.

Output	Performance Measures	Performance Measure Method
	satisfaction of the Steering Committee and the Department.	
Completion of: <ul style="list-style-type: none"> Preliminary investigation into governance models. Coarse benchmarking of comparable facilities. Preliminary identification of suitable sites. Commence stakeholder consultation. 	Documents completed on time and to the satisfaction of the Steering Committee and the Department.	Quarterly reports on progress provided to the Department.
<ul style="list-style-type: none"> Completion of: Feasibility Study and Business Case 	Documents completed on time and to the satisfaction of the Steering Committee and the Department.	Quarterly reports on progress provided to the Department.
Dampier Terrace Upgrade		
Completion of: <ul style="list-style-type: none"> Preliminary community stakeholder engagement Functional design brief Concept design and cost estimates. 	Documents completed on time and to the satisfaction of the Steering Committee and the Department.	Quarterly reports on progress provided to the Department.
Tender documentation complete.	Documents completed on time and to the satisfaction of the Steering Committee	Quarterly reports on progress provided to the Department.
Frederick Street Lookout		
Construction of an elevated lookout over Roebuck Bay	Documentary evidence of completion.	Quarterly Reports on progress provided to the Department.
Tourist Rest Facilities at Male Oval		
Design and construction of tourism facilities at the Male Oval site including, landscaping, street furniture	Documentary evidence of completion.	Quarterly Reports on progress provided to the Department.

Output	Performance Measures	Performance Measure Method
and bus parking		
Connection of Damper Terrace and Frederick Street		
Connection of Frederick Street and Dampier Terraces via the existing road reserve	Documentary evidence of completion.	Quarterly Reports on progress provided to the Department.
Enhanced Laneways Strategy and Grant Funding program		
Completion of a grant funding strategy (guidelines).	Completion of guidelines on time.	Quarterly reports on progress provided to the Department.
First round of Laneway Enhancement Matching Grants advertised and awarded	Documented evidence provided to the satisfaction of the Department.	Quarterly reports on progress provided to the Department.
Chinatown Investment and Development Coordinator		
Recruitment to the position of Chinatown Investment and Development Coordinator.	Evidence that the position has been filled to the satisfaction of the Steering Committee and the Department.	Quarterly reports on progress provided to the Department.
Completion of a grant funding strategy (guidelines) for Chinatown commercial activation activities.	Documentary evidence provided to the Department.	Quarterly reports on progress provided to the Department.
12-month review of position and implementation.	Review undertaken on time and to the satisfaction of the Steering Committee and the Department.	Annual report provided to the Department.
Carnarvon Street Upgrades		
Completion of: <ul style="list-style-type: none"> • Preliminary community stakeholder engagement • Functional design brief • Concept design and cost estimates. 	Documents completed on time and to the satisfaction of the Steering Committee and the Department.	Quarterly reports on progress provided to the Department.

Output	Performance Measures	Performance Measure Method
Tender documentation complete.	Documents completed on time and to the satisfaction of the Steering Committee.	Quarterly reports on progress provided to the Department.
Complete construction of: <ul style="list-style-type: none"> Traffic calming, shade landscaping. Lighting, street furniture, event infrastructure, multi-poles, bubblers, public art and entry statements. Pathways and connections between Dampier Terrace and Carnarvon Street. 	Construction completed on time and within budget and to relevant standards.	Quarterly reports on progress provided to the Department.

4.3. Project Timeframe

The Recipient agrees to commence the Project within six (6) months after execution of the Agreement and to finalise the Project within six (6) months after the Project Completion Date noted in the table below.

Main Activities / Milestone	Milestone Date
Funding transferred to WA Treasury Account	30 June 2016
Project plans finalised for all 10 sub-projects	31 December 2016
Gray Street Extension	
Fatal Flaw Analysis	30 June 2017
Confirmation of Costings for Geotechnical Investigation	30 June 2017
Roebuck Bay Reconnection and Coastal Protection Feasibility	
Fatal Flaw Analysis	30 June 2017
Confirmation of Costings for Geotechnical Investigation	30 June 2017
Kimberley Centre Feasibility	
Completion of preliminary community stakeholder engagement.	31 December 2016
Completion of: <ul style="list-style-type: none"> Preliminary investigation into governance models. Coarse benchmarking of comparable facilities. Preliminary identification of suitable sites. Commence stakeholder consultation. 	30 June 2017

Main Activities / Milestone	Milestone Date
Completion of: <ul style="list-style-type: none"> commercial analysis of options governance structure confirmation of preferred concept. 	30 June 2018
Dampier Terrace Upgrade	
Completion of: <ul style="list-style-type: none"> preliminary community stakeholder engagement functional design brief concept design and cost estimates. 	30 June 2017
Tender documentation complete.	30 April 2018
Frederick Street Lookout	30 June 2018
Tourist Rest Facilities at Male Oval	30 June 2018
Connection of Dampier Terrace and Frederick Street – completion of works	Completed
Enhanced Laneways Strategy and Grant Funding program	
Completion of a grant funding strategy (guidelines).	31 December 2016
First Round of Laneway Enhancement Matching Grants advertised and awarded	31 December 2017
Chinatown Investment and Development Coordinator	
Recruitment to the position, establishment of the Chinatown Traders Reference Group and completion of a two year activity plan.	31 December 2016
Completion of a grant funding strategy (guidelines) for Chinatown commercial activation activities.	30 June 2017
12 month review of position and implementation	31 December 2017
Carnarvon Street Upgrades	
Completion of: <ul style="list-style-type: none"> preliminary community stakeholder engagement functional design brief concept design and cost estimates. 	30 June 2017
Tender documentation complete.	30 April 2018
Practical Completion	
All construction activities for sub projects completed.	31 December 2018
Feasibility Reports and business cases finalised for: Kimberley Centre.	31 December 2018
Project Completion Date	30 June 2019

The Recipient agrees to commence the Project within six (6) months after execution of the Agreement.

4.4. Project Budget

Note: This includes \$138,495 of interest earned.

Item of Expenditure	Budget (\$)	Source of Funds
Project Management for all 10 Projects	1,237,833	Royalties for Regions
Gray Street Extension	98,669	Royalties for Regions
Roebuck Bay Reconnection and Coastal Protection Feasibility	86,408	Royalties for Regions
Kimberley Centre Feasibility	953,627	Royalties for Regions (\$853,627) Tourism WA (\$100 000)
Dampier Terrace Upgrade	2,598,559	Royalties for Regions
Frederick Street Lookout	696,613	Royalties for Regions (\$96,613) Recipient (\$300 000) Tourism WA (\$300 000)
Tourist Rest Facilities	838,214	Recipient
Connection of Dampier Terrace and Terrace Street	600,000	Recipient (\$300 000) Tourism WA (\$300 000)
Enhanced laneways strategy and funding program	290,000	Royalties for Regions
Chinatown Investment and Development Coordinator (over 2 years)	660,000	Royalties for Regions
Carnarvon Street Upgrades	4,778,572	Recipient (\$561,786) Royalties for Regions (\$4,216,786)
Total Budget	\$12,838,495	

5. Term of Agreement

The Agreement remains valid from the date of this Agreement until the time the Recipient has properly complied with its Obligations. The previous sentence is subject to those provisions of this Agreement that expressly or impliedly survive expiration of this Agreement.

6. Special Conditions

6.1. Project Governance – Broome Chinatown Revitalisation

Project Governance will be in accordance with the Chinatown Revitalisation – Governance Terms of Reference, November 2016.

6.2. Leveraged Funding

- (a) The Recipient must obtain the funding from the sources set out in the table immediately below (**Leveraged Funding**), which the Recipient must use to carry out the Project in accordance with this Agreement and for no other purpose:

Source of Leveraged Funding	Amount
Recipient	\$2,000 000
Tourism Western Australia	\$700 000

- (b) Despite anything express or implied to the contrary in this Agreement, before the Recipient is entitled to any payment under this Agreement, it has to provide evidence to the Department which proves to the satisfaction of the State, in its absolute discretion, that the Recipient has obtained the Leveraged Funding. If the Recipient does not obtain any part of the Leveraged Funding (that part being the **Shortfall**), the State may reduce the amount it is to pay the Recipient under this Agreement by the amount of the Shortfall.

6.3. Insurance

6.3.1. Policies of insurance

6.3.1.1. Effecting, maintaining and keeping in force policies of insurance

Subject to sub-item 4.2.1.3 below, the Recipient must effect, maintain and keep in force, or cause to be effected, maintained and kept in force, from the Commencement Date until it receives the Notification (or for a longer period where it is required to keep any insurance current for a longer period as set out in this subitem below) adequate insurance cover in its name for its rights and interests in relation to the Project:

- (a) with a reputable and solvent insurer (with a Standard and Poor's rating of not less than A minus) which carries on insurance business in Australia and is authorised in Australia to operate as an insurance company; or
- (b) only for insurance policies which the Recipient effects, maintains and keeps in force, with LGISWA instead of an insurer of the type set out in subitem 4.2.1.1(a) immediately above,

including effecting, maintaining and keeping in force, or causing to be effected, maintained and kept in force, the following policies of insurance for the Project:

- (c) a public liability policy for an amount of indemnity of not less than 20 MILLION DOLLARS (\$20,000,000) (or any higher sum as is determined by the State from time to time (acting reasonably)) for any one occurrence and unlimited as to the number of occurrences which must:
 - (i) be effected, maintained and kept in force from the Commencement Date until the later of one year from the date the Recipient receives the Notification and the end of any Defects Liability Period;

- (ii) must contain or be endorsed to contain an indemnity extension in favour of the State to the extent of its vicarious liability caused, contributed to, or arising directly or indirectly out of the negligent acts or omissions of the Recipient, its employees, contractors or agents in their performance or non-performance of the Project;
- (iii) cover liability resulting from loss of or damage to property and the death or illness of, or injury to, any person (other than liability which is required by Law to be insured under a workers compensation policy of insurance) arising out of or in connection with the Project, this Agreement or both;
- (iv) be endorsed to cover;
 - (A) the use of unregistered motor vehicles, plant and equipment; and
 - (B) sudden and accidental pollution.
- (d) where the Recipient has obligations in this Agreement to Construct any Structure, a policy of insurance in relation to all work required for and incidental to the Construction of that Structure and rectifying Defects (**Works**) which must:
 - (i) be in the joint names of the Recipient and all agents and contractors employed from time to time in relation to the Works and:
 - (A) note the State as a person to whom the benefit of the insurance cover provided by that insurance policy extends; and
 - (B) expressly provide that to the extent (if any) that noting the State in the manner set out in subitem 4.2.1.1(d)(i)(A) above does not have the effect that the State's interests and rights, and liabilities of, and owed to, the State (howsoever these interests, rights and liabilities arise, including if they arise under clause 8(c) of this Agreement) are noted on that insurance policy, that insurance policy also notes those interests, rights and liabilities;
 - (ii) cover against any and all physical loss or damage to the Works including covering the:
 - (A) full replacement value of that Structure, including any extension of or addition to that Structure;
 - (B) the cost of removal of materials and debris from the Site;
 - (C) any loss or damage to any equipment used in relation to the Works;
 - (iii) covering the cost of making good resultant damage arising in connection with faulty design;
 - (iv) provide that any breach of the conditions of this policy of insurance by an insured under the policy will not in any way prejudice or diminish any rights which any other person has under the policy;
 - (v) provide that the insurance provided under this policy is primary with respect to the interest of the State and any other insurance or self-insurance arrangements maintained by the State is excess to and not contributory with this policy; and

- (vi) be effected, maintained and kept in force from the Commencement Date until the end of any Defects Liability Period, or if there is no Defects Liability Period, then until one year from the date the Recipient receives the Notification;
- (e) where the Recipient has obligations in this Agreement to Construct any Structure, a vehicle and equipment policy of insurance for the Recipient's vehicles, registered plant and equipment brought on to the Site or used in connection with the Project whether owned, hired or leased (**Recipient's Vehicles**) in addition to any compulsory motor vehicle third party insurance required to be taken out by the Recipient under any Law. This vehicle and equipment insurance policy must:
 - (i) cover third party liability for personal injury or death (other than compulsory third party motor vehicle insurance) and property loss or damage involving the Recipient's Vehicles;
 - (ii) be for not less than \$20 million third party liability insurance for any one occurrence and unlimited as to the number of occurrences;
 - (iii) to the extent available at the times of placement and each renewal, be endorsed to cover the State to the extent of its vicarious liability caused, contributed to, or arising directly or indirectly out of the use of the Recipient's vehicles; and
 - (iv) be effected, maintained and kept in force from the Commencement Date until the later of one year from the date the Recipient receives the Notification and the end of any Defects Liability Period;
- (f) where the Recipient has obligations in this Agreement to Construct any Structure, in addition to the insurance cover set out in subitems 4.2.1.1(d) and 4.2.1.1(e) of this Schedule 4, it must take out, or cause to be taken out, any other policies of insurance consistent with Best Industry Practice for the engineering, design, procurement, supply, Construction, testing and commissioning of the Project, which must be effected, maintained and kept in force from the Commencement Date until the end of any Defects Liability Period, or if there is no Defects Liability Period, then until one year from the date the Recipient receives the Notification;
- (g) where the Recipient is in the business of providing professional services, has Obligations to provide professional services, or both, a professional indemnity policy of insurance, which must:
 - (i) to the extent available at the times of placement and each renewal, be endorsed to contain an indemnity extension in favour of the State if the Recipient has Obligations to provide professional services;
 - (ii) include one full automatic reinstatement of the limit of liability;
 - (iii) cover liability arising from any negligent act or omission in connection with or arising out of the professional activities and duties under this Agreement;
 - (iv) cover claims in respect of this Agreement or otherwise under the *Competition and Consumer Act 2010 (Cth)*, *Fair Trading Act 2010 (WA)*, *Fair Trading Act 1987 (WA)*, and any similar legislation in any other

state or territory insofar as they relate to the provision of professional advice; and

- (v) be effected, maintained and kept in force from the Commencement Date until seven (7) years from the date the Recipient receives the Notification for not less than five (\$5) million for each and every claim and in the aggregate annually; and
- (h) a policy of insurance which:
 - (i) insures against liability under any applicable statute relating to workers or accident compensation for death of, or illness or injury to, natural persons employed or engaged by the Recipient which are required to be insured under the *Workers' Compensation and Injury Management Act 1981 (WA)* or equivalent legislation in other Australian jurisdictions in work under this Agreement including liability by statute and, where available, at common law; and
 - (ii) which must be effected, maintained and kept in force from the Commencement Date until the date the Recipient receives the Notification. Where common law claims are not fully covered under this policy of insurance, the Recipient must effect, maintain and keep in force, or cause to be effected, maintained and kept in force, from the Commencement Date until the date the Recipient receives the Notification a policy of insurance which insures against employer's liability at common law for not less than fifty million dollars (\$50,000,000.00) for any one event.

6.3.1.2. *Noting the State*

In accordance with subitem 4.2.1.1(d), where the Recipient has obligations in this Agreement to Construct any Structure, it must effect, maintain and keep in force, or cause to be effected, maintained and kept in force, a policy of insurance in relation to the Works in the terms set out in that subitem, including noting the State in the manner set out in subitem 4.2.1.1(d)(i). Each other policy of insurance which the Recipient effects, maintains and keeps in force (or causes to be effected, maintained and kept in force) in relation to the Project, must note the interests of the State.

6.3.1.3. *State may extend time by which Recipient has to procure certain policies of insurance*

The Recipient must comply in full with subitem 4.2.1.1 of this Schedule 4 except that, with respect to the policies of insurance required to be effected, maintained and kept in force (or caused to be effected, maintained and kept in force) set out in subitems 4.2.1.1(d), 4.2.1.1(e) and 4.2.1.1(f), if the State has provided written notice to the Recipient prior to the Commencement Date (which notice, notwithstanding that this Agreement had not been executed at the time the notice was given, must comply with clause 10 of this Agreement as if both parties were bound by clause 10 at the time the notice was given) which:

- (a) provides that the Recipient may effect (or cause to be effected) one or more of those policies of insurance from a later date than the Commencement Date; and

- (b) specifies the date from which the Recipient must effect, maintain and keep in force (or cause to be effected, maintained and kept in force) that policy of insurance or those policies of insurance (as the case may be),

then the Recipient may effect (or cause to be effected) that policy of insurance or those policies of insurance (as the case may be) from the date specified in that written notice. For the avoidance of doubt, if the State provides written notice of the type outlined in this subitem 4.2.1.3:

- (c) the policy of insurance or policies of insurance (as the case may be) to be effected, maintained and kept in force by the Recipient (or which it causes to be effected maintained and kept in force) specified in that written notice must comply in all other respects with the relevant Provisions in subitem 4.2.1.1 (and comply with subitem 4.2.1.2) and only the time by which the Recipient must effect that policy of insurance or those policies of insurance (as the case may be) is altered; and
- (d) if that notice only alters the time by which one or some of the policies of insurance set out in subitems 4.2.1.1(d), 4.2.1.1(e) and 4.2.1.1(f) must be effected, the Recipient must still effect the other policy of insurance or policies of insurance (as the case may be) by the Commencement Date.

6.3.2. *Proof of insurance*

- (a) Within ten (10) Business Days from:

- (i) the Commencement Date;
- (ii) the date the Recipient receives the Notification (except in relation to insurance cover which is only required under this Agreement to be maintained until receipt by the Recipient of the Notification);
- (iii) the date any insurance policy is renewed or varied; and
- (iv) any other request by the State,

the Recipient must provide the Department with the following information in relation to all insurance cover for the Project (regardless of whether the Recipient or another party effected the policies or whether one or more of the policies are in the joint names of the Recipient and one or more other parties):

- (v) certificates of currency from the insurer which provided the insurance. These certificates of currency must be accurate as at the time of issue, must not contain a general disclaimer to the effect that they can not be relied upon and must contain sufficient information to enable the Recipient to demonstrate to the satisfaction of the State in its absolute discretion that the Recipient has complied with its Obligations under item 4.2 of Schedule 4. Where, in the opinion of the State in its absolute discretion, these certificates of currency do not provide this information, then the Recipient must provide such further information as the State may require to demonstrate compliance with the Recipient's Obligations under item 4.2 of Schedule 4. The Recipient is entitled to redact commercially sensitive information in any insurance policies which relates to other projects; and
 - (vi) receipts for premiums paid for each policy of insurance.
- (b) If, after being requested in writing by the State to do so, the Recipient fails to produce evidence (to the satisfaction of the State in its absolute discretion) of

compliance with its Obligations under Item 4.2 of Schedule 4, the State may do one or more of the following:

- (i) effect and maintain the required insurance and pay the premiums. The amount paid by the State in effecting and maintaining the required insurance is a debt due and payable on demand from the Recipient to the State;
- (ii) exercise its rights under clause 11 of this Agreement; or
- (iii) suspend one or both of the performance of the Recipient's Obligations and the provision of Funding to the Recipient until evidence that the Recipient has complied with its Obligations under item 4.2 of Schedule 4 is provided to the Department and is satisfactory to the State in its absolute discretion.

The rights given to the State by this subitem 4.2.2(b) of Schedule 4 are in addition to any other rights the State may have.

6.3.3. Recipient's Obligations and Recipient's further obligations

- (a) Unless the Recipient first obtains the State's prior written consent, which consent can be given or withheld by the State in its absolute discretion, the Recipient must not:
 - (i) do, allow to be done by another person (except the State), or suffer the doing of, anything which adversely affects any insurance cover taken out by, or on behalf of, the Recipient or the State in relation to the Project or this Agreement or both, or which may increase the premium on that insurance;
 - (ii) store or use inflammable, volatile or explosive substances on the site or premises on which the Project is being carried out except those normally used in the Recipient's business; or
 - (iii) settle or compromise, or allow any other person (except an insurer who is legally entitled to, and does, take over conduct of the matter) to settle or compromise, any claim under any policy of insurance relating to the Project or this Agreement, or both.
- (b) The Recipient must give notice to the Department immediately if:
 - (v) an event occurs which may give rise to a claim under any of the policies of insurance in relation to the Project (including under any of the policies of insurance held by a sub-contractor or sub-grantee in relation to the Project) and must keep the Department informed of subsequent developments concerning the claim. This requirement does not apply to those occurrences that may give rise to a motor vehicle or worker's compensation claim;
 - (vi) an event occurs which could adversely affect any of the policies of insurance in relation to the Project (including under any of the policies of insurance held by a sub-contractor or sub-grantee in relation to the Project); or
 - (vii) any of the policies of insurance in relation to the Project (including under any of the policies of insurance held by a sub-contractor or sub-grantee in relation to the Project) are cancelled.

- (c) The Recipient must pay (or procure the payment of) all premiums and all deductibles applicable to the policies of insurance effected by it, or which it causes to be effected, in relation to the Project and promptly reinstate any of these policies which lapse or under which cover is exhausted.
- (d) Each policy of insurance effected by the Recipient, or which the Recipient causes to be effected, in relation to the Project must:
 - (i) provide that where the number of persons (in each case, an "insured") who are either:
 - (1) named on that policy of insurance; or
 - (2) otherwise entitled to insurance cover under that policy of insurance, exceeds one person, that policy of insurance must include a cross liability clause in which the insurer agrees to waive all express and implied rights of subrogation against any insured under that policy and agrees that the term "insured" applies to each insured under that policy as if a separate policy of insurance has been issued to each of them in the same terms as that policy of insurance but not so as to increase the limit of liability or sum insured under that policy;
 - (ii) state that they are governed by the laws of Western Australia and that each insurer irrevocably submits to the non-exclusive jurisdiction of courts exercising jurisdiction in Western Australia; and
 - (iii) provide that the excess in any of these policies must not exceed 1% of the insurance amount.
- (e) The Recipient must not do or omit to do, and must ensure that the Recipient's personnel (including its agents and contractors) not do or omit to do, any act or thing that would be grounds for an insurer to refuse to pay the whole of or any part of a claim made under any of the insurance policies effected by the Recipient, or which the Recipient causes to be effected, in relation to the Project.
- (f) The Recipient must give the Department prior notice of at least one (1) month of the cancellation, non-renewal, or a material alteration to the detriment of cover of any of the insurance policies effected by the Recipient, or which the Recipient causes to be effected, in relation to the Project or in accordance with the *Insurance Contracts Act 1984 (Cth)*.

6.3.4. Insurance policies primary

- (a) Each policy of insurance effected by the Recipient, or which the Recipient causes to be effected, in relation to the Project is primary and not secondary to the indemnity given by the Recipient to the State in clause 8(c) of this Agreement. However, the State is not obliged to make a claim or institute proceedings against any insurer under any of these insurance policies before enforcing any of its rights or remedies under the indemnity given by the Recipient to the State in clause 8(c) of this Agreement, or generally. In addition, the parties acknowledge that if a claim is made under any of these insurance policies by the State, it is their intention that the insurer cannot require the State to exhaust the indemnity given by the Recipient to the State in clause 8(c) of this Agreement before the insurer considers or meets the relevant claim.

- (b) The Recipient acknowledges that regardless of whether any of the policies of insurance effected by the Recipient, or which the Recipient causes to be effected, in relation to the Project respond or not, and regardless of the reason why any of these insurance policies respond or fail to respond, the Recipient is not released (in whole or in part), from any of its obligations under the indemnity given by the Recipient to the State in clause 8(c) of this Agreement, or any of its Obligations generally.

6.3.5. Settlement of claims

Upon settlement of a claim under any of the policies of insurance effected by the Recipient, or which the Recipient causes to be effected, in relation to the Project, to the extent that the work to be reinstated or services to be repeated have been the subject of a payment of Funding by the State to the Recipient, the State may determine in its absolute discretion whether the Recipient must repay that Funding (and any interest accrued on that Funding) to the State out of the proceeds of insurance or use the proceeds of insurance to reinstate the work or repeat the services for which the Funding was provided. If the State requests that the Recipient repay that Funding (and any interest accrued on that Funding), or any part of that Funding (and any interest accrued on that Funding), to the State, the Recipient must do so:

- (a) within ten (10) Business Days of the date of the State's request (if the Recipient has already received the proceeds of insurance); and
- (b) within ten (10) Business Days of receipt of the proceeds of insurance (if the Recipient has not received the proceeds of insurance by the date of the State's request).

In order to ensure that the Recipient can fulfil its obligations under this subitem 4.2.5, the Recipient must ensure that any other party (except the State) named as an insured or otherwise noted or covered under any of the policies of insurance effected by the Recipient in relation to the Project, or which the Recipient causes to be effected in relation to the Project, has a contractual obligation to the Recipient to, if it receives proceeds of insurance under any of those policies, pay on request:

- (a) the Recipient; or
- (b) the State if directed by the Recipient to do so,

within a sufficient timeframe a sufficient part of those proceeds of insurance, to enable the Recipient to fulfil its obligation to the State in this subitem 4.2.5.

6.3.6. Insurance review

- (a) The State may, from time to time, review the adequacy and appropriateness of the policies of insurance effected by the Recipient, or which the Recipient causes to be effected, in relation to the Project. As part of this review, the State may ascertain whether, in the State's reasonable opinion, any additional insurance policies are required, or whether any insurance policies effected by the Recipient, or which the Recipient causes to be effected, in relation to the Project and maintained at the time of the review are still required or require amendment.

- (b) To allow the State to perform this function, it may make a request for the documents set out in subitem 4.2.2 of this Schedule 4 which the Recipient must comply with.
- (c) The Recipient must commence negotiations to obtain insurances or amend the policies of insurance effected by the Recipient, or which the Recipient causes to be effected, in relation to the Project within ten (10) Business Days of receiving notice from the State to do so, and must, as soon as practicable thereafter at the Recipient's own cost, obtain insurances or amend the policies of insurance effected by the Recipient, or which the Recipient causes to be effected, in relation to the Project to reflect the recommendations made by the State following its review.
- (d) The Recipient must promptly notify the Department if it is unable to, or it becomes apparent that it will be unable to, comply with the recommendations arising in connection with the State's review. The parties must determine what action, if any, is to be taken following receipt of this notice.

6.4. Local Products and Services

The Recipient agrees to comply with the State's Buy Local Policy and Building Local Industry Policy when purchasing goods or services or works for the Project.

6.5. Aboriginal Participation

In carrying out the Project, the Recipient must comply with any applicable State policies in relation to creating employment opportunities and engaging and developing relationships with Indigenous peoples.



MINUTES

Chinatown Stakeholder and Community Reference Group Meeting

Date: 3 October 2017
Venue: Function Room
Time: 5:00pm

Attendees:	Harold Tracey (Chairperson)	Shire of Broome
	Andre Veder	Communications and Stakeholder Engagement
	David Galwey	Community Representative
	Desiree Male	Shire of Broome
	Jeremy MacMath	Investment and Development Coordinator
	Julie Russell	Chinatown Trader
	Nick Hanigan (<i>teleconference</i>)	Chinatown Landowner
	Peter Taylor	Chinatown Landowner
	Sam Mastrolembo	Shire of Broome
	Steve Harding	Shire of Broome
	Simon Proud	Landcorp
	Tim Bray	Kimberley Development Commission
	Tony Hutchinson	Chinatown Trader

Apologies:	Ron Johnston	Shire of Broome
	Cori Fong	Community Representative
	Rob Menzies	Community Representative
	Monique Ellis	Community Representative
	Chris Forbes	Nyamba Buru Yawuru
	Jael Napper	Broome Chamber of Commerce and Industry
	Pearl Hamaguchi	Community Representative

Item 1 Welcome, apologies

The Chairperson opened the meeting at 5:09pm.

Item 2 Matters arising from previous meeting

Action: *Dampier Tce - A one way street heading South to enhance activation into Dampier Tce to be investigated. Shire of Broome to investigate the benefits and how much the street can be narrowed by internally.*

Item 3 Consideration of one way street in Dampier Terrace (Shire of Broome)

Dampier Terrace one way street – the existing road width is 17.6 metres, could potentially be brought down to 16.4 metres meaning a maximum of 1.2 metres would be gained on the verge. Another option is to remove certain carparks in front of Roebuck Bay Hotel.

The current Masterplan talks at a high level of relocating car parking. Another body of work is required to be undertaken on car parking bays. Alternatives will need to be considered quickly if carparks are removed.

Approximately 50% of Dampier Tce car parking is being utilised by employees. Is there an opportunity to have a carpark on the edge of Chinatown for business employees? If this occurred additional lighting and security should be taken into account.

It's critical for businesses to contribute and engage during the consultation period. There is a lot of talk around business owners in the precinct not being consulted.

At the Council Workshop held 26 September Council raised questions regarding the level of consultation in developing the Laneway Strategy. Council requested that all property owners be written to regarding the 21 day consultation period. Steering Committee endorsed Council's request and this will be undertaken in conjunction with RFF.

Consultation sessions – TPG/Placematch have developed a suite of engagement sessions. High level land owners and traders will be advised of these engagement sessions. Correspondence is being distributed to a list of 100+ people regarding the 21 day consultation period. The Shire's property database is being utilised to send these communications.

Action: Shire of Broome to contact Graham Glasson (NW Strata) to discuss the list of landowners/traders communications regarding the 21 day consultation period will be sent to.

Item 4 Chinatown Project Update (Landcorp)

KCCAS Update: First round of indigenous consultation has been completed to inform and gain in principal support.

One objective is to establish KCCAS with as much private capital funding in terms of displays etc.

Next steps: Next working group meeting is one week away.

Market research and testing of concept needs to be refined.

There may be some people that may have missed out on KCCAS updates circulated by SMA – additional copies have been printed for those who didn't get an email. Membership of CSCRG will be forwarded to SMA.

Broad consultation with different indigenous groups has been workshopped with NBY, Shire of Broome & Tourism WA. It was raised that the consultation being undertaken with indigenous groups is not being reflected clearly. The engagement strategy should be made as visible as possible to all stakeholders.

It was raised that interpretation of KCCAS Update is that it is only portraying aboriginal culture and should be including other indigenous groups.

Action: Chairperson of KCCAS to provide an update to the CSCRG (Shire of Broome)

Action: A matrix of who is going to be engaged (by cultural category) to be developed (pearling, pastoral, Asians etc.) and a snapshot of where engagement sits to be provided at CSCRG meetings (Simon Proud)

Delivery projects: 21 day consultation period process includes open days, sessions in the evening and morning for public attendance, T.V installed in HQ, boards with the masterplan layout attached. Trying to capture as much feedback as possible.

A conference call is scheduled with consultants to move forward on design aspects (car parking angles, geometry issues etc.).

Item 5 Chinatown Investment Development Coordinator Update (Shire of Broome)

Refer to presentation.

Item 6 Communications and Stakeholder Engagement (RFF)

The focus has been on the 21 day consultation period which will commence next week.

Events over 21 day period: HQ open 10:00am -2:00pm Monday – Saturday, two briefing sessions on 11 and 12 October where consultants will present plans and justification. At these sessions people can ask questions on designs - all are encouraged to attend, stall open on 14 October at the Boulevard, 21 October stall at Courthouse Markets from 8:00am – 12:00pm.

Promotions include: Radio interviews with the Acting Shire President, advert in this week's paper talking about opportunities for engagement, website has been adjusted to have feedback for the Masterplan, social media posts,

Two half pages in the Broome Advertiser, on 17 October a newsletter will go out to the database of people to promote initiatives, prior to engagement events there will be a lot of social media promotion.

All input and feedback from the CSCRG is welcomed.

Item 7 Meeting Closed at 6:11pm.



MINUTES

Chinatown Stakeholder and Community Reference Group Meeting

Date: 14 November 2017
Venue: Function Room
Time: 5:00pm

Attendees:	Harold Tracey (Chairperson)	Shire of Broome
	Jael Napper	Broome Chamber of Commerce and Industry
	Jeremy MacMath	Investment and Development Coordinator
	Julie Russell	Chinatown Trader
	Monique Ellis	Community Representative
	Nick Hanigan (<i>teleconference</i>)	Chinatown Landowner
	Paul Ferrante	Landcorp
	Sam Mastrolembo	Shire of Broome
	Simon Proud	Landcorp
	Tim Bray	Kimberley Development Commission
	Tony Hutchinson	Chinatown Trader
Apologies:	David Galwey	Community Representative
	Cori Fong	Community Representative
	Rob Menzies	Community Representative
	Chris Forbes	Nyamba Buru Yawuru
	Steven Harding	Shire of Broome
	Peter Taylor	Chinatown Landowner
	Andre Veder	Communications and Stakeholder Engagement

Item 1 Welcome, apologies

The Chairperson opened the meeting opened at 5:07pm.

Item 2 Matters arising from previous meeting

Action: *Shire of Broome to contact Graham Glasson (NW Strata) to discuss the list of landowners/traders communications regarding the 21 day consultation period will be sent to – **complete.***

Action: *Chairperson of KCCAS to provide an update to the CSCRG (Shire of Broome) – **complete.***

Action: *A matrix of who is going to be engaged (by cultural category) to be developed (pearling, pastoral, Asians etc.) and a snapshot of where engagement sits to be provided at CSCRG meetings (Simon Proud) – **Refer Attachment 1 – Stakeholder Database. Simon Proud encourages all CSCRG members to review the list and advise if there are any other people that should be consulted.***

Item 3 Public Art Strategy (MudMap Studios)

Simon Proud and Paul Ferrante entered the meeting at 5:12pm.

Refer Attachment 2 – Draft Public Art Strategy Presentation.

Peter Yu entered the meeting at 5:46pm.

Item 4 Delivery Projects Update (Shire of Broome)

Refer Attachment 3 – Delivery Projects Update.

Item 5 Chinatown Investment & Development Coordinator Update (Shire of Broome)

Refer Attachment 4 – CIDC Update November.

Item 6 KCCAS Update (Peter Yu)

Refer Attachment 5 – KCCAS Update Presentation.

It was raised to the KCCAS Chair that the group have had concerns with the Centre being predominately aboriginal focussed and feel other cultures should be addressed in documents that are being circulated.

The Chair advised the engagement process is yet to happen and that the vision is Broome's history and common thread which has been the traditional owners. For the KCCAS to be successful it needs to balance what Broome has to offer and what visitors want to see which is Broome's multiculturalism.

KCCAS Update Cont.

- A product audit was completed in Dampier Peninsula to look at growth expansion opportunities. The aim of the Centre is to attract visitors but to encourage all to explore the Kimberley widely.
- Undertook market testing at departure lounge at airport, Broome Visitors Centre asking people what they liked about Broome, what they didn't like etc. to target what KCCAS should do.
- Developed 15 criteria for sites – a matrix has been developed to rank these sites.
- Non-indigenous consultation is continuing.
- Philanthropist and institutional support testing is being undertaken.

Item 7 Meeting Closed at 6:51pm.

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 Broome 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 built environments is achieved in the short term and for future generations.

9.2.1 RESERVE 31340 (TOWN BEACH) - CHANGE TO INTERTIDAL BOUNDARIES FOR TOWN BEACH REVETMENT WALL AND FISHING PLATFORM

LOCATION/ADDRESS:	Town Beach
APPLICANT:	Nil
FILE:	RES 31340
AUTHOR:	Land Tenure Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development and Community
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	12 December 2017

SUMMARY: A the Ordinary Meeting of Council of 7 September 2017, Council resolved to support the adjustment of the Port Waters boundary to facilitate the construction of the revetment wall and fishing platform at Town Beach.

Subsequently, the Shire has received correspondence from the Kimberley Ports Authority (**KPA**), providing support for the surrender of that portion of Port Waters to support the construction of the revetment wall and the grant of a jetty licence for the fishing platform.

This report recommends that Council supports the KPA's proposal to amend the Port Waters boundary to excise that portion only of the intertidal zone required for the revetment wall and the grant of the jetty licence for the proposed fishing platform.

BACKGROUND

Previous Considerations

OMC 7 September 2017 Item 9.2.1

At the Ordinary Meeting of Council (**OMC**) of 7 September 2017, Council considered a request by the Shire to the Kimberley Ports Authority (**KPA**) to amend the Port Waters boundary to facilitate the construction of the revetment wall and proposed fishing platform at Town Beach. It was proposed that the excised Port Waters would be incorporated into Reserve 31340 (Town Beach). At this meeting, Council resolved as follows:

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Moved: Cr D Male

Seconded: Cr B Rudeforth

That Council supports the adjustment of the Port Boundary in line with Attachment 1 and requests the Chief Executive Officer to:

- 1. Progress the matter with the Kimberley Ports Authority;**
- 2. Approach the Department of Planning, Lands and Heritage to amalgamate the excised portion of Port Waters, as shown in Attachment 1, into Reserve 31340; and**
- 3. Apply for any licences or approvals and sign all relevant documents.**

CARRIED UNANIMOUSLY 6/0

The revetment wall construction has been identified by Council in the Corporate Business Plan. The revetment wall is required to provide protection from erosion of the pindan cliffs adjacent to the Town Beach park area, which includes the Pioneer Cemetery. Detailed designs include the rock wall, drainage, three stairways spread along the entire wall length, lighting that can be switched off during the Staircase to the Moon events and an amphitheatre located at the top of the rock wall.

The 2017/2018 adopted budget also provides for the design of a fishing platform at Town Beach. The location of the fishing platform and the revetment wall are as identified in the Town Beach Masterplan.

COMMENT

On 24 October 2017, the Shire received correspondence from the KPA advising the KPA Board of Directors resolved the following:

1. *Surrender the part of the intertidal zone necessary to support the revetment wall;*
2. *Grant a jetty licence for the sum of \$1.00 for the part of the port intertidal zones, for a term of 49 years, 50 years being the maximum period permitted by the Port Authorities Act.*

The KPA also advised that the Shire will need to pay:

1. Any legal costs associated with the preparation and negotiation of the licence agreement and deed concerning the surrender of port lands to the Shire;
2. Rates and taxes associated with the grant of the finger jetty licence;
3. Survey costs for the new boundaries; and
4. Incidental expenses reasonably attributable to this project.

This report recommends that Council supports the KPA's proposal to amend the Port Waters boundary to excise that portion only of the intertidal zone to support the revetment wall and the grant of the jetty licence for the proposed fishing platform (**Attachment 1**).

CONSULTATION

The Department of Planning, Lands and Heritage

Kimberley Ports Authority

STATUTORY ENVIRONMENT

Port Authority Act 1999
Local Government Act 1995
Land Administration Act 1997

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

To facilitate the implementation of this arrangement, the Shire will need to pay:

1. Any legal costs associated with the preparation and negotiation of the licence agreement and deed concerning the surrender of Port Waters to the Shire.
2. Rates and taxes associated with the grant of the finger jetty licence.
3. Survey costs for the new boundaries.
4. Incidental expenses reasonably attributable to this project.

The ongoing costs of the annual jetty licence is \$1.00.

These costs can be accommodated within the project budget for the revetment wall and fishing platform.

RISK

There is not considered to be any risk to the Shire with progressing KPA's proposal to include the excised Port Waters into Reserve 31340 and issuing of a jetty licence for the fishing platform.

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 and leisure activity

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

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:

Sustainable and integrated strategic and operational plans

VOTING REQUIREMENTS

Simple Majority

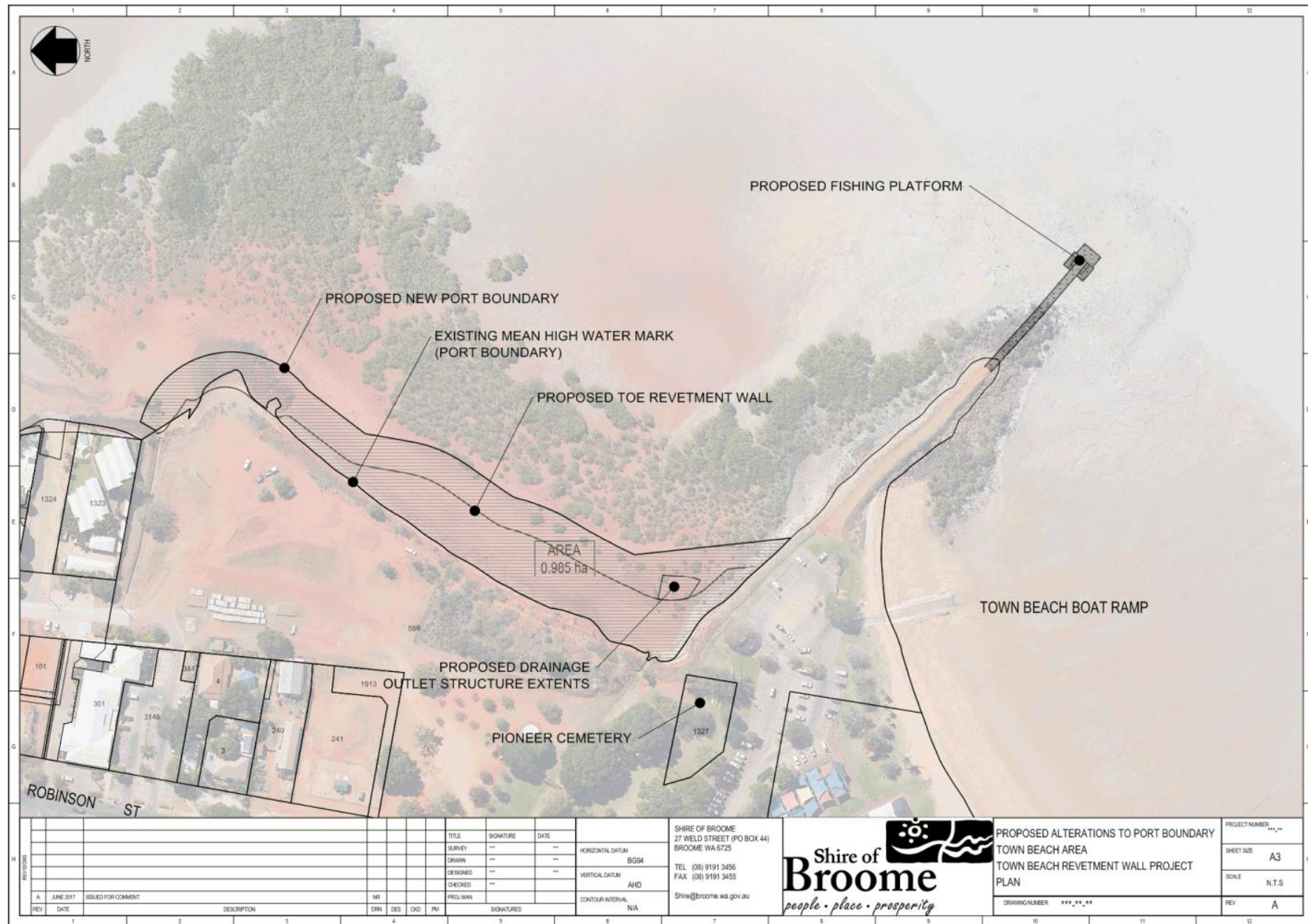
REPORT RECOMMENDATION:

That Council supports the adjustment of the Port Waters boundary to support the Town Beach revetment wall construction and requests the Chief Executive Officer to:

- 1. Progress with the finalisation of the jetty licence with the Kimberley Ports Authority;*
- 2. Approach the Department of Planning, Lands and Heritage to facilitate the excision of the Port Waters to be amalgamated into Reserve 31340 for that area required for the construction of the revetment wall; and*
- 3. Apply for any licence or approvals and sign all relevant documents.*

Attachments

1. Amended Port Waters Boundary



9.2.2 WATERBANK – PORTION LOT 259 ON DEPOSITED PLAN 220696

LOCATION/ADDRESS:	Portion Lot 259 on Deposited Plan 220696
APPLICANT:	Department of Planning, Lands and Heritage
FILE:	COU; MOU-1/GEN; YEE; KIL; PLA53
AUTHOR:	Land Tenure Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development and Community
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	3 January 2018

SUMMARY: The Shire of Broome has received a request for comment from the Department of Planning, Lands and Heritage regarding a proposal to amalgamate a portion of Unallocated Crown Land (UCL) into adjoining pastoral leases.

As delegation does not exist for officers to provide comment and as the proposed amalgamation covers a large area of land, the request for comment is being referred to Council for consideration.

This report recommends that the Shire supports the amalgamation of that portion of UCL Lot 259 on Deposited Plan 220696 into the adjacent Pastoral Leases.

BACKGROUNDPrevious Considerations

Nil.

History

The Shire has received correspondence from the Department of Planning, Lands and Heritage (**DPLH**), seeking the Shire's comments on the proposed amalgamation of a portion of Unallocated Crown Land (UCL) Lot 259 on Deposited Plan 220696 into adjacent pastoral leases, being Country Downs, Mt Jowlaenga, Yeeda, Kildo and Roebuck Plains (**adjacent Pastoral Leases**). The area proposed to be amalgamated is approximately 77,000 hectares (see **Attachment 1**). A map showing the proposed area and the surrounding pastoral leases is included in **Attachment 2**.

COMMENT

Pastoral leases are administered under the *Land Administration Act 1997* by the Minister for Lands and the Pastoral Lands Board, having separate and specific powers.

The DPLH will facilitate the proposed amalgamation of that portion of UCL Lot 259 into the adjacent Pastoral Leases. Further, it is anticipated that the Minister for Lands will invite expressions of interests from the adjacent Pastoral Lessees for the amalgamation of the relevant portions of UCL Lot 259.

The portion of UCL Lot 259 proposed to be amalgamated into the adjacent Pastoral Leases is zoned 'Cultural and Natural Resources Use', under the Shire's Local Planning Scheme No.6. Grazing, non-irrigated crop production and the development associated

with pastoral use are considered 'Agriculture – Extensive' and is a permitted land-use activity in the Culture and Natural Resource Use zone.

It is therefore recommended that Council support the amalgamation of that portion of UCL Lot 259 as indicated on **Attachment 1** into adjacent pastoral leases, Country Downs, Mt Jowlaenga, Yeeda, Kilto and Roebuck Plains.

CONSULTATION

Department of Planning Lands and Heritage
Country Downs Station
Mt Jowlaenga Station
Yeeda Station
Kilto Station
Roebuck Plains Station

STATUTORY ENVIRONMENT

Land Administration Act 1997

101. Grant of pastoral lease, Minister's powers as to

- (1) The Minister may grant a lease (a **pastoral lease**) over any Crown lands in accordance with Part 6 and this Part.*
- (2) Subject to this section, if land under a pastoral lease proposed to be granted includes improvements, the grant of the lease may be subject to the payment of a sale price.*
- (3) Subsection (2) does not apply in relation to a grant or renewal of a lease offered under section 140.*
- (4) The Minister must act under this section in consultation with the Board, which is to offer its advice on the setting of the sale price, conditions and procedures for any of the release processes, and the evaluation of applicants under section 102.*
- (5) A pastoral lease must not be granted unless —*
 - (a) the Board is satisfied that the land under the lease will be capable, when fully developed, of carrying sufficient authorised stock to enable it to be worked as an economically viable and ecologically sustainable pastoral business unit; or*
 - (b) the lease is to be amalgamated with an adjoining pastoral lease; or*
 - (c) the lease is to become, together with an adjoining pastoral lease or part of an adjoining pastoral lease, a pastoral business unit under section 142A, the creation of which has been approved under section 142A(1).*

102. Public offers etc. of pastoral leases to be made before grant

- (1) Before granting a pastoral lease, the Minister must by advertisement in a daily newspaper circulating throughout the State —*
 - (a) offer the pastoral lease for sale; or*
 - (b) invite expressions of interest in the lease; or*
 - (c) invite tenders for the lease; or*
 - (d) offer the lease for auction.*
- (2) An offer or invitation under this section may be withdrawn at any time, and another offer or invitation made at any time.*
- (3) An application in response to an offer or invitation under this section must be in an approved form.*

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

RISK

Nil.

STRATEGIC IMPLICATIONS**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

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

Affordable land for residential, industrial, commercial and community use

Key economic development strategies for the Shire which are aligned to regional outcomes working through recognised planning and development groups/committees

VOTING REQUIREMENTS

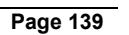
Simple Majority

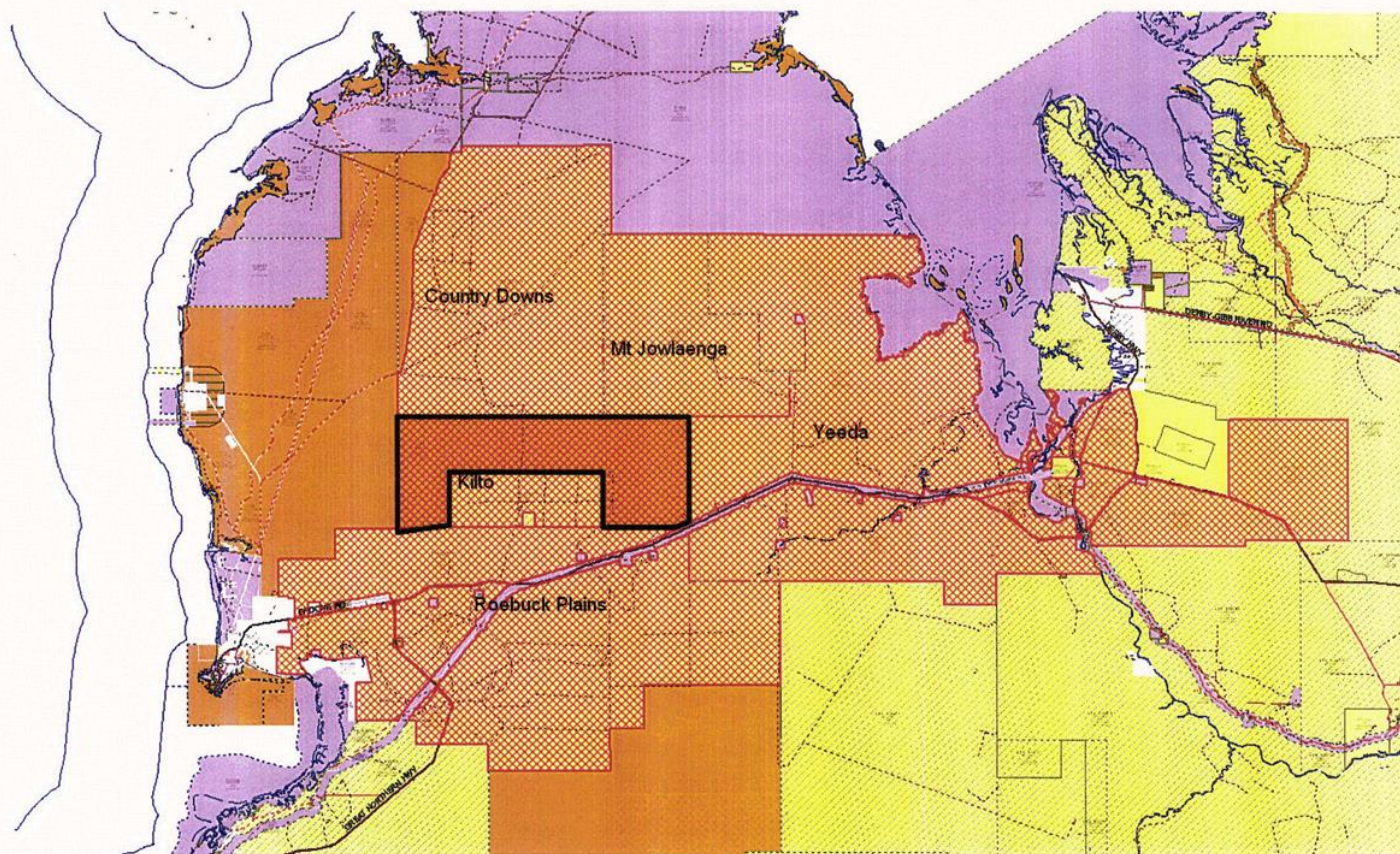
REPORT RECOMMENDATION:

*That Council requests that the Chief Executive Officer advise the Department of Planning, Lands and Heritage that it supports the proposed amalgamation of that portion of Unallocated Crown Land Lot 259 on Deposited Plan 220696, as indicated on **Attachment 1**, into adjacent pastoral leases being Country Downs, Mt Jowlaenga, Yeeda, Kilto and Roebuck Plains.*

Attachments

1. Portion of Lot 259 on DP 220696
2. Plan showing adjacent pastoral leases





9.2.3 PROPOSED THIRD PARTY APPEAL RIGHTS FOR DECISIONS MADE BY DEVELOPMENT ASSESSMENT PANELS

LOCATION/ADDRESS:	N/A
APPLICANT:	N/A
FILE:	PLA22
AUTHOR:	Senior Planning Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development and Community
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	23 January 2018

SUMMARY: The Western Australian Local Government Association (**WALGA**) State Council has requested member Local Councils provide comment as to whether they support the introduction of third party appeal rights for decisions made by Development Assessment Panels (**DAPs**).

The arguments for and against the introduction of third party appeal rights are presented for Council's consideration. This report recommends that Council register support for the introduction of limited third party appeal rights for DAP decisions.

BACKGROUND

Previous Considerations

Nil.

What are third party appeal rights?

Third party appeal rights provide third parties with the ability to appeal a planning decision on the basis of the planning merits of the decision. Currently in Western Australia, an applicant can appeal a decision via the State Administrative Tribunal, such appeal rights do not exist for third parties. Under the current planning system, appeals must be founded on valid planning rationale. This would also be the case if third party appeal rights were introduced, with appeals to be considered on their planning merits.

In addition to merit based third party appeals, planning decisions may also be appealed by a third party via judicial review (through a court of law). In such instances, consideration is given to the administrative process by which a decision was made and not the planning merit/rationale.

In the context of potential third party appeal rights for decisions made by DAPs, merit based appeals are the only form of third party appeal under consideration.

Background

Third party appeal rights for planning decisions exist in most of Australia's States and Territories. The models allowing for third party appeals vary, with some appeal rights limited to types of applications based on categories of significance of a proposal or categories based on assessable impact of a proposal. For example, third party appeals may only be allowed for development adjoining a residential area or place of designated

environmental value. The Victorian and Tasmanian systems make provision for the broadest appeal rights. Appeals in Tasmania are limited to discretionary decisions requiring advertising. Appellants in Victoria do not need to demonstrate how they will personally be affected, allowing for appeals based on broad public interest issues.

Western Australia's State planning framework, unlike other State jurisdictions in Australia, does not make provision for third party appeal rights, with the stated position of the State Government as at 2015 being:

"The Government does not believe that the introduction of third party appeal rights in Western Australia is consistent with current attempts to simplify and streamline the planning approvals process. The Planning and Development Act 2005 requires public consultation in relation to the planning framework established in local and regional areas, with public consultation mandated for local and region planning scheme amendments, as well as State Planning Policies, local planning policies, and structure plans. As such, the Government believes that the current planning process provides sufficient opportunity for the local community to have a say in what happens in their neighbourhoods."

Although some local planning schemes have in the past made provision for third party appeal rights, no such provision for third party appeal rights exists under the current *Planning and Development Act 2005 (P&D Act)*. The WALGA State Council in 2008 formed a policy position against the introduction of third party appeal rights, however since that time reforms to the State planning framework, including the introduction of DAPs, has led to renewed interest in consideration of the matter.

In December 2016, the WALGA State Council resolved to undertake research on third party appeal rights around Australia and consult with member local governments regarding its policy position. WALGA prepared a discussion paper (see **Attachment 1**), which provides background on the development of WALGA's position and a review of arguments for and against third party appeal rights. Following circulation of the discussion paper to local governments, feedback was presented to the State Council at its 8 September 2017 meeting where it was resolved that:

1. State Council notes that there is increased support for the introduction of some form of TPAR.
2. WALGA undertakes further consultation with members on TPAR included elected member workshops, discuss the various concerns and suggestions raised in response to the discussion paper, the form and scope of any such appeal right should include the appropriate jurisdiction including Joint-DAPS, SAT, and WAPC to determine a preferred model.
3. The findings to be distributed for comment and the Item then be reconsidered by State Council.
4. WALGA continue to advocate that an independent review of decision making within the WA planning system is required, including the roles and responsibilities of State and Local Government and other decision-making agencies, Development Assessment Panels and the State Administrative Tribunal appeal process.

The submissions received on the discussion paper were collated into four options for third party appeal rights which were presented at two workshops and a webinar held in November 2017. These sessions were attended by some 35 officers and 5 elected members representing 25 local governments. During the workshops there was general consensus on the benefits that the introduction of third party appeal rights would provide. These included:

- Greater accountability of decision-makers, including Local Government, Development Assessment Panels and the State;
- Greater transparency in the planning decision-making process;
- Improved consultation by applicants;
- Increased community confidence in the planning system and planning decisions; and
- More equity between applicants and appellants.

There was general agreement on areas of concern should some form of third party appeal rights be introduced. These included:

- Increased costs, in terms of both staff resources and financial requirements;
- More time required for a development to receive a planning approval in order to allow for third party appeals;
- Introduction of third party appeal rights would be counter to current efforts to streamline the planning process;
- Introduction of third party appeal rights would create uncertainty for the development industry;
- Removal of decision making power from Local Government;
- Raises community expectations which may not be met in practice;
- Creates an adversarial/litigious environment around planning decisions; and
- Introduction of third party appeals does not address most of the underlying concerns regarding the current planning system.

It was clear from the discussions that any system of third party appeals would need to be carefully constructed and provide clear guidance on several issues, including:

- When and how a third party can lodge an appeal, and the types of appeals that would be supported;
- Ensuring appeals are only lodged on proper planning grounds, and not for vexatious or competitive purposes;
- Whether 'deemed-to-comply' decisions would be appealable; and
- Would third party appellants be provided some form of 'legal aid' to assist in lodging appeals, to keep the process from being cost prohibitive?

After reviewing the model options participants were asked to vote via secret ballot for their preferred model. The option which received the greatest support was the introduction of third party appeal rights for decisions made by DAPs. A summary of remarks, both for and against, is set out below:

FOR	AGAINST
Local government would be able to appeal a DAP decision and defend the merits of their policies and enforceability of their conditions.	Will require increased staff and resources.
Addresses community concerns that decisions are being made 'removed' from the local community, leading to improved community confidence in the system.	Possibility that the Minister could remove elected members from DAPs if local government can appeal anyway. Possible conflict of interest for elected member panellists.
More transparent process with more accountable DAP members, in both decision making and condition setting.	Elected members may be pressured to initiate an appeal, rather than the community initiating an appeal.

Could allow for appeal on conditions that may have been removed from a Responsible Authority Report.	Reduces certainty in the decision-making process.
A good first stage approach for the introduction of third party appeal rights could be expanded later.	Possibility for more than one person to want to appeal – how to manage multiple appeals/appellants, and determine degree of impact?
Limits appeal rights to larger, more complex applications and would filter out 'smaller' impact applications which could potentially overburden the system.	Only applies to DAP determinations, does not include applications for \$2-\$10 million that are determined by the local government. If applicant does not opt-in to the DAP then they can avoid third party appeal rights.
May rarely be used in rural areas, is almost the status quo.	Could undermine the reason for DAPs being set up originally.
Likely that more applications will be decided by local government.	Adds another layer to an already complex system.

The purpose of the consultation undertaken by WALGA was not to develop the full details and criteria for a system of third party appeal rights, but rather to determine a preferred model for third party appeal rights. Accordingly, WALGA is now requesting that Council consider the merits of introducing third party appeal rights for decisions made by DAPs and advise of their support or otherwise for this model.

A summary of the pros and cons regarding the introduction of third party appeal rights for decisions made by DAPs, and potential implications for the Shire of Broome is detailed in the comments section below.

COMMENT

The Western Australian planning framework does not currently make provision for third parties (i.e. persons other than an applicant) to appeal a DAP decision. A right of appeal is also not available to third parties for non-DAP planning decisions made by local governments or the Western Australian Planning Commission (**WAPC**).

A key point of difference between non-DAP and DAP decisions is that non-DAP decisions are made by local government, or by authorities such as WAPC following consultation with local government. However, DAP decisions are made by the panel consisting of three Minister appointed experts and two local government elected members. There has been some criticism levelled at decisions made by DAPs, particularly in the metropolitan area where DAPs have approved developments which were not supported by the local government and involved a significant departure from the adopted planning framework. In such instances, there is no avenue available for the local government to request a review of that decision.

In light of this, the merits of introducing third party appeal rights for DAP decision are outlined below.

Arguments for the introduction of third party appeal rights for DAP decisions

An argument put forward in support of the introduction of third party appeal rights for DAP decisions is that DAP decisions are, by design, largely removed from community and elected member decision making. A common criticism of DAP decisions and processes is that DAPs are not representative of community interests. With the membership of DAPs

comprising a greater number of expert panel members than elected representatives, concern has been raised as to whether the current DAP system is adequate in ensuring that decisions reflect the objectives of local planning frameworks. From this perspective, the introduction of third party appeal rights for DAPs should enhance access for both community members and local governments in the DAP decision-making process.

Research undertaken as part of the preparation of WALGA's 2017 discussion paper found that the majority of third party appeals in Melbourne were lodged by well-organised, well-connected, and well-resourced sectors of the community, with data pointing to a clear link between the socio-economic capacity of an area and the likelihood of an appeal. Though perhaps not surprising, the research does indicate that third party appeal rights do not necessarily translate to a broader equity of access for communities. Nevertheless, there is an argument that an absence of third party appeal rights equates, to some extent, to a silencing of the community voice in the DAP decision-making process.

A merit-based framework for third-party appeals has benefits insofar as it ensures that appeals based on vexatious issues or non-planning grounds are not able to delay or prevent development. On this basis, the introduction of third party appeal rights for DAP decisions will have the benefit of allowing community concerns to be taken into account, but this would be limited to concerns relating to planning merit alone.

A number of other local governments, including City of Swan and City of Joondalup, support the introduction of third party appeal rights for DAP decisions on this basis.

Arguments against introduction of third party appeal rights for DAP

The introduction of third party appeal rights for decisions made by DAPs could in some cases lead to time delays for applicants, and increased costs for all parties involved. Research by the Australian Housing and Research Institute has indicated that although third party appeals account for just 19% of all planning appeals to the Victorian Civil and Administrative Tribunal, the impact of delays and increased costs associated with such appeals contributes to decreased investor confidence with flow-on detrimental impacts on investment and economic activity.

From an organisational perspective, though the Shire has very limited exposure to DAP (or JDAP) decisions, it is foreseeable that the introduction of third party appeal rights for such decisions could lead to added costs with respect legal fees and demand on staff resources. Additionally, the introduction of third party appeal rights may increase demands on the time of those elected members appointed as representatives on the JDAP.

Conclusion

In considering how the introduction of third party appeal rights for DAP decisions may affect the Shire of Broome, it is clear, given the limited number of DAP applications that are presented to the Kimberley JDAP, that there is not likely to be a significant impact organisationally in terms of increased demand on resourcing. However, there is weight to the argument that third party appeal rights for DAP decisions would increase community confidence in the DAP decision-making process by providing a mechanism through which broader community issues and concerns, and the interests of the Shire, may be presented.

Recognising that the introduction of third party appeal rights on an unlimited basis could facilitate appeals made without sound planning merit, it is recommended that support for the introduction of third party appeal rights for DAP decisions be conditioned on appeal

rights being limited to consideration of planning merit. This would limit the potential for increased costs and time-delays for both developers and the Shire organisationally. Such a model would also ensure a greater level of protection for both Shire and community interests compared to what is provided for under the current system.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

There is a risk that should third party appeal rights for DAP decisions be introduced, some increased costs associated with assessment and consideration of appeals may be incurred by the Shire organisationally with respect legal, consultant and staff resourcing demands.

RISK

There is a risk that should third party appeal rights for DAP decisions be introduced, some increased costs associated with assessment and consideration of appeals may be incurred by the Shire organisationally with respect legal, consultant and staff resourcing demands.

However, the introduction of third party appeal rights for DAP decisions would provide an increased level of protection for the interests of the Shire, reducing the risk of an outcome through a DAP decision being averse to the Shire's interests.

STRATEGIC IMPLICATIONS

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

Effective communication

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

A built environment that reflects arid tropical climate design principles and historical built form

A unique natural environment for the benefit and enjoyment of current and future generations

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

Improved systems, processes and compliance

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council requests that the Chief Executive Officer advise the WALGA State Council that it supports the introduction of limited third party appeal rights in the Western Australian planning framework for decisions made by Development Assessment Panels (DAPs), on the basis that:

- 1. The DAP system as it currently exists provides for Panels that are comprised predominantly of non-elected members who cannot be expected to have the knowledge or awareness of local issues;*
- 2. As there are more non-elected members than elected members on DAPs, the local government representatives do not have the ability to ensure a DAP decision is made that is consistent with the community's and local government's interests;*
- 3. Public confidence in the accountability of the DAP system would be enhanced through the introduction of third party appeal rights; and*
- 4. If introduced, third party appeal rights should only extend to consideration of valid planning grounds.*

Attachments

1. WALGA Discussion Paper



Third Party Appeal Rights in Planning Discussion Paper



Contents

1.0	In Brief.....	3
2.0	Background.....	3
2.1	Background to WALGA Policy Position	3
2.2	Changes to the Planning Framework	4
3.0	Current Third Party Appeal Rights in Australia.....	5
3.1	Development Assessment Forum (DAF).....	5
3.2	Third Party Appeal Rights by State and Territory	6
3.3	Western Australia State Government Position	7
3.4	Judicial Review	8
4.0	Arguments For and Against Third Party Appeal Rights.....	8
4.1	Arguments Against Third Party Appeals.....	8
4.2	Arguments For Third Party Appeals	10
4.3	Competing Viewpoints	10
5.0	Issues to Consider.....	11
5.1	Criteria for Third Party Appeal Rights in other States	11
5.2	Implications for Local Government.....	12
6.0	Conclusion – What is right for Western Australia?	12
6.1	Feedback Sought.....	12
7.0	References.....	14



1.0 In Brief

At its December 2016 meeting, State Council requested a review of the WALGA Policy position in relation to Third Party Appeal Rights for planning decisions. The decision making environment has changed since the WALGA made its policy position in 2008, and therefore a review of the current position is warranted.

This paper provides background on the development of WALGA's current policy position and a review of the arguments both for and against third party appeals. A literature review was carried out to establish the basis of each argument.

2.0 Background

2.1 Background to WALGA Policy Position

Unlike most of the other jurisdictions in Australia, Western Australia is unique in that no Third Party Appeal Rights exist under the *Planning and Development Act 2005*, although in the past some Local Government planning schemes allowed them. The last Local Government to allow Third Party Appeals was the City of Albany, however with the introduction of the City's new local planning scheme in 2014, which removed Third Party Appeal Rights, there is no longer any Third Party Appeal Rights for planning in Western Australia.

The introduction of Third Party Appeal Rights has been considered by member Councils on several occasions over the last few decades. For instance, Third Party Appeal Rights were considered in 2001 during debate on the new planning appeal system and again the following year during the State Government's consolidation and development of the new *Planning and Development Legislation*.

In 2007, a Private Member's Bill was proposed by Dr Janet Woollard, MLA Member for Alfred Cove, which was modeled on Victoria's *Planning and Development Act 1987*. The justification for the introduction of the Bill was primarily based on Western Australia being the only state without third party appeals and failed to acknowledge that significant differences exist between the Victorian and Western Australian planning system.

At the February 2008 meeting of State Council, WALGA formed a Policy position against the introduction of Third Party Appeal Rights. The report noted that the main arguments against the proposal were:

1. The current strategic and statutory planning processes, and consideration of applications by Councils, already takes into account the views of affected parties and the community generally;
2. Third party appeals could be lodged because of vexatious or commercial interests, not because of genuine planning matters;
3. Such appeals would cause significant delays and additional costs for development, as even lodgment of an appeal would put a development on hold;



4. Additional planning appeals would place a further burden on already stretched Local Government resources. Local Governments would incur additional costs for new administrative steps in processing development applications, preparing for and responding to appeals lodged with the State Administrative Appeals Tribunal (SAT) and legal representation. This is particularly the case since the establishment of the State Administrative Tribunal which has seen planning appeals become more legalistic, costly and resource intensive for Local Governments.

Additionally, the existing State Administrative Tribunal (SAT) system was considered efficient at reconsidering the merits of planning applications and there are currently four ways in which a third party may participate in a planning matter being considered by SAT. These are:

- Being called as a witness by the respondent;
- Making a submission under section 242 of the *Planning and Development Act 2005*;
- Intervening under section 37(3) of the State Administrative Tribunal Act 2004, whereby the third party acquires rights and responsibilities as a party a party under the act; and
- Possible participation in mediation.
(SAT)

Subsequently, State Council resolved in February 2008 (326.1/2008), the following position:

That:

1. the member for Alfred Cove, Dr Janet Woollard MLA and the Minister for Planning and Development, Hon Alannah MacTiernan be advised of the inaccuracies and duplications contained in the proposed Planning and Development Amendment (Third Party Appeals) Bill 2007; and
2. as there is no justification for the proposed legislation and there are significant negative implications for Local Government, industry and the community, Local Government continues to be opposed to the introduction of third party appeal rights in Western Australia.

While the above arguments for WALGA's position remain, the decision making environment in WA has changed since the formation of the position in 2008 with changes to legislation arising from the State's planning reform 'Planning Makes it Happen: Phases 1 and 2', and the introduction of Development Assessment Panels (DAPs).

2.2 Changes to the Planning Framework

Historically Local Government in Western Australia has been the main authority tasked with decision-making for development applications, under delegation arrangements from the Western Australian Planning Commission (WAPC).



Since 2009 a number of changes have been implemented to the planning framework, directly impacting on the decision-making powers of Local Government, including:

- The establishment of the Metropolitan Redevelopment Authority (MRA);
- Changes to Structure Planning processes;
- Changes to section 76 of the *Planning and Development Act 2005* to give the Minister for Planning the power to order a Local Government to prepare or adopt an amendment to a local planning scheme;
- The introduction of Improvement Schemes and Plans; and
- The introduction Development Assessment Panels (DAPs).
- The introduction of 'Deemed Provisions' for local planning schemes in the *Planning and Development (Local Planning Schemes) Regulations 2015*;

Given the substantial changes that have occurred within the decision-making environment in Western Australia, and the recent community concerns over the creation of the DAP system to determine development applications in place of Local Governments, it is appropriate to initiate a discussion on the possible role of Third Party Appeal Rights in the Western Australian planning system.

3.0 Current Third Party Appeal Rights in Australia

Third party appeal rights vary by state, with no common 'best practice'. Nationally, the Development Assessment Forum (DAF) a federal government advisory body, provides a Leading Practice Model, which sets out 'tracks' for different development assessment processes.

3.1 Development Assessment Forum (DAF)

The Development Assessment Forum (DAF) was formed in 1998 to bring key stakeholders together to reach agreement on ways to streamline the processes used for development approval while preserving high quality decision making. The DAF published its *Leading Practice Model for Development Assessment* in March 2005, which aims to provide a blueprint for jurisdictions to create a simpler, more effective approach to development assessment. The practice model achieves this by defining ten leading practices that a development assessment system should exhibit, and applying the ten leading practices to six development assessment pathways or tracks.

With regards to Third Party Appeal Rights, DAF's Leading Practice Model states that "opportunities for third-party appeals should not be provided where applications are wholly assessed against objective rules and tests", and that "opportunities for third-party appeals may be provided in limited other cases". In this way, the DAF model hopes to avoid unnecessary review where objective criteria has already been established by a consultative process. Elements of DAF's *Leading Practice Model for Development Assessment* are used in some jurisdictions.



3.2 Third Party Appeal Rights by State and Territory

State/Territory	Scope of Third Party Appeal Rights	Number & effects of Third Party Appeal Rights (cost, timeframes, etc.)
New South Wales	Appeal rights limited to uses such as major developments where the development is high impact and possibly of state significance'. A third party objector can bring a merit based appeal in the Land and Environmental Court against a decision to grant development consent only if the development is designated development (development listed as such in the EP & A Regulation).	Third parties have 28 days to lodge an appeal. Court cases can last several days, or weeks for complex cases.
South Australia	Appeal rights limited to 'Category 3' ⁱⁱⁱ developments. A third party who makes a written representation on a proposed Category 3 development has a right to appeal against that decision or any conditions attached to it. A person who disagrees with a decision of a relevant authority, but is a third party who has not taken the opportunity to lodge a written representation during the public comment period is not entitled to appeal.	The number of all appeals lodge with the ERD Court trends between 191-200 appeals per year, with 78% of appeals lodged withdrawn or resolved without going to a full hearing. (LGA SA 2014).
Queensland	DAF based - Appeal rights limited to 'impact assessable' ⁱⁱⁱ developments. The person making the third party appeal must have lodged a 'properly made submission' with the local council within the public notification period for the development application.	No information available.
Tasmania	Broad appeal rights, but third parties can only object to a planning application if it is a 'discretionary' application, which must be advertised. To appeal the third party must have lodged a representation (objection) to an application within the 14-day advertising period, and may lodge an appeal with the tribunal within 14-days of receiving notice of the council decision.	For the 2013-2014 year 117 appeals in total were lodged under the Land Use Planning and Approvals Act (RMPAT 2014) Cost to lodge an appeal with the Resource Management and Planning Appeal Tribunal is \$350, but if appeal proceeds to full hearing, cost for lawyers and expert witnesses may be incurred (RMPAT). RMPAT has 90 days to complete an appeal (RMPAT 2014).
Northern Territory	Appeal rights limited to developments in residential zones, unless the land is adjacent to or opposite a residential zone, in limited circumstances. Third party appeal rights apply only to those persons who made submissions on a Development Application.	No information available
Australian Capital Territory	DAF based - Appeal rights limited to available for those merit or impact track ^{iv} development applications that went through the major notification process, unless exempt by regulation.	Third party appellants must lodge appeals no later than four weeks after the decision was made.



		For the 2015-2016 year 22 applications were received in total for administrative review under Planning and Development. The cost to apply for review is \$325 and cases are subject to 120 day limit (ACAT 2016)
Victoria	Broad appeal rights. Provision of third party appeal rights cover most developments in Victoria. To appeal the third party must have lodged an objection to an application within the advertising period. Anyone who may be affected can make an objection, objectors do not have to show they will be personally affected and may object on broad public interest issues. If, for good reason, a person was unable to lodge an objection, may be able to apply for a review of the decision if VCAT ^v gives permission.	For the 2014/2015 year 4% (2,292) of development applications had a review lodged with VCAT. Hurley et al (2013) found appeals from third parties accounted for 19% of VCAT cases. An objector who lodged an objection in writing must make an application for review (appeal) within 21 days of decision to grant a permit.

i – Examples include chemical factories, large-scale breweries, resource projects such as coal mines and quarries, and turf farms.

ii - In Category 3 development applications, notice must be given to adjacent owners and occupiers as well as those considered by the relevant authority to be significantly affected by the proposed development. Also, the general public must be notified by publication of a notice in a local or state-wide newspaper.

iii – Act or local planning instruments will dictate the category of a development.

iv – Assessment tracks which are to be followed for the assessment of different kinds of development proposals include; 'merit track' for development proposals that can be assessed using rules and criteria in the code that applies to the proposals, and 'impact track' for development proposals that can be assessed using rules and criteria in the code that to the proposals, relevant environmental impact statements and the statement of strategic directions.

v- Victoria Civil and Administrative Tribunal

3.3 Western Australia State Government Position

In its 2015 report on the review of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the Western Australia Legislative Council noted that the State's position on Third Party Appeal Rights was set out on 3 June 2009, by the then Minister for Child Protection, representing the Minister for Planning, who advised the Legislative Council of the Government's position on third party appeals:

The Government does not currently have any plans to introduce third party appeal rights in Western Australia.

The Government does not believe that the introduction of third party appeal rights in Western Australia is consistent with current attempts to simplify and streamline the planning approvals process. The Planning and Development Act 2005 requires public consultation in relation to the planning framework established in local and regional areas, with public consultation mandated for local and region planning scheme amendments, as well as State Planning Policies, local planning policies and structure plans. As such, the Government believes that the current planning process provides sufficient opportunity for the local community to have a say in what happens in their neighbourhoods. (p.31)

The report states that this remains the Government's policy.



3.4 Judicial Review

The ability for third parties to appeal the process behind an administrative planning decision via judicial review is open in each jurisdiction in Australia, even where merit based Third Party Appeal Rights are present. Judicial reviews are heard by a Judge in a Court of Law, and are a review of the legality of the decisions under challenge, not a review of the merits of a development. This process has a much narrower focus than a planning review, in that the question that the Court is concerned with is about the process and manner in which the decision was made, as opposed to was the decision the correct or best outcome.

To date, the recourse for an affected party in Western Australia has been to pursue the matter through the Supreme Court as a matter of Judicial Review. Over the past two years, there appears to have been an increase in the number of individuals and Councils applying for Judicial Review, most notably *Nairn v Metro-Central JDAP* where the approval of a mixed use tower was disallowed. The continual perusal of such Judicial Reviews may not be in the long term best interest of communities, as they are prohibitively expensive and is focused on the decision making process, rather than the outcome.

4.0 Arguments For and Against Third Party Appeal Rights

A literature review was conducted to establish the most common arguments both for and against third party appeals as well as examine the issues and benefits that may arise from their use. Victoria has the broadest third party appeal rights, and therefore much of the current literature examining third party appeals is focused on that state's experience.

4.1 Arguments Against Third Party Appeals

Legitimate interest and third party appeals – Many authors note that the traditional view of appeal rights holds that the only parties with a direct interest in a development application are the applicant and the responsible authority; meaning property owners are the only ones who should have the right to appeal over their land and that they should be able to use their property with minimal external interference. Therefore, Third Party Appeal Rights, if not clearly defined, may allow individuals to take part in planning decisions in which they have no direct interest. This can lead to opposition on non planning grounds, rather than because of an issue with the merit or substance of the proposal (Ellis2006) (Willey 2006) (Hurley et al 2011).

Loss of representation – This arguments states that the appeals process shifts decision making for development applications away from Local Government and therefore away from the locally elected representation. This shift may reduce accountability and transparency in the planning decisions process for the local community. A large amount of decision making power has been removed from Local Government with the introduction of DAPs. It is argued that Third Party Appeal Rights further weaken the representative nature of Local Government decision making (Ellis 2006) (Willey 2006) (Hurley et al 2011).



Current planning processes provide opportunities to participate – A strong argument against Third Party Appeal Rights is that proactive public engagement, participation and collaboration in policy formation and strategic planning is preferable as these processes focus on higher order engagement which leads to better policy and greater certainty in the process and outcome. Third party appeals tend to encourage adversarial rather than collaborative debate on planning issues. The effect of Third Party Appeal Rights may be to promote short-term decision making and could create planning outcomes that are not in the longer term interest of the community (Ellis 2006) (Willey 2006) (Hurley et al 2011) (Cook et al 2012) (Hurley et al 2013).

Not representative of the broader community- The idea of equity of access to planning decisions is often cited in the literature as a justification for third party appeal rights, however some research reviewed found that the majority of people lodging third party appeals come from a well-organised, well-connected and well-resourced segment of the community, which raises the question of how representative these objections are of the wider community's views (Ellis 2006) (Willey 2006) (Cook et al 2012) (Hurley et al 2013). For example, in their review of Third Party Appeals against multi-unit developments in Victoria, Hurley et al (2013) found that the number of objections against applications increase in more socio-economically advantaged areas, which indicates that developments in these areas are facing more organised community resistance, either by greater propensity for individuals to object, or by effective resident mobilisation (Hurley et al (2013) p.4).

Impact on the decision making process – Researchers argue that the introduction of Third Party Appeal Rights will lead to increased cost and delays, and the possibility of appeals being lodged because of vexatious or commercial interests, not because of genuine planning matters. As a result, the planning approval processes will experience delays which will create inefficiency, uncertainty, increased costs, and could ultimately act as a brake on investment and economic growth (Ellis 2006) (Willey 2006) (Hurley et al 2011).

Failure to determine/Deemed Refusal – While researching multi-unit development in Victoria, Cook et al (2012) found that as the volume of objections to a development application increases, so too does the likelihood of appeal to VCAT. Additionally, failure to determine (where council fails to render a decision within the prescribed timeframes, equivalent to deemed refusal in Western Australia) cases are strongly related to high objection numbers. Therefore, applications which receive the highest number of objections are also the applications which are most likely to be appealed, and are also most likely to be the applications which Council fails to determine. While failures to determine may be instances where the local authority is unable to process applications due to resource constraints, the results and anecdotal evidence suggest that often these cases involve the authority declining to make a decision where there is significant resident opposition (Cook et al (2012) p.39).

Turning planning into a 'numbers game' – Some researchers noted the existence of third party appeals may lead members of the community to believe that the number of objections in and of itself is a way of engaging in the planning process and prevent developments they do not support (Planning Institute of Australia (NSW Division) 2012) (Hurley et al 2013). However, in order to be considered by the responsible authority, an objection needs to be about a valid planning concern. As a result the community's expectations about how it can influence the planning system may not be met.



4.2 Arguments For Third Party Appeals

Legitimate interest – A strong argument is made that neighbouring landowners, occupiers and members of the community often have a very legitimate interest in whether development occurs and the form of that development, as any new development has impacts on existing neighbourhood character, amenity, infrastructure and property values. Equity in the development process is also important, if an applicant has rights of appeal, the argument is that a third party should also have right of appeal to maintain equity. Without Third Party Appeal Rights the wider community is removed as a stakeholder (Ellis 2006) (Willey 2006) (Trenorden 2009).

Improved participation and decision making – It is often noted that planning is a communicative process which needs to embrace the public in meaningful ways. Third party appeals would have the potential to increase avenues for public engagement with planning, and may deliver better planning decisions as an empowered public, with increased opportunities for participation, can result in improved planning outcomes. Therefore, Third Party Appeal Rights affords the combination of a broader base of input, increased debate and the ability for 'local knowledge' to inform planning approvals which can lead to improved outcomes (Morris 2005) (Ellis 2006) (Willey 2006). As an example, Willey (2006) notes that it is comparatively rare in Victoria for an objector to completely succeed in overturning a decision, but often their involvement is considered to lead to a better planning decision.

Improved consultation – Third party appeal rights may encourage developers to deal with the local community in a more engaging manner and places pressure to concede or improve design elements where appropriate and reasonable to do so (Willey 2006).

Improved transparency – Applicant appeals are a means by which decision-making can be checked and provide property owners a recourse to an independent review body as a safeguard against inconsistent decisions. An argument for Third Party Appeal Rights is that they provide the same opportunity for third parties to scrutinise and challenge decision-making, thus keeping decision-makers accountable. Additionally, Third Party Appeal Rights are purported to discourage corrupt behaviour between developers and local government (Morris 2005) (Willey 2006) (Trenorden 2009).

4.3 Competing Viewpoints

There are strong arguments both for and against third party appeals. The research notes that which side of the argument one lands on often has a great deal to do with the planning culture in which they are operating (Willey 2006) (Trenorden 2009). In Victoria, where third party appeals have become an embedded practice, most stakeholders are supportive of the practice, even while acknowledging negative aspects may be associated with them.

In contrast in places such as Western Australia where third party appeal rights are not a part of the planning culture, views tend to focus predominately on the negative aspects of Third Party Appeal Rights. For example, a concern often expressed is that allowing third party appeals would lead to a 'flood' of appeals, however evidence from Victoria shows that Third Party Appeals account for only 19% of VCAT cases (Hurley et al 2013). So while allowing Third Party Appeals would lead to an increase in appeals, the effect may be overemphasized.



In a 2009 paper, Judge Christine Trenorden, Senior Judge of the Environment, Resources & Development Court in South Australia, argued that the issue of whether Third Party Appeal Rights are necessary may be resolved by the answers to the following questions:

1. *Does the community have confidence that the policy document for a particular area sufficiently describes the desired future character, and contains a comprehensive set of objectives and principles for development in the area, relevant to the local context including the environment?*
2. *Does the community have confidence in the decision-makers to make a decision in the best interests of the community now and in the future?*
3. *Is there a transparency about the decision-making?*
4. *Is there a guarantee that the decision-makers will assess the development in the context of the desired future character, objectives and principles of development for the area (assuming the adequacy of these policy statements)?*
(Trenorden, 2009 p. 13)

The questions put forward by Judge Trenorden speak not to the capability of the decision maker to determine an application, but the "community's confidence" in their ability. These are not necessarily the same thing. When the decision-maker is appointed by an external body, the community's confidence in them to make a decision in the best interests of the community now and in the future is diminished. Any lack of transparency around the decision-making process further erodes confidence.

5.0 Issues to Consider

5.1 Criteria for Third Party Appeal Rights in other States

After considering the arguments for and against Third Party Appeal Rights, as well as Judge Trenorden's questions on determining the necessity of such rights, there may be further debate on what limitations, if any, should be placed on Third Party Appeal Rights were they to be introduced. For instance, it may be that Third Party Appeals be limited to only certain types of applications involving the use of discretionary powers, or instances where the decision-maker has advertised the development. If this were to be the case, then Third Party Appeal Rights would apply to determinations made by both Local Government and DAPs.

Based on the summary of Third Party Appeals processes that exist in other jurisdictions, the primary criteria for allowing Third Party Appeal Rights include:

- Excluding vexatious or commercial interests appeals, and any appeals made on none-genuine planning matters,
- Excluding appeals by those parties who did not previously make a submission.
- Excluding appeals where an application meets 'deem-to-comply' requirements, and no discretion has been excised.
- Excluding appeals for some cases of minor development.
- Having a short window in which to appeal (example 14 days).



5.2 Implications for Local Government

Whilst the introduction of third party appeal rights would give the community the ability to appeal decisions made by DAPs, it would also result in the majority of appeals being lodged against decisions made by Local Government. Staff would be impacted as officers would require additional time to prepare for and attend third party appeals, which would likely have an effect on the ability of Local Government officers to complete development application assessment within the required statutory timeframes.

Additional resources would likely be required to administer, resource and potentially engage legal counsel to defend these decisions and this would most likely create an additional financial burden for Local Government. Without proper resources, such a situation could lead to delays in making planning decisions, which in turn, would create inefficiency, uncertainty, increased costs, and could ultimately act as a brake on investment and economic growth.

While limitations could be placed on the type and scope of Third Party Appeal Rights, it is likely that any system which allows Third Party Appeals would result in increased workload and cost for Local Government.

6.0 Conclusion – What is right for Western Australia?

Since WALGA formulated its policy position on Third Party Appeal Rights in 2008, there have been significant changes to the planning system, including the introduction of DAPs as the decision-making body for a range of development applications. By removing the decision-making abilities of democratically elected Local Government representatives and placing it in the hands of appointed panel members, the general public's confidence that planning decisions are being made that are in the best interests of the community has been substantially reduced. This loss of confidence coincides with increased anxiety amongst the community over the changing amenity of suburbs due to increasing density and population pressures.

Third Party Appeal Rights are a complex issue, with strong arguments both for and against their implementation. Property rights must be balanced against the community's rights of participation, and the desire for transparency and accountability in government and decision-making bodies. Local Government must also consider the likely impacts in terms of cost, resourcing and the timely delivery of services.

6.1 Feedback Sought

In order to help WALGA review its position, feedback from the Local Government planning community and Elected members is sought. In light of the information presented, and considering the possible implications for Local Government if some form of Third Party Appeal Rights were to be adopted, WALGA welcomes any feedback or comments on the topic including:

- Would you be in favour of the introduction of some form of Third Party Appeal Rights in Western Australia? Why or Why not?
- Do you feel your Council is likely to support some form of Third Party Appeal Rights?
- Any other comments relating to Third Party Appeal Rights.



Feedback can be sent to planning@walga.asn.au or on 9213 2000 to discuss with one of the Planning and Development Team.



7.0 References

- Australian Capital Territory Civil and Administrative Tribunal (ACAT), (2016), *2015-2016 Annual Review*, Canberra, Australia,
http://www.acat.act.gov.au/data/assets/pdf_file/0003/1018092/ACAT-2015-16-Annual-Review.pdf
- Cook, N. Taylor, E. Hurley, J. and Colic-Peisker, V. (2012b), 'Resident third party objections and appeals against planning applications: implications for higher density and social housing - AHURI Final Report No. 197', in *AHURI Final Report Series*, Australian Housing and Urban Research Institute, Melbourne, Australia, vol. 197, pp. 1-98, ISSN: 1834-7223.
- Ellis, Geraint (2006). 'Third party appeals: Pragmatism and principle.' *Planning Theory and Practice* 7.3: pp. 330-339.
- Hurley, J. Taylor, E. Cook, N. and Colic-Peisker, V. (2011), 'In the fast lane: Bypassing third party objections and appeals in third party planning process', in *State of Australian Cities National Conference 2011*, Australian Sustainable Cities and Regions Network (ASCRN), Melbourne, Australia, pp. 1-10.
- Hurley, J, Cook, N and Taylor, E (2013), 'Examining three planning pathways in the mediation of resident opposition to compact city', in Nicole Gurran and Bill Randolph (ed.) *Proceedings of the State of Australian Cities National Conference 2013*, Sydney, Australia, 26 - 29 November 2013, pp. 1-12.
- Local Government Association of South Australia, (2014), 'Planning and Appeals Review – Planning Reform Issues Paper',
- Morris, S. (2005), 'Third Party Participation in the Planning Permit Process, Victorian Civil and Administrative Tribunal', Melbourne, Australia
<http://www.austlii.edu.au/au/journals/VicJSchol/2005/5.pdf>.
- Parliament of Western Australia, (2015), 'Uniform Legislation and Statutes Review Committee – Public Hearings on Submissions, Question on D McLeod Submission', Perth, Australia, pp. 1-11
- Planning Institute of Australia (NSW Division), (2012), 'A New Planning Act for New South Wales – Submission', North Sydney, Australia
- Resource Management and Planning Appeal Tribunal of Queensland, (2014), *Annual Report 2013-2014*, Brisbane, Australia,
http://www.rmpat.tas.gov.au/data/assets/pdf_file/0011/298640/Annual_Report_for_2014_.pdf
- State Administrative Tribunal, 'Info Sheet 6 – Third party participation in planning matters', Perth, Australia <http://www.sat.justice.wa.gov.au/files/Info%20Sheet%206%20-%20Third%20party%20participation%20in%20planning%20matters.pdf>



Trenorden, C. (2009), 'Third-Party Appeal Rights: Past and Future', Town Planning Law Conference 2009, Perth, Australia
http://www.sat.justice.wa.gov.au/files/10_Hon_Judge_Christine_Trenorden_Presentation.pdf

Victoria State Government, *Planning Permit Activity Annual Report: 2014-15*, Department of Environment, Land, Water and Planning, Melbourne, viewed 30 March 2017,
<https://www.planning.vic.gov.au/publications/planning-permit-activity-in-victoria/planning-permit-activity-annual-report-2014-15>

Western Australia Local Government Association (WALGA), (2016), 'Development Assessment Panels – 2011-2016 Review', West Leederville, Australia,
http://api.ning.com/files/RBh5pTSdbmvNZvRPEdzQPcKFeEqAMAPBF0tfEEYoPiDy8IHu5FRuuTsz1*46DwUfWSC-m6uCViT4NuqVgkE6dfxZNVMMNS1LW/DAPs201116Review.pdf

Western Australia Legislative Council, (2015), 'Report 93 – Standing Committee on Uniform Legislation and Statutes Review, Review of the *Planning and Development (Development Assessment Panels) Regulations 2011*, Perth, Australia

Wiley, S. (2006), 'Planning Appeals: Are Third Party Rights Legitimate? The Case Study of Victoria, Australia', *Urban Policy and Research*, 24(3), pp. 369–389.

9.2.4 CONSTRUCTION OF CAR PARKING IN ROAD RESERVE IN ASSOCIATION WITH NEW SHOWROOM - LOT 50 GUY STREET

LOCATION/ADDRESS:	Lot 50 (No.95) Guy Street
APPLICANT:	Ricon on behalf of Warren & Charmain Minshull
FILE:	GUY-1/95
AUTHOR:	Senior Planning Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development and Community
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	24 January 2018

SUMMARY: An application for Development Approval has been received for the construction of a new 435sqm automotive parts showroom in association with the existing 'Minshull Mechanical' business at 95 Guy Street. Submitted plans detail 31 car parking bays to be constructed on-site, with an additional 19 bays to be constructed within the adjoining Guy Street road reserve.

The application is presented for consideration further to the Shire's *Local Planning Policy 5.5 – Parking (LPP 5.6)*, which allows for construction of car parking bays in a verge abutting a property at Council's discretion.

This report recommends that the application be approved, subject to conditions.

BACKGROUND

Previous Considerations

OMC 13 April 2004	Item 9.2.4
OMC 27 November 2014	Item 9.2.6

Site and Surrounds

Zoned 'Light and Service Industry', the 6,253sqm subject site is located on the southern side of Guy Street with the adjoining land-use consisting of light industrial development to the east, west and south. Medium density residential development is located opposite the lot across Guy Street to the north.

Existing land-use on-site consists of an automotive parts and mechanical repair and wrecking business, ('Minshull Mechanical'), with existing development comprising a 667sqm workshop, 153sqm automotive parts retail floor-space, 180sqm car detailing/painting workshop, and an 80sqm staff amenities building.

Background

Development approval was originally granted on 13 April 2004 for a 'Mechanical Workshop, Showroom, Wrecking Yard and Caretaker's Dwelling' at 95 Guy Street. An application to vary the 2004 approval, to allow for the construction of 34 car parking bays within the road reserve, was approved by Council on 27 November 2014. The approval was conditioned to require installation of landscaping for the car parking within the verge; and registration of notification on title setting out the landowner's responsibility for maintenance and removal (if required) of works within the road reserve. The landowner

was also required to take out and maintain public liability insurance for works within the road reserve. Specifically, Council's approval required car parking to be constructed prior to 1 March 2015, and landscaping installed prior to 30 June 2015. Following the failure of the landowner to meet these requirements, compliance action was undertaken by the Shire in relation to these conditions of approval. However ultimately, the approval and conditions were never acted upon by the developer.

The Proposal

The current application proposes the construction of a new 435sqm automotive parts showroom, of which 285sqm will be used for retail sales and 150sqm for storage. Existing car parking and manoeuvring areas on-site are unsealed, being a mixture of cracker-dust and pindan. Submitted plans (see **Attachment 1**) show 31 car parking bays to be constructed on-site, with all bays and vehicle manoeuvring areas to be hard-sealed. Additionally, the application proposes the construction of 19 car parking bays within the Guy Street road verge.

COMMENT

Land Use

The subject site is zoned 'Light & Service Industry' under Local Planning Scheme No 6 (**LPS6**). The proposed 'Showroom' use a 'D', 'discretionary', land-use within the zone for which Development Approval is required.

The proposed development is consistent with the objectives for the zone as set out under clause 3.9 of LPS 6 and complies with all site requirements, including the allocation of areas for landscaping. The applicant at this point has not provided a detailed landscaping plan and this is recommended to form a condition of approval and would need to be submitted before building commences on site.

Parking Provision – Schedule 16 & Local Planning Policy 5.6 - Parking

Schedule 9 of LPS 6 requires parking to be provided for development within the Light & Service Industry zone at a ratio of 1 bay per 50sqm of gross-leasable area floor-space. In assessing the current application, calculation of parking ratios has been undertaken with consideration for the intended uses of the proposed showroom, as follows:

Proposed land-use activity type & floor-area	Parking Ratio – Schedule 9	Required Bays
Automotive Parts Retail 285sqm	1 bay per 15sqm	19
Storage 150sqm	1 bay per 50sqm	3
	Total	22

As shown above, a minimum of 22 car parking bays are required to service the proposed development. Assessment of parking requirements applicable to existing land-use and development on-site is as follows:

Existing land-use activity type & floor-area	Parking Ratio – Schedule 9	Required Bays
Mechanical Repair Workshop 667sqm	1 bay per 50sqm	14

Automotive Parts Retail 153sqm	1 bay per 15sqm	10
Automotive/Light & Service Industry 180sqm	1 bay per 50sqm	4
	Total	28

Further to the above, a minimum of 50 car parking bays are required to be provided to service both the existing and proposed land-use activity on-site. While submitted plans show 50 bays, 19 of these are proposed to be constructed within the adjacent Guy Street road reserve. LPP 5.6 provides guidance for the assessment of proposals to install off-site parking within road reserves. Specifically, LPP 5.6 provides that in order for 'off-site' parking to be considered, the applicant must show:

- a) the location of the off-site park is conveniently located to the subject development;
- b) a safe and well-lit pedestrian access can be provided between the sites;
- c) the customers and patrons of the proposed development can be reasonably expected to use the 'off-site' parking area; and
- d) any other relevant matters.

With consideration for the above, the construction of bays within the verge as proposed:

- a) will be conveniently located adjacent to the subject development;
- b) will be landscaped to include safe pedestrian connection through vehicle manoeuvring areas; and
- c) is likely to be utilised by patrons and employees of the proposed development, given the prevalence of customer parking on the verge under current arrangements.

LPP 5.6 requires off-site parking areas to be landscaped at a rate of 1 tree per 4 parking bays to ensure shading of bays, or 1 tree per 12m of consecutive bays, whichever the lesser. It is recommended that approval be conditioned to require the submission of landscaping plans demonstrating shading of parking bays and construction of parking bays, pedestrian connections and vehicle manoeuvring areas in compliance with LPP 5.6 and the Shire's *Local Planning Policy 5.7 – Development Standards for Development Applications* (**LPP 5.7**). Additionally, it is recommended that approval be conditioned to require submission of an engineering plan detailing all proposed works within the verge in accordance with the Shire's *Guidelines for the Construction of Carparking within the Shire of Broome Road Reserves*.

Deed of Agreement – Maintenance Responsibilities & Public Liability Insurance

To ensure that development is undertaken and maintained to a standard in compliance with approved plans as required under LPP 5.5, it is also recommended that a deed of agreement (prepared at the landowners cost) be entered into between the Shire and the landowner setting out the landowner's ongoing maintenance responsibilities with respect to car-parking and landscaping within the road reserve. As is standard practice consistent with the provisions of LPP 5.5, it is also recommended that approval be conditioned to

require the landowner to take out and maintain public liability insurance for works within the road reserve.

Summary

The application to construct 19 car parking bays and landscaping within the Guy Street road reserve in association with a proposed showroom development complies with the land-use objectives and site and development requirements of LPS 6.

With reference to the Matters to be Considered under Clause 67 of the Deemed Provisions, it is considered that the development proposal will contribute positively to the streetscape in the locality, is not expected to impact adversely upon adjoining development, and is a form of land-use that complements the development objectives for the zone under the Shire's planning framework. Accordingly, the application is recommended for approval subject to conditions to ensure ongoing maintenance responsibilities for car parking and landscaping areas within the road reserve.

CONSULTATION

As per the Shire's *Local Planning Policy 5.14 – Public Consultation Planning Matters* advertising of the application was not required.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Local Planning Scheme No.6.

POLICY IMPLICATIONS

Local Planning Policy 5.5 – Parking

Local Planning Policy 5.7 – Development Standards for Development Applications

FINANCIAL IMPLICATIONS

Conditions of approval are recommended setting out that car parking and landscaping will be the responsibility of the landowner to maintain.

RISK

Nil.

STRATEGIC IMPLICATIONS

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

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:

A built environment that reflects arid tropical climate design principles and historical built form

Core asset management to optimise Shire's infrastructure whilst minimising life cycle costs.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council:

1. Approves the 'Construction of Car Parking within the Road Reserve in association with new Showroom' at Lot 1 (No.95), Guy Street, Broome, subject to the following conditions:
 - a) Development must be carried out in compliance with the plans and documentation listed below and endorsed with the Council's stamp, except where amended by other conditions of this approval.

Plans & Specifications

P1, (Site Plans & Elevations), & P2, P3, P4, (Floor Plans & Elevations), as received by the Shire on 18 December 2017.
 - b) Prior to any construction or works commencing on site, the applicant must prepare and submit the following plans for the approval of the Shire of Broome:
 - i. A detailed engineering plan for all car parking and works (including footpaths, structures and crossovers) within the adjacent road reserve;
 - ii. A storm water drainage plan designed and documented by a practising Civil Engineer;
 - iii. A landscaping plan detailing landscaping of the lot and car parking areas within the adjoining road reserve.
 - c) Prior to the occupation of the development, the applicant is to complete the following works and therein maintain to the satisfaction of the Shire of Broome:
 - i. Construct the car parking bays on site and within the adjacent road verge in accordance with the approved engineering plan and storm water drainage plan.
 - ii. Construct the crossover in accordance with the approved engineering plan.
 - iii. Install the landscaping in accordance with the approved landscaping plan.
 - d) Prior to the occupation of the development a deed of agreement is to be prepared and executed at the owner's cost between the owner and the Shire, under which:
 - i. The owner is responsible for the maintenance of the car parking and landscaping within the road verge; and
 - ii. The owner indemnifies the Shire over any claim arising from the improvements in the road verge and agrees to take out and maintain public liability insurance for a minimum amount of \$10 million for any one

claim.

The deed of agreement is to permit the Shire to lodge a caveat against the Certificate of Title to the land to secure the performance of the obligations of the deed.

- e) Car parking bays and areas designated for landscaping, both within the boundaries of the lot and road reserve, shall not be used for the storage, display or selling of any goods or vehicles whatsoever. Car parking bays shown on the approved plans must be kept available at all times for customer/employee parking and cannot be used for vehicle storage.

Advice Notes

- A. This approval does not permit the use of the land and or any building or undertaking of development unless all conditions have been and continue to be complied with. You are advised of the need to comply with the requirements of the following other legislation:

- The Western Australian Building Act 2011 which requires a Building Permit to be obtained from the Shire before any work commences on site; and
- Health Act 1911 and Department requirements in respect to the development and use of the premises.

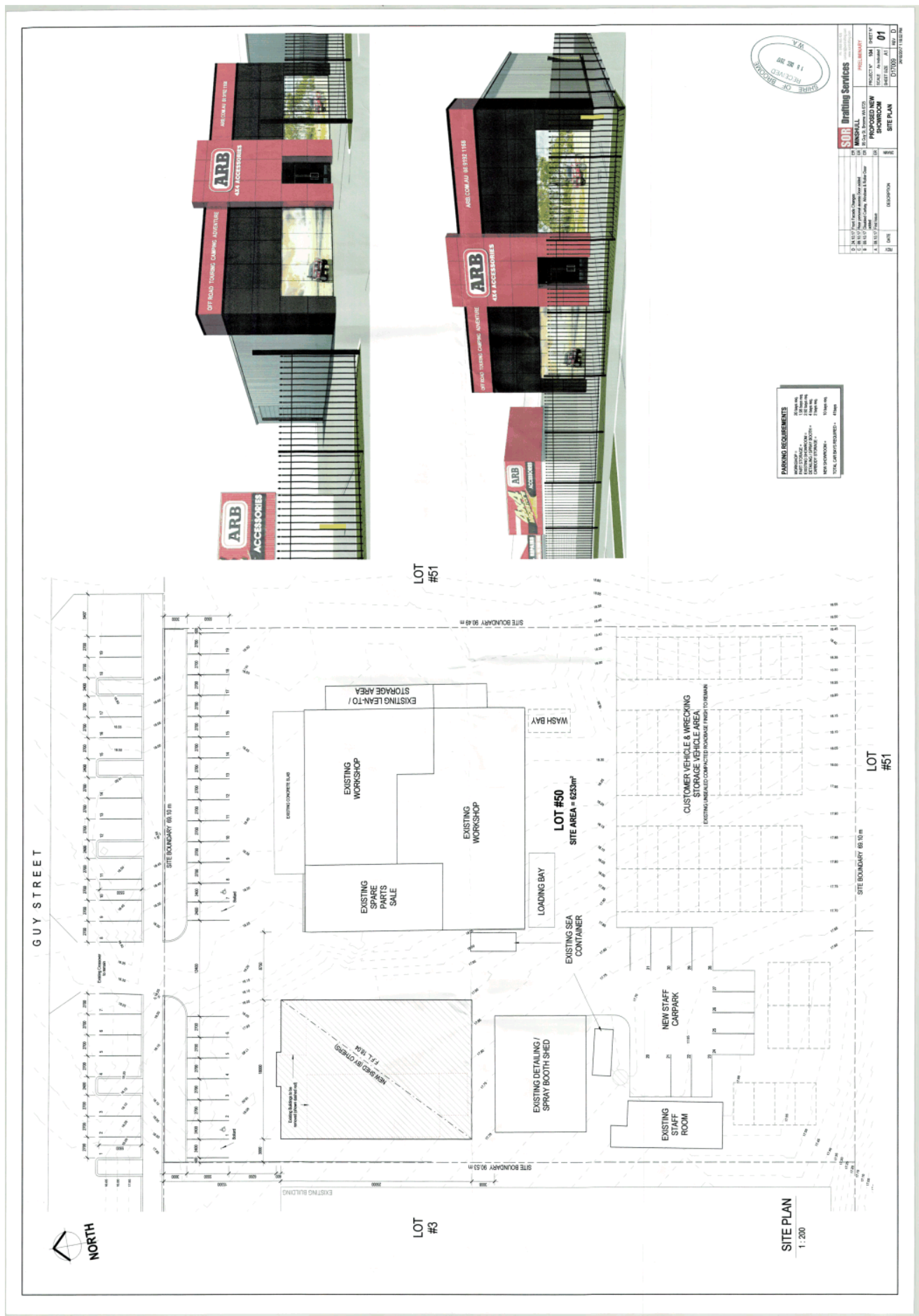
Please note the above is not an exhaustive list of legislation and you may be required to comply with other relevant legislation.

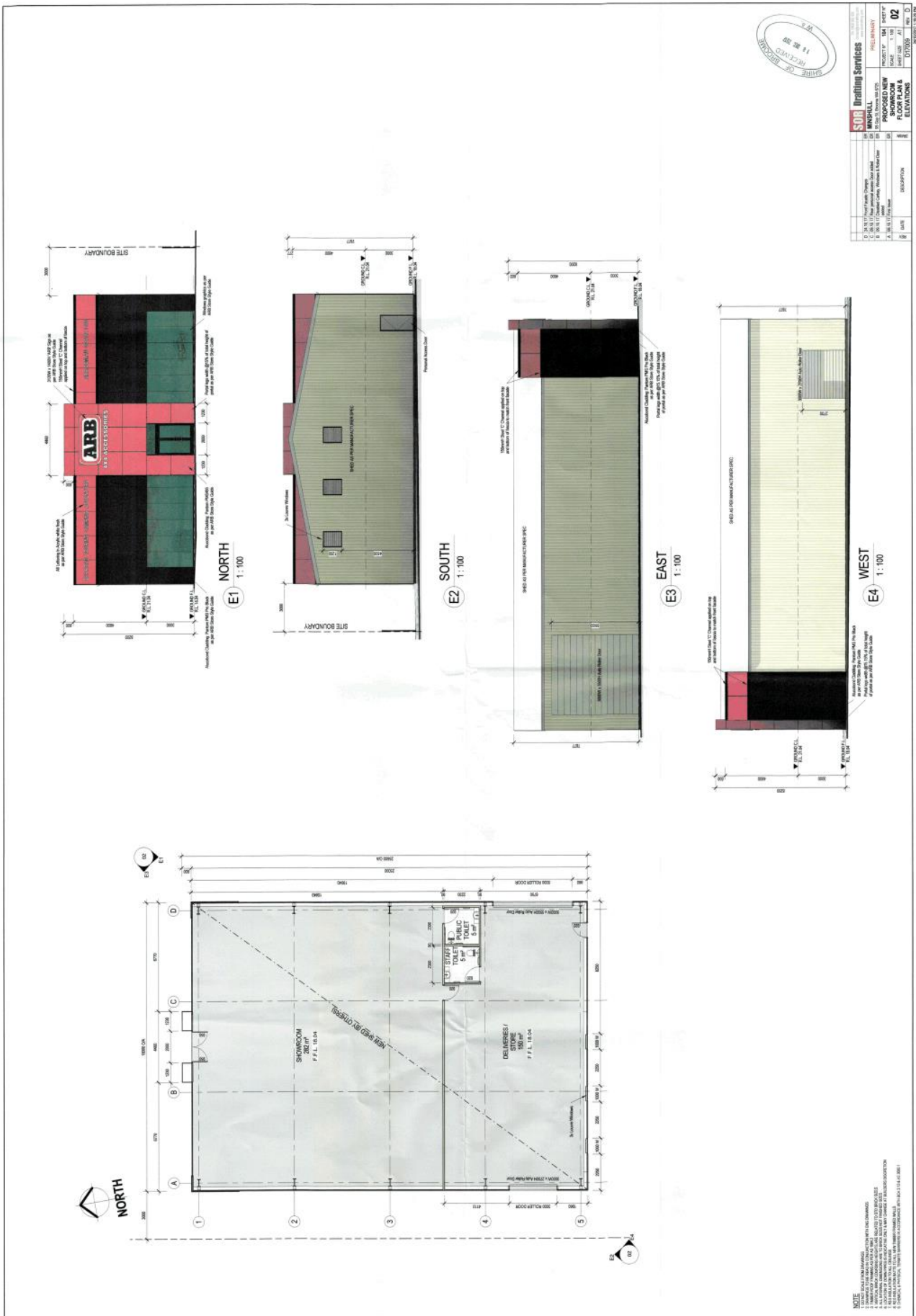
- B. If the development the subject of this approval is not substantially commenced within two (2) years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, development is prohibited without further approval being obtained.
- C. With regard to Condition b) above, the engineering plan for parking and works (footpaths, structures, parking and crossovers) must be prepared in accordance with the Guidelines for the Construction of Carparking within the Shire of Broome Road Reserves.
- D. The granting of this Development Approval is not a clearance that there are no Aboriginal Heritage Sites on the land nor is it an approval under Section 18 of the Aboriginal Heritage Act, in the event that there is an Aboriginal Heritage Site on the land. The land owner will need to make enquiry and application to the Department of Aboriginal Affairs in this regard.
- E. The development must be connected to the Water Corporations sewer and water.
- F. With regard to condition b) the engineering plan must show a minimum 300mm clearance from the edge of footpaths to any solid obstruction.
- G. With regard to Condition b) above, the landscaping plan must be drawn to an appropriate scale and show the following:
- o The location and type of new trees and shrubs (including an estimate of ultimate girth and canopy sizes demonstrating capacity to provide shading of parking areas) that are proposed to be installed as part of landscaping;
 - o Those areas that are to be reticulated or irrigated;

- *A minimum area of landscaping 1 metre wide to be installed and a minimum area of 1sqm around proposed tree trunks to be kept clear of impervious material.*
- 2. *Authorises the Shire President and Chief Executive Officer to engross the necessary legal documents required to be prepared to satisfy the abovementioned conditions.*

Attachments

1. Site Plan & Elevations
2. Floor Plans & Elevations





9.2.5 LOCAL GOVERNMENT PROPERTY AND PUBLIC PLACES AMENDMENT LOCAL LAW 2017

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	BYL11
AUTHOR:	Manager Emergency, Health and Ranger Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development and Community
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	2 January 2018

SUMMARY: At the Ordinary Meeting of Council on 28 September 2017, Council resolved to make the Local Government Property and Public Places Amendment Local Law 2017. The proposed local law was advertised for public comment and submissions from interested parties were invited in accordance with the *Local Government Act 1995*.

The purpose of this report is for Council to consider the submission made during the submission period and, in accordance with provisions of Section 3.12(4) of the *Local Government Act 1995*, make the Shire of Broome Local Government Property and Public Places Amendment Local Law 2017.

BACKGROUND

Previous Considerations

OMC 9 August 2012	Item 9.4.3
OMC 25 September 2014	Item 12.2
OMC 26 May 2016	Item 9.2.8
OMC 9 November 2016	Item 9.2.10
OMC 25 May 2017	Item 9.2.3
OMC 28 September 2017	Item 9.2.7

At the May 2017 Ordinary Meeting of Council (**OMC**), Council resolved to make the *Local Government Property and Public Places Local Law 2016 (existing Local Law)*. The existing Local Law replaced the *Local Government Property and Public Places Local Law 2012*. The existing Local Law was gazetted on 22 June 2017 and came into effect on 7 July 2017.

Whilst implementing the provisions of the existing Local Law, Officers have identified a number of further amendments that are required to fully implement the Local Law. The extent of the proposed changes are not extensive and may be accommodated in amending rather than replacing the existing Local Law.

At the 28 September 2017 OMC it was resolved:

COUNCIL RESOLUTION: **(REPORT RECOMMENDATION)**

Moved: Cr D Male

Seconded: Cr M Fairborn

That Council:

1. Notes the purpose and effect of the proposed law:

Purpose:

- **to ensure the Local Government Property and Public Places Local 2016 is effective in ensuring that local government property and public places are regulated and managed to the benefit of all users;**
- **to ensure the Local Government Property and Public Places Local Law 2016 is effective in managing events on private land to minimise the impacts on surrounding land and safeguard the safety of attendees.**

Effect:

- **To ensure the Local Government Property and Public Places Local 2016 has the effect of appropriately controlling the use of local government property and activities in public places.**

- 2. Proposes to make the Shire of Broome Local Government Property and Public Places Amendment Local Law 2017 as shown in Attachment 1;**
- 3. Advertises in accordance with section 3.12(3)(a) of the Local Government Act 1995 the proposed Shire of Broome Local Government Property and Public Places Amendment Local Law 2017 for a period of not less than 42 days; and**
- 4. In accordance with section 3.12(3)(b) of the Local Government Act 1995 forwards a copy of the advertisement and the proposed Shire of Broome Local Government Property and Public Places Amendment Local Law 2017 to the Minister for Local Government.**

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 5/0

The proposed Local Government Property and Public Places Amendment Local Law 2017 (**proposed Local Law**) was subsequently advertised for public submissions. The advertisements were placed in the West Australian on 14 October 2017 and the Broome Advertiser on 12 October 2017 as well as the Shire's website and noticeboards at the Administration Building and Library.

The submission period closed 1 December 2017. No public submissions were received. In accordance with section 3.12(3)(b) of the Local Government Act 1995, a copy of the advertisement and proposed Local Law were sent to the Minister for Local Government on 17 October 2017. The Department of Local Government, Sport and Cultural Industries (**DLGSC**) responded on behalf of the Minister on 28 November 2017. The DLGSC comments included advice on potential repetition between existing subclauses and a proposed new subclause in clause 3.15 and other minor edits. These comments have been incorporated into a schedule of submissions, see **Attachment 1** to this report.

Attachment 2 to this report contains the proposed Local Law with tracked changes showing amendments made in response to the submission, including an additional formatting correction in clauses 1.5. **Attachment 3** shows the proposed Local Law with these amendments but without tracked changes. **Attachment 4** shows the Shire of Broome Local Government Property and Public Places Local Law 2016 including the amendments in the proposed Local Law shown in tracked changes. **Attachment 5** shows the Shire of Broome Local Government Property and Public Places Local Law 2016 amended in accordance with the proposed Local Law and without tracked changes.

COMMENT

The amendments made in response to the DLGSC comments and to correct the minor formatting errors do not alter the scope of the proposed Local Law. The changes made to the proposed Local Law in response to the submission are:

1. Amend Clause 3:

Place "Government Gazette" in italics

2. Amend Clause 8:

Remove the designation (a) as only one amendment is being made;

3. Amend clause 8:

Replace the text with the following:

In clause 3.15 delete paragraphs 3.15(b), (c), (d) and (e), and insert a new clause 3.15(b) as follows:

"(b) where the permit relates to an activity on local government property or a thoroughfare:

- (i) leave the local government property or thoroughfare in a clean and tidy condition after its use;
- (ii) report any damage or defacement of the local government property or thoroughfare to the local government;
- (iii) take steps to repair or rectify any damage or defacement of the local government property or thoroughfare as directed by the local government; and
- (iv) prevent the consumption of any liquor on the local government property or thoroughfare unless the permit allows it and a licence has been obtained under the *Liquor Control Act 1988* for that purpose."

4. Amend Clause 14

delete "public place" and insert "a public place".

5. Amend Clause 15

in paragraph (b), delete "and" at the end of the sentence.

6. Amend Clause 15

in paragraph (c), insert "; and" at the end of the sentence.

The changes recommended by DLGSC as outlined above are relatively minor and enhance the proposed Local Law. Therefore, officers recommend that these changes be made to the proposed Local Law.

In addition, a minor formatting error was identified by officers in clause 1.5 (a full stop instead of a semicolon at the end of the new definition of "public place"). It is recommended that this correction be made in the proposed Local Law also.

During review of the existing Local Law it was noted that clause 3.15 of the existing Local Law states:

A permit holder must -

(iv) prevent the consumption of any liquor within the public place unless the permit allows it and a licence has been obtained under the Liquor Control Act 1988 for that purpose.

Current Director of Liquor Licencing policy is to exempt small events from requiring a liquor licence. The exemption applies to events with less than 100 people that last for less than 2 hours, and less than 75 people that last for 4 hours. This exemption applies to a large proportion of the events approved in accordance with the existing Local Law. Therefore, the existing Local Law requires a licence but the Director of Liquor Licencing won't issue one.

Following consultation with the DLGSC, it was agreed that a minor edit to the existing Local Law was required in response to this issue. It is therefore proposed that clause 8 of the amendment local law be amended to read:

A permit holder must-

(iv) prevent the consumption of any liquor within the public place unless –

A. the permit allows it; and

B. if applicable, a licence has been obtained under the Liquor Control Act 1988 for that purpose.

The changes recommended above to the proposed Local Law are minor and enhance the operation of the proposed Local Law. It is therefore recommended that the Council resolves to make the proposed Local Law and undertake the necessary steps for the amendments to take effect.

CONSULTATION

The proposed Local Law was advertised for public comment for a period of 42 days in accordance with the requirements of the *Local Government Act 1995*. No Public submissions were received. The DLGSC made a submission which is outlined in the schedule of submissions in **Attachment 1**.

The DLGSC and the Joint Standing Committee on Delegated Legislation (**JSCDL**) were consulted with regards to the additional amendments to Clause 3.15 of the existing Local Law. The advice sought was whether the changes made the amendment local 'significantly different' from what was advertised for public comment. The JSCDL were unable to provide a definitive answer, however based on the information provided both DLGSC and the JSCDL felt that the changes were minor in nature.

There remains a risk that the JSCDL may disallow the proposed Local Law if they find that the additional proposed amendment significantly alters the proposed Local Law. Council has the option of discontinuing the current process and readvertising, proceeding with the current process acknowledging the risk, or alternatively not proceeding with the proposed changes to clause 3.15 as proposed.

STATUTORY ENVIRONMENT

The *Local Government Act 1995* provides the head of power for local governments to make local laws.

The process for the making of local laws is prescribed in section 3.12 of the Local Government Act 1995. This section states:

3.12. Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) The local government is to —
 - (a) give Statewide public notice stating that —
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
 - and
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (3a) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.

* Absolute majority required.

- (5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the Gazette the local government is to give local public notice —
 - (a) stating the title of the local law; and
 - (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - (c) advising that copies of the local law may be inspected or obtained from the local government's office.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section —

making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

After the last day for submissions, the local government is to consider any submissions made, and may make the local law as proposed or make a local law that is not significantly different from what was proposed.

The local law is then published in the Government Gazette and a copy sent to the relevant Minister and the JSCDL.

The local law comes into effect 14 days after publication in the Government Gazette.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

In accordance with section 3.12 (6) of the *Local Government Act 1995*, if Council resolves to make the proposed Local Law, it will be necessary to advertise in a newspaper circulating throughout the district and publish the text in the Government Gazette. The current charge is \$101.45 per page. The draft amended local law is 4 pages long. This equates to a gazettal fee of approximately \$405.80.

Advertising in newspapers is at a cost of approximately \$300 per occasion. Three advertisements are required at a cost of \$900. This combined cost of advertising and gazetting is \$1305.80 however this may vary slightly due to changes in charges and fees beyond the Shire's control.

RISK

There is a risk that the proposed Local Law will not be valid if it is not properly drafted. The risk of this occurring is considered Moderate. The risk of the incorrect drafting of this Local Law is mitigated through submission of the approved draft to the DLGSC and subsequent review by the JSCDL.

There is a risk that if the proposed Local Law is not made, then there is likely to continue to be uncertainty over the application of the existing Local Law or the Shire may be challenged when applying the provisions of the local law. This risk is also considered Moderate.

STRATEGIC IMPLICATIONS

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

Accessible and safe community spaces

Participation in recreational and leisure activity

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:

Retention and expansion of 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:

An organisational culture that strives for service excellence

Effective community engagement

Improved systems, processes and compliance

VOTING REQUIREMENTS

Absolute Majority

REPORT RECOMMENDATION:

That Council:

1. *Under the provisions of section 3.12 of the Local Government Act 1995:*
 - a. *Makes the Shire of Broome Local Government Property and Public Places Amendment Local Law 2017; and*
 - b. *Publishes the Shire of Broome Local Government Property and Public Places Amendment Local Law 2017 in the Government Gazette and provides local public notice of the new Local Law.*
2. *Forwards a copy of the gazetted Shire of Broome Property and Public Places Amendment Local Law 2017 to the Minister for Local Government, and provides documentation supporting the new local law to the Joint Standing Committee on Delegated Legislation.*

(ABSOLUTE MAJORITY REQUIRED)

Attachments

1. Schedule of Submissions
2. Proposed Local Government Property and Public Places Amendment Local Law 2017 with tracked changes
3. Proposed Local Government Property and Public Places Amendment Local Law 2017
4. Local Government Property and Public Places Local Law 2016 with tracked changes
5. Local Government Property and Public Places Local Law 2016

Schedule of Submissions – Shire of Broome Local Government Property and Public Places Amendment Local Law 2017

N O .	NAME & ADDRE SS	SUBMISSION	OFFICER COMMENT	OFFICER RECOMME NDATION
1	DLGC	<p>Clause 8 – Clause 3.15</p> <p>Clause 8 amends clause 3.15 of the principal local law by deleting paragraph 3.15(b) and inserting a new paragraph 3.15(b).</p> <p>The new clause 3.15(b) appears to replicate paragraphs 3.15(c), (d) and (e) of the principal local law.</p> <p>As the amendment local law is currently drafted, paragraphs 3.15(c), (d) and (e) of the principal local law would remain in the principal local law in conjunction to the new paragraph 3.15(b).</p> <p>If it is consistent with the Shire’s intention, the Shire may like to consider including an amendment in the amendment local law that deletes paragraphs (c) to (e) of the principal local law. This could be achieved by inserting the following:</p> <p style="text-align: center;">8. Clause 3.15 amended Clause 3.15 is amended as follows – Delete paragraphs 3.15(b), (c), (d) and (e), and insert a new clause 3.15(b) as follows....</p>	Examination found that the new clause 3.15(b) does replicate clauses 3.15(c) to (e).	Make the changes recommended by the DLGC.
	DLGC	<p>Minor Edits:</p> <ul style="list-style-type: none"> a) Clause 3 – place “<i>Government Gazette</i>” in italics. b) Clause 8 – designation (a) is not required as there is only one amendment being made. c) Clause 14 – delete “public place” and insert “a public place”. d) Clause 15 – in paragraph (b), delete “and” at the end of the sentence. e) Clause 15 – in paragraph (c), insert 	Minor edits recommended.	<p>Include minor edits in Local Law.</p> <p>It is recommended that item f not be incorporated as this would</p>

N O .	NAME & ADDRE SS	SUBMISSION	OFFICER COMMENT	OFFICER RECOMME NDATION
		<p>“; and” at the end of the sentence.</p> <p>f) Clause 17 – place the following in capital letters as follows: “ON LOCAL GOVERNMENT PROPERTY AND THOROUGHFARES”.</p>		<p>make the heading inconsistent with existing headings in the Local Law.</p>

LOCAL GOVERNMENT ACT 1995

SHIRE OF BROOME

LOCAL GOVERNMENT PROPERTY AND PUBLIC PLACES AMENDMENT LOCAL LAW 2017

Under the powers conferred by the *Local Government Act 1995*, and under all other powers enabling it, the Council of the Shire of Broome resolved on **[insert date]** to make the following local law.

1. Citation

This local law is the *Shire of Broome Local Government Property and Public Places Amendment Local Law 2017*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal local law amended

This local law amends the *Shire of Broome Local Government Property and Public Places Local Law 2016* as published in the *Government Gazette* on 22 June 2017.

4. Clause 1.5 amended

In clause 1.5 –

- (a) in the definition for **local government property** in item (b) insert “, but does not include a thoroughfare” prior to “; or”;
- (b) in the definition for **local government property** delete “but does not include a thoroughfare” after items (a), (b) and (c);
- (c) delete the definition for **private land**;
- (d) delete the definition for **public place** and insert a new definition for **public place** as follows –
“**public place** means:
 - (a) any thoroughfare or local government property; or
 - (b) any place which the public is allowed to use, whether the place is or is not on private land, including park lands, squares, reserves, beaches, the intertidal zone and other land designated as being for the use and enjoyment of the public;”

5. Clause 3.1 amended

In clause 3.1(b) delete “2003” and replace with “2016”.

6. Clause 3.2 amended

Clause 3.2 is amended as follows –

- (a) in clause 3.2(1)(b) replace “at a public place” with “on local

- government property or a thoroughfare”;
- (b) in clause 3.2(1)(e) replace “within a public place” with “on local government property or a thoroughfare”;
- (c) in clause 3.2(1)(g)(iii) replace “on local government property” with “within a public place”;
- (d) delete clause 3.2(1)(i);
- (e) in clause 3.2(1)(k) replace “a public place” with “local government property or a thoroughfare”;
- (f) in clause 3.2(1)(l) replace “within a public place” with “on local government property or a thoroughfare”;
- (g) in clause 3.2(1)(m) replace “within a public place” with “on local government property or a thoroughfare”;
- (h) in clause 3.2(1)(n) replace “in a public place” with “on local government property or a thoroughfare”;
- (i) in clause 3.2(1)(o) replace “within a public place” with “on local government property or a thoroughfare”;
- (j) in clause 3.2(1)(p) replace “a public place” with “local government property or a thoroughfare”;
- (k) in clause 3.2(1)(r) replace “in a public place” with “on local government property or a thoroughfare”; and
- (l) in clause 3.2(4) delete “public”.

7. Clause 3.4 amended

In clause 3.4(1) replace “in a public place” with “on local government property”.

8. Clause 3.15 amended

In clause 3.15 delete clause 3.15(b), (c), (d) and (e) and insert a new clause 3.15(b) as follows –

- “(b) where the permit relates to an activity on local government property or a thoroughfare:
 - (i) leave the local government property or thoroughfare in a clean and tidy condition after its use;
 - (ii) report any damage or defacement of the local government property or thoroughfare to the local government;
 - (iii) take steps to repair or rectify any damage or defacement of the local government property or thoroughfare as directed by the local government; and
 - (iv) prevent the consumption of any liquor on the local government property or thoroughfare unless –
 - A. the permit allows it; and
 - B. if applicable, a licence has been obtained under the *Liquor Control Act 1988* for that purpose.”

9. Clause 4.2 amended

Clause 4.2 is amended as follows –

- (a) in clause 4.2(1) replace “in a public place” with “on local government property or a thoroughfare”;

- (b) in clause 4.2(2)(a) delete “public”;
- (c) in clause 4.2(2)(b) delete “public”; and
- (d) in clause 4.2(2)(c) delete “public”.

10. Clause 4.4 amended

In clause 4.4(1) replace “public place” with “local government property or thoroughfare”.

11. Clause 4.5 amended

In clause 4.5(c) delete “public”.

12. Clause 4.8 amended

In clause 4.8(1):

- (a) replace “in a public place” with “on local government property”; and
- (b) replace “public place” with “property”.

13. Clause 5.1 amended

In clause 5.1(1) replace “3.5” with “3.2”.

14. Clause 7.2 amended

In clause 7.2(1)(a) replace “a public place” with “local government property”.

15. Clause 8.3 amended

Clause 8.3 is amended as follows –

- (a) insert the word ‘or’ at the end of 8.3(c)(ii)A;
- (b) in clause 8.3(c)(ii)B. insert words ‘or gravel 20mm<’ following the words ‘crushed rock’;
- (c) delete the word ‘or’ at the end of 8.3(c)(ii)B; and
- (d) delete clause 8.3(c)(ii)C.

16. Clause 8.5 amended

Clause 8.5 is amended as follows –

- (a) replace “bitumen,” with “bitumen or”; and
- (b) delete “or an area of inorganic material which exceeds 20 square metres”.

17. Part 9 heading amended

The heading for Part 9 is amended by replacing “in public places” with “on local government property and thoroughfares”.

18. Clause 9.3 amended

Clause 9.3 is amended as follows –

- (a) in clause 9.3(1)(a) replace “in a public place” with “on local

- government property or a thoroughfare”; and
- (b) in clause 9.3(1)(b) replace “in a public place” with “on local government property or a thoroughfare”.

19. Clause 9.5 amended

In clause 9.5(1)(a)(vii) replace “public” with “thoroughfare or”.

20. Clause 9.6 amended

Clause 9.6 is amended as follows –

- (a) in clause 9.6(1) replace “in a public place” with “on local government property or a thoroughfare”;
- (b) in clause 9.6(1)(c) replace “public” with “thoroughfare or”; and
- (c) in clause 9.6(1)(h) replace “in a public place” with “on a thoroughfare”.

21. Schedule 1 amended

Schedule 1 is amended as follows –

- (a) in the General Description of Offence for item 24 replace “a public place or” with “local government property or a”; and
- (b) in the General Description of Offence for item 39 delete “in a public place”.

Dated **XX XXXX XXXX**

The Common Seal of the)
Shire of Broome)
was affixed under the authority)
of a resolution of Council in the)
presence of:)

H TRACEY
Shire President

S MASTROLEMBO
Chief Executive Officer

LOCAL GOVERNMENT ACT 1995

SHIRE OF BROOME

LOCAL GOVERNMENT PROPERTY AND PUBLIC PLACES AMENDMENT LOCAL LAW 2017

Under the powers conferred by the *Local Government Act 1995*, and under all other powers enabling it, the Council of the Shire of Broome resolved on **[insert date]** to make the following local law.

1. Citation

This local law is the *Shire of Broome Local Government Property and Public Places Amendment Local Law 2017*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal local law amended

This local law amends the *Shire of Broome Local Government Property and Public Places Local Law 2016* as published in the *Government Gazette* on 22 June 2017.

4. Clause 1.5 amended

In clause 1.5 –

- (a) in the definition for **local government property** in item (b) insert “, but does not include a thoroughfare” prior to “; or”;
- (b) in the definition for **local government property** delete “but does not include a thoroughfare” after items (a), (b) and (c);
- (c) delete the definition for **private land**;
- (d) delete the definition for **public place** and insert a new definition for **public place** as follows –
“**public place** means:
 - (a) any thoroughfare or local government property; or
 - (b) any place which the public is allowed to use, whether the place is or is not on private land, including park lands, squares, reserves, beaches, the intertidal zone and other land designated as being for the use and enjoyment of the public;”

5. Clause 3.1 amended

In clause 3.1(b) delete “2003” and replace with “2016”.

6. Clause 3.2 amended

Clause 3.2 is amended as follows –

- (a) in clause 3.2(1)(b) replace “at a public place” with “on local government property or a thoroughfare”;
- (b) in clause 3.2(1)(e) replace “within a public place” with “on local

- government property or a thoroughfare”;
- (c) in clause 3.2(1)(g)(iii) replace “on local government property” with “within a public place”;
- (d) delete clause 3.2(1)(i);
- (e) in clause 3.2(1)(k) replace “a public place” with “local government property or a thoroughfare”;
- (f) in clause 3.2(1)(l) replace “within a public place” with “on local government property or a thoroughfare”;
- (g) in clause 3.2(1)(m) replace “within a public place” with “on local government property or a thoroughfare”;
- (h) in clause 3.2(1)(n) replace “in a public place” with “on local government property or a thoroughfare”;
- (i) in clause 3.2(1)(o) replace “within a public place” with “on local government property or a thoroughfare”;
- (j) in clause 3.2(1)(p) replace “a public place” with “local government property or a thoroughfare”;
- (k) in clause 3.2(1)(r) replace “in a public place” with “on local government property or a thoroughfare”; and
- (l) in clause 3.2(4) delete “public”.

7. Clause 3.4 amended

In clause 3.4(1) replace “in a public place” with “on local government property”.

8. Clause 3.15 amended

In clause 3.15 delete clause 3.15(b), (c), (d) and (e) and insert a new clause 3.15(b) as follows –

- “(b) where the permit relates to an activity on local government property or a thoroughfare:
 - (i) leave the local government property or thoroughfare in a clean and tidy condition after its use;
 - (ii) report any damage or defacement of the local government property or thoroughfare to the local government;
 - (iii) take steps to repair or rectify any damage or defacement of the local government property or thoroughfare as directed by the local government; and
 - (iv) prevent the consumption of any liquor on the local government property or thoroughfare unless –
 - A. the permit allows it; and
 - B. if applicable, a licence has been obtained under the *Liquor Control Act 1988* for that purpose.

9. Clause 4.2 amended

Clause 4.2 is amended as follows –

- (a) in clause 4.2(1) replace “in a public place” with “on local government property or a thoroughfare”;
- (b) in clause 4.2(2)(a) delete “public”;
- (c) in clause 4.2(2)(b) delete “public”; and
- (d) in clause 4.2(2)(c) delete “public”.

10. Clause 4.4 amended

In clause 4.4(1) replace “public place” with “local government property or thoroughfare”.

11. Clause 4.5 amended

In clause 4.5(c) delete “public”.

12. Clause 4.8 amended

In clause 4.8(1):

- (a) replace “in a public place” with “on local government property”; and
- (b) replace “public place” with “property”.

13. Clause 5.1 amended

In clause 5.1(1) replace “3.5” with “3.2”.

14. Clause 7.2 amended

In clause 7.2(1)(a) replace “a public place” with “local government property”.

15. Clause 8.3 amended

Clause 8.3 is amended as follows –

- (a) insert the word ‘or’ at the end of 8.3(c)(ii)A;
- (b) in clause 8.3(c)(ii)B. insert words ‘or gravel 20mm<’ following the words ‘crushed rock’;
- (c) delete the word ‘or’ at the end of 8.3(c)(ii)B; and
- (d) delete clause 8.3(c)(ii)C.

16. Clause 8.5 amended

Clause 8.5 is amended as follows –

- (a) replace “bitumen,” with “bitumen or”; and
- (b) delete “or an area of inorganic material which exceeds 20 square metres”.

17. Part 9 heading amended

The heading for Part 9 is amended by replacing “in public places” with “on local government property and thoroughfares”.

18. Clause 9.3 amended

Clause 9.3 is amended as follows –

- (a) in clause 9.3(1)(a) replace “in a public place” with “on local government property or a thoroughfare”; and
- (b) in clause 9.3(1)(b) replace “in a public place” with “on local government property or a thoroughfare”.

19. Clause 9.5 amended

In clause 9.5(1)(a)(vii) replace “public” with “thoroughfare or”.

20. Clause 9.6 amended

Clause 9.6 is amended as follows –

- (a) in clause 9.6(1) replace “in a public place” with “on local government property or a thoroughfare”;
- (b) in clause 9.6(1)(c) replace “public” with “thoroughfare or”; and
- (c) in clause 9.6(1)(h) replace “in a public place” with “on a thoroughfare”.

21. Schedule 1 amended

Schedule 1 is amended as follows –

- (a) in the General Description of Offence for item 24 replace “a public place or” with “local government property or a”; and
- (b) in the General Description of Offence for item 39 delete “in a public place”.

Dated XX XXXX XXXX

The Common Seal of the)
Shire of Broome)
was affixed under the authority)
of a resolution of Council in the)
presence of:)

H TRACEY
Shire President

S MASTROLEMBO
Chief Executive Officer

Local Law Published in the Government Gazette – [insert date], No [insert]

LOCAL GOVERNMENT ACT 1995

SHIRE OF BROOME

LOCAL GOVERNMENT PROPERTY AND PUBLIC PLACES LOCAL LAW 2016

**LOCAL GOVERNMENT ACT 1995
SHIRE OF BROOME
LOCAL GOVERNMENT PROPERTY AND PUBLIC PLACES LOCAL LAW 2016**

CONTENTS

Part 1 - Preliminary

- 1.1 Title
- 1.2 Commencement
- 1.3 Application of local law
- 1.4 Repeal
- 1.5 Definitions
- 1.6 Assistance animals

Part 2 – Determinations in respect of local government property

Division 1 - Determinations

- 2.1 Determinations as to use of local government property
- 2.2 Procedure for making a determination
- 2.3 Discretion to erect sign
- 2.4 Determination to be complied with
- 2.5 Register of determinations
- 2.6 Amendment or revocation of a determination

Division 2 - Activities which may be pursued or prohibited under a determination

- 2.7 Activities which may be pursued on specified local government property
- 2.8 Activities which may be prohibited on specified local government property

Division 3 - Transitional

- 2.9 Signs taken to be determinations

Part 3 - Permits

Division 1 - Preliminary

- 3.1 Application of Part

Division 2 - When a permit is required

- 3.2 Activities needing a permit
- 3.3 Permit required to camp outside a facility
- 3.4 Permit required for possession and consumption of liquor

Division 3 Applying for a permit

- 3.5 Application for permit
- 3.6 Decision on application for permit
- 3.7 Factors relevant to the determination of an application

Division 4 - Conditions

- 3.8 Conditions which may be imposed on a permit
- 3.9 Compliance with and variation of conditions

Division 5 - General

- 3.10 Duration of permit
- 3.11 Renewal of permit
- 3.12 Transfer of permit
- 3.13 Production of permit
- 3.14 Cancellation of permit

Division 6 – Responsibilities of permit holder

- 3.15 Responsibilities of permit holder

Part 4 - Behaviour in public places

Division 1 - Behaviour on and interference with local government property

- 4.1 Behaviour which interferes with others
- 4.2 Behaviour detrimental to a public place
- 4.3 Adequate clothing and loitering outside toilets
- 4.4 Taking or injuring any fauna
- 4.5 Entry to local government property

Division 2 - Fees for use of local government property

- 4.6 Payment of applicable fees for entry or participation
- 4.7 No refund of fees

Division 3 - Signs

- 4.8 Signs

Part 5 – Hiring of local government property

- 5.1 Application for hire
- 5.2 Decision on application where 2 or more applicants
- 5.3 Conditions of hire and use
- 5.4 Responsibilities of hirer

Part 6 – Swimming pools and water parks

- 6.1 Use of all or part of a pool premises
- 6.2 When entry to and use of pool premises will be refused
- 6.3 When entry to and use of pool premises may be refused
- 6.4 Person to comply with direction
- 6.5 Decency
- 6.6 Objection or Appeal against refusal of admission
- 6.7 Carnivals
- 6.8 Closure of pool premises
- 6.9 Limitations on use
- 6.10 Ticket or membership card not transferable

Part 7 – Beaches and bathing

- 7.1 Sandboarding and sand dune protection
- 7.2 Boat launching
- 7.3 Surf life saving activities
- 7.4 Identification of life saving patrol
- 7.5 Compliance with signs and directions
- 7.6 Fishing
- 7.7 Surfboards and boats
- 7.8 Authority of local government authorised employee to prevail

Part 8 – Activities on verges and footpaths

Division 1 - Verge treatments

- 8.1 Interpretation
- 8.2 Verge treatment
- 8.3 Permissible verge treatments
- 8.4 Owner's or occupier's responsibilities for verge treatments
- 8.5 Installation of hardstand surface on a verge for the parking of cars
- 8.6 Enforcement

Division 2 - Vehicle crossings

- 8.7 Standard vehicle crossings

Division 3 - Protection of footpaths

- 8.8 Footpath protection

Part 9 - Advertising signs on local government property and thoroughfares

Division 1- Preliminary

- 9.1 Definitions
- 9.2 Person taken to own advertising sign

Division 2- Permit

- 9.3 Permit required for advertising signs and portable direction signs
- 9.4 Matters to be considered in determining application for permit

Division 3- Conditions on permit

- 9.5 Conditions on portable sign
- 9.6 Conditions on election sign

Part 10 – Damage to and closed thoroughfares

Division 1 - Damage to thoroughfares

- 10.1 Notice to repair damage to thoroughfare

Division 2 - No driving on closed thoroughfares

10.2 No access without consent

Part 11 – Shopping trolleys

- 11.1 Name of owner of shopping trolley
- 11.2 Shopping trolleys in public places
- 11.3 Shopping trolley to be removed by retailer
- 11.4 Retailer taken to own shopping trolley

Part 12 – Secured sum

- 12.1 Security for restoration and reinstatement

Part 13 – Remedy for breach

- 13.1 Notice requiring works to be done

Part 14 - Miscellaneous

- 14.1 Public liability insurance and indemnity
- 14.2 Directions of authorised person
- 14.3 Disposal of lost and found property

Part 15 – Offences and penalties

- 15.1 Offences
- 15.2 Infringement and infringement withdrawal notices
- 15.3 Offence description and modified penalty

Part 16 - Objections and review

- 16.1 Application of Division 1, Part 9 of the Act

Schedule 1 – Prescribed Offences

Schedule 2 – Determinations

Schedule 3 – Definition of “weed”

LOCAL GOVERNMENT ACT 1995

SHIRE OF BROOME

LOCAL GOVERNMENT PROPERTY AND PUBLIC PLACES LOCAL LAW 2016

Under the powers conferred by the *Local Government Act 1995*, and under all other powers enabling it, the Council of the Shire of Broome resolved on [insert date] 2016 to make the following local law.

Part 1 – Preliminary

1.1 Title

This local law may be referred to as the *Shire of Broome Local Government Property and Public Places Local Law 2016*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Application of local law

This local law applies except where indicated otherwise throughout the district and in the sea adjoining the district for a distance of 200 metres seawards of the local government's western district boundary which is bound by the low water mark of the Indian Ocean.

1.4 Repeal

The *Shire of Broome Local Government Property and Public Places Local Law 2012* as published in the *Government Gazette* on 23 October 2012 and as amended on 20 September 2013 and 6 January 2015 is repealed.

1.5 Definitions

(1) In this local law, unless the context otherwise requires -

Act means the *Local Government Act 1995*;

animal means any living thing that is not a human being or plant;

applicant means a person who has lodged an application for a permit;

application for a permit means an application for a permit referred to in clause 3.5;

approval means an application for a permit which has been approved by the local government under clause 3.6(1)(a);

article in respect of lost property, includes money;

attendant means an employee of the local government duly authorised to perform duties in connection with a pool premises;

authorised person means -

(a) a person appointed by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law; and

(b) any member of the Western Australian Police Force;

bathing means the act of entering the sea, a swimming pool or other water body to swim or use a bathing appliance and includes the act of emerging therefrom;

bathing appliance means a float of any material, including kick boards, paddle

boards, body boards, or any other device used or capable of being used for the purpose of bathing;

beach includes so much of the sea adjoining the beach as is within the application of this local law;

boat means any structure vessel, excluding personal watercraft, whether motorised or not and made or used to travel or float on water or travel under water;

Broome townsite area means the area of the district constituted as the Broome townsite under the *Land Administration Act 1997*;

carriageway has the meaning given to it in the *Road Traffic Code 2000*;

CEO means the Chief Executive Officer of the local government;

closed thoroughfare means a thoroughfare wholly or partly closed under section 3.50 or section 3.50A of the Act;

commencement day means the day on which this local law comes into operation;

Council means the council of the local government;

development approval means approval granted by the local government in accordance with the *Planning and Development Act 2005*;

district means the district of the local government;

event means an occurrence held within the district by a person(s)/group/organisation, where people assemble at a given time for entertainment, recreation or community purposes and includes but is not limited to -

- (a) concerts and events run as a commercial activity;
- (b) ceremonies and processions;
- (c) sporting and competitor events such as marathons, triathlons, organised swims and other similar events;
- (d) shows and fairs including circuses, carnivals and other customised venue based events;
- (e) festivals, exhibitions and expos; and
- (f) community events and fundraisers;

fishing means to use any line, lure, rod, pot or other method for the purpose of catching marine life;

footpath means an area that is open to the public that is designated for, or has as 1 of its main uses, use by pedestrians;

garden means any part of a verge planted, developed or treated otherwise than as a lawn, with 1 or more plants;

indecent exposure means the revealing to view those parts of the body, especially the genitals, which by law and convention should be covered by clothing under the given circumstances;

intersection has the meaning given to it in the *Road Traffic Code 2000*;

large animal includes a cow, horse, pig, sheep, goat or camel;

lawn means any part of a verge which is planted only with grass, or with a similar plant, but may include any other plant provided that it has been planted by the local government;

life saving club means a life saving club affiliated with Surf Life Saving Western Australia;

life saving gear means any gear or appliance for use in life saving or for use in the training of members of a life saving club;

life saving patrol means a patrol comprising such members of a life saving club as are appointed by that club from time to time to provide life saving services in an area, and the term includes any local government employee authorised to perform any of the functions in clause 7.3;

liquor has the meaning given to it in section 3 of the *Liquor Control Act 1988*;

local government means the Shire of Broome;

local government facility means any building, function room, hall, sports field or premises that is owned or managed by the local government and made available for use by arrangement or during certain opening hours;

local government property means anything -

- (a) which belongs to, is owned by or is under the care, control and management of the local government;
- (b) which is an “otherwise unvested facility” within section 3.53 of the Act, but does not include a thoroughfare; or

(c) of which the local government is a management body under the *Land Administration Act 1997*; **local planning scheme** means a local planning scheme of the local government made under the *Planning and Development Act 2005*;

lot has the meaning given to it in section 4 of the *Planning and Development Act 2005*;

manager means the person for the time being employed, contracted or appointed by the local government to manage any pool premises and includes any assistant or deputy;

nuisance means -

- (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;
- (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or
- (c) interference which causes material damage to land or other property on the land affected by the interference;

patrol flag means a flag or notice ordinarily erected at the limits of a bathing area to indicate the extremities of that area;

permit means a permit issued under this local law;

permit holder means a person who holds a valid permit;

person does not include an authorised person performing a function of the local government;

personal watercraft means any vessel designed for the transport of 1, 2, or 3 persons that -

- (a) is propelled by means of an inboard motor powering a water jet pump; and
- (b) is designed to be steered by means of handlebars by a person sitting, standing or kneeling on the vessel and not within it;

pool premises means and includes any swimming pool or water park that is local government property and all buildings, fences, gardens, car parks, structures, fittings, fixtures, machinery, chattels, furniture and equipment forming part of the swimming pool facility or used in connection with it;

public place means -

- (a) any thoroughfare or local government property; or
- (b) any place which the public is allowed to use, whether the place is or is not on private land, including park lands, squares, reserves, beaches, the intertidal zone and other land designated as being for the use and enjoyment of the public;

retailer means a proprietor of a shop which provides shopping trolleys for the use of customers of the shop;

Regulations mean the *Local Government (Functions and General) Regulations 1996*;

sandboard means a board designed to be used for sliding down a slope of land or a sand dune or any similar device;

shopping trolley means a container or receptacle on wheels provided by a retailer for its customers to transport goods;

sign includes a notice, flag, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols;

surfboard means flotation device designed and used for the purpose of riding waves that includes 1 or more fins, which is capable of or may endanger the safety of swimmers;

thoroughfare means a road or other thoroughfare including parking areas, structures or other things appurtenant to the thoroughfare that are within its limits, and nothing is prevented from being a thoroughfare only because it is not open at each end;

verge means that part of a thoroughfare that lies between the front of a property and the edge of the carriageway;

vehicle includes every conveyance and every object capable of being propelled or drawn on wheels, tracks or otherwise and an animal being ridden, driven or led, but excludes -

- (a) a wheelchair or any device designed for use by a physically impaired person on a footpath;
- (b) a pram, stroller or similar device; and
- (c) a boat or personal watercraft;

vehicle crossing means a crossing giving access from a public thoroughfare to either private land or a private thoroughfare serving private land;

weed has the meaning specified in Schedule 3; and

zoned means zoned under a local planning scheme.

(2) In this local law, a reference to local government property or a public place includes the reference to any part, respectively, of that local government property or public place.

1.6 Assistance animals

This local law is subject to any written law and law of the Commonwealth about assistance animals as defined in the *Disability Discrimination Act 1992* (Commonwealth) section 9(2).

Part 2 – Determinations in respect of local government property

Division 1 - Determinations

2.1 Determinations as to use of local government property

- (1) The local government may make a determination in accordance with clause 2.2 –
 - (a) setting aside specified local government property for the pursuit of all or any of the activities referred to in clause 2.7;
 - (b) prohibiting a person from pursuing all or any of the activities referred to in clause 2.8 on specified local government property;
 - (c) as to the matters in clauses 2.7(2) and 2.8(2); and
 - (d) as to any matter ancillary or necessary to give effect to a determination.
- (2) The determinations in Schedule 2 –
 - (a) are to be taken to have been made in accordance with clause 2.2;
 - (b) may be amended or revoked in accordance with clause 2.6; and

- (c) have effect on the commencement day.

2.2 Procedure for making a determination

- (1) The local government is to give local public notice of its intention to make a determination.
- (2) The local public notice referred to in subclause (1) is to state that –
 - (a) the local government intends to make a determination, the purpose and effect of which is summarised in the notice;
 - (b) a copy of the proposed determination may be inspected and obtained from the offices of the local government; and
 - (c) submissions in writing about the proposed determination may be lodged with the local government within 21 days after the date of publication.
- (3) If no submissions are received in accordance with subclause (2)(c), the Council is to decide to –
 - (a) give local public notice that the proposed determination has effect as a determination on and from the date of publication;
 - (b) amend the proposed determination, in which case subclause (5) will apply; or
 - (c) not continue with the proposed determination.
- (4) If submissions are received in accordance with subclause (2)(c) the Council is to –
 - (a) consider those submissions; and
 - (b) decide –
 - (i) whether or not to amend the proposed determination; or
 - (ii) not to continue with the proposed determination.
- (5) If the Council decides to amend the proposed determination, it is to give local public notice –
 - (a) of the effect of the amendments; and
 - (b) that the proposed determination has effect as a determination on and from the date of publication.
- (6) If the Council decides not to amend the proposed determination, it is to give local public notice that the proposed determination has effect as a determination on and from the date of publication.
- (7) A proposed determination is to have effect as a determination on and from the date of publication of the local public notice referred to in subclauses (3), (5) and (6).
- (8) A decision under subclause (3) or (4) must not be delegated by the Council.

2.3 Discretion to erect sign

The local government may erect a sign on local government property to give notice of the effect of a determination which applies to that property.

2.4 Determination to be complied with

A person must comply with a determination.

2.5 Register of determinations

- (1) The local government is to keep a register of determinations made under clause 2.1, and of any amendments to or revocations of determinations made under clause 2.6.
- (2) Sections 5.94 and 5.95 of the Act apply to the register referred to in subclause (1) and for that purpose the register is to be taken to be information within section 5.94(u)(i) of the Act.

2.6 Amendment or revocation of a determination

- (1) The Council may amend or revoke a determination.
- (2) The provisions of clause 2.2 are to apply to an amendment of a determination as if the amendment were a proposed determination.
- (3) If the Council revokes a determination it must give local public notice of the revocation and the determination ceases to have effect on the date of publication.

Division 2 - Activities which may be pursued or prohibited under a determination

2.7 Activities which may be pursued on specified local government property

- (1) A determination may provide that specified local government property is set aside as an area on which a person may –
 - (a) bring, ride or drive an animal;
 - (b) take, ride or drive a vehicle, or a particular class of vehicle;
 - (c) fly or use a motorised model aeroplane;
 - (d) use a children's playground provided that the person is under an age specified in the determination;
 - (e) launch, beach or leave a boat;
 - (f) take or use a boat, or a particular class of boat;
 - (g) deposit refuse, rubbish or liquid waste, whether or not of particular classes, and whether or not in specified areas of that local government property;
 - (h) play or practice –
 - (i) golf or archery;
 - (ii) pistol or rifle shooting, but subject to the compliance of that person with the *Firearms Act 1973*; or
 - (iii) a similar activity, specified in the determination, involving the use of a projectile which in the opinion of the local government may cause injury or damage to a person or property;
 - (i) ride a bicycle, a skateboard, rollerblades, a sandboard or a similar device; and
 - (j) wear no clothing.
- (2) A determination may specify the extent to which and the manner in which an activity referred to in subclause (1) may be pursued and in particular –
 - (a) the days and times during which the activity may be pursued;
 - (b) that an activity may be pursued on a class of local government property, specified local government property or all local government property;
 - (c) that an activity is prohibited on all local government property other than that specified in the determination;
 - (d) may limit the activity to a class of vehicles, boats, equipment or things, or may extend it to all vehicles, boats, equipment or things;
 - (e) may specify that the activity can be pursued by a class of persons or all persons; and
 - (f) may distinguish between different classes of the activity.

2.8 Activities which may be prohibited on specified local government property

- (1) A determination may provide that a person is prohibited from pursuing all or any of the following activities on specified local government property -
 - (a) smoking on premises;
 - (b) riding a bicycle, a skateboard, rollerblades, a sandboard or a similar device;
 - (c) taking, riding or driving a vehicle or a particular class of vehicle on the property;

- (d) riding or driving a vehicle of a particular class or any vehicle above a specified speed;
 - (e) taking or using a boat, or a particular class of boat;
 - (f) the playing or practice of -
 - (i) golf, archery, pistol shooting or rifle shooting; or
 - (ii) a similar activity, specified in the determination, involving the use of a projectile which in the opinion of the local government may cause injury or damage to a person or property;
 - (g) the playing or practice of any ball game which may cause detriment to the property or any fauna on the property; and
 - (h) the traversing of sand dunes or land which in the opinion of the local government has environmental value warranting such protection, either absolutely or by limiting the traversing of sand dunes or land to paths provided for that purpose.
- (2) A determination may specify the extent to which and the manner in which a person is prohibited from pursuing an activity referred to in subclause (1) and, in particular –
- (a) the days and times during which the activity is prohibited;
 - (b) that an activity is prohibited on a class of local government property, specified local government property or all local government property;
 - (c) that an activity is prohibited in respect of a class of vehicles, boats, equipment or things, or all vehicles, boats, equipment or things;
 - (d) that an activity is prohibited in respect of a class of persons or all persons; and
 - (e) may distinguish between different classes of the activity.
- (3) In this clause –
- premises** means a building, stadium or similar structure which is local government property, but not an open space such as a park or a playing field.

Division 3 - Transitional

2.9 Signs taken to be determinations

- (1) Where a sign erected on local government property has been erected under a local law of the local government repealed by this local law, then it is to be taken to be and have effect as a determination on and from the commencement day, except to the extent that the sign is inconsistent with any provision of this local law or any determination made under clause 2.1.
- (2) Clause 2.5 does not apply to a sign referred to in subclause (1).

Part 3 - Permits

Division 1 - Preliminary

3.1 Application of Part

This Part does not apply to a person who uses or occupies a public place:

- (a) under a written agreement with the local government to do so; or
- (b) subject to a licence issued in accordance with the local government's *Trading, Outdoor Dining and Street Entertainment Local Law 2016*.

Division 2 - When a permit is required

3.2 Activities needing a permit

(1) A permit is required to undertake the following activities –

- (a) subject to subclause (3), hire local government property;
- (b) advertise anything by any means on local government property or a thoroughfare;
- (c) erect a structure for public amusement or for any performance, whether for gain or otherwise, within a public place;
- (d) teach, coach or train for profit any person in a pool area or an indoor recreation facility which is local government property;
- (e) plant any plant or sow any seeds on local government property or a thoroughfare, except where this is done to establish a permissible verge treatment in accordance with clause 8.3;
- (f) carry on any trading within a public place unless the trading is conducted with the consent of a person who holds a permit to conduct an event and the trading is carried out in accordance with the permit; or
- (g) unless undertaken by an employee of the local government in the course of her or his duties or on an area set aside for that purpose -
 - (i) drive or ride or take any vehicle on to local government property;
 - (ii) park or stop any vehicle on local government property; or
 - (iii) take or ride a large animal or large animals within a public place;
- (h) conduct an event within a public place;
- ~~(i) conduct an event on private land, except where the carrying out of the event on that property:~~
 - ~~— (i) is consistent with a development approval, if 1 is required in accordance with the *Planning and Development Act 2005*; and~~
 - ~~— (ii) a certificate of approval for a public building has been issued for the private land in accordance with the *Health Act 1911* and the event is consistent with the certificate of approval;~~
- (j) light a fire except in a facility provided for that purpose;
- (k) parachute, hang glide, abseil or base jump from or on to local government property or a thoroughfare;
- (l) erect a building or a refuelling site on local government property or a thoroughfare;
- (m) make any excavation on or erect or remove any fence on local government property or a thoroughfare;
- (n) undertake any works on local government property or a thoroughfare including but not limited to constructing a crossover, constructing a footpath, landscaping, roadworks and works to install sewerage, water, power and communications infrastructure;
- (o) depasture any horse, sheep, cattle, goat, camel, ass or mule on local government property or a thoroughfare;
- (p) conduct or take part in any gambling game or contest or bet, or offer to bet, from local government property or a thoroughfare;
- (q) use or set off fireworks; or
- (r) land an aircraft or helicopter on local government property or a thoroughfare.

(2) A person must not undertake an activity listed in subclause (1) without a permit.

(3) The local government may exempt a person from compliance with subclause (1) on the application of that person.

(4) The local government may exempt specified places or a class of local government property from the application of subclause (1)(a).

3.3 Permit required to camp outside a facility

(1) In this clause –

camping means to carry out activities associated with habitation including but not limited to sleeping, cooking, laundry, ablutions or other domestic tasks.

facility has the same meaning as is given to it in section 5(1) of the *Caravan Parks and Camping Grounds Act 1995*.

goods has the same meaning as is given to it in section 3.38 of the Act. (2) This clause does not apply to a facility operated by the local government.

(3) A person must not without a permit –

- (a) camp on, lodge at or occupy any structure at night for the purpose of sleeping in a public place;
- (b) undertake camping in a public place;
- (c) erect any tent, camp, hut or similar structure in a public place other than a beach shade or windbreak erected for use during the hours of daylight and which is dismantled during those hours on the same day; or
- (d) park a vehicle in a public place for the purpose of camping in or around the vehicle.

(4) The maximum period for which the local government may approve an application for a permit in respect of paragraphs (a), (b) or (c) of subclause (3) is that provided in regulation 11(2)(a) of the *Caravan Parks and Camping Grounds Regulations 1997*.

(5) Any tent, camp, hut or similar structure erected in contravention of paragraphs (b) or (c) of subclause (3) and associated goods may, subject to regulation 29 of the Regulations, be impounded.

(6) A vehicle used or parked in contravention of paragraphs (b) or (d) of subclause (3) may, subject to the provisions of regulation 29 of the Regulations, be impounded by immobilising the vehicle by the use of wheel clamps.

(7) An authorised person who impounds a vehicle under subclause (6) must attach a notice to the vehicle advising the owner of the vehicle that:

- (a) the vehicle will be released upon payment of the costs of impounding;
- (b) the place where and hours during which the costs can be paid; and
- (c) that if the impounding costs are not paid within 24 hours, the vehicle may be removed to the local government pound.

(8) Notices issued under this clause will be in the form determined by the CEO.

3.4 Permit required for possession and consumption of liquor

(1) A person must not, on local government property, consume any liquor or have in her or his possession or under her or his control any liquor, unless –

- (a) it is permitted under the *Liquor Control Act 1988*; and
- (b) a permit has been obtained under this local law for that purpose.

(2) Subclause (1) does not apply where the liquor is in a sealed container.

Division 3 - Applying for a permit

3.5 Application for permit

(1) Where a person is required to obtain a permit under this local law, that person must apply for the permit in accordance with subclause (2).

(2) An application for a permit under this local law must –

- (a) be in the form determined by the local government;
- (b) be signed by the applicant;

- (c) provide the information required by the form; and
 - (d) be forwarded to the CEO together with the application fee.
- (3) The local government may require an applicant to provide additional information reasonably related to an application before determining an application for a permit.
- (4) The local government may require an applicant to give local public notice of the application for a permit.
- (5) The local government may refuse to consider an application for a permit which is not in accordance with subclause (2).

3.6 Decision on application for permit

- (1) The local government may –
- (a) approve an application for a permit unconditionally or subject to any conditions; or
 - (b) refuse to approve an application for a permit.
- (2) If the local government approves an application for a permit, it will issue to the applicant a permit in the form determined by the local government.
- (3) If the local government refuses to approve an application for a permit, it will give written notice of that refusal to the applicant.

3.7 Factors relevant to the determination of an application

- (1) In deciding whether to approve an application for a permit, the local government:
- (a) may assess the application for a permit in accordance with the provisions of any relevant policy that applies to the proposed use or occupation of the public place;
 - (b) must satisfy itself that the proposed use or occupation of the public place –
 - (i) will not result in harm to human health or safety or personal injury;
 - (ii) will not result in property damage or a loss of amenity;
 - (iii) will not result in environmental harm or environmental nuisance; and
 - (iv) will not result in a nuisance.
- (2) Before the local government decides an application for a permit, an authorised person may –
- (a) inspect any vehicle, equipment, animal, plant or thing to be involved in the undertaking of the activity; and
 - (b) measure, weigh, sample, test or otherwise examine anything that may be inspected.

Division 4 - Conditions

3.8 Conditions which may be imposed on a permit

- (1) Without limiting the generality of clause 3.6(1)(a), the local government may approve an application for a permit subject to conditions relating to –
- (a) the payment of a fee and the timing for the payment of that fee;
 - (b) compliance with the provisions of any relevant policy that applies to the proposed use or occupation of the public place;
 - (c) the duration and commencement of the permit;
 - (d) the commencement of the permit being contingent upon an occurrence;
 - (e) the rectification, remedying or restoration of a situation or circumstance reasonably related to the application;
 - (f) the requirement for approval under any written law;
 - (g) the area of the district to which the permit applies;

- (h) where a permit is issued for an activity which will or may cause damage to local government property, the payment of a deposit or bond against such damage;
- (i) payment of a bond for cleaning expenses;
- (j) restrictions on the erection of material or external decorations;
- (k) rules about the use of furniture, plant and effects;
- (l) limitations on the number of persons who may attend an event;
- (m) the duration of the hire of local government property and whether or not the hire is for the exclusive use of the local government property;
- (n) the right of the local government to cancel a booking during the course of an annual or seasonal booking, if the local government sees fit;
- (o) the prohibition on the sale, supply or consumption of liquor;
- (p) the provision of an indemnity from the applicant, indemnifying the local government in respect of any injury to any person or any damage to any property which may occur in connection with the proposed use or occupation of the public place; and
- (q) the obtaining of a policy of insurance in an amount and on terms reasonably required by the local government.

3.9 Compliance with and variation of conditions

- (1) Where an application for a permit has been approved subject to conditions, the permit holder must comply with each of those conditions.
- (2) The local government may vary the conditions of a permit, and the permit holder must comply with those conditions as varied.

Division 5 - General

3.10 Duration of permit

A permit is valid for 1 year from the date on which it is issued, unless it is –

- (a) otherwise stated in this local law or in the permit; or
- (b) cancelled under clause 3.15.

3.11 Renewal of permit

- (1) A permit holder may apply to the local government in writing prior to expiry of a permit for the renewal of the permit.
- (2) The provisions of this Part apply to an application for the renewal of a permit with appropriate modifications.

3.12 Transfer of permit

- (1) An application for the transfer of a valid permit must –
 - (a) be made in writing;
 - (b) be signed by the permit holder and the proposed transferee of the permit;
 - (c) provide such information as the local government may require to enable the application to be determined; and
 - (d) be forwarded to the CEO together with any fee imposed and determined by the local government.
- (2) Subject to clause 16.1, the local government may approve an application for the transfer of a permit, refuse to approve it or approve it subject to conditions.

(3) Where the local government approves or refuses the transfer of a permit, it is not required to refund any part of any fee paid by the former permit holder.

(4) Where the local government refuses to approve the application for the transfer of a permit and the permit holder does not wish to continue as the permit holder, the permit holder must return the permit as soon as practicable to the CEO.

3.13 Production of permit

A permit holder must produce to an authorised person her or his permit immediately upon being required to do so by that authorised person.

3.14 Cancellation of permit

(1) Subject to clause 16.1, a permit may be cancelled by the local government if the permit holder has not complied with a –

- (a) condition of the permit; or
- (b) determination or a provision of any written law which relates to the activity regulated by the permit.

(2) On the cancellation of a permit the permit holder -

- (a) must return the permit as soon as practicable to the CEO; and
- (b) is taken to have forfeited any fees paid in respect of the permit.

Division 6 - Responsibilities of permit holder

3.15 Responsibilities of permit holder

A holder of a permit must -

- (a) ensure that an authorised person has unobstructed access to any public place for the purpose of inspecting the public place or enforcing any provision of this local law;
- (b) where the permit relates to an activity on local government property or a thoroughfare:
 - (i) leave the local government property or thoroughfare in a clean and tidy condition after its use;
 - (ii) report any damage or defacement of the local government property or thoroughfare to the local government;
 - (iii) take steps to repair or rectify any damage or defacement of the local government property or thoroughfare as directed by the local government; and
 - (iv) prevent the consumption of any liquor on the local government property or thoroughfare unless –
 - A. the permit allows it; and
 - B. if applicable, a licence has been obtained under the *Liquor Control Act 1988* for that purpose.

Part 4 - Behaviour in public places

Division 1 - Behaviour on and interference with local government property

4.1 Behaviour which interferes with others

A person must not, in a public place, behave in a manner which—

- (a) is likely to interfere with the enjoyment of a person who might use the place;
- (b) interferes with the enjoyment of a person using the place or nearby private land;
or
- (c) creates a nuisance.

4.2 Behaviour detrimental to a public place

(1) A person must not behave on local government property or a thoroughfare in a way which is or might be detrimental to the place.

(2) In subclause (1) –

detrimental to the place includes –

- (a) removing any thing from the place such as a rock, a plant or a seat provided for the use of any person;
- (b) destroying, defacing or damaging any thing within the place, such as a plant, a seat provided for the use of any person or a building; and
- (c) causing environmental harm or nuisance within the place.

4.3 Adequate clothing and loitering outside toilets

(1) A person over the age of 6 years must not in any public place –

- (a) be present unless dressed in a manner which prevents indecent exposure, except where the local government property is set aside for the wearing of no clothes under clause 2.7;
- (b) loiter outside or act in an unacceptable manner in any portion of a toilet or dressing room; or
- (c) without the consent of the occupier, attempt to enter any dressing room or other compartment which is already occupied.

(2) Where an authorised person considers that a person on or in a public place is not dressed in a manner which prevents indecent exposure, an authorised person may direct that person to put on adequate clothing which prevents indecent exposure, and that person must comply with the direction immediately.

4.4 Taking or injuring any fauna

(1) A person must not take, injure or kill or attempt to take, injure or kill any fauna which is on or above any local government property or thoroughfare, unless that person is authorised under a written law to do so.

(2) In this clause –

fauna means any animal indigenous to or which periodically migrates to any State or Territory of the Commonwealth or the territorial waters of the Commonwealth and includes in relation to any such animal –

- (a) any class of animal or individual member;
- (b) the nests, eggs or larvae; or
- (c) the carcass, skin, plumage or fur.

4.5 Entry to local government property

A person, other than a contractor of the local government carrying out a contracted duty, must not –

- (a) enter or leave any local government property other than by the public entrance or exit, except in an emergency;
- (b) enter or remain on any local government property except on those days and during those times when access is available to the public; or
- (c) enter any place that has been fenced off or closed to the public.

Division 2 - Fees for use of local government property

4.6 Payment of applicable fees for entry or participation

Where a fee is payable for entry to local government property or participation in an activity on or in any local government property, a person must not enter that property or participate in the activity without first paying the applicable fee, unless that person has been exempted by the local government from paying that fee.

4.7 No refund of fees

- (1) A person will not be entitled to a refund of any fee paid for bathing or using any facilities provided for public use in a pool premises.
- (2) Where the hire of local government property is cancelled, the local government may, at its sole discretion, authorise repayment of part or all of the amount paid.

Division 3 - Signs

4.8 Signs

- (1) A local government may erect a sign on local government property specifying any conditions of use which apply to that property.
- (2) A person must comply with a sign erected under subclause (1).
- (3) A condition of use specified on a sign erected under subclause (1) must –
 - (a) not be inconsistent with any provision of this local law or any determination; and
 - (b) be for the purpose of giving notice of the effect of a provision of this local law.

Part 5 – Hiring of local government property

5.1 Application for hire

- (1) The local government may hire local government property to a person who makes an application for a permit for the hire of the local government property under clause 3.2 and who pays the hire fee, if the local government approves the application under clause 3.6.
- (2) The local government may determine that the requirements of subclause (1) do not apply to the hiring of particular local government property or a class of local government property.

5.2 Decision on application where 2 or more applicants

In the event of 2 or more applications being made for the hire of the same local government property for the same date and time, the local government may determine which, if any, applicant will be granted an approval to hire.

5.3 Conditions of hire and use

- The conditions that may relate to a permit for hire of local government property include–
- (a) the amount of any fees and charges and when they are to be paid;
 - (b) the purpose for which the local government property may be used;

- (c) the duration of the hire;
- (d) payment of a bond against possible damage, cleaning or other expenses;
- (e) restrictions on the erection of decorations inside and outside any building which is local government property;
- (f) restrictions on use of furniture, plants and effects;
- (g) the number of persons that may attend any event in a building which is local government property;
- (h) the right of the local government to cancel a booking at any time during the course of an annual or seasonal booking;
- (i) the prohibition of the consumption of liquor unless an approval has been issued by the local government;
- (j) the prohibition of or any restrictions on the sale and supply of liquor;
- (k) securing and locking up local government property at the end of each hire period;
- (l) the prohibition of gaming;
- (m) restrictions on the type of container (whether of glass, metal, plastic or other) that drinks may be provided and served in or consumed from;
- (n) requiring that the amplification of any noise or any noise emitted during the duration of the hire complies at all times with the *Environmental Protection (Noise) Regulations 1997*; and
- (o) any other condition that the local government considers fit.

5.4 Responsibilities of hirer

The holder of a permit for the hire of local government property must –

- (a) take reasonable steps to maintain law and order by all in attendance at any event for which the local government property has been hired;
- (b) ensure that an authorised person has unobstructed access to the local government property for the purpose of inspecting the local government property or enforcing any provision of this local law;
- (c) prevent overcrowding;
- (d) leave the local government property in a clean and tidy condition after its use;
- (e) prevent the sale and consumption of any liquor unless a licence has been obtained under the *Liquor Control Act 1988* for that purpose, and the local government has approved the sale and consumption of the liquor;
- (f) report any damage or defacement to the local government property to the local government forthwith;
- (g) take steps to repair or rectify any damage or defacement to the local government property as directed by the local government; and
- (h) ensure compliance with all conditions and relevant laws upon which the permit was issued.

Part 6 – Swimming pools and water parks

6.1 Use of all or part of a pool premises

The manager or attendant of a pool premises may –

- (a) set aside all or part of the pool premises for the use of certain persons to the exclusion of others; and
- (b) direct a person as to that person's use of the pool premises.

6.2 When entry to and use of pool premises will be refused

The manager or attendant of a pool premises will refuse admission to, direct to leave or will remove, or cause to be removed from the pool premises any person who in the opinion of the manager or attendant –

- (a) is under the age of 10 years and who is unaccompanied by a responsible person over the age of 16 years; or
- (b) is -
 - (i) suffering from any contagious, infectious or cutaneous disease or complaint; or
 - (ii) in an unclean condition; or
 - (iii) wearing unclean clothes; or
 - (iv) is or appears to be under the influence of intoxicating liquor or drugs; or
- (c) is to be refused admission under and in accordance with a decision of the local government for breaching any clause of this local law.

6.3 When entry to and use of pool premises may be refused

The manager or attendant of a pool premises may –

- (a) temporarily suspend admission to, direct to leave or remove from the pool premises all persons or any person, if in her or his opinion such action is necessary or desirable;
- (b) refuse admission to, direct to leave or remove, or cause to be removed from the pool premises any person who, in the opinion of the manager or attendant –
 - (i) is committing a breach of any provision of this local law; or
 - (ii) is by reason of her or his past or present conduct, within or about the pool premises, has created or is creating a nuisance; and
- (c) suspend admission for a minimum period of 1 week to any person who has committed a breach of any provision of this local law in relation to the pool premises.

6.4 Person to comply with direction

If a manager or an attendant of a pool premises has refused admission to a person, directed a person to leave the pool premises or otherwise directed a person in relation to her or his use of the pool premises, then that person must accept that refusal or direction.

6.5 Decency

If a person appearing in public is not dressed in a manner which prevents indecent exposure, the manager or attendant will direct that person to put on a bathing costume or other clothing that prevents indecent exposure and that person must comply with that direction immediately.

6.6 Objection or appeal against refusal of admission

(1) Where a manager or attendant refuses admission to a person or directs a person to leave pool premises under clause 6.3(b), the person may seek a review of that refusal or direction by the CEO.

6.7 Carnivals

(1) A person, club, organisation or association must not conduct controlled swimming events, carnivals or competitions without the prior consent of the manager.

(2) The manager may grant such consent subject to any conditions considered fit by the

manager and may, at any time, withdraw that consent.

(3) A person, club, organisation or association conducting a carnival or event at the pool premises must take reasonable steps to –

- (a) prevent overcrowding;
- (b) ensure that no damage is done to the buildings or fencing or any other portion of the pool premises; and
- (c) ensure that this local law is observed by all competitors, officials and spectators attending the function.

6.8 Closure of pool premises

(1) The local government may, for such periods and reasons that it determines, close a pool premises on giving 7 days local public notice under section 1.7 of the Act.

(2) Subclause (1) does not apply where the local government considers that the condition of the pool premises may affect the health of any person, in which case it may close the pool premises without giving any notice.

6.9 Limitations on use

A person must not -

- (a) enter any portion of the pool premises set apart exclusively for the opposite sex unless the person is under the age of 6 years;
- (b) behave in a manner which creates a nuisance;
- (c) play any ball games or other aquatic sports whatsoever which would in any way limit the enjoyment of the users of the pool premises, unless as part of any games or aquatic sports undertaken in accordance with the Manager's approval;
- (d) permit any animal of which he or she is the owner or for which he or she is liable for the control of to enter or remain in or about the pool premises, unless the animal is a dog and the person is a person referred to in section 8 of the *Dog Act 1976* acting in accordance with that section;
- (e) undress or remove any part of their bathing costume except in a dressing room or enclosure provided for that purpose;
- (f) use any soap or shampoo in any part of the pool premises other than in a shower recess or bathroom;
- (g) climb up or upon any roof, fence, wall, grandstand railings or partition on the pool premises;
- (h) use indecent, obscene, offensive or abusive language or spit in the pool or on any part of the pool premises or in any way commit any nuisance on or in any part of the pool premises;
- (i) bring onto or deposit in any part of the pool premises any filth or rubbish except in receptacles set aside for that purpose;
- (j) consume any foodstuffs or drinks in any area in which that consumption is prohibited;
- (k) wastefully use the water or leave any taps flowing in the dressing rooms or elsewhere in the pool premises;
- (l) use any substance or preparation whereby the water of the swimming pool becomes discoloured or rendered turbid or otherwise unfit for the proper use of persons;
- (m) foul or pollute water in a shower or swimming pool;
- (n) soil, damage, injure, destroy, use improperly, disfigure or write in or upon any dressing room, cubicle or compartment or any part of the pool premises or any furniture or other article or equipment on the pool premises;

- (o) while suffering from a contagious, infectious or cutaneous disease or skin complaint or whilst in an unclean condition, enter or use or attempt to enter or use the swimming pool or pool premises;
- (p) smoke in the pool premises; or
- (q) operate a recording device to record or transmit images of any person without that person's knowledge or consent.

6.10 Ticket or membership card not transferable

No ticket, token, licence, membership card or receipt issued by or under the authority of the local government in respect of the use of or admission to the pool premises is transferable to another person.

Part 7 - Beaches and bathing

7.1 Sandboarding and sand dune protection

A person must not -

- (a) use a sandboard or any other board or thing to slide down sand dunes on local government property;
- (b) take onto any sand dunes a sandboard or other thing used for sliding down sand dunes on local government property;
- (c) traverse sand dunes on local government property except along pathways designated by signs or fences for the purpose; or
- (d) unless authorised to do so by the local government or permitted by a sign, take a vehicle onto any beach or sand dunes on local government property.

7.2 Boat launching

(1) A person must not launch a boat or personal watercraft from -

- (a) a local government property unless it has been set aside for that purpose under clause 2.7; or
- (b) a beach within the application of this local law unless that launching is permitted by a sign.

(2) Any prohibition in subclause (1) does not apply to a member of a surf life saving club or life saving patrol in the course of her or his duties, training or while in competition.

7.3 Surf life saving activities

The local government may authorise members of surf life saving clubs or any local government employee to perform all or any of the following functions in the interests of maintaining safety at beaches in the district -

- (a) patrol any beach;
- (b) take onto any beach any life saving gear including vehicles or boats that are for use in life saving activities;
- (c) indicate by signs or patrol flags, any areas of a beach and the adjacent water beyond the beach, where bathing is permitted;
- (d) indicate by signs any areas of a beach and the adjacent water beyond the beach where -
 - (i) the riding of surfboards or use of any other bathing appliance is prohibited;
 - (ii) the driving of boats or personal watercraft is prohibited;
 - (iii) fishing is prohibited; or
 - (iv) the use of skim boards, land boards, kite surfing and associated activities

are prohibited;

- (e) regulate, prohibit, restrict or set aside by a sign, rope, wire, cloth or other flexible sheeting or thing any areas of a beach for any 1 or more of the following activities -
 - (i) entry or exit by any person;
 - (ii) playing of games;
 - (iii) conduct of training or surf club carnivals; and
 - (iv) establishing a first aid or command post; and
- (f) direct any person to –
 - (i) bathe within the permitted bathing area indicated by signs or patrol flags under paragraph (c);
 - (ii) leave the water adjacent to a beach during any period of potential dangerous conditions or the sighting of a shark or crocodile; or
 - (iii) cease any activity not in accordance with this local law.

7.4 Identification of life saving patrol

- (1) A person who is a member of a life saving club will wear a red and yellow quartered swimming cap while he or she is on duty during a life saving club life saving patrol.
- (2) A person who is not a member of an on duty life saving patrol must not wear a red and yellow quartered swimming cap or give the impression they are a member of an on duty life saving patrol.
- (3) A person appointed by the local government to patrol any beach must wear a patrol uniform in the colours and style as determined by the local government.
- (4) A vehicle used for a life saving patrol must have a logo or decal on the vehicle to indicate that it is a vehicle being used for that purpose.

7.5 Compliance with signs and directions

A person attending at any beach must -

- (a) comply with any sign erected on the beach;
- (b) comply with any lawful direction given by an authorised person, member of a surf life saving club or local government employee under clause 7.3(f);
- (c) not enter any area designated for any life saving activity, training, competition or carnival conducted by a life saving club unless that person is a member of the club or has obtained permission to enter that area from the club; and
- (d) not interfere with, obscure, obstruct or hang any item of clothing or towel on a flag, sign, notice or item of life saving equipment.

7.6 Fishing

- (1) A person must not fish on or from any public place –
 - (a) where fishing is prohibited and the prohibition is designated by a sign; or
 - (b) in any permitted bathing area indicated by signs or patrol flags under clause 7.3(c).
- (2) A person must not, whether fishing is permitted or not –
 - (a) leave or deposit dead fish or fish offal on any beach;
 - (b) leave or deposit dead fish or fish offal in the sea within 200 metres of any part of a beach; or
 - (c) fish for sharks by the use of set or buoyed lines or use blood, offal or any other lure for the purpose of attracting sharks within 200 metres of any part of a beach.

7.7 Surfboards and boats

- (1) A person must not ride a surfboard or drive a personal watercraft or boat in any permitted bathing area indicated by signs or patrol flags under clause 7.3(c).
- (2) A person must not drive or ride on any personal watercraft within 50 metres of any person bathing.
- (3) In this clause **surfboard** includes a windsurfer and surf kite.

7.8 Authority of local government authorised employee to prevail

If the local government has authorised a person under clause 7.3 and member of a surf life saving club under clause 7.3 in relation to the same beach, where they could perform a function referred to in clause 7.3 or 7.5 contemporaneously, the authority of an authorised person employed by the local government under clause 7.3 is to prevail.

Part 8 - Activities on verges and footpaths

Division 1 - Verge treatments

8.1 Interpretation

In this Division, the following terms have the following meaning -
acceptable material means material that will create a dust free, moisture retentive, erosion resistant surface and is prescribed in clause 8.3(c); and
permissible verge treatment means a verge treatment specified in clause 8.3.

8.2 Verge treatment

The owner or occupier of land adjacent to a verge must not -

- (a) install or maintain a verge treatment on the verge which is not a permissible verge treatment;
- (b) alter the finished level of the verge; or
- (c) cover, obstruct or otherwise adversely affect the intended purpose of any manhole, inspection pit, constructed drain or other facility or installation placed or constructed by a public body in any part of or adjacent to a thoroughfare.

8.3 Permissible verge treatments

For the purpose of clause 8.1, the permissible verge treatments are as follows –

- (a) plant and maintain a lawn;
- (b) plant and maintain a garden provided that no part of the vegetation –
 - (i) is greater than 400 millimetres in height within 20 metres of an intersection;
 - (ii) restricts the clear sight visibility of a person using the thoroughfare or using a driveway abutting the thoroughfare;
 - (iii) inhibits or interferes with street lighting and visibility of signage;
 - (iv) is of a thorny or poisonous nature or which may otherwise create a hazard for pedestrians;
 - (v) is a weed;
 - (vi) produces large heavy fruits, eg coconuts;
 - (vii) restricts a 2 metre clear and safe pedestrian access way where there is no existing footpath;
 - (viii) is no more than 600 millimetres in height within 1.2 metres of either side of a footpath or access way;
 - (ix) intrude on a 3 metre clearance zone above a footpath or access way or a

- 4.5 metre clearance zone above a roadway; and
- (x) no water pipes or connections protrude above the surface of the garden;
- (c) installation of surface treatments using 1 of the following materials where the treatment is installed and levelled to 15 millimetres below a containment border or garden kerb –
 - (i) treated timber, plastic or concrete garden edge kerbing flush with infill or garden bed;
 - (ii) stone/rock-mulch treatments using –
 - A. river-washed rounded stone $D_{50} < 40$ millimetres; or
 - B. crushed rock or gravel $20\text{mm} < D_{50} < 40$ millimetres, limited to an area no greater than 20 square metres unless otherwise approved in accordance with a development approval;
 - (iii) organic mulch;
- (d) installation of statues and/or boulder rockwork provided they do not –
 - (i) exceed 600 millimetres in height when within 20 metres of an intersection;
 - (ii) restrict clear visibility for a person using the thoroughfare or driveway abutting the thoroughfare;
 - (iii) inhibit or interfere with adequate street lighting and visibility of signage;
 - (iv) occur within 2.75 metres of the back of kerb or travelled path on roads without kerbing; or
 - (v) require electricity; or
- (e) a combination of (a) to (d) above.

8.4 Owner's or occupier's responsibilities for verge treatments

An owner or occupier of land adjacent to a verge who installs or maintains a permissible verge treatment on the verge must -

- (a) keep the verge treatment in good and tidy condition and ensure, where the verge treatment is a garden or lawn, that no obstruction of any sort (physical, sight or other) is caused to any access way, footpath, pavement or carriageway;
- (b) create a hard surface with an acceptable material only;
- (c) not place any obstruction on or around any verge treatment;
- (d) not water or maintain a verge treatment in such a manner as to cause a nuisance or hazard to any person using the adjacent footpath, access way or carriageway;
- (e) keep the verge free of weeds; and
- (f) not extend the verge treatment beyond the verge immediately adjacent to the land owned or occupied by the owner or occupier, without the written approval of the owner of the adjoining property, immediately adjacent to the verge to be treated.

8.5 Installation of hardstand surface on a verge for the parking of cars

An owner or occupier must not install an impervious concrete, bitumen or brick-paved hardstand surface on a verge for the purpose of parking vehicles without first obtaining written approval of the local government.

8.6 Enforcement

The local government may give a notice under clause 13.1, requiring the owner or occupier of any land adjacent to a verge to –

- (a) make good within the time period specified in the notice any breach of a

provision of this Division; or

- (b) within the time specified in the notice, give a satisfactory reason to the local government why the verge treatment should be retained without alteration, or why the owner or occupier should be given extra time in which to comply with the notice.

Division 2 - Vehicle crossings

8.7 Standard vehicle crossings

For the purpose of regulation 15 of the *Local Government (Uniform Local Provisions) Regulations 1996*, a standard crossing in the district is a vehicle crossing constructed in accordance with the local government's residential vehicle specifications as determined by the local government and varied by it from time to time.

Division 3 - Protection of footpaths

8.8 Footpath protection

(1) An owner, occupier, licensee or contractor who undertakes works on land adjacent to a footpath must –

- (a) take all necessary precautions to ensure that the footpath is not damaged during the course of the works; and
- (b) notify the local government of any existing damage to the footpath prior to the commencement of the works.

(2) A person who carries out any building or other operations or works necessitating the crossing of a footpath with vehicles that may cause damage to the footpath must ensure that –

- (a) all reasonable precautions are taken to prevent damage to the footpath during the course of the works; and
- (b) heavy vehicles, that access the land, cross the footpath at the designated area for the proposed vehicle crossing.

(3) Any person who causes damage to a footpath during works undertaken on the land or works within the thoroughfare must reinstate the footpath to the satisfaction of the local government.

Part 9 — Advertising signs on local government property and thoroughfares

Division 1—Preliminary

9.1 Definitions

In this Part, unless the context otherwise requires—

advertisement means the use or intention of use for the purpose of advertising any premises, services, business, function, event, product or thing;

advertising device means an object on which words, numbers or figures are written, placed, affixed or painted for the purpose of advertising any business, function, operation, event, undertaking, product, or thing and includes a vehicle or trailer or other similar object placed or located so as to serve the purpose of advertising a business, function, operation, event, undertaking, product or thing;

advertising sign means a sign used for the purpose of advertisement and includes an election sign, advertising device, portable direction sign and real estate sign;

direction sign means a sign which indicates the direction of a place, activity or event, but does not include any such sign erected or affixed by the local government or the Commissioner of Main Roads;

election sign means a sign which advertises any aspect of a forthcoming Federal, State or local government election;

portable direction sign means a direction sign that is portable;

portable sign means a portable freestanding advertising sign;

real estate sign means a sign indicating that the premises whereon it is affixed or erected, are for sale, for letting or to be auctioned; and

sign includes a notice, poster, flag, mark, word, letter, model, placard, board, structure, device or representation.

9.2 Person taken to own advertising sign

In the absence of any proof to the contrary, an advertising sign is to be taken to belong to the person—

- (a) whose name is marked on the sign; or
- (b) who owns the business or is identified in the local government's records as in control of the company or business marked on the sign.

Division 2—Permit

9.3 Permit required for advertising signs and portable direction signs

(1) A person must not, without a permit—

- (a) erect or place an advertising sign on local government property or a thoroughfare; or
- (b) post any bill or paint, place or affix any advertisement on local government property or a thoroughfare.

(2) Notwithstanding subclause (1), a permit is not required in respect of a portable direction sign which neither exceeds 500 millimetres in height nor 0.5 square metres in area, provided that the sign is placed or erected on a thoroughfare on an infrequent or occasional basis only to direct attention to a place, activity or event during the hours of that activity or event.

(3) Notwithstanding subclause (1), a person must not erect or place an advertising sign—

- (a) on a footpath, or where there is no existing footpath, in a way that restricts a 2 metre clear and safe pedestrian access way;
- (b) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2.5 metres;
- (c) on or within 3 metres of a carriageway;
- (d) in any other location where, in the opinion of the local government or an authorised person, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or
- (e) on any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or the structural approaches to a bridge.

9.4 Matters to be considered in determining application for permit

In determining an application for a permit for the purpose of clauses 3.6 and 9.3(1), the local government may have regard to—

- (a) any other written law regulating the erection or placement of advertising signs or advertisements within the district;

- (b) the dimensions of the advertising signs or advertisements;
- (c) whether the siting, design and general appearance of the advertising sign detracts from the visual amenity and character of the area;
- (d) other advertising signs already approved or erected in the vicinity of the proposed location;
- (e) whether or not the advertising signs or advertisements will create a hazard to persons using a thoroughfare; and
- (f) the amount of the public liability insurance cover, if any, to be obtained by the applicant.

Division 3—Conditions on permit

9.5 Conditions on portable sign

(1) Without limiting the generality of clause 3.6(1)(a), the local government may approve an application for a permit for a portable sign subject to conditions relating to—

- (a) the portable sign —
 - (i) not exceeding 1,000 millimetres in height;
 - (ii) not exceeding an area of 0.8 square metres on any side;
 - (iii) relating only to the business activity described on the permit;
 - (iv) not being placed in any position other than immediately in front of the building or the business to which the sign relates, and being located no closer than 500 millimetres to the kerb or further than 1,200 millimetres from the kerb so as to ensure the free passage of persons using the footpath, if the sign is advertising an adjacent business or activity;
 - (v) being removed each day at the close of the business to which it relates and not be erected again until the business next opens for trading, if the sign is advertising an adjacent business or activity;
 - (vi) being secured in position in accordance with any requirements of the local government;
 - (vii) being placed so as not to obstruct or impede the reasonable use of a thoroughfare or place by any person or the sight line of any vehicle drivers; and
 - (viii) being maintained in good condition; and
- (b) the number of portable signs being erected in relation to the 1 building or business.

(2) The permit holder of a permit for a portable sign must comply with any conditions imposed in accordance with subclause (1).

9.6 Conditions on election sign

(1) If the local government approves an application for a permit for the erection or placement of an election sign on local government property or a thoroughfare, the application is to be taken to be approved subject to the sign—

- (a) being erected at least 30 metres from any intersection;
- (b) being free standing and not being affixed to any existing sign, post, power or light pole or similar structure;
- (c) being placed so as not to obstruct or impede the reasonable use of a thoroughfare or place by any person;
- (d) being placed so as not to obstruct or impede the vision of a driver of a vehicle entering or leaving a thoroughfare or crossing;
- (e) being maintained in good condition;

- (f) not being erected until the election to which it relates has been officially announced;
 - (g) being removed within 24 hours of the close of polls on voting day;
 - (h) not being placed within 100 metres of any works on a thoroughfare;
 - (i) being securely installed;
 - (j) not being an illuminated sign;
 - (k) not incorporating reflective or fluorescent materials; and
 - (l) not displaying only part of a message which is to be read with other separate signs in order to obtain the whole message.
- (2) The permit holder of a permit for the erection or placement of an election sign must comply with each of the conditions in subclause (1).

Part 10 – Damage to and closed thoroughfares

Division 1 - Damage to thoroughfares

10.1 Notice to repair damage to thoroughfare

Where any portion of a thoroughfare has been damaged, the local government may, by notice to the person who caused the damage, order the person to repair or replace that portion of the thoroughfare to the satisfaction of the local government.

Division 2 - No driving on closed thoroughfares

10.2 No access without consent

- (1) A person must not drive or take a vehicle on or cause a vehicle to be driven or taken on a closed thoroughfare –
- (a) unless it is in accordance with any limits or exceptions specified in the order made under section 3.50 of the Act; or
 - (b) the person has first obtained approval from the local government under this local law or another written law.
- (2) In this clause –**closed thoroughfare** means a thoroughfare wholly or partly closed under section 3.50 or 3.50A of the Act.

Part 11 - Shopping trolleys

11.1 Name of owner of shopping trolley

A retailer must clearly mark its name or its trading name on any shopping trolley made available for the use of its customers.

11.2 Shopping trolleys in public places

A person must not leave a shopping trolley in a public place, other than in an area approved by the local government for this purpose and set aside for the storage of shopping trolleys.

11.3 Shopping trolley to be removed by retailer

Where a shopping trolley is found in a public place, other than in an area approved by the local government for this purpose and set aside for the storage of shopping trolleys,

and the retailer whose name is marked on the trolley has been advised verbally or in writing of its location by an authorised person, the retailer must remove the shopping trolley from the public place within 12 hours of being advised.

11.4 Retailer taken to own shopping trolley

In the absence of any proof to the contrary, a shopping trolley is to be taken to belong to a retailer whose name is marked on the trolley.

Part 12 - Secured sum

12.1 Security for restoration and reinstatement

(1) The local government may require payment of a bond for a sum determined by the local government for the purpose of ensuring that –

- (a) hired local government property, including fixtures and fittings in a building, can be cleaned or repaired;
- (b) any local government asset damaged during works in a public place, works adjacent to a public place or the construction of a building on land adjacent to a public place, can be repaired or reinstated; or
- (c) conditions of an approval, in so far as they relate to a public place, are complied with.

(2) A bond required under subclause (1) must be deposited into an account established by the local government for the purpose of this clause.

Part 13 - Remedy for breach

13.1 Notice requiring works to be done

(1) Where the local government requires works to be done to rectify a breach of any approval or a condition of an approval or a provision of this local law, the local government may give a notice in writing to the approval holder or person who has breached this local law –

- (a) advising details of the breach of the approval, condition or local law and of the works required to rectify the breach;
- (b) requiring the approval holder or person to do the works required within the time specified in the notice; and
- (c) advising that where the approval holder or person fails to comply with the requirements of the notice within the time specified, the local government may do the required works.

(2) An approval holder or person must comply with a notice given to her or him under subclause (1).

(3) Where the approval holder or person referred to in subclause (1) fails to comply with the requirements of a notice given under subclause (1), the local government may by its employees, agents or contractors carry out all works and do all things necessary to comply with the requirements of the notice.

(4) The local government may recover the expenses incurred in carrying out the works under subclause (3) –

- (a) as a charge against any secured sum lodged for the purpose by the approval holder or person who has breached this local law under clause 13.1; or
- (b) from the approval holder or person who has breached this local law in a court of

competent jurisdiction.

Part 14 - Miscellaneous

14.1 Public liability insurance and indemnity

(1) Where, as a condition of an approval, an approval holder or person is required to obtain public liability insurance, this public liability insurance must indemnify the local government against all actions, suits, claims, damages, losses and expenses made against or incurred by the local government arising from any activity, action or thing performed or erected in accordance with the approval.

(2) The public liability insurance policy referred to in subclause (1) must be kept current for the duration of the approval and –

- (a) must be in the name of the approval holder or person and the local government, for a minimum value of \$10 million or such other amount as the local government considers appropriate for the risk involved;
- (b) include a clause which prevents the policy from being cancelled without the written consent of the local government;
- (c) include a clause which requires both the approval holder or person and the insurance company to advise the local government if the policy lapses, is cancelled or is no longer in operation; and
- (d) be available for inspection by an authorised person at the request of the authorised person.

(3) An approval holder or person who refuses or cannot provide a certificate of currency within 2 working days of a request under subclause (2)(d) commits an offence.

14.2 Directions of authorised person

(1) An authorised person may direct any person in a public place to –

- (a) stop doing anything which the authorised person considers on reasonable grounds the person is in the process of doing, which is contrary to this local law or any other local law applying in the district;
- (b) leave that place; or
- (c) assist the authorised person in the case of an emergency.

(2) A person who is given a lawful direction under subclause (1) must comply with that direction.

14.3 Disposal of lost and found property

(1) This clause does not apply to an article which is subject to Subdivision 4 of Division 3 of Part 3 of the Act.

(2) A person finding an article left at or in a local government facility must give that article to the local government, an authorised person or a manager or attendant.

(3) The local government must register a description of the article and all particulars relating to it in a lost property register to be kept for that purpose.

(4) A person claiming the article who satisfies the local government, an authorised person, or manager or attendant that he or she is the lawful owner of the article must, on return of the article, by way of acknowledging its receipt, write her or his name and address and provide their signature in the lost property register.

(5) An article not claimed within a period of 3 months from the date it is entered in the lost property register must be disposed of by the local government as it considers fit and the proceeds from any sale belong to the local government.

(6) Where an article which is perishable is given to the local government, an authorised person or a manager or attendant under subclause (2), may dispose of that article at any time without entering that in the register under subclause (3).

Part 15 - Offences and penalties

15.1 Offences

(1) Any person who fails to do anything required, directed or ordered to be done under this local law, or who does anything which under this local law that person is prohibited from doing without reasonable excuse, commits an offence.

(2) An offence against a clause specified in Schedule 1 of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.

(3) Any person who commits an offence under this local law is liable, upon conviction, to a penalty not exceeding \$5,000 and, if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of each day during which the offence continues.

15.2 Infringement and infringement withdrawal notices

(1) For the purposes of this local law -

- (a) where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the Regulations;
- (b) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the Regulations; and
- (c) the form of the notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the Regulations.

(2) Where an infringement notice is given under section 9.16 of the Act in respect of an alleged offence against clause 2.4, the notice is to contain a description of the alleged offence.

15.3 Offence description and modified penalty

(1) The amount appearing in the final column of the table in Schedule 1 directly opposite an offence described in Schedule 1 is the modified penalty for that offence.

(2) The amount appearing in the final column in the table in Schedule 1 directly opposite an offence described in Schedule 1 is the modified penalty which applies each day or part of each day during which the offence continues.

Part 16 - Objections and review

16.1 Application of Division 1, Part 9 of the Act

When the local government makes a decision as to whether it will –

- (a) grant a person a permit or approval under this local law; or
- (b) renew, vary, or cancel a permit or approval that a person has under this local law,

the provisions of Division 1 of Part 9 of the Act and regulation 33 of the Regulations applies to that decision.

Schedule 1 – Prescribed Offences

[cl 15.1(2)]

Item No	Clause No	General Description of Offence	Modified Penalty \$
1	2.4	Failure to comply with a determination	175
2	3.2(2)	Undertaking an activity without a permit	175
3	3.3(3)	Failure to obtain permit to camp outside facility	175
4	3.4(1)	Failure to obtain permit for liquor	175
5	3.9(1)	Failing to comply with conditions of a permit	175
6	3.9(2)	Failing to comply with conditions of permit as varied	175
7	4.1(a)	Behaviour likely to interrupt, disturb or interfere with enjoyment of other persons	175
8	4.1(b)	Behaviour which interrupts, disturbs or interferes with enjoyment of other persons	175
9	4.1(c)	Behaviour which creates a nuisance	175
10	4.2(1)	Behaviour detrimental to the place	175
11	4.3(1)(c)	Without consent of the occupier, entering or attempting to enter a dressing room already occupied	175
12	4.4(1)	Taking, killing or injuring any fauna	175
13	4.5(a)	Entering or leaving any local government property or building other than by the public entrance or exit	110
14	4.5(b)	Entering or remaining on any local government property except during times access is available to the public	110
15	4.5(c)	Entering any place that has been fenced off, or closed to the public	175
16	4.6	Entering local government property without first paying the applicable fee or charge	110
17	4.8(2)	Failure to comply with sign on local government property	175
18	5.4	Failing to meet responsibilities of hirer of local government property	175
19	6.4	Failing to accept a refusal or direction in relation to the pool premises	110
20	6.9	Failing to meet limitations on use of swimming pool	175
21	7.1(a)	Using a sandboard, other board or thing to slide down sand dunes	175
22	7.1(c)	Traversing sand dunes other than along designated paths	175
23	7.1(d)	Taking a vehicle onto any beach or sand dunes without local government authorisation	175
24	7.2(1)	Launching a boat or personal watercraft from local government property or a beach not set aside for that purpose or approved by a sign	175
25	7.5(a)	Failing to comply with a sign erected on a beach	175
26	7.6(1)(a)	Fishing in an area where fishing is prohibited and designated by signs	150

27	7.6(1)(b)	Fishing in a permitted bathing area indicated by signs or patrol flags	150
28	7.6(2)(a)	Leaving or depositing dead fish or fish offal on any beach	110
29	7.6(2)(b)	Leaving or depositing dead fish or fish offal in the sea within 200m of any beach	110
30	7.7(1)	Riding a surfboard, driving a personal watercraft or boat in a designated permitted bathing area	150
31	8.2(a)	Installation of verge treatment other than permissible verge treatment	150
32	8.2(b)	Alteration of the finished level of a verge	150
33	8.2(c)	Covering, obstructing or adversely affecting any manhole, inspection pit, constructed drain, other facility or installation on a verge	150
34	8.4(a)	Failing to keep verge treatment in good and tidy condition and avoid obstruction of any sort	150
35	8.4(c)	Placing any obstruction on or around any verge treatment	150
36	8.4(d)	Watering or maintaining a verge treatment so as to cause a nuisance or hazard to a person using the adjacent footpath, access way or carriageway	150
37	8.8(1)(a)	Failing to take necessary precautions to ensure footpath is not damaged during works	150
38	8.8(1)(b)	Failing to notify local government of existing footpath damage prior to commencement of works	110
39	9.3(1)	Failure to obtain permit for an advertising sign or advertisement	175
40	9.5(2)	Failure to comply with conditions of permit for a portable sign	175
41	9.6(2)	Failure to comply with conditions of permit for an election sign	175
42	10.2(1)	Driving on a closed thoroughfare	200
43	11.2	Leaving a shopping trolley in a public place not set aside for storage of trolleys	110
44	11.3	Failure of owner to remove shopping trolley within 12 hours of being advised by local government	150
45	13.1(2)	Failing to comply with a notice	300
46	14.2(2)	Failing to comply with a lawful direction of an authorised person	175

Schedule 2 – Determinations

[cl 2.1]

The following determinations are to be taken to have been made by the local government under clause 2.1.

Part 1 – Preliminary

1.1 Definitions

(1) In these determinations unless the context otherwise requires –

approved place means the land or premises specified in a trading licence as approved by the local government;

approved route means a route specified in a trading licence approved by the local government;

authorised person means a person appointed by the local government under section 9.10 of the *Local Government Act 1995* to perform any of the functions of an authorised person under this local law;

camel operators means those persons associated with commercial camel activities, either as the owner, the licensee or an employee;

commercial camel activities means those activities associated with camel tours/rides on Cable Beach;

local government means the Shire of Broome; and

local law means the *Shire of Broome Local Government Property and Public Places Local Law 2016*.

(2) Unless the context otherwise requires, where a term is used but not defined in a determination and that term is defined in the local law then the term has the meaning given to it in the local law.

Part 2 – Driving vehicles on local government property

2.1 Speed of Vehicles on Reserves

A person must not drive a vehicle or allow a vehicle to be driven upon local government property at a speed exceeding 15 kilometres an hour, or in such a manner as to cause danger, inconvenience or annoyance to any person.

Part 3 – Activities prohibited on local government property

3.1 Activities prohibited on local government property

A person is prohibited from pursuing all or any of the following activities on local government property, except on land which is reserved to the local government for the purpose or which is set aside under clause 2.7(1) of this local law for the purpose of playing or practicing golf, archery, pistol shooting or rifle shooting.

Part 4 – Activities which may be pursued on specified local government property

4.1 Activities which may be pursued on specified local government property

(1) In this Part –

Cable Beach means that part of the beach as described in clause (2).

(2) Under clause 2.7(1)(a) of this local law commercial camel activities may be conducted in the area of Cable Beach between a point formed by the westerly prolongation, to the low water mark of the northern boundary of Reserve 36477, to a point formed by the westerly prolongation, to the low water mark of the Northern Boundary of Lot 405 Lullfitz Drive between the high and low water mark.

(3) Under clause 2.7(2) of this local law the following conditions apply –

- (a) camel operators must have a trading licence issued by the local government under its *Trading, Outdoor Dining and Street Entertainment Local Law 2003*;
- (b) camel operators must only access Cable Beach via the approved route from the approved place of stabling camels, unless otherwise approved by the local government;
- (c) only gelded male camels and/or cow camels are permitted for commercial camel activities on Cable Beach;
- (d) a maximum of 18 camels per operator is allowed on Cable Beach at any 1 time, unless otherwise approved by the local government for extraordinary circumstances, eg. cruise ships and corporate/conference functions;
- (e) camel operators will at all times identify their own camels with the same coloured and patterned blankets, which must be easily distinguishable from the colours and patterns used by other operators of commercial activities on Cable Beach;
- (f) camel operators must comply with any lawful direction given at any time by the CEO of the local government or his or her delegate, or an authorised person;
- (g) each licence holder is responsible for the effective control of their respective camel trains at all times and:
 - (i) at all times during the tours being conducted on Cable Beach, a competent staff member must lead the camel train whilst walking and holding onto the reins of the lead camel;
 - (ii) where a camel train exceeds 4 camels:
 - A. 2 competent staff members must be in attendance;
 - B. at all times a competent staff member must lead the camel train whilst walking and holding onto the reins of the lead camel; and
 - C. the other staff member may ride a camel in the train to and from the beach but not whilst undertaking a camel tour on the beach;
 - (iii) During morning sessions only, and where 4 or less camels form the camel train:
 - A. only 1 competent staff member is required to be in attendance; and
 - B. on the route to and from the beach, the competent staff member may either lead the camel by walking and holding the reins or may ride the lead camel at walking pace.
- (h) camel operators must, at the conclusion of business each day, remove all and any refuse and litter associated with the operation of their activity and ensure the site is left in a clean and safe condition;
- (i) all camels must be fitted with manure collection devices and any manure that may escape the manure collection devices must be collected immediately along the local government approved access route and along the entire distance of the tour;

- (j) front and rear camels must be fitted with lights facing to the front and the rear and every second camel must have a reflective tape to each saddle and/or stirrup; and
 - (k) camel operators must ensure there is at least 30 metres between each camel train at all times.
- (4) The local government reserves the right to close Cable Beach to commercial camel activities at any time.

Schedule 3 – Definition of “weed”

[cl 1.5]

For the purposes of this local law, the following plant species are weeds:

Botanical name	Common name
Alternanthera pungens	Khaki Weed
Azadirachta indica	Neem
Cenchrus biflorus	Gallon’s Curse
Cenchrus ciliaris	Buffel Grass
Hyptis suaveolens	Mint Bush
Jatropha gossypifolia	Bellyache Bush
Leucaena leucocephala	Coffee Bush
Macroptilium atropurpureum	Siratro
Merremia aegyptia	Hairy Morning Glory
Merremia dissecta	Noyau Vine
Passiflora foetida	Bush Passionfruit
Tribulus terrestris	Caltrop

Dated [insert date] 2016

The Common Seal of Shire of Broome was affixed by the authority of a resolution of Council in the presence of –

R J JOHNSTON, Shire President
K R DONOHOE, Chief Executive Officer

Local Law Published in the Government Gazette – [insert date], No [insert]

LOCAL GOVERNMENT ACT 1995

SHIRE OF BROOME

LOCAL GOVERNMENT PROPERTY AND PUBLIC PLACES LOCAL LAW 2016

**LOCAL GOVERNMENT ACT 1995
SHIRE OF BROOME
LOCAL GOVERNMENT PROPERTY AND PUBLIC PLACES LOCAL LAW 2016**

CONTENTS

Part 1 - Preliminary

- 1.1 Title
- 1.2 Commencement
- 1.3 Application of local law
- 1.4 Repeal
- 1.5 Definitions
- 1.6 Assistance animals

Part 2 – Determinations in respect of local government property

Division 1 - Determinations

- 2.1 Determinations as to use of local government property
- 2.2 Procedure for making a determination
- 2.3 Discretion to erect sign
- 2.4 Determination to be complied with
- 2.5 Register of determinations
- 2.6 Amendment or revocation of a determination

Division 2 - Activities which may be pursued or prohibited under a determination

- 2.7 Activities which may be pursued on specified local government property
- 2.8 Activities which may be prohibited on specified local government property

Division 3 - Transitional

- 2.9 Signs taken to be determinations

Part 3 - Permits

Division 1 - Preliminary

- 3.1 Application of Part

Division 2 - When a permit is required

- 3.2 Activities needing a permit
- 3.3 Permit required to camp outside a facility
- 3.4 Permit required for possession and consumption of liquor

Division 3 Applying for a permit

- 3.5 Application for permit
- 3.6 Decision on application for permit
- 3.7 Factors relevant to the determination of an application

Division 4 - Conditions

- 3.8 Conditions which may be imposed on a permit
- 3.9 Compliance with and variation of conditions

Division 5 - General

- 3.10 Duration of permit
- 3.11 Renewal of permit
- 3.12 Transfer of permit
- 3.13 Production of permit
- 3.14 Cancellation of permit

Division 6 – Responsibilities of permit holder

- 3.15 Responsibilities of permit holder

Part 4 - Behaviour in public places

Division 1 - Behaviour on and interference with local government property

- 4.1 Behaviour which interferes with others
- 4.2 Behaviour detrimental to a public place
- 4.3 Adequate clothing and loitering outside toilets
- 4.4 Taking or injuring any fauna
- 4.5 Entry to local government property

Division 2 - Fees for use of local government property

- 4.6 Payment of applicable fees for entry or participation
- 4.7 No refund of fees

Division 3 - Signs

- 4.8 Signs

Part 5 – Hiring of local government property

- 5.1 Application for hire
- 5.2 Decision on application where 2 or more applicants
- 5.3 Conditions of hire and use
- 5.4 Responsibilities of hirer

Part 6 – Swimming pools and water parks

- 6.1 Use of all or part of a pool premises
- 6.2 When entry to and use of pool premises will be refused
- 6.3 When entry to and use of pool premises may be refused
- 6.4 Person to comply with direction
- 6.5 Decency
- 6.6 Objection or Appeal against refusal of admission
- 6.7 Carnivals
- 6.8 Closure of pool premises
- 6.9 Limitations on use
- 6.10 Ticket or membership card not transferable

Part 7 – Beaches and bathing

- 7.1 Sandboarding and sand dune protection
- 7.2 Boat launching
- 7.3 Surf life saving activities
- 7.4 Identification of life saving patrol
- 7.5 Compliance with signs and directions
- 7.6 Fishing
- 7.7 Surfboards and boats
- 7.8 Authority of local government authorised employee to prevail

Part 8 – Activities on verges and footpaths

Division 1 - Verge treatments

- 8.1 Interpretation
- 8.2 Verge treatment
- 8.3 Permissible verge treatments
- 8.4 Owner's or occupier's responsibilities for verge treatments
- 8.5 Installation of hardstand surface on a verge for the parking of cars
- 8.6 Enforcement

Division 2 - Vehicle crossings

- 8.7 Standard vehicle crossings

Division 3 - Protection of footpaths

- 8.8 Footpath protection

Part 9 - Advertising signs on local government property and thoroughfares

Division 1- Preliminary

- 9.1 Definitions
- 9.2 Person taken to own advertising sign

Division 2- Permit

- 9.3 Permit required for advertising signs and portable direction signs
- 9.4 Matters to be considered in determining application for permit

Division 3- Conditions on permit

- 9.5 Conditions on portable sign
- 9.6 Conditions on election sign

Part 10 – Damage to and closed thoroughfares

Division 1 - Damage to thoroughfares

- 10.1 Notice to repair damage to thoroughfare

Division 2 - No driving on closed thoroughfares

- 10.2 No access without consent

Part 11 – Shopping trolleys

- 11.1 Name of owner of shopping trolley
- 11.2 Shopping trolleys in public places
- 11.3 Shopping trolley to be removed by retailer
- 11.4 Retailer taken to own shopping trolley

Part 12 – Secured sum

- 12.1 Security for restoration and reinstatement

Part 13 – Remedy for breach

- 13.1 Notice requiring works to be done

Part 14 - Miscellaneous

- 14.1 Public liability insurance and indemnity
- 14.2 Directions of authorised person
- 14.3 Disposal of lost and found property

Part 15 – Offences and penalties

- 15.1 Offences
- 15.2 Infringement and infringement withdrawal notices
- 15.3 Offence description and modified penalty

Part 16 - Objections and review

- 16.1 Application of Division 1, Part 9 of the Act

Schedule 1 – Prescribed Offences

Schedule 2 – Determinations

Schedule 3 – Definition of “weed”

LOCAL GOVERNMENT ACT 1995

SHIRE OF BROOME

LOCAL GOVERNMENT PROPERTY AND PUBLIC PLACES LOCAL LAW 2016

Under the powers conferred by the *Local Government Act 1995*, and under all other powers enabling it, the Council of the Shire of Broome resolved on [insert date] 2016 to make the following local law.

Part 1 – Preliminary

1.1 Title

This local law may be referred to as the *Shire of Broome Local Government Property and Public Places Local Law 2016*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Application of local law

This local law applies except where indicated otherwise throughout the district and in the sea adjoining the district for a distance of 200 metres seawards of the local government's western district boundary which is bound by the low water mark of the Indian Ocean.

1.4 Repeal

The *Shire of Broome Local Government Property and Public Places Local Law 2012* as published in the *Government Gazette* on 23 October 2012 and as amended on 20 September 2013 and 6 January 2015 is repealed.

1.5 Definitions

(1) In this local law, unless the context otherwise requires -

Act means the *Local Government Act 1995*;

animal means any living thing that is not a human being or plant;

applicant means a person who has lodged an application for a permit;

application for a permit means an application for a permit referred to in clause 3.5;

approval means an application for a permit which has been approved by the local government under clause 3.6(1)(a);

article in respect of lost property, includes money;

attendant means an employee of the local government duly authorised to perform duties in connection with a pool premises;

authorised person means -

(a) a person appointed by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law; and

(b) any member of the Western Australian Police Force;

bathing means the act of entering the sea, a swimming pool or other water body to swim or use a bathing appliance and includes the act of emerging therefrom;

bathing appliance means a float of any material, including kick boards, paddle boards, body boards, or any other device used or capable of being used for the purpose of bathing;

beach includes so much of the sea adjoining the beach as is within the application of this local law;

boat means any structure vessel, excluding personal watercraft, whether motorised or not and made or used to travel or float on water or travel under water;

Broome townsite area means the area of the district constituted as the Broome townsite under the *Land Administration Act 1997*;

carriageway has the meaning given to it in the *Road Traffic Code 2000*;

CEO means the Chief Executive Officer of the local government;

closed thoroughfare means a thoroughfare wholly or partly closed under section 3.50 or section 3.50A of the Act;

commencement day means the day on which this local law comes into operation;

Council means the council of the local government;

development approval means approval granted by the local government in accordance with the *Planning and Development Act 2005*;

district means the district of the local government;

event means an occurrence held within the district by a person(s)/group/organisation, where people assemble at a given time for entertainment, recreation or community purposes and includes but is not limited to -

- (a) concerts and events run as a commercial activity;
- (b) ceremonies and processions;
- (c) sporting and competitor events such as marathons, triathlons, organised swims and other similar events;
- (d) shows and fairs including circuses, carnivals and other customised venue based events;
- (e) festivals, exhibitions and expos; and
- (f) community events and fundraisers;

fishing means to use any line, lure, rod, pot or other method for the purpose of catching marine life;

footpath means an area that is open to the public that is designated for, or has as 1 of its main uses, use by pedestrians;

garden means any part of a verge planted, developed or treated otherwise than as a lawn, with 1 or more plants;

indecent exposure means the revealing to view those parts of the body, especially the genitals, which by law and convention should be covered by clothing under the given circumstances;

intersection has the meaning given to it in the *Road Traffic Code 2000*;

large animal includes a cow, horse, pig, sheep, goat or camel;

lawn means any part of a verge which is planted only with grass, or with a similar plant, but may include any other plant provided that it has been planted by the local government;

life saving club means a life saving club affiliated with Surf Life Saving Western Australia;

life saving gear means any gear or appliance for use in life saving or for use in the training of members of a life saving club;

life saving patrol means a patrol comprising such members of a life saving club as are appointed by that club from time to time to provide life saving services in an area, and the term includes any local government employee authorised to perform any of the functions in clause 7.3;

liquor has the meaning given to it in section 3 of the *Liquor Control Act 1988*;

local government means the Shire of Broome;

local government facility means any building, function room, hall, sports field or premises that is owned or managed by the local government and made available for

use by arrangement or during certain opening hours;

local government property means anything -

- (a) which belongs to, is owned by or is under the care, control and management of the local government;
- (b) which is an “otherwise unvested facility” within section 3.53 of the Act, but does not include a thoroughfare; or
- (c) of which the local government is a management body under the *Land Administration Act 1997*;

local planning scheme means a local planning scheme of the local government made under the *Planning and Development Act 2005*;

lot has the meaning given to it in section 4 of the *Planning and Development Act 2005*;

manager means the person for the time being employed, contracted or appointed by the local government to manage any pool premises and includes any assistant or deputy;

nuisance means -

- (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;
- (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or
- (c) interference which causes material damage to land or other property on the land affected by the interference;

patrol flag means a flag or notice ordinarily erected at the limits of a bathing area to indicate the extremities of that area;

permit means a permit issued under this local law;

permit holder means a person who holds a valid permit;

person does not include an authorised person performing a function of the local government;

personal watercraft means any vessel designed for the transport of 1, 2, or 3 persons that -

- (a) is propelled by means of an inboard motor powering a water jet pump; and
- (b) is designed to be steered by means of handlebars by a person sitting, standing or kneeling on the vessel and not within it;

pool premises means and includes any swimming pool or water park that is local government property and all buildings, fences, gardens, car parks, structures, fittings, fixtures, machinery, chattels, furniture and equipment forming part of the swimming pool facility or used in connection with it;

public place means -

- (a) any thoroughfare or local government property; or
- (b) any place which the public is allowed to use, whether the place is or is not on private land, including park lands, squares, reserves, beaches, the intertidal zone and other land designated as being for the use and enjoyment of the public;

retailer means a proprietor of a shop which provides shopping trolleys for the use of customers of the shop;

Regulations mean the *Local Government (Functions and General) Regulations 1996*;

sandboard means a board designed to be used for sliding down a slope of land or a sand dune or any similar device;

shopping trolley means a container or receptacle on wheels provided by a retailer for its customers to transport goods;

sign includes a notice, flag, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols;

surfboard means flotation device designed and used for the purpose of riding waves that includes 1 or more fins, which is capable of or may endanger the safety of swimmers;

thoroughfare means a road or other thoroughfare including parking areas, structures or other things appurtenant to the thoroughfare that are within its limits, and nothing is prevented from being a thoroughfare only because it is not open at each end;

verge means that part of a thoroughfare that lies between the front of a property and the edge of the carriageway;

vehicle includes every conveyance and every object capable of being propelled or drawn on wheels, tracks or otherwise and an animal being ridden, driven or led, but excludes -

- (a) a wheelchair or any device designed for use by a physically impaired person on a footpath;
- (b) a pram, stroller or similar device; and
- (c) a boat or personal watercraft;

vehicle crossing means a crossing giving access from a public thoroughfare to either private land or a private thoroughfare serving private land;

weed has the meaning specified in Schedule 3; and

zoned means zoned under a local planning scheme.

(2) In this local law, a reference to local government property or a public place includes the reference to any part, respectively, of that local government property or public place.

1.6 Assistance animals

This local law is subject to any written law and law of the Commonwealth about assistance animals as defined in the *Disability Discrimination Act 1992* (Commonwealth) section 9(2).

Part 2 – Determinations in respect of local government property

Division 1 - Determinations

2.1 Determinations as to use of local government property

- (1) The local government may make a determination in accordance with clause 2.2 –
 - (a) setting aside specified local government property for the pursuit of all or any of the activities referred to in clause 2.7;
 - (b) prohibiting a person from pursuing all or any of the activities referred to in clause 2.8 on specified local government property;
 - (c) as to the matters in clauses 2.7(2) and 2.8(2); and
 - (d) as to any matter ancillary or necessary to give effect to a determination.
- (2) The determinations in Schedule 2 –
 - (a) are to be taken to have been made in accordance with clause 2.2;
 - (b) may be amended or revoked in accordance with clause 2.6; and
 - (c) have effect on the commencement day.

2.2 Procedure for making a determination

- (1) The local government is to give local public notice of its intention to make a determination.
- (2) The local public notice referred to in subclause (1) is to state that –

- (a) the local government intends to make a determination, the purpose and effect of which is summarised in the notice;
 - (b) a copy of the proposed determination may be inspected and obtained from the offices of the local government; and
 - (c) submissions in writing about the proposed determination may be lodged with the local government within 21 days after the date of publication.
- (3) If no submissions are received in accordance with subclause (2)(c), the Council is to decide to –
- (a) give local public notice that the proposed determination has effect as a determination on and from the date of publication;
 - (b) amend the proposed determination, in which case subclause (5) will apply; or
 - (c) not continue with the proposed determination.
- (4) If submissions are received in accordance with subclause (2)(c) the Council is to –
- (a) consider those submissions; and
 - (b) decide –
 - (i) whether or not to amend the proposed determination; or
 - (ii) not to continue with the proposed determination.
- (5) If the Council decides to amend the proposed determination, it is to give local public notice –
- (a) of the effect of the amendments; and
 - (b) that the proposed determination has effect as a determination on and from the date of publication.
- (6) If the Council decides not to amend the proposed determination, it is to give local public notice that the proposed determination has effect as a determination on and from the date of publication.
- (7) A proposed determination is to have effect as a determination on and from the date of publication of the local public notice referred to in subclauses (3), (5) and (6).
- (8) A decision under subclause (3) or (4) must not be delegated by the Council.

2.3 Discretion to erect sign

The local government may erect a sign on local government property to give notice of the effect of a determination which applies to that property.

2.4 Determination to be complied with

A person must comply with a determination.

2.5 Register of determinations

- (1) The local government is to keep a register of determinations made under clause 2.1, and of any amendments to or revocations of determinations made under clause 2.6.
- (2) Sections 5.94 and 5.95 of the Act apply to the register referred to in subclause (1) and for that purpose the register is to be taken to be information within section 5.94(u)(i) of the Act.

2.6 Amendment or revocation of a determination

- (1) The Council may amend or revoke a determination.
- (2) The provisions of clause 2.2 are to apply to an amendment of a determination as if the amendment were a proposed determination.
- (3) If the Council revokes a determination it must give local public notice of the revocation and the determination ceases to have effect on the date of publication.

Division 2 - Activities which may be pursued or prohibited under a determination

2.7 Activities which may be pursued on specified local government property

(1) A determination may provide that specified local government property is set aside as an area on which a person may –

- (a) bring, ride or drive an animal;
- (b) take, ride or drive a vehicle, or a particular class of vehicle;
- (c) fly or use a motorised model aeroplane;
- (d) use a children's playground provided that the person is under an age specified in the determination;
- (e) launch, beach or leave a boat;
- (f) take or use a boat, or a particular class of boat;
- (g) deposit refuse, rubbish or liquid waste, whether or not of particular classes, and whether or not in specified areas of that local government property;
- (h) play or practice –
 - (i) golf or archery;
 - (ii) pistol or rifle shooting, but subject to the compliance of that person with the *Firearms Act 1973*; or
 - (iii) a similar activity, specified in the determination, involving the use of a projectile which in the opinion of the local government may cause injury or damage to a person or property;
- (i) ride a bicycle, a skateboard, rollerblades, a sandboard or a similar device; and
- (j) wear no clothing.

(2) A determination may specify the extent to which and the manner in which an activity referred to in subclause (1) may be pursued and in particular –

- (a) the days and times during which the activity may be pursued;
- (b) that an activity may be pursued on a class of local government property, specified local government property or all local government property;
- (c) that an activity is prohibited on all local government property other than that specified in the determination;
- (d) may limit the activity to a class of vehicles, boats, equipment or things, or may extend it to all vehicles, boats, equipment or things;
- (e) may specify that the activity can be pursued by a class of persons or all persons; and
- (f) may distinguish between different classes of the activity.

2.8 Activities which may be prohibited on specified local government property

(1) A determination may provide that a person is prohibited from pursuing all or any of the following activities on specified local government property -

- (a) smoking on premises;
- (b) riding a bicycle, a skateboard, rollerblades, a sandboard or a similar device;
- (c) taking, riding or driving a vehicle or a particular class of vehicle on the property;
- (d) riding or driving a vehicle of a particular class or any vehicle above a specified speed;
- (e) taking or using a boat, or a particular class of boat;
- (f) the playing or practice of -
 - (i) golf, archery, pistol shooting or rifle shooting; or
 - (ii) a similar activity, specified in the determination, involving the use of a projectile which in the opinion of the local government may cause injury or damage to a person or property;
- (g) the playing or practice of any ball game which may cause detriment to the property or any fauna on the property; and

- (h) the traversing of sand dunes or land which in the opinion of the local government has environmental value warranting such protection, either absolutely or by limiting the traversing of sand dunes or land to paths provided for that purpose.
- (2) A determination may specify the extent to which and the manner in which a person is prohibited from pursuing an activity referred to in subclause (1) and, in particular –
- (a) the days and times during which the activity is prohibited;
 - (b) that an activity is prohibited on a class of local government property, specified local government property or all local government property;
 - (c) that an activity is prohibited in respect of a class of vehicles, boats, equipment or things, or all vehicles, boats, equipment or things;
 - (d) that an activity is prohibited in respect of a class of persons or all persons; and
 - (e) may distinguish between different classes of the activity.
- (3) In this clause –
- premises** means a building, stadium or similar structure which is local government property, but not an open space such as a park or a playing field.

Division 3 - Transitional

2.9 Signs taken to be determinations

- (1) Where a sign erected on local government property has been erected under a local law of the local government repealed by this local law, then it is to be taken to be and have effect as a determination on and from the commencement day, except to the extent that the sign is inconsistent with any provision of this local law or any determination made under clause 2.1.
- (2) Clause 2.5 does not apply to a sign referred to in subclause (1).

Part 3 - Permits

Division 1 - Preliminary

3.1 Application of Part

This Part does not apply to a person who uses or occupies a public place:

- (a) under a written agreement with the local government to do so; or
- (b) subject to a licence issued in accordance with the local government's *Trading, Outdoor Dining and Street Entertainment Local Law 2016*.

Division 2 - When a permit is required

3.2 Activities needing a permit

- (1) A permit is required to undertake the following activities –
- (a) subject to subclause (3), hire local government property;
 - (b) advertise anything by any means on local government property or a thoroughfare;
 - (c) erect a structure for public amusement or for any performance, whether for gain or otherwise, within a public place;
 - (d) teach, coach or train for profit any person in a pool area or an indoor recreation facility which is local government property;
 - (e) plant any plant or sow any seeds on local government property or a thoroughfare, except where this is done to establish a permissible verge treatment in accordance with clause 8.3;

- (f) carry on any trading within a public place unless the trading is conducted with the consent of a person who holds a permit to conduct an event and the trading is carried out in accordance with the permit; or
 - (g) unless undertaken by an employee of the local government in the course of her or his duties or on an area set aside for that purpose -
 - (i) drive or ride or take any vehicle on to local government property;
 - (ii) park or stop any vehicle on local government property; or
 - (iii) take or ride a large animal or large animals within a public place;
 - (h) conduct an event within a public place;
 - (i) *clause deleted*
 - (j) light a fire except in a facility provided for that purpose;
 - (k) parachute, hang glide, abseil or base jump from or on to local government property or a thoroughfare;
 - (l) erect a building or a refuelling site on local government property or a thoroughfare;
 - (m) make any excavation on or erect or remove any fence on local government property or a thoroughfare;
 - (n) undertake any works on local government property or a thoroughfare including but not limited to constructing a crossover, constructing a footpath, landscaping, roadworks and works to install sewerage, water, power and communications infrastructure;
 - (o) depasture any horse, sheep, cattle, goat, camel, ass or mule on local government property or a thoroughfare;
 - (p) conduct or take part in any gambling game or contest or bet, or offer to bet, from local government property or a thoroughfare;
 - (q) use or set off fireworks; or
 - (r) land an aircraft or helicopter on local government property or a thoroughfare.
- (2) A person must not undertake an activity listed in subclause (1) without a permit.
- (3) The local government may exempt a person from compliance with subclause (1) on the application of that person.
- (4) The local government may exempt specified places or a class of local government property from the application of subclause (1)(a).

3.3 Permit required to camp outside a facility

(1) In this clause –

camping means to carry out activities associated with habitation including but not limited to sleeping, cooking, laundry, ablutions or other domestic tasks.

facility has the same meaning as is given to it in section 5(1) of the *Caravan Parks and Camping Grounds Act 1995*.

goods has the same meaning as is given to it in section 3.38 of the Act. (2) This clause does not apply to a facility operated by the local government.

(3) A person must not without a permit –

- (a) camp on, lodge at or occupy any structure at night for the purpose of sleeping in a public place;
- (b) undertake camping in a public place;
- (c) erect any tent, camp, hut or similar structure in a public place other than a beach shade or windbreak erected for use during the hours of daylight and which is dismantled during those hours on the same day; or
- (d) park a vehicle in a public place for the purpose of camping in or around the vehicle.

(4) The maximum period for which the local government may approve an application for a permit in respect of paragraphs (a), (b) or (c) of subclause (3) is that provided in regulation 11(2)(a) of the *Caravan Parks and Camping Grounds Regulations 1997*.

(5) Any tent, camp, hut or similar structure erected in contravention of paragraphs (b) or (c) of subclause (3) and associated goods may, subject to regulation 29 of the Regulations, be impounded.

(6) A vehicle used or parked in contravention of paragraphs (b) or (d) of subclause (3) may, subject to the provisions of regulation 29 of the Regulations, be impounded by immobilising the vehicle by the use of wheel clamps.

(7) An authorised person who impounds a vehicle under subclause (6) must attach a notice to the vehicle advising the owner of the vehicle that:

- (a) the vehicle will be released upon payment of the costs of impounding;
- (b) the place where and hours during which the costs can be paid; and
- (c) that if the impounding costs are not paid within 24 hours, the vehicle may be removed to the local government pound.

(8) Notices issued under this clause will be in the form determined by the CEO.

3.4 Permit required for possession and consumption of liquor

(1) A person must not, on local government property, consume any liquor or have in her or his possession or under her or his control any liquor, unless –

- (a) it is permitted under the *Liquor Control Act 1988*; and
- (b) a permit has been obtained under this local law for that purpose.

(2) Subclause (1) does not apply where the liquor is in a sealed container.

Division 3 - Applying for a permit

3.5 Application for permit

(1) Where a person is required to obtain a permit under this local law, that person must apply for the permit in accordance with subclause (2).

(2) An application for a permit under this local law must –

- (a) be in the form determined by the local government;
- (b) be signed by the applicant;
- (c) provide the information required by the form; and
- (d) be forwarded to the CEO together with the application fee.

(3) The local government may require an applicant to provide additional information reasonably related to an application before determining an application for a permit.

(4) The local government may require an applicant to give local public notice of the application for a permit.

(5) The local government may refuse to consider an application for a permit which is not in accordance with subclause (2).

3.6 Decision on application for permit

(1) The local government may –

- (a) approve an application for a permit unconditionally or subject to any conditions;
or
- (b) refuse to approve an application for a permit.

(2) If the local government approves an application for a permit, it will issue to the applicant a permit in the form determined by the local government.

(3) If the local government refuses to approve an application for a permit, it will give written notice of that refusal to the applicant.

3.7 Factors relevant to the determination of an application

- (1) In deciding whether to approve an application for a permit, the local government:
 - (a) may assess the application for a permit in accordance with the provisions of any relevant policy that applies to the proposed use or occupation of the public place;
 - (b) must satisfy itself that the proposed use or occupation of the public place –
 - (i) will not result in harm to human health or safety or personal injury;
 - (ii) will not result in property damage or a loss of amenity;
 - (iii) will not result in environmental harm or environmental nuisance; and
 - (iv) will not result in a nuisance.
- (2) Before the local government decides an application for a permit, an authorised person may –
 - (a) inspect any vehicle, equipment, animal, plant or thing to be involved in the undertaking of the activity; and
 - (b) measure, weigh, sample, test or otherwise examine anything that may be inspected.

Division 4 - Conditions

3.8 Conditions which may be imposed on a permit

- (1) Without limiting the generality of clause 3.6(1)(a), the local government may approve an application for a permit subject to conditions relating to -
- (a) the payment of a fee and the timing for the payment of that fee;
 - (b) compliance with the provisions of any relevant policy that applies to the proposed use or occupation of the public place;
 - (c) the duration and commencement of the permit;
 - (d) the commencement of the permit being contingent upon an occurrence;
 - (e) the rectification, remedying or restoration of a situation or circumstance reasonably related to the application;
 - (f) the requirement for approval under any written law;
 - (g) the area of the district to which the permit applies;
 - (h) where a permit is issued for an activity which will or may cause damage to local government property, the payment of a deposit or bond against such damage;
 - (i) payment of a bond for cleaning expenses;
 - (j) restrictions on the erection of material or external decorations;
 - (k) rules about the use of furniture, plant and effects;
 - (l) limitations on the number of persons who may attend an event;
 - (m) the duration of the hire of local government property and whether or not the hire is for the exclusive use of the local government property;
 - (n) the right of the local government to cancel a booking during the course of an annual or seasonal booking, if the local government sees fit;
 - (o) the prohibition on the sale, supply or consumption of liquor;
 - (p) the provision of an indemnity from the applicant, indemnifying the local government in respect of any injury to any person or any damage to any property which may occur in connection with the proposed use or occupation of the public place; and
 - (q) the obtaining of a policy of insurance in an amount and on terms reasonably required by the local government.

3.9 Compliance with and variation of conditions

- (1) Where an application for a permit has been approved subject to conditions, the permit holder must comply with each of those conditions.

(2) The local government may vary the conditions of a permit, and the permit holder must comply with those conditions as varied.

Division 5 - General

3.10 Duration of permit

A permit is valid for 1 year from the date on which it is issued, unless it is –

- (a) otherwise stated in this local law or in the permit; or
- (b) cancelled under clause 3.15.

3.11 Renewal of permit

(1) A permit holder may apply to the local government in writing prior to expiry of a permit for the renewal of the permit.

(2) The provisions of this Part apply to an application for the renewal of a permit with appropriate modifications.

3.12 Transfer of permit

(1) An application for the transfer of a valid permit must –

- (a) be made in writing;
- (b) be signed by the permit holder and the proposed transferee of the permit;
- (c) provide such information as the local government may require to enable the application to be determined; and
- (d) be forwarded to the CEO together with any fee imposed and determined by the local government.

(2) Subject to clause 16.1, the local government may approve an application for the transfer of a permit, refuse to approve it or approve it subject to conditions.

(3) Where the local government approves or refuses the transfer of a permit, it is not required to refund any part of any fee paid by the former permit holder.

(4) Where the local government refuses to approve the application for the transfer of a permit and the permit holder does not wish to continue as the permit holder, the permit holder must return the permit as soon as practicable to the CEO.

3.13 Production of permit

A permit holder must produce to an authorised person her or his permit immediately upon being required to do so by that authorised person.

3.14 Cancellation of permit

(1) Subject to clause 16.1, a permit may be cancelled by the local government if the permit holder has not complied with a –

- (a) condition of the permit; or
- (b) determination or a provision of any written law which relates to the activity regulated by the permit.

(2) On the cancellation of a permit the permit holder -

- (a) must return the permit as soon as practicable to the CEO; and
- (b) is taken to have forfeited any fees paid in respect of the permit.

Division 6 - Responsibilities of permit holder

3.15 Responsibilities of permit holder

A holder of a permit must -

- (a) ensure that an authorised person has unobstructed access to any public place for the purpose of inspecting the public place or enforcing any provision of this local law;
- (b) where the permit relates to an activity on local government property or a thoroughfare:
 - (i) leave the local government property or thoroughfare in a clean and tidy condition after its use;
 - (ii) report any damage or defacement of the local government property or thoroughfare to the local government;
 - (iii) take steps to repair or rectify any damage or defacement of the local government property or thoroughfare as directed by the local government; and
 - (iv) prevent the consumption of any liquor on the local government property or thoroughfare unless –
 - A. the permit allows it; and
 - B. if applicable, a licence has been obtained under the *Liquor Control Act 1988* for that purpose.

Part 4 - Behaviour in public places

Division 1 - Behaviour on and interference with local government property

4.1 Behaviour which interferes with others

A person must not, in a public place, behave in a manner which—

- (a) is likely to interfere with the enjoyment of a person who might use the place;
- (b) interferes with the enjoyment of a person using the place or nearby private land; or
- (c) creates a nuisance.

4.2 Behaviour detrimental to a public place

(1) A person must not behave on local government property or a thoroughfare in a way which is or might be detrimental to the place.

(2) In subclause (1) –

detrimental to the place includes –

- (a) removing any thing from the place such as a rock, a plant or a seat provided for the use of any person;
- (b) destroying, defacing or damaging any thing within the place, such as a plant, a seat provided for the use of any person or a building; and
- (c) causing environmental harm or nuisance within the place.

4.3 Adequate clothing and loitering outside toilets

(1) A person over the age of 6 years must not in any public place –

- (a) be present unless dressed in a manner which prevents indecent exposure, except where the local government property is set aside for the wearing of no clothes under clause 2.7;
- (b) loiter outside or act in an unacceptable manner in any portion of a toilet or dressing room; or
- (c) without the consent of the occupier, attempt to enter any dressing room or other compartment which is already occupied.

(2) Where an authorised person considers that a person on or in a public place is not

dressed in a manner which prevents indecent exposure, an authorised person may direct that person to put on adequate clothing which prevents indecent exposure, and that person must comply with the direction immediately.

4.4 Taking or injuring any fauna

(1) A person must not take, injure or kill or attempt to take, injure or kill any fauna which is on or above any local government property or thoroughfare, unless that person is authorised under a written law to do so.

(2) In this clause –

fauna means any animal indigenous to or which periodically migrates to any State or Territory of the Commonwealth or the territorial waters of the Commonwealth and includes in relation to any such animal –

- (a) any class of animal or individual member;
- (b) the nests, eggs or larvae; or
- (c) the carcass, skin, plumage or fur.

4.5 Entry to local government property

A person, other than a contractor of the local government carrying out a contracted duty, must not –

- (a) enter or leave any local government property other than by the public entrance or exit, except in an emergency;
- (b) enter or remain on any local government property except on those days and during those times when access is available to the public; or
- (c) enter any place that has been fenced off or closed to the public.

Division 2 - Fees for use of local government property

4.6 Payment of applicable fees for entry or participation

Where a fee is payable for entry to local government property or participation in an activity on or in any local government property, a person must not enter that property or participate in the activity without first paying the applicable fee, unless that person has been exempted by the local government from paying that fee.

4.7 No refund of fees

(1) A person will not be entitled to a refund of any fee paid for bathing or using any facilities provided for public use in a pool premises.

(2) Where the hire of local government property is cancelled, the local government may, at its sole discretion, authorise repayment of part or all of the amount paid.

Division 3 - Signs

4.8 Signs

(1) A local government may erect a sign on local government property specifying any conditions of use which apply to that property.

(2) A person must comply with a sign erected under subclause (1).

(3) A condition of use specified on a sign erected under subclause (1) must –

- (a) not be inconsistent with any provision of this local law or any determination; and
- (b) be for the purpose of giving notice of the effect of a provision of this local law.

Part 5 – Hiring of local government property

5.1 Application for hire

(1) The local government may hire local government property to a person who makes an application for a permit for the hire of the local government property under clause 3.2 and who pays the hire fee, if the local government approves the application under clause 3.6.

(2) The local government may determine that the requirements of subclause (1) do not apply to the hiring of particular local government property or a class of local government property.

5.2 Decision on application where 2 or more applicants

In the event of 2 or more applications being made for the hire of the same local government property for the same date and time, the local government may determine which, if any, applicant will be granted an approval to hire.

5.3 Conditions of hire and use

The conditions that may relate to a permit for hire of local government property include—

- (a) the amount of any fees and charges and when they are to be paid;
- (b) the purpose for which the local government property may be used;
- (c) the duration of the hire;
- (d) payment of a bond against possible damage, cleaning or other expenses;
- (e) restrictions on the erection of decorations inside and outside any building which is local government property;
- (f) restrictions on use of furniture, plants and effects;
- (g) the number of persons that may attend any event in a building which is local government property;
- (h) the right of the local government to cancel a booking at any time during the course of an annual or seasonal booking;
- (i) the prohibition of the consumption of liquor unless an approval has been issued by the local government;
- (j) the prohibition of or any restrictions on the sale and supply of liquor;
- (k) securing and locking up local government property at the end of each hire period;
- (l) the prohibition of gaming;
- (m) restrictions on the type of container (whether of glass, metal, plastic or other) that drinks may be provided and served in or consumed from;
- (n) requiring that the amplification of any noise or any noise emitted during the duration of the hire complies at all times with the *Environmental Protection (Noise) Regulations 1997*; and
- (o) any other condition that the local government considers fit.

5.4 Responsibilities of hirer

The holder of a permit for the hire of local government property must –

- (a) take reasonable steps to maintain law and order by all in attendance at any event for which the local government property has been hired;
- (b) ensure that an authorised person has unobstructed access to the local government property for the purpose of inspecting the local government property or enforcing any provision of this local law;
- (c) prevent overcrowding;

- (d) leave the local government property in a clean and tidy condition after its use;
- (e) prevent the sale and consumption of any liquor unless a licence has been obtained under the *Liquor Control Act 1988* for that purpose, and the local government has approved the sale and consumption of the liquor;
- (f) report any damage or defacement to the local government property to the local government forthwith;
- (g) take steps to repair or rectify any damage or defacement to the local government property as directed by the local government; and
- (h) ensure compliance with all conditions and relevant laws upon which the permit was issued.

Part 6 – Swimming pools and water parks

6.1 Use of all or part of a pool premises

The manager or attendant of a pool premises may –

- (a) set aside all or part of the pool premises for the use of certain persons to the exclusion of others; and
- (b) direct a person as to that person's use of the pool premises.

6.2 When entry to and use of pool premises will be refused

The manager or attendant of a pool premises will refuse admission to, direct to leave or will remove, or cause to be removed from the pool premises any person who in the opinion of the manager or attendant –

- (a) is under the age of 10 years and who is unaccompanied by a responsible person over the age of 16 years; or
- (b) is -
 - (i) suffering from any contagious, infectious or cutaneous disease or complaint; or
 - (ii) in an unclean condition; or
 - (iii) wearing unclean clothes; or
 - (iv) is or appears to be under the influence of intoxicating liquor or drugs; or
- (c) is to be refused admission under and in accordance with a decision of the local government for breaching any clause of this local law.

6.3 When entry to and use of pool premises may be refused

The manager or attendant of a pool premises may –

- (a) temporarily suspend admission to, direct to leave or remove from the pool premises all persons or any person, if in her or his opinion such action is necessary or desirable;
- (b) refuse admission to, direct to leave or remove, or cause to be removed from the pool premises any person who, in the opinion of the manager or attendant –
 - (i) is committing a breach of any provision of this local law; or
 - (ii) is by reason of her or his past or present conduct, within or about the pool premises, has created or is creating a nuisance; and
- (c) suspend admission for a minimum period of 1 week to any person who has committed a breach of any provision of this local law in relation to the pool premises.

6.4 Person to comply with direction

If a manager or an attendant of a pool premises has refused admission to a person, directed a person to leave the pool premises or otherwise directed a person in relation to

her or his use of the pool premises, then that person must accept that refusal or direction.

6.5 Decency

If a person appearing in public is not dressed in a manner which prevents indecent exposure, the manager or attendant will direct that person to put on a bathing costume or other clothing that prevents indecent exposure and that person must comply with that direction immediately.

6.6 Objection or appeal against refusal of admission

(1) Where a manager or attendant refuses admission to a person or directs a person to leave pool premises under clause 6.3(b), the person may seek a review of that refusal or direction by the CEO.

6.7 Carnivals

(1) A person, club, organisation or association must not conduct controlled swimming events, carnivals or competitions without the prior consent of the manager.

(2) The manager may grant such consent subject to any conditions considered fit by the manager and may, at any time, withdraw that consent.

(3) A person, club, organisation or association conducting a carnival or event at the pool premises must take reasonable steps to –

- (a) prevent overcrowding;
- (b) ensure that no damage is done to the buildings or fencing or any other portion of the pool premises; and
- (c) ensure that this local law is observed by all competitors, officials and spectators attending the function.

6.8 Closure of pool premises

(1) The local government may, for such periods and reasons that it determines, close a pool premises on giving 7 days local public notice under section 1.7 of the Act.

(2) Subclause (1) does not apply where the local government considers that the condition of the pool premises may affect the health of any person, in which case it may close the pool premises without giving any notice.

6.9 Limitations on use

A person must not –

- (a) enter any portion of the pool premises set apart exclusively for the opposite sex unless the person is under the age of 6 years;
- (b) behave in a manner which creates a nuisance;
- (c) play any ball games or other aquatic sports whatsoever which would in any way limit the enjoyment of the users of the pool premises, unless as part of any games or aquatic sports undertaken in accordance with the Manager's approval;
- (d) permit any animal of which he or she is the owner or for which he or she is liable for the control of to enter or remain in or about the pool premises, unless the animal is a dog and the person is a person referred to in section 8 of the *Dog Act 1976* acting in accordance with that section;
- (e) undress or remove any part of their bathing costume except in a dressing room or enclosure provided for that purpose;
- (f) use any soap or shampoo in any part of the pool premises other than in a shower recess or bathroom;
- (g) climb up or upon any roof, fence, wall, grandstand railings or partition on the pool premises;

- (h) use indecent, obscene, offensive or abusive language or spit in the pool or on any part of the pool premises or in any way commit any nuisance on or in any part of the pool premises;
- (i) bring onto or deposit in any part of the pool premises any filth or rubbish except in receptacles set aside for that purpose;
- (j) consume any foodstuffs or drinks in any area in which that consumption is prohibited;
- (k) wastefully use the water or leave any taps flowing in the dressing rooms or elsewhere in the pool premises;
- (l) use any substance or preparation whereby the water of the swimming pool becomes discoloured or rendered turbid or otherwise unfit for the proper use of persons;
- (m) foul or pollute water in a shower or swimming pool;
- (n) soil, damage, injure, destroy, use improperly, disfigure or write in or upon any dressing room, cubicle or compartment or any part of the pool premises or any furniture or other article or equipment on the pool premises;
- (o) while suffering from a contagious, infectious or cutaneous disease or skin complaint or whilst in an unclean condition, enter or use or attempt to enter or use the swimming pool or pool premises;
- (p) smoke in the pool premises; or
- (q) operate a recording device to record or transmit images of any person without that person's knowledge or consent.

6.10 Ticket or membership card not transferable

No ticket, token, licence, membership card or receipt issued by or under the authority of the local government in respect of the use of or admission to the pool premises is transferable to another person.

Part 7 - Beaches and bathing

7.1 Sandboarding and sand dune protection

A person must not -

- (a) use a sandboard or any other board or thing to slide down sand dunes on local government property;
- (b) take onto any sand dunes a sandboard or other thing used for sliding down sand dunes on local government property;
- (c) traverse sand dunes on local government property except along pathways designated by signs or fences for the purpose; or
- (d) unless authorised to do so by the local government or permitted by a sign, take a vehicle onto any beach or sand dunes on local government property.

7.2 Boat launching

(1) A person must not launch a boat or personal watercraft from -

- (a) a local government property unless it has been set aside for that purpose under clause 2.7; or
- (b) a beach within the application of this local law unless that launching is permitted by a sign.

(2) Any prohibition in subclause (1) does not apply to a member of a surf life saving club or life saving patrol in the course of her or his duties, training or while in competition.

7.3 Surf life saving activities

The local government may authorise members of surf life saving clubs or any local government employee to perform all or any of the following functions in the interests of maintaining safety at beaches in the district -

- (a) patrol any beach;
- (b) take onto any beach any life saving gear including vehicles or boats that are for use in life saving activities;
- (c) indicate by signs or patrol flags, any areas of a beach and the adjacent water beyond the beach, where bathing is permitted;
- (d) indicate by signs any areas of a beach and the adjacent water beyond the beach where -
 - (i) the riding of surfboards or use of any other bathing appliance is prohibited;
 - (ii) the driving of boats or personal watercraft is prohibited;
 - (iii) fishing is prohibited; or
 - (iv) the use of skim boards, land boards, kite surfing and associated activities are prohibited;
- (e) regulate, prohibit, restrict or set aside by a sign, rope, wire, cloth or other flexible sheeting or thing any areas of a beach for any 1 or more of the following activities -
 - (i) entry or exit by any person;
 - (ii) playing of games;
 - (iii) conduct of training or surf club carnivals; and
 - (iv) establishing a first aid or command post; and
- (f) direct any person to –
 - (i) bathe within the permitted bathing area indicated by signs or patrol flags under paragraph (c);
 - (ii) leave the water adjacent to a beach during any period of potential dangerous conditions or the sighting of a shark or crocodile; or
 - (iii) cease any activity not in accordance with this local law.

7.4 Identification of life saving patrol

- (1) A person who is a member of a life saving club will wear a red and yellow quartered swimming cap while he or she is on duty during a life saving club life saving patrol.
- (2) A person who is not a member of an on duty life saving patrol must not wear a red and yellow quartered swimming cap or give the impression they are a member of an on duty life saving patrol.
- (3) A person appointed by the local government to patrol any beach must wear a patrol uniform in the colours and style as determined by the local government.
- (4) A vehicle used for a life saving patrol must have a logo or decal on the vehicle to indicate that it is a vehicle being used for that purpose.

7.5 Compliance with signs and directions

A person attending at any beach must -

- (a) comply with any sign erected on the beach;
- (b) comply with any lawful direction given by an authorised person, member of a surf life saving club or local government employee under clause 7.3(f);
- (c) not enter any area designated for any life saving activity, training, competition or carnival conducted by a life saving club unless that person is a member of the club or has obtained permission to enter that area from the club; and
- (d) not interfere with, obscure, obstruct or hang any item of clothing or towel on a flag, sign, notice or item of life saving equipment.

7.6 Fishing

- (1) A person must not fish on or from any public place –
 - (a) where fishing is prohibited and the prohibition is designated by a sign; or
 - (b) in any permitted bathing area indicated by signs or patrol flags under clause 7.3(c).
- (2) A person must not, whether fishing is permitted or not –
 - (a) leave or deposit dead fish or fish offal on any beach;
 - (b) leave or deposit dead fish or fish offal in the sea within 200 metres of any part of a beach; or
 - (c) fish for sharks by the use of set or buoyed lines or use blood, offal or any other lure for the purpose of attracting sharks within 200 metres of any part of a beach.

7.7 Surfboards and boats

- (1) A person must not ride a surfboard or drive a personal watercraft or boat in any permitted bathing area indicated by signs or patrol flags under clause 7.3(c).
- (2) A person must not drive or ride on any personal watercraft within 50 metres of any person bathing.
- (3) In this clause **surfboard** includes a windsurfer and surf kite.

7.8 Authority of local government authorised employee to prevail

If the local government has authorised a person under clause 7.3 and member of a surf life saving club under clause 7.3 in relation to the same beach, where they could perform a function referred to in clause 7.3 or 7.5 contemporaneously, the authority of an authorised person employed by the local government under clause 7.3 is to prevail.

Part 8 - Activities on verges and footpaths

Division 1 - Verge treatments

8.1 Interpretation

In this Division, the following terms have the following meaning -

acceptable material means material that will create a dust free, moisture retentive, erosion resistant surface and is prescribed in clause 8.3(c); and
permissible verge treatment means a verge treatment specified in clause 8.3.

8.2 Verge treatment

The owner or occupier of land adjacent to a verge must not -

- (a) install or maintain a verge treatment on the verge which is not a permissible verge treatment;
- (b) alter the finished level of the verge; or
- (c) cover, obstruct or otherwise adversely affect the intended purpose of any manhole, inspection pit, constructed drain or other facility or installation placed or constructed by a public body in any part of or adjacent to a thoroughfare.

8.3 Permissible verge treatments

For the purpose of clause 8.1, the permissible verge treatments are as follows –

- (a) plant and maintain a lawn;
- (b) plant and maintain a garden provided that no part of the vegetation –
 - (i) is greater than 400 millimetres in height within 20 metres of an intersection;
 - (ii) restricts the clear sight visibility of a person using the thoroughfare or using a driveway abutting the thoroughfare;

- (iii) inhibits or interferes with street lighting and visibility of signage;
- (iv) is of a thorny or poisonous nature or which may otherwise create a hazard for pedestrians;
- (v) is a weed;
- (vi) produces large heavy fruits, eg coconuts;
- (vii) restricts a 2 metre clear and safe pedestrian access way where there is no existing footpath;
- (viii) is no more than 600 millimetres in height within 1.2 metres of either side of a footpath or access way;
- (ix) intrude on a 3 metre clearance zone above a footpath or access way or a 4.5 metre clearance zone above a roadway; and
- (x) no water pipes or connections protrude above the surface of the garden;
- (c) installation of surface treatments using 1 of the following materials where the treatment is installed and levelled to 15 millimetres below a containment border or garden kerb –
 - (i) treated timber, plastic or concrete garden edge kerbing flush with infill or garden bed;
 - (ii) stone/rock-mulch treatments using –
 - A. river-washed rounded stone $D_{50} < 40$ millimetres; or
 - B. crushed rock or gravel $20\text{mm} < D_{50} < 40$ millimetres, limited to an area no greater than 20 square metres unless otherwise approved in accordance with a development approval;
 - (iii) organic mulch;
- (d) installation of statues and/or boulder rockwork provided they do not –
 - (i) exceed 600 millimetres in height when within 20 metres of an intersection;
 - (ii) restrict clear visibility for a person using the thoroughfare or driveway abutting the thoroughfare;
 - (iii) inhibit or interfere with adequate street lighting and visibility of signage;
 - (iv) occur within 2.75 metres of the back of kerb or travelled path on roads without kerbing; or
 - (v) require electricity; or
- (e) a combination of (a) to (d) above.

8.4 Owner's or occupier's responsibilities for verge treatments

An owner or occupier of land adjacent to a verge who installs or maintains a permissible verge treatment on the verge must -

- (a) keep the verge treatment in good and tidy condition and ensure, where the verge treatment is a garden or lawn, that no obstruction of any sort (physical, sight or other) is caused to any access way, footpath, pavement or carriageway;
- (b) create a hard surface with an acceptable material only;
- (c) not place any obstruction on or around any verge treatment;
- (d) not water or maintain a verge treatment in such a manner as to cause a nuisance or hazard to any person using the adjacent footpath, access way or carriageway;
- (e) keep the verge free of weeds; and
- (f) not extend the verge treatment beyond the verge immediately adjacent to the land owned or occupied by the owner or occupier, without the written approval of the owner of the adjoining property, immediately adjacent to the verge to be treated.

8.5 Installation of hardstand surface on a verge for the parking of cars

An owner or occupier must not install an impervious concrete, bitumen or brick-paved

hardstand surface on a verge for the purpose of parking vehicles without first obtaining written approval of the local government.

8.6 Enforcement

The local government may give a notice under clause 13.1, requiring the owner or occupier of any land adjacent to a verge to –

- (a) make good within the time period specified in the notice any breach of a provision of this Division; or
- (b) within the time specified in the notice, give a satisfactory reason to the local government why the verge treatment should be retained without alteration, or why the owner or occupier should be given extra time in which to comply with the notice.

Division 2 - Vehicle crossings

8.7 Standard vehicle crossings

For the purpose of regulation 15 of the *Local Government (Uniform Local Provisions) Regulations 1996*, a standard crossing in the district is a vehicle crossing constructed in accordance with the local government's residential vehicle specifications as determined by the local government and varied by it from time to time.

Division 3 - Protection of footpaths

8.8 Footpath protection

(1) An owner, occupier, licensee or contractor who undertakes works on land adjacent to a footpath must –

- (a) take all necessary precautions to ensure that the footpath is not damaged during the course of the works; and
- (b) notify the local government of any existing damage to the footpath prior to the commencement of the works.

(2) A person who carries out any building or other operations or works necessitating the crossing of a footpath with vehicles that may cause damage to the footpath must ensure that –

- (a) all reasonable precautions are taken to prevent damage to the footpath during the course of the works; and
- (b) heavy vehicles, that access the land, cross the footpath at the designated area for the proposed vehicle crossing.

(3) Any person who causes damage to a footpath during works undertaken on the land or works within the thoroughfare must reinstate the footpath to the satisfaction of the local government.

Part 9 — Advertising signs on local government property and thoroughfares

Division 1—Preliminary

9.1 Definitions

In this Part, unless the context otherwise requires—

advertisement means the use or intention of use for the purpose of advertising any premises, services, business, function, event, product or thing;

advertising device means an object on which words, numbers or figures are written, placed, affixed or painted for the purpose of advertising any business, function,

operation, event, undertaking, product, or thing and includes a vehicle or trailer or other similar object placed or located so as to serve the purpose of advertising a business, function, operation, event, undertaking, product or thing;

advertising sign means a sign used for the purpose of advertisement and includes an election sign, advertising device, portable direction sign and real estate sign;

direction sign means a sign which indicates the direction of a place, activity or event, but does not include any such sign erected or affixed by the local government or the Commissioner of Main Roads;

election sign means a sign which advertises any aspect of a forthcoming Federal, State or local government election;

portable direction sign means a direction sign that is portable;

portable sign means a portable freestanding advertising sign;

real estate sign means a sign indicating that the premises whereon it is affixed or erected, are for sale, for letting or to be auctioned; and

sign includes a notice, poster, flag, mark, word, letter, model, placard, board, structure, device or representation.

9.2 Person taken to own advertising sign

In the absence of any proof to the contrary, an advertising sign is to be taken to belong to the person—

- (a) whose name is marked on the sign; or
- (b) who owns the business or is identified in the local government's records as in control of the company or business marked on the sign.

Division 2—Permit

9.3 Permit required for advertising signs and portable direction signs

(1) A person must not, without a permit—

- (a) erect or place an advertising sign on local government property or a thoroughfare; or
- (b) post any bill or paint, place or affix any advertisement on local government property or a thoroughfare.

(2) Notwithstanding subclause (1), a permit is not required in respect of a portable direction sign which neither exceeds 500 millimetres in height nor 0.5 square metres in area, provided that the sign is placed or erected on a thoroughfare on an infrequent or occasional basis only to direct attention to a place, activity or event during the hours of that activity or event.

(3) Notwithstanding subclause (1), a person must not erect or place an advertising sign—

- (a) on a footpath, or where there is no existing footpath, in a way that restricts a 2 metre clear and safe pedestrian access way;
- (b) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2.5 metres;
- (c) on or within 3 metres of a carriageway;
- (d) in any other location where, in the opinion of the local government or an authorised person, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or
- (e) on any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or the structural approaches to a bridge.

9.4 Matters to be considered in determining application for permit

In determining an application for a permit for the purpose of clauses 3.6 and 9.3(1), the local government may have regard to—

- (a) any other written law regulating the erection or placement of advertising signs or advertisements within the district;
- (b) the dimensions of the advertising signs or advertisements;
- (c) whether the siting, design and general appearance of the advertising sign detracts from the visual amenity and character of the area;
- (d) other advertising signs already approved or erected in the vicinity of the proposed location;
- (e) whether or not the advertising signs or advertisements will create a hazard to persons using a thoroughfare; and
- (f) the amount of the public liability insurance cover, if any, to be obtained by the applicant.

Division 3—Conditions on permit

9.5 Conditions on portable sign

(1) Without limiting the generality of clause 3.6(1)(a), the local government may approve an application for a permit for a portable sign subject to conditions relating to—

- (a) the portable sign —
 - (i) not exceeding 1,000 millimetres in height;
 - (ii) not exceeding an area of 0.8 square metres on any side;
 - (iii) relating only to the business activity described on the permit;
 - (iv) not being placed in any position other than immediately in front of the building or the business to which the sign relates, and being located no closer than 500 millimetres to the kerb or further than 1,200 millimetres from the kerb so as to ensure the free passage of persons using the footpath, if the sign is advertising an adjacent business or activity;
 - (v) being removed each day at the close of the business to which it relates and not be erected again until the business next opens for trading, if the sign is advertising an adjacent business or activity;
 - (vi) being secured in position in accordance with any requirements of the local government;
 - (vii) being placed so as not to obstruct or impede the reasonable use of a thoroughfare or place by any person or the sight line of any vehicle drivers; and
 - (viii) being maintained in good condition; and
- (b) the number of portable signs being erected in relation to the 1 building or business.

(2) The permit holder of a permit for a portable sign must comply with any conditions imposed in accordance with subclause (1).

9.6 Conditions on election sign

(1) If the local government approves an application for a permit for the erection or placement of an election sign on local government property or a thoroughfare, the application is to be taken to be approved subject to the sign—

- (a) being erected at least 30 metres from any intersection;
- (b) being free standing and not being affixed to any existing sign, post, power or light pole or similar structure;
- (c) being placed so as not to obstruct or impede the reasonable use of a thoroughfare or place by any person;

- (d) being placed so as not to obstruct or impede the vision of a driver of a vehicle entering or leaving a thoroughfare or crossing;
 - (e) being maintained in good condition;
 - (f) not being erected until the election to which it relates has been officially announced;
 - (g) being removed within 24 hours of the close of polls on voting day;
 - (h) not being placed within 100 metres of any works on a thoroughfare;
 - (i) being securely installed;
 - (j) not being an illuminated sign;
 - (k) not incorporating reflective or fluorescent materials; and
 - (l) not displaying only part of a message which is to be read with other separate signs in order to obtain the whole message.
- (2) The permit holder of a permit for the erection or placement of an election sign must comply with each of the conditions in subclause (1).

Part 10 – Damage to and closed thoroughfares

Division 1 - Damage to thoroughfares

10.1 Notice to repair damage to thoroughfare

Where any portion of a thoroughfare has been damaged, the local government may, by notice to the person who caused the damage, order the person to repair or replace that portion of the thoroughfare to the satisfaction of the local government.

Division 2 - No driving on closed thoroughfares

10.2 No access without consent

- (1) A person must not drive or take a vehicle on or cause a vehicle to be driven or taken on a closed thoroughfare –
- (a) unless it is in accordance with any limits or exceptions specified in the order made under section 3.50 of the Act; or
 - (b) the person has first obtained approval from the local government under this local law or another written law.
- (2) In this clause –**closed thoroughfare** means a thoroughfare wholly or partly closed under section 3.50 or 3.50A of the Act.

Part 11 - Shopping trolleys

11.1 Name of owner of shopping trolley

A retailer must clearly mark its name or its trading name on any shopping trolley made available for the use of its customers.

11.2 Shopping trolleys in public places

A person must not leave a shopping trolley in a public place, other than in an area approved by the local government for this purpose and set aside for the storage of shopping trolleys.

11.3 Shopping trolley to be removed by retailer

Where a shopping trolley is found in a public place, other than in an area approved by

the local government for this purpose and set aside for the storage of shopping trolleys, and the retailer whose name is marked on the trolley has been advised verbally or in writing of its location by an authorised person, the retailer must remove the shopping trolley from the public place within 12 hours of being advised.

11.4 Retailer taken to own shopping trolley

In the absence of any proof to the contrary, a shopping trolley is to be taken to belong to a retailer whose name is marked on the trolley.

Part 12 - Secured sum

12.1 Security for restoration and reinstatement

(1) The local government may require payment of a bond for a sum determined by the local government for the purpose of ensuring that –

- (a) hired local government property, including fixtures and fittings in a building, can be cleaned or repaired;
- (b) any local government asset damaged during works in a public place, works adjacent to a public place or the construction of a building on land adjacent to a public place, can be repaired or reinstated; or
- (c) conditions of an approval, in so far as they relate to a public place, are complied with.

(2) A bond required under subclause (1) must be deposited into an account established by the local government for the purpose of this clause.

Part 13 - Remedy for breach

13.1 Notice requiring works to be done

(1) Where the local government requires works to be done to rectify a breach of any approval or a condition of an approval or a provision of this local law, the local government may give a notice in writing to the approval holder or person who has breached this local law –

- (a) advising details of the breach of the approval, condition or local law and of the works required to rectify the breach;
- (b) requiring the approval holder or person to do the works required within the time specified in the notice; and
- (c) advising that where the approval holder or person fails to comply with the requirements of the notice within the time specified, the local government may do the required works.

(2) An approval holder or person must comply with a notice given to her or him under subclause (1).

(3) Where the approval holder or person referred to in subclause (1) fails to comply with the requirements of a notice given under subclause (1), the local government may by its employees, agents or contractors carry out all works and do all things necessary to comply with the requirements of the notice.

(4) The local government may recover the expenses incurred in carrying out the works under subclause (3) –

- (a) as a charge against any secured sum lodged for the purpose by the approval holder or person who has breached this local law under clause 13.1; or
- (b) from the approval holder or person who has breached this local law in a court of competent jurisdiction.

Part 14 - Miscellaneous

14.1 Public liability insurance and indemnity

(1) Where, as a condition of an approval, an approval holder or person is required to obtain public liability insurance, this public liability insurance must indemnify the local government against all actions, suits, claims, damages, losses and expenses made against or incurred by the local government arising from any activity, action or thing performed or erected in accordance with the approval.

(2) The public liability insurance policy referred to in subclause (1) must be kept current for the duration of the approval and –

- (a) must be in the name of the approval holder or person and the local government, for a minimum value of \$10 million or such other amount as the local government considers appropriate for the risk involved;
- (b) include a clause which prevents the policy from being cancelled without the written consent of the local government;
- (c) include a clause which requires both the approval holder or person and the insurance company to advise the local government if the policy lapses, is cancelled or is no longer in operation; and
- (d) be available for inspection by an authorised person at the request of the authorised person.

(3) An approval holder or person who refuses or cannot provide a certificate of currency within 2 working days of a request under subclause (2)(d) commits an offence.

14.2 Directions of authorised person

(1) An authorised person may direct any person in a public place to –

- (a) stop doing anything which the authorised person considers on reasonable grounds the person is in the process of doing, which is contrary to this local law or any other local law applying in the district;
- (b) leave that place; or
- (c) assist the authorised person in the case of an emergency.

(2) A person who is given a lawful direction under subclause (1) must comply with that direction.

14.3 Disposal of lost and found property

(1) This clause does not apply to an article which is subject to Subdivision 4 of Division 3 of Part 3 of the Act.

(2) A person finding an article left at or in a local government facility must give that article to the local government, an authorised person or a manager or attendant.

(3) The local government must register a description of the article and all particulars relating to it in a lost property register to be kept for that purpose.

(4) A person claiming the article who satisfies the local government, an authorised person, or manager or attendant that he or she is the lawful owner of the article must, on return of the article, by way of acknowledging its receipt, write her or his name and address and provide their signature in the lost property register.

(5) An article not claimed within a period of 3 months from the date it is entered in the lost property register must be disposed of by the local government as it considers fit and the proceeds from any sale belong to the local government.

(6) Where an article which is perishable is given to the local government, an authorised person or a manager or attendant under subclause (2), may dispose of that article at any time without entering that in the register under subclause (3).

Part 15 - Offences and penalties

15.1 Offences

(1) Any person who fails to do anything required, directed or ordered to be done under this local law, or who does anything which under this local law that person is prohibited from doing without reasonable excuse, commits an offence.

(2) An offence against a clause specified in Schedule 1 of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.

(3) Any person who commits an offence under this local law is liable, upon conviction, to a penalty not exceeding \$5,000 and, if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of each day during which the offence continues.

15.2 Infringement and infringement withdrawal notices

(1) For the purposes of this local law -

- (a) where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the Regulations;
- (b) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the Regulations; and
- (c) the form of the notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the Regulations.

(2) Where an infringement notice is given under section 9.16 of the Act in respect of an alleged offence against clause 2.4, the notice is to contain a description of the alleged offence.

15.3 Offence description and modified penalty

(1) The amount appearing in the final column of the table in Schedule 1 directly opposite an offence described in Schedule 1 is the modified penalty for that offence.

(2) The amount appearing in the final column in the table in Schedule 1 directly opposite an offence described in Schedule 1 is the modified penalty which applies each day or part of each day during which the offence continues.

Part 16 - Objections and review

16.1 Application of Division 1, Part 9 of the Act

When the local government makes a decision as to whether it will –

- (a) grant a person a permit or approval under this local law; or
- (b) renew, vary, or cancel a permit or approval that a person has under this local law,

the provisions of Division 1 of Part 9 of the Act and regulation 33 of the Regulations applies to that decision.

Schedule 1 – Prescribed Offences

[cl 15.1(2)]

Item No	Clause No	General Description of Offence	Modified Penalty \$
1	2.4	Failure to comply with a determination	175
2	3.2(2)	Undertaking an activity without a permit	175
3	3.3(3)	Failure to obtain permit to camp outside facility	175
4	3.4(1)	Failure to obtain permit for liquor	175
5	3.9(1)	Failing to comply with conditions of a permit	175
6	3.9(2)	Failing to comply with conditions of permit as varied	175
7	4.1(a)	Behaviour likely to interrupt, disturb or interfere with enjoyment of other persons	175
8	4.1(b)	Behaviour which interrupts, disturbs or interferes with enjoyment of other persons	175
9	4.1(c)	Behaviour which creates a nuisance	175
10	4.2(1)	Behaviour detrimental to the place	175
11	4.3(1)(c)	Without consent of the occupier, entering or attempting to enter a dressing room already occupied	175
12	4.4(1)	Taking, killing or injuring any fauna	175
13	4.5(a)	Entering or leaving any local government property or building other than by the public entrance or exit	110
14	4.5(b)	Entering or remaining on any local government property except during times access is available to the public	110
15	4.5(c)	Entering any place that has been fenced off, or closed to the public	175
16	4.6	Entering local government property without first paying the applicable fee or charge	110
17	4.8(2)	Failure to comply with sign on local government property	175
18	5.4	Failing to meet responsibilities of hirer of local government property	175
19	6.4	Failing to accept a refusal or direction in relation to the pool premises	110
20	6.9	Failing to meet limitations on use of swimming pool	175
21	7.1(a)	Using a sandboard, other board or thing to slide down sand dunes	175
22	7.1(c)	Traversing sand dunes other than along designated paths	175
23	7.1(d)	Taking a vehicle onto any beach or sand dunes without local government authorisation	175
24	7.2(1)	Launching a boat or personal watercraft from local government property or a beach not set aside for that purpose or approved by a sign	175
25	7.5(a)	Failing to comply with a sign erected on a beach	175
26	7.6(1)(a)	Fishing in an area where fishing is prohibited and designated by signs	150
27	7.6(1)(b)	Fishing in a permitted bathing area indicated by signs or patrol flags	150

28	7.6(2)(a)	Leaving or depositing dead fish or fish offal on any beach	110
29	7.6(2)(b)	Leaving or depositing dead fish or fish offal in the sea within 200m of any beach	110
30	7.7(1)	Riding a surfboard, driving a personal watercraft or boat in a designated permitted bathing area	150
31	8.2(a)	Installation of verge treatment other than permissible verge treatment	150
32	8.2(b)	Alteration of the finished level of a verge	150
33	8.2(c)	Covering, obstructing or adversely affecting any manhole, inspection pit, constructed drain, other facility or installation on a verge	150
34	8.4(a)	Failing to keep verge treatment in good and tidy condition and avoid obstruction of any sort	150
35	8.4(c)	Placing any obstruction on or around any verge treatment	150
36	8.4(d)	Watering or maintaining a verge treatment so as to cause a nuisance or hazard to a person using the adjacent footpath, access way or carriageway	150
37	8.8(1)(a)	Failing to take necessary precautions to ensure footpath is not damaged during works	150
38	8.8(1)(b)	Failing to notify local government of existing footpath damage prior to commencement of works	110
39	9.3(1)	Failure to obtain permit for an advertising sign or advertisement	175
40	9.5(2)	Failure to comply with conditions of permit for a portable sign	175
41	9.6(2)	Failure to comply with conditions of permit for an election sign	175
42	10.2(1)	Driving on a closed thoroughfare	200
43	11.2	Leaving a shopping trolley in a public place not set aside for storage of trolleys	110
44	11.3	Failure of owner to remove shopping trolley within 12 hours of being advised by local government	150
45	13.1(2)	Failing to comply with a notice	300
46	14.2(2)	Failing to comply with a lawful direction of an authorised person	175

Schedule 2 – Determinations

[cl 2.1]

The following determinations are to be taken to have been made by the local government under clause 2.1.

Part 1 – Preliminary

1.1 Definitions

(1) In these determinations unless the context otherwise requires –

approved place means the land or premises specified in a trading licence as approved by the local government;

approved route means a route specified in a trading licence approved by the local government;

authorised person means a person appointed by the local government under section 9.10 of the *Local Government Act 1995* to perform any of the functions of an authorised person under this local law;

camel operators means those persons associated with commercial camel activities, either as the owner, the licensee or an employee;

commercial camel activities means those activities associated with camel tours/rides on Cable Beach;

local government means the Shire of Broome; and

local law means the *Shire of Broome Local Government Property and Public Places Local Law 2016*.

(2) Unless the context otherwise requires, where a term is used but not defined in a determination and that term is defined in the local law then the term has the meaning given to it in the local law.

Part 2 – Driving vehicles on local government property

2.1 Speed of Vehicles on Reserves

A person must not drive a vehicle or allow a vehicle to be driven upon local government property at a speed exceeding 15 kilometres an hour, or in such a manner as to cause danger, inconvenience or annoyance to any person.

Part 3 – Activities prohibited on local government property

3.1 Activities prohibited on local government property

A person is prohibited from pursuing all or any of the following activities on local government property, except on land which is reserved to the local government for the purpose or which is set aside under clause 2.7(1) of this local law for the purpose of playing or practicing golf, archery, pistol shooting or rifle shooting.

Part 4 – Activities which may be pursued on specified local government property

4.1 Activities which may be pursued on specified local government property

(1) In this Part –

Cable Beach means that part of the beach as described in clause (2).

(2) Under clause 2.7(1)(a) of this local law commercial camel activities may be conducted in the area of Cable Beach between a point formed by the westerly prolongation, to the low water mark of the northern boundary of Reserve 36477, to a point formed by the westerly prolongation, to the low water mark of the Northern Boundary of Lot 405 Lullfitz Drive between the high and low water mark.

(3) Under clause 2.7(2) of this local law the following conditions apply –

- (a) camel operators must have a trading licence issued by the local government under its *Trading, Outdoor Dining and Street Entertainment Local Law 2003*;
- (b) camel operators must only access Cable Beach via the approved route from the approved place of stabling camels, unless otherwise approved by the local government;
- (c) only gelded male camels and/or cow camels are permitted for commercial camel activities on Cable Beach;
- (d) a maximum of 18 camels per operator is allowed on Cable Beach at any 1 time, unless otherwise approved by the local government for extraordinary circumstances, eg. cruise ships and corporate/conference functions;
- (e) camel operators will at all times identify their own camels with the same coloured and patterned blankets, which must be easily distinguishable from the colours and patterns used by other operators of commercial activities on Cable Beach;
- (f) camel operators must comply with any lawful direction given at any time by the CEO of the local government or his or her delegate, or an authorised person;
- (g) each licence holder is responsible for the effective control of their respective camel trains at all times and:
 - (i) at all times during the tours being conducted on Cable Beach, a competent staff member must lead the camel train whilst walking and holding onto the reins of the lead camel;
 - (ii) where a camel train exceeds 4 camels:
 - A. 2 competent staff members must be in attendance;
 - B. at all times a competent staff member must lead the camel train whilst walking and holding onto the reins of the lead camel; and
 - C. the other staff member may ride a camel in the train to and from the beach but not whilst undertaking a camel tour on the beach;
 - (iii) During morning sessions only, and where 4 or less camels form the camel train:
 - A. only 1 competent staff member is required to be in attendance; and
 - B. on the route to and from the beach, the competent staff member may either lead the camel by walking and holding the reins or may ride the lead camel at walking pace.
- (h) camel operators must, at the conclusion of business each day, remove all and any refuse and litter associated with the operation of their activity and ensure the site is left in a clean and safe condition;
- (i) all camels must be fitted with manure collection devices and any manure that may escape the manure collection devices must be collected immediately along the local government approved access route and along the entire distance of the tour;
- (j) front and rear camels must be fitted with lights facing to the front and the rear and every second camel must have a reflective tape to each saddle and/or stirrup; and
- (k) camel operators must ensure there is at least 30 metres between each camel train at all times.

(4) The local government reserves the right to close Cable Beach to commercial camel activities at any time.

Schedule 3 – Definition of “weed”

[cl 1.5]

For the purposes of this local law, the following plant species are weeds:

Botanical name	Common name
Alternanthera pungens	Khaki Weed
Azadirachta indica	Neem
Cenchrus biflorus	Gallon’s Curse
Cenchrus ciliaris	Buffel Grass
Hyptis suaveolens	Mint Bush
Jatropha gossypifolia	Bellyache Bush
Leucaena leucocephala	Coffee Bush
Macroptilium atropurpureum	Siratro
Merremia aegyptia	Hairy Morning Glory
Merremia dissecta	Noyau Vine
Passifora foetida	Bush Passionfruit
Tribulus terrestris	Caltrop

Dated [insert date] 2016

The Common Seal of Shire of Broome was affixed by the authority of a resolution of Council in the presence of –

R J JOHNSTON, Shire President
K R DONOHOE, Chief Executive Officer

9.2.6 TRADING, OUTDOOR DINING AND STREET ENTERTAINMENT AMENDMENT LOCAL LAW 2017

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	BYL12
AUTHOR:	Manager Emergency, Health and Ranger Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development and Community
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	3 January 2018

SUMMARY: At the Ordinary Meeting of Council on 28 September 2017, Council resolved to make the Trading, Outdoor Dining and Street Entertainment Amendment Local Law 2017. The proposed Local Law was advertised for public comment and submissions from interested parties were invited in accordance with the *Local Government Act 1995*.

The purpose of this report is for Council to consider the submission made during the submission period and, in accordance with provisions of Section 3.12(4) of the *Local Government Act 1995*, make the Trading, Outdoor Dining and Street Entertainment Amendment Local Law 2017.

BACKGROUND

Previous Considerations

OMC 14 October 2003	Item 9.1.9
OMC 20 January 2004	Item 9.1.8
OMC 29 September 2011	Item 9.1.4
OMC 14 June 2012	Item 9.4.10
OMC 30 June 2016	Item 9.2.4
OMC 15 December 2016	Item 9.2.3
OMC 28 September 2017	Item 9.2.8

At the December 2016 Ordinary Meeting of Council (**OMC**), Council resolved to make the Trading, Outdoor Dining and Street Entertainment Local Law 2016 (**existing Local Law**). The existing Local Law replaced the Trading, Outdoor Dining and Street Entertainment Local Law 2003. The existing Local Law was gazetted on the 16 January 2017 and came into effect on 31 January 2017.

Whilst implementing the provisions of the existing Local Law, Officers have identified that some definitions required clarification to give greater certainty on where the law has effect.

At the 28 September 2017 OMC Council resolved:

COUNCIL RESOLUTION: **(REPORT RECOMMENDATION)**

Moved: Cr P Matsumoto

Seconded: Cr M Fairborn

That Council:**1. Notes the purpose and effect of the proposed local law:****Purpose**

- **To ensure the Trading, Outdoor Dining and Street Entertainment Local Law 2016 is effective in regulating trading, outdoor dining and street entertainment in the Shire and that the area of application is clarified.**

Effect

- **Removes ambiguity in relation to the application of the Trading, Outdoor Dining and Street Entertainment Local Law 2016.**
- 2. Proposes to make the Shire of Broome Trading, Outdoor Dining and Street Entertainment Amendment Local Law 2017 as shown in Attachment 1;**
 - 3. Advertises in accordance with section 3.12(3)(a) of the Local Government Act 1995 the proposed Shire of Broome Trading, Outdoor Dining and Street Entertainment Amendment Local Law 2017 for a period of not less than 42 days; and**
 - 4. In accordance with section 3.12(3)(b) of the Local Government Act 1995 forwards a copy of the advertisement and the proposed Shire of Broome Shire of Broome Trading, Outdoor Dining and Street Entertainment Amendment Local Law 2017 to the Minister for Local Government.**

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 5/0

The proposed Trading, Outdoor Dining and Street Entertainment Amendment Local Law 2017 (**proposed Local Law**) was subsequently advertised for public submissions. The advertisements were placed in the West Australian Newspaper on 14 October 2017 and the Broome Advertiser on 12 October 2017 as well as the Shire's website and noticeboards at the Administration Building and Library.

The submission period closed 1 December 2017. No public submissions were received. In accordance with section 3.12(3)(b) of the *Local Government Act 1995*, a copy of the proposed Local Law was sent to the Minister for Local Government and Communities on 17 October 2017. The Department of Local Government, Sport and Cultural Industries (**DLGSC**) responded on behalf of the Minister on 28 November 2017. The DLGSC comments only included minor edits to the proposed Local Law. These comments have been incorporated into a schedule of submissions, see **Attachment 1** of this report.

Attachment 2 to this report contains the proposed Local Law with tracked changes showing amendments made in response to the submission. **Attachment 3** shows the proposed Local Law with amendments made in response to the submission but without tracked changes. **Attachment 4** shows the existing Local Law including the amendments in the proposed Local Law shown as tracked changes. **Attachment 5** shows the existing Local Law amended in accordance with the proposed Local Law without tracked changes.

COMMENT

The DLGSC comments are minor in nature and do not alter the scope of the proposed Local Law. The changes recommended to be made to the proposed Local Law in response to the submission are:

1. Clause 3 – place “Government Gazette” in italics”.
2. Clause 4 – in paragraph (d) delete “section 3.53 of the Act” and insert “*Land Administration Act 1997*”.
3. Remove the header and footer from the document, including page numbers.
4. Amend a slight formatting error to align the words “Chief Executive Officer” directly underneath “S MASTROLEMBO” under the seal.

Items 1, 2 and 4 have been incorporated into the proposed Local Law.

Item 3 was not incorporated as neither the existing Local Law, nor the proposed Local Law contains headers, footers or page numbers. Discussions with the DLGSC indicated that their copy had headers and footers.

In addition, a minor formatting error was identified by officers in clause 4 (a full stop instead of a semicolon at the end of the new definition of “public place”). It is recommended that this correction be made in the proposed Local Law also.

The changes recommended above to the proposed Local Law are minor and enhance the operation of the proposed Local Law. It is therefore recommended that the Council resolves to make the proposed Local Law and undertake the necessary steps for the amendments to take effect.

CONSULTATION

The proposed Local Law was advertised for public comment for a period of 42 days in accordance with the requirements of the *Local Government Act 1995*. No public submissions were received. The DLGSC made a submission which is outlined in the Schedule of Submissions in **Attachment 1**.

STATUTORY ENVIRONMENT

The *Local Government Act 1995* provides the head of power for local governments to make local laws.

The process for the making of local laws is prescribed in section 3.12 of the *Local Government Act 1995*. This section states:

3.12. Procedure for making local laws

- (1) *In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
- (2) *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
- (3) *The local government is to —*
 - (a) *give Statewide public notice stating that —*
 - (i) *the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and*
 - (ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*

and

- (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
- (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

(3a) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.

(4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.

* Absolute majority required.

(5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.

(6) After the local law has been published in the Gazette the local government is to give local public notice —

- (a) stating the title of the local law; and
- (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
- (c) advising that copies of the local law may be inspected or obtained from the local government's office.

(7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.

(8) In this section —

making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

After the last day for submissions, the local government is to consider any submissions made, and may make the local law as proposed or make a local law that is not significantly different from what was proposed.

The local law is then published in the Government Gazette and a copy sent to the relevant Minister and the JSCDL.

The local law comes into effect 14 days after publication in the Government Gazette.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

In accordance with section 3.12 (6) of the *Local Government Act 1995*, if Council resolves to make the proposed Local Law, it will be necessary to advertise in a newspaper circulating throughout the district and publish the text in the Government Gazette. The current charge is \$101.45 per page. The draft amended local law is 2 pages long. This equates to a gazettal fee of approximately \$202.90.

Advertising in newspapers is at a cost of approximately \$300 per occasion. Three advertisements are required at a cost of \$900. This combined cost of advertising and gazetting is \$1305.80 however this may vary slightly due to changes in charges and fees beyond the Shire's control.

RISK

There is a risk that the proposed Local Law will not be valid if it is not properly drafted. The risk of this occurring is considered Moderate. The risk of the incorrect drafting of this Local Law is mitigated through submission of the approved draft to the DLGSC and subsequent review by the JSCDL.

There is a risk that if the proposed Local Law is not made, then there is likely to continue to be uncertainty over the application of the existing Local Law or the Shire may be challenged when applying the provisions of the Local Law.

STRATEGIC IMPLICATIONS

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

Accessible and safe community spaces

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

Improved systems, processes and compliance

VOTING REQUIREMENTS

Absolute Majority

REPORT RECOMMENDATION:

That Council:

1. Under the provisions of section 3.12 of the Local Government Act 1995:
 - (a) Makes the Shire of Broome Trading, Outdoor Dining and Street Entertainment Amendment Local Law 2017; and
 - (b) Publishes the Shire of Broome Trading, Outdoor Dining and Street Entertainment Amendment Local Law 2017 in the Government Gazette and provides local public notice of the new Local Law.
2. Forwards a copy of the gazetted Shire of Broome Trading, Outdoor Dining and Street Entertainment Amendment Local Law 2017 to the Minister for Local Government, and provides documentation supporting the new local law to the Joint Standing Committee on Delegated Legislation.

3. **(ABSOLUTE MAJORITY REQUIRED)**

Attachments

1. Schedule of Submissions
2. Proposed Amendment Local Law with tracked changes
3. Proposed Amendment Local Law - without tracked changes
4. Amended Existing Local Law with tracked changes
5. Amended Existing Local Law - without tracked changes

Schedule of Submissions – Shire of Broome, Trading, Outdoor Dining and Street Entertainment Amendment Local Law 2017

N O .	NAME & ADDRE SS	SUBMISSION	OFFICER COMMENT	OFFICER RECOMME NDATION
1	DLGSCI	<p>Minor edits</p> <ol style="list-style-type: none"> 1. Clause 3 – place “Government Gazette” in italics. 2. Clause 4 – in paragraph (d) delete “section 3.53 of the Act” and insert “<i>Land Administration Act 1997</i>”. 3. Remove the header and footer from the document, including page numbers. 4. There is a slight formatting error, namely that the words “Chief Executive Officer” do not align directly underneath “S MASTROLEMBO” under the seal. 	<p>Clause 1 - Amend as recommended.</p> <p>Clause 2 - Amend as recommended.</p> <p>Clause 3 - Headers and Footers were not in the proposed document.</p> <p>Clause 4 - Amend as recommended.</p>	<p>Make changes as per submission except for Clause 3 which was not required.</p>

LOCAL GOVERNMENT ACT 1995

SHIRE OF BROOME

TRADING, OUTDOOR DINING AND STREET ENTERTAINMENT AMENDMENT LOCAL LAW 2017

Under the powers conferred by the *Local Government Act 1995*, and under all other powers enabling it, the Council of the Shire of Broome resolved on 22 February 2018 to make the following local law.

1. Citation

This local law is the *Shire of Broome Trading, Outdoor Dining and Street Entertainment Amendment Local Law 2017*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal local law amended

This local law amends the *Shire of Broome Trading, Outdoor Dining and Street Entertainment Local Law 2016* as published in the *Government Gazette* on 16 January 2017.

4. Clause 1.6 amended

In clause 1.6 –

- (a) in the definition for **event** in item (a) replace “local government on private or public land” with “district”;
- (b) in the definition for **event** in item (b) replace “2012” with “2016”;
- (c) in the definition for **local government property** in item (b) insert “, but does not include a thoroughfare” prior to “; or”;
- (d) in the definition for **local government property** in item (c) delete “, but does not include a thoroughfare” after “*Land Administration Act 1997*”;
- (e) delete the definition for **public place** and insert a new definition for **public place** as follows –
“**public place** means:
 - (a) any thoroughfare or local government property; or
 - (b) any place which the public is allowed to use, whether the place is or is not on private land, including park lands, squares, reserves, beaches, the intertidal zone and other land designated as being for the use and enjoyment of the public;”;
- (f) in the definition for **trading** in item (f) replace “in a public place” with “on local government property or a thoroughfare”.

5. Clause 7.1 amended

In clause 7.1.1 delete “a public” and replace with “an approved”.

Dated XX XXXX XXXX

The Common Seal of the)
Shire of Broome)
was affixed under the authority)
of a resolution of Council in the)
presence of:)

H TRACEYS MASTROLEMBO
Shire President

Chief Executive Officer

22LOCAL GOVERNMENT ACT 1995

SHIRE OF BROOME

TRADING, OUTDOOR DINING AND STREET ENTERTAINMENT AMENDMENT LOCAL LAW 2017

Under the powers conferred by the *Local Government Act 1995*, and under all other powers enabling it, the Council of the Shire of Broome resolved on 22 February 2018 to make the following local law.

1. Citation

This local law is the *Shire of Broome Trading, Outdoor Dining and Street Entertainment Amendment Local Law 2017*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal local law amended

This local law amends the *Shire of Broome Trading, Outdoor Dining and Street Entertainment Local Law 2016* as published in the *Government Gazette* on 16 January 2017.

4. Clause 1.6 amended

In clause 1.6 –

- (a) in the definition for **event** in item (a) replace “local government on private or public land” with “district”;
- (b) in the definition for **event** in item (b) replace “2012” with “2016”;
- (c) in the definition for **local government property** in item (b) insert “, but does not include a thoroughfare” prior to “; or”;
- (d) in the definition for **local government property** in item (c) delete “, but does not include a thoroughfare” after “*Land Administration Act 1997*”;
- (e) delete the definition for **public place** and insert a new definition for **public place** as follows –
“**public place** means:
 - (a) any thoroughfare or local government property; or
 - (b) any place which the public is allowed to use, whether the place is or is not on private land, including park lands, squares, reserves, beaches, the intertidal zone and other land designated as being for the use and enjoyment of the public;”;and
- (f) in the definition for **trading** in item (f) replace “in a public place” with “on local government property or a thoroughfare”.

5. Clause 7.1 amended

In clause 7.1.1 delete “a public” and replace with “an approved”.

Dated XX XXXX XXXX

The Common Seal of the)
Shire of Broome)
was affixed under the authority)
of a resolution of Council in the)
presence of:)

R J JOHNSTON
Shire President

S MASTROLEMBO
Chief Executive Officer

LOCAL GOVERNMENT ACT 1995

SHIRE OF BROOME

TRADING, OUTDOOR DINING AND STREET ENTERTAINMENT LOCAL LAW 2016

(This copy of the Shire of Broome Trading, Outdoor Dining and Street Entertainment Local Law 2016 is as published in the Government Gazette on 16 January 2017)

LOCAL GOVERNMENT ACT 1995 SHIRE OF BROOME

TRADING, OUTDOOR DINING AND STREET ENTERTAINMENT LOCAL LAW 2016

CONTENTS

PART 1 - PRELIMINARY

- 1.1 Citation
- 1.2 Commencement
- 1.3 Purpose
- 1.4 Repeal
- 1.5 Application
- 1.6 Definitions

PART 2 – APPLICATION FOR LICENCE AND ISSUE OF LICENCE

- 2.1 Planning consent
- 2.2 Application for licence
- 2.3 Determination of application
- 2.4 Issue of licence
- 2.5 Licence renewal
- 2.6 Fees
- 2.7 Cancellation of licence
- 2.8 Suspension of licensee rights and privileges
- 2.9 Rights of objection and appeal

PART 3 – OUTDOOR DINING

- 3.1 Outdoor dining
- 3.2 Limitations on outdoor dining
- 3.3 Licence application
- 3.4 Outdoor dining licence
- 3.5 Term and validity of licence
- 3.6 Cancellation of an outdoor dining licence
- 3.7 Responsibilities of licensee

PART 4 - MARKETS

- 4.1 Markets
- 4.2 Limitations on markets
- 4.3 Licence application
- 4.4 Market licence
- 4.5 Term and validity of license
- 4.6 Responsibilities of licensee

PART 5 - TRADING

- 5.1 Trading
- 5.2 Limitations on trading
- 5.3 Exemption from requirement to pay fee
- 5.4 Licence application
- 5.5 Trading licence
- 5.6 Term and validity of licence
- 5.7 Responsibilities of licensee

PART 6 – STREET ENTERTAINMENT

- 6.1 Street entertainment
- 6.2 Limitations on street entertainment

- 6.3 Licence application
- 6.4 Street entertainment licence
- 6.5 Term and validity of licence
- 6.6 Responsibilities of licensee
- 6.7 Cancellation or variation of street entertainment licence

PART 7 – SECURED SUM

- 7.1 Security for restoration and reinstatement
- 7.2 Use by the local government of secured sum

PART 8 - MISCELLANEOUS

- 8.1 Directions of authorised person
- 8.2 Notice requiring works to be done to remedy breach
- 8.3 Notice to advise licensee of planned or emergency works
- 8.4 Works in public property
- 8.5 Serving of notice
- 8.6 Public liability insurance and indemnity

PART 9 – OFFENCES AND PENALTIES

- 9.1 Offences
- 9.2 Prescribed offences and modified penalties

SCHEDULE 1 – PRESCRIBED OFFENCES AND MODIFIED PENALTIES

**LOCAL GOVERNMENT ACT 1995
SHIRE OF BROOME**

TRADING, OUTDOOR DINING AND STREET ENTERTAINMENT LOCAL LAW 2016

Under the powers conferred by the Local Government Act 1995 and under all other powers enabling it, the Council of the Shire of Broome resolved to make the following local law on 15 December 2016.

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Broome Trading, Outdoor Dining and Street Entertainment Local Law 2016*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Purpose

The purpose of this local law is to provide for the regulation, control and management of outdoor dining areas, markets, trading (including door to door) and street entertainment, in any public place within the district.

1.4 Repeal

The Shire of Broome Trading, Outdoor Dining and Street Entertainment Local Law 2003 as published in the *Government Gazette* on 5 March 2004 and amended on 31 July 2012, is repealed.

1.5 Application

This local law applies throughout the district.

1.6 Definitions

In this local law unless the context requires otherwise:

Act means the *Local Government Act 1995*;

advertising device means an object on which words, numbers or figures are written, placed, affixed or painted for the purpose of advertising any business, function, operation, event, undertaking, product, or thing and includes a vehicle or trailer or other similar object placed or located so as to serve the purpose of advertising a business, function, operation, event, undertaking, product or thing;

applicant means a person who has lodged an application for a licence;

application fee means the application fee referred to in subclause 2.2.2(d) and which relates to the lodgement, assessment and determination of an application for a licence but does not include the licence fee;

approved area means an approved outdoor dining area, approved street entertainment area, approved market area or approved trading area;

approved market area means the portion of a public place approved for the setting up or conduct of a market under a market licence;

approved outdoor dining area means the portion of a public place approved for the setting up or conduct of an outdoor dining area under an outdoor dining licence;

approved street entertainment area means the portion of a public place approved for street entertainment under a street entertainment licence;

approved trading area means the portion of a public place approved for the carrying on of trading under a trading licence, or in the case of a licensee who does not trade from a fixed location, the route or the areas approved for the carrying on of trading under a trading licence;

authorised person means:

- (a) a person appointed by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law; and
- (b) any member of the Western Australian Police Force;

carriageway has the meaning given to it in the *Road Traffic Code 2000*;

certificate of currency is a document which outlines the currency of an insurance policy, it details the type of policy, sums insured, policy expiry date and the insurer;

Council means the council of the local government;

development approval means approval granted by the local government in accordance with the *Planning and Development Act 2005*;

district means the district of the local government;

event means:

- (a) an occurrence held within the district, by a person(s)/group/organisation, where people assemble at a given time for entertainment, recreation or community purposes and includes but is not limited to:
 - (i) concerts and events run as a commercial activity;
 - (ii) ceremonies and processions;
 - (iii) sporting and competitor events such as marathons, triathlons, organised swims and other similar events;
 - (iv) shows and fairs including circuses, carnivals and other customised venue based events;
 - (v) festivals, exhibitions and expos; and
 - (vi) community events and fundraisers, and
- (b) an occurrence approved by the local government in accordance with the *Shire of Broome Local Government Property and Public Places Local Law 2016*;

food has the same meaning as that in section 9 of the *Food Act 2008*;

food premises means premises –

- (a) on which a food business as defined by the *Food Act 2008* is carried out; or
- (b) that is the subject of a hotel licence, limited hotel licence, special facility licence or restaurant licence granted under the *Liquor Control Act 1988*;

footpath means an area that is open to the public that is designated for, or has as one of its main uses, use by pedestrians;

goods means goods, wares, merchandise and produce;

licence means a licence issued under this local law;

licence fee means the fee referred to in subclause 2.4.1(b) and which relates to the issue of a licence;

licence number means the licence reference number assigned to a licence by the local government;

licensee means the holder of a licence;

liquor has the meaning given to it in section 3 of the *Liquor Control Act 1988*;

local government means the Shire of Broome;

local government property means anything;

- (a) which belongs to, is owned by or is under the care, control and management of the local government;
- (b) which is an “otherwise unvested facility” within section 3.53 of the Act, but does not include a thoroughfare; or
- (c) of which the local government is a management body under the *Land Administration Act 1997*;

market means a collection of stalls set up or conducted for the purpose of trading;

market licence means a licence issued under this local law to set up or conduct a market in a public place;

nuisance means:

- (a) any activity, thing, condition, circumstance or state of affairs caused or contributed to by a person which is injurious or dangerous to the health of another person of normal susceptibility, or which has a disturbing effect on the reasonable physical, mental or social state of another person;
- (b) any thing a person does or permits or causes to be done which interferes with or is likely to interfere with the reasonable enjoyment or safe use by another person of any public place; or
- (c) any thing a person does in or on a public place which unreasonably detracts from or interferes with the enjoyment or value of nearby land owned by another person;

outdoor dining area means an area in which tables, chairs and other structures are provided for the purpose of the supply of food or drink to the public or the consumption of food or drink by the public;

outdoor dining licence means a licence issued under this local law to set up and conduct an outdoor dining area in a public place;

pavement or visual artist means performance art whereby the artist renders artistic designs on pavement such as streets, footpaths and town squares or creates visual artworks such as painting, sculpting, drawing, photography etc;

person does not include the local government;

proprietor in relation to a food premises, means -

- (a) the person carrying on the food business or if that person cannot be identified, the person in charge of the food business; or
- (b) the holder of a hotel licence, a limited hotel licence, a special facility licence or a restaurant licence granted under the *Liquor Control Act 1988* in relation to the food premises;

public liability insurance policy means an insurance policy held with an insurance company that insures against all sums for which the policy holder may become legally liable by way of compensation for claims of personal injury or property damage that a third party suffers (or claims to have suffered) as a result of the policy holder's business operation/activities;

public place means -

- (a) any thoroughfare or local government property; or
- (b) any place which the public is allowed to use, whether the place is or is not on private land, including park lands, squares, reserves, beaches, the intertidal zone and other land designated as being for the use and enjoyment of the public;

public thoroughfare means any thoroughfare which the public are allowed to use;

stall means a movable or temporarily fixed structure, stand or table and includes a vehicle;

standard business card means a card made of paper or cardboard displaying the details of the licensee that is no larger than 8.5 centimetres by 5.5 centimetres in size;

street entertainment means any form of theatrical, artistic, musical, audio or visual performance, whether for reward or not, and includes busking;

street entertainment licence means a licence issued under this local law to engage in street entertainment in a public place;

thoroughfare means a road or other thoroughfare including parking areas, structures or other things appurtenant to the thoroughfare that are within its limits, and nothing is prevented from being a thoroughfare only because it is not open at each end;

trading includes:

- (a) the selling or offering for sale of goods or services in a public place; or
- (b) the hiring or offering for hire of goods; or
- (c) the soliciting of orders for goods or services in a public place; or
- (d) the undertaking of training or instruction, including fitness classes, in a public place, where:
 - (i) any person(s) receiving the training or instruction pay a fee to the person undertaking the training or instruction; and
 - (ii) the training or instruction operates primarily and regularly in public places; or
- (e) displaying goods in any public place for the purpose of:
 - (i) offering them for sale or hire;
 - (ii) inviting offers for their sale or hire;
 - (iii) soliciting orders for their sale or hire; or
 - (iv) carrying out any other transaction in relation to them; and
- (f) the going from place to place, whether or not public places, and:
 - (i) offering goods or services for sale or hire; or
 - (ii) inviting offers or soliciting orders for the sale or hire of goods or services, but does not include:
 - A. the delivery of pre ordered goods or services to the purchaser of those goods or services; or
 - B. the taking of further orders for goods or services from the purchaser of the pre ordered goods or services when those orders are taken at the same time as the previous order is being delivered;

but excludes the erection or placement of a sign advertising the selling or hiring of, the offering for sale or hire of or the soliciting of orders for goods or services on local government property or a thoroughfare approved in accordance with the *Shire of Broome Local Government Property and Public Places Local Law 2012*;

trading licence means a licence issued under this local law to carry on trading; and

vehicle includes:

- (a) every conveyance and every object capable of being propelled or drawn on wheels, tracks or otherwise; and
- (b) an animal being ridden, driven or led,

but excludes:

- (c) a wheel-chair or any device designed for use, by a physically impaired person on a footpath; and
- (d) a pram, stroller or similar device.

PART 2 - APPLICATION FOR LICENCE AND ISSUE OF LICENCE

2.1 Planning consent

The requirement for a licence under this local law is additional to the requirement, if any, for development approval.

2.2 Application for licence

2.2.1 Where a person is required to obtain or hold a licence under this local law, that person must apply for the licence in accordance with subclause 2.2.2 and —

- (a) clause 3.3 in the case of an application for an outdoor dining licence;
- (b) clause 4.3 in the case of an application for a market licence;
- (c) clause 5.4 in the case of an application for a trading licence; and
- (d) clause 6.3 in the case of an application for a street entertainment licence.

2.2.2 An application for a licence under this local law must —

- (a) be in the form determined by the local government;
- (b) be signed by the applicant;
- (c) provide the information required by the form or by any other clause of this local law; and
- (d) be forwarded to the local government together with the application fee.

2.2.3 The local government may refuse to consider or determine an application for a licence which is not in accordance with subclause 2.2.2 or any other clause containing requirements to be complied with when making an application for a licence.

2.3 Determination of application

2.3.1 The local government may, in respect of an application for a licence —

- (a) refuse to approve the application; or
- (b) approve the application on such terms and conditions, if any, as it sees fit.

2.3.2 The local government may refuse to approve an application for a licence, where -

- (a) it is not in accordance with clause 2.2 or any other clause containing requirements to be complied with when making an application for a licence;
- (b) the activity will have an unreasonable impact on an established shop or an activity undertaken under an existing licence;
- (c) the application does not comply with a policy of the local government adopted by the Council and relevant to that application;
- (d) the proposed activity or location in respect of which a licence is sought is considered by the local government to be undesirable;
- (e) the proposed stall is considered by the local government to be unsuitable in any respect for the activity or location for which the licence is sought;
- (f) the applicant is not a suitable person to hold a licence;
- (g) the applicant is an undischarged bankrupt or is in liquidation;
- (h) the applicant has entered into any composition or arrangement with creditors;
- (i) a manager, an administrator, a trustee, a receiver or a receiver and manager has been appointed in relation to any part of the applicant's undertakings or property; or
- (j) there are other grounds on which the local government considers the application should be refused.

2.3.3 Where the local government approves an application for a licence, it may approve the application subject to conditions by reference to any policy of the local government adopted by the Council which contains conditions subject to which an application for a licence may be approved.

2.3.4 If the local government refuses to approve an application for a licence, it is to give written reasons for that refusal to the applicant.

2.4 Issue of licence

2.4.1 When —

- (a) the local government approves an application for a licence; and
- (b) the applicant pays the licence fee,

then the local government will issue to the applicant a licence in the form determined by the local government.

2.4.2 A licence may include plans or other documents other than the form of licence.

2.4.3 A licence will not be valid until such time as any public liability insurance policy, if required as a condition of the licence, has been put into effect and a certificate of currency covering the period of the licence has been provided to the local government.

2.4.4 The local government may vary the terms or conditions of a licence and the licensee must comply with those terms and conditions as varied on and from the date of notification of the variation.

2.5 Licence renewal

2.5.1 Prior to the expiry of an outdoor dining licence, a market licence or a trading licence, the licensee may apply to the local government for the renewal of the licence.

2.5.2 Subject to subclause 2.5.3, the provisions of this local law which are relevant to the licence to be renewed apply to an application for the renewal of the licence.

2.5.3 Where the relevant details in relation to an activity have not changed since the licence was issued, the licensee is not required to resubmit details required at the time of the initial application with the application to renew the licence.

2.5.4 Where the local government approves an application under subclause 2.5.1 —

- (a) the licensee must pay the licence fee for the renewed licence prior to the issue of that licence; and
- (b) the renewed licence will be in the form determined by the local government.

2.6 Fees

2.6.1 All fees referred to in this local law will be imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act.

2.6.2 In the event of the cancellation of a licence, a licensee will not be entitled to a refund of the licence fees for the remainder of the licence period unless the licence is cancelled under clause 2.7(g).

2.7 Cancellation of licence

The local government may cancel any licence if —

- (a) the licensee does not comply with the conditions of the licence;
- (b) the licensee is convicted of an offence against this local law;
- (c) the licensee does not comply with subclause 8.6.1 where it is a condition of the licence that the licensee provide a public liability insurance policy;
- (d) the licensee does not comply with a notice given under Part 8;
- (e) the licensee fails to undertake the activity approved by the licence for a period of 12 months;
- (f) when relevant to the activity regulated by the licence:
 - (i) the licensee has become bankrupt or gone into liquidation;
 - (ii) the licensee has entered into any composition or arrangement with creditors; or
 - (iii) a manager, an administrator, a trustee, a receiver, or a receiver and manager is appointed in relation to any part of the licensee's undertakings or property; or
- (g) there are other grounds on which the local government considers the licence should be cancelled.

2.8 Suspension of licensee rights and privileges

2.8.1 Where a public liability insurance policy is required as a condition of a licence, the rights and privileges granted to a licensee on the issue of a licence will be taken to be suspended if that policy lapses, is cancelled or is no longer current.

2.8.2 The rights and privileges granted to a licensee on the issue of a licence may be suspended by the local government for the purpose and duration of any works proposed or done in or adjacent to the area subject of the licence, by or on behalf of a Government department, instrumentality of the Crown or the local government.

2.9 Rights of objection and appeal

When the local government makes a decision as to whether it will —

- (a) grant a person a licence under this local law; or
- (b) renew, vary, transfer or cancel a licence that a person has under this local law,

the provisions of Division 1 of Part 9 of the Act and regulation 33 of the *Local Government (Functions and General) Regulations 1996* apply to that decision.

PART 3 - OUTDOOR DINING

3.1 Outdoor dining

A person must not establish an outdoor dining area in a public place without an outdoor dining licence, unless the outdoor dining area is established—

- (a) in accordance with a development approval;
- (b) as part of an event; or
- (c) in accordance with an approval granted by the local government under another written law.

3.2 Limitations on outdoor dining

An outdoor dining licence —

- 3.2.1 (a) may only be issued —
 - (i) to the proprietor of a food premises, for use of land adjacent to the food premises;
 - (ii) where the positioning of tables and chairs is not in conflict with existing street furniture approved or installed by the local government; and
 - (iii) where the pedestrian flow on any footpath will not be unreasonably impeded; and
- (b) is only transferable with the approval of the local government and on payment of the transfer fee.

3.2.2 The issue of an outdoor dining licence does not give the licensee exclusive possession or use of the approved outdoor dining area.

3.3 Licence application

3.3.1 An applicant for an outdoor dining licence must comply with subclause 2.2.2.

3.3.2 The application for an outdoor dining licence must be forwarded to the local government together with:

- (a) a plan or plans to a scale of 1:50 showing —
 - (i) the location and dimensions of the proposed outdoor dining area and the means by which the outdoor dining area will be separated from the rest of the public place;
 - (ii) the food premises to which the outdoor dining area is adjacent, including any indoor seating areas, the area of food preparation and any counter service, and the dimension, location and purpose of all entrances to the food premises;

- (iii) the dimensions, levels and slope of the adjacent footpath and the location and nature of any street furniture, drainage and utilities in the immediate vicinity of the food premises;
 - (iv) the location and nature of any parking or service bays in the immediate vicinity of the food premises and the alignment of the adjacent carriageway;
 - (v) the number, position and dimensions of all tables, chairs and associated furniture and fixtures proposed to be placed in the outdoor dining area;
 - (vi) the position and description of any landscaping, bollards or other objects proposed to be used or displayed in the proposed outdoor dining area; and
 - (vii) any other information requested by the local government to assist with the assessment of the application;
- (b) a plan to a scale of 1:50 showing the location of the proposed outdoor dining area and all land and improvements within 30 metres of the boundaries of the eating area, and in particular—
- (i) the development and use of adjoining properties, including the location of any pedestrian or service access to those sites, the alignment of the building facade and the location of any windows;
 - (ii) the footpath and carriageway alignment, vehicle crossovers and any on-street parking provision or restrictions; and
 - (iii) any street furniture or other structures situated in the verge area including any power poles, bollards, phone booths, bus shelters, fire hydrants, trees or free standing signage;
- (c) a management plan outlining the operations of the proposed outdoor dining area including—
- (i) the manner in which food and other dining accessories will be conveyed to and protected from contamination in the proposed outdoor dining area;
 - (ii) the proposed days and times of operation of the outdoor dining area;
 - (iii) the nature of any advertising devices to be displayed on or within the proposed outdoor dining area;
 - (iv) the arrangements for serving liquor to customers in the proposed outdoor dining area;
 - (v) where tables, chairs, furniture and equipment to be used as part of the proposed outdoor dining area will be stored when the proposed outdoor dining area is not open for business;
 - (vi) the daily cleaning schedule for the proposed outdoor dining area which must include:
 - A. sweeping, washing or scrubbing the paved surface;
 - B. removing and disposing of all rubbish, food and cigarette ashes and butts; and
 - C. clearing the immediate surrounds of any rubbish, matter or things coming from or caused by patrons of the proposed outdoor dining area;
 - (vii) the type of table ornaments, including umbrellas and ashtrays, to be provided, noting that ashtrays must be such that the contents of the ashtray and the ashtray itself will not be blown onto the paved surface of the proposed outdoor dining area; and
 - (viii) details of how customers of the proposed outdoor area will be discouraged from throwing or disposing of rubbish, cigarette butts or food onto the paved surface of the proposed outdoor dining area.

3.4 Outdoor dining licence

3.4.1 An outdoor dining licence granted by the local government will include —

- (a) an endorsed copy of the plan or plans detailing the location and number of tables and chairs, plus any other furniture and equipment required for the operation of the outdoor dining area;
- (b) the management plan;
- (c) the days and hours of operation; and
- (d) details of any terms and conditions to be included as part of the licence.

3.4.2 The licensee must not commence trading until the local government is satisfied that all conditions imposed under subclause 2.3.1(b) have been met.

3.5 Term and validity of licence

3.5.1 An outdoor dining licence remains valid until —

- (a) 30 June of the financial year in which the licence was issued, noting that the licence fee for a licence may be calculated on a pro-rata basis;
- (b) the proprietor of the food premises changes and no transfer of the licence has been approved under subclause 3.2.1(b);
- (c) variations are made to the outdoor dining area, including an increase or reduction in the approved outdoor dining area or the type of furniture or equipment used in the operation, unless the variations are made by the local government in accordance with clause 2.4.4;
- (d) any public liability insurance policy required as a condition of the licence lapses, is cancelled or is no longer in operation; or
- (e) the licence is cancelled by the local government.

3.5.2 If any of the events specified in subclause 3.5.1 occur, then a new application for an outdoor dining licence must be made and a new outdoor dining licence issued before any outdoor dining area can be established.

3.6 Cancellation of an outdoor dining licence

3.6.1 Without limiting clause 2.7, the local government may cancel an outdoor dining licence where —

- (a) there is a lapse or cancellation of the food premises registration or licence issued to the proprietor under the *Food Act 2008*; or
- (b) the setting up or conduct of the outdoor dining area is determined by the local government to be detrimental to the interests of the public, any adjacent property owner or occupier or cause a nuisance because of the behaviour of customers.

3.6.2 A decision to cancel a licence under sub-clause (b) will not be made without first having advised the licensee of the nature of any complaint or concern and having given the licensee an opportunity to respond.

3.7 Responsibilities of licensee

3.7.1 The licensee must —

- (a) comply with the conditions of the outdoor dining licence;
- (b) not permit the operation of the outdoor dining area to extend beyond the portion of a public place specified in the plans approved as part of the licence;
- (c) manage the approved outdoor dining area in accordance with the approved management plan submitted with the application, subject to any approved amendments or modifications by the local government;
- (d) keep the approved outdoor dining area free of any obstacle or matter likely to cause injury to persons or property;
- (e) ensure furniture and equipment remains within the approved outdoor dining area and the storage location approved as part of the licence and does not impede pedestrian flow or access;
- (f) repair any damage to the surface area or any fixtures, fittings or utility services in or on the approved outdoor dining area caused by or attributable to the conduct of the approved outdoor dining area;
- (g) pay all fees, charges, rates and taxes levied or incurred as a result of the establishment and operation of the approved outdoor dining area;
- (h) ensure trading within the approved outdoor dining area is limited to only the operating hours stated in the licence; and

- (i) pay all and any costs associated with the alteration, repair, reinstatement or reconstruction of all or part of the approved outdoor dining area or adjacent public place required as a result of the operation of the outdoor dining area.

3.7.2 If the outdoor dining licence lapses or is cancelled, the licensee must —

- (a) remove all furniture, equipment, structures and other things placed in or adjacent to the approved outdoor dining area; and
- (b) reinstate the area to the satisfaction of the local government or pay the costs of that reinstatement.

PART 4 - MARKETS

4.1 Markets

A person must not set up or conduct a market in a public place without a market licence, unless the market —

- (a) forms part of an event; or
- (b) is established in accordance with an approval granted by the local government under another written law.

4.2 Limitations on markets

4.2.1 A market licence is only transferable with the approval of the local government and on payment of the transfer fee.

4.2.2 The issue of a market licence does not give the licensee exclusive possession or use of the approved market area.

4.3 Licence application

4.3.1 An applicant for a market licence must comply with subclause 2.2.2.

4.3.2 An application for a market licence must be forwarded to the local government together with —

- (a) a plan or plans to a scale of 1:50 showing:
 - (i) the location and dimensions of the proposed market;
 - (ii) the dimensions of the public place including any footpath, and the location and nature of any street furniture, trees, utilities, parking or service bays in the area of the proposed market; and
 - (iii) the position and dimensions of all proposed stalls;
- (b) any other information requested by the local government to assist with the assessment of the application;
- (c) a management plan outlining the operations of the proposed market including:
 - (i) the days and times of operation;
 - (ii) the type and form of any advertising devices to be displayed on or within the proposed market; and
 - (iii) details of how the operational responsibilities of the licensee will be met;
- (d) the nature and extent of any activity relating to street entertainment; and
- (e) details of the goods or services to be traded under the market licence.

4.4 Market licence

A market licence granted by the local government will include —

- (a) a licence number;
- (b) an endorsed copy of the plan or plans detailing the location where any stalls, furniture displays and other equipment may be placed for the operation of the market;
- (c) the management plan;
- (d) the days and hours of operation; and
- (e) any terms and conditions of the licence.

4.5 Term and validity of licence

4.5.1 A market licence remains valid until —

- (a) the expiry date stated in the licence is reached;
- (b) variations are made to the market area, including an increase or reduction in the approved market area, unless the variations are made by the local government in accordance with clause 2.4.4;

- (c) any public liability insurance policy required as a condition of the licence lapses, is cancelled or is no longer in operation; or
- (d) the licence is cancelled by the local government.

4.5.2 If any of the events specified in subclause 4.5.1 occur, then a new application for a market licence must be made and a new market licence issued before any market can be set up or conducted.

4.6 Responsibilities of licensee

4.6.1 The licensee must —

- (a) comply with the conditions of the market licence;
- (b) not permit the operation of the market to extend beyond the portion of a public place specified in the plans and approved as part of the licence;
- (c) prior to setting up or conducting the market, obtain the following further approvals and make arrangements as follows:
 - (i) where the market is to be set up or conducted on a public thoroughfare, obtain approval from the local government and Western Australian Police Service for the closure of the public thoroughfare to vehicular traffic or the part of it where the market is to be held during the hours of operation of the market;
 - (ii) ensure adequate refuse collection arrangements have been made to the satisfaction of the local government; and
 - (iii) where appropriate, have the necessary local government approvals under the *Health (Public Buildings) Regulations 1992*, including a:
 - A. certificate of approval under regulation 6 of those regulations; and
 - B. certificate of electrical compliance under regulation 10 of those regulations.

4.6.2 During the operation of the market and the setting up and dismantling of the market, the licensee must —

- (a) maintain pedestrian access through and beyond the approved market area;
- (b) maintain access to building entries adjacent to the approved market area;
- (c) retain access to existing or approved outdoor dining areas associated with the building entries referred to in sub-clause (b);
- (d) maintain adequate access for emergency vehicles through any thoroughfare of the approved market area;
- (e) stabilise all stalls, furniture and other equipment provided and used in the operation of the market at all times and remove stalls, furniture and equipment when not in use;
- (f) maintain noise levels from any associated music, announcements and the like, in accordance with any condition of the market licence, so as not to cause a nuisance; and
- (g) maintain the approved market area clean and free from rubbish.

4.6.3 The licensee must at the conclusion of the operation of each market, ensure that all stalls, furniture and other equipment used in the operation of the market, are removed and the area returned to the condition it was in before the commencement of the market, and to the satisfaction of the local government.

PART 5 – TRADING

5.1 Trading

A person must not undertake trading in a public place without a trading licence, unless the trading —

- (a) is undertaken as part of an event;
- (b) is undertaken in accordance with a valid market licence;
- (c) is undertaken in accordance with an approval granted by the local government under another written law; or
- (d) is of a type or undertaken in a way that is specified as being exempt from the requirement for a trading licence under a policy adopted by the local government.

5.2 Limitations on trading

5.2.1 A trading licence is only transferable with the approval of the local government and on payment of the transfer fee.

5.2.2 The issue of a trading licence does not give the licensee exclusive possession or use of the approved trading area.

5.3 Exemption from requirement to pay fee

5.3.1 In this clause:

charitable organisation means an institution, association, club, society or body, whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature and from which any member does not receive any pecuniary profit except where the member is an employee or the profit is an honorarium.

5.3.2 The local government may waive the application fee referred to in clause 2.2.2(d) or the licence fee referred to in clause 2.4.1(b) or both, or may return any such fee which has been paid, if trading is carried —

- (a) on a public place adjoining the normal place of business of the applicant for the trading licence; or
- (b) solely by members of a charitable organisation to raise funds for that charitable organisation.

5.4 Licence application

5.4.1 An applicant for a trading licence must comply with subclause 2.2.2.

5.4.2 An application for a trading licence must be forwarded to the local government together with —

- (a) details of the number of persons to be employed or engaged in the trading at any one time;
- (b) a plan of the proposed location or, where the trading will not be conducted from a fixed location, a description of the route or areas from which the applicant proposes to trade;
- (c) details of the days and hours of operation;
- (d) details of the proposed goods or services to be traded under the trading licence;
- (e) if any stall will be used for trading, a detailed and accurate plan and description, including dimensions, of the stall; and
- (f) where the applicant is a corporation, the name and address of the person responsible for complying with any terms and conditions of the licence.

5.5 Trading licence

A trading licence granted by the local government will —

- (a) include a licence number;
- (b) include the location, days and hours of operation and approved trading area;
- (c) detail the goods or services which can be traded under the trading licence;
- (d) specify the number of persons that may carry on trading at any time under the trading licence; and
- (e) detail any other terms and conditions imposed on the licence.

5.6 Term and validity of licence

5.6.1 A trading licence remains valid until —

- (a) the expiry date stated in the licence is reached;
- (b) variations are made to the trading area or activities, including an increase, reduction or change in the approved trading area, unless the variations are made by the local government in accordance with subclause 2.4.4;
- (c) any public liability insurance policy required as a condition of the licence lapses, is cancelled or is no longer in operation; or
- (d) the licence is cancelled by the local government.

5.6.2 If any of the events specified in subclause 5.6.1 occur, then a new application for a trading licence must be made and a new trading licence issued before any trading can be carried out.

5.7 Responsibilities of licensee

5.7.1 The licensee must —

- (a) comply with the conditions of the trading licence;
- (b) where a stall is being used for trading:
 - (i) display a sign indicating the name of the licensee and the licence number, with letters and numerals not less than 5 centimetres in height in a conspicuous place in the approved trading area;
 - (ii) ensure that the approved trading area is attended either by the licensee or a person employed or engaged in the trading activity at all times when trading is being undertaken;
 - (iii) keep the stall in a clean and safe condition and in good repair;
 - (iv) keep the approved trading area free from refuse and rubbish;
 - (v) remove any stall, goods, equipment and signs from the approved trading area and leave that location clean and vacant -
 - A. at the conclusion of the permitted hours of operation specified in the trading licence; and
 - B. whenever trading is not taking place; and
- (c) have the trading licence available at all times trading is being undertaken, for inspection at the request of any authorised person.

5.7.2 The licensee must not —

- (a) permit any trading activity to extend beyond the approved trading area;
- (b) engage in or permit any trading in any goods or services other than those specified in the trading licence;
- (c) cause, permit or suffer any nuisance to exist, arise or continue on or from the approved trading area;
- (d) deposit, place or store any goods on any public place, other than within the trading area;
- (e) obstruct the free passage of pedestrians on any footpath or pedestrian accessway;
- (f) use or display or permit to be used or displayed any advertisement, placard, poster, streamer, sign or signboard on or about the approved trading area exceeding a total area of 0.5 square metres;
- (g) erect and maintain any signs in accordance with sub-clause (f) so as to obscure any other signage on or adjacent to the approved trading area;
- (h) cry out or shout about, or permit any other person to cry out or shout about, any goods or services in any public place or from the trading area, to the detriment of or causing a nuisance to nearby traders or persons undertaking commercial activities; or
- (i) use or permit to be used —
 - (i). any loud hailer, microphone, amplifier or other apparatus for making or transmitting sound, on or from the approved trading area, unless approved by the local government;
 - (ii). any record, tape, radio, bell, musical instrument or other instrument or device capable of being heard beyond the boundaries of the approved trading area unless approved by the local government;
 - (iii). any flashing or intermittent lighting apparatus or device on or from the approved trading area; or
 - (iv). an apparatus or device including a flap or shelf whereby the dimensions of the stall are increased beyond the dimensions specified in the trading licence.

PART 6 - STREET ENTERTAINMENT

6.1 Street entertainment

A person must not engage in street entertainment in a public place without a street entertainment licence, unless the street entertainment —

- (a) forms part of an event;

- (b) forms part of a market for which a licence has been granted by the local government under clause 4.4; or
- (c) is provided in accordance with an approval granted by the local government under another written law.

6.2 Limitations on street entertainment

6.2.1 A street entertainment licence is not transferable.

6.2.2 The issue of a street entertainment licence does not give the licensee exclusive possession or use of the approved street entertainment area.

6.3 Licence application

6.3.1 An applicant for a street entertainment licence must comply with subclause 2.2.2.

6.3.2 An application for a street entertainment licence must be forwarded to the local government together with —

- (a) details of the nature of the proposed street entertainment;
- (b) details of any musical instrument or amplifier proposed to be used;
- (c) details of the number of people to be involved in the proposed street entertainment; and
- (d) any other information requested by the local government.

6.4 Street entertainment licence

A street entertainment licence issued by the local government will include —

- (a) a licence number;
- (b) details of the location and equipment that can be used for the street entertainment;
- (c) the days and permitted times for the street entertainment; and
- (d) any other terms and conditions of the licence.

6.5 Term and validity of licence

6.5.1 A street entertainment licence remains valid until —

- (a) the expiry time and date stated in the licence is reached;
- (b) any public liability insurance policy required as a condition of the licence lapses, is cancelled or is no longer in operation; or
- (c) the licence is cancelled by the local government.

6.5.2 If any of the events specified in subclause 6.5.1 occur, then a new application for street entertainment must be made and a new street entertainment licence issued before any street entertainment can take place.

6.6 Responsibilities of licensee

6.6.1 The licensee of the street entertainment licence must —

- (a) comply with the conditions of the street entertainment licence;
- (b) not permit the street entertainment to extend beyond the specified portion of the public place approved in the street entertainment licence;
- (c) ensure that the conduct of street entertainment approved under the licence:
 - (i) does not prevent or impede pedestrian flow or access to and along footpaths, entry or exit to shops and other buildings;
 - (ii) does not prevent or impede vehicular flow or access to and along any thoroughfare or vehicular entry or exit to any shop or other building;
 - (iii) does not cause a nuisance to any other street entertainment or activity approved by the local government;

- (iv) unless otherwise approved, does not have more than 4 people participating in any one performance;
- (v) unless otherwise approved, does not include any person under the age of 14 years -
 - A. during school hours, on school days;
 - B. between 7.00pm and 6.00am;
- (vi) does not include, involve or permit —
 - A. anything that is offensive or obscene;
 - B. the use of fire;
 - C. any weapon or object with sharp edges, including knives or swords;
 - D. any motorised machinery that emits a loud noise in its operation or is not suitable in the location;
 - E. any other activity, object or matter whatsoever that endangers the safety of the public or the performer; or
 - F. cruelty to an animal;
- (vii) does not include any amplification unless specifically approved and endorsed on the street entertainment licence;
- (viii) notwithstanding sub-clause (vii), does not include any amplification between Monday to Saturday, 10.00pm to 7.00am and Sundays between 10.00pm and 9.00am; and
- (ix) complies at all times with the *Environmental Protection (Noise) Regulations 1997*;
- (d) use the approved street entertainment area to perform during the days and times specified in the licence or vacate that area;
- (e) produce the street entertainment licence when requested to do so by an authorised person;
- (f) display —
 - (i) a sign indicating the name of the licensee and the licence number with letters and numerals not less than 5 centimetres in height in a conspicuous place in the performance location; or
 - (ii) standard business cards;
- (g) if the licensee is a performing pavement or visual artist, return the performance location, including the pavement surface, to its former condition on the completion of a performance; and
- (h) comply at all times with a direction of an authorised person.

6.6.2 A licensee of a street entertainment licence must not —

- (a) reserve or attempt to reserve a performance location within the approved street entertainment area or leave equipment at a location used for performances unless immediately before, during or after a performance;
- (b) trade any goods or services without a licence issued for that purpose;
- (c) erect or display, or permit to be erected or displayed, at or near the performance location any sign —
 - (i) larger than 0.25 square metres in area, displaying the name of the performance; or
 - (ii) standard business cards;
- (d) perform in any one location for more than 60 minutes, unless specifically authorised in the licence, unless the performance is by a pavement or visual artist; and
- (e) if the licensee is a performing pavement or visual artist, use spray paint, crayons, felt tip pens or other indelible materials unless working on paper or card.

6.7 Cancellation or variation of street entertainment licence

Without limiting clause 2.7, the local government may cancel or vary the terms and conditions of a street entertainment licence in the event that —

- (a) a complaint is received about a performance or the amenity of a performance location;
- (b) an authorised person has concerns with the content or material used in the performance; or
- (c) the licensee fails to meet any of the responsibilities detailed in clause 6.6.

PART 7 - SECURED SUM

7.1 Security for restoration and reinstatement

- 7.1.1 The local government may require the payment of a bond, bank guarantee or other form of security acceptable to the local government for the purpose of ensuring that an approved area is repaired, restored or reinstated.
- 7.1.2 A bond, bank guarantee or other form of security payable in accordance with subclause 7.1.1 may be required —
- (a) as a condition of a licence;
 - (b) before the issue of a licence; or
 - (c) before the renewal or transfer of an outdoor dining licence, market licence or trading licence.
- 7.1.3 The local government will determine the amount payable as a bond, bank guarantee or other form of security payable in accordance with subclause 7.1.1.
- 7.1.4 If a bond is paid under subclause 7.1.1, the local government must deposit the bond into an account established by the local government for the purpose of holding bonds or other forms of security.

7.2 Use by the local government of secured sum

- 7.2.1 If a licensee fails to carry out or complete the restoration and reinstatement works required by the licence conditions or by a notice where the local government has given the licensee a notice requiring such works to be carried out ("the required restoration and reinstatement work") —
- (a) within the time specified in those conditions;
 - (b) where no such time has been specified, within a reasonable period of time from the expiration of the licence; or
 - (c) within 14 days of being given a notice or such other time as may be specified in the notice,
- then the local government may carry out or cause to be carried out the required restoration and reinstatement work or so much of that work that has not been completed.
- 7.2.2 The licensee must pay to the local government on demand all administrative, legal, contractor and other costs actually incurred by the local government in carrying out and completing the required restoration and reinstatement work.
- 7.2.3 The local government may apply the proceeds of any bond, bank guarantee or other security provided by the licensee under clause 7.1 to meet the costs referred to in subclause 7.2.2.
- 7.2.4 The liability of a licensee to pay the costs referred to in subclause 7.2.2 is not limited to the amount, if any, secured under clause 7.1.
- 7.2.5 A person or a licensee is not entitled to make any claim by way of damages or otherwise, against an authorised person, local government employee, local government appointed sub-contractor or other person authorised by the local government to enter the land and carry out all or part of the required restoration and reinstatement work.

PART 8 - MISCELLANEOUS

8.1 Directions of authorised person

- 8.1.1 An authorised person may direct a person to stop doing anything which the authorised person considers on reasonable grounds the person is in the process of doing, which is contrary to this local law or the condition of a licence issued under this local law.

8.1.2 A person who is given a lawful direction under subclause 8.1.1 must comply with that direction.

8.2 Notice requiring works to be done to remedy breach

8.2.1 The local government may give notice to a licensee requiring the licensee —

- (a) to rectify a breach of any condition or term of a licence or of a provision of this local law; or
- (b) to change the arrangement or operation of an approved area considered necessary to maintain public safety, facilitate public works to the public place or to protect the amenity of premises adjacent to an approved area;

8.2.2 A notice issued by the local government under subclause 8.2.1 will —

- (a) outline—
 - (i) details of the breach of the condition or term of the licence;
 - (ii) the provision of the local law; or
 - (iii) of the change in arrangement or operation required;
- (b) require the licensee to remedy the breach or to change the arrangement or operation as required within the time specified in the notice; and
- (c) advise that where the licensee fails to comply with the requirements of the notice within the time specified, the local government may remedy the breach or change the arrangement or operation as required.

8.2.3 Where the licensee fails to comply with the requirements of the notice within the time specified in the notice, the local government may by its employees, agents or contractors do all things necessary to remedy the breach of the condition or term of the licence or of the provision of this local law or to change the arrangement or operation which is required by the notice.

8.2.4 The local government may recover the expenses incurred in doing the works referred to in subclause 8.2.3 —

- (a) by deducting the expenses from the secured sum (if any), and where the secured sum is less than the expenses, the local government may recover the balance through a court of competent jurisdiction; or
- (b) from the licensee in a court of competent jurisdiction.

8.3 Notice to advise licensee of planned or emergency works

8.3.1 The local government will give 14 days notice of any works to be undertaken by the local government, that will require closure, part closure or access to an approved area.

8.3.2 Where the local government is to carry out emergency works in an approved area, the local government will give such a period of notice which it considers reasonable in the circumstances.

8.4 Works in public property

Where an applicant or a licensee is required to obtain the local government's permission under regulation 17 of the *Local Government (Uniform Local Provisions) Regulations 1996*, any licence issued under this local law to the applicant or licensee will not be taken to be a grant of that permission.

8.5 Serving of notice

Where a notice or other document is to be given to a person by the local government under this local law, it may be given to the person—

- (a) by delivering it to the person personally;
- (b) where the person is an applicant or a licensee, by posting it by prepaid post to or leaving it at the address appearing on the application for a licence or the licence; or
- (c) where the person is not an applicant or a licensee, by posting it by prepaid post to or leaving it at the usual or the last known place of residence or business of the person.

8.6 Public liability insurance and indemnity

- 8.6.1 Where as a condition of a licence, the licensee is required to obtain public liability insurance, this public liability insurance must indemnify the local government against all actions, suits, claims, damages, losses and expenses made against or incurred by the local government arising from any activity, action or thing performed or erected under the licence.
- 8.6.2 The public liability insurance policy referred to in subclause 8.6.1 must be kept current for the duration of the licence and —
- (a) must be in the name of the licensee and the local government for a minimum value of \$5,000,000 or such other amount as the local government considers appropriate to the risk involved;
 - (b) include a clause which prevents the policy from being cancelled without the written consent of the local government;
 - (c) include a clause which requires both the licensee and the insurance company to advise the local government if the policy lapses, is cancelled or is no longer in operation; and
 - (d) be available for inspection by an authorised person.
- 8.6.3 A licensee who refuses or cannot provide a current certificate of insurance within 2 working days of a request under subclause 8.6.2(d) commits an offence.

PART 9- OFFENCES AND PENALTIES

9.1 Offences

- 9.1.1 A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing without reasonable excuse, commits an offence.
- 9.1.2 Whenever the local government gives a notice under this local law requiring a person to do anything, if the person fails to comply with the notice, the person commits an offence.
- 9.1.3 A person who commits an offence under this local law will be liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

9.2 Prescribed offences and modified penalties

- 9.2.1 An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of section 9.16(1) of the Act.
- 9.2.2 The amount appearing in the final column of the table in Schedule 1 directly opposite an offence described in Schedule 1 is the modified penalty for that offence.
- 9.2.3 If the offence is of a continuing nature, the modified penalty of \$50 applies for the offences described in Schedule 1 for each day or part of a day during which the offence continues following the issue of an infringement notice for the amount calculated in accordance with subclause 9.2.2.

Schedule 1 - Prescribed offences and modified penalties

[cl 9.2]

Item No	Clause No	Nature of Offence	Modified Penalty \$
PART 3 – OUTDOOR DINING			
1	3.1	Establishing an outdoor dining area in a public place without an outdoor dining licence.	250
2	3.7.1(a)	Failing to comply with conditions of outdoor dining licence.	150
3	3.7.1(b)	Permitting operation of outdoor dining area to extend beyond approved area.	150
4	3.7.1(c)	Failing to manage outdoor dining area in accordance with approved management plan.	150
5	3.7.1(d)	Failing to keep licenced area free of any obstacle or matter likely to cause injury to persons or property.	150
6	3.7.1(e)	Failing to ensure furniture or equipment remains in approved outdoor dining area and does not impede pedestrian flow.	150
7	3.7.1(f)	Failing to repair damage to surface area, fixtures, fittings or utility services caused by operation of an outdoor dining area.	150
8	3.7.1(h)	Failing to ensure trading in outdoor dining area is limited to operating hours stated in licence.	150
9	3.7.2	Failing to remove all equipment, structures and other things and reinstate area to satisfaction of local government on cessation of licence and pay reinstatement costs.	150
Part 4 –MARKETS			
10	4.1	Setting up or conducting market without licence	250
11	4.6.1(a)	Failing to comply with conditions of market licence	150
12	4.6.1(b)	Permitting operation of market area to extend beyond approved market area.	150
13	4.6.1(c)(i)	Failing to obtain approval from local government and Police to close public thoroughfare where market held during market times.	150
14	4.6.1(c)(ii)	Failing to make adequate refuse collection arrangements to satisfaction of local government.	150
15	4.6.1(c)(iii)A.	Failing to obtain approval under Health (Public Buildings) Regulations 1992 – Certificate of Approval.	150
16	4.6.1(c)(iii)B.	Failing to obtain approval under Health (Public Buildings) Regulations 1992 – Certificate of electrical compliance.	150
17	4.6.2(a)	Failing to maintain pedestrian access through and beyond approved market area.	150
18	4.6.2(b)	Failing to maintain access to adjacent building entries.	150
19	4.6.2(c)	Failing to retain access to existing or approved outdoor dining areas with adjacent building entries.	150
20	4.6.2(d)	Failing to maintain adequate access for emergency vehicles through any thoroughfare of the approved market area.	150

Item No	Clause No	Nature of Offence	Modified Penalty \$
21	4.6.2(e)	Failing to stabilise all stalls and furniture and other equipment used in operation of market and remove same when not in use.	150
22	4.6.2(f)	Failing to maintain noise levels from music, announcements and the like so as not to cause a nuisance.	150
23	4.6.2(g)	Failing to maintain approved market area clean and free from rubbish.	150
24	4.6.3	Failing to remove all structures and equipment at conclusion of market.	150
PART 5 –TRADING			
25	5.1	Trading without a licence.	250
26	5.7.1(a)	Failure to comply with conditions of trading licence.	150
27	5.7.1(b)(i)	Failing to display sign indicating licensee name and licence number.	100
28	5.7.1(b)(ii)	Failing to have approved trading area attended when trading.	100
29	5.7.1(b)(iii)	Failing to keep any stall in clean, safe condition and good repair.	150
30	5.7.1(b)(iv)	Failing to keep approved trading area free from refuse and rubbish.	150
31	5.7.1(b)(v) A.	Failing to remove any stall, goods, equipment and signs and leave approved trading area clean at conclusion of operation hours.	150
32	5.7.1(b)(v) B.	Failing to remove any stall, goods, equipment and signs and leave location vacant whenever trading is not taking place.	150
33	5.7.1(c)	Failing to have licence available at all operation times for inspection at the request of any authorised person.	100
34	5.7.2(a)	Trading beyond approved trading area.	150
35	5.7.2(b)	Trading in any goods or services not specified in the licence.	150
36	5.7.2(c)	Causing or permitting any nuisance to exist, arise, or continue from the approved trading area.	150
37	5.7.2(d)	Depositing, placing or storing any goods on any public place other than the approved trading area.	150
38	5.7.2(e)	Obstructing free passage of pedestrians on footpath or access way.	150
39	5.7.2(f)	Using, displaying or permitting advertisement outside licence location, larger than approved size.	150
40	5.7.2(g)	Erecting and maintaining signs so as to obscure other signage on or adjacent to the approved trading area.	150
41	5.7.2(h)	Crying out or shouting about goods or services in public place.	150
42	5.7.2(i)A.	Using or permitting use of loud hailer, microphone, amplifier or other sound apparatus, on approved trading area without approval.	150
43	5.7.2(i)B.	Using or permitting use of any record, tape, radio or musical instrument capable of being heard outside approved trading area	150

Item No	Clause No	Nature of Offence	Modified Penalty \$
		without approval.	
44	5.7.2(i)C.	Using or permitting use of any flashing or intermittent lighting apparatus or device on or from approved trading area.	150
45	5.7.2(i)D.	Using or permitting use of any apparatus to increase dimensions of a stall beyond that specified in the licence.	150
PART 6 STREET ENTERTAINMENT			
46	6.1	Engaging in street entertainment without a licence.	250
47	6.6.1(a)	Failing to comply with conditions of street entertainment licence	150
48	6.6.1(b)	Permitting street entertainment to extend beyond area approved as part of the licence.	100
49	6.6.1(c)(i)	Permitting the performance to impede pedestrian flow or access to and along footpaths, entry or exit to shops or other buildings.	150
50	6.6.1(c)(ii)	Permitting the performance to impede vehicular flow or access to and along any thoroughfare or vehicular entry or exit.	150
51	6.6.1(c)(iii)	Permitting the performance to cause a nuisance to any other street entertainment or activity approved by the local government.	150
52	6.6.1(c)(iv)	Having more than 4 people participating in any performance without approval.	150
53	6.6.1(c)(v)A.	Permitting the performance to include persons under 14 years of age, during school hours on a school day, without approval.	150
54	6.6.1(c)(v)B.	Permitting the performance to include persons under 14 years of age on school days between 7.00pm and 6.00am, without approval.	150
55	6.6.1(c)(vi)A.	Permitting the performance to involve anything that is offensive or obscene.	150
56	6.6.1(c)(vi)B.	Permitting the performance to involve the use of fire.	150
57	6.6.1(c)(vi)C.	Permitting the performance to involve any weapon or object with sharp edges, including knives or swords.	150
58	6.6.1(c)(vi)D.	Permitting the performance to involve any motorised machinery which emits a loud noise or is not suitable for the location.	150
59	6.6.1(c)(vi)E.	Permitting the performance to involve any activity, object or matter whatsoever that endangers the safety of the public or performer.	150
60	6.6.1(c)(vi)F.	Permitting the performance to involve cruelty to animals.	150
61	6.6.1(c)(vii)	Permitting the performance to include amplification without specific approval.	150
62	6.6.1(c)(viii)	Permitting the performance to include amplification outside permitted times.	150
63	6.6.1(d)	Failing to use the approved street entertainment area to perform during the days and times specified or vacate that area.	150
64	6.6.1(e)	Failing to produce the licence when requested by an authorised person.	100
65	6.6.1(f)(i)	Failing to display the name of the licensee and licence number during each performance.	150

Item No	Clause No	Nature of Offence	Modified Penalty \$
66	6.6.1(g)	Failing to return the performance location to its former condition	150
67	6.6.1(h)	Failing to comply with direction of an authorised person.	150
68	6.6.2(a)	Reserving or leaving equipment at performance location unless immediately before, during or after performance.	150
69	6.6.2(b)	Trading any goods or services without licence for the purpose.	150
70	6.6.2(c)(i)	Erecting or permitting to be erected or displayed a sign larger than specified.	150
71	6.6.2(d)	Performing in same location for more than 60 minutes without approval.	150
72	6.6.2(e)	Use of spray paint, crayons, textures or other indelible materials, by a pavement or visual artist unless working on paper or card.	250
73	8.1.2	Failure to comply with a lawful direction under subclause 8.1.1.	200

Dated 11 January 2017

The Common Seal of Shire of Broome was affixed by the authority of a resolution of Council in the presence of –

R J JOHNSTON, Shire President
S MASTROLEMBO, Acting Chief Executive Officer

LOCAL GOVERNMENT ACT 1995

SHIRE OF BROOME

TRADING, OUTDOOR DINING AND STREET ENTERTAINMENT LOCAL LAW 2016

(This copy of the Shire of Broome Trading, Outdoor Dining and Street Entertainment Local Law 2016 is as published in the Government Gazette on 16 January 2017)

**LOCAL GOVERNMENT ACT 1995
SHIRE OF BROOME**

TRADING, OUTDOOR DINING AND STREET ENTERTAINMENT LOCAL LAW 2016

CONTENTS

PART 1 - PRELIMINARY

- 1.1 Citation
- 1.2 Commencement
- 1.3 Purpose
- 1.4 Repeal
- 1.5 Application
- 1.6 Definitions

PART 2 – APPLICATION FOR LICENCE AND ISSUE OF LICENCE

- 2.1 Planning consent
- 2.2 Application for licence
- 2.3 Determination of application
- 2.4 Issue of licence
- 2.5 Licence renewal
- 2.6 Fees
- 2.7 Cancellation of licence
- 2.8 Suspension of licensee rights and privileges
- 2.9 Rights of objection and appeal

PART 3 – OUTDOOR DINING

- 3.1 Outdoor dining
- 3.2 Limitations on outdoor dining
- 3.3 Licence application
- 3.4 Outdoor dining licence
- 3.5 Term and validity of licence
- 3.6 Cancellation of an outdoor dining licence
- 3.7 Responsibilities of licensee

PART 4 - MARKETS

- 4.1 Markets
- 4.2 Limitations on markets
- 4.3 Licence application
- 4.4 Market licence
- 4.5 Term and validity of license
- 4.6 Responsibilities of licensee

PART 5 - TRADING

- 5.1 Trading
- 5.2 Limitations on trading
- 5.3 Exemption from requirement to pay fee
- 5.4 Licence application
- 5.5 Trading licence
- 5.6 Term and validity of licence
- 5.7 Responsibilities of licensee

PART 6 – STREET ENTERTAINMENT

- 6.1 Street entertainment
- 6.2 Limitations on street entertainment
- 6.3 Licence application
- 6.4 Street entertainment licence

- 6.5 Term and validity of licence
- 6.6 Responsibilities of licensee
- 6.7 Cancellation or variation of street entertainment licence

PART 7 – SECURED SUM

- 7.1 Security for restoration and reinstatement
- 7.2 Use by the local government of secured sum

PART 8 - MISCELLANEOUS

- 8.1 Directions of authorised person
- 8.2 Notice requiring works to be done to remedy breach
- 8.3 Notice to advise licensee of planned or emergency works
- 8.4 Works in public property
- 8.5 Serving of notice
- 8.6 Public liability insurance and indemnity

PART 9 – OFFENCES AND PENALTIES

- 9.1 Offences
- 9.2 Prescribed offences and modified penalties

SCHEDULE 1 – PRESCRIBED OFFENCES AND MODIFIED PENALTIES

**LOCAL GOVERNMENT ACT 1995
SHIRE OF BROOME**

TRADING, OUTDOOR DINING AND STREET ENTERTAINMENT LOCAL LAW 2016

Under the powers conferred by the Local Government Act 1995 and under all other powers enabling it, the Council of the Shire of Broome resolved to make the following local law on 15 December 2016.

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Broome Trading, Outdoor Dining and Street Entertainment Local Law 2016*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Purpose

The purpose of this local law is to provide for the regulation, control and management of outdoor dining areas, markets, trading (including door to door) and street entertainment, in any public place within the district.

1.4 Repeal

The Shire of Broome Trading, Outdoor Dining and Street Entertainment Local Law 2003 as published in the *Government Gazette* on 5 March 2004 and amended on 31 July 2012, is repealed.

1.5 Application

This local law applies throughout the district.

1.6 Definitions

In this local law unless the context requires otherwise:

Act means the *Local Government Act 1995*;

advertising device means an object on which words, numbers or figures are written, placed, affixed or painted for the purpose of advertising any business, function, operation, event, undertaking, product, or thing and includes a vehicle or trailer or other similar object placed or located so as to serve the purpose of advertising a business, function, operation, event, undertaking, product or thing;

applicant means a person who has lodged an application for a licence;

application fee means the application fee referred to in subclause 2.2.2(d) and which relates to the lodgement, assessment and determination of an application for a licence but does not include the licence fee;

approved area means an approved outdoor dining area, approved street entertainment area, approved market area or approved trading area;

approved market area means the portion of a public place approved for the setting up or conduct of a market under a market licence;

approved outdoor dining area means the portion of a public place approved for the setting up or conduct of an outdoor dining area under an outdoor dining licence;

approved street entertainment area means the portion of a public place approved for street entertainment under a street entertainment licence;

approved trading area means the portion of a public place approved for the carrying on of trading under a trading licence, or in the case of a licensee who does not trade from a fixed location, the route or the areas approved for the carrying on of trading under a trading licence;

authorised person means:

- (a) a person appointed by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law; and
- (b) any member of the Western Australian Police Force;

carriageway has the meaning given to it in the *Road Traffic Code 2000*;

certificate of currency is a document which outlines the currency of an insurance policy, it details the type of policy, sums insured, policy expiry date and the insurer;

Council means the council of the local government;

development approval means approval granted by the local government in accordance with the *Planning and Development Act 2005*;

district means the district of the local government;

event means:

- (a) an occurrence held within the district, by a person(s)/group/organisation, where people assemble at a given time for entertainment, recreation or community purposes and includes but is not limited to:
 - (i) concerts and events run as a commercial activity;
 - (ii) ceremonies and processions;
 - (iii) sporting and competitor events such as marathons, triathlons, organised swims and other similar events;
 - (iv) shows and fairs including circuses, carnivals and other customised venue based events;
 - (v) festivals, exhibitions and expos; and
 - (vi) community events and fundraisers, and
- (b) an occurrence approved by the local government in accordance with the *Shire of Broome Local Government Property and Public Places Local Law 2016*;

food has the same meaning as that in section 9 of the *Food Act 2008*;

food premises means premises –

- (a) on which a food business as defined by the *Food Act 2008* is carried out; or
- (b) that is the subject of a hotel licence, limited hotel licence, special facility licence or restaurant licence granted under the *Liquor Control Act 1988*;

footpath means an area that is open to the public that is designated for, or has as one of its main uses, use by pedestrians;

goods means goods, wares, merchandise and produce;

licence means a licence issued under this local law;

licence fee means the fee referred to in subclause 2.4.1(b) and which relates to the issue of a licence;

licence number means the licence reference number assigned to a licence by the local government;

licensee means the holder of a licence;

liquor has the meaning given to it in section 3 of the *Liquor Control Act 1988*;

local government means the Shire of Broome;

local government property means anything:

- (a) which belongs to, is owned by or is under the care, control and management of the local government;
- (b) which is an “otherwise unvested facility” within section 3.53 of the Act, but does not include a thoroughfare; or

- (c) of which the local government is a management body under the *Land Administration Act 1997*;

market means a collection of stalls set up or conducted for the purpose of trading;

market licence means a licence issued under this local law to set up or conduct a market in a public place;

nuisance means:

- (a) any activity, thing, condition, circumstance or state of affairs caused or contributed to by a person which is injurious or dangerous to the health of another person of normal susceptibility, or which has a disturbing effect on the reasonable physical, mental or social state of another person;
- (b) any thing a person does or permits or causes to be done which interferes with or is likely to interfere with the reasonable enjoyment or safe use by another person of any public place; or
- (c) any thing a person does in or on a public place which unreasonably detracts from or interferes with the enjoyment or value of nearby land owned by another person;

outdoor dining area means an area in which tables, chairs and other structures are provided for the purpose of the supply of food or drink to the public or the consumption of food or drink by the public;

outdoor dining licence means a licence issued under this local law to set up and conduct an outdoor dining area in a public place;

pavement or visual artist means performance art whereby the artist renders artistic designs on pavement such as streets, footpaths and town squares or creates visual artworks such as painting, sculpting, drawing, photography etc;

person does not include the local government;

proprietor in relation to a food premises, means -

- (a) the person carrying on the food business or if that person cannot be identified, the person in charge of the food business; or
- (b) the holder of a hotel licence, a limited hotel licence, a special facility licence or a restaurant licence granted under the *Liquor Control Act 1988* in relation to the food premises;

public liability insurance policy means an insurance policy held with an insurance company that insures against all sums for which the policy holder may become legally liable by way of compensation for claims of personal injury or property damage that a third party suffers (or claims to have suffered) as a result of the policy holder's business operation/activities;

public place means -

- (a) any thoroughfare or local government property; or
- (b) any place which the public is allowed to use, whether the place is or is not on private land, including park lands, squares, reserves, beaches, the intertidal zone and other land designated as being for the use and enjoyment of the public;

public thoroughfare means any thoroughfare which the public are allowed to use;

stall means a movable or temporarily fixed structure, stand or table and includes a vehicle;

standard business card means a card made of paper or cardboard displaying the details of the licensee that is no larger than 8.5 centimetres by 5.5 centimetres in size;

street entertainment means any form of theatrical, artistic, musical, audio or visual performance, whether for reward or not, and includes busking;

street entertainment licence means a licence issued under this local law to engage in street entertainment in a public place;

thoroughfare means a road or other thoroughfare including parking areas, structures or other things appurtenant to the thoroughfare that are within its limits, and nothing is prevented from being a thoroughfare only because it is not open at each end;

trading includes:

- (a) the selling or offering for sale of goods or services in a public place; or
- (b) the hiring or offering for hire of goods; or

- (c) the soliciting of orders for goods or services in a public place; or
- (d) the undertaking of training or instruction, including fitness classes, in a public place, where:
 - (i) any person(s) receiving the training or instruction pay a fee to the person undertaking the training or instruction; and
 - (ii) the training or instruction operates primarily and regularly in public places; or
- (e) displaying goods in any public place for the purpose of:
 - (i) offering them for sale or hire;
 - (ii) inviting offers for their sale or hire;
 - (iii) soliciting orders for their sale or hire; or
 - (iv) carrying out any other transaction in relation to them; and
- (f) the going from place to place, whether or not public places, and:
 - (i) offering goods or services for sale or hire; or
 - (ii) inviting offers or soliciting orders for the sale or hire of goods or services, but does not include:
 - A. the delivery of pre ordered goods or services to the purchaser of those goods or services; or
 - B. the taking of further orders for goods or services from the purchaser of the pre ordered goods or services when those orders are taken at the same time as the previous order is being delivered;

but excludes the erection or placement of a sign advertising the selling or hiring of, the offering for sale or hire of or the soliciting of orders for goods or services on local government property or a thoroughfare approved in accordance with the *Shire of Broome Local Government Property and Public Places Local Law 2012*;

trading licence means a licence issued under this local law to carry on trading; and

vehicle includes:

- (a) every conveyance and every object capable of being propelled or drawn on wheels, tracks or otherwise; and
- (b) an animal being ridden, driven or led,

but excludes:

- (c) a wheel-chair or any device designed for use, by a physically impaired person on a footpath; and
- (d) a pram, stroller or similar device.

PART 2 - APPLICATION FOR LICENCE AND ISSUE OF LICENCE

2.1 Planning consent

The requirement for a licence under this local law is additional to the requirement, if any, for development approval.

2.2 Application for licence

2.2.1 Where a person is required to obtain or hold a licence under this local law, that person must apply for the licence in accordance with subclause 2.2.2 and —

- (a) clause 3.3 in the case of an application for an outdoor dining licence;
- (b) clause 4.3 in the case of an application for a market licence;
- (c) clause 5.4 in the case of an application for a trading licence; and
- (d) clause 6.3 in the case of an application for a street entertainment licence.

2.2.2 An application for a licence under this local law must —

- (a) be in the form determined by the local government;
- (b) be signed by the applicant;
- (c) provide the information required by the form or by any other clause of this local law; and
- (d) be forwarded to the local government together with the application fee.

2.2.3 The local government may refuse to consider or determine an application for a licence which is not in accordance with subclause 2.2.2 or any other clause containing requirements to be complied with when making an application for a licence.

2.3 Determination of application

2.3.1 The local government may, in respect of an application for a licence —

- (a) refuse to approve the application; or
- (b) approve the application on such terms and conditions, if any, as it sees fit.

2.3.2 The local government may refuse to approve an application for a licence, where -

- (a) it is not in accordance with clause 2.2 or any other clause containing requirements to be complied with when making an application for a licence;
- (b) the activity will have an unreasonable impact on an established shop or an activity undertaken under an existing licence;
- (c) the application does not comply with a policy of the local government adopted by the Council and relevant to that application;
- (d) the proposed activity or location in respect of which a licence is sought is considered by the local government to be undesirable;
- (e) the proposed stall is considered by the local government to be unsuitable in any respect for the activity or location for which the licence is sought;
- (f) the applicant is not a suitable person to hold a licence;
- (g) the applicant is an undischarged bankrupt or is in liquidation;
- (h) the applicant has entered into any composition or arrangement with creditors;
- (i) a manager, an administrator, a trustee, a receiver or a receiver and manager has been appointed in relation to any part of the applicant's undertakings or property; or
- (j) there are other grounds on which the local government considers the application should be refused.

2.3.3 Where the local government approves an application for a licence, it may approve the application subject to conditions by reference to any policy of the local government adopted by the Council which contains conditions subject to which an application for a licence may be approved.

2.3.4 If the local government refuses to approve an application for a licence, it is to give written reasons for that refusal to the applicant.

2.4 Issue of licence

2.4.1 When —

- (a) the local government approves an application for a licence; and
 - (b) the applicant pays the licence fee,
- then the local government will issue to the applicant a licence in the form determined by the local government.

2.4.2 A licence may include plans or other documents other than the form of licence.

2.4.3 A licence will not be valid until such time as any public liability insurance policy, if required as a condition of the licence, has been put into effect and a certificate of currency covering the period of the licence has been provided to the local government.

2.4.4 The local government may vary the terms or conditions of a licence and the licensee must comply with those terms and conditions as varied on and from the date of notification of the variation.

2.5 Licence renewal

- 2.5.1 Prior to the expiry of an outdoor dining licence, a market licence or a trading licence, the licensee may apply to the local government for the renewal of the licence.
- 2.5.2 Subject to subclause 2.5.3, the provisions of this local law which are relevant to the licence to be renewed apply to an application for the renewal of the licence.
- 2.5.3 Where the relevant details in relation to an activity have not changed since the licence was issued, the licensee is not required to resubmit details required at the time of the initial application with the application to renew the licence.
- 2.5.4 Where the local government approves an application under subclause 2.5.1 —
- (a) the licensee must pay the licence fee for the renewed licence prior to the issue of that licence; and
 - (b) the renewed licence will be in the form determined by the local government.

2.6 Fees

- 2.6.1 All fees referred to in this local law will be imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act.
- 2.6.2 In the event of the cancellation of a licence, a licensee will not be entitled to a refund of the licence fees for the remainder of the licence period unless the licence is cancelled under clause 2.7(g).

2.7 Cancellation of licence

The local government may cancel any licence if —

- (a) the licensee does not comply with the conditions of the licence;
- (b) the licensee is convicted of an offence against this local law;
- (c) the licensee does not comply with subclause 8.6.1 where it is a condition of the licence that the licensee provide a public liability insurance policy;
- (d) the licensee does not comply with a notice given under Part 8;
- (e) the licensee fails to undertake the activity approved by the licence for a period of 12 months;
- (f) when relevant to the activity regulated by the licence:
 - (i) the licensee has become bankrupt or gone into liquidation;
 - (ii) the licensee has entered into any composition or arrangement with creditors; or
 - (iii) a manager, an administrator, a trustee, a receiver, or a receiver and manager is appointed in relation to any part of the licensee's undertakings or property; or
- (g) there are other grounds on which the local government considers the licence should be cancelled.

2.8 Suspension of licensee rights and privileges

- 2.8.1 Where a public liability insurance policy is required as a condition of a licence, the rights and privileges granted to a licensee on the issue of a licence will be taken to be suspended if that policy lapses, is cancelled or is no longer current.
- 2.8.2 The rights and privileges granted to a licensee on the issue of a licence may be suspended by the local government for the purpose and duration of any works proposed or done in or adjacent to the area subject of the licence, by or on behalf of a Government department, instrumentality of the Crown or the local government.

2.9 Rights of objection and appeal

When the local government makes a decision as to whether it will —

- (a) grant a person a licence under this local law; or

- (b) renew, vary, transfer or cancel a licence that a person has under this local law,

the provisions of Division 1 of Part 9 of the Act and regulation 33 of the *Local Government (Functions and General) Regulations 1996* apply to that decision.

PART 3 - OUTDOOR DINING

3.1 Outdoor dining

A person must not establish an outdoor dining area in a public place without an outdoor dining licence, unless the outdoor dining area is established—

- (a) in accordance with a development approval;
- (b) as part of an event; or
- (c) in accordance with an approval granted by the local government under another written law.

3.2 Limitations on outdoor dining

An outdoor dining licence —

- 3.2.1 (a) may only be issued —
 - (i) to the proprietor of a food premises, for use of land adjacent to the food premises;
 - (ii) where the positioning of tables and chairs is not in conflict with existing street furniture approved or installed by the local government; and
 - (iii) where the pedestrian flow on any footpath will not be unreasonably impeded; and
- (b) is only transferable with the approval of the local government and on payment of the transfer fee.

3.2.2 The issue of an outdoor dining licence does not give the licensee exclusive possession or use of the approved outdoor dining area.

3.3 Licence application

3.3.1 An applicant for an outdoor dining licence must comply with subclause 2.2.2.

3.3.2 The application for an outdoor dining licence must be forwarded to the local government together with:

- (a) a plan or plans to a scale of 1:50 showing —
 - (i) the location and dimensions of the proposed outdoor dining area and the means by which the outdoor dining area will be separated from the rest of the public place;
 - (ii) the food premises to which the outdoor dining area is adjacent, including any indoor seating areas, the area of food preparation and any counter service, and the dimension, location and purpose of all entrances to the food premises;
 - (iii) the dimensions, levels and slope of the adjacent footpath and the location and nature of any street furniture, drainage and utilities in the immediate vicinity of the food premises;
 - (iv) the location and nature of any parking or service bays in the immediate vicinity of the food premises and the alignment of the adjacent carriageway;
 - (v) the number, position and dimensions of all tables, chairs and associated furniture and fixtures proposed to be placed in the outdoor dining area;
 - (vi) the position and description of any landscaping, bollards or other objects proposed to be used or displayed in the proposed outdoor dining area; and
 - (vii) any other information requested by the local government to assist with the assessment of the application;
- (b) a plan to a scale of 1:50 showing the location of the proposed outdoor dining area and all land and improvements within 30 metres of the boundaries of the eating area, and in particular—

- (i) the development and use of adjoining properties, including the location of any pedestrian or service access to those sites, the alignment of the building facade and the location of any windows;
 - (ii) the footpath and carriageway alignment, vehicle crossovers and any on-street parking provision or restrictions; and
 - (iii) any street furniture or other structures situated in the verge area including any power poles, bollards, phone booths, bus shelters, fire hydrants, trees or free standing signage;
- (c) a management plan outlining the operations of the proposed outdoor dining area including—
 - (i) the manner in which food and other dining accessories will be conveyed to and protected from contamination in the proposed outdoor dining area;
 - (ii) the proposed days and times of operation of the outdoor dining area;
 - (iii) the nature of any advertising devices to be displayed on or within the proposed outdoor dining area;
 - (iv) the arrangements for serving liquor to customers in the proposed outdoor dining area;
 - (v) where tables, chairs, furniture and equipment to be used as part of the proposed outdoor dining area will be stored when the proposed outdoor dining area is not open for business;
 - (vi) the daily cleaning schedule for the proposed outdoor dining area which must include:
 - A. sweeping, washing or scrubbing the paved surface;
 - B. removing and disposing of all rubbish, food and cigarette ashes and butts; and
 - C. clearing the immediate surrounds of any rubbish, matter or things coming from or caused by patrons of the proposed outdoor dining area;
 - (vii) the type of table ornaments, including umbrellas and ashtrays, to be provided, noting that ashtrays must be such that the contents of the ashtray and the ashtray itself will not be blown onto the paved surface of the proposed outdoor dining area; and
 - (viii) details of how customers of the proposed outdoor area will be discouraged from throwing or disposing of rubbish, cigarette butts or food onto the paved surface of the proposed outdoor dining area.

3.4 Outdoor dining licence

3.4.1 An outdoor dining licence granted by the local government will include —

- (a) an endorsed copy of the plan or plans detailing the location and number of tables and chairs, plus any other furniture and equipment required for the operation of the outdoor dining area;
- (b) the management plan;
- (c) the days and hours of operation; and
- (d) details of any terms and conditions to be included as part of the licence.

3.4.2 The licensee must not commence trading until the local government is satisfied that all conditions imposed under subclause 2.3.1(b) have been met.

3.5 Term and validity of licence

3.5.1 An outdoor dining licence remains valid until —

- (a) 30 June of the financial year in which the licence was issued, noting that the licence fee for a licence may be calculated on a pro-rata basis;
- (b) the proprietor of the food premises changes and no transfer of the licence has been approved under subclause 3.2.1(b);
- (c) variations are made to the outdoor dining area, including an increase or reduction in the approved outdoor dining area or the type of furniture or equipment used in the operation, unless the variations are made by the local government in accordance with clause 2.4.4;
- (d) any public liability insurance policy required as a condition of the licence lapses, is cancelled or is no longer in operation; or
- (e) the licence is cancelled by the local government.

3.5.2 If any of the events specified in subclause 3.5.1 occur, then a new application for an outdoor dining licence must be made and a new outdoor dining licence issued before any outdoor dining area can be established.

3.6 Cancellation of an outdoor dining licence

3.6.1 Without limiting clause 2.7, the local government may cancel an outdoor dining licence where —

- (a) there is a lapse or cancellation of the food premises registration or licence issued to the proprietor under the *Food Act 2008*; or
- (b) the setting up or conduct of the outdoor dining area is determined by the local government to be detrimental to the interests of the public, any adjacent property owner or occupier or cause a nuisance because of the behaviour of customers.

3.6.2 A decision to cancel a licence under sub-clause (b) will not be made without first having advised the licensee of the nature of any complaint or concern and having given the licensee an opportunity to respond.

3.7 Responsibilities of licensee

3.7.1 The licensee must —

- (a) comply with the conditions of the outdoor dining licence;
- (b) not permit the operation of the outdoor dining area to extend beyond the portion of a public place specified in the plans approved as part of the licence;
- (c) manage the approved outdoor dining area in accordance with the approved management plan submitted with the application, subject to any approved amendments or modifications by the local government;
- (d) keep the approved outdoor dining area free of any obstacle or matter likely to cause injury to persons or property;
- (e) ensure furniture and equipment remains within the approved outdoor dining area and the storage location approved as part of the licence and does not impede pedestrian flow or access;
- (f) repair any damage to the surface area or any fixtures, fittings or utility services in or on the approved outdoor dining area caused by or attributable to the conduct of the approved outdoor dining area;
- (g) pay all fees, charges, rates and taxes levied or incurred as a result of the establishment and operation of the approved outdoor dining area;
- (h) ensure trading within the approved outdoor dining area is limited to only the operating hours stated in the licence; and
- (i) pay all and any costs associated with the alteration, repair, reinstatement or reconstruction of all or part of the approved outdoor dining area or adjacent public place required as a result of the operation of the outdoor dining area.

3.7.2 If the outdoor dining licence lapses or is cancelled, the licensee must —

- (a) remove all furniture, equipment, structures and other things placed in or adjacent to the approved outdoor dining area; and
- (b) reinstate the area to the satisfaction of the local government or pay the costs of that reinstatement.

PART 4 - MARKETS

4.1 Markets

A person must not set up or conduct a market in a public place without a market licence, unless the market —

- (a) forms part of an event; or
- (b) is established in accordance with an approval granted by the local government under another written law.

4.2 Limitations on markets

4.2.1 A market licence is only transferable with the approval of the local government and on payment of the transfer fee.

4.2.2 The issue of a market licence does not give the licensee exclusive possession or use of the approved market area.

4.3 Licence application

4.3.1 An applicant for a market licence must comply with subclause 2.2.2.

4.3.2 An application for a market licence must be forwarded to the local government together with —

- (a) a plan or plans to a scale of 1:50 showing:
 - (i) the location and dimensions of the proposed market;
 - (ii) the dimensions of the public place including any footpath, and the location and nature of any street furniture, trees, utilities, parking or service bays in the area of the proposed market; and
 - (iii) the position and dimensions of all proposed stalls;
- (b) any other information requested by the local government to assist with the assessment of the application;
- (c) a management plan outlining the operations of the proposed market including:
 - (i) the days and times of operation;
 - (ii) the type and form of any advertising devices to be displayed on or within the proposed market; and
 - (iii) details of how the operational responsibilities of the licensee will be met;
- (d) the nature and extent of any activity relating to street entertainment; and
- (e) details of the goods or services to be traded under the market licence.

4.4 Market licence

A market licence granted by the local government will include —

- (a) a licence number;
- (b) an endorsed copy of the plan or plans detailing the location where any stalls, furniture displays and other equipment may be placed for the operation of the market;
- (c) the management plan;
- (d) the days and hours of operation; and
- (e) any terms and conditions of the licence.

4.5 Term and validity of licence

4.5.1 A market licence remains valid until —

- (a) the expiry date stated in the licence is reached;
- (b) variations are made to the market area, including an increase or reduction in the approved market area, unless the variations are made by the local government in accordance with clause 2.4.4;
- (c) any public liability insurance policy required as a condition of the licence lapses, is cancelled or is no longer in operation; or

- (d) the licence is cancelled by the local government.

4.5.2 If any of the events specified in subclause 4.5.1 occur, then a new application for a market licence must be made and a new market licence issued before any market can be set up or conducted.

4.6 Responsibilities of licensee

4.6.1 The licensee must —

- (a) comply with the conditions of the market licence;
- (b) not permit the operation of the market to extend beyond the portion of a public place specified in the plans and approved as part of the licence;
- (c) prior to setting up or conducting the market, obtain the following further approvals and make arrangements as follows:
 - (i) where the market is to be set up or conducted on a public thoroughfare, obtain approval from the local government and Western Australian Police Service for the closure of the public thoroughfare to vehicular traffic or the part of it where the market is to be held during the hours of operation of the market;
 - (ii) ensure adequate refuse collection arrangements have been made to the satisfaction of the local government; and
 - (iii) where appropriate, have the necessary local government approvals under the *Health (Public Buildings) Regulations 1992*, including a:
 - A. certificate of approval under regulation 6 of those regulations; and
 - B. certificate of electrical compliance under regulation 10 of those regulations.

4.6.2 During the operation of the market and the setting up and dismantling of the market, the licensee must —

- (a) maintain pedestrian access through and beyond the approved market area;
- (b) maintain access to building entries adjacent to the approved market area;
- (c) retain access to existing or approved outdoor dining areas associated with the building entries referred to in sub-clause (b);
- (d) maintain adequate access for emergency vehicles through any thoroughfare of the approved market area;
- (e) stabilise all stalls, furniture and other equipment provided and used in the operation of the market at all times and remove stalls, furniture and equipment when not in use;
- (f) maintain noise levels from any associated music, announcements and the like, in accordance with any condition of the market licence, so as not to cause a nuisance; and
- (g) maintain the approved market area clean and free from rubbish.

4.6.3 The licensee must at the conclusion of the operation of each market, ensure that all stalls, furniture and other equipment used in the operation of the market, are removed and the area returned to the condition it was in before the commencement of the market, and to the satisfaction of the local government.

PART 5 – TRADING

5.1 Trading

A person must not undertake trading in a public place without a trading licence, unless the trading —

- (a) is undertaken as part of an event;
- (b) is undertaken in accordance with a valid market licence;
- (c) is undertaken in accordance with an approval granted by the local government under another written law; or
- (d) is of a type or undertaken in a way that is specified as being exempt from the requirement for a trading licence under a policy adopted by the local government.

5.2 Limitations on trading

5.2.1 A trading licence is only transferable with the approval of the local government and on payment of the transfer fee.

5.2.2 The issue of a trading licence does not give the licensee exclusive possession or use of the approved trading area.

5.3 Exemption from requirement to pay fee

5.3.1 In this clause:

charitable organisation means an institution, association, club, society or body, whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature and from which any member does not receive any pecuniary profit except where the member is an employee or the profit is an honorarium.

5.3.2 The local government may waive the application fee referred to in clause 2.2.2(d) or the licence fee referred to in clause 2.4.1(b) or both, or may return any such fee which has been paid, if trading is carried —

- (a) on a public place adjoining the normal place of business of the applicant for the trading licence; or
- (b) solely by members of a charitable organisation to raise funds for that charitable organisation.

5.4 Licence application

5.4.1 An applicant for a trading licence must comply with subclause 2.2.2.

5.4.2 An application for a trading licence must be forwarded to the local government together with —

- (a) details of the number of persons to be employed or engaged in the trading at any one time;
- (b) a plan of the proposed location or, where the trading will not be conducted from a fixed location, a description of the route or areas from which the applicant proposes to trade;
- (c) details of the days and hours of operation;
- (d) details of the proposed goods or services to be traded under the trading licence;
- (e) if any stall will be used for trading, a detailed and accurate plan and description, including dimensions, of the stall; and
- (f) where the applicant is a corporation, the name and address of the person responsible for complying with any terms and conditions of the licence.

5.5 Trading licence

A trading licence granted by the local government will —

- (a) include a licence number;
- (b) include the location, days and hours of operation and approved trading area;
- (c) detail the goods or services which can be traded under the trading licence;
- (d) specify the number of persons that may carry on trading at any time under the trading licence; and
- (e) detail any other terms and conditions imposed on the licence.

5.6 Term and validity of licence

5.6.1 A trading licence remains valid until —

- (a) the expiry date stated in the licence is reached;
- (b) variations are made to the trading area or activities, including an increase, reduction or change in the approved trading area, unless the variations are made by the local government in accordance with subclause 2.4.4;
- (c) any public liability insurance policy required as a condition of the licence lapses, is cancelled or is no longer in operation; or
- (d) the licence is cancelled by the local government.

5.6.2 If any of the events specified in subclause 5.6.1 occur, then a new application for a trading licence must be made and a new trading licence issued before any trading can be carried out.

5.7 Responsibilities of licensee

5.7.1 The licensee must —

- (a) comply with the conditions of the trading licence;
- (b) where a stall is being used for trading:
 - (i) display a sign indicating the name of the licensee and the licence number, with letters and numerals not less than 5 centimetres in height in a conspicuous place in the approved trading area;
 - (ii) ensure that the approved trading area is attended either by the licensee or a person employed or engaged in the trading activity at all times when trading is being undertaken;
 - (iii) keep the stall in a clean and safe condition and in good repair;
 - (iv) keep the approved trading area free from refuse and rubbish;
 - (v) remove any stall, goods, equipment and signs from the approved trading area and leave that location clean and vacant -
 - A. at the conclusion of the permitted hours of operation specified in the trading licence; and
 - B. whenever trading is not taking place; and
- (c) have the trading licence available at all times trading is being undertaken, for inspection at the request of any authorised person.

5.7.2 The licensee must not —

- (a) permit any trading activity to extend beyond the approved trading area;
- (b) engage in or permit any trading in any goods or services other than those specified in the trading licence;
- (c) cause, permit or suffer any nuisance to exist, arise or continue on or from the approved trading area;
- (d) deposit, place or store any goods on any public place, other than within the trading area;
- (e) obstruct the free passage of pedestrians on any footpath or pedestrian accessway;
- (f) use or display or permit to be used or displayed any advertisement, placard, poster, streamer, sign or signboard on or about the approved trading area exceeding a total area of 0.5 square metres;
- (g) erect and maintain any signs in accordance with sub-clause (f) so as to obscure any other signage on or adjacent to the approved trading area;
- (h) cry out or shout about, or permit any other person to cry out or shout about, any goods or services in any public place or from the trading area, to the detriment of or causing a nuisance to nearby traders or persons undertaking commercial activities; or
- (i) use or permit to be used —
 - (i). any loud hailer, microphone, amplifier or other apparatus for making or transmitting sound, on or from the approved trading area, unless approved by the local government;
 - (ii). any record, tape, radio, bell, musical instrument or other instrument or device capable of being heard beyond the boundaries of the approved trading area unless approved by the local government;
 - (iii) any flashing or intermittent lighting apparatus or device on or from the approved trading area; or
 - (iv). an apparatus or device including a flap or shelf whereby the dimensions of the stall are increased beyond the dimensions specified in the trading licence.

PART 6 - STREET ENTERTAINMENT

6.1 Street entertainment

A person must not engage in street entertainment in a public place without a street entertainment licence, unless the street entertainment —

- (a) forms part of an event;
- (b) forms part of a market for which a licence has been granted by the local government under clause 4.4; or
- (c) is provided in accordance with an approval granted by the local government under another written law.

6.2 Limitations on street entertainment

6.2.1 A street entertainment licence is not transferable.

6.2.2 The issue of a street entertainment licence does not give the licensee exclusive possession or use of the approved street entertainment area.

6.3 Licence application

6.3.1 An applicant for a street entertainment licence must comply with subclause 2.2.2.

6.3.2 An application for a street entertainment licence must be forwarded to the local government together with —

- (a) details of the nature of the proposed street entertainment;
- (b) details of any musical instrument or amplifier proposed to be used;
- (c) details of the number of people to be involved in the proposed street entertainment; and
- (d) any other information requested by the local government.

6.4 Street entertainment licence

A street entertainment licence issued by the local government will include —

- (a) a licence number;
- (b) details of the location and equipment that can be used for the street entertainment;
- (c) the days and permitted times for the street entertainment; and
- (d) any other terms and conditions of the licence.

6.5 Term and validity of licence

6.5.1 A street entertainment licence remains valid until —

- (a) the expiry time and date stated in the licence is reached;
- (b) any public liability insurance policy required as a condition of the licence lapses, is cancelled or is no longer in operation; or
- (c) the licence is cancelled by the local government.

6.5.2 If any of the events specified in subclause 6.5.1 occur, then a new application for street entertainment must be made and a new street entertainment licence issued before any street entertainment can take place.

6.6 Responsibilities of licensee

6.6.1 The licensee of the street entertainment licence must —

- (a) comply with the conditions of the street entertainment licence;
- (b) not permit the street entertainment to extend beyond the specified portion of the public place approved in the street entertainment licence;
- (c) ensure that the conduct of street entertainment approved under the licence:
 - (i) does not prevent or impede pedestrian flow or access to and along footpaths, entry or exit to shops and other buildings;
 - (ii) does not prevent or impede vehicular flow or access to and along any thoroughfare or vehicular entry or exit to any shop or other building;
 - (iii) does not cause a nuisance to any other street entertainment or activity approved by the local government;
 - (iv) unless otherwise approved, does not have more than 4 people participating in any one performance;
 - (v) unless otherwise approved, does not include any person under the age of 14 years -
 - A. during school hours, on school days;
 - B. between 7.00pm and 6.00am;
 - (vi) does not include, involve or permit —
 - A. anything that is offensive or obscene;
 - B. the use of fire;
 - C. any weapon or object with sharp edges, including knives or swords;
 - D. any motorised machinery that emits a loud noise in its operation or is not suitable in the location;

- E. any other activity, object or matter whatsoever that endangers the safety of the public or the performer; or
- F. cruelty to an animal;
- (vii) does not include any amplification unless specifically approved and endorsed on the street entertainment licence;
- (viii) notwithstanding sub-clause (vii), does not include any amplification between Monday to Saturday, 10.00pm to 7.00am and Sundays between 10.00pm and 9.00am; and
- (ix) complies at all times with the *Environmental Protection (Noise) Regulations 1997*;
- (d) use the approved street entertainment area to perform during the days and times specified in the licence or vacate that area;
- (e) produce the street entertainment licence when requested to do so by an authorised person;
- (f) display —
 - (i) a sign indicating the name of the licensee and the licence number with letters and numerals not less than 5 centimetres in height in a conspicuous place in the performance location; or
 - (ii) standard business cards;
- (g) if the licensee is a performing pavement or visual artist, return the performance location, including the pavement surface, to its former condition on the completion of a performance; and
- (h) comply at all times with a direction of an authorised person.

6.6.2 A licensee of a street entertainment licence must not —

- (a) reserve or attempt to reserve a performance location within the approved street entertainment area or leave equipment at a location used for performances unless immediately before, during or after a performance;
- (b) trade any goods or services without a licence issued for that purpose;
- (c) erect or display, or permit to be erected or displayed, at or near the performance location any sign —
 - (i) larger than 0.25 square metres in area, displaying the name of the performance; or
 - (ii) standard business cards;
- (d) perform in any one location for more than 60 minutes, unless specifically authorised in the licence, unless the performance is by a pavement or visual artist; and
- (e) if the licensee is a performing pavement or visual artist, use spray paint, crayons, felt tip pens or other indelible materials unless working on paper or card.

6.7 Cancellation or variation of street entertainment licence

Without limiting clause 2.7, the local government may cancel or vary the terms and conditions of a street entertainment licence in the event that —

- (a) a complaint is received about a performance or the amenity of a performance location;
- (b) an authorised person has concerns with the content or material used in the performance; or
- (c) the licensee fails to meet any of the responsibilities detailed in clause 6.6.

PART 7 - SECURED SUM

7.1 Security for restoration and reinstatement

7.1.1 The local government may require the payment of a bond, bank guarantee or other form of security acceptable to the local government for the purpose of ensuring that an approved area is repaired, restored or reinstated.

7.1.2 A bond, bank guarantee or other form of security payable in accordance with subclause 7.1.1 may be required —

- (a) as a condition of a licence;
- (b) before the issue of a licence; or
- (c) before the renewal or transfer of an outdoor dining licence, market licence or trading licence.

7.1.3 The local government will determine the amount payable as a bond, bank guarantee or other form of security payable in accordance with subclause 7.1.1.

- 7.1.4 If a bond is paid under subclause 7.1.1, the local government must deposit the bond into an account established by the local government for the purpose of holding bonds or other forms of security.

7.2 Use by the local government of secured sum

- 7.2.1 If a licensee fails to carry out or complete the restoration and reinstatement works required by the licence conditions or by a notice where the local government has given the licensee a notice requiring such works to be carried out ("the required restoration and reinstatement work") —
- (a) within the time specified in those conditions;
 - (b) where no such time has been specified, within a reasonable period of time from the expiration of the licence; or
 - (c) within 14 days of being given a notice or such other time as may be specified in the notice,
- then the local government may carry out or cause to be carried out the required restoration and reinstatement work or so much of that work that has not been completed.
- 7.2.2 The licensee must pay to the local government on demand all administrative, legal, contractor and other costs actually incurred by the local government in carrying out and completing the required restoration and reinstatement work.
- 7.2.3 The local government may apply the proceeds of any bond, bank guarantee or other security provided by the licensee under clause 7.1 to meet the costs referred to in subclause 7.2.2.
- 7.2.4 The liability of a licensee to pay the costs referred to in subclause 7.2.2 is not limited to the amount, if any, secured under clause 7.1.
- 7.2.5 A person or a licensee is not entitled to make any claim by way of damages or otherwise, against an authorised person, local government employee, local government appointed sub-contractor or other person authorised by the local government to enter the land and carry out all or part of the required restoration and reinstatement work.

PART 8 - MISCELLANEOUS

8.1 Directions of authorised person

- 8.1.1 An authorised person may direct a person to stop doing anything which the authorised person considers on reasonable grounds the person is in the process of doing, which is contrary to this local law or the condition of a licence issued under this local law.
- 8.1.2 A person who is given a lawful direction under subclause 8.1.1 must comply with that direction.

8.2 Notice requiring works to be done to remedy breach

- 8.2.1 The local government may give notice to a licensee requiring the licensee —
- (a) to rectify a breach of any condition or term of a licence or of a provision of this local law; or
 - (b) to change the arrangement or operation of an approved area considered necessary to maintain public safety, facilitate public works to the public place or to protect the amenity of premises adjacent to an approved area;
- 8.2.2 A notice issued by the local government under subclause 8.2.1 will —
- (a) outline—
 - (i) details of the breach of the condition or term of the licence;
 - (ii) the provision of the local law; or

- (iii) of the change in arrangement or operation required;
- (b) require the licensee to remedy the breach or to change the arrangement or operation as required within the time specified in the notice; and
- (c) advise that where the licensee fails to comply with the requirements of the notice within the time specified, the local government may remedy the breach or change the arrangement or operation as required.

8.2.3 Where the licensee fails to comply with the requirements of the notice within the time specified in the notice, the local government may by its employees, agents or contractors do all things necessary to remedy the breach of the condition or term of the licence or of the provision of this local law or to change the arrangement or operation which is required by the notice.

8.2.4 The local government may recover the expenses incurred in doing the works referred to in subclause 8.2.3 —

- (a) by deducting the expenses from the secured sum (if any), and where the secured sum is less than the expenses, the local government may recover the balance through a court of competent jurisdiction; or
- (b) from the licensee in a court of competent jurisdiction.

8.3 Notice to advise licensee of planned or emergency works

8.3.1 The local government will give 14 days notice of any works to be undertaken by the local government, that will require closure, part closure or access to an approved area.

8.3.2 Where the local government is to carry out emergency works in an approved area, the local government will give such a period of notice which it considers reasonable in the circumstances.

8.4 Works in public property

Where an applicant or a licensee is required to obtain the local government's permission under regulation 17 of the *Local Government (Uniform Local Provisions) Regulations 1996*, any licence issued under this local law to the applicant or licensee will not be taken to be a grant of that permission.

8.5 Serving of notice

Where a notice or other document is to be given to a person by the local government under this local law, it may be given to the person—

- (a) by delivering it to the person personally;
- (b) where the person is an applicant or a licensee, by posting it by prepaid post to or leaving it at the address appearing on the application for a licence or the licence; or
- (c) where the person is not an applicant or a licensee, by posting it by prepaid post to or leaving it at the usual or the last known place of residence or business of the person.

8.6 Public liability insurance and indemnity

8.6.1 Where as a condition of a licence, the licensee is required to obtain public liability insurance, this public liability insurance must indemnify the local government against all actions, suits, claims, damages, losses and expenses made against or incurred by the local government arising from any activity, action or thing performed or erected under the licence.

8.6.2 The public liability insurance policy referred to in subclause 8.6.1 must be kept current for the duration of the licence and —

- (a) must be in the name of the licensee and the local government for a minimum value of \$5,000,000 or such other amount as the local government considers appropriate to the risk involved;
- (b) include a clause which prevents the policy from being cancelled without the written consent of the local government;
- (c) include a clause which requires both the licensee and the insurance company to advise the local government if the policy lapses, is cancelled or is no longer in operation; and
- (d) be available for inspection by an authorised person.

- 8.6.3 A licensee who refuses or cannot provide a current certificate of insurance within 2 working days of a request under subclause 8.6.2(d) commits an offence.

PART 9- OFFENCES AND PENALTIES

9.1 Offences

- 9.1.1 A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing without reasonable excuse, commits an offence.
- 9.1.2 Whenever the local government gives a notice under this local law requiring a person to do anything, if the person fails to comply with the notice, the person commits an offence.
- 9.1.3 A person who commits an offence under this local law will be liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

9.2 Prescribed offences and modified penalties

- 9.2.1 An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of section 9.16(1) of the Act.
- 9.2.2 The amount appearing in the final column of the table in Schedule 1 directly opposite an offence described in Schedule 1 is the modified penalty for that offence.
- 9.2.3 If the offence is of a continuing nature, the modified penalty of \$50 applies for the offences described in Schedule 1 for each day or part of a day during which the offence continues following the issue of an infringement notice for the amount calculated in accordance with subclause 9.2.2.

Schedule 1 - Prescribed offences and modified penalties

[cl 9.2]

Item No	Clause No	Nature of Offence	Modified Penalty \$
PART 3 – OUTDOOR DINING			
1	3.1	Establishing an outdoor dining area in a public place without an outdoor dining licence.	250
2	3.7.1(a)	Failing to comply with conditions of outdoor dining licence.	150
3	3.7.1(b)	Permitting operation of outdoor dining area to extend beyond approved area.	150
4	3.7.1(c)	Failing to manage outdoor dining area in accordance with approved management plan.	150
5	3.7.1(d)	Failing to keep licenced area free of any obstacle or matter likely to cause injury to persons or property.	150
6	3.7.1(e)	Failing to ensure furniture or equipment remains in approved outdoor dining area and does not impede pedestrian flow.	150
7	3.7.1(f)	Failing to repair damage to surface area, fixtures, fittings or utility services caused by operation of an outdoor dining area.	150
8	3.7.1(h)	Failing to ensure trading in outdoor dining area is limited to operating hours stated in licence.	150
9	3.7.2	Failing to remove all equipment, structures and other things and reinstate area to satisfaction of local government on cessation of licence and pay reinstatement costs.	150
Part 4 –MARKETS			
10	4.1	Setting up or conducting market without licence	250
11	4.6.1(a)	Failing to comply with conditions of market licence	150
12	4.6.1(b)	Permitting operation of market area to extend beyond approved market area.	150
13	4.6.1(c)(i)	Failing to obtain approval from local government and Police to close public thoroughfare where market held during market times.	150
14	4.6.1(c)(ii)	Failing to make adequate refuse collection arrangements to satisfaction of local government.	150
15	4.6.1(c)(iii)A.	Failing to obtain approval under Health (Public Buildings) Regulations 1992 – Certificate of Approval.	150
16	4.6.1(c)(iii)B.	Failing to obtain approval under Health (Public Buildings) Regulations 1992 – Certificate of electrical compliance.	150
17	4.6.2(a)	Failing to maintain pedestrian access through and beyond approved market area.	150
18	4.6.2(b)	Failing to maintain access to adjacent building entries.	150
19	4.6.2(c)	Failing to retain access to existing or approved outdoor dining areas with adjacent building entries.	150
20	4.6.2(d)	Failing to maintain adequate access for emergency vehicles through any thoroughfare of the approved market area.	150
21	4.6.2(e)	Failing to stabilise all stalls and furniture and other equipment used in operation of market and remove same when not in use.	150

Item No	Clause No	Nature of Offence	Modified Penalty \$
22	4.6.2(f)	Failing to maintain noise levels from music, announcements and the like so as not to cause a nuisance.	150
23	4.6.2(g)	Failing to maintain approved market area clean and free from rubbish.	150
24	4.6.3	Failing to remove all structures and equipment at conclusion of market.	150
PART 5 –TRADING			
25	5.1	Trading without a licence.	250
26	5.7.1(a)	Failure to comply with conditions of trading licence.	150
27	5.7.1(b)(i)	Failing to display sign indicating licensee name and licence number.	100
28	5.7.1(b)(ii)	Failing to have approved trading area attended when trading.	100
29	5.7.1(b)(iii)	Failing to keep any stall in clean, safe condition and good repair.	150
30	5.7.1(b)(iv)	Failing to keep approved trading area free from refuse and rubbish.	150
31	5.7.1(b)(v) A.	Failing to remove any stall, goods, equipment and signs and leave approved trading area clean at conclusion of operation hours.	150
32	5.7.1(b)(v) B.	Failing to remove any stall, goods, equipment and signs and leave location vacant whenever trading is not taking place.	150
33	5.7.1(c)	Failing to have licence available at all operation times for inspection at the request of any authorised person.	100
34	5.7.2(a)	Trading beyond approved trading area.	150
35	5.7.2(b)	Trading in any goods or services not specified in the licence.	150
36	5.7.2(c)	Causing or permitting any nuisance to exist, arise, or continue from the approved trading area.	150
37	5.7.2(d)	Depositing, placing or storing any goods on any public place other than the approved trading area.	150
38	5.7.2(e)	Obstructing free passage of pedestrians on footpath or access way.	150
39	5.7.2(f)	Using, displaying or permitting advertisement outside licence location, larger than approved size.	150
40	5.7.2(g)	Erecting and maintaining signs so as to obscure other signage on or adjacent to the approved trading area.	150
41	5.7.2(h)	Crying out or shouting about goods or services in public place.	150
42	5.7.2(i)A.	Using or permitting use of loud hailer, microphone, amplifier or other sound apparatus, on approved trading area without approval.	150
43	5.7.2(i)B.	Using or permitting use of any record, tape, radio or musical instrument capable of being heard outside approved trading area without approval.	150
44	5.7.2(i)C.	Using or permitting use of any flashing or intermittent lighting apparatus or device on or from approved trading area.	150
45	5.7.2(i)D.	Using or permitting use of any apparatus to increase dimensions	150

Item No	Clause No	Nature of Offence	Modified Penalty \$
		of a stall beyond that specified in the licence.	
PART 6 STREET ENTERTAINMENT			
46	6.1	Engaging in street entertainment without a licence.	250
47	6.6.1(a)	Failing to comply with conditions of street entertainment licence	150
48	6.6.1(b)	Permitting street entertainment to extend beyond area approved as part of the licence.	100
49	6.6.1(c)(i)	Permitting the performance to impede pedestrian flow or access to and along footpaths, entry or exit to shops or other buildings.	150
50	6.6.1(c)(ii)	Permitting the performance to impede vehicular flow or access to and along any thoroughfare or vehicular entry or exit.	150
51	6.6.1(c)(iii)	Permitting the performance to cause a nuisance to any other street entertainment or activity approved by the local government.	150
52	6.6.1(c)(iv)	Having more than 4 people participating in any performance without approval.	150
53	6.6.1(c)(v)A.	Permitting the performance to include persons under 14 years of age, during school hours on a school day, without approval.	150
54	6.6.1(c)(v)B.	Permitting the performance to include persons under 14 years of age on school days between 7.00pm and 6.00am, without approval.	150
55	6.6.1(c)(vi)A.	Permitting the performance to involve anything that is offensive or obscene.	150
56	6.6.1(c)(vi)B.	Permitting the performance to involve the use of fire.	150
57	6.6.1(c)(vi)C.	Permitting the performance to involve any weapon or object with sharp edges, including knives or swords.	150
58	6.6.1(c)(vi)D.	Permitting the performance to involve any motorised machinery which emits a loud noise or is not suitable for the location.	150
59	6.6.1(c)(vi)E.	Permitting the performance to involve any activity, object or matter whatsoever that endangers the safety of the public or performer.	150
60	6.6.1(c)(vi)F.	Permitting the performance to involve cruelty to animals.	150
61	6.6.1(c)(vii)	Permitting the performance to include amplification without specific approval.	150
62	6.6.1(c)(viii)	Permitting the performance to include amplification outside permitted times.	150
63	6.6.1(d)	Failing to use the approved street entertainment area to perform during the days and times specified or vacate that area.	150
64	6.6.1(e)	Failing to produce the licence when requested by an authorised person.	100
65	6.6.1(f)(i)	Failing to display the name of the licensee and licence number during each performance.	150
66	6.6.1(g)	Failing to return the performance location to its former condition	150
67	6.6.1(h)	Failing to comply with direction of an authorised person.	150
68	6.6.2(a)	Reserving or leaving equipment at performance location unless immediately before, during or after performance.	150
69	6.6.2(b)	Trading any goods or services without licence for the purpose.	150

Item No	Clause No	Nature of Offence	Modified Penalty \$
70	6.6.2(c)(i)	Erecting or permitting to be erected or displayed a sign larger than specified.	150
71	6.6.2(d)	Performing in same location for more than 60 minutes without approval.	150
72	6.6.2(e)	Use of spray paint, crayons, textures or other indelible materials, by a pavement or visual artist unless working on paper or card.	250
73	8.1.2	Failure to comply with a lawful direction under subclause 8.1.1.	200

Dated 11 January 2017

The Common Seal of Shire of Broome was affixed by the authority of a resolution of Council in the presence of –

R J JOHNSTON, Shire President
S MASTROLEMBO, Acting Chief Executive Officer

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.

There are no reports in this section.

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 MONTHLY PAYMENT LISTING - DECEMBER 2017

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FRE02
AUTHOR:	Coordinator Financial Operations
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Manager Financial Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	1 February 2018

SUMMARY: This report recommends that Council receives the list of payments made under delegated authority, as per the attachment to this report for the month of December 2017.

BACKGROUNDPrevious Considerations

Nil

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 December 2017.

CONSULTATION

Nil

STATUTORY ENVIRONMENT***Local Government (Financial Management) Regulations 1996***

13. *Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.*
 - (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; and*
 - (c) *the date of the payment; and*
 - (d) *sufficient information to identify the transaction.*

- (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - (a) for each account which requires council authorisation in that month —
 - (i) the payee's name; and
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction; and
 - (b) the date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under sub regulation (1) or (2) 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.

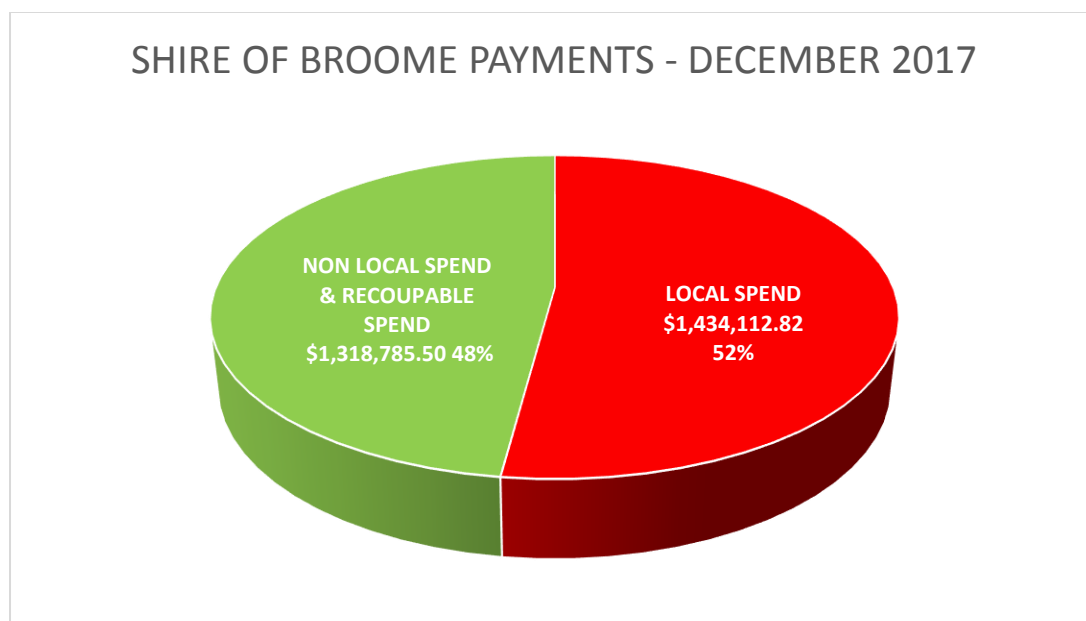
POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

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

Payments can also be analysed as follows:



The above graph shows the percentage of local spend in comparison to non-local and recoupable spend for the month of December 2017 after \$435,332.70 personnel payments and Chinatown Revitalisation Project costs of \$1,268,300 have been excluded.

RISK

The risk of Council not adopting this report is extreme as this will result in non-compliance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996*. The likelihood of this ever occurring is rare due to the CEO's implementation of procedures to ensure payment details are disclosed to Council in a timely manner, as well as Procurement and Purchasing policies which ensure these payments are made in accordance with budget and delegated authority and comply with *Local Government (Financial Management) Regulations 1996*.

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

Responsible resource allocation

Effective community engagement

Improved systems, processes and compliance

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council receives the list of payments made from the Municipal and Trust Accounts in December 2017 totalling \$4,456,531.02 (Attachment 1) in accordance with the requirements of Regulation 12 of the Local Government (Financial Management) Regulations 1996 covering:

- EFT Vouchers 42268 – 43596 totalling \$3,997,826.84;*
- Municipal Cheque Vouchers 57497 – 57500 totalling \$3,507.96;*
- Trust Cheque Voucher 3442 totalling \$4,747.28;*
- Credit Card Payments & Municipal Direct Debits DD23543.1 – DD23628.1 totalling \$450,448.94; and*
- Notes the local spend included in the amount above totals \$1,434,112.82, 52% of total payments excluding personnel costs.*

Attachments

1. Monthly Payment Listing December 2017

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 information to identify the transaction.

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

PAYMENTS BY EFT & CHEQUE & FROM TRUST - DECEMBER 2017					
MUNICIPAL ELECTRONIC TRANSFER - DECEMBER 2017					
EFT	Date	Name	Description	Amount	Del Auth
EFT43268	05/12/2017	SHIRE OF BROOME	BCITF COMMISSION- NOVEMBER 17	140.25	MFS
EFT43269	05/12/2017	BUILDING COMMISSION - INC BCITF DEPARTMENT OF COMMERCE	BSL LEVY- NOVEMBER 17	4765.12	MFS
EFT43270	05/12/2017	SHIRE OF BROOME	BSL COMMISSION- NOVEMBER 17	170.00	MFS
EFT43271	06/12/2017	CATHERINE AGNES FAIRLEY MARRIOTT	REFUND OF CANDIDATE NOMINATION DEPOSIT OCT 2017	80.00	MFS
EFT43272	06/12/2017	GRAEME THOMAS CAMPBELL	REFUND OF CANDIDATE NOMINATION DEPOSIT OCT 2017	80.00	MFS
EFT43273	06/12/2017	GRAHAM ANTHONY CHAPMAN	REFUND OF CANDIDATE NOMINATION DEPOSIT OCT 2017	80.00	MFS
EFT43274	06/12/2017	HAROLD NORMAN TRACEY	REFUND OF CANDIDATE NOMINATION DEPOSIT OCT 2017	80.00	MFS
EFT43275	06/12/2017	JOHANI MARKUS MAMID	REFUND OF CANDIDATE NOMINATION DEPOSIT OCT 2017	80.00	MFS
EFT43276	06/12/2017	MARK RAYMOND HARRIS	REFUND OF CANDIDATE NOMINATION DEPOSIT OCT 2017	80.00	MFS
EFT43277	06/12/2017	PHILIP FRANCIS MATSUMOTO	REFUND OF CANDIDATE NOMINATION DEPOSIT OCT 2017	80.00	MFS
EFT43278	06/12/2017	SHIRE OF BROOME	CANDIDATE DEPOSIT- FORFEITED AS LESS THAN 5% OF VOTES	80.00	MFS
EFT43279	06/12/2017	DESIREE MALE	REFUND OF CANDIDATE NOMINATION DEPOSIT OCT 2017, COUNCIL NOMINATION DEPOSITS ELECTIONS OCTOBER 2017	80.00	MFS
EFT43280	07/12/2017	ALLVOLTS POWER SOLUTIONS PTY LTD	Batteries- Civic Centre	58.00	MFS
EFT43281	07/12/2017	ANDREW CLOSE	Reimbursement for attendance at Australian Natural Hazard Management Conference	51.14	MFS
EFT43282	07/12/2017	AUSTRALASIAN PERFORMING RIGHTS ASSOC (APRA)	Licence fees (Q2)- Events	247.51	MFS
EFT43283	07/12/2017	AVERY AIRCONDITIONING PTY LTD	Air conditioner- Shire various sites	8962.30	MFS
EFT43284	07/12/2017	BRETTS PEST MANAGEMENT	Pest treatment- Shire various sites	2990.00	MFS
EFT43285	07/12/2017	BROOME TOWING & SALVAGE	Abandoned vehicle towing- Rangers	176.00	MFS

MUNICIPAL ELECTRONIC TRANSFER - DECEMBER 2017					
EFT	Date	Name	Description	Amount	Del Auth
EFT43286	07/12/2017	CLARITY COMMUNICATIONS	Promotions- Media	131.21	MFS
EFT43287	07/12/2017	CROWN METROPOL PERTH	Shire staff accommodation- State LGMA Conference	2576.80	MFS
EFT43288	07/12/2017	DATAKOM	License maint & support- IT	9900.00	MFS
EFT43289	07/12/2017	HORIZON POWER (ELECTRICITY USAGE)	Electricity charges	20634.73	MFS
EFT43290	07/12/2017	KIMBERLEY SECURITY SHREDDING	Records management- IT	352.00	MFS
EFT43291	07/12/2017	MILLS OAKLEY LAWYERS	Legal fees- HR	81410.45	MFS
EFT43292	07/12/2017	MONSOONAL LANDSCAPES	Bush fire mitigation- Health	3600.00	MFS
EFT43293	07/12/2017	PRD NATIONWIDE	Staff Rent 01/12/2017 - 30/12/2017	1460.00	MFS
EFT43294	07/12/2017	PRINTING IDEAS	Operating expenses- Depot & Civic Centre	1085.70	MFS
EFT43295	07/12/2017	TELSTRA	Phone charges- Rangers	106.47	MFS
EFT43296	07/12/2017	TOTAL SAFETY & FIRE SOLUTIONS (NORTH WEST FIRE PROTECTION)	Emergency signage- Town Beach	95.70	MFS
EFT43297	07/12/2017	VIVA ENERGY AUSTRALIA	Fuel card purchases From 01.11.17- 15.11.17	207.32	MFS
EFT43298	07/12/2017	WEST COAST ON HOLD	Messages on hold- Media	69.00	MFS
EFT43299	07/12/2017	BMT CONSTRUCTIONS	Maintenance- SES building	935.00	MFS
EFT43300	07/12/2017	BP AUSTRALIA PTY LTD - FUEL	Diesel- Depot	15145.99	MFS
EFT43301	07/12/2017	BP BROOME CENTRAL & TYREPLUS BROOME	Fuel- Depot	307.80	MFS
EFT43302	07/12/2017	BRETTS PEST MANAGEMENT	Pest control- Staff housing	1412.00	MFS
EFT43303	07/12/2017	BROOME BETTA HOME LIVING	Fridge/freezer- Waste Management Facility	398.00	MFS
EFT43304	07/12/2017	BROOME CAMPUS NORTH REGIONAL TAFE	Organisational training- HR	1400.00	MFS
EFT43305	07/12/2017	BROOME DOCTORS PRACTICE PTY LTD	Recruitment expenses- HR	379.50	MFS
EFT43306	07/12/2017	BROOME SCOOTERS PTY LTD (KIMBERLEY MOWERS & SPARES)	Vehicle parts- Workshop	147.50	MFS
EFT43307	07/12/2017	BROOME SMALL MAINTENANCE SERVICES	Maintenance- Cable Beach toilets	160.00	MFS
EFT43308	07/12/2017	BUDGET CASH REGISTER CO	Stationery- Library	60.00	MFS

MUNICIPAL ELECTRONIC TRANSFER - DECEMBER 2017					
EFT	Date	Name	Description	Amount	Del Auth
EFT43309	07/12/2017	CT MECHANICAL & SERVICES	Vehicle repair- Waste Management Facility	429.00	MFS
EFT43310	07/12/2017	FLOWERS ON SAVILLE STREET	Wreath Remembrance Day- Media	70.00	MFS
EFT43311	07/12/2017	G. BISHOPS TRANSPORT SERVICES PTY LTD	Freight- P&G	38.06	MFS
EFT43312	07/12/2017	GREENWOODS & FREEHILLS	Legal advice- Corporate Services	3300.00	MFS
EFT43313	07/12/2017	HART SPORT	Equipment- BRAC	83.50	MFS
EFT43314	07/12/2017	JAGCOR PTY LTD	Flex mats- Town Beach	22220.00	MFS
EFT43315	07/12/2017	JAMES ANDREW WATT	Reimbursement of expenses- Corporate Services	162.01	MFS
EFT43316	07/12/2017	JD'S SOUND AND LIGHTING PTY LTD	Equipment- IT	486.20	MFS
EFT43317	07/12/2017	MADDINGTON MEDICAL PRACTICE PTY LTD	Recruitment expenses- HR	110.00	MFS
EFT43318	07/12/2017	MAGIQ SOFTWARE PTY LTD	MAGIQ training- Administration Office	5280.00	MFS
EFT43319	07/12/2017	MELBOURNE INTERNATIONAL COMEDY FESTIVAL	Melbourne International Comedy Festival (Part payment)- Civic Centre	3795.00	MFS
EFT43320	07/12/2017	MERCURE HOTEL - PERTH	Trainer accommodation- HR	900.00	MFS
EFT43321	07/12/2017	NORTHWEST SHEDMASTERS GARAGE DOORS PTY LTD	Roller door equipment- BRAC	555.00	MFS
EFT43322	07/12/2017	PINDAN LABOUR SOLUTIONS PTY LTD (A DIVISION OF DFP RECRUITMENT)	Temporary Shire Staff- HR	801.47	MFS
EFT43323	07/12/2017	POOL WISDOM	Pool chemicals- BRAC	976.03	MFS
EFT43324	07/12/2017	SECURITY & TECHNOLOGY SERVICES - NORWEST	Safety alarm maintenance- Depot	269.72	MFS
EFT43325	07/12/2017	SHERIDANS FOR BADGES	Desk name plate- Governance	275.73	MFS
EFT43326	07/12/2017	TAPPED PLUMBING & GAS PTY LTD	Plumbing maintenance- Visitors Centre	1039.50	MFS
EFT43327	07/12/2017	UNBOUND SOUND	Lighting cable ties- Civic Centre	90.00	MFS
EFT43328	07/12/2017	WESTERN AUSTRALIAN REGIONAL CAPITALS ALLIANCE INC (WARCA)	Membership fee- Office of the CEO	9350.00	MFS
EFT43329	07/12/2017	WILD MANGO CAFE	Catering- office of the CEO	193.90	MFS
EFT43330	07/12/2017	BROOME COMMONWEALTH BANK OF AUSTRALIA	Salary and wages pay period ending: 05.12.17	341744.00	MFS

MUNICIPAL ELECTRONIC TRANSFER - DECEMBER 2017					
EFT	Date	Name	Description	Amount	Del Auth
EFT43331	07/12/2017	SALARY & WAGES	Payroll S & W	225.00	MFS
EFT43332	07/12/2017	AUSTRALIAN SERVICES UNION - WA BRANCH	Payroll deductions	1039.90	MFS
EFT43333	07/12/2017	AUSTRALIAN TAXATION OFFICE	PAYG	119954.88	MFS
EFT43334	07/12/2017	SALARY & WAGES	Payroll S & W	380.00	MFS
EFT43335	07/12/2017	SALARY & WAGES	Payroll S & W	540.00	MFS
EFT43336	07/12/2017	SALARY & WAGES	Payroll S & W	520.00	MFS
EFT43337	07/12/2017	SALARY & WAGES	Payroll S & W	720.00	MFS
EFT43338	07/12/2017	SALARY & WAGES	Payroll S & W	550.00	MFS
EFT43339	07/12/2017	SALARY & WAGES	Payroll S & W	386.39	MFS
EFT43340	07/12/2017	SALARY & WAGES	Payroll S & W	1156.03	MFS
EFT43341	07/12/2017	SALARY & WAGES	Payroll S & W	500.00	MFS
EFT43342	07/12/2017	SALARY & WAGES	Payroll S & W	364.00	MFS
EFT43343	07/12/2017	SALARY & WAGES	Payroll S & W	1829.87	MFS
EFT43344	07/12/2017	SALARY & WAGES	Payroll S & W	420.00	MFS
EFT43345	07/12/2017	SALARY & WAGES	Payroll S & W	667.21	MFS
EFT43346	07/12/2017	SALARY & WAGES	Payroll S & W	761.31	MFS
EFT43347	07/12/2017	SALARY & WAGES	Payroll S & W	540.18	MFS
EFT43348	07/12/2017	SALARY & WAGES	Payroll S & W	790.33	MFS
EFT43349	07/12/2017	SALARY & WAGES	Payroll S & W	400.00	MFS
EFT43350	07/12/2017	SALARY & WAGES	Payroll S & W	637.37	MFS
EFT43351	07/12/2017	SALARY & WAGES	Payroll S & W	19.40	MFS
EFT43352	07/12/2017	SALARY & WAGES	Payroll S & W	175.00	MFS
EFT43353	07/12/2017	SALARY & WAGES	Payroll S & W	450.00	MFS
EFT43354	07/12/2017	SALARY & WAGES	Payroll S & W	625.72	MFS
EFT43355	07/12/2017	SALARY & WAGES	Payroll S & W	340.00	MFS
EFT43356	07/12/2017	SALARY & WAGES	Payroll S & W	425.00	MFS
EFT43357	07/12/2017	SALARY & WAGES	Payroll S & W	549.52	MFS
EFT43358	07/12/2017	SALARY & WAGES	Payroll S & W	984.81	MFS
EFT43359	07/12/2017	SALARY & WAGES	Payroll S & W	662.65	MFS
EFT43360	11/12/2017	ALETTA JOYCE NUGENT	Reimbursement of expenses- Development & Community Services	164.60	MFS
EFT43361	11/12/2017	AMO CONTRACTING	Footpath maintenance(Palmer Rd)- Infrastructure	31369.80	MFS
EFT43362	11/12/2017	ANGELA YVONNE PATTERSON	Swimming lessons program- BRAC	400.00	MFS
EFT43363	11/12/2017	AUSTRALIA POST	Postage charges- Shire	954.08	MFS
EFT43364	11/12/2017	BACKROOM PRESS INC	Local History Books- Library	124.38	MFS
EFT43365	11/12/2017	BEN HOUSTON PHOTOGRAPHY	Consultant expenses- Media	2200.00	MFS
EFT43366	11/12/2017	BJ DAVIES PLUMBING	Plumbing works- BVC	6050.00	MFS
EFT43367	11/12/2017	BP AUSTRALIA PTY LTD - FUEL	Fuels & lubricants- Depot	18171.27	MFS
EFT43368	11/12/2017	BP BROOME CENTRAL & TYREPLUS BROOME	Fuel- Depot	315.80	MFS
EFT43369	11/12/2017	BRETTS PEST MANAGEMENT	Pest treatment- Administration Office	88.00	MFS

MUNICIPAL ELECTRONIC TRANSFER - DECEMBER 2017					
EFT	Date	Name	Description	Amount	Del Auth
EFT43370	11/12/2017	BROOME HELICOPTER SERVICES PTY LTD	Aerial Survey- Rangers	1450.00	MFS
EFT43371	11/12/2017	BROOME MOTORS	Detailing vehicle- Workshop	1095.55	MFS
EFT43372	11/12/2017	BROOME PEST CONTROL	Pest treatment- Library	120.00	MFS
EFT43373	11/12/2017	BROOME SMALL MAINTENANCE SERVICES	Maintenance- Library	270.00	MFS
EFT43374	11/12/2017	BROOME SOCCER ASSOCIATION	Kid sport applications- Development & Community	1170.00	MFS
EFT43375	11/12/2017	BROOME SPORTS ASSOCIATION	Sponsorship for Club of the year award- Office of the CEO	1000.00	MFS
EFT43376	11/12/2017	BROOME TOWING & SALVAGE	Abandoned vehicle towing- Rangers	3113.00	MFS
EFT43377	11/12/2017	CDM AUSTRALIA	Printer cartridges- IT	4026.28	MFS
EFT43378	11/12/2017	CITY OF SWAN	Consultant expenses- IT	4265.79	MFS
EFT43379	11/12/2017	CT MECHANICAL & SERVICES	Vehicle service- WMF	528.00	MFS
EFT43380	11/12/2017	ANTHONY JOHN HUTCHINSON	REFUND OF CANDIDATE NOMINATION DEPOSIT - OCT 17 ELECTION	80.00	MFS
EFT43381	11/12/2017	SHIRE OF BROOME	BOND REFUND CIVIC CENTRE 24.10.17 (TO PAY INV. 45591)	1058.00	MFS
EFT43382	11/12/2017	ST MARYS COLLEGE - SECONDARY	BOND REFUND CIVIC CENTRE 24.10.17	458.00	MFS
EFT43383	12/12/2017	ALTERNATIVE IMPORTS PTY LTD	Equipment and hardware- Civic centre	540.70	MFS
EFT43384	12/12/2017	BROOME CLARK RUBBER	Pool maintenance- Shire Staff Housing	326.60	MFS
EFT43385	12/12/2017	BROOME DIESEL & HYDRAULIC SERVICE	Vehicle parts- Workshop	1087.90	MFS
EFT43386	12/12/2017	BROOME PLUMBING & GAS	Plumbing works- Museum	4019.00	MFS
EFT43387	12/12/2017	CABLE BEACH TYRE SERVICE PTY LTD	Tyres- Workshop	1537.00	MFS
EFT43388	12/12/2017	COAST & COUNTRY ELECTRICS	Electrical services- Admin office renovation	3813.52	MFS
EFT43389	12/12/2017	COASTAL DISTRIBUTING & PROVEDORING (CDP)	Kiosk stock- BRAC	2702.13	MFS
EFT43390	12/12/2017	COATES HIRE OPERATIONS PTY LTD	Equipment hire- Chinatown Christmas decorations	1691.13	MFS
EFT43391	12/12/2017	COCA COLA AMATIL (HOLDINGS) LTD	Kiosk stock- BRAC	1507.23	MFS
EFT43392	12/12/2017	CRYSTAL PRINTING SOLUTIONS PTY LTD	Fight the bite brochures- Health	622.00	MFS
EFT43393	12/12/2017	GOOD EARTH GARDEN PRODUCTS PTY LTD	Nursery material- Depot	766.70	MFS

MUNICIPAL ELECTRONIC TRANSFER - DECEMBER 2017					
EFT	Date	Name	Description	Amount	Del Auth
EFT43394	12/12/2017	HORIZON POWER (ELECTRICITY USAGE)	Electricity charges	63962.58	MFS
EFT43395	12/12/2017	JESSICA HEALY	Reimbursement of expenses- Infrastructure	2262.00	MFS
EFT43396	12/12/2017	JR & A HERSEY PTY LTD	Material purchase- Works	599.50	MFS
EFT43397	12/12/2017	JTAGZ PTY LTD	Tags- Rangers	352.00	MFS
EFT43398	12/12/2017	KESHI STORAGE	Removalist- Infrastructure	1105.00	MFS
EFT43399	12/12/2017	KGT Employment	Vehicle parts- Workshop	645.68	MFS
EFT43400	12/12/2017	MAGIQ SOFTWARE PTY LTD	Budget Management system (RFQ16/68)- Finance	2476.21	MFS
EFT43401	12/12/2017	MICHAEL JAMES DOYLE	Reimbursement of expenses- Club Development	133.07	MFS
EFT43402	12/12/2017	MONSOONAL LANDSCAPES	Bushfire mitigation- Health	12380.00	MFS
EFT43403	12/12/2017	NORTHERN LANDSCAPES WA	Fire break order- Rangers	8131.75	MFS
EFT43404	12/12/2017	TELSTRA	Phone charges- IT	4964.51	MFS
EFT43405	12/12/2017	AIR LIQUIDE AUSTRALIA LIMITED	Gas bottle rental- Workshop	25.22	MFS
EFT43406	12/12/2017	BITUMEN SEALING SERVICES PTY LTD	Resealing- Infrastructure	1551.70	MFS
EFT43407	12/12/2017	BROOME BOLT SUPPLIES WA PTY LTD	Minor equipment replacement- Depot	687.68	MFS
EFT43408	12/12/2017	BROOME SCOOTERS PTY LTD (KIMBERLEY MOWERS & SPARES)	Stock purchase- Depot	1005.50	MFS
EFT43409	12/12/2017	BROOME TREE & PALM SERVICE	Impound yard clearing- Rangers	5093.00	MFS
EFT43410	12/12/2017	BROOME VETERINARY HOSPITAL	Provision of boarding, veterinary & euthanasia costs 2017/18 to me the Shire's obligations under the Dog Act Record number I150304-99475- November 2017	5404.00	MFS
EFT43411	12/12/2017	BROOME CRETE	Materials- Depot	18326.00	MFS
EFT43412	12/12/2017	FIELD AIR CONDITIONING & AUTO ELECTRICAL PTY LTD	Vehicle maintenance- Workshop	2682.45	MFS
EFT43413	12/12/2017	HOLDFAST FLUID POWER NW PTY LTD	Vehicle parts- workshop	976.96	MFS
EFT43414	12/12/2017	JASON SIGNMAKERS	Signage- Crab Creek Road	2071.09	MFS
EFT43415	12/12/2017	KIMBERLEY CAMPING & OUTBACK SUPPLIES	Staff uniform and supplies- Depot	3818.50	MFS
EFT43416	12/12/2017	KIMBERLEY DISTRIBUTORS	Kiosk stock- BRAC	2198.97	MFS
EFT43417	12/12/2017	MCCORRY BROWN EARTHMOVING PTY LTD	Equipment hire at WMF 04/11/2017	676.50	MFS

MUNICIPAL ELECTRONIC TRANSFER - DECEMBER 2017					
EFT	Date	Name	Description	Amount	Del Auth
EFT43418	12/12/2017	MIDALIA STEEL PTY LTD	Footpath maintenance- Works	2766.48	MFS
EFT43419	12/12/2017	NORTH WEST STRATA SERVICES (NWSS)	Levies Staff Housing- 2/46 & 4/46 Tanami	3648.00	MFS
EFT43420	12/12/2017	OFFICE NATIONAL BROOME	Stationery & Copier charges- BRAC & IT	887.94	MFS
EFT43421	12/12/2017	SILVERFERN IT	Licence maintenance- IT	2774.53	MFS
EFT43422	12/12/2017	SUNNY SIGN COMPANY PTY LTD	Signage maintenance- Depot	544.50	MFS
EFT43423	12/12/2017	THINK WATER BROOME	Reticulation material- P&G	2387.75	MFS
EFT43424	12/12/2017	WASAMBA INC	Entertainment- Chinatown late night trading	500.00	MFS
EFT43425	12/12/2017	WURTH AUSTRALIA PTY LTD	Consumables- Workshop	1270.50	MFS
EFT43426	13/12/2017	CAILEIGH OSWALD	Netball umpiring expenses- BRAC	432.00	MFS
EFT43427	13/12/2017	CHELSEA PEMBER	Netball umpiring expenses- BRAC	360.00	MFS
EFT43428	13/12/2017	CHRISTIE MILENKOVIC	Netball umpiring expenses- BRAC	180.00	MFS
EFT43429	13/12/2017	DONNA NICHOLLS	Netball umpiring expenses- BRAC	54.00	MFS
EFT43430	13/12/2017	ELLE FONG	Netball umpiring expenses- BRAC	72.00	MFS
EFT43431	13/12/2017	KATHRYN LEE JENNINGS	Netball umpiring expenses- BRAC	90.00	MFS
EFT43432	13/12/2017	LAUREN PLUMMER	Netball umpiring expenses- BRAC	198.00	MFS
EFT43433	13/12/2017	LILY GERMINARIO	Netball umpiring expenses- BRAC	162.00	MFS
EFT43434	13/12/2017	ROSLYN LOUISE BUTCHER	Netball umpiring expenses- BRAC	144.00	MFS
EFT43435	13/12/2017	SAI GLOBAL LIMITED (SUBSCRIPTIONS)	Operating expense- Rangers	190.24	MFS
EFT43436	13/12/2017	SEAT ADVISOR PTY LTD	Ticket sale commission- Civic Centre	0.16	MFS
EFT43437	13/12/2017	SECURITY & TECHNOLOGY SERVICES - NORWEST	CCTV installation- IT & Civic Centre	9768.21	MFS
EFT43438	13/12/2017	ST JOHN AMBULANCE AUSTRALIA (WA) INC	Organisational training- Office of the CEO	19285.00	MFS
EFT43439	13/12/2017	STOTT & HOARE BUSINESS COMPUTERS	Equipment- IT	3784.00	MFS
EFT43440	13/12/2017	TAPPED PLUMBING & GAS PTY LTD	Plumbing- Depot	517.00	MFS
EFT43441	13/12/2017	TELSTRA	Phone charges- Corporate Services	405.42	MFS

MUNICIPAL ELECTRONIC TRANSFER - DECEMBER 2017					
EFT	Date	Name	Description	Amount	Del Auth
EFT43442	13/12/2017	THE SEBEL RESIDENCE EAST PERTH	Accommodation- HR	379.08	MFS
EFT43443	13/12/2017	TOURISM WESTERN AUSTRALIA	Infrastructure assessment- Development & Community	400.00	MFS
EFT43444	13/12/2017	TRANSOFT SOLUTIONS	Auto turn Map Licence renewal- IT	660.00	MFS
EFT43445	13/12/2017	VORGEE PTY LTD	Kiosk stock- BRAC	481.03	MFS
EFT43446	13/12/2017	WA HINO	Vehicle parts- Workshop	48.07	MFS
EFT43447	13/12/2017	WATERCHOICE (AUST) PTY LTD	Water filtration- KRO	130.00	MFS
EFT43448	13/12/2017	ACCESS ICON PTY LTD	Drainage- Depot	544.50	MFS
EFT43449	13/12/2017	ALVIN SANTIAGO	Reimbursement of expenses- Finance	1045.00	MFS
EFT43450	13/12/2017	BUNNINGS BROOME	Materials- Shire various sites	971.03	MFS
EFT43451	13/12/2017	DATA#3 LIMITED	Equipment supplies- IT	100.49	MFS
EFT43452	13/12/2017	DEAN WILSON TRANSPORT PTY LTD	Freight- Depot	77.39	MFS
EFT43453	13/12/2017	DEPARTMENT OF FIRE & EMERGENCY SERVICES (DFES)	ESL quarter contribution- Rates	294897.19	MFS
EFT43454	13/12/2017	DIRECTCOMMS PTY LTD	SMS service charges- Library	139.82	MFS
EFT43455	13/12/2017	DORMA AUTOMATICS PTY LTD	Door replacements- Library	8656.01	MFS
EFT43456	13/12/2017	E & M J ROSHER PTY LTD	Vehicle parts- P&G	1722.60	MFS
EFT43457	13/12/2017	ELGAS LTD	Forklift LPG- Depot	59.90	MFS
EFT43458	13/12/2017	FIRE & SAFETY SERVICES	Building maintenance- Civic Centre	524.15	MFS
EFT43459	13/12/2017	FOOTPRINT CLEANING (FORMERLY REGIONAL ASSET MANAGEMENT SERVICES)	Cleaning expenses(CON-17/02)- Shire various sites	48445.76	MFS
EFT43460	13/12/2017	GARRARDS PTY LTD	Chemicals for pest control- Ranger services	1193.90	MFS
EFT43461	13/12/2017	GREENHILLS TURF FARM	Lawn paint- P&G	899.60	MFS
EFT43462	13/12/2017	HARVEY NORMAN AV/IT SUPERSTORE BROOME	IT equipment- IT	400.00	MFS
EFT43463	13/12/2017	HEAD OFFICE LANDGATE	License Maint & Support - IT	2577.65	MFS
EFT43464	13/12/2017	HUSKY DATA PTY LTD	Supply and install NBN Pit riser at Warnangarri lane	1254.00	MFS
EFT43465	13/12/2017	JAYCAR ELECTRONICS	Globes & fuses- BRAC	66.25	MFS

MUNICIPAL ELECTRONIC TRANSFER - DECEMBER 2017					
EFT	Date	Name	Description	Amount	Del Auth
EFT43466	13/12/2017	JEREMY THOMAS MACMATH	Refreshments- Chinatown Workshop	76.00	MFS
EFT43467	13/12/2017	JETRIDGE HOLDINGS PTY LTD	Cleaning- Gantheaume Point Ablutions	1350.00	MFS
EFT43468	13/12/2017	JOHN WILLIAM SALKILLD- SALTY'S DIESEL MECHANICS BROOME	Grader repairs- WMF	1695.10	MFS
EFT43469	13/12/2017	TERRITORY RURAL BROOME	Reticulation stock Nursery stock & Herbicides- P&G & Depot	10055.48	MFS
EFT43470	14/12/2017	ALETTA JOYCE NUGENT	Reimbursement hire car vehicle damages- Community Development	1565.37	MFS
EFT43471	14/12/2017	BROOME BUILDERS PTY LTD	Progress claim (RFQ17-97)- Changing Places Project	88740.00	MFS
EFT43472	14/12/2017	CRENDON MACHINERY	Vehicle parts- P&G	904.90	MFS
EFT43473	14/12/2017	HUTCHINSON REAL ESTATE	Staff rent 01/12/2017 - 31/12/2017	3807.14	MFS
EFT43474	14/12/2017	KIMBERLEY DISTRIBUTORS	Kiosk stock- BRAC	729.94	MFS
EFT43475	14/12/2017	KIMBERLEY GOLD PURE DRINKING WATER	Drinking water- Depot & Admin building	323.00	MFS
EFT43476	14/12/2017	KIMBERLEY TRUSS (NORTRUSS (NT) PTY LTD)	Works maintenance	76.96	MFS
EFT43477	14/12/2017	KOMATSU AUSTRALIA PTY LTD	Vehicle parts- WMF	517.95	MFS
EFT43478	14/12/2017	LANDMARK OPERATIONS LTD	Pool chemicals- BRAC	985.60	MFS
EFT43479	14/12/2017	LAVAN	Legal expenses - Development Services	1650.00	MFS
EFT43480	14/12/2017	LO-GO APPOINTMENTS	Labour hire- Infrastructure	16129.59	MFS
EFT43481	14/12/2017	M KELLY AIRCONDITIONING	Aircon maintenance- Depot	261.25	MFS
EFT43482	14/12/2017	MAGIQ SOFTWARE PTY LTD	Software implementation(RFQ17-82)- IT	412.50	MFS
EFT43483	14/12/2017	MEERILINGA YOUNG CHILDREN'S FOUNDATION INC	Children's Week- Library	1240.00	MFS
EFT43484	14/12/2017	MUDMAP STUDIO	Consultant expenses (Broome Historical Society Exhibition)- Office of the CEO	550.00	MFS
EFT43485	14/12/2017	NORTH WEST COAST SECURITY	Security services- Shire various sites	8512.36	MFS
EFT43486	14/12/2017	NORTH WEST LOCKSMITHS	Operating expenses- Depot	120.00	MFS
EFT43487	14/12/2017	OHURA CONSULTING	Indoor EBA consultancy- HR	6833.22	MFS
EFT43488	14/12/2017	PEARL COAST INDUSTRIAL RAGS	Consumables- Depot	219.50	MFS

MUNICIPAL ELECTRONIC TRANSFER - DECEMBER 2017					
EFT	Date	Name	Description	Amount	Del Auth
EFT43489	14/12/2017	QUEST WEST PERTH	Accommodation- BRAC	342.00	MFS
EFT43490	14/12/2017	ROEBUCK WELDING SERVICES	Repair goal post- P&G	55.00	MFS
EFT43491	14/12/2017	AUSTRALIAN PERFORMING ARTS CENTRES ASS.	Membership fee- Civic Centre	750.00	MFS
EFT43492	14/12/2017	BOC LIMITED	Operating expenses- Depot	92.90	MFS
EFT43493	14/12/2017	BROOME SMALL MAINTENANCE SERVICES	Building maintenance- Civic Centre	88.00	MFS
EFT43494	14/12/2017	CABLE BEACH ELECTRICAL SERVICE	Electrical maintenance- Depot	1771.00	MFS
EFT43495	14/12/2017	CLARITY COMMUNICATIONS	Promotion expenses- Media	49.94	MFS
EFT43496	14/12/2017	ELGAS LTD	Vehicle parts- Workshop	59.90	MFS
EFT43497	14/12/2017	ERIC HOOD PTY LTD	Skate park maintenance- P&G	2514.04	MFS
EFT43498	14/12/2017	JETRIDGE HOLDINGS PTY LTD	Building maintenance- BRAC & Infrastructure	7447.00	MFS
EFT43499	14/12/2017	LACHLAN BIRCH PAINTING SERVICES	Painting (RFQ-17-80)- KRO1	19954.00	MFS
EFT43500	14/12/2017	MALA PREM-OCEAN SKY FAIRBORN	Reimbursement- Councillors	325.00	MFS
EFT43501	14/12/2017	PEARL TOWN BUS SERVICE	Bus hire (Book Week)- Library	960.00	MFS
EFT43502	14/12/2017	PRD NATIONWIDE	Rent- Community Storage	6007.80	MFS
EFT43503	14/12/2017	PRINTING IDEAS	Stationary- Governance, Rangers & Business cards	838.80	MFS
EFT43504	14/12/2017	PRITCHARD FRANCIS PTY LTD	Design & documentation (RFQ16-85)- Infrastructure	2631.20	MFS
EFT43505	14/12/2017	REGAL TRANSPORT	Freight- Workshop	224.79	MFS
EFT43506	14/12/2017	RM SURVEYS PTY LTD	Surveying (Cemetery Master Plan Car Park Extension)- Infrastructure	1232.00	MFS
EFT43507	14/12/2017	ROEBUCK BAY HOTEL	Refreshments- Office of the CEO	214.19	MFS
EFT43508	14/12/2017	SYMANTEC ASIA PACIFIC PTY LTD	Annual software licence- IT	5575.68	MFS
EFT43509	14/12/2017	TNT AUSTRALIA PTY LTD T/AS TNT EXPRESS	Freight- Health & Workshop	1352.86	MFS
EFT43510	14/12/2017	TOTALLY WORKWEAR	Safety glasses & Uniforms- Depot & Infrastructure	1924.00	MFS
EFT43511	14/12/2017	TROPICAL UPHOLSTERY	Tennis net alterations- BRAC	401.50	MFS
EFT43512	14/12/2017	WEST COAST ON HOLD	Messages on Hold- Media	69.00	MFS
EFT43513	14/12/2017	AUSTRALIA DAY COUNCIL OF WA (INC)	Merchandise(Australia Day Event)- Events	978.55	MFS
EFT43514	14/12/2017	AVERY AIRCONDITIONING PTY LTD	Air conditioner- Shire various sites	5934.43	MFS

MUNICIPAL ELECTRONIC TRANSFER - DECEMBER 2017					
EFT	Date	Name	Description	Amount	Del Auth
EFT43515	14/12/2017	BROOME PHARMACY	Operating expenses- Depot	784.60	MFS
EFT43516	14/12/2017	BROOME PROGRESSIVE SUPPLIES	Kiosk supplies- BRAC	923.84	MFS
EFT43517	14/12/2017	CENTURION TRANSPORT	Freight- Broome library	33.43	MFS
EFT43518	14/12/2017	DMD SHELIVING DIRECT	Storage materials- Depot	1377.92	MFS
EFT43519	14/12/2017	FOOTPRINT CLEANING (FORMERLY REGIONAL ASSET MANAGEMENT SERVICES)	Cleaning expenses- Asset & Building & Events	1573.00	MFS
EFT43520	14/12/2017	G. BISHOPS TRANSPORT SERVICES PTY LTD	Freight- Depot	628.58	MFS
EFT43521	14/12/2017	J BLACKWOOD & SON T/AS BLACKWOODS	Consumables- Depot	860.03	MFS
EFT43522	14/12/2017	KIMBERLEY WASHROOM SERVICES	Cleaning expenses- Shire various sites	680.00	MFS
EFT43523	14/12/2017	MCMULLEN NOLAN GROUP PTY LTD (MNG)	Consultant expenses(Crab Creek Rd- RFQ17-89)- Infrastructure	10455.50	MFS
EFT43524	14/12/2017	ROADLINE CIVIL CONTRACTORS	Drainage works(RFQ17-87- Crab Creek Rd)- Infrastructure	118248.16	MFS
EFT43525	14/12/2017	SECUREX SECURITY PTY LTD	Security monitoring- Shire various sites	807.40	MFS
EFT43526	14/12/2017	SECURITY & TECHNOLOGY SERVICES - NORWEST	CCTV Upgrade (RFQ17-70)- IT	79220.00	MFS
EFT43527	14/12/2017	SIGNS PLUS	Name badges- various	210.00	MFS
EFT43528	14/12/2017	SPORTSPOWER BROOME	Prizes for Dash & Splash- BRAC	450.00	MFS
EFT43529	14/12/2017	SURFMET PTY LTD T/A KIMBERLEY SOILS LABORATORY	Consultant expenses(Crab Creek Rd)- Infrastructure	2662.00	MFS
EFT43530	14/12/2017	TALIS CONSULTANTS	Operating expenses(RFQ15-37)- Infrastructure	1611.50	MFS
EFT43531	14/12/2017	THE LOCKUP	Catering for OMC 23 November 2017- Office of the CEO	363.00	MFS
EFT43532	14/12/2017	THE WORKWEAR GROUP (NNT)	Staff uniform- HR	771.40	MFS
EFT43533	14/12/2017	TOXFREE	Waste removal- Shire various sites	133249.85	MFS
EFT43534	14/12/2017	WEST AUSTRALIAN NEWSPAPERS	Advertising Shire News- Media	2656.00	MFS
EFT43535	15/12/2017	BROOME SPORTS ASSOCIATION	REFUND EVENT CIVIC CENTRE 02.12.17	1120.00	MFS

MUNICIPAL ELECTRONIC TRANSFER - DECEMBER 2017					
EFT	Date	Name	Description	Amount	Del Auth
EFT43536	15/12/2017	SHIRE OF BROOME	REFUND CIVIC CENTRE EVENT 02.12.17 (TO PAY INV. 45617)	3090.94	MFS
EFT43537	15/12/2017	SHIRE OF BROOME	REFUND BOND CIVIC CENTRE EVENT 24, 25 & 26.11.17 (PAY INV. 45616)	1000.00	MFS
EFT43538	15/12/2017	BROOME SENIOR HIGH SCHOOL	BOND REFUND CIVIC CENTRE EVENT 21.11.17 (BROOME GIRLS ACADEMY)	720.75	MFS
EFT43539	15/12/2017	SHIRE OF BROOME	REFUND BOND CIVIC CENTRE 21.11.17 (TO PAY INV. 45618)	1737.25	MFS
EFT43540	21/12/2017	LANDCORP	Recoup of consultancy expenses- Chinatown Revitalisation	1268300.00	MFS
EFT43541	21/12/2017	AMPAC DEBT RECOVERY WA PTY LTD	Debt recovery costs - Rates for period ending 10/11/2017	38432.75	MFS
EFT43542	21/12/2017	BROOME DOCTORS PRACTICE PTY LTD	Recruitment expenses- HR	429.00	MFS
EFT43543	21/12/2017	FIELD AIR CONDITIONING & AUTO ELECTRICAL PTY LTD	Vehicle maintenance- Works	474.20	MFS
EFT43544	21/12/2017	HORIZON POWER (ELECTRICITY USAGE)	Electricity charges	17970.46	MFS
EFT43545	21/12/2017	M P ROGERS & ASSOCIATES PTY LTD	Consultant expenses(RFQ17-88)- New Town Beach Jetty	38107.71	MFS
EFT43546	21/12/2017	MAGIQ SOFTWARE PTY LTD	Consultant expenses- Governance	335.50	MFS
EFT43547	21/12/2017	MARKETFORCE	Recruitment expenses(PRA-17/37)- HR	484.55	MFS
EFT43548	21/12/2017	OFFICEMAX AUSTRALIA LTD	Stationery- Admin Building	630.33	MFS
EFT43549	21/12/2017	PINDAN LABOUR SOLUTIONS PTY LTD (A DIVISION OF DFP RECRUITMENT)	Temporary Shire Staff- BRAC	1280.28	MFS
EFT43550	21/12/2017	POOL WISDOM	Pool chemicals- BRAC	1012.00	MFS
EFT43551	21/12/2017	PORT HEDLAND MEDICAL CENTRE	Recruitment expenses- HR	220.00	MFS
EFT43552	21/12/2017	WESTERN AUSTRALIAN ELECTORAL COMMISSION	Election expenses- Director Corporate Services	27662.61	MFS
EFT43553	21/12/2017	BANDIT TREE EQUIPMENT	Equipment purchase(RFQ17-62)- P&G	80461.70	MFS
EFT43554	21/12/2017	BROOME DIESEL & HYDRAULIC SERVICE	Vehicle parts- Works	134.65	MFS
EFT43555	21/12/2017	CLARK EQUIPMENT SALES PTY LTD	Vehicle parts- P&G	80.44	MFS
EFT43556	21/12/2017	HOLLY WILLIAMS	Netball umpiring expenses- BRAC	198.00	MFS
EFT43557	21/12/2017	KGT Employment	Apprentice wages- Workshop	1578.32	MFS

MUNICIPAL ELECTRONIC TRANSFER - DECEMBER 2017					
EFT	Date	Name	Description	Amount	Del Auth
EFT43558	21/12/2017	LAUREN WESTON	Netball umpiring expenses- BRAC	18.00	MFS
EFT43559	21/12/2017	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	Shire staff attendance at State Conference 2017- Corporate Services	1560.00	MFS
EFT43560	21/12/2017	PLANNING INSTITUTE AUSTRALIA	Organisational training- HR	195.00	MFS
EFT43561	21/12/2017	RAWLINSONS (WA)	Consultant expenses(RAC Nipper Roe Lighting)- BRAC	660.00	MFS
EFT43562	21/12/2017	ROEBUCK WELDING SERVICES	Equipment maintenance- Depot	1760.00	MFS
EFT43563	21/12/2017	SHIRE OF DERBY/WEST KIMBERLEY	Kimberley Zone Meeting- CEO	1716.00	MFS
EFT43564	21/12/2017	TYREPOWER BROOME	Vehicle maintenance- Workshop	25.00	MFS
EFT43565	21/12/2017	VIVA ENERGY AUSTRALIA	Fuel card purchases (16.11.17- 30.11.17)- Shire Departments	16.50	MFS
EFT43566	21/12/2017	WA HINO	Vehicle parts- Workshop	357.68	MFS
EFT43567	21/12/2017	BROOME COMMONWEALTH BANK OF AUSTRALIA	Salary and wages pay period ending: 19.12.17	362622.47	MFS
EFT43568	21/12/2017	ADAM SHANE WADDELL	Payroll S & W	225.00	MFS
EFT43569	21/12/2017	AUSTRALIAN SERVICES UNION - WA BRANCH	Payroll deductions	1039.90	MFS
EFT43570	21/12/2017	AUSTRALIAN TAXATION OFFICE	PAYG	126469.70	MFS
EFT43571	21/12/2017	SALARY & WAGES	Payroll S & W	380.00	MFS
EFT43572	21/12/2017	SALARY & WAGES	Payroll S & W	500.00	MFS
EFT43573	21/12/2017	SALARY & WAGES	Payroll S & W	520.00	MFS
EFT43574	21/12/2017	SALARY & WAGES	Payroll S & W	720.00	MFS
EFT43575	21/12/2017	SALARY & WAGES	Payroll S & W	550.00	MFS
EFT43576	21/12/2017	SALARY & WAGES	Payroll S & W	386.39	MFS
EFT43577	21/12/2017	SALARY & WAGES	Payroll S & W	1156.03	MFS
EFT43578	21/12/2017	SALARY & WAGES	Payroll S & W	500.00	MFS
EFT43579	21/12/2017	SALARY & WAGES	Payroll S & W	364.00	MFS
EFT43580	21/12/2017	SALARY & WAGES	Payroll S & W	1829.87	MFS
EFT43581	21/12/2017	SALARY & WAGES	Payroll S & W	420.00	MFS
EFT43582	21/12/2017	SALARY & WAGES	Payroll S & W	667.21	MFS
EFT43583	21/12/2017	SALARY & WAGES	Payroll S & W	761.31	MFS
EFT43584	21/12/2017	SALARY & WAGES	Payroll S & W	540.18	MFS
EFT43585	21/12/2017	SALARY & WAGES	Payroll S & W	790.33	MFS
EFT43586	21/12/2017	SALARY & WAGES	Payroll S & W	400.00	MFS
EFT43587	21/12/2017	SALARY & WAGES	Payroll S & W	19.40	MFS
EFT43588	21/12/2017	SALARY & WAGES	Payroll S & W	175.00	MFS
EFT43589	21/12/2017	SALARY & WAGES	Payroll S & W	450.00	MFS
EFT43590	21/12/2017	SALARY & WAGES	Payroll S & W	625.72	MFS
EFT43591	21/12/2017	SALARY & WAGES	Payroll S & W	156.97	MFS

MUNICIPAL ELECTRONIC TRANSFER - DECEMBER 2017					
EFT	Date	Name	Description	Amount	Del Auth
EFT43592	21/12/2017	SALARY & WAGES	Payroll S & W	340.00	MFS
EFT43593	21/12/2017	SALARY & WAGES	Payroll S & W	425.00	MFS
EFT43594	21/12/2017	SALARY & WAGES	Payroll S & W	549.52	MFS
EFT43595	21/12/2017	SALARY & WAGES	Payroll S & W	662.65	MFS
EFT43596	22/12/2017	WATER CORPORATION	Water usage & service charges- Various Shire sites	91944.26	MFS
MUNICIPAL ELECTRONIC FUNDS TRANSFER TOTAL:				\$3,997,826.84	

MUNICIPAL CHEQUES - DECEMBER 2017					
Cheque	Date	Name	Description	Amount	Del Auth
57497	11/12/2017	DEPARTMENT OF TRANSPORT (JETTY LICENCE)	Jetty licence- Catalina Boat Ramp	40.10	MFS
57498	11/12/2017	DEPARTMENT OF TRANSPORT (REGISTRATION)	Fleet registration (6 months)- Various Shire Departments	3198.60	MFS
57499	11/12/2017	SAMANTHA MARTELLA	Refund swimming lessons- BRAC	120.00	MFS
57500	11/12/2017	SHIRE OF BROOME	BRAC Petty Cash (08.09.17 - 20.11.17)	149.26	MFS
MUNICIPAL CHEQUES TOTAL:				\$3,507.96	

TRUST CHEQUES - DECEMBER 2017					
Cheque	Date	Name	Description	Amount	Del Auth
3442	05/12/2017	BUILDING & CONSTRUCTION INDUSTRY TRAINING FUND	BCITF LEVY- NOVEMBER 17	4747.28	MFS
TRUST CHEQUES TOTAL:				\$4,747.28	

MUNICIPAL DIRECT DEBIT/CREDIT CARD PAYMENTS - DECEMBER 2017					
DD#	Date	Name	Description	Amount	Del Auth
DD23543.1	05/12/2017	WA LOCAL GOVERNMENT OCCUPATIONAL SUPERANNUATION	Superannuation contributions	60714.98	MFS
DD23543.10	05/12/2017	WESTPAC MASTERTRUST - BT BUSINESS SUPER 81236903448	Superannuation contributions	340.19	MFS
DD23543.11	05/12/2017	HESTA AUSTRALIA LIMITED (SUPERANNUATION)	Superannuation contributions	414.00	MFS

MUNICIPAL ELECTRONIC TRANSFER - DECEMBER 2017					
EFT	Date	Name	Description	Amount	Del Auth
DD23543.12	05/12/2017	THE HAPPY JUNGLE SUPERANNUATION FUND MANAGER PTY LTD	Superannuation contributions	2073.66	MFS
DD23543.13	05/12/2017	COLONIAL FIRST STATE FIRSTCHOICE SUPERANNUATION TRUST	Superannuation contributions	1070.05	MFS
DD23543.14	05/12/2017	QSUPER	Superannuation contributions	1339.54	MFS
DD23543.15	05/12/2017	LG SUPER	Superannuation contributions	829.17	MFS
DD23543.16	05/12/2017	IOOF EMPLOYER SUPER	Superannuation contributions	344.32	MFS
DD23543.17	05/12/2017	AUSTRALIAN CATHOLIC SUPERANNUATION & RETIREMENT FUND	Superannuation contributions	283.67	MFS
DD23543.18	05/12/2017	ENERGY INDUSTRIES SUPERANNUATION SCHEME (EISS)	Superannuation contributions	342.98	MFS
DD23543.19	05/12/2017	REST SUPERANNUATION	Superannuation contributions	2288.07	MFS
DD23543.2	05/12/2017	CBUS SUPERANNUATION	Superannuation contributions	896.65	MFS
DD23543.20	05/12/2017	BT SUPER FOR LIFE	Superannuation contributions	976.64	MFS
DD23543.21	05/12/2017	HUB24	Superannuation contributions	682.23	MFS
DD23543.22	05/12/2017	AUSTRALIAN SUPER	Superannuation contributions	2504.62	MFS
DD23543.23	05/12/2017	THE TRUSTEE FOR AUSTRALIAN ETHICAL RETAIL SUPERANNUATION FUND E861238	Superannuation contributions	319.91	MFS
DD23543.24	05/12/2017	MCFARLANE FAMILY SUPERANNUATION FUND	Superannuation contributions	213.54	MFS
DD23543.25	05/12/2017	AMP FLEXIBLE SUPER (26150)	Superannuation contributions	277.55	MFS
DD23543.3	05/12/2017	ASGARD INFINITY EWRAP SUPER	Superannuation contributions	1270.87	MFS
DD23543.4	05/12/2017	SUPER MAGBRIDGE PTY LTD	Superannuation contributions	624.12	MFS
DD23543.5	05/12/2017	SUN SUPER	Superannuation contributions	299.72	MFS
DD23543.6	05/12/2017	NETWEALTH SUPER ACCELERATOR PERSONAL SUPER	Superannuation contributions	419.75	MFS
DD23543.7	05/12/2017	HOSTPLUS SUPERANNUATION FUND	Superannuation contributions	1011.82	MFS
DD23543.8	05/12/2017	ONE PATH MASTERFUND	Superannuation contributions	329.12	MFS
DD23543.9	05/12/2017	AMP FLEXIBLE LIFETIME SUPER	Superannuation contributions	1132.06	MFS

MUNICIPAL ELECTRONIC TRANSFER - DECEMBER 2017					
EFT	Date	Name	Description	Amount	Del Auth
DD23604.1	15/12/2017	TOYOTA FINANCIAL SERVICES AUSTRALIA	Vehicle lease (RFQ16-90)- Chinatown revitalisation	506.63	MFS
DD23617.1	19/12/2017	WA LOCAL GOVERNMENT OCCUPATIONAL SUPERANNUATION	Superannuation contributions	58898.92	MFS
DD23617.10	19/12/2017	WESTPAC MASTERTRUST - BT BUSINESS SUPER 81236903448	Superannuation contributions	294.61	MFS
DD23617.11	19/12/2017	HESTA AUSTRALIA LIMITED (SUPERANNUATION)	Superannuation contributions	398.86	MFS
DD23617.12	19/12/2017	THE HAPPY JUNGLE SUPERANNUATION FUND MANAGER PTY LTD	Superannuation contributions	454.50	MFS
DD23617.13	19/12/2017	COLONIAL FIRST STATE FIRSTCHOICE SUPERANNUATION TRUST	Superannuation contributions	1070.05	MFS
DD23617.14	19/12/2017	QSUPER	Superannuation contributions	422.53	MFS
DD23617.15	19/12/2017	LG SUPER	Superannuation contributions	829.17	MFS
DD23617.16	19/12/2017	IOOF EMPLOYER SUPER	Superannuation contributions	344.32	MFS
DD23617.17	19/12/2017	AUSTRALIAN CATHOLIC SUPERANNUATION & RETIREMENT FUND	Superannuation contributions	283.67	MFS
DD23617.18	19/12/2017	ENERGY INDUSTRIES SUPERANNUATION SCHEME (EISS)	Superannuation contributions	342.98	MFS
DD23617.19	19/12/2017	REST SUPERANNUATION	Superannuation contributions	2245.32	MFS
DD23617.2	19/12/2017	ASGARD INFINITY EWRAP SUPER	Superannuation contributions	1270.87	MFS
DD23617.20	19/12/2017	BT SUPER FOR LIFE	Superannuation contributions	946.51	MFS
DD23617.21	19/12/2017	HUB24	Superannuation contributions	682.23	MFS
DD23617.22	19/12/2017	AUSTRALIAN SUPER	Superannuation contributions	2372.20	MFS
DD23617.23	19/12/2017	CBUS SUPERANNUATION	Superannuation contributions	808.76	MFS
DD23617.24	19/12/2017	MCFARLANE FAMILY SUPERANNUATION FUND	Superannuation contributions	232.18	MFS
DD23617.25	19/12/2017	AMP FLEXIBLE SUPER (26150)	Superannuation contributions	277.55	MFS
DD23617.3	19/12/2017	SUPER MAGBRIDGE PTY LTD	Superannuation contributions	617.99	MFS
DD23617.4	19/12/2017	SUN SUPER	Superannuation contributions	289.86	MFS

MUNICIPAL ELECTRONIC TRANSFER - DECEMBER 2017					
EFT	Date	Name	Description	Amount	Del Auth
DD23617.5	19/12/2017	NETWEALTH SUPER ACCELERATOR PERSONAL SUPER	Superannuation contributions	419.75	MFS
DD23617.6	19/12/2017	HOSTPLUS SUPERANNUATION FUND	Superannuation contributions	1026.65	MFS
DD23617.7	19/12/2017	THE TRUSTEE FOR AUSTRALIAN ETHICAL RETAIL SUPERANNUATION FUND E861238	Superannuation contributions	206.86	MFS
DD23617.8	19/12/2017	ONE PATH MASTERFUND	Superannuation contributions	329.12	MFS
DD23617.9	19/12/2017	AMP FLEXIBLE LIFETIME SUPER	Superannuation contributions	1029.26	MFS
DD23628.1	27/12/2017	WESTERN AUSTRALIAN TREASURY CORPORATION	Loan No. 193 Fixed Component - Civic Centre Redevelopment Loan	292848.36	MFS
MUNICIPAL DIRECT DEBIT TOTAL:				\$450,448.94	

MUNICIPAL ELECTRONIC TRANSFER TOTAL \$3,997,826.84

MUNICIPAL CHEQUES TOTAL \$3,507.96

TRUST CHEQUE TOTAL \$4,747.28

MUNICIPAL DIRECT DEBIT/ CREDIT CARD TOTAL \$450,448.94

TOTAL PAYMENTS - DECEMBER 2017 \$4,456,531.02

Key for Delegation of Authority:

CEO Chief Executive Officer
MFS Manager Financial
Services
DCS Director Corporate
Services

9.4.2 MONTHLY PAYMENT LISTING - JANUARY 2018

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FRE02
AUTHOR:	Coordinator Financial Operations
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	13 February 2018

SUMMARY: This report recommends that Council receives the list of payments made under delegated authority, as per the attachment to this report for the month of January 2018.

BACKGROUNDPrevious Considerations

Nil

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 January 2018.

CONSULTATION

Nil

STATUTORY ENVIRONMENT***Local Government (Financial Management) Regulations 1996***

13. *Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.*
 - (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; and*
 - (c) *the date of the payment; and*
 - (d) *sufficient information to identify the transaction.*

- (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - (a) for each account which requires council authorisation in that month —
 - (i) the payee's name; and
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction; and
 - (b) the date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under sub regulation (1) or (2) 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.

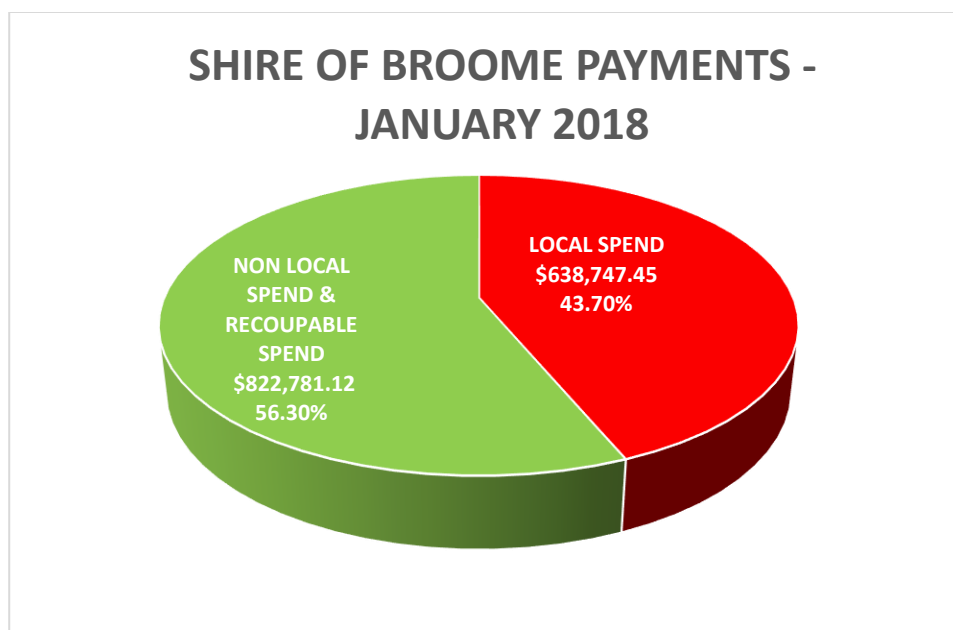
POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

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

Payments can also be analysed as follows:



The above graph shows the percentage of local spend in comparison to non-local and recoupable spend for the month of January 2018 after \$1,082,582.83 in personnel payments and utilities have been excluded.

RISK

The risk of Council not adopting this report is extreme as this will result in non-compliance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996*. The likelihood of this ever occurring is rare due to the CEO's implementation of procedures to ensure payment details are disclosed to Council in a timely manner, as well as Procurement and Purchasing policies which ensure these payments are made in accordance with budget and delegated authority and comply with *Local Government (Financial Management) Regulations 1996*.

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

Responsible resource allocation

Effective community engagement

Improved systems, processes and compliance

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council receives the list of payments made from the Municipal and Trust Accounts in January 2018 totalling \$2,544,111.40 (Attachment 1) in accordance with the requirements of Regulation 12 of the Local Government (Financial Management) Regulations 1996 covering:

- EFT Vouchers 43597 – 43914 totalling \$2,285,410.13;*
- Municipal Cheque Vouchers 57502 – 57503 totalling \$261.50;*
- Trust Cheque Voucher 3443 totalling \$1,731.67;*
- Credit Card Payments & Municipal Direct Debits DD23656.1– DD23810.5 totalling \$256,708.10; and*
- Notes the local spend included in the amount above totals \$638,747.45, 43.7% of total payments excluding personnel and utility costs.*

Attachments

1. Monthly Payment Listing January 2018

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 information to identify the transaction.

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

PAYMENTS BY EFT & CHEQUE & FROM TRUST - JANUARY 2018

MUNICIPAL ELECTRONIC TRANSFER - JANUARY 2018					
EFT	Date	Name	Description	Amount	Del Auth
EFT43597	04/01/2018	SHIRE OF BROOME	BOND REFUND- CIVIC CENTRE	7559.77	MFS
EFT43598	04/01/2018	SUN STUDIOS	BOND REFUND- CIVIC CENTRE	1235.28	MFS
EFT43599	04/01/2018	BRUCE RUDEFORTH	Councillor Sitting Fee-Monthly (JAN18)	1733.33	MFS
EFT43600	04/01/2018	CATHERINE AGNES FAIRLEY MARRIOTT	Councillor Sitting Fee-Monthly (JAN18)	1733.33	MFS
EFT43601	04/01/2018	CHRISTOPHER RALPH MITCHELL	Councillor Sitting Fee-Monthly (JAN18)	1733.33	MFS
EFT43602	04/01/2018	DESIREE MALE	Councillor Sitting Fee-Monthly (JAN18)	2713.42	MFS
EFT43603	04/01/2018	ELSTA REGINA FOY	Councillor Sitting Fee-Monthly (JAN18)	1733.34	MFS
EFT43604	04/01/2018	HAROLD NORMAN TRACEY	Councillor Sitting Fee-Monthly (JAN18)	6143.75	MFS
EFT43605	04/01/2018	MALA PREM-OCEAN SKY FAIRBORN	Councillor Sitting Fee-Monthly (JAN18)	1733.33	MFS
EFT43606	04/01/2018	PHILIP FRANCIS MATSUMOTO	Councillor Sitting Fee-Monthly (JAN18)	1733.34	MFS
EFT43607	04/01/2018	WARREN THOMAS FRYER	Councillor Sitting Fee-Monthly (JAN18)	1733.33	MFS
EFT43608	04/01/2018	BROOME FIRST NATIONAL REAL ESTATE	Staff Rent	12012.80	MFS
EFT43609	04/01/2018	CHARTER PROPERTY GROUP PTY LTD	Staff rent	2607.14	MFS
EFT43610	04/01/2018	HUTCHINSON REAL ESTATE	Staff Rent	2085.71	MFS
EFT43611	04/01/2018	KENNETH RAYMOND DONOHUE	Staff Rent	2824.40	MFS
EFT43612	04/01/2018	RAY WHITE BROOME	Staff Rent	15555.95	MFS
EFT43613	04/01/2018	RYAN AND PAULA JACK	Staff Rent	3128.57	MFS
EFT43614	04/01/2018	SALARY & WAGES	Payroll S & W	225.00	MFS

EFT43615	04/01/2018	AUSTRALIAN TAXATION OFFICE	PAYG	107425.65	MFS
EFT43616	04/01/2018	SALARY & WAGES	Payroll S & W	380.00	MFS
EFT43617	04/01/2018	SALARY & WAGES	Payroll S & W	720.00	MFS
EFT43618	04/01/2018	SALARY & WAGES	Payroll S & W	550.00	MFS
EFT43619	04/01/2018	SALARY & WAGES	Payroll S & W	386.39	MFS
EFT43620	04/01/2018	SALARY & WAGES	Payroll S & W	500.00	MFS
EFT43621	04/01/2018	SALARY & WAGES	Payroll S & W	364.00	MFS
EFT43622	04/01/2018	SALARY & WAGES	Payroll S & W	420.00	MFS
EFT43623	04/01/2018	SALARY & WAGES	Payroll S & W	667.21	MFS
EFT43624	04/01/2018	SALARY & WAGES	Payroll S & W	761.31	MFS
EFT43625	04/01/2018	SALARY & WAGES	Payroll S & W	540.18	MFS
EFT43626	04/01/2018	SALARY & WAGES	Payroll S & W	790.33	MFS
EFT43627	04/01/2018	SALARY & WAGES	Payroll S & W	400.00	MFS
EFT43628	04/01/2018	SALARY & WAGES	Payroll S & W	175.00	MFS
EFT43629	04/01/2018	SALARY & WAGES	Payroll S & W	450.00	MFS
EFT43630	04/01/2018	SALARY & WAGES	Payroll S & W	625.72	MFS
EFT43631	04/01/2018	SALARY & WAGES	Payroll S & W	156.97	MFS
EFT43632	04/01/2018	SALARY & WAGES	Payroll S & W	340.00	MFS
EFT43633	04/01/2018	SALARY & WAGES	Payroll S & W	425.00	MFS
EFT43634	04/01/2018	SALARY & WAGES	Payroll S & W	549.52	MFS
EFT43635	04/01/2018	SALARY & WAGES	Payroll S & W	662.65	MFS
EFT43636	04/01/2018	SALARY & WAGES	Payroll S & W	1039.90	MFS
EFT43637	04/01/2018	SALARY & WAGES	Payroll S & W	500.00	MFS
EFT43638	04/01/2018	SALARY & WAGES	Payroll S & W	520.00	MFS
EFT43639	04/01/2018	SALARY & WAGES	Payroll S & W	1156.03	MFS
EFT43640	04/01/2018	SALARY & WAGES	Payroll S & W	1829.87	MFS
EFT43641	04/01/2018	SALARY & WAGES	Payroll S & W	19.40	MFS
EFT43642	04/01/2018	SALARY & WAGES	Payroll S & W	310708.00	MFS
EFT43643	04/01/2018	TELSTRA	IT(Equipment) - Call charges to 27.11.17, Service Charges 28.11.17- 27.12.17	2983.50	MFS
EFT43644	08/01/2018	TELSTRA	Mobile Call charges to 26.11.17, Service charges 14.11.17 to 26.12.17	490.50	MFS
EFT43645	08/01/2018	SHIRE OF BROOME	BCITF COMMISSION- DECEMBER 2017	57.75	MFS
EFT43646	08/01/2018	BUILDING COMMISSION - INC BCITF DEPARTMENT OF COMMERCE	BSL LEVY - DECEMBER 2017	2256.56	MFS
EFT43647	08/01/2018	SHIRE OF BROOME	BSL COMMISSION- DECEMBER 2017	95.00	MFS
EFT43648	12/01/2018	ACOR CONSULTANTS (CC) PTY LTD	Consultant expenses- BRAC	1980.00	MFS

EFT43649	12/01/2018	ALL WEST BUILDING APPROVALS PTY LTD	Building advice- Development & Community Services	110.00	MFS
EFT43650	12/01/2018	AMPAC DEBT RECOVERY WA PTY LTD	Debt recovery- Debtors	60.50	MFS
EFT43651	12/01/2018	ANDREW BLACK LANDSCAPES	Building maintenance- Shire Staff Housing	770.00	MFS
EFT43652	12/01/2018	ARBORGREEN LANDSCAPE PRODUCTS (SA)	Minor equipment- Depot	1026.08	MFS
EFT43653	12/01/2018	AUSTRALIAN PLASTIC CARD COMPANY	Materials- Library	2262.70	MFS
EFT43654	12/01/2018	BP BROOME CENTRAL & TYREPLUS BROOME	Fuel- BRAC	44.21	MFS
EFT43655	12/01/2018	BRIDGESTONE AUSTRALIA LTD	Vehicle maintenance- WMF	677.60	MFS
EFT43656	12/01/2018	BROOME BASKETBALL ASSOCIATION INC	Reimbursement of registration fees- Club Development	3765.00	MFS
EFT43657	12/01/2018	BROOME DIESEL & HYDRAULIC SERVICE	Vehicle parts- Works	105.60	MFS
EFT43658	12/01/2018	BROOME PHARMACY	Operating expenses- Depot	99.00	MFS
EFT43659	12/01/2018	BROOME SCOOTERS PTY LTD (KIMBERLEY MOWERS & SPARES)	Equipment purchase- P&G	456.50	MFS
EFT43660	12/01/2018	BROOME TREE & PALM SERVICE	Mulching(RFT 16/05)- WMF	29987.90	MFS
EFT43661	12/01/2018	BROOME WHEEL ALIGNING & SUSPENSION	Vehicle parts- Workshop	340.00	MFS
EFT43662	12/01/2018	CLEMENTSON STREET ACCIDENT REPAIR CENTRE	Insurance excess- Workshop	500.01	MFS
EFT43663	12/01/2018	COLES SUPERMARKETS - CHINATOWN, S324	Kiosk stock- BRAC	629.33	MFS
EFT43664	12/01/2018	COPY CATS DIGITAL PRINT & DESIGN II	Printing- Civic Centre	264.00	MFS
EFT43665	12/01/2018	DEPARTMENT OF THE PREMIER & CABINET	Public notices- Planning	175.80	MFS

EFT43666	12/01/2018	DEPARTMENT OF TRANSPORT (VEHICLE SEARCH FEES)	Vehicle searches- Rangers	241.20	MFS
EFT43667	12/01/2018	DIEBACK TREATMENT SERVICES	Refund of wrong infringement charge	78.50	MFS
EFT43668	12/01/2018	DOMINO'S PIZZA	Catering - Development & Community	172.35	MFS
EFT43669	12/01/2018	EBMS PTY LTD	Quarterly hosting fees- IT	627.00	MFS
EFT43670	12/01/2018	ELGAS LTD	Forklift gas- Depot	66.00	MFS
EFT43671	12/01/2018	FIXIT BROOME	Building maintenance(KRO2)- Property	1139.11	MFS
EFT43672	12/01/2018	FOOTPRINT CLEANING (FORMERLY REGIONAL ASSET MANAGEMENT SERVICES)	Cleaning expenses(Medland pavilion)- BRAC	847.00	MFS
EFT43673	12/01/2018	HAYS SPECIALIST RECRUITMENT (AUSTRALIA) PTY LTD	Labour hire- Rangers	4104.69	MFS
EFT43674	12/01/2018	HITACHI CONSTRUCTION MACHINERY (AUSTRALIA)	Vehicle parts- Works	2347.62	MFS
EFT43675	12/01/2018	HORIZON POWER (ELECTRICITY USAGE)	Electricity Charges - 1/19 Short Street (Chinatown Office) From 19.09.17- 16.11.17	261.79	MFS
EFT43676	12/01/2018	JUSTIN HAZEBROEK	Employee study assistance- HR	2262.00	MFS
EFT43677	12/01/2018	KANGAROO EDUCATIONAL PTY LTD	Operating expenses(Holiday program)- BRAC	227.48	MFS
EFT43678	12/01/2018	KGT Employment	Apprentice wages- Workshop	2546.84	MFS
EFT43679	12/01/2018	KIMBERLEY DISTRIBUTORS	Kiosk stock- BRAC	560.40	MFS
EFT43680	12/01/2018	KIMBERLEY FUEL & OIL SERVICES	Various oils- Workshop	528.00	MFS
EFT43681	12/01/2018	KIMBERLEY GOLD PURE DRINKING WATER	Drinking water- WMF	152.00	MFS
EFT43682	12/01/2018	KIMBERLEY PILBARA CATTLEMEN'S ASSOCIATION	Consultant expenses- Development & Community	11000.00	MFS

EFT43683	12/01/2018	KIMBERLEY STRUCTURAL CONSULTING ENGINEERS	Structural engineering certification- BRAC	412.50	MFS
EFT43684	12/01/2018	LACHLAN BIRCH PAINTING SERVICES	Painting(CAPEX-RFQ 17/80)- Infrastructure	19437.00	MFS
EFT43685	12/01/2018	LANDCORP	Chinatown Revitalisation Cost Recovery- Special Projects	91379.20	MFS
EFT43686	12/01/2018	MARKETFORCE	Recruitment expenses- HR	2107.42	MFS
EFT43687	12/01/2018	MERCURE HOTEL - PERTH	Accommodation- Office of the CEO	439.00	MFS
EFT43688	12/01/2018	MOORE STEPHENS (WA) PTY LTD	Consultant services- Chinatown Revitalisation Project	1375.00	MFS
EFT43689	12/01/2018	NORTH WEST COAST SECURITY	Security Services- Shire various sites	7443.16	MFS
EFT43690	12/01/2018	NORTHWEST SHEDMASTERS GARAGE DOORS PTY LTD	Supply & install garage door- Depot	1650.00	MFS
EFT43691	12/01/2018	NS PROJECTS PTY LTD	Project management services- BRAC Aquatic Upgrade	1188.00	MFS
EFT43692	12/01/2018	NYAMBA BURU YAWURU LTD	Cultural Monitors (Crab Creek Road Stage 2)- Infrastructure	36564.00	MFS
EFT43693	12/01/2018	OFFICEMAX AUSTRALIA LTD	Stationery- Administration Building	1654.17	MFS
EFT43694	12/01/2018	AVERY AIRCONDITIONING PTY LTD	Air conditioning maintenance- BRAC	3653.99	MFS
EFT43695	12/01/2018	BERTA BRUNET FABREGUES	Refund due to incorrect payment received	380.00	MFS
EFT43696	12/01/2018	J BLACKWOOD & SON T/AS BLACKWOODS	Floor signs- BRAC	257.60	MFS
EFT43697	12/01/2018	PEARL COAST GYMNASTICS CLUB INC	Kids sport application- Club Development	506.00	MFS
EFT43698	12/01/2018	PETER JAMES MCBRIDE	Employee study assistance- HR	59.00	MFS
EFT43699	12/01/2018	PINDAN LABOUR SOLUTIONS PTY LTD (A DIVISION OF DFP RECRUITMENT)	Temporary staff- BRAC	2982.95	MFS
EFT43700	12/01/2018	PMK WELDING & METAL FABRICATION	Vehicle maintenance- WMF	187.00	MFS
EFT43701	12/01/2018	POOL WISDOM	Chemicals- BRAC	3230.77	MFS

EFT43702	12/01/2018	PRD NATIONWIDE *STRATA PAYMENTS ONLY*	Levies Staff housing- 8/83 Walcott	1781.25	MFS
EFT43703	12/01/2018	SALVATORE CONSTANTINO MASTROLEMBO	Reimbursement expenses- Office of the CEO	3708.38	MFS
EFT43704	12/01/2018	SIGNS PLUS	BUSINESS CARDS FOR SHIRE PRESIDENT AND NEWLY ELECTED COUNCILLORS	466.00	MFS
EFT43705	12/01/2018	SONIC HEALTHPLUS PTY LTD	Recruitment expenses- HR	282.70	MFS
EFT43706	12/01/2018	SPORTSPOWER BROOME	Gift voucher (Club Development Officer Program)- BRAC	450.00	MFS
EFT43707	12/01/2018	TAPPED PLUMBING & GAS PTY LTD	Plumbing works(KRO1)- Asset & Building	339.90	MFS
EFT43708	12/01/2018	THEATRE KIMBERLEY INC	Kids sport application- Club Development	340.00	MFS
EFT43709	12/01/2018	THOMSON REUTERS (PROFESSIONAL) AUSTRALIA LTD	Training- HR	1013.33	MFS
EFT43710	12/01/2018	TNT AUSTRALIA PTY LTD T/AS TNT EXPRESS	Freight- Workshop & Health	242.44	MFS
EFT43711	12/01/2018	TOLL IPEC PTY LTD	Freight- Library	96.55	MFS
EFT43712	12/01/2018	TOXFREE	Waste services- BRAC	729.23	MFS
EFT43713	12/01/2018	TRADELINK PLUMBING SUPPLIES	Reticulation parts(BRAC Ovals)- P&G	368.88	MFS
EFT43714	12/01/2018	VIVA ENERGY AUSTRALIA	Fuel card purchases From 01.12.17- 15.12.17	75.23	MFS
EFT43715	12/01/2018	AARLI BAR (WENDLAND EVENTS P/L)	Catering- CEO office	900.00	MFS
EFT43716	12/01/2018	BREEANA SCOTT	Netball umpiring expenses- BRAC	90.00	MFS
EFT43717	12/01/2018	BROOME AUSKICK	Community Sponsorship- Seveloment & Community	65.00	MFS
EFT43718	12/01/2018	BROOME SMALL MAINTENANCE SERVICES	Maintenance- Administration Office	407.00	MFS
EFT43719	12/01/2018	CARDNO (WA) PTY LTD	Consultant expenses (Hamersley Napier Black Spot Project-RFQ17-57)- Infrastructure	2428.80	MFS
EFT43720	12/01/2018	CT MECHANICAL & SERVICES	Plant repair- WMF	1749.00	MFS
EFT43721	12/01/2018	DONOVAN PAYNE ARCHITECTS PTY LTD	Survey services- BRAC Aquatic upgrade	632.50	MFS

EFT43722	12/01/2018	EAST TO WEST DATA & ELECTRICAL SERVICES	Renewal expenses(CAPEX)- Infrastructure	3121.80	MFS
EFT43723	12/01/2018	G. BISHOPS TRANSPORT SERVICES PTY LTD	Freight- Workshop & Depot	1218.92	MFS
EFT43724	12/01/2018	HORIZON POWER (ELECTRICITY USAGE)	Electricity charges- KRO- Lot 8656 Frederick St From 04/11/2017 to 05/12/2017	21331.15	MFS
EFT43725	12/01/2018	J BLACKWOOD & SON T/AS BLACKWOODS	Safety equipment- Depot	348.54	MFS
EFT43726	12/01/2018	JAMES BENNETT PTY LIMITED	Books- Library	604.01	MFS
EFT43727	12/01/2018	MCCORRY BROWN EARTHMOVING PTY LTD	Mulching- WMF	2106.50	MFS
EFT43728	12/01/2018	NORTH WEST LOCKSMITHS	Building maintenance(Haas St)- Asset & Building	120.00	MFS
EFT43729	12/01/2018	P & M AUTOMOTIVE EQUIPMENT	Maintenance- Workshop	291.50	MFS
EFT43730	12/01/2018	PRITCHARD FRANCIS PTY LTD	Consultant fee- Infrastructure	247.50	MFS
EFT43731	12/01/2018	WA HINO	Vehicle parts- Workshop	2867.24	MFS
EFT43732	16/01/2018	AINSLEY HARCH	T3330- BOND REFUND 4A MACNEE CRT AINSLEY HARCH	1905.52	MFS
EFT43733	16/01/2018	SHIRE OF BROOME	T3330- BOND REFUND 4A MACNEE CRT AINSLEY HARCH (TO PAY INVOICES RAISED FROM REAL ESTATE AGENT)	34.48	MFS
EFT43734	17/01/2018	HORIZON POWER (ELECTRICITY USAGE)	Electricity Charges -(P&G) Lot 1137 Cable Beach Road West From From 27.10.17- 27.11.17	6312.91	MFS
EFT43735	17/01/2018	TELSTRA	IT- Call and usage charges to 27.11.17, Service charges 28.11.17- 27.12.17	2996.25	MFS
EFT43736	18/01/2018	WATER CORPORATION	Reserve at Sugar Glider Ave, Djugun Water usage 17.10.17- 18.12.17. Service charges 01.11.17- 31.12.17	14745.89	MFS
EFT43737	18/01/2018	WATER CORPORATION	Bedford Park, Anne Street. Water usage 01.11.17- 02.01.18. Service charges 01.01.18- 28.02.18	38002.14	MFS
EFT43738	18/01/2018	HORIZON POWER (ELECTRICITY USAGE)	Electricity charges	55545.20	MFS

EFT43739	18/01/2018	BROOME PROGRESSIVE SUPPLIES	Kiosk stock- BRAC	175.35	MFS
EFT43740	18/01/2018	BROOME SCOOTERS PTY LTD (KIMBERLEY MOWERS & SPARES)	Material purchase- Depot	220.00	MFS
EFT43741	18/01/2018	BROOME TREE & PALM SERVICE	Mulching- WMF	33922.75	MFS
EFT43742	18/01/2018	HAYS SPECIALIST RECRUITMENT (AUSTRALIA) PTY LTD	Labour hire- Rangers	9191.09	MFS
EFT43743	18/01/2018	MICHAEL PETER STEPHENS	Chinatown revitalisation consultant fees- Infrastructure	900.00	MFS
EFT43744	18/01/2018	OCEANIS INTERNATIONAL PTY LTD	Consultant expenses- Special Projects	4950.00	MFS
EFT43745	18/01/2018	PRITCHARD FRANCIS PTY LTD	Consultant expenses(RFQ16-85)- Infrastructure	4496.80	MFS
EFT43746	18/01/2018	ST ANNE'S FLORIST	Get well flowers- Office of the CEO	100.00	MFS
EFT43747	18/01/2018	THE LOCKUP	Catering- Chinatown HQ Trader's Sundowner	480.00	MFS
EFT43748	18/01/2018	UNBOUND SOUND	Flood lights- Civic Centre	450.00	MFS
EFT43749	18/01/2018	VORGE PTY LTD	Kiosk stock- BRAC	320.82	MFS
EFT43750	18/01/2018	SALARY & WAGES	Payroll S & W	1012.45	MFS
EFT43751	18/01/2018	SALARY & WAGES	Payroll S & W	500.00	MFS
EFT43752	18/01/2018	SALARY & WAGES	Payroll S & W	500.00	MFS
EFT43753	18/01/2018	SALARY & WAGES	Payroll S & W	1156.03	MFS
EFT43754	18/01/2018	SALARY & WAGES	Payroll S & W	19.40	MFS
EFT43755	18/01/2018	SALARY & WAGES	Payroll S & W	225.00	MFS
EFT43756	18/01/2018	AUSTRALIAN TAXATION OFFICE	PAYG	109861.98	MFS
EFT43757	18/01/2018	SALARY & WAGES	Payroll S & W	600.00	MFS
EFT43758	18/01/2018	SALARY & WAGES	Payroll S & W	380.00	MFS
EFT43759	18/01/2018	SALARY & WAGES	Payroll S & W	720.00	MFS
EFT43760	18/01/2018	SALARY & WAGES	Payroll S & W	550.00	MFS
EFT43761	18/01/2018	SALARY & WAGES	Payroll S & W	386.39	MFS
EFT43762	18/01/2018	SALARY & WAGES	Payroll S & W	500.00	MFS
EFT43763	18/01/2018	SALARY & WAGES	Payroll S & W	364.00	MFS
EFT43764	18/01/2018	SALARY & WAGES	Payroll S & W	1829.87	MFS
EFT43765	18/01/2018	SALARY & WAGES	Payroll S & W	420.00	MFS
EFT43766	18/01/2018	SALARY & WAGES	Payroll S & W	667.21	MFS
EFT43767	18/01/2018	SALARY & WAGES	Payroll S & W	761.31	MFS
EFT43768	18/01/2018	SALARY & WAGES	Payroll S & W	540.18	MFS
EFT43769	18/01/2018	SALARY & WAGES	Payroll S & W	400.00	MFS
EFT43770	18/01/2018	SALARY & WAGES	Payroll S & W	175.00	MFS

EFT43771	18/01/2018	SALARY & WAGES	Payroll S & W	450.00	MFS
EFT43772	18/01/2018	SALARY & WAGES	Payroll S & W	625.72	MFS
EFT43773	18/01/2018	SALARY & WAGES	Payroll S & W	156.97	MFS
EFT43774	18/01/2018	SALARY & WAGES	Payroll S & W	340.00	MFS
EFT43775	18/01/2018	SALARY & WAGES	Payroll S & W	425.00	MFS
EFT43776	18/01/2018	SALARY & WAGES	Payroll S & W	549.52	MFS
EFT43777	18/01/2018	SALARY & WAGES	Payroll S & W	662.65	MFS
EFT43778	18/01/2018	SALARY & WAGES	Payroll S & W	311890.00	MFS
EFT43779	18/01/2018	BP BROOME CENTRAL & TYREPLUS BROOME	Fuel- Depot	292.13	MFS
EFT43780	18/01/2018	BROOME PLUMBING & GAS	Plumbing works- BVC	283.00	MFS
EFT43781	18/01/2018	COAST & COUNTRY ELECTRICS	Electrical installation- Assets & Building	2083.45	MFS
EFT43782	18/01/2018	CT MECHANICAL & SERVICES	Loader maintenance- WMF	1188.00	MFS
EFT43783	18/01/2018	EAST TO WEST DATA & ELECTRICAL SERVICES	Electrical works- Administration Office	4636.50	MFS
EFT43784	18/01/2018	FIRE & SAFETY SERVICES	Building maintenance- Civic Centre	172.34	MFS
EFT43785	18/01/2018	FOOTPRINT CLEANING (FORMERLY REGIONAL ASSET MANAGEMENT SERVICES)	Cleaning- Library	2145.00	MFS
EFT43786	18/01/2018	GARDEN CITY PLASTICS	Nursery consumables- Depot	330.49	MFS
EFT43787	18/01/2018	KATIE JANE GARSTONE	Refund- BRAC	20.00	MFS
EFT43788	18/01/2018	KIMBERLEY BOOKSHOP	Books- Library	233.95	MFS
EFT43789	18/01/2018	KIMBERLEY DISTRIBUTORS	Kiosk stock- BRAC	230.94	MFS
EFT43790	18/01/2018	KIMBERLEY GOLD PURE DRINKING WATER	Drinking water- Administraton building	57.00	MFS
EFT43791	18/01/2018	LEADING EDGE COMPUTERS	Equipment- IT	309.55	MFS
EFT43793	18/01/2018	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	Corporate Council membership- CEO	2020.00	MFS

EFT43794	18/01/2018	BROOME SHIRE INSIDE STAFF SOCIAL CLUB	Donation- Social Club	2383.18	MFS
EFT43795	18/01/2018	M P ROGERS & ASSOCIATES PTY LTD	Consultant expenses(RFQ17-88)- New Town Beach Jetty	53240.03	MFS
EFT43796	18/01/2018	NORTH WEST LOCKSMITHS	Locksmith- Depot	336.00	MFS
EFT43797	18/01/2018	NS PROJECTS PTY LTD	Consultant expenses(BRAC Aquatic Upgrade)- Special projects	1188.00	MFS
EFT43798	18/01/2018	OFFICE NATIONAL BROOME	Copier charges- IT	116.73	MFS
EFT43799	18/01/2018	PEARL COAST CRANE HIRE	Vehicle repair- WMF	258.50	MFS
EFT43800	18/01/2018	PEARL COAST INDUSTRIAL RAGS	Consumables- Depot	263.40	MFS
EFT43801	18/01/2018	ROSMECH SALES & SERVICE PTY LTD	Vehicle parts- Works	138.99	MFS
EFT43802	18/01/2018	ROYAL LIFE SAVING SOCIETY - WA	Pool operations- BRAC	900.00	MFS
EFT43803	18/01/2018	TNT AUSTRALIA PTY LTD T/AS TNT EXPRESS	Freight- Health	212.63	MFS
EFT43804	18/01/2018	VISIMAX SAFETY	Operating expenses- Rangers	572.51	MFS
EFT43805	18/01/2018	WURTH AUSTRALIA PTY LTD	Consumables- Workshop	519.81	MFS
EFT43806	19/01/2018	LO-GO APPOINTMENTS	Labour hire- Infrastructure	4984.65	MFS
EFT43807	19/01/2018	FIRE & SAFETY SERVICES	Fire system maintenance- Civic Centre	581.16	MFS
EFT43808	19/01/2018	SECURITY & TECHNOLOGY SERVICES - NORWEST	Additional data outlets- IT	848.21	MFS
EFT43809	19/01/2018	VENDORPANEL PTY LTD	Subscription- Governance	1089.00	MFS
EFT43810	22/01/2018	AMPAC DEBT RECOVERY WA PTY LTD	Rates Debt Collection Charges Period ending 30.11.2017	32040.36	MFS
EFT43811	22/01/2018	AARLI BAR (WENDLAND EVENTS P/L)	Catering- Civic Centre	9400.00	MFS
EFT43812	22/01/2018	AUSTRALASIAN PERFORMING RIGHTS ASSOC (APRA)	Licence fees- Community	247.51	MFS

EFT43813	22/01/2018	AVERY AIRCONDITIONING PTY LTD	Airconditioner maintenance- Civic centre	851.03	MFS
EFT43814	22/01/2018	DJ CITY	Equipment- Civic Centre	534.00	MFS
EFT43815	22/01/2018	DORMA AUTOMATICS PTY LTD	Building maintenance- Administration building	498.74	MFS
EFT43816	22/01/2018	EAST TO WEST DATA & ELECTRICAL SERVICES	Equipment maintenance- IT	2475.00	MFS
EFT43817	22/01/2018	MARISA FERRAZ- OWNER SUN PICTURES	Grant funding- Chinatown Revitalisation	5655.10	MFS
EFT43818	22/01/2018	NORTH WEST LOCKSMITHS	Operating expenses- IT	24.00	MFS
EFT43819	22/01/2018	STOTT & HOARE BUSINESS COMPUTERS	IT equipment(Monitors)- IT	5266.80	MFS
EFT43820	22/01/2018	TNT AUSTRALIA PTY LTD T/AS TNT EXPRESS	Freight- Health & Workshop	697.48	MFS
EFT43821	23/01/2018	APPLE PTY LTD	iPhone & case- Workshop	593.95	MFS
EFT43822	23/01/2018	AUSTRALIA POST	Postage charges- Shire	2622.73	MFS
EFT43823	23/01/2018	BP BROOME CENTRAL & TYREPLUS BROOME	Fuel- BRAC	28.86	MFS
EFT43824	23/01/2018	BROOME DOCTORS PRACTICE PTY LTD	Recruitment expenses	104.50	MFS
EFT43825	23/01/2018	CAVERSHAM SUNS JUNIOR FOOTBALL CLUB INC	Kidsport applications- Club Development	950.00	MFS
EFT43826	23/01/2018	FIELD AIR CONDITIONING & AUTO ELECTRICAL PTY LTD	Airconditioner repair- Workshop	840.20	MFS
EFT43827	23/01/2018	MCINTOSH & SON	Vehicle parts- Works	129.10	MFS
EFT43828	23/01/2018	MILLS OAKLEY LAWYERS	Legal expenses- Matter no: 8040982	940.50	MFS
EFT43829	23/01/2018	PHONOGRAPHIC PERFORMANCE COMPANY OF AUSTRALIA LTD (PPCA)	License fees- BRAC	1318.05	MFS
EFT43830	23/01/2018	THE WORKWEAR GROUP (NNT)	Staff uniforms- HR	466.80	MFS

EFT43831	23/01/2018	TNT AUSTRALIA PTY LTD T/AS TNT EXPRESS	Freight- Health	55.43	MFS
EFT43832	23/01/2018	HAYS SPECIALIST RECRUITMENT (AUSTRALIA) PTY LTD	Temporary staff- Rangers	5983.56	MFS
EFT43833	25/01/2018	AD ENGINEERING INTERNATIONAL PTY LTD	Roadwork signs- Depot	606.54	MFS
EFT43834	25/01/2018	AIR LIQUIDE AUSTRALIA LIMITED	Gas bottle rental- Workshop	26.06	MFS
EFT43835	25/01/2018	AMO CONTRACTING	Footpath maintenance(Frangiapani Subdivision)- Infrastructure	18190.70	MFS
EFT43836	25/01/2018	AUTOPRO BROOME (Gaff Holdings Pty Ltd)	Steering wheel cover- Workshop	22.95	MFS
EFT43837	25/01/2018	BENT LOGIC	Material purchase- BRAC	352.00	MFS
EFT43838	25/01/2018	BROOME CLARK RUBBER	Pool chemicals- BRAC	353.36	MFS
EFT43839	25/01/2018	BROOME DIESEL & HYDRAULIC SERVICE	Vehicle parts- Works	1063.15	MFS
EFT43840	25/01/2018	BROOME DOCTORS PRACTICE PTY LTD	Medical- HR	214.50	MFS
EFT43842	25/01/2018	CT MECHANICAL & SERVICES	Vehicle maintenance- WMF	2200.00	MFS
EFT43843	25/01/2018	ENGAWA ARCHITECTS	Refund Certificate of Construction Fee (Incorrectly charged)- Building	540.00	MFS
EFT43844	25/01/2018	FIELD AIR CONDITIONING & AUTO ELECTRICAL PTY LTD	Vehicle parts- Workshop	588.40	MFS
EFT43845	25/01/2018	KIMBERLEY FUEL & OIL SERVICES	Consumables- WMF	1111.00	MFS
EFT43846	25/01/2018	MICHAEL PETER STEPHENS	Musical performances- Australia Day Event	900.00	MFS
EFT43847	25/01/2018	MILLS OAKLEY LAWYERS	Legal expenses- Matter no: 8034963	24279.20	MFS
EFT43848	25/01/2018	PEARL COAST GYMNASTICS CLUB INC	Kidsport applications- Club Development	440.00	MFS
EFT43849	25/01/2018	PRD NATIONWIDE	Community storage- Property	1056.38	MFS
EFT43850	25/01/2018	REGAL TRANSPORT	Freight- Workshop	637.51	MFS
EFT43851	25/01/2018	ROADLINE CIVIL CONTRACTORS	Equipment hire- Infrastructure	5984.00	MFS

EFT43852	25/01/2018	WA HINO	Vehicle parts- Workshop	2448.35	MFS
EFT43853	25/01/2018	BROOME AUTOMOTIVE SPARES / BROOME 4WD RECYCLERS	Suspension kit- Workshop	44.25	MFS
EFT43854	25/01/2018	BROOME CYCLES	Equipment purchase- BRAC	40.00	MFS
EFT43855	25/01/2018	BROOME MOTORS	Vehicle parts- Workshop	791.45	MFS
EFT43856	25/01/2018	BROOME PHARMACY	First Aid supplies- BRAC	185.00	MFS
EFT43857	25/01/2018	BUNNINGS BROOME	Stock purchase- Depot	1799.66	MFS
EFT43858	25/01/2018	CABLE BEACH TYRE SERVICE PTY LTD	Vehicle maintenance- Works	7477.00	MFS
EFT43859	25/01/2018	COAST & COUNTRY ELECTRICS	Building renewal(KRO1)- Asset & Building	16344.69	MFS
EFT43860	25/01/2018	COASTAL DISTRIBUTING & PROVEDORING (CDP)	Kiosk stock- BRAC	1667.81	MFS
EFT43861	25/01/2018	COCA COLA AMATIL (HOLDINGS) LTD	Kiosk stock- BRAC	2254.97	MFS
EFT43862	25/01/2018	J BLACKWOOD & SON T/AS BLACKWOODS	Tool replacement- Depot	1728.14	MFS
EFT43863	25/01/2018	KIMBERLEY CAMPING & OUTBACK SUPPLIES	Uniforms- Depot	2338.70	MFS
EFT43864	25/01/2018	KIMBERLEY FIRE SYSTEMS PTY LTD	Replacement fire extinguishers (RFQ17-86)- Various Shire sites	2827.00	MFS
EFT43865	25/01/2018	KIMBERLEY GOLD PURE DRINKING WATER	Drinking water- Administration	228.00	MFS
EFT43866	25/01/2018	KIMBERLEY QUARRY PTY LTD	Roadbase- Crab Creek Rd	64168.82	MFS
EFT43867	25/01/2018	M P ROGERS & ASSOCIATES PTY LTD	Consultation expenses- Town Beach	6721.26	MFS
EFT43868	25/01/2018	MCINTOSH & SON	Vehicle parts- Workshop	345.16	MFS
EFT43869	25/01/2018	MCMULLEN NOLAN GROUP PTY LTD (MNG)	Surveying (Crab Creek Rd RFQ17-89)- Infrastructure	3747.70	MFS
EFT43870	25/01/2018	MIDALIA STEEL PTY LTD	Materials- Depot	4301.81	MFS
EFT43871	25/01/2018	NORTH WEST COAST SECURITY	Security- Various Shire properties	7700.56	MFS
EFT43872	25/01/2018	PERFEKT PTY LTD	Travel & accommodation contractor site setup- IT	1551.96	MFS

EFT43873	25/01/2018	BEST KIMBERLEY COMPUTING	Copier charges- IT	720.34	MFS
EFT43874	25/01/2018	BOC LIMITED	Oxygen- BRAC	96.01	MFS
EFT43875	25/01/2018	BORAL CONSTRUCTION MATERIALS GROUP LIMITED	Consumables- Depot	1099.99	MFS
EFT43876	25/01/2018	BP AUSTRALIA PTY LTD - FUEL	Fuel- Depot	19635.33	MFS
EFT43877	25/01/2018	BROOME BOLT SUPPLIES WA PTY LTD	Consumables- Depot	1206.70	MFS
EFT43878	25/01/2018	BROOME CRETE	Materials- Depot	4583.43	MFS
EFT43879	25/01/2018	FIRE & SAFETY SERVICES	Fire equipment- BRAC	594.00	MFS
EFT43880	25/01/2018	FOOTPRINT CLEANING (FORMERLY REGIONAL ASSET MANAGEMENT SERVICES)	Cleaning expenses- Various Shire sites	41719.80	MFS
EFT43881	25/01/2018	INTERFLOW PTY LIMITED	Camera inspection- Infrastructure	5618.38	MFS
EFT43882	25/01/2018	LO-GO APPOINTMENTS	Temporary Shire staff- Infrastructure	8793.68	MFS
EFT43883	25/01/2018	OFFICE NATIONAL BROOME	Stationery- Property	1940.60	MFS
EFT43884	25/01/2018	OFFICEMAX AUSTRALIA LTD	Stationery- Administration	671.77	MFS
EFT43885	25/01/2018	SECUREPAY PTY LTD	Transaction fees- Civic Centre	29.30	MFS
EFT43886	25/01/2018	SECURITY & TECHNOLOGY SERVICES - NORWEST	Equipment upgrade- Administration Office	2677.39	MFS
EFT43887	25/01/2018	STOTT & HOARE BUSINESS COMPUTERS	Cleaning cartridges- IT	102.30	MFS
EFT43888	25/01/2018	SURFMET PTY LTD T/A KIMBERLEY SOILS LABORATORY	Material testing- Infrastructure	2062.50	MFS
EFT43889	25/01/2018	TAPPED PLUMBING & GAS PTY LTD	Reactive maintenance- Shire Staff Housing	447.70	MFS
EFT43890	25/01/2018	TERRITORY RURAL BROOME	Material purchase(Six Season Park)- P&G	12717.21	MFS
EFT43891	25/01/2018	THINK WATER BROOME	Reticulation parts- Depot	2143.27	MFS
EFT43892	25/01/2018	WATERCHOICE (AUST) PTY LTD	Water filtration- Administration building	1560.40	MFS

EFT43893	25/01/2018	BROOME FIRST NATIONAL REAL ESTATE	Staff Rent	12109.69	MFS
EFT43894	25/01/2018	CHARTER PROPERTY GROUP PTY LTD	Staff rent	2607.14	MFS
EFT43895	25/01/2018	HUTCHINSON REAL ESTATE	Staff rent	4910.11	MFS
EFT43896	25/01/2018	KENNETH RAYMOND DONOHOE	Staff Rent	2824.40	MFS
EFT43897	25/01/2018	RAY WHITE BROOME	Staff Rent	12362.20	MFS
EFT43898	25/01/2018	RYAN AND PAULA JACK	Staff Rent	3128.57	MFS
EFT43899	25/01/2018	AUSTRALIAN INSTITUTE OF MANAGEMENT WA	Staff training- HR	710.00	MFS
EFT43900	25/01/2018	BROOME PROGRESSIVE SUPPLIES	Material purchase- Litter pick-up	1795.51	MFS
EFT43901	25/01/2018	BROOME TOWING & SALVAGE	Abandoned vehicle towing- Rangers	616.00	MFS
EFT43902	25/01/2018	COLES SUPERMARKETS - CHINATOWN, S324	Operating expenses- Depot	815.38	MFS
EFT43903	25/01/2018	G. BISHOPS TRANSPORT SERVICES PTY LTD	Freight- Depot	405.79	MFS
EFT43904	25/01/2018	HORIZON POWER (ELECTRICITY USAGE)	Electricity charges	25032.04	MFS
EFT43905	25/01/2018	KIMBERLEY PORTS AUTHORITY	Application fee(Proposed Jetty at Town Beach)- Infrastructure	550.00	MFS
EFT43906	25/01/2018	MCCORRY BROWN EARTHMOVING PTY LTD	Equipment Hire(RFQ17-81)- Construction on Crab Creek Rd	279614.19	MFS
EFT43907	25/01/2018	PINDAN LABOUR SOLUTIONS PTY LTD (A DIVISION OF DFP RECRUITMENT)	Temporary Shire staff- HR	537.69	MFS
EFT43908	25/01/2018	SUNNY SIGN COMPANY PTY LTD	Signage maintenance- Depot	6249.40	MFS
EFT43909	25/01/2018	TOTALLY WORKWEAR	Staff uniforms- Rangers	2136.60	MFS
EFT43910	25/01/2018	TOXFREE	Waste services- Administration & Library	4286.90	MFS

EFT43911	25/01/2018	URBIS PTY LTD	Town Beach Foreshore development (RFQ17-10)- Special Projects	11902.00	MFS
EFT43912	25/01/2018	ZANZARA	Repair trap motors- Health	133.30	MFS
EFT43913	30/01/2018	BROOME FIRST NATIONAL REAL ESTATE	Staff Rent	1790.47	MFS
EFT43914	30/01/2018	BROOME VISITOR CENTRE	Tourism Administration Policy funding 17/18- Community & Economic Development	49500.00	MFS
MUNICIPAL ELECTRONIC FUNDS TRANSFER TOTAL:				\$2,285,410.13	

MUNICIPAL CHEQUES - JANUARY 2018					
Cheque	Date	Name	Description	Amount	Det
57502	13/01/2018	SHIRE OF BROOME	Library petty cash (5.01.18- 8.01.18)	51.50	MFS
57503	13/01/2018	TARGET AUSTRALIA PTY LTD	Equipment- Rangers	210.00	MFS
					MFS
					MFS
					MFS
MUNICIPAL CHEQUES TOTAL:				\$261.50	

TRUST CHEQUES - DECEMBER 2018					
Cheque	Date	Name	Description	Amount	Det
3443	08/01/2018	BUILDING & CONSTRUCTION INDUSTRY TRAINING FUND	BCITF LEVY- DECEMBER 2017	1731.67	MFS
TRUST CHEQUES TOTAL:				\$1,731.67	

MUNICIPAL DIRECT DEBIT/CREDIT CARD PAYMENTS - DECEMBER 2018					
DD#	Date	Name	Description	Amount	Det
DD23656.1	02/01/2018	SUPERANNUATION	Superannuation contributions	57668.24	MFS
DD23656.10	02/01/2018	SUPERANNUATION	Superannuation contributions	461.16	MFS
DD23656.11	02/01/2018	SUPERANNUATION	Superannuation contributions	393.81	MFS
DD23656.12	02/01/2018	SUPERANNUATION	Superannuation contributions	454.50	MFS
DD23656.13	02/01/2018	SUPERANNUATION	Superannuation contributions	352.48	MFS
DD23656.14	02/01/2018	SUPERANNUATION	Superannuation contributions	1070.05	MFS
DD23656.15	02/01/2018	SUPERANNUATION	Superannuation contributions	231.89	MFS

DD23656.16	02/01/2018	SUPERANNUATION	Superannuation contributions	829.17	MFS
DD23656.17	02/01/2018	SUPERANNUATION	Superannuation contributions	283.67	MFS
DD23656.18	02/01/2018	SUPERANNUATION	Superannuation contributions	342.98	MFS
DD23656.19	02/01/2018	SUPERANNUATION	Superannuation contributions	2083.04	MFS
DD23656.2	02/01/2018	SUPERANNUATION	Superannuation contributions	1270.87	MFS
DD23656.20	02/01/2018	BT SUPER FOR LIFE	Superannuation contributions	1023.97	MFS
DD23656.21	02/01/2018	SUPERANNUATION	Superannuation contributions	682.23	MFS
DD23656.22	02/01/2018	SUPERANNUATION	Superannuation contributions	2520.38	MFS
DD23656.23	02/01/2018	SUPERANNUATION	Superannuation contributions	808.76	MFS
DD23656.24	02/01/2018	SUPERANNUATION	Superannuation contributions	232.18	MFS
DD23656.25	02/01/2018	SUPERANNUATION	Superannuation contributions	197.75	MFS
DD23656.3	02/01/2018	SUPERANNUATION	Superannuation contributions	617.99	MFS
DD23656.4	02/01/2018	SUPERANNUATION	Superannuation contributions	257.25	MFS
DD23656.5	02/01/2018	SUPERANNUATION	Superannuation contributions	419.75	MFS
DD23656.6	02/01/2018	SUPERANNUATION	Superannuation contributions	929.93	MFS
DD23656.7	02/01/2018	SUPERANNUATION	Superannuation contributions	143.27	MFS
DD23656.8	02/01/2018	SUPERANNUATION	Superannuation contributions	329.12	MFS
DD23656.9	02/01/2018	SUPERANNUATION	Superannuation contributions	1163.21	MFS
DD23718.1	16/01/2018	SUPERANNUATION	Superannuation contributions	58095.86	MFS
DD23718.10	16/01/2018	SUPERANNUATION	Superannuation contributions	477.21	MFS
DD23718.11	16/01/2018	SUPERANNUATION	Superannuation contributions	352.48	MFS
DD23718.12	16/01/2018	SUPERANNUATION	Superannuation contributions	454.50	MFS
DD23718.13	16/01/2018	SUPERANNUATION	Superannuation contributions	1536.17	MFS
DD23718.14	16/01/2018	SUPERANNUATION	Superannuation contributions	829.17	MFS
DD23718.15	16/01/2018	SUPERANNUATION	Superannuation contributions	283.67	MFS
DD23718.16	16/01/2018	SUPERANNUATION	Superannuation contributions	342.98	MFS
DD23718.17	16/01/2018	SUPERANNUATION	Superannuation contributions	2123.97	MFS
DD23718.18	16/01/2018	SUPERANNUATION	Superannuation contributions	1019.98	MFS
DD23718.19	16/01/2018	SUPERANNUATION	Superannuation contributions	682.23	MFS
DD23718.2	16/01/2018	SUPERANNUATION	Superannuation contributions	1482.43	MFS
DD23718.20	16/01/2018	SUPERANNUATION	Superannuation contributions	2356.03	MFS
DD23718.21	16/01/2018	SUPERANNUATION	Superannuation contributions	808.76	MFS
DD23718.22	16/01/2018	SUPERANNUATION	Superannuation contributions	232.18	MFS
DD23718.23	16/01/2018	SUPERANNUATION	Superannuation contributions	124.90	MFS
DD23718.3	16/01/2018	SUPERANNUATION	Superannuation contributions	617.99	MFS
DD23718.4	16/01/2018	SUPERANNUATION	Superannuation contributions	419.75	MFS
DD23718.5	16/01/2018	SUPERANNUATION	Superannuation contributions	943.67	MFS
DD23718.6	16/01/2018	SUPERANNUATION	Superannuation contributions	264.54	MFS
DD23718.7	16/01/2018	SUPERANNUATION	Superannuation contributions	618.98	MFS
DD23718.8	16/01/2018	SUPERANNUATION	Superannuation contributions	1134.64	MFS
DD23718.9	16/01/2018	SUPERANNUATION	Superannuation contributions	339.07	MFS
DD23751.1	23/01/2018	SUPERANNUATION	Superannuation contributions	10367.00	MFS
DD23794.1	30/01/2018	SUPERANNUATION	Superannuation contributions	58306.02	MFS
DD23794.10	30/01/2018	SUPERANNUATION	Superannuation contributions	284.62	MFS
DD23794.11	30/01/2018	SUPERANNUATION	Superannuation contributions	905.58	MFS
DD23794.12	30/01/2018	SUPERANNUATION	Superannuation contributions	454.50	MFS
DD23794.13	30/01/2018	SUPERANNUATION	Superannuation contributions	352.48	MFS

DD23794.14	30/01/2018	SUPERANNUATION	Superannuation contributions	1071.25	MFS
DD23794.15	30/01/2018	SUPERANNUATION	Superannuation contributions	829.17	MFS
DD23794.16	30/01/2018	SUPERANNUATION	Superannuation contributions	283.67	MFS
DD23794.17	30/01/2018	SUPERANNUATION	Superannuation contributions	342.98	MFS
DD23794.18	30/01/2018	SUPERANNUATION	Superannuation contributions	2241.89	MFS
DD23794.19	30/01/2018	SUPERANNUATION	Superannuation contributions	1015.37	MFS
DD23794.2	30/01/2018	SUPERANNUATION	Superannuation contributions	1305.20	MFS
DD23794.20	30/01/2018	SUPERANNUATION	Superannuation contributions	682.23	MFS
DD23794.21	30/01/2018	SUPERANNUATION	Superannuation contributions	2468.16	MFS
DD23794.22	30/01/2018	SUPERANNUATION	Superannuation contributions	1120.51	MFS
DD23794.23	30/01/2018	SUPERANNUATION	Superannuation contributions	210.40	MFS
DD23794.24	30/01/2018	SUPERANNUATION	Superannuation contributions	211.63	MFS
DD23794.3	30/01/2018	SUPERANNUATION	Superannuation contributions	617.99	MFS
DD23794.4	30/01/2018	SUPERANNUATION	Superannuation contributions	289.86	MFS
DD23794.5	30/01/2018	SUPERANNUATION	Superannuation contributions	419.75	MFS
DD23794.6	30/01/2018	SUPERANNUATION	Superannuation contributions	929.93	MFS
DD23794.7	30/01/2018	SUPERANNUATION	Superannuation contributions	220.25	MFS
DD23794.8	30/01/2018	SUPERANNUATION	Superannuation contributions	613.05	MFS
DD23794.9	30/01/2018	SUPERANNUATION	Superannuation contributions	1213.31	MFS
DD23808.1	24/01/2018	QANTAS AIRWAYS LTD	Flights- HR Recuritmnt expenses (Credit card payment 04.01.18)	1372.44	MFS
DD23808.2	24/01/2018	THE MANGROVE RESORT HOTEL (GARRETT HOSPITALITY PTY LTD)	Accommodation- HR Recruitment expenses (Credit card payment 03.01.18)	263.10	MFS
DD23808.3	24/01/2018	GODADDY	License renewal- IT (Credit card payment 03.01.18)	241.98	MFS
DD23808.4	24/01/2018	VIRGIN AUSTRALIA	Flights- Finance temporary staff (Credit card payment 20.01.18)	265.40	MFS
DD23809.1	24/01/2018	HILTON DARWIN	Accommodation- Infrastructure- (Credit Card Payment- 17.01.18)	472.00	MFS
DD23809.2	24/01/2018	DEPARTMENT OF ENVIRONMENT REGULATION	Licence fees- WMF- (Credit Card Payment- 18.01.18)	1780.00	MFS
DD23809.3	24/01/2018	QANTAS AIRWAYS LTD	Flights- Temp Ranger Staff (Credit card payment- 24.01.18)	651.78	MFS
DD23809.4	24/01/2018	FACEBOOK	Facebook Advertising- Media Flights- (Credit card payment- 31.12.17)	155.00	MFS
DD23810.1	24/01/2018	QANTAS AIRWAYS LTD	Mardi Gras Cabaret flights - Civic Centre - (Credit Card Payment- 03.01.18)	975.98	MFS
DD23810.2	24/01/2018	BROOME MAGISTRATES COURT	Court expenses- Community & Development - (Credit Card Payment- 02.01.18)	119.35	MFS

DD23810.3	24/01/2018	FACEBOOK	Advertising- Civic Centre- (Credit Card Payment- 31.12.17)	146.73	MFS
DD23810.4	24/01/2018	AIRNORTH	Mardi Gras Carbareet flights - Civic Centre - (Credit Card Payment- 02.01.18)	2783.20	MFS
DD23810.5	24/01/2018	SUBSCRIBE	Magazines- Library- (Credit Card Payment- 09.01.18)	845.26	MFS
MUNICIPAL DIRECT DEBIT TOTAL:				\$256,708.10	

MUNICIPAL ELECTRONIC TRANSFER TOTAL **\$2,285,410.13**

MUNICIPAL CHEQUES TOTAL **\$261.50**

TRUST CHEQUE TOTAL **\$1,731.67**

MUNICIPAL DIRECT DEBIT/ CREDIT CARD TOTAL **\$256,708.10**

TOTAL PAYMENTS - JANUARY 2018 **\$2,544,111.40**

Key for Delegation of Authority:

CEO Chief Executive Officer
MFS Manager Financial Services
DCS Director Corporate Services

LOCAL SPEND PAYMENTS BY EFT & CHEQUE & FROM TRUST - JANUARY 2018					
LOCAL SPEND MUNICIPAL ELECTRONIC TRANSFER - JANUARY 2018					
EFT43598	04/01/2018	SUN STUDIOS	BOND REFUND CI IC CENTRE NO SUN STUDIOS BROOME	1235.28	MFS
EFT43599	04/01/2018	BRUCE RUDEFORTH	Councillor Sitting Fee-Month	1733.33	MFS
EFT43603	04/01/2018	ELSTA RE INA FO	Councillor Sitting Fee-Month	1733.34	MFS
EFT43633	04/01/2018	MYLES MITCHELL	Salary pac agin	425.00	MFS
EFT43651	12/01/2018	ANDRE BLACK LANDSCAPES	Building maintenance- Shire Staff Housing	770.00	MFS
EFT43654	12/01/2018	BP BROOME CENTRAL & TYREPLUS BROOME	Fuel- BRAC	44.21	MFS
EFT43656	12/01/2018	BROOME BASKETBALL ASSOCIATION INC	Reimbursement of registration fees- Club Development	3765.00	MFS
EFT43657	12/01/2018	BROOME DIESEL & HYDRAULIC SER	ICE ehicle parts- or s	105.60	MFS
EFT43658	12/01/2018	BROOME PHARMACY	Operating e penses- Dep	99.00	MFS
EFT43659	12/01/2018	BROOME SCOOTERS PTY LTD (KIMBERLEY MO ERS & SPARES	Equipment purchase- P&	456.50	MFS
EFT43660	12/01/2018	BROOME TREE & PALM SER IC	Mulching(RFT 16/05)- Mf	29987.90	MFS
EFT43661	12/01/2018	BROOME HEEL ALI NIN & SUSPENSION	ehicle parts- or shop	340.00	MFS
EFT43662	12/01/2018	CLEMENTSON STREET ACCIDENT REPAIR CENTRE	Insurance e cess- or shop	500.01	MFS
EFT43664	12/01/2018	COPY CATS DI TAL PRINT & DESI N I	Printing- Civic Centre	264.00	MFS
EFT43668	12/01/2018	DOMINO S PI A	Catering- Development & Community	172.35	MFS
EFT43671	12/01/2018	FI IT BROOME	Building maintenance(KRO2)- Property	1139.11	MFS
EFT43672	12/01/2018	FOOTPRINT CLEANIN (FORMERLY RE IONAL ASSET MANA EMENT SER ICES	Cleaning e penses(Medland pavilion BRAC	847.00	MFS
EFT43679	12/01/2018	KIMBERLEY DISTRIBUTORS	Kios stoc - BR	560.40	MFS
EFT43680	12/01/2018	KIMBERLEY FUEL & OIL SER ICE	arious oils- or sh	528.00	MFS
EFT43681	12/01/2018	KIMBERLEY OLD PURE DRINKIN ATER	Drin ing water- MF	152.00	MFS
EFT43682	12/01/2018	KIMBERLEY PILBARA CATTLEMEN S ASSOCIATION	Consultant e penses- Development Community	11000.00	MFS
EFT43684	12/01/2018	LACHLAN BIRCH PAINTIN SER ICES	Painting(CAPE -RFQ 17/80)- Infrastructure	19437.00	MFS
EFT43689	12/01/2018	NORTH EST COAST SECURITY	Security Services- Shire various sites	7443.16	MFS
EFT43690	12/01/2018	NORTH EST SHEDMASTERS ARA DOORS PTY LTD	ESupply & install garage door- Depot	1650.00	MFS
EFT43692	12/01/2018	NYAMBA BURU YA URU LTD	Cultural Monitors (Crab Cree Road Stage 2)- Infrastructure	36564.00	MFS
EFT43694	12/01/2018	A ERY AIRCONDITIONIN PTY LTD	Air conditioning maintenance- BRAC	3653.99	MFS
EFT43697	12/01/2018	PEARL COAST YMNASTICS CLUB INC	Kids sport application- Club Development	506.00	MFS
EFT43699	12/01/2018	PINDAN LABOUR SOLUTIONS PTY LTD (A DI ISSION OF DFP RECRUITMENT)	Temporary staff- BRAC	2982.95	MFS
EFT43700	12/01/2018	PMK ELDIN & METAL FABRICATION	ehicle maintenance- MF	187.00	MFS
EFT43701	12/01/2018	POOL ISDON	Chemicals- BRAC	3230.77	MFS
EFT43706	12/01/2018	SPORTSPO ER BROOME	ift voucher (Club Development Officer Program)- BRAC	450.00	MFS
EFT43707	12/01/2018	TAPPED PLUMBIN & AS PTY LTD	Plumbing wor s(KRO1)- Asset & Building	339.90	MFS
EFT43708	12/01/2018	THEATRE KIMBERLEY INC	Kids sport application- Club Development	340.00	MFS
EFT43712	12/01/2018	TO FRE	aste services- BRAC	729.23	MFS
EFT43713	12/01/2018	TRADELINK PLUMBIN SUPPLIES	Reticulation parts(BRAC Ovals)- P&	368.88	MFS

LOCAL SPEND MUNICIPAL ELECTRONIC TRANSFER - JANUARY 2018					
EFT43715	12/01/2018	AARLI BAR (ENDLAND E ENTS P/L)	Catering- CEO office	900.00	MFS
EFT43717	12/01/2018	BROOME AUSKICK	Community Sponsorship- Sevelopment & Community	65.00	MFS
EFT43718	12/01/2018	BROOME SMALL MAINTENANCE SER ICE	Maintenance- Administration Office	407.00	MFS
EFT43720	12/01/2018	CT MECHANICAL & SER ICE	Plant repair- MF	1749.00	MFS
EFT43722	12/01/2018	EAST TO EST DATA & ELECTRICAL SER ICE	Renewal e penses(CAPE)- Infrastructure	3121.80	MFS
EFT43727	12/01/2018	MCCORRY BRO N EARTHMO IN PT LTD	Mulching- MF	2106.50	MFS
EFT43728	12/01/2018	NORTH EST LOCKSMITHS	Building maintenance(Haas St)- Asset & Building	120.00	MFS
EFT43739	18/01/2018	BROOME PRO RESSI E SUPPLI	Kios stoc - BR	175.35	MFS
EFT43740	18/01/2018	BROOME SCOOTERS PTY LTD (KIMBERLEY MO ERS & SPARES	Material purchase- Depot	220.00	MFS
EFT43741	18/01/2018	BROOME TREE & PALM SER IC	Mulching- MF	33922.75	MFS
EFT43747	18/01/2018	THE LOCKUP	Catering- Chinatown HQ Trader s Sundowner	480.00	MFS
EFT43748	18/01/2018	UNBOUND SOUND	Flood lights- Civic Centre	450.00	MFS
EFT43775	18/01/2018	MYLES MITCHELL	Salary pac agin	425.00	MFS
EFT43779	18/01/2018	BP BROOME CENTRAL & TYREPLUS BROOME	Fuel- Depot	292.13	MFS
EFT43780	18/01/2018	BROOME PLUMBIN & ,	Plumbing wor s- B	283.00	MFS
EFT43781	18/01/2018	COAST & COUNTRY ELECTRICS	Electrical installation- Assets & Building	2083.45	MFS
EFT43782	18/01/2018	CT MECHANICAL & SER ICE	Loader maintenance- MI	1188.00	MFS
EFT43783	18/01/2018	EAST TO EST DATA & ELECTRICAL SER ICE	Electrical wor s- Administration Office	4636.50	MFS
EFT43784	18/01/2018	FIRE & SAFETY SER ICES	Building maintenance- Civic Centre	172.34	MFS
EFT43785	18/01/2018	FOOTPRINT CLEANIN (FORMERLY RE IONAL ASSET MANA EMENT SER ICES	Cleaning- Library	2145.00	MFS
EFT43788	18/01/2018	KIMBERLEY BOOKSHOF	Boo s- Librai	233.95	MFS
EFT43789	18/01/2018	KIMBERLEY DISTRIBUTOR!	Kios stoc - BR	230.94	MFS
EFT43790	18/01/2018	KIMBERLEY OLD PURE DRINKIN ATER	Drin ing water- Administraton building	57.00	MFS
EFT43791	18/01/2018	LEADIN ED E COMPUTE!	Equipment- IT	309.55	MFS
EFT43796	18/01/2018	NORTH EST LOCKSMITH!	Loc smith- Depc	336.00	MFS
EFT43798	18/01/2018	OFFICE NATIONAL BROOME	Copier charges- IT	116.73	MFS
EFT43799	18/01/2018	PEARL COAST CRANE HIRE	ehicle repair- N	258.50	MFS
EFT43800	18/01/2018	PEARL COAST INDUSTRIAL RA	Consumables- Depot	263.40	MFS
EFT43807	19/01/2018	FIRE & SAFETY SER ICES	Fire system maintenance- Civic Centre	581.16	MFS
EFT43808	19/01/2018	SECURITY & TECHNOLO Y SER ICES NOR EST	Additional data outlets- IT	848.21	MFS
EFT43811	22/01/2018	AARLI BAR (ENDLAND E ENTS P/L)	Catering- Civic Centre	9400.00	MFS
EFT43813	22/01/2018	A ERY AIRCONDITIONIN PTY LTD	Airconditioner maintenance- Civic centre	851.03	MFS
EFT43816	22/01/2018	EAST TO EST DATA & ELECTRICAL SER ICE	Equipment maintenance- IT	2475.00	MFS
EFT43817	22/01/2018	MARISA FERRA -O NER SUN PICTURES	rant funding- Chinatown Revitalisation	5655.10	MFS
EFT43818	22/01/2018	NORTH EST LOCKSMITH!	Operating e penses-	24.00	MFS
EFT43823	23/01/2018	BP BROOME CENTRAL & TYREPLUS BROOME	Fuel- BRAC	28.86	MFS
EFT43824	23/01/2018	BROOME DOCTORS PRACTICE PTY LTD	Recruitment e penses	104.50	MFS
EFT43826	23/01/2018	FIELD AIR CONDITIONIN & AUTO ELECTRICAL PTY LTD	Airconditioner repair- or shop	840.20	MFS
EFT43835	25/01/2018	AMO CONTRACTIN	Footpath maintenance(Frangiapani Subdivision)- Infrastructure	18190.70	MFS
EFT43836	25/01/2018	AUTOPRO BROOME (aff Holdings Pty Ltd)	Steering wheel cover- or shop	22.95	MFS

LOCAL SPEND MUNICIPAL ELECTRONIC TRANSFER - JANUARY 2018					
EFT43838	25/01/2018	BROOME CLARK RUBBER	Pool chemicals- BRAC	353.36	MFS
EFT43840	25/01/2018	BROOME DOCTORS PRACTICE PTY LTD	Medical- HR	214.50	MFS
EFT43842	25/01/2018	CT MECHANICAL & SER ICE	ehicle maintenance- N	2200.00	MFS
EFT43843	25/01/2018	EN A A ARCHITECTS	Refund Certificate of Constuction Fee (Incorrectly charged)- Building	540.00	MFS
EFT43844	25/01/2018	FIELD AIR CONDITIONIN & AUTO ELECTRICAL PTY LTD	ehicle parts- or shop	588.40	MFS
EFT43845	25/01/2018	KIMBERLEY FUEL & OIL SER ICE	Consumables- Mf	1111.00	MFS
EFT43848	25/01/2018	PEARL COAST YMNASTICS CLUB INC	Kidsport applications- Club Development	440.00	MFS
EFT43851	25/01/2018	ROADLINE CI IL CONTRACTOR	Equipment hire- Infrastructure	5984.00	MFS
EFT43853	25/01/2018	BROOME AUTOMOTI E SPARES / BROOME 4 D RECYCLER	Suspension it- or shop	44.25	MFS
EFT43855	25/01/2018	BROOME MOTORS	ehicle parts- or sh	791.45	MFS
EFT43856	25/01/2018	BROOME PHARMACY	First Aid supplies- BRAC	185.00	MFS
EFT43858	25/01/2018	CABLE BEACH TYRE SER ICE PTY LTD	ehicle maintenance- or s	7477.00	MFS
EFT43859	25/01/2018	COAST & COUNTRY ELECTRICS	Building renewal(KRO1)- Asset & Building	16344.69	MFS
EFT43860	25/01/2018	COASTAL DISTRIBUTIN & PRO EDORIN (CDI	Kios stoc -BRAC	1667.81	MFS
EFT43863	25/01/2018	KIMBERLEY CAMPIN & OUTBACK SUPPLIES	Uniforms- Depot	2338.70	MFS
EFT43864	25/01/2018	KIMBERLEY FIRE SYSTEMS PTY LTD	Replacement fire e tinguishers (RFQ17-86)- arious Shire site	2827.00	MFS
EFT43865	25/01/2018	KIMBERLEY OLD PURE DRINKIN ATER	Drin ing water- Administration	228.00	MFS
EFT43870	25/01/2018	MIDALIA STEEL PTY LTD	Materials- Depot	4301.81	MFS
EFT43871	25/01/2018	NORTH EST COAST SECURITY	Security- arious Shire properties	7700.56	MFS
EFT43877	25/01/2018	BROOME BOLT SUPPLIES A PTY LTD	Consumables- Depot	1206.70	MFS
EFT43879	25/01/2018	FIRE & SAFETY SER ICE	Fire equipment- BRAC	594.00	MFS
EFT43880	25/01/2018	FOOTPRINT CLEANIN (FORMERLY RE IONAL ASSET MANA EMENT SER ICES	Cleaning e penses- arious Shire sites	41719.80	MFS
EFT43886	25/01/2018	SECURITY & TECHNOLO Y SER ICES NOR EST	Equipment upgrade- Administration Office	2677.39	MFS
EFT43889	25/01/2018	TAPPED PLUMBIN & AS PTY LTD	Reactive maintenance- Shire Staff Housing	447.70	MFS
EFT43890	25/01/2018	TERRITORY RURAL BROOME	Material purchase(Si Season Par)- P&	12717.21	MFS
EFT43891	25/01/2018	THINK ATER BROOMI	Reticulation parts- Depot	2143.27	MFS
EFT43900	25/01/2018	BROOME PRO RESSI E SUPPLI	Material purchase- Litter pic -L	1795.51	MFS
EFT43901	25/01/2018	BROOME TO IN & SAL A E	Abandoned vehicle towing- Rangers	615.00	MFS
EFT43905	25/01/2018	KIMBERLEY PORTS AUTHORITY	Application fee(Proposed Jetty at Town Beach)- Infrastructure	550.00	MFS
EFT43906	25/01/2018	MCCORRY BRO N EARTHMO IN P LTD	Equipment Hire(RFQ17-81)- Construction on Crab Cree R	279614.19	MFS
EFT43907	25/01/2018	PINDAN LABOUR SOLUTIONS PTY LTD (A DI ISION OF DFP RECRUITMENT)	Temporary Shire staff- HR	537.69	MFS
EFT43909	25/01/2018	TOTALLY ORK EAI	Staff uniforms- Rangers	2136.60	MFS
EFT43910	25/01/2018	TO FREE	aste services- Administration & Library	4286.90	MFS
MUNICIPAL ELECTRONIC FUNDS TRANSFER TOTAL:				635,892.00	

MUNICIPAL CHEQUES - JANUARY 2018					
Cheque	Date	Name	Description	Amount	Del Auth

LOCAL SPEND MUNICIPAL ELECTRONIC TRANSFER - JANUARY 2018					
57503	13/01/2018	TAR ET AUSTRALIA PTY LTD	Equipment- Rangers	210.00	MFS
					MFS
					MFS
MUNICIPAL CHEQUES TOTAL:				210.00	

TRUST CHEQUES - JANUARY 2018					
Cheque	Date	Name	Description	Amount	Del Auth
					MFS
					MFS
					MFS
TRUST CHEQUES TOTAL:				0.00	

MUNICIPAL DIRECT DEBIT/CREDIT CARD PAYMENTS - JANUARY 2018					
DD	Date	Name	Description	Amount	Del Auth
DD23698.3	01/01/2018	BROOME ALLERY	Gift for SD K Shire President - Office of the CEO (Credit Card Payment 14/12/2017)	110.00	MFS
DD23698.4	01/01/2018	HARVEY NORMAN A /IT SUPERSTORE BROOME	Coffee Machine - Office of the CEO (Credit Card Payment 14/12/2017)	1978.00	MFS
DD23703.2	01/01/2018	B S LIQUOUR	Alcohol - Development and Community (Credit Card Payment 15/12/2017)	175.00	MFS
DD23808.2	24/01/2018	THE MANOR RESORT HOTEL (ARRETT HOSPITALITY PTY LTD)	Accommodation- HR Recruitment e nses (Credit Card Payment 02.01.18)	263.10	MFS
DD23810.2	24/01/2018	BROOME MAGISTRATES COURT	Court e nses- Community & Development - (Credit Card Payment- 02.01.18)	119.35	MFS
MUNICIPAL DIRECT DEBIT TOTAL:				2,645.4	

MUNICIPAL ELECTRONIC TRANSFER TOTAL	635,892.00
MUNICIPAL CHEQUES TOTAL	210.00
TRUST CHEQUE TOTAL	0.00
MUNICIPAL DIRECT DEBIT/ CREDIT CARD TOTAL	2,645.40
TOTAL PAYMENTS - JANUARY 2018	638,747.40

Key for Delegation of Authority:

CEO	Chief Executive Officer
MFS	Manager Financial Services
DCS	Director Corporate Services

9.4.3 MONTHLY STATEMENT OF FINANCIAL ACTIVITY REPORT DECEMBER 2017

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FRE02
AUTHOR:	Coordinator Financial Operations
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Manager Financial Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	2 February 2018

SUMMARY: Council is required by legislation to consider and adopt the Monthly Statement of Financial Activity Report for the period ended 31 December 2017, as required by Regulation 34(1) of the Local Government (Financial Management) Regulations 1996 (FMR).

Council is further provided with a General Fund Summary of Financial Activity (Schedules 2 to 14) which provides comprehensive information on Council's operations by Function and Activity.

BACKGROUNDPrevious Considerations

Council is provided with the Monthly Financial Activity Report which has been developed in line with statutory reporting standards and provides Council with a holistic overview of the operations of the Shire of Broome.

Supplementary information has been provided in the form of Notes to the Monthly Report and a General Fund Summary of Financial Activity, which discloses Council's Revenue and Expenditure in summary form, by Programme (Function and Activity).

Disclosure and supply of appropriate explanations for variances presented in the Statement of Financial Activity, is mandatory under FMR 34(2)(b) as stated in Policy 2.1.1 Materiality in Financial Reporting.

FMR 34(5) requires a local government to adopt a percentage or value, calculated in accordance with the Australian Accounting Standards (AAS) and Council's adopted risk management matrix thresholds, to be used in statements of financial activity for reporting material variances.

COMMENT

The 2017/2018 Annual Budget was adopted at the Ordinary Meeting of Council on 29 June 2017.

The following are key indicators supporting the year to-date budget position with respect to the Annual Forecast Budget:

Budget Year elapsed	50.41%
Total Rates Raised Revenue	100% (of which 75.82% has been collected)

Total Other Operating Revenue	53%
Total Operating Expenditure	40%
Total Capital Revenue	37%
Total Capital Expenditure	16%
Total Sale of Assets Revenue	37%

More detailed explanations of variances are contained in Note 2 of the Monthly Statement of Financial Activity. The commentary identifies material variations between the expected year-to-date budget position and the position at the reporting date.

Based on the 2017/2018 Annual Budget presented at the Ordinary Meeting of Council on 29 June 2017, Council adopted a balanced budget to 30 June 2018.

It should be noted that the Annual Financial Statements for the Shire of Broome were completed and presented to the Audit Committee on 16 October 2017 before being endorsed by Council on 19 October 2017. The final report included recommendations for the use of an additional \$1,727,141 in carried forward surplus. These recommendations were approved by Council and incorporated into the 2017-18 budget. The result of all amendments year-to-date has a nil impact on the forecast end-of-year position and presents a balanced budget.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

34. Financial activity statement report — s. 6.4

(1A) *In this regulation —*

"committed assets" means revenue unspent but set aside under the annual budget for a specific purpose.

- (1) *A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*
 - (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
 - (b) *budget estimates to the end of the month to which the statement relates;*
 - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the month to which the statement relates*
- (2) *Each statement of financial activity is to be accompanied by documents containing —*
 - (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*

- (b) an explanation of each of the material variances referred to in sub regulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown —
- (a) according to nature and type classification;
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
- (a) is incurred in a financial year before the adoption of the annual budget by the local government;
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.
- * Absolute majority required.

- (1a) In subsection (1) —
- “additional purpose”** means a purpose for which no expenditure estimate is included in the local government's annual budget.
- (2) Where expenditure has been incurred by a local government —
- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
 - (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

POLICY IMPLICATIONS

2.2.2 Materiality in Financial Reporting

FINANCIAL IMPLICATIONS

The adoption of the Monthly Financial Report is retrospective. Accordingly, the financial implications associated with adopting the Monthly Financial Report are nil.

RISK

The Financial Activity report is presented monthly and provides a retrospective picture of

the activities at the Shire. Contained within the report is information pertaining to the financial cost and delivery of strategic initiatives and key projects.

In order to mitigate the risk of budget over-runs or non-delivery of projects, the Chief Executive Officer has implemented internal control measures such as regular Council and management reporting and the quarterly FACR process to monitor financial performance against budget estimates. Materiality reporting thresholds have been established at half the adopted Council levels, which equate to \$5,000 for operating budget line items and \$10,000 for capital items, to alert management prior to there being irreversible impacts.

It should also be noted that there is an inherent level of risk of misrepresentation of the financials through either human error or potential fraud. The establishment of control measures through a series of efficient systems, policies and procedures, which fall under the responsibility of the CEO as laid out in the *Local Government (Financial Management Regulations) 1996* regulation 5, seek to mitigate the possibility of this occurring. These controls are set in place to provide daily, weekly and monthly checks to ensure that the integrity of the data provided is reasonably assured.

STRATEGIC IMPLICATIONS

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

Affordable land for residential, industrial, commercial and community use

Key economic development strategies for the Shire which are aligned to regional outcomes working through recognised planning and development groups/committees

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

Improved systems, processes and compliance

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council:

- 1. Adopts the Monthly Financial Activity Report for the period ended 31 December 2017; and*
- 2. Receives the General Fund Summary of Financial Activity (Schedules 2-14) for the period ended 31 December 2017.*

Attachments

1. Monthly Financial Activity Statements Report- December 2017
2. Summary Schedule
3. Schedule 3-14

SHIRE OF BROOME
MONTHLY FINANCIAL REPORT
For the Period Ended 31 December 2017

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

TABLE OF CONTENTS

	<u>Pages</u>
Compilation Report	2
Monthly Summary Information	3
Statement of Financial Activity by Program	6
Statement of Financial Activity By Nature or Type	8
Statement of Capital Acquisitions and Capital Funding	9
Statement of Budget Amendments	11
Note 1 Significant Accounting Policies	13
Note 2 Explanation of Material Variances	20
Note 3 Net Current Funding Position	22
Note 4 Cash and Investments	23
Note 5 Budget Amendments	24
Note 6 Receivables	28
Note 7 Cash Backed Reserves	29
Note 8 Capital Disposals	30
Note 9 Rating Information	31
Note 10 Information on Borrowings	32
Note 11 Trust	33
Note 12 Details of Capital Acquisitions	34
Appendix A Supplementary Notes to the Monthly Report	37
Appendix B Detailed Schedules	

Shire of Broome

Compilation Report

For the Period Ended 31 December 2017

Report Purpose

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996*, Regulation 34 .

Overview

Summary reports and graphical progressive graphs are provided on page 3, 4 and 5.
No matters of significance are noted.

Statement of Financial Activity by reporting program

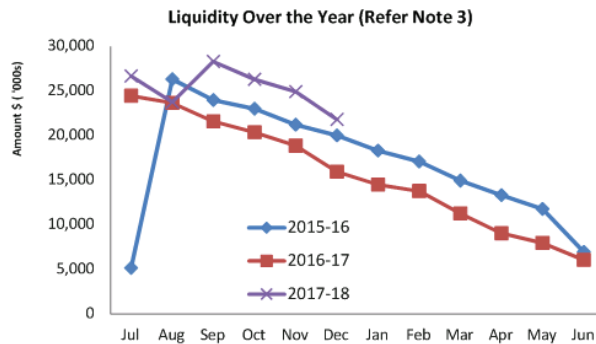
Is presented on page 6 and shows a surplus as at 31 December 2017 of \$21,815,354.

Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary.

Preparation

Prepared by: R Nembi
Reviewed by: Alvin Santiago
Date prepared: 05/02/2018

Shire of Broome
Monthly Summary Information
For the Period Ended 31 December 2017

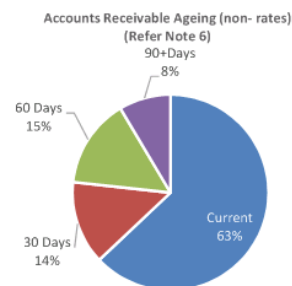
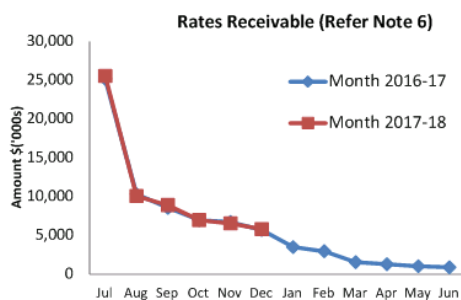


**Cash and Cash Equivalents
as at period end**

Unrestricted	\$ 16,644,239
Restricted	\$ 31,413,568
	<u>\$ 48,057,807</u>

Receivables

Rates	\$ 5,497,512
Other	\$ 1,418,987
	<u>\$ 6,916,499</u>



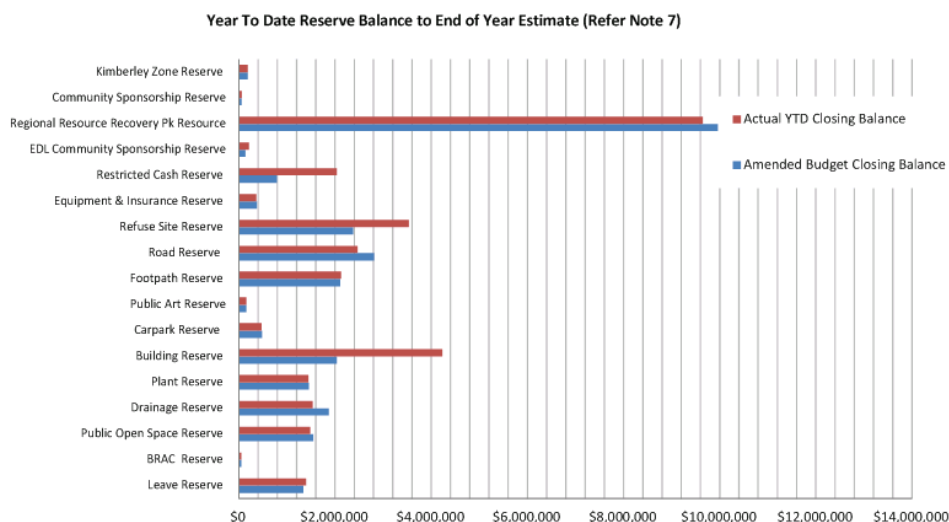
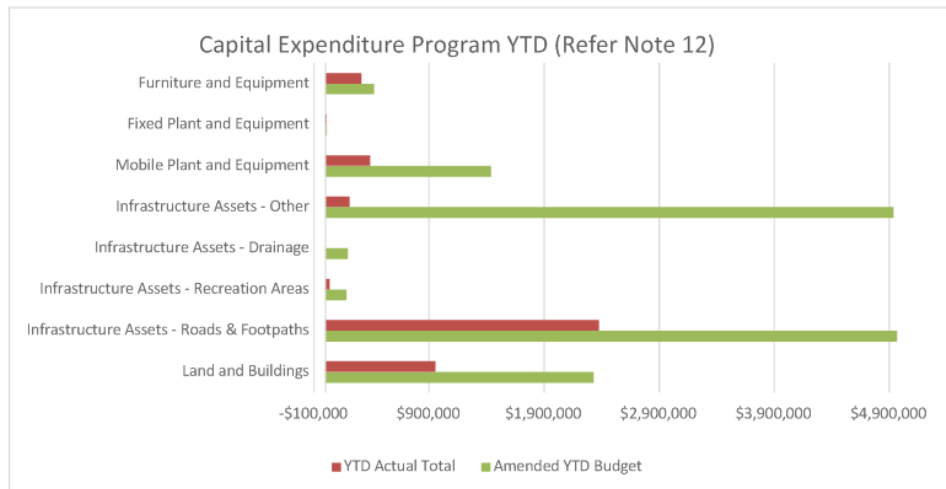
Comments

1. Liquidity refers to the Shire of Broome's ability to meet its financial obligations within the current year. Liquidity increased at the start of the financial year by \$20.628M due mainly to the issuance of rates. Liquidity is a combination of unrestricted cash, Current Debtors (including Rates), and Current Creditors. The Shire of Broome's current position (representing liquidity) can be found in Note 3.

2. Rates were raised in July with payment due 35 days after issuing. Total Rates raised for the year was \$21.89M with total outstanding rates YTD at \$5.5M.

This information is to be read in conjunction with the accompanying Financial Statements and notes.

Shire of Broome
Monthly Summary Information
 For the Period Ended 31 December 2017



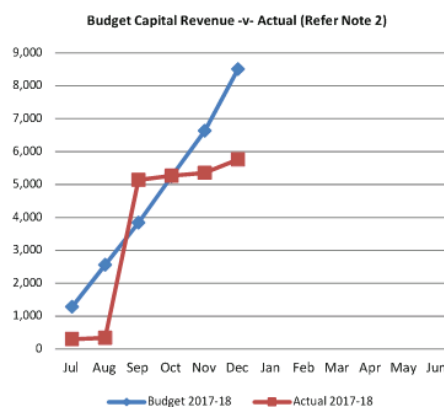
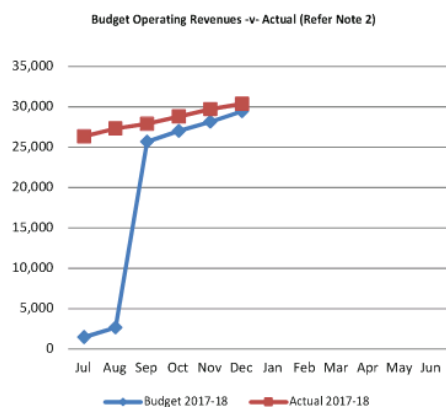
Comments

*Amended Budget Closing balance is the forecast of the closing balance after all budgeted transfers to and from reserve have been performed. At this time there have been no transactions to or from reserve other than to recognise interest earned on reserve investments. All interest earned on Reserve investments is recorded on reserve at the end of each month.

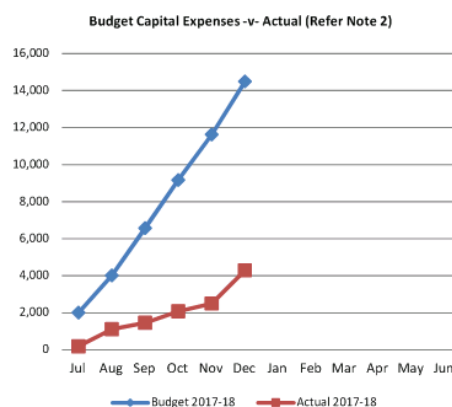
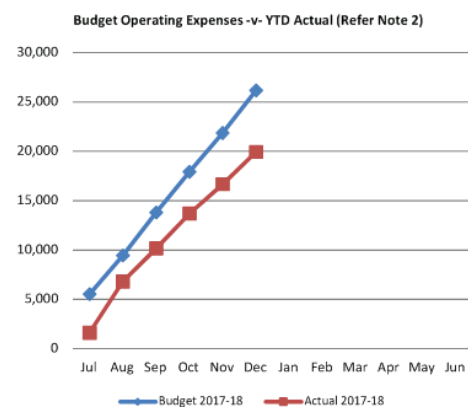
This information is to be read in conjunction with the accompanying Financial Statements and notes.

Shire of Broome
Monthly Summary Information
 For the Period Ended 31 December 2017

Revenues



Expenditure



Comments

This information is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF BROOME
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 December 2017

	Note	Amended Annual Budget (a)	Amended YTD Budget (b)	YTD Actual (c)	%	Var. \$ (c)-(b)	Var. % (c)-(b)/(a)	Var.
Operating Revenues		\$	\$	\$		\$	%	
Governance		28,450	9,018	2,105		(6,913)	(24.30%)	
General Purpose Funding - Rates	9	22,361,672	22,159,452	22,241,823		82,371	0.37%	
General Purpose Funding - Other		858,080	388,141	429,040		40,899	4.77%	
Law, Order and Public Safety		178,795	122,896	112,416		(10,480)	(5.86%)	
Health		189,700	140,822	146,367		5,545	2.92%	
Education and Welfare		15,000	7,500	15,000		7,500	50.00%	
Housing		628,275	314,112	301,289		(12,823)	(2.04%)	
Community Amenities		7,499,240	3,580,888	4,583,374		1,002,486	13.37%	▲
Recreation and Culture		1,383,112	687,549	623,491		(64,058)	(4.63%)	
Transport		1,657,925	744,681	312,899		(431,782)	(26.04%)	▼
Economic Services		892,653	431,768	578,073		146,305	16.39%	▲
Other Property and Services		2,035,741	872,672	1,044,801		172,129	8.46%	
Total Operating Revenue		37,728,543	29,459,499	30,390,678	81%	931,179		
Operating Expense								
Governance		(2,333,120)	(1,311,846)	(1,076,742)		235,104	10.08%	▲
General Purpose Funding		(647,688)	(305,541)	(166,374)		139,167	21.49%	▲
Law, Order and Public Safety		(1,135,470)	(610,105)	(547,992)		62,113	5.47%	
Health		(798,406)	(403,190)	(368,838)		34,352	4.30%	
Education and Welfare		(688,681)	(351,847)	(265,750)		86,097	12.50%	▲
Housing		(789,497)	(396,736)	(372,960)		23,776	3.01%	
Community Amenities		(9,490,502)	(5,353,539)	(3,505,435)		1,848,104	19.47%	▲
Recreation and Culture		(11,326,589)	(5,845,724)	(5,391,313)		454,411	4.01%	
Transport		(13,687,458)	(6,926,688)	(5,931,182)		995,506	7.27%	
Economic Services		(5,238,960)	(2,638,183)	(1,140,854)		1,497,329	28.58%	▲
Other Property and Services		(3,211,279)	(2,030,004)	(1,166,808)		863,196	26.88%	▲
Total Operating Expenditure		(49,347,650)	(26,173,403)	(19,934,248)	40%	6,239,155		
Funding Balance Adjustments								
Add back Depreciation		13,766,535	6,936,866	6,521,874		(414,992)	(3.01%)	
Adjust (Profit)/Loss on Asset Disposal	8	190,276	190,275	82,036		(108,239)	(56.89%)	▼
Adjust Revaluation, Provisions and Accruals		0	0	0		0		
Net Cash from Operations		2,337,704	10,413,237	17,060,340		6,647,103		
Capital Revenues								
Grants, Subsidies and Contributions		15,373,419	8,138,498	5,623,640		(2,514,858)	(16.36%)	▼
Governance		0	0	0		0		
General Purpose Funding		0	0	0		0		
Rates		0	0	0		0		
Other General Purpose Funding		0	0	0		0		
Law, Order and Public Safety		1,200,000	600,000	0		(600,000)	(50.00%)	▼
Health		0	0	0		0		
Education and Welfare		0	0	0		0		
Housing		0	0	0		0		
Community Amenities		255,000	127,500	0		(127,500)	(50.00%)	▼
Recreation and Culture		3,785,636	1,927,913	66,636		(1,861,277)	(49.17%)	▼
Transport		2,183,701	1,508,559	681,834		(826,725)	(37.86%)	▼
Economic Services		7,823,912	3,911,940	4,750,000		838,060	10.71%	▲
Other Property and Services		125,170	62,586	125,170		62,584	50.00%	▲
Proceeds from Disposal of Assets	8	375,000	374,997	139,255	37%	(235,742)	(62.86%)	▼
Total Capital Revenues		15,748,419	8,513,495	5,762,895	37%	(2,750,600)		
Capital Expenses								
Land Held for Resale	12	0	0	0		0		
Land Under Control (Crown Land)	12	0	0	0		0		
Land and Buildings	12	(3,846,346)	(2,330,450)	(955,660)		1,374,790	35.74%	▲
Works in Progress Land & Buildings	12	0	0	0		0		
Works In Progress Recreation Areas								
Infrastructure	12	0	0	0		0		
Works in Progress - Rds, F/Paths & Bridges	12	0	0	0		0		
Works In Progress Other Infrastructure	12	0	0	0		0		

SHIRE OF BROOME
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 December 2017

	Note	Amended Annual Budget (a)	Amended YTD Budget (b)	YTD Actual (c)	%	Var. \$ (c)-(b)	Var. % (c)-(b)/(a)	Var.
Works in Progress Drainage Infrastructure	12	0	0	0		0		
Works in Progress Plant & Equipment	12	0	0	0		0		
Infrastructure Assets - Roads & Footpaths	12	(9,874,954)	(4,969,051)	(2,377,419)		2,591,632	26.24%	▲
Infrastructure Assets - Recreation Areas	12	(326,546)	(183,302)	(35,605)		147,697	45.23%	▲
Infrastructure Assets - Drainage	12	(390,000)	(195,000)	0		195,000	50.00%	▲
Infrastructure Assets - Other	12	(9,823,711)	(4,936,351)	(210,040)		4,726,311	48.11%	▲
Mobile Plant and Equipment	12	(1,449,000)	(1,438,482)	(387,679)		1,050,803	72.52%	▲
Fixed Plant and Equipment	12	(26,405)	(13,205)	(9,897)		3,308	12.53%	▲
Furniture and Equipment	12	(809,414)	(423,704)	(313,856)		109,848	13.57%	▲
Total Capital Expenditure		(26,546,376)	(14,489,545)	(4,290,156)	16%	10,199,389		
Net Cash from Capital Activities		(10,797,957)	(5,976,050)	1,472,739		7,448,789		
Financing								
Proceeds from New Debentures		3,656,053	0	0		0		
Proceeds from Advances		0	0	0		0		
Self-Supporting Loan Principal		0	0	0		0		
Transfer from Reserves	7	6,253,364	281,418	0		(281,418)	(4.50%)	
Advances to Community Groups		0	0	0		0		
Repayment of Debentures	10	(592,743)	(296,371)	(293,064)		3,307	0.56%	
Transfer to Reserves	7	(4,506,486)	(1,209,339)	(31,125)		1,178,214	26.14%	▲
Net Cash from Financing Activities		4,810,188	(1,224,292)	(324,189)		900,103		
Net Operations, Capital and Financing		(3,650,065)	3,212,895	18,208,890		14,995,995		
Opening Funding Surplus(Deficit)	3	3,606,464	3,606,464	3,606,464		0		
Closing Funding Surplus(Deficit)	3	(43,601)	6,819,359	21,815,354		14,995,995		

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.
Refer to Note 2 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF BROOME
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 31 December 2017

	Note	Amended Annual Budget (a)	Amended YTD Budget (b)	YTD Actual (c)	%	Var. \$ (c)-(b)	Var. % (c)-(b)/(a)	Var.
Operating Revenues		\$	\$	\$		\$	%	
Rates	9	21,927,252	21,922,250	21,889,477		(32,773)	(0.15%)	
Operating Grants, Subsidies and Contributions		2,889,389	1,416,894	1,072,763		(344,131)	(11.91%)	▼
Fees and Charges		10,885,791	5,535,220	6,625,140		1,089,920	10.01%	▲
Service Charges		0	0	0		0		
Interest Earnings		1,177,412	154,996	302,810		147,814	12.55%	▲
Other Revenue		847,699	429,140	500,488		71,348	8.42%	
Profit on Disposal of Assets	8	1,000	999	0		(999)	(99.90%)	
Total Operating Revenue		37,728,543	29,459,499	30,390,678	81%	932,178		
Operating Expense								
Employee Costs		(15,553,817)	(7,814,644)	(6,982,174)		832,470	5.35%	
Materials and Contracts		(14,391,125)	(8,068,858)	(3,900,012)		4,168,846	28.97%	▲
Utility Charges		(2,055,610)	(1,027,746)	(856,026)		171,720	8.35%	
Depreciation on Non-Current Assets		(13,766,535)	(6,936,866)	(6,521,874)		414,992	3.01%	
Interest Expenses		(119,838)	(59,920)	(59,351)		569	0.47%	
Insurance Expenses		(631,178)	(631,174)	(629,226)		1,948	0.31%	
Other Expenditure		(2,638,271)	(1,442,921)	(903,550)		539,371	20.44%	▲
Loss on Disposal of Assets	8	(191,276)	(191,274)	(82,036)		109,238	57.11%	▲
Total Operating Expenditure		(49,347,650)	(26,173,403)	(19,934,249)	40%	6,125,916		
Funding Balance Adjustments								
Add back Depreciation		13,766,535	6,936,866	6,521,874		(414,992)	(3.01%)	
Adjust (Profit)/Loss on Asset Disposal	8	190,276	190,275	82,036		(108,239)	(56.89%)	▼
Adjust Revaluation, Provisions and Accruals		0	0	0		0		
Net Cash from Operations		2,337,704	10,413,237	17,060,339		6,538,863		
Capital Revenues								
Grants, Subsidies and Contributions		15,373,419	8,138,498	5,623,641		(2,514,857)	(16.36%)	▼
Proceeds from Disposal of Assets	8	375,000	374,997	139,255	37%	(235,742)	(62.86%)	▼
Total Capital Revenues		15,748,419	8,513,495	5,762,896	37%	(2,750,599)		
Capital Expenses								
Land and Buildings	12	(3,846,346)	(2,330,450)	(955,660)		1,374,790	35.74%	▲
Infrastructure Assets - Roads & Footpaths	12	(9,874,954)	(4,969,051)	(2,377,419)		2,591,632	26.24%	▲
Infrastructure Assets - Recreation Areas	12	(326,546)	(183,302)	(35,605)		147,697	45.23%	▲
Infrastructure Assets - Drainage	12	(390,000)	(195,000)	0		195,000	50.00%	▲
Infrastructure Assets - Other	12	(9,823,711)	(4,936,351)	(210,040)		4,726,311	48.11%	▲
Mobile Plant and Equipment	12	(1,449,000)	(1,438,482)	(387,679)		1,050,803	72.52%	▲
Fixed Plant and Equipment	12	(26,405)	(13,205)	(9,897)		3,308	12.53%	▲
Furniture and Equipment	12	(809,414)	(423,704)	(313,856)		109,848	13.57%	▲
Total Capital Expenditure		(26,546,376)	(14,489,545)	(4,290,156)	16%	10,199,389		
Net Cash from Capital Activities		(10,797,957)	(5,976,050)	1,472,740		7,448,790		
Financing								
Proceeds from New Debentures		3,656,053	0	0		0		
Transfer from Reserves	7	6,253,364	281,418	0		(281,418)	(4.50%)	
Advances to Community Groups		0	0	0		0		
Repayment of Debentures	10	(592,743)	(296,371)	(293,064)		3,307	0.56%	
Transfer to Reserves	7	(4,506,486)	(1,209,339)	(31,125)		1,178,214	26.14%	▲
Net Cash from Financing Activities		4,810,188	(1,224,292)	(324,189)		900,103		
Net Operations, Capital and Financing		(3,650,065)	3,212,895	18,208,890		14,887,756		
Opening Funding Surplus(Deficit)	3	3,606,464	3,606,464	3,606,464		0		
Closing Funding Surplus(Deficit)	3	(43,601)	6,819,359	21,815,354		14,887,756		

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.
Refer to Note 2 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

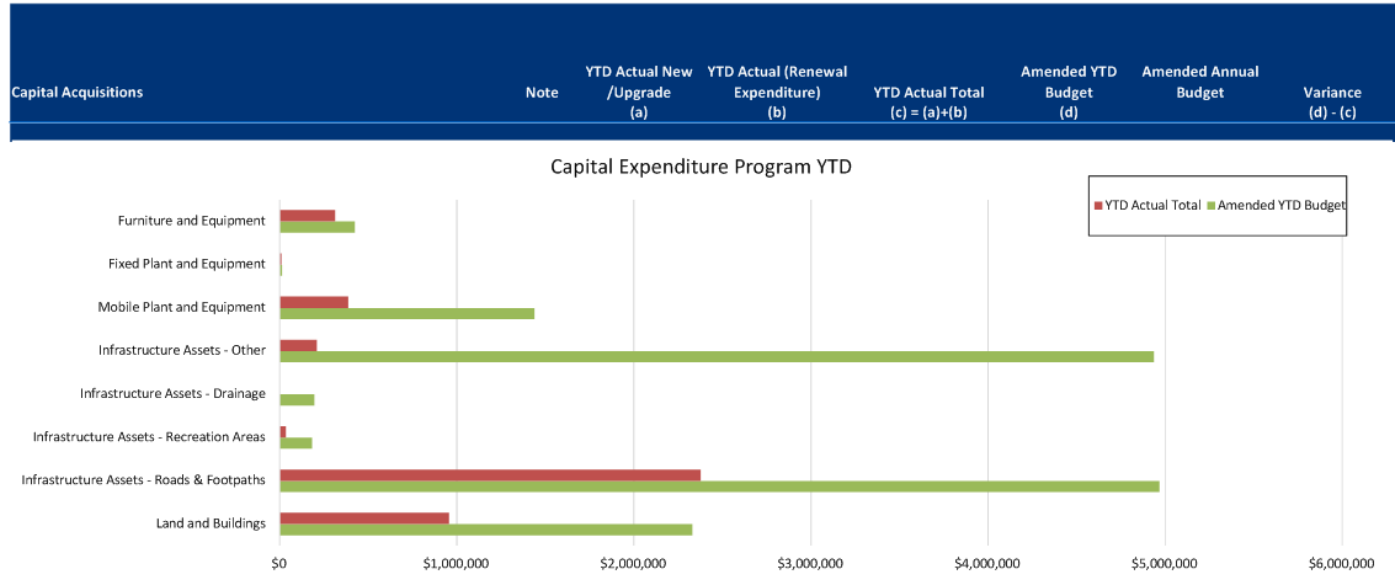
SHIRE OF BROOME
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 31 December 2017

Capital Acquisitions	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	YTD Actual Total (c) = (a)+(b)	Amended YTD Budget (d)	Amended Annual Budget	Variance (d) - (c)
		\$	\$	\$	\$	\$	\$
Land and Buildings	12	815,865	139,795	955,660	2,330,450	3,846,346	(1,374,790)
Infrastructure Assets - Roads & Footpaths	12	1,948,860	428,559	2,377,419	4,969,051	9,874,954	(2,591,632)
Infrastructure Assets - Recreation Areas	12	279	35,326	35,605	183,302	326,546	(147,697)
Infrastructure Assets - Drainage	12	0	0	0	195,000	390,000	(195,000)
Infrastructure Assets - Other	12	201,123	8,917	210,040	4,936,351	9,823,711	(4,726,311)
Mobile Plant and Equipment	12	0	387,679	387,679	1,438,482	1,449,000	(1,050,803)
Fixed Plant and Equipment	12	0	9,897	9,897	13,205	26,405	(3,308)
Furniture and Equipment	12	313,856	0	313,856	423,704	809,414	(109,848)
Capital Expenditure Totals		3,279,983	1,010,173	4,290,156	14,489,545	26,546,376	(10,199,389)

Funded By:

Capital Grants and Contributions	5,623,641	8,138,498	15,373,419	2,514,857
Borrowings	0	0	3,656,053	0
Other (Disposals & C/Fwd)	139,255	374,997	375,000	(235,742)
Total Own Source Funding - Cash Backed Reserves	0	281,418	6,253,364	(281,418)
Own Source Funding - Operations	(1,472,740)	5,694,632	888,540	(7,167,372)
Capital Funding Total	4,290,156	14,489,545	26,546,376	(10,199,389)

SHIRE OF BROOME
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 31 December 2017



SHIRE OF BROOME
STATEMENT OF BUDGET AMENDMENTS
(Statutory Reporting Program)
For the Period Ended 31 December 2017

	Adopted Budget	Adopted Budget Amendments (Note 5)	Amended Annual Budget	Amended YTD Budget (a)
Operating Revenues	\$	\$	\$	\$
Governance	28,450	0	28,450	9,018
General Purpose Funding - Rates	22,321,672	40,000	22,361,672	22,159,452
General Purpose Funding - Other	939,879	(81,799)	858,080	388,141
Law, Order and Public Safety	133,795	45,000	178,795	122,896
Health	184,700	5,000	189,700	140,822
Education and Welfare	15,000	0	15,000	7,500
Housing	628,275	0	628,275	314,112
Community Amenities	7,492,240	7,000	7,499,240	3,580,888
Recreation and Culture	1,361,545	21,567	1,383,112	687,549
Transport	1,798,076	(140,151)	1,657,925	744,681
Economic Services	881,553	11,000	892,553	431,768
Other Property and Services	1,986,836	48,905	2,035,741	872,672
Total Operating Revenue	37,772,021	(43,478)	37,728,543	29,459,499
Operating Expense				
Governance	(2,284,817)	(48,303)	(2,333,120)	(1,311,846)
General Purpose Funding	(647,688)	0	(647,688)	(305,541)
Law, Order and Public Safety	(1,084,935)	(50,535)	(1,135,470)	(610,105)
Health	(798,432)	26	(798,406)	(403,190)
Education and Welfare	(688,681)	0	(688,681)	(351,847)
Housing	(789,497)	0	(789,497)	(396,736)
Community Amenities	(9,492,966)	2,464	(9,490,502)	(5,353,539)
Recreation and Culture	(11,268,999)	(57,590)	(11,326,589)	(5,845,724)
Transport	(13,664,659)	(22,799)	(13,687,458)	(6,926,688)
Economic Services	(5,229,869)	(9,091)	(5,238,960)	(2,638,183)
Other Property and Services	(3,217,636)	6,357	(3,211,279)	(2,030,004)
Total Operating Expenditure	(49,168,179)	(179,471)	(49,347,650)	(26,173,403)
Funding Balance Adjustments				
Add back Depreciation	13,766,535	0	13,766,535	6,936,866
Adjust (Profit)/Loss on Asset Disposal	190,276	0	190,276	190,275
Adjust Provisions and Accruals	0	0	0	0
Net Cash from Operations	2,560,653	(222,949)	2,337,704	10,413,237
Capital Revenues				
Grants, Subsidies and Contributions	15,363,153	10,266	15,373,419	8,138,498
Proceeds from Disposal of Assets	375,000	0	375,000	374,997
Proceeds from Sale of Investments	0	0	0	0
Total Capital Revenues	15,738,153	10,266	15,748,419	8,513,495
Capital Expenses				
Land Held for Resale	0	0	0	0
Land Under Control (Crown Land)	0	0	0	0
Land and Buildings	(3,581,766)	(264,580)	(3,846,346)	(2,330,450)
Works in Progress Land & Buildings	0	0	0	0
Works In Progress Recreation Areas	0	0	0	0
Infrastructure	0	0	0	0
Works in Progress - Rds, F/Paths & Bridges	0	0	0	0
Works In Progress Other Infrastructure	0	0	0	0
Works in Progress Drainage Infrastructure	0	0	0	0
Works in Progress Plant & Equipment	0	0	0	0
Infrastructure Assets - Roads & Footpaths	(9,811,779)	(63,175)	(9,874,954)	(4,969,051)
Infrastructure Assets - Recreation Areas	(286,416)	(40,130)	(326,546)	(183,302)
Infrastructure Assets - Drainage	(390,000)	0	(390,000)	(195,000)
Infrastructure Assets - Other	(9,774,666)	(49,045)	(9,823,711)	(4,936,351)

SHIRE OF BROOME
STATEMENT OF BUDGET AMENDMENTS
(Statutory Reporting Program)
For the Period Ended 31 December 2017

	Adopted Budget	Adopted Budget Amendments (Note 5)	Amended Annual Budget	Amended YTD Budget (a)
Mobile Plant and Equipment	(1,449,000)	0	(1,449,000)	(1,438,482)
Fixed Plant and Equipment	(26,400)	(5)	(26,405)	(13,205)
Furniture and Equipment	(771,414)	(38,000)	(809,414)	(423,704)
Total Capital Expenditure	(26,091,441)	(454,935)	(26,546,376)	(14,489,545)
Net Cash from Capital Activities	(10,353,288)	(444,669)	(10,797,957)	(5,976,050)
Financing				
Proceeds from New Debentures	3,656,053	0	3,656,053	0
Proceeds from Advances	0	0	0	0
Self-Supporting Loan Principal	0	0	0	0
Transfer from Reserves	6,101,682	151,682	6,253,364	281,418
Purchase of Investments	0	0	0	0
Advances to Community Groups	0	0	0	0
Repayment of Debentures	(592,743)	0	(592,743)	(296,371)
Transfer to Reserves	(3,251,680)	(1,254,806)	(4,506,486)	(1,209,339)
Net Cash from Financing Activities	5,913,312	(1,103,124)	4,810,188	(1,224,292)
Net Operations, Capital and Financing	(1,879,323)	(1,770,742)	(3,650,065)	3,212,895
Opening Funding Surplus(Deficit)	1,879,323	1,727,141	3,606,464	3,606,464
Closing Funding Surplus(Deficit)	0	(43,601)	(43,601)	6,819,359

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

1. SIGNIFICANT ACCOUNTING POLICIES

(a) Basis of Accounting

This statement comprises a general purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this statement are presented below and have been consistently applied unless stated otherwise.

Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

Critical Accounting Estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

(b) The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in this statement.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated.

All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 11.

(c) Rounding Off Figures

All figures shown in this statement are rounded to the nearest dollar.

(d) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(e) Goods and Services Tax

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable or payable.

The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(f) **Cash and Cash Equivalents**

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.

Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

(g) **Trade and Other Receivables**

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

(h) **Inventories**

General

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Land Held for Resale

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed.

Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point.

Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

(i) **Fixed Assets**

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead.

Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(j) Depreciation of Non-Current Assets

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation rates and periods are:

Buildings	40 to 50 years
Construction other than Buildings (Public Facilities)	40 to 50 years
Furniture and Equipment	10 years
Plant and Equipment	4 to 15 years
Roads	15 to 100 years
Footpaths	50 years
Sewerage Piping	60 years
Water Supply Piping and Drainage Systems	60 years

(k) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

(l) Employee Benefits

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the Shire has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Shire expects to pay and includes related on-costs.

(ii) Annual Leave and Long Service Leave (Long-term Benefits)

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the project unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the Shire does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(m) **Interest-bearing Loans and Borrowings**

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs.

After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

Borrowing Costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

(n) **Provisions**

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses.

Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one of item included in the same class of obligations may be small.

(o) **Current and Non-Current Classification**

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non current based on Council's intentions to release for sale.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(p) Nature or Type Classifications

Rates

All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service charges.

Operating Grants, Subsidies and Contributions

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

Non-Operating Grants, Subsidies and Contributions

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

Profit on Asset Disposal

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.

Fees and Charges

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

Service Charges

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

Interest Earnings

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

Other Revenue / Income

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

Employee Costs

All costs associated with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

Materials and Contracts

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

Utilities (Gas, Electricity, Water, etc.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(q) Nature or Type Classifications (Continued)

Insurance

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

Loss on asset disposal

Loss on the disposal of fixed assets.

Depreciation on non-current assets

Depreciation expense raised on all classes of assets.

Interest expenses

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

Other expenditure

Statutory fees, taxes, provision for bad debts, member's fees or levies including WA Fire Brigade Levy and State taxes. Donations and subsidies made to community groups.

(r) Statement of Objectives

Council has adopted a 'Plan for the future' comprising a Strategic Community Plan and Corporate Business Plan to provide the long term community vision, aspirations and objectives.

Based upon feedback received from the community the vision of the Shire is:

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

The Strategic Community Plan defines the key objectives of the Shire as:

"Our People Goal - Foster a community environment that is accessible, affordable, inclusive, healthy and safe.

Our Place Goal - Help to protect the natural and built environment and Cultural heritage of Broome whilst recognising the unique sense of place

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

Our Organisation Goal - Continually enhance the Shire's organisational capacity to service the needs of a growing community."

(s) Reporting Programs

Council operations as disclosed in this statement encompass the following service orientated activities/programs:

GOVERNANCE

Expenses associated with provision of services to members of council and elections. Also included are costs associated with computer operations, corporate accounting, corporate records and asset management. Costs reported as administrative expenses are redistributed in accordance with the principle of activity based costing (ABC).

GENERAL PURPOSE FUNDING

Rates and associated revenues, general purpose government grants, interest revenue and other miscellaneous revenues such as commission on Police Licensing. The costs associated with raising the above mentioned revenues, eg. Valuation expenses, debt collection and overheads.

LAW, ORDER, PUBLIC SAFETY

Enforcement of Local Laws, fire prevention, animal control and provision of ranger services.

HEALTH

Health inspection services, food quality control, mosquito control and contributions towards provision of medical health services.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(s) Reporting Programs (Continued)

HOUSING

Provision and maintenance of rented housing accommodation for pensioners and employees.

COMMUNITY AMENITIES

Sanitation, sewerage, stormwater drainage, protection of the environment, public conveniences, cemeteries and town planning.

RECREATION AND CULTURE

Parks, gardens and recreation reserves, library services, television and radio re-broadcasting, swimming facilities, walk trails, youth recreation, Shark Bay World Heritage Discovery and Visitor Centre, boat ramps, foreshore, public halls and Shark Bay Recreation Centre.

TRANSPORT

Construction and maintenance of roads, footpaths, drainage works, parking facilities, traffic control, depot operations, plant purchase, marine facilities and cleaning of streets.

ECONOMIC SERVICES

Tourism, community development, pest control, building services, caravan parks and private works.

OTHER PROPERTY & SERVICES

Plant works, plant overheads and stock of materials.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 2: EXPLANATION OF MATERIAL VARIANCES

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Operating Revenues	\$	%			
Governance	(6,913)	(24.30%)		Timing	Variance is due to Youth Coordinating Committee grants not being received.
General Purpose Funding - Rates	82,371	0.37%		Permanent	Variance is due to excess in Rates instalments & interest income.
General Purpose Funding - Other	40,899	4.77%		Timing	FAAGS grant being received earlier than budgeted. This will be normalised as the year progresses.
Law, Order and Public Safety	(10,480)	(5.86%)		Timing	Variance is due to a number of income accounts being up against year-to-date budget. This may normalise as the year progresses.
Health	5,545	2.92%			
Education and Welfare	7,500	50.00%		Timing	Variance is due to Grants for Community Programs being received early than budgeted.
Housing	(12,823)	(2.04%)			
Community Amenities	1,002,486	13.37%	▲	Timing	Variance is due to the recognition of the refuse and recycling charges applied as part of the 2017-18 rates billing.
Recreation and Culture	(64,058)	(4.63%)			
Transport	(431,782)	(26.04%)	▼	Timing	Variance is due to a WANDRRA grant having not yet been received
Economic Services	146,305	16.39%	▲	Timing	Variance is due to the Chinatown Revitalisation Grant being unclaimed and bulk of Pool inspection fees collected in advance or when raised
Other Property and Services	172,129	8.46%		Timing	Variance is due to the rental income (KRO) & other Apprentice grants received early. This will normalise in the future months
Operating Expense					
Governance	235,104	10.08%	▲	Timing	Variance is due to Council sitting fee being paid monthly & wages in Governance have been charged to relief staff account
General Purpose Funding	139,167	21.49%	▲	Timing	Variance is predominantly due to GRV revaluation expenses having not yet been incurred.
Law, Order and Public Safety	62,113	5.47%		Timing	Variance is predominantly due to less spent on Bush Fire Mitigation & Pound fees for Animal control
Health	34,352	4.30%		Permanent	Variance is due to unspent/savings on salaries
Education and Welfare	86,097	12.50%	▲	Permanent	Variance is predominantly due to unspent/saving on salaries in Community Services
Housing	23,776	3.01%			
Community Amenities	1,848,104	19.47%	▲	Timing	Variance is due to unspent monies on the capital projects- New Refuse site, Stormwater drainage upgrade and other small projects
Recreation and Culture	454,411	4.01%		Timing	Variance is predominantly due to unspent/saving on salaries in BRAC & Jetty to Jetty design- Consultant expenses

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 2: EXPLANATION OF MATERIAL VARIANCES

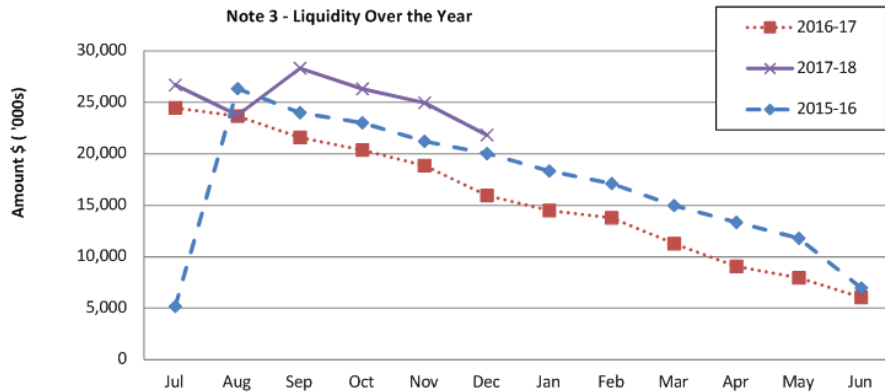
Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Transport	995,506	7.27%			Variance is predominantly due to less spent on Urban, Rural Rd maintenance projects & Street lighting.
Economic Services	1,497,329	28.58%	▲	Timing	Variance is mostly due to the Chinatown Revitalisation feasibility studies having not yet commenced.
Other Property and Services	863,196	26.88%	▲	Permanent	Variance is due to depreciation being over budgeted prior to the revaluation report & Other expenses like Engineering HRM Consultant/cy, LGIS insurance being less spent to budgeted.
Capital Revenues					
Grants, Subsidies and Contributions	(2,514,858)	(16.36%)	▼	Timing	Variance is predominantly with the Grant funding due for Town Beach- Building Better Regions project
Proceeds from Disposal of Assets	(235,742)	(62.86%)	▼	Timing	Only a small number of plant have been disposed of at this time. This will normalise during the year.
Capital Expenses					
Land and Buildings	1,374,790	35.74%	▲	Timing	Variance is due the KRO Building Renewal and Volunteer Bush Fire Brigade building projects having not yet commenced.
Infrastructure Assets - Roads & Footpaths	2,591,632	26.24%	▲	Timing	Variance is mostly due to the Dampier St and Carnarvon St upgrade projects having not yet commenced
Infrastructure Assets - Recreation Areas	147,697	45.23%	▲	Timing	Variance is due to a number of renewal accounts being down against budget. This is likely to normalise throughout the year
Infrastructure Assets - Drainage	195,000	50.00%	▲	Timing	Variance is due the Hamersley St Drainage upgrade project having not yet commenced.
Infrastructure Assets - Other	4,726,311	48.11%	▲	Timing	Variance is due to the Town Beach Redevelopment project having not yet commenced.
Mobile Plant and Equipment	1,050,803	72.52%	▲	Timing	Most items of plant have yet to be ordered. This will normalise throughout the year
Fixed Plant and Equipment	3,308	12.53%	▲	Timing	Variance is due to invoices to be received for the services being provided for the BRAC aquatic project upgrade
Furniture and Equipment	109,848	13.57%	▲	Timing	Variance is due to numerous IT projects having not yet commenced.
Financing					
Transfer from Reserves	(281,418)	(4.50%)			
Loan Principal	3,307	0.56%			
Transfer to Reserves	1,178,214	26.14%	▲	Timing	A number of recommendations for the use of the additional 2016-17 surplus resulted in amendments made to transfers to a number of reserves. However, the reconciliation of the transfers to & from reserve are done at the EOFY. This variance will diminish after those processes.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 3: NET CURRENT FUNDING POSITION

		Positive=Surplus (Negative=Deficit)		
	Note	YTD 31 Dec 2017	30 Jun 2017	YTD 31 Dec 2016
		\$	\$	\$
Current Assets				
Cash Unrestricted	4	16,644,239	6,223,947	11,269,107
Cash Restricted	4	31,413,568	31,382,437	29,023,424
Receivables - Rates	6	5,497,512	850,382	5,447,717
Receivables - Rates Other		322,973	57,991	269,543
Receivables - Debtors	6	1,193,543	532,320	1,325,642
Receivables - Other		225,445	300,008	212,970
Sundry Provisions & Accruals		38,938	139,356	40,438
Inventories		37,061	36,645	29,963
		55,373,279	39,523,087	47,618,804
Less: Current Liabilities				
Payables		(1,511,400)	(3,479,565)	(1,803,990)
Provisions		(631,479)	(1,054,622)	(762,671)
		(2,142,879)	(4,534,187)	(2,566,661)
Less: Cash Reserves	7	(31,413,561)	(31,382,437)	(29,023,424)
Rounding and Timing Adjustment		(1,484)		
Net Current Funding Position		21,815,354	3,606,462	16,028,719

Note 3 - Liquidity Over the Year



Comments - Net Current Funding Position

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 4: CASH AND INVESTMENTS

	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Total Amount \$	Institution	Maturity Date
(a) Cash Deposits							
Municipal Bank Account	0.15%	3,248,507			3,248,507	CommBank	At Call
Business Online Saver	0.60%	1,368,916			1,368,916	CommBank	At Call
BRAC Bank Account	0.10%	31,938			31,938	CommBank	At Call
BPAY Bank Account	0.00%	0			0	CommBank	At Call
Reserve Bank Account	0.60%		13,568		13,568	CommBank	At Call
Trust Bank Account	0.00%			891,743	891,743	CommBank	At Call
Cash On Hand	Nil	4,400			4,400	N/A	On Hand
(b) Term Deposits							
Term Deposit	2.64%		20,000,000		20,000,000	CBA	18-Jun-18
Term Deposit	2.50%		11,400,000		11,400,000	BWA	11-Jan-18
Term Deposit	2.35%	4,000,000			4,000,000	BWA	08-Jan-18
Term Deposit	2.50%	4,000,000			4,000,000	NAB	08-Feb-18
Term Deposit	2.51%	4,000,000			4,000,000	NAB	09-Apr-18
WATC grant in Trust				3,979,536	3,979,536	WATC	
Total		16,653,761	31,413,568*	4,871,279‡	52,938,608		
Adjustments							
Payment Timing Adjustments**		9,522					
Add back Cash on Hand		4,400					
Total		16,639,839					

Comments/Notes - Investments

*Note - The total of Restricted Cash balances to the reserves on Note 7

**NOTE - Payment Timing adjustments indicate payments that have been recorded on the ledger but have yet to be paid out of the bank. The bank accounts are reconciled monthly to ensure no discrepancies occur.

‡Note - A discrepancy between Trust balance and the balance of Note 11 is a result of money in transit, either as a refund or a payment, or an unrepresented cheque.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 5: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Job Number	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
		Budget Adoption		Opening Surplus	\$	\$	\$	\$
		Permanent Changes						0
		Opening surplus adjustment				1,727,141		1,727,141
		Budgeted EOY Surplus/(Deficit)					0	1,727,141
		General Purpose Funding						
30301		Grants Commission - Op Inc - Other General Purpose Funding		Operating Income			(81,799)	1,645,342
30146		Interest - Rates Instalments - Op Inc - Rates		Operating Income		40,000		1,685,342
								1,685,342
		Governance						
22230		Legal Exps Op Exp - Other Governance		Operating Expenditure			(42,215)	1,643,127
23040		Youth Development Programme & Working Group - Op Exp - Other Governance		Operating Expenditure			(6,543)	1,636,584
22172		Community Sponsorship Program - Op Exp - Other Governance		Operating Expenditure			(4,545)	1,632,039
22172		Community Sponsorship Program - Op Exp - Other Governance		Operating Expenditure			(5,000)	1,627,039
23596		Transfer From Community Sponsorship Reserve Cap Inc - Other Gov		Capital Income		5,000		1,632,039
22124		Contribution to Kimberley Zone Secretariat		Operating Expenditure		10,000		1,642,039
		Law, Order and Public Safety						
508216		Bush Fire Mitigation - Op Exp - Fire Prevention		Operating Expenditure			(6,535)	1,635,504
51400		Fines - Op Inc - Fire Prevention		Operating Income		5,000		1,640,504
51410		User Charges - Fire - Slashing Etc - Op Inc - Fire Prevention		Operating Income		40,000		1,680,504
508216		Bush Fire Mitigation - Op Exp - Fire Prevention		Operating Expenditure			(40,000)	1,640,504
53017		Fines Enforcement Registry Exp - Op Exp - Ranger Operations		Operating Expenditure			(4,000)	1,636,504
53174		VBFB Buildings Renewal - Cap Ex - VBFB		Capital Expenditure			(5,580)	1,630,924
		Health						
75020		Mosquito Control & Pest Control - Op Exp - Preventive Service- Pest Control		Operating Expenditure		26		1,630,950
717599		Transfer From Restricted Cash Reserve - Cap Inc - Health Service - Pest Control		Capital Income		6,974		1,637,924
74490		Trading Licences - All Except Beach - Op Inc - Prevent - Inspection/Admin		Operating Income		5,000		1,642,924
		Education and Welfare						
82600		Salary - Op Exp - Community Services		Operating Expenditure		2,866		1,645,790
82610		Relief Staff - Op Exp - Community Services		Operating Expenditure			(2,866)	1,642,924

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 5: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Job Number	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
		Housing						
95810		Building Staff Housing - Cap Exp - New		Capital Expenditure			(179,000)	1,463,924
95910		Transfer From Building Reserve - Staff Housing - Cap Inc		Capital Income		179,000		1,642,924
		Community Amenities						
		Project - Broome Townsite Coastal Hazard Risk Mgt & Adaptation						
105546	105550	Plan Consult -Op Exp - Prot of Envrn		Operating Expenditure		464		1,643,388
105541		Coastal Grants & Reimb Rec'd		Operating Income		5,000		1,648,388
104281		Transfer to Drainage Reserve - Cap Exp - Urban Stormwater Drainage		Capital Expenditure			(250,000)	1,398,388
106420		Rezoning Fees (Incl GST) - Op Inc - Town Planning/Regional Devel		Operating Income			(5,000)	1,393,388
106421		Rezoning Fees (Excl GST) - Op Inc - Town Planning		Operating Income		5,000		1,398,388
103480		Septic Tank Fees - Op Inc - Sewerage		Operating Income		2,000		1,400,388
102210		Drainage Consultant/Strategy - op Exp - Urban Stormwater Drainage		Operating Expenditure		22,000		1,422,388
104281		Transfer to Drainage Reserve - Cap Exp - Urban Stormwater Drainage		Capital Expenditure			(45,467)	1,376,921
106038		Legal Expenses - Development Services		Operating Expenditure			(20,000)	1,356,921
		Recreation and Culture						
117132		Plant & Equip Renewal/Replacement - Cap Exp - BRAC - Aquatic		Capital Expenditure			(5)	1,356,916
116151		Non Operating Grants Other Culture - Non Op Inc		Capital Income		66,636		1,423,552
113708		Grant Funded Operational Expense - Rec Serv		Operating Expenditure			(6,684)	1,416,868
117010	117011	Aquatic Building & Pool General Maint Exp		Operating Expenditure			(11,940)	1,404,928
117414		Grant Non Op - BRAC Aquatic - Cap Inc MUN		Capital Income			(169,717)	1,235,211
117210		BRAC Ovals Maint - Op Exp		Operating Expenditure			(15,000)	1,220,211
111989		Transfer to POS Reserve - Cap Exp - Parks & Ovals		Capital Expenditure			(377,739)	842,472
1181420	YBRA001	Youth Bike Recreation Area - New Construction - Cap Exp		Capital Expenditure			(40,130)	802,342
113403		Grants - Non Op - Cap Inc - Other Rec & Sport		Capital Income			(5,000)	797,342
117003		Relieving Staff Exp - Op Ex - BRAC Aquatic		Operating Expenditure			(6,200)	791,142
113411		Venue Hire Inc - Amphitheatre & Oth Rec Areas (not Ovals) - Op Inc - Other Rec & Sport		Operating Income			(6,500)	784,642
113417		Event Application Fee (No GST) Male Oval & Concourse - Op Inc - Other Rec & Sport		Operating Income		5,000		789,642
113418		Event application Fee (No GST) Town Beach Hire - Op Inc - Other Rec & Sport		Operating Income		1,500		791,142
116184	116196	Staircase to the Moon Event Management Op Exp - Other Cult		Operating Expenditure		3,400		794,542
113420		Sundry Contributions - Op Inc - Parks & Ovals		Operating Income		21,567		816,109
1181201		Jetty to Jetty Town Beach - Design/Plans/Feasibility - Op Exp - Other Recreation & Sport		Operating Expenditure			(21,166)	794,943
117000	117052	BRAC - Operating Expense, Security & Insurance - Op Exp		Operating Expenditure		4,844		799,787

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 5: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Job Number	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
117000	117048	BRAC Cleaning Materials & Contractor expenses		Operating Expenditure			(4,844)	794,943
117010	117012	BRAC Wet - Planned Maint & Minor Works - Op Exp		Operating Expenditure		5,670		800,613
117218	117221	Medland Pavilion - Planned Maint & Minor Works - Op Exp		Operating Expenditure			(5,670)	794,943
		Transport						
121100	RU433	Hammersley Napier Black Spot Project - Cap Exp		Capital Expenditure			(73)	794,870
		Crab Creek Road - SLK 1.53 to 2.13 - New alignment from BR Ind. -						
121501	RU12	Cap Ex - Upgrade		Capital Expenditure		84,875		879,745
121906		Transfer From Restricted Cash Reserve - Road Construction		Capital Income			(84,802)	794,943
120305		WALGGC Road Grants Untied Op Grant Rec'd		Operating Income			(103,450)	691,493
121761		Aboriginal Roads Non Op Grant from MRWA - Op Inc - Rd Const		Capital Income			(8,000)	683,493
121950		Transfer to Road Reserve - Cap Exp - Cons Streets Roads Bridges		Capital Expenditure			(250,000)	433,493
125950		Dep't Premier & Cabint Natural Disaster Grant - Cape Leveque		Capital Expenditure			(331,600)	101,893
120306		Rd		Operating Income		22,799		124,692
123000	122197	WANDRRA Event - Works Maint		Operating Expenditure			(22,799)	101,893
125960		Transfer From Footpath Reserve - Footpath Construction		Capital Income		21,630		123,523
125140	125192	Palmer Road - Footpath Construction		Capital Expenditure			(15,130)	108,393
125140	121597	Frangiapani Subdivision Footpath Construction Expense - Cap Exp		Capital Expenditure			(6,500)	101,893
121762		State Direct MRWA/RRG Rd Maint Op Grant Rec'd		Operating Income			(59,500)	42,393
121501	121540	Cape Leveque Rd Upgrade Const - Cap Exp (See 121507 for		Capital Expenditure			(93,667)	(51,274)
		Reforms & Drainage)						
121770		Rds to Recovery Grant for Rural Rds - Non Op Inc - Rd Const		Capital Income			(122,123)	(173,397)
121776		Rds To Recovery Non Op Grant for Urban Rds - Non Op Inc		Capital Income		390,470		217,073
		Regional Rd Group (RRG) Rural Rd Const Funding -Non Op Inc-Rd						
121778		Const		Capital Income			(295,000)	(77,927)
		Regional Rd Group (RRG) Urban Rd Const Funding - Non Op Inc -						
121779		Rd Const		Capital Income		153,000		75,073
121101	121552	Hunter St Renewal Rd Infra Const - Capex (was Herbert st)		Capital Expenditure			(32,680)	42,393
122000	121011	Sector 1 Chinatown - Works Maint		Operating Expenditure		9,000		51,393
122000	121025	Sector 2 Cable Beach - Works Maint		Operating Expenditure		10,000		61,393
122000	121026	Sector 3 Old Broome - Works Maint		Operating Expenditure		10,000		71,393
122000	121029	Sector 6 Broome North / Blue Haze - Works Maint		Operating Expenditure		9,000		80,393
122000	121027	Sector 4 Sunset Park - Works Maint		Operating Expenditure		6,000		86,393
123000	123000	Mtce Strees, Rds - Rural Summary Budget Only -No Post-Op Exp		Operating Expenditure			(44,000)	42,393
		Economic Services						

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 5: BUDGET AMENDMENTS

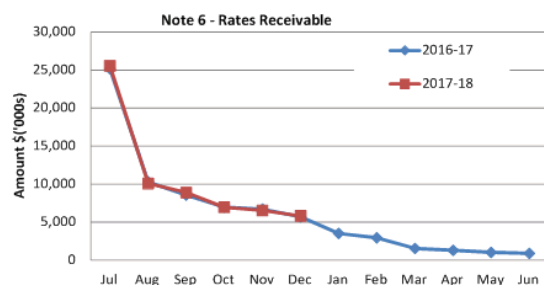
Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Job Number	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
132141	132142	Pearl Luggar Const Upgrade - Cap Exp - Tourism		Capital Expenditure			(25,165)	17,228
1365495	136549	New Caravan Dumping Point - Other Infrastructure - Tourism & Transfer From Restricted Cash Reserve - Tourism & Area		Capital Expenditure			(23,880)	(6,652)
132938		Promotion		Capital Income		23,880		17,228
133480		Other Minor Charges Inc GST - Op Inc - Building Control		Operating Income		11,000		28,228
1367210		Economic Development Program Expense - Op Exp - Other Economic Services		Operating Expenditure			(9,091)	19,137
		Other Property and Services						
142043		Organisational Training - General		Operating Expenditure		8,117		27,254
142232		LGIS Insurance Funded Expenses (Inc in 142393) - Op Exp - Corp Gov		Operating Expenditure		594		27,848
143038		Consultants Engineering Office		Operating Expenditure			(43,800)	(15,952)
143405		Grant Op - R4R KRGs - Op Inc - Eng Off		Operating Income		37,785		21,833
147371		Shire Office Barker St - Building Upgrade Wks - Cap Exp - Corp Gov Support		Capital Expenditure			(80,000)	(58,167)
146122		Software >\$5000 Cap Exp - IT		Capital Expenditure			(38,000)	(96,167)
143010		Salary - Op Exp - Engineering Office		Operating Expenditure		15,610		(80,557)
143027		Relieving Staff - Op Exp - Engineering		Operating Expenditure			(15,610)	(96,167)
143508		Wages & Related Sick & Holiday - P & G Ops		Operating Expenditure		32,400		(63,767)
143500		Salary - Op Exp - P & G (Management)		Operating Expenditure		35,000		(28,767)
143523		Superannuation Employee Expense - P & G Management		Operating Expenditure		5,000		(23,767)
148010		Salary - Op Exp - Works (Management)		Operating Expenditure		55,000		31,233
148015		Superannuation Employee Expense - Works Management		Operating Expenditure		12,000		43,233
143049		Relieving Staff Exp - P&G - Gen Admin		Operating Expenditure			(100,000)	(56,767)
143055		Relieving Staff Exp - Works - Gen Admin		Operating Expenditure			(60,000)	(116,767)
145104		Plant Insurance & Licences - Op Exp - Plant Operation		Operating Expenditure		54,000		(62,767)
143038		Consultants Engineering Office		Operating Expenditure		39,166		(23,601)
142006		Salary - Op Exp - Human Resources		Operating Expenditure		13,133		(10,468)
142008		Relieving Staff Exp - HR		Operating Expenditure			(13,133)	(23,601)
142015		All Employee Centrelink Paid Parental Leave - Op Exp - Gen Admin O'Heads		Operating Expenditure			(11,120)	(34,721)
142048		HRM Consultancy - Op Exp		Operating Expenditure			(20,000)	(54,721)
142395		All Employee Paid Parental Leave Reimb - Op Inc - Gen Admin O'Heads		Operating Income		11,120		(43,601)
					0	3,234,667	(3,278,268)	

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 6: RECEIVABLES

Receivables - Rates Receivable	YTD 31 Dec 2017	30 Jun 2017
	\$	\$
Opening Arrears Previous Years	850,382	819,335
Levied this year	21,889,477	21,460,516
Less Collections to date	(17,242,347)	(21,429,468)
Equals Current Outstanding	5,497,512	850,382
Net Rates Collectable	5,497,512	850,382
% Collected	75.82%	96.18%



Comments/Notes - Receivables Rates

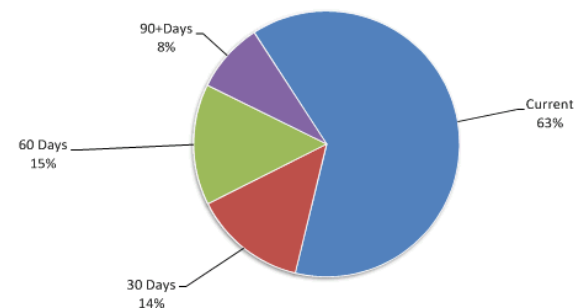
* NOTE - Rates were raised on 19 July 2017 and are due on 23 August 2017

**NOTE - The calculation of percentage of Rates collected only reports on current Rates, Arrears and Back Rates. For a full breakdown on Rates received, please see the Rates Receipt Statement in the info bulletin

Receivables - General	Credit*	Current	30 Days	60 Days	90+Days
Receivables - General		\$	\$	\$	\$
	(29,318)	770,023	168,324	180,062	104,452
Total Receivables General Outstanding					1,193,543

Amounts shown above include GST (where applicable)

Receivables - General



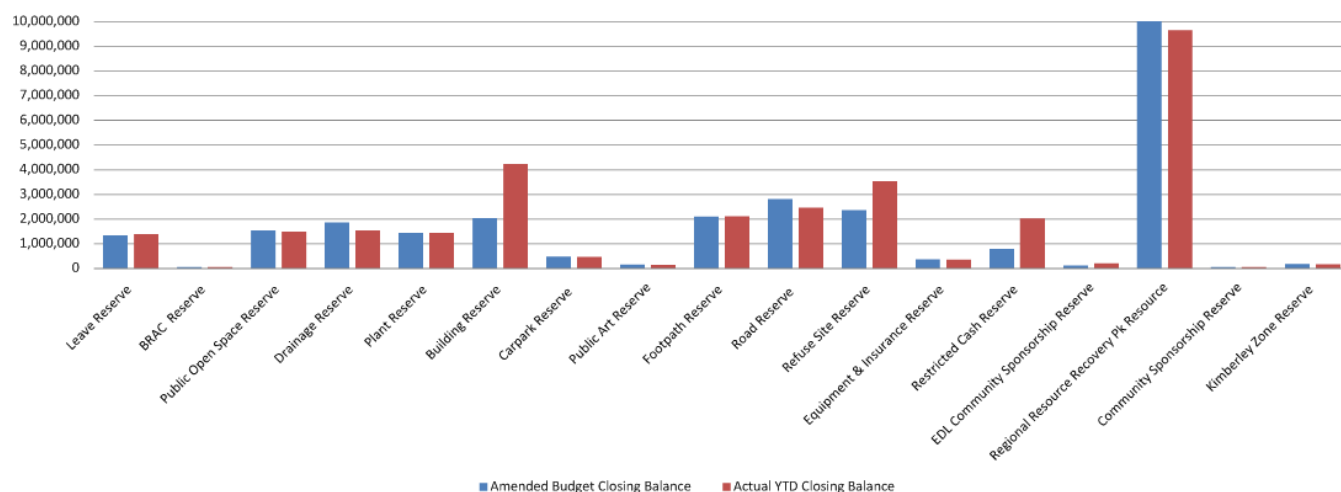
Comments/Notes - Receivables General

* Note - A credit refers to a debtor paying more than required in the current billing period. It sits as a credit against the account until the following period when it is applied

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 7: Cash Backed Reserve

2017-18										
		Amended Budget Interest Earned	Actual Interest Earned	Amended Budget Transfers In (+)	Actual Transfers In (+)	Amended Budget Transfers Out (-)	Actual Transfers Out (-)	Transfer out Reference	Amended Budget Closing Balance	Actual YTD Closing Balance
Name	Opening Balance									
	\$	\$	\$	\$	\$	\$	\$		\$	\$
Leave Reserve	1,392,788	34,700	1,477	0	0	(84,441)	0		1,343,047	1,394,265
BRAC Reserve	52,963	100	56	0	0	0	0		53,063	53,019
Public Open Space Reserve	1,484,517	40,100	1,574	422,517	0	(400,000)	0		1,547,134	1,486,091
Drainage Reserve	1,538,937	40,600	1,632	295,467	0	0	0		1,875,004	1,540,569
Plant Reserve	1,445,001	39,600	1,532	0	0	(29,000)	0		1,455,601	1,446,533
Building Reserve	4,225,521	94,400	4,481	40,000	0	(2,320,326)	0		2,039,595	4,230,002
Carpark Reserve	472,478	12,800	501	0	0	0	0		485,278	472,979
Public Art Reserve	158,517	2,300	168	0	0	0	0		160,817	158,685
Footpath Reserve	2,124,387	57,500	2,253	331,600	0	(406,630)	0		2,106,857	2,126,640
Road Reserve	2,466,646	60,100	2,616	337,000	0	(50,000)	0		2,813,746	2,469,262
Refuse Site Reserve	3,531,100	83,400	3,745	0	0	(1,236,053)	0		2,378,447	3,534,845
Equipment & Insurance Reserve	365,710	9,900	388	0	0	0	0		375,610	366,098
Restricted Cash Reserve	2,033,576	0	0	0	0	(1,241,914)	0		791,662	2,033,576
EDL Community Sponsorship Reserve	210,361	4,400	223	0	0	(80,000)	0		134,761	210,584
Regional Resource Recovery Pk Resource	9,637,910	259,800	10,221	2,334,202	0	(400,000)	0		11,831,912	9,648,131
Community Sponsorship Reserve	61,986	1,300	66	0	0	(5,000)	0		58,286	62,052
Kimberley Zone Reserve	180,039	4,700	191	0	0	0	0		184,739	180,230
	31,382,437	745,700	31,124	3,760,786	0	(6,253,364)	0		29,635,559	31,413,561



SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 8 CAPITAL DISPOSALS

Actual YTD Profit/(Loss) of Asset Disposal				Disposals	Amended Current Budget			Comments
Cost	Accum Depr	Proceeds	Profit (Loss)		YTD 31 Dec 2017			
					Amended Annual Budget Profit/(Loss)	Actual Profit/(Loss)	Variance	
\$	\$	\$	\$		\$	\$	\$	
				P Number Plant and Equipment				
				0 P113 Utility Crew Cab w Tray Isuzu D-Max SX Auto (Ranger 1) 1EHR084	(8,100)	0	0	
				0 P213 Utility Crew Cab w Tray Isuzu D-Max SX Man (Ranger 2) 1EHR085	(7,125)	0	0	
				0 P16512 ISUZU - D-MAX SX UTILITY - 4WD CREW - CAB (DSD - COMPLIANCE) 1EAD664	(7,200)	0	0	
				0 P10112 Isuzu D-Max SX 4x4 Crew Cab Ute (MHS) 1DXC557	(3,850)	0	0	
				0 P12112 Hyundai Santa Fe Wagon CRDi 4x4 (MCD) 1DWL167	(1,000)	0	0	
				0 P4412 Isuzu D-Max SX 4x4 Crew Cab Ute Canopy (MBS) 1DWL170	(3,900)	0	0	
				0 P7511 Isuzu D-Max SX Crew Cab 4WD Tray Top (Surveyor) 1DUD117	(3,900)	0	0	
				0 P11312 Isuzu D-Max SX 4x4 Crew Cab Ute Canopy (D&S) 1DWL168	(3,900)	0	0	
				0 P3812 Isuzu D-Max SX 4x4 Crew Cab Ute Canopy (P&G) 1DWL184	(3,900)	0	0	
				0 P85807 TRAILER POLMAC DUAL AXLE - P&G	0	0	0	
				0 P6913 John Deere 1565 Front Deck Ride on Mower (P&Gs) 1ELL395	(2,267)	0	0	
				0 P6910 4WD Front Deck Mower John Deere 1565 BM28612	0	0	0	
				0 P10513 Mower Ride on Front Deck John Deere 1565 (P&Gs) 1GCB289	(1,495)	0	0	
95,500	(13,503)	(45,000)	(36,997)	0 P1910 Truck Tipper 8t Single Cab - P&Gs UD Nissan PK9	(40,400)	(36,997)	3,403	
				0 P2713 Utility Isuzu D-Max SX Space Cab w tray (Mowing 1. P&Gs) BM25118	(8,200)	0	0	
				0 P2512 Isuzu D-Max SX 4x4 Space Cab Alloy Tray (P&Gs) Retic 3 (1EAD681)	(5,850)	0	0	
				0 P6812 Isuzu D-Max SX 4x4 Space Cab Alloy Tray (P&Gs) Retic 1(1EAD682)	(5,850)	0	0	
				0 P6212 Isuzu D-Max SX 4x4 Crew Cab Steel Tray Top (P&Gs) Snr Supvr 1DWL178	(3,900)	0	0	
				0 P9112 Isuzu D-Max EX 4x4 Single Cab Steel Tipper Body (P&Gs) Supvr 1DYG927	(2,600)	0	0	
				0 P13611 Rota slasher Howard EHD180 (P&Gs)	0	0	0	
				0 P88515 HOWARD STEALTH S2 WING TIP MOWER (REPLACES P88513) INSURANCE	(20,328)	0	0	
				0 P8913 Woodchipper Bandit 1390XP (P&Gs) 1TNQ120	(14,747)	0	0	
				0 P13209 Tractor John Deere 6430 4WD PTO 72kW - P & Gs BM21763	0	0	0	
				0 P8703 Trailer Dean No 17 Flatbed Tilting (for ride-on mower) BM11268	0	0	0	
91,563	(20,105)	(33,000)	(38,458)	0 P83307 ROLLER VIBRATING SOIL COMPACTER HAMM 3411 - WORKS	(34,375)	(38,458)	(4,083)	
				0 P1611 4WD Utility Crew Cab - Isuzu D-Max Works Team Leader - Construction 1GCB288	(6,922)	0	0	
42,193	(5,388)	(33,982)	(2,823)	0 P16016 Isuzu MUX LST Outback Bronze (DCEO) (1GDI704)	0	(2,823)	(2,823)	
				0 P10605 Pump Water Robin PTG405DS - 8.5hp 4" diesel	0	0	0	
42,120	(11,089)	(27,273)	(3,758)	0 P8913 Woodchipper Bandit 1390XP (P&Gs) 1TNQ120	0	(3,758)	(3,758)	
				0 P2201 Generator 6KVA EH36DH/SIN6 - Signs	0	0	0	
				0 P11412 Isuzu D-Max SX 4x4 Standard Cab Steel tray Top - Stores 1DWL185	(1,467)	0	0	
				0 P16612 Pressure Cleaner Spitwater SW151 with attachments (Depot)	1,000	0	0	
95,500	(50,086)	(139,255)	(82,036)		(190,276)	(82,036)	(7,261)	
Comments - Capital Disposal/Replacements								

Comments - Capital Disposal/Replacements

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Rate in \$	Number of Properties	Rateable Value \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$	Amended Budget Rate Revenue \$	Amended Budget Interim Rate \$	Amended Budget Back Rate \$	Amended Budget Total Revenue \$
Rate Type										
Differential General Rate										
Gross Rental Valuations										
GRV - Residential	4,786	121,481,660	11,851,039	0	10,000	11,861,039	11,851,039	0	10,000	11,861,039
GRV - Residential - Vacant	148	2,453,450	387,711			387,711	387,711			387,711
GRV - Commercial/Industrial	582	53,984,924	5,790,824			5,790,824	5,790,824			5,790,824
GRV - Tourism	426	16,887,828	2,528,530			2,528,530	2,528,530			2,528,530
Unimproved Value Valuations										
UV - Rural	55	20,820,000	136,787			136,787	136,787			136,787
UV - Mining	41	944,372	116,413			116,413	116,413			116,413
UV - Commercial Rural	21	6,643,773	204,489			204,489	204,489			204,489
Sub-Totals	6,059	223,216,007	21,015,793	0	10,000	21,025,793	21,015,793	0	10,000	21,025,793
Minimum Payment										
Gross Rental Valuations										
GRV - Residential	73	821,692	89,060			89,060	89,060			89,060
GRV - Residential - Vacant	216	1,269,480	263,520			263,520	263,520			263,520
GRV - Commercial/Industrial	26	194,054	31,720			31,720	31,720			31,720
GRV - Tourism	412	1,880,840	502,640			502,640	502,640			502,640
Unimproved Value Valuations										
UV - Rural	4	191,300	4,880			4,880	4,880			4,880
UV - Mining	31	44,610	14,500			14,500	14,500			14,500
UV - Commercial Rural	2	28,300	2,440			2,440	2,440			2,440
Sub-Totals	764	4,430,276	908,760	0	0	908,760	908,760	0	0	908,760
UV Concession - Coconut Well						21,934,553				21,934,553
UV Concession - Twelve Mile						(978)				(978)
UV Concession - Horticulture Land Use						(5,339)				(5,339)
Amount from General Rates						(984)				(984)
Ex-Gratia Rates						21,927,252				21,927,252
Specified Area Rates						0				0
Totals						0				0
						21,927,252				21,927,252

Comments - Rating Information

NOTE - This note represents the budgeted rating and back rating revenue expected for the 2017/18 financial year. The Statement of Financial Activity (by Reporting Program) examines the reporting program for rates which also includes other items, such as debt recovery and rates instalments charges, which are not represented in this table as they do not form part of ordinary rates modelling.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

10. INFORMATION ON BORROWINGS
(a) Debenture Repayments

Particulars	Principal 30-Jun-17	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual \$	Amended Budget \$	Actual \$	Amended Budget \$	Actual \$	Amended Budget \$
Loan 191 - BRAC Inf & Stage 2B	171,375		28,075	57,049	143,300	114,326	3,714	7,538
Loan 193 - Civic Centre Redevelopment	2,764,382		214,634	433,508	2,549,747	2,330,874	45,347	104,286
Loan 194 - BRAC Oval Pavillion	543,115		50,355	102,186	492,760	440,929	10,291	27,707
Town Beach Redevelopment Loan	0	1,956,053	0	0	0	0	0	0
Chinatown Revitalisation Loan	0	1,700,000	0	0	0	0	0	0
			0	0	0	0	0	0
			0	0	0	0	0	0
	3,478,872	3,656,053	293,064	592,743	3,185,807	2,886,129	59,351	139,531

All debenture repayments were financed by general purpose revenue.

(b) New Debentures

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 11: TRUST FUND

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 1 Jul 17	Amount Received	Amount Paid	Closing Balance 31-Dec-17
	\$	\$	\$	\$
Verge Bonds	32,276	0	0	32,276
Library Transient Borrower Deposits	70	0	0	70
Election Nomination Deposits	0	800	(800)	0
Civic Centre Event Takings	3,654	0	0	3,654
Key & Other General Purpose Deposits	8,493	0	0	8,493
BCITF Collection & Refund Deposits	6,532	17,969	(22,111)	2,389
Japanese Cemetery Improvements Deposits	0	0	0	0
Town Planning Related Bond Deposits	106,208	0	0	106,208
Cemetery Plot Reservation Deposits	33,596	733	0	34,329
Recreation Facility use Bond Deposits	32,925	62,891	(58,622)	37,193
Cash In Lieu Of Public Open Space	99,876	0	0	99,876
Parking Facilities Bond Deposits	0	0	0	0
Road & Footpath Facilities Bond Deposits	506,947	0	0	506,947
Capital Works Bond Deposits	3,060	0	0	3,060
Bank Guarantee Deposits Received	16,431	0	0	16,431
Contract Bonds & Retentions	0	0	0	0
Overpayments Held	0	0	0	0
Unclaimed Monies	19,523	60	0	19,583
BRB Levy	5,947	20,381	(23,977)	2,352
Staff Rental Bonds	40,113	760	(5,080)	35,793
Key Deposits	2,545	0	0	2,545
Chinatown Revitalisation grant	9,169,410	44,776	(5,225,000)	3,989,186
	10,087,606	148,369	(5,335,590)	4,900,385

Item 9.4.3 - MONTHLY STATEMENT OF FINANCIAL ACTIVITY REPORT DECEMBER 2017

Level of Completion Indicators

0% ○
20% ○
40% ○
60% ○
80% ○
100% ●
No Budget □

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 12: CAPITAL ACQUISITIONS

% of Completion	Level of Completion Indicator	Infrastructure Assets	Acct	Job	Amended Annual Budget	Amended YTD Budget	YTD Actual	YTD 31 Dec 2017		Strategic Reference / Comment
								Variance (Under)/Over	YTD Actual (Renewal Exp)	
0%	○	Governance						0	0	
0%	○	Governance Total			0	0	0	0	0	
0%	○	Law, Order And Public Safety								
0%	○	Vehicle & Mob Plant New - Cap Exp - Ranger Ops	52548		21,000	10,500	0	(21,000)	0	
0%	○	Vehicle & Mob Plant Renewal(Replacement) Exp - Cap Exp - Ranger Ops	52550		120,000	120,000	0	(120,000)	0	
0%	○	VBFB Building New Const - Cap Exp - Volunteer Bush Fire Brigade	53172		1,200,000	600,000	0	(1,200,000)	0	
0%	○	Law, Order And Public Safety Total			1,341,000	730,500	0	(1,341,000)	0	
0%	○	Education and Welfare								
0%	○	Vehicle & Mob Plant Renewal (Replacement) Cap Exp - Comm Services	82605		36,000	36,000	0	(36,000)	0	
100%	●	VBFB Buildings Renewal - Cap Ex - VBFB	53174		5,580	5,580	0	0	5,580	
13%	○	Education and Welfare Total			41,580	41,580	0	(36,000)	5,580	
0%	○	Housing								
100%	●	Building Staff Housing - Cap Exp - New	95810		729,000	729,000	729,026	26	0	
100%	●	Housing Total			729,000	729,000	729,026	26	0	
0%	○	Health								
0%	○	Vehicle & Mob Plant Renewal(Replacement) - Cap Exp - Health Inspect's	74550		40,000	39,999	0	(40,000)	0	
0%	○	Health Total			40,000	39,999	0	(40,000)	0	
0%	○	Community Amenities								
12%	○	Buckleys Rd Closure Upgrade (was Opex 101302) - Cap Exp - San Gen Refuse	101545	101558	797,330	398,664	94,090	(703,240)	0	
0%	○	Other Infra Renewal Rubbish Services - Cap Exp - San Gen Refuse	101550	101552	295,723	147,858	0	(295,723)	0	
0%	○	Hammersley St Upgrade Drainage - Infra Cap Exp	104600	104695	390,000	195,000	0	(390,000)	0	
2%	○	Cemeteries Other Infrastructure Upgrade - Cap Exp - Oth Com A	107540	107541	56,000	28,002	1,120	(54,880)	0	
13%	○	Broome Cemetery New Infrastructure Cap Exp	107550	107556	44,000	22,002	5,614	(38,387)	0	
6%	○	Community Amenities Total			1,583,053	791,526	100,824	(1,482,229)	0	
0%	○	Recreation And Culture								
0%	○	Herbert Park New Infra Const - Cap Exp	113550	113554	12,500	6,252	0	(12,500)	0	
0%	○	Cable Beach Reserve P & G New Infra - Cap Exp	113550	113574	10,000	4,998	0	(10,000)	0	
0%	○	Demco Foreshore Plan Year 1 New Infra Const - Cap Exp	113550	113663	10,000	4,998	0	(10,000)	0	
No Budget	□	Town Bch Water Park Contract Wks-New Infra Cap Pks&Ova	113550	113672	0	0	279	279	0	
24%	○	Cable Beach Reserve Renewal Works - Cap Exp	113551	113674	15,519	7,752	0	(11,829)	3,690	
0%	○	Town Beach Renewal Works - Infra Cap Exp	113551	113677	6,000	3,000	0	(6,000)	0	
58%	○	Sunnet Park Renewal Infra - Cap Exp - Parks and Ovals	113551	113765	7,003	3,498	0	(2,928)	4,075	
0%	○	Solway Park renewal Infra - Cap Exp - Pks & Ovals	113551	113787	6,000	3,000	0	(6,000)	0	
0%	○	Cygnat Park Infrastructure Renewal - Cap Exp	113551	113788	13,500	6,744	0	(13,500)	0	
0%	○	Maritana Park Infrastructure Renewal - Cap Exp	113551	113789	7,503	3,744	0	(7,503)	0	
0%	○	Six Seasons Parks Infrastructure Renewal - Cap Exp	113551	113790	8,516	4,254	0	(8,516)	0	
0%	○	Tolentino Park Infrastructure Renewal - Cap Exp	113551	113791	14,009	7,002	0	(14,009)	0	
0%	○	Haynes Oval Other Infrastructure Renewal - Cap Exp	113553	HAYN001	41,950	20,976	0	(41,950)	0	
49%	○	Bme Civic Centre Other Infrastructure Renewal - Cap Exp	116119	116120	18,050	9,018	0	(9,133)	8,917	
3%	○	Broome Entry Statement Signage New Const - Cap Exp - Other Cult	116125	116126	76,439	38,220	2,350	(74,089)	0	
0%	○	Broome Trails Signage New - Cap Exp - Other Cult	116125	116131	51,700	25,848	0	(51,700)	0	
37%	○	Plant & Equip Renewal/Replacement - Cap Exp - BRAC - Aquatic	117132	117310	26,405	13,205	0	(16,508)	9,897	
71%	○	BRAC Building Upgrade - Cap Exp - BRAC Dry	117310	117311	121,766	60,882	86,839	(34,927)	0	
0%	○	BRAC Building Renewal - Cap Exp - BRAC Dry	117315	117316	25,000	12,498	0	(25,000)	0	
172%	○	BRAC Ovals Renewal Infra Works - Cap Exp - BRAC Ovals	117455	117456	15,996	7,998	0	(11,565)	27,561	
0%	○	Town Beach Redevelopment - Other Infra New - Cap Exp	1181401		6,982,506	3,491,238	5,028	(6,975,478)	0	
0%	○	Youth Bike Recreation Area - New Construction - Cap Exp	1181420	YBRA001	200,000	120,062	0	(200,000)	0	
0%	○	TOWN BEACH - Playground -	113551	113627	0	0	0	0	0	
2%	○	Recreation And Culture Total			7,670,362	3,855,187	95,495	(7,520,727)	54,140	
0%	○	Transport								
106%	●	Cable Beach Rd East Upgrade - Cap Exp	121100	RU223	26,000	13,002	27,644	1,644	0	
43%	○	Black Spot - Sanderling, Spoonbill, & Banu - Rd Upgrade Cap Exp	121100	RU225	102,185	51,084	43,426	(58,739)	0	

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 12: CAPITAL ACQUISITIONS

% of Completion	Level of Completion Indicator	Infrastructure Assets	Acct	Job	Amended Annual Budget	Amended YTD Budget	YTD Actual	YTD 31 Dec 2017		Strategic Reference / Comment
								Variance (Under/Over)	YTD Actual (Renewal Exp)	
2%	○	Hammersley Napier Black Spot Project - Cap Exp	121100	RI443	1,450,939	725,503	22,796	(1,426,143)	0	
0%	○	Hunter St Renewal Rd Infra Const - Capex (was Herbert st)	121101	121552	818,680	425,680	0	(818,200)	480	
		Urban Reseals Renewal Program - Various (Sealing Contractor) - Cap Ex - Renewal								
70%	⊗	Cape Leveque Rd Upgrade Const - Cap Exp (See 121507 for Reforms & Drainage)	121101	RRU	235,198	117,600	0	(70,786)	164,412	
56%	⊗	Crab Creek Road - SLK 1.53 to 2.13 - New alignment from BR Ind - Cap Ex - Upgrade	121501	121540	235,667	164,665	132,343	(103,324)	0	
79%	⊗		121501	RU12	665,125	290,125	523,019	(142,106)	0	
106%	●	Broome / Cape Leveque Rd - Unsealed plindan section - Cap Ex - Renewal Car park renewals - Various	121505	RR80	132,000	65,994	0	7,717	139,717	
0%	○		124600	124611	25,000	12,498	0	(25,000)	0	
78%	⊗	Frangipani Subdivision Footpath Construction Expense - Cap Exp	125140	121597	21,300	13,898	16,537	(4,763)	0	
77%	⊗	Palmer Road - Footpath Construction	125140	125192	35,130	25,132	26,950	(8,180)	0	
		Roebuck Estate Subdivision - Various Stages								
0%	○		125140	125269	20,000	10,002	0	(20,000)	0	
0%	○	Broome North Footpath New Const - Capex	125140	125277	213,200	106,602	0	(213,200)	0	
0%	○	Six Seasons Estate - Janaburu Subdivision - Various Stages	125140	125279	7,000	3,498	0	(7,000)	0	
0%	○	Sunset Rise Subdivision - Whole Estate - Various Paths	125140	125289	20,000	10,002	0	(20,000)	0	
		Old Broome Estate Subdivision - Whole Estate - Various Paths								
31%	○		125140	125290	10,000	4,998	3,144	(6,856)	0	
81%	●	Sandpiper Ave New Light Construction - Cap Exp	125200	STLND01	95,000	47,502	76,796	(18,204)	0	
0%	○	Street Lighting at Various Locations - Renewal	125225	125232	30,000	15,000	0	(30,000)	0	
95%	⊗	Various Footpath Renewal - Renewal Construction - Cap Exp	125300	VARPATH	130,731	65,370	0	(6,781)	123,950	
0%	○	Various FootPath Upgrade - Cap Exp	1223481	FPUPD01	80,000	40,002	0	(80,000)	0	
		Footpath Old Broome Road - One Mile Access/Sandpiper/Short St								
			125300	125291	0	0	0	0	0	
30%	○	Transport Total			4,353,135	2,208,157	872,656	(3,051,920)	428,559	
		Economic Services								
27%	○	Pearl Luggar Const Upgrade - Cap Exp - Tourism	132141	132142	35,165	30,163	9,365	(25,800)	0	
0%	○	Vehicle & Mob Plant Renewal(Replacement) - Cap Exp - Building Control	133550		40,000	39,999	0	(40,000)	0	
35%	○	Dampier St Upgrade - Cap Exp	1367404	1367407	3,288,569	1,644,276	1,153,000	(2,135,569)	0	
0%	○	Carnarvon St Upgrade - Cap Ex	1367404	1367408	2,358,250	1,179,120	0	(2,358,250)	0	
0%	○	Frederick St Lookout - Other Infra New - Cap Exp	1367405	1367409	732,984	366,492	0	(732,984)	0	
0%	○	Tourist Rest Stop at Pearl Luggar - Other Infra New - Cap Exp	1367405	1367410	542,984	271,488	0	(542,984)	0	
		New Caravan Dumping Point - Other Infrastructure - Tourism & Area								
24%	○	Promotion - Cap Exp	1365495	136549	23,880	23,880	5,761	(18,119)	0	
							0		0	
17%	○	Economic Services Total			7,021,832	3,555,418	1,168,126	(5,853,706)	0	
		Other Property & Services								
0%	○	Vehicle & Mob Plant Renewal (Replacement) - Cap Exp - Gen Admin	142551		80,000	79,998	0	(80,000)	0	
52%	⊗	Shire Office Build Haas St Renewal - Cap Exp - Corp Gov	142558		70,000	34,998	0	(33,258)	36,742	
27%	○	Vehicle & Plant Renewal(Replacement) - Cap Exp - P&G Operations	143610		825,000	824,991	0	(599,125)	225,875	
48%	⊗	Equip & IT Ware > \$5000 Cap Exp - IT	146120		463,170	231,582	222,169	(241,001)	0	
26%	○	Software >\$5000 Cap Exp - IT	146122		346,244	192,122	91,687	(254,557)	0	
32%	○	Building Capital > \$5k - Cap Exp - Unclassified General	147100		100,000	49,998	0	(68,388)	31,612	
0%	○	Shire Office Barker St - Building Renewal - Cap Exp - Corp Gov Support	147372		15,000	7,500	0	(15,000)	0	
6%	○	KRO1 Building Renewal - Cap Exp - Office Prop Leased	147374		845,000	422,496	0	(797,527)	47,473	
3%	○	KRO2 Building Renewal - Cap Exp - Office Prop Leased	147375		655,000	327,498	0	(636,611)	18,389	
0%	○	Vehicle & Mobile Plant Renewal(Replacement) - Cap Exp - Depot Ops	148610		50,000	49,998	0	(50,000)	0	
72%	⊗	Vehicle & Mob Plant Renewal(Replacement) - Cap Exp - Works Ops	148611		224,000	223,998	0	(62,196)	161,804	
0%	○	Vehicle & Mob Plant New - Cap Exp - Works Ops	148621		13,000	12,999	0	(13,000)	0	
0%	○	Shire Office Barker St - Building Upgrade Wks - Cap Exp - Corp Gov Support	147371		80,000	80,000	0	(80,000)	0	
							0		0	
22%	○	Other Property & Services Total			3,766,414	2,538,178	313,856	(2,930,663)	521,895	
16%	○	GRAND TOTAL			26,546,376	14,489,545	3,279,983	(22,256,219)	1,010,174	

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 12: CAPITAL ACQUISITIONS

% of Completion	Level of Completion Indicator	Infrastructure Assets	Acct	Job	Amended Annual Budget	Amended YTD Budget	YTD Actual	YTD 31 Dec 2017		Strategic Reference / Comment
								Variance (Under/Over)	YTD Actual (Renewal Exp)	
38%	○	Land & Buildings - New			1,929,000	1,329,000	729,026	(1,199,974)	0	
43%	○	Land & Buildings - Upgrade			201,766	140,882	86,899	(114,937)	0	
8%	○	Land & Buildings - Renewal			1,715,580	860,568	0	(1,575,704)	139,796	
		Works In Progress Land & Buildings			0	0	0	0	0	
23%	○	Land & Buildings - Total			3,846,346	2,330,450	815,925	(2,890,445)	139,796	
0%	○	Recreation Areas Infrastructure - New			232,500	136,310	279	(232,221)	0	
		Recreation Areas Infrastructure - Upgrade			0	0	0	0	0	
38%	○	Recreation Areas Infrastructure - Renewal			94,046	46,992	0	(58,730)	35,326	
		Works In Progress Recreation Areas Infrastructure			0	0	0	0	0	
11%	○	Recreation Areas Infrastructure - Total			326,546	183,302	279	(296,941)	35,326	
14%	○	Roads, F/Paths & Bridges Infrastructure - New			326,630	174,132	46,631	(277,999)	0	
23%	○	Roads, F/Paths & Bridges Infrastructure - Upgrade			8,206,715	4,107,777	1,902,229	(6,401,486)	0	
32%	○	Roads, F/Paths & Bridges Infrastructure - Renewal			1,341,609	687,142	0	(1,013,090)	428,559	
		Works In Progress Rds, F/Paths & Bridges			0	0	0	0	0	
24%	○	Roads, F/Paths & Bridges Infrastructure - Total			9,874,954	4,968,951	1,948,860	(7,497,545)	428,559	
		Drainage Infrastructure - New			0	0	0	0	0	
0%	○	Drainage Infrastructure - Upgrade			390,000	195,000	0	(195,000)	0	
		Drainage Infrastructure - Renewal			0	0	0	0	0	
		Works In Progress Drainage Infrastructure			0	0	0	0	0	
0%	○	Drainage Infrastructure - Total			390,000	195,000	0	(195,000)	0	
1%	○	Other Infrastructure - New			8,549,493	4,286,670	96,547	(8,452,946)	0	
12%	○	Other Infrastructure - Upgrade			888,495	456,829	104,575	(783,920)	0	
2%	○	Other Infrastructure - Renewal			385,723	192,852	0	(192,871)	8,917	
		Works In Progress Other Infrastructure			0	0	0	0	0	
0%	○	Other Infrastructure - Total			9,823,711	4,935,351	201,122	(8,622,629)	8,917	
0%	○	Mobile Plant & Equip New			34,000	23,499	0	(10,501)	0	
		Mobile Plant & Equip Upgrade			0	0	0	0	0	
27%	○	Mobile Plant & Equipment Renewal (Replacement)			1,415,000	1,414,983	0	(1,027,121)	387,679	
27%	○	Mobile Plant & Equip - Total			1,449,000	1,438,482	0	(1,037,621)	387,679	
		Fixed Plant & Equipment - New			0	0	0	0	0	
		Fixed Plant & Equipment - Upgrade			0	0	0	0	0	
37%	○	Fixed Plant & Equipment - Renewal			26,405	13,205	0	(13,200)	9,887	
37%	○	Fixed Plant & Equipment - Total			26,405	13,205	0	(13,200)	9,887	
39%	○	Furniture & Equipment - New			809,414	423,704	313,856	(495,658)	0	
39%	○	Furniture & Equipment - Total			809,414	423,704	313,856	(495,658)	0	
16%	○	Capital Expenditure Total			26,546,376	14,489,545	3,279,983	(22,266,370)	1,010,174	

SHIRE OF BROOME
Monthly Statement of Financial Activity
For the Period Ending 31 December 2017

Appendix A: SUPPLEMENTARY NOTES TO THE MONTHLY REPORT

NOTES TO THIS MONTH'S REPORT

OVERVIEW

For the period ended 31 December 2017, the following are key indicators supporting the year to-date budget position with respect to the Annual Forecast Budget:

Budget Year elapsed	50.41%
Total Rates Raised Revenue	100% (of which 75.82% were paid)
Total Other Operating Revenue	53%
Total Operating Expenditure	40%
Total Capital Revenue	37%
Total Capital Expenditure	16%
Total Sale of Assets Revenue	37%

The budget was adopted at the Ordinary Meeting of Council on 29 June 2017. Council adopted a balanced annual budget, which included a net carried forward balance of \$1,879,323, being \$393,426 of carry-over projects, plus \$1,485,897 Financial Assistance Grants received in advance.

It should be noted that the end of financial year (EOFY) processes are now completed and the Annual Financial statements were presented to the Audit Committee on 16 October 2017 before the recommendations were presented to the Ordinary Meeting of Council on 19 October 2017. The final report included recommendations for the use of an additional \$1,727,141 in carried forward surplus. These recommendations were approved by Council and incorporated into the 2017-18 budget.

More information on the Shire's current position can be found on Note 3 of these Financial Statements.

The details of all amendments year-to-date can be found on Note 5 of the Financial Report.

ADJUSTMENTS TO DETERMINE THE CASH POSITION

Budget Allocations

No amendments for Wages, Overhead and Plant Costs have been made this year.

CURRENT POSITION

Currently, to the end of December, the current position stands at \$21.82M.

Cash

Total Cash Assets are now \$48.06M having decreased by \$3.03M.

The major revenue items this month include receipt of:

- \$100K in 17/18 Broome Growth Plan Partnership (GPP);
- \$ 68K in BAS lodgement refund for Nov 17.

The major expenditure items this month include payments of:

- \$1.26M to Landcorp- Recoup of consultancy expenses- Chinatown Revitalisation;
- \$294K to DFES- ESL quarter contribution;
- \$133K to Toxfree- Waste removal;
- \$118K to Roadline Civil Contractors- Drainage works (RFQ17-87- Crab Creek Rd);
- \$91K to Water Corporation- Water usage for parks and other various Shire sties.

Receivables

Sundry debtors including GST refundable stand at \$1.42M.

Rates and rubbish debtors stands at \$5.82M due to annual rates being raised on 19 July 2017. The due date for rates was 23 August 2017. Rates & Rubbish debtors will continue to reduce throughout the year as ratepayers on instalment and payment plans continue to pay their rates.

Other Assets

These stand at \$76K having decreased by \$5.98K since the previous month.

Cash Liabilities

These stand at \$542K. This represents our obligation on our outstanding loans. This will reduce when a payment becomes due.

Creditors and Payables

Sundry Creditors are \$862K, as invoices were processed and/or are paid.

Other Payables comprising Tax Payable, FESA Levy Collected, Accrued Loan Interest, Prepayments Received and accruals stand at \$649K.

Employee Provisions and Accruals

In the normal course of events, these figures are adjusted in June and July each year by end of year accounting adjustments.

Currently leave provisions are \$2.025M. Accruals to reflect the year end position have been completed for the 2016-2017 year.

SHIRE OF BROOME
SCHEDULE 2
GENERAL FUND SUMMARY OF FINANCIAL ACTIVITY
Financial Statement For The Period Ending 31/12/2017

			Income		Expenditure	
Particulars			Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Operating Section						
GENERAL PURPOSE FUNDING	03		\$23,219,752.00	\$22,670,862.70	\$647,688.00	\$166,373.97
GOVERNANCE	04		\$28,450.00	\$2,105.22	\$2,333,120.00	\$1,076,742.46
LAW ORDER AND PUBLIC SAFETY	05		\$178,795.00	\$112,415.83	\$1,135,470.00	\$547,991.97
HEALTH	07		\$189,700.00	\$146,366.58	\$798,406.00	\$368,837.55
EDUCATION AND WELFARE	08		\$15,000.00	\$15,000.00	\$688,681.00	\$265,749.76
HOUSING	09		\$628,275.00	\$301,288.53	\$789,497.00	\$372,959.64
COMMUNITY AMENITIES	10		\$7,499,240.00	\$4,583,373.86	\$9,490,502.00	\$3,505,435.49
RECREATION AND CULTURE	11		\$1,383,112.00	\$623,490.87	\$11,326,589.00	\$5,391,313.43
TRANSPORT	12		\$1,657,925.00	\$312,899.03	\$13,687,458.00	\$5,931,181.77
ECONOMIC SERVICES	13		\$892,553.00	\$578,073.21	\$5,238,960.00	\$1,140,853.53
OTHER PROPERTY AND SERVICES	14		\$2,035,741.00	\$1,044,801.19	\$3,211,279.00	\$1,166,808.44
Total Operating Section			\$37,728,543.00	\$30,390,677.02	\$49,347,650.00	\$19,934,248.01
Capital Section						
GOVERNANCE	04		\$85,000.00	\$33,981.82	\$10,400.00	\$479.76
LAW ORDER AND PUBLIC SAFETY	05		\$1,239,000.00	\$0.00	\$1,346,580.00	\$5,580.00
HEALTH	07		\$19,974.00	\$0.00	\$40,000.00	\$0.00
EDUCATION AND WELFARE	08		\$8,000.00	\$0.00	\$36,000.00	\$0.00
HOUSING	09		\$729,000.00	\$0.00	\$769,000.00	\$729,025.98
COMMUNITY AMENITIES	10		\$1,891,053.00	\$0.00	\$4,598,822.00	\$116,589.80
RECREATION AND CULTURE	11		\$6,156,114.00	\$66,636.37	\$8,725,822.00	\$444,329.13
TRANSPORT	12		\$3,175,967.00	\$681,834.20	\$5,152,135.00	\$1,306,585.10
ECONOMIC SERVICES	13		\$10,183,381.00	\$4,750,000.00	\$7,021,832.00	\$1,168,125.65
OTHER PROPERTY AND SERVICES	14		\$2,170,347.00	\$230,442.73	\$3,945,014.00	\$843,628.97
Total Capital Section			\$25,657,836.00	\$5,762,895.12	\$31,645,605.00	\$4,614,344.39
TOTAL INCOME AND EXPENDITURE			\$63,386,379.00	\$36,153,572.14	\$80,993,255.00	\$24,548,592.40
			\$63,386,379.00	\$36,153,572.14	\$80,993,255.00	\$24,548,592.40
Surplus / Deficit C/Fwd			\$17,606,876.00	\$0.00	\$0.00	\$11,604,979.74
			\$80,993,255.00	\$36,153,572.14	\$80,993,255.00	\$36,153,572.14

SURPLUS / DEFICIT REPRESENTED BY:

NET CURRENT ASSETS

SHIRE OF BROOME
Schedule 03
GENERAL PURPOSE FUNDING

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Rates			647,688.00	166,373.97
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$647,688.00	\$166,373.97
Operating Income				
Rates	22,361,672.00	22,241,822.70		
Other General Purpose Funding	858,080.00	429,040.00		
TOTAL OPERATING INCOME	\$23,219,752.00	\$22,670,862.70	\$0.00	\$0.00
TOTAL GENERAL PURPOSE FUNDING	\$23,219,752.00	\$22,670,862.70	\$647,688.00	\$166,373.97

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME
Schedule 03
GENERAL PURPOSE FUNDING

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Rates				
Operating Expenditure				
0030145 - Debt Collection Recovery			95,700.00	33,608.63 35%
0030149 - Legal & Rates Consulting Exp - Op Exp - Rates			175,000.00	44,794.54 26%
0030251 - Rates Reduced/Written Off - Op Exp - Rates			15,000.00	981.87 7%
0030530 - Admin Cost Alloc - Op Exp - Rates			150,288.00	69,948.61 47%
0032220 - Valuation Expenses - Op Exp - Rates			177,000.00	3,089.73 2%
0032230 - Rates Review Land Use Pickup - Op Exp - Rates			2,000.00	0.00 0%
0032250 - General Expenditure - Op Exp - Rates			31,500.00	13,950.59 44%
0032290 - Refunds - Over/ Prepaid Rates - Op Exp - Rates			1,000.00	0.00 0%
0032291 - Refunds/Reimbursements of Fees - Op Exp - Rates			200.00	0.00 0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$647,688.00	\$166,373.97
Operating Income				
0030105 - Rates Broome - Op Inc - Rates	21,917,252.00	21,883,715.81 100%		
0030146 - Interest - Rates Instalments - Op Inc - Rates	140,000.00	132,996.04 95%		
0030147 - Rates Admin Instalment Charge - Op Inc - Rates	40,000.00	41,223.00 103%		
0030201 - Rates Non Payment Int - Op Inc - Rates	130,000.00	89,098.72 69%		
0030203 - Interest - Deferred Rates - Op Inc - Rates	0.00	-1,208.94 100%		
0032480 - Rates Enquiry Fees - Op Inc - Rates	32,500.00	14,520.00 45%		
0032481 - Rates Other Fees for Service (ex GST)- Op Inc - Rates	2,200.00	6,375.00 290%		
0032489 - Legal Expense Recovery Inc GST - Op Inc - Rates	3,000.00	190.00 6%		
0032490 - Legal Expense Recovery No GST - Op Inc - Rates	86,220.00	69,152.12 80%		
0032491 - Other Refunds/Reimbursements - Op Inc - Rates	500.00	0.00 0%		
0032492 - Back Rates - Op Inc - Rates	10,000.00	5,760.95 58%		
Sub Total To Programme Summary	\$22,361,672.00	\$22,241,822.70	\$0.00	\$0.00
Total Rates	\$22,361,672.00	\$22,241,822.70	\$647,688.00	\$166,373.97
Other General Purpose Funding				
Operating Income				
0030301 - Grants Commission - Op Inc - Other General Purpose Funding	858,080.00	429,040.00 50%		
Sub Total To Programme Summary	\$858,080.00	\$429,040.00	\$0.00	\$0.00
Total Other General Purpose Funding	\$858,080.00	\$429,040.00	\$0.00	\$0.00

Page :2

Printed : 25/01/2018

8:57:15AM

SHIRE OF BROOME
Schedule 03
GENERAL PURPOSE FUNDING

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
TOTAL GENERAL PURPOSE FUNDING	\$23,219,752.00	\$22,670,862.70	\$647,688.00	\$166,373.97

SHIRE OF BROOME
Schedule 04
GOVERNANCE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Council Member Activities			730,719.00	368,591.56
Other Governance Activities			1,602,401.00	708,150.90
Kimberley Regional Collaborative Group (Zone)				
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$2,333,120.00	\$1,076,742.46
Operating Income				
Council Member Activities	2,000.00	80.00		
Other Governance Activities	21,750.00	1,834.28		
Kimberley Regional Collaborative Group (Zone)	4,700.00	190.94		
TOTAL OPERATING INCOME	\$28,450.00	\$2,105.22	\$0.00	\$0.00
Capital Expenditure				
Other Governance Activities			5,700.00	288.82
Kimberley Regional Collaborative Group (Zone)			4,700.00	190.94
TOTAL CAPITAL EXPENDITURE	\$0.00	\$0.00	\$10,400.00	\$479.76
Capital Income				
Other Governance Activities	85,000.00	33,981.82		
Kimberley Regional Collaborative Group (Zone)				
TOTAL CAPITAL INCOME	\$85,000.00	\$33,981.82	\$0.00	\$0.00
TOTAL GOVERNANCE	\$113,450.00	\$36,087.04	\$2,343,520.00	\$1,077,222.22

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME
Schedule 04
GOVERNANCE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
Council Member Activities					
Operating Expenditure					
0024010 - Conferences Travel & Accom Op Exp - Members			42,000.00	14,387.89	34%
0024020 - Shire President & CEO Special Travel - Op Exp - Members			11,000.00	351.19	3%
0024040 - Election Expenses Op Exp - Members			43,000.00	28,852.92	67%
0024060 - Broome Shire Council Allowances Members Op Exp - Members			251,887.00	126,268.00	50%
0024070 - Other Council Sitting Fees & Allowances Op Exp - Members					
0024160 - Subscriptions Op Exp - Members			43,000.00	41,731.01	97%
0024280 - Sundry Expenses - Op Exp - Members			4,000.00	2,525.61	63%
0024530 - Admin Costs Alloc-Op Exp - Members			262,536.00	122,188.71	47%
0403298 - IT Costs Allocated - Council Members			73,296.00	32,286.23	44%
Sub Total To Programme Summary	\$0.00	\$0.00	\$730,719.00	\$368,591.56	
Operating Income					
0024390 - Reimbursements & Sundry Income With GST - Op Inc - Members	1,000.00	0.00	0%		
0024391 - Reimbursements & Sundry Income No GST - Op Inc - Members	1,000.00	80.00	8%		
Sub Total To Programme Summary	\$2,000.00	\$80.00	\$0.00	\$0.00	
Total Council Member Activities	\$2,000.00	\$80.00	\$730,719.00	\$368,591.56	
Other Governance Activities					
Operating Expenditure					
0022110 - Refreshments & Receptions - Op Exp - Other Governance			35,000.00	17,719.01	51%
0022115 - Minor Asset & Equip <\$5K - Op Exp - Other Governance			1,000.00	0.00	0%
0022118 - Kullarri Patrol Support - Op Exp - Other Governance			20,000.00	0.00	0%
0022120 - Naturalisation Ceremonies - Op Exp - Other Governance			5,000.00	0.00	0%
0022121 - Kimberley Zone - SOB's Members Costs - Op Exp - Kimberley Zone			20,000.00	7,424.48	37%
0022124 - Contribution to Kimberley Zone Secretariat			55,000.00	55,000.00	100%
0022125 - WARCA (WA Regional Capitals Alliance) - Op Exp - Other Governance			55,000.00	8,500.00	15%
0022130 - Sundry Op Exp - Other Governance			500.00	0.00	0%
0022171 - Council Newsletter & Community Info Op Exp - Other Governance			55,000.00	17,150.76	31%
0022172 - Community Sponsorship Program - Op Exp - Other Governance			70,945.00	21,136.17	30%

SHIRE OF BROOME
Schedule 04
GOVERNANCE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0022173 - EDL sponsorship programme Reserve Funded - Op Exp - Other Governance			80,000.00	14,000.00	18%
0022174 - Sundry In Kind Donations Op Exp - Other Governance			32,893.00	26,048.97	79%
0022175 - CEO Ad hoc Sponsorship Programme - Op Exp - Other Governance			10,000.00	4,360.87	44%
0022177 - LandCorp Bme North Community-Sponsorship Prog Grant Exps - Op Exp - Other Gov			5,000.00	1,000.00	20%
0022200 - Audit Fees Op Exp - Other Governance			51,000.00	17,893.42	35%
0022230 - Legal Exps Op Exp - Other Governance			67,215.00	74,009.50	110%
0022290 - Sister City Relations/Japanese Youth Ambassador - Op Exp - Other Governance			5,000.00	878.63	18%
0022530 - Gen Agenda Items & Councillor Support - IT Eng & Admin Costs Alloc - Op Exp			189,768.00	88,321.19	47%
0023010 - Salary - Op Exp - Other Governance			431,897.00	194,061.58	45%
0023014 - Superannuation Employee Expense- Other Governance			55,900.00	27,365.23	49%
0023015 - Executive Travel & Accom - Op Exp - Other Governance			25,000.00	15,995.95	64%
0023016 - Promotions Exp - Op Exp - Other Governance			41,178.00	2,931.25	7%
0023031 - Other Employment Costs - Other Gov			55,950.00	28,643.64	51%
0023035 - Plant & Vehicle Op Exp - Other Governance			20,400.00	6,438.82	32%
0023040 - Youth Development Programme & Working Group - Op Exp - Other Governance			42,543.00	1,917.64	5%
0023052 - Volunteers Day Program Op Exp - Other Governance			2,000.00	0.00	0%
0023096 - Loss On Sale Of Assets Op Exp - Other Governance			0.00	2,822.95	100%
0023099 - Fixed Asset Dep'n Expense - Op Exp - Other Governance					
0023450 - Consultants - Op Exp - Other Governance			100,000.00	28,455.00	28%
0023451 - Staff EBA Review Provision - Op Exp - Other Gov			20,000.00	25,718.03	129%
0023453 - Review of Strategies Relating to the Community Strategic Plan - Op Exp - Other Gov			3,000.00	0.00	0%
0404298 - IT/Records Costs Allocated - Other Governance			46,212.00	20,357.81	44%
Sub Total To Programme Summary	\$0.00	\$0.00	\$1,602,401.00	\$708,150.90	
Operating Income					
0022116 - Reimbursements Including GST Op Inc. - Other Governance					
0022117 - Reimbursements & Donations No GST Op Inc - Other Governance					

SHIRE OF BROOME
Schedule 04
GOVERNANCE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0022218 - Grants - Op Inc - Other Governance					
0022450 - User Charges - Sale of Minutes & Rolls Op Inc. - Other Governance	50.00	0.00	0%		
0023050 - Grant Op - Youth Coordinating Committee Op Inc. - Other Governance	16,000.00	1,545.46	10%		
0023093 - Profit On Sale Of Assets - Op Inc. - Other Governance					
0023530 - Interest Rec EDL Sponsorship Reserve - Op Inc. - Other Governance	4,400.00	223.09	5%		
0023535 - Interest Rec Community Sponsorship Reserve - Op Inc. - Other Governance	1,300.00	65.73	5%		
Sub Total To Programme Summary	\$21,750.00	\$1,834.28	\$0.00	\$0.00	
Capital Expenditure					
0023571 - Vehicle & Mobile Plant Renewal (Replacement) Cap Exp - Other Gov					
0023592 - Transfer to EDL Sponsorship Reserve - Cap Exp - Other Governance			4,400.00	223.09	5%
0023595 - Transfer to Community Sponsorship Reserve - Cap Exp - Other Governance			1,300.00	65.73	5%
Sub Total To Programme Summary	\$0.00	\$0.00	\$5,700.00	\$288.82	
Capital Income					
0023094 - Proceeds On Sale Of Assets - Cap Inc - Other Governance	0.00	33,981.82	100%		
0023593 - Transfer From EDL Sponsorship Reserve - Cap Inc - Other Gov	80,000.00	0.00	0%		
0023596 - Transfer From Community Sponsorship Reserve Cap Inc - Other Gov	5,000.00	0.00	0%		
Sub Total To Programme Summary	\$85,000.00	\$33,981.82	\$0.00	\$0.00	
Total Other Governance Activities	\$106,750.00	\$35,816.10	\$1,608,101.00	\$708,439.72	
Kimberley Regional Collaborative Group (Zone)					
Operating Expenditure					
0022137 - Kimberley Zone - Sundry Expenses - Op Exp					
0022146 - Kimberley Zone - Strategic Community Plan 2012-2021 - Op Exp					
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00	
Operating Income					
0023026 - Kimberley Zone - Member Contribution Strategic Community Plant - Op Inc					
0023536 - Kimberley Zone - Interest on Reserve - Op Inc.	4,700.00	190.94	4%		
Sub Total To Programme Summary	\$4,700.00	\$190.94	\$0.00	\$0.00	
Capital Expenditure					

SHIRE OF BROOME

Schedule 04

GOVERNANCE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0023597 - Kimberley Zone - Transfer to Kimberley Zone Reserve - Cap Exp -			4,700.00	190.94	4%
Sub Total To Programme Summary	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$4,700.00</u>	<u>\$190.94</u>	
Capital Income					
0023598 - Transfer From Kimberley Zone Reserve - Cap Inc - Kimberley Zone					
Sub Total To Programme Summary	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	
Total Kimberley Regional Collaborative Group (Zon	<u>\$4,700.00</u>	<u>\$190.94</u>	<u>\$4,700.00</u>	<u>\$190.94</u>	
TOTAL GOVERNANCE	<u>\$113,450.00</u>	<u>\$36,087.04</u>	<u>\$2,343,520.00</u>	<u>\$1,077,222.22</u>	

SHIRE OF BROOME
Schedule 05
LAW ORDER AND PUBLIC SAFETY
Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Emergency & Ranger Administration			2,000.00	1,017.73
Ranger Operations			556,981.00	276,319.47
Fire Prevention			166,090.00	85,983.78
Animal Control			290,321.00	124,228.06
Other Law Order & Public Safety			87,117.00	21,566.20
Volunteer Bush Fire Brigade			12,203.00	20,453.29
SES/Fire & Emergency Services			20,758.00	18,423.44
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$1,135,470.00	\$547,991.97
Operating Income				
Ranger Operations				
Fire Prevention	51,000.00	34,789.53		
Animal Control	79,500.00	52,641.28		
Other Law Order & Public Safety	18,500.00	11,272.95		
Volunteer Bush Fire Brigade	9,037.00	3,158.08		
SES/Fire & Emergency Services	20,758.00	10,553.99		
TOTAL OPERATING INCOME	\$178,795.00	\$112,415.83	\$0.00	\$0.00
Capital Expenditure				
Ranger Operations			141,000.00	
Volunteer Bush Fire Brigade			1,205,580.00	5,580.00
SES/Fire & Emergency Services				
TOTAL CAPITAL EXPENDITURE	\$0.00	\$0.00	\$1,346,580.00	\$5,580.00
Capital Income				
Ranger Operations	39,000.00			
Volunteer Bush Fire Brigade	1,200,000.00			
SES/Fire & Emergency Services				
TOTAL CAPITAL INCOME	\$1,239,000.00	\$0.00	\$0.00	\$0.00
TOTAL LAW ORDER AND PUBLIC SAFETY	\$1,417,795.00	\$112,415.83	\$2,482,050.00	\$553,571.97

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME
Schedule 05
LAW ORDER AND PUBLIC SAFETY
Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Emergency & Ranger Administration				
Operating Expenditure				
0052110 - Salary - Op Exp - Emerg & Rang Serv				
0052116 - Phone Expenses Op Exp - Emerg & Rang Serv			2,000.00	859.91 43%
0052119 - Emergency Management Expenses - Op Exp - Emerg & Rang Serv			0.00	45.09 100%
0052184 - Sundry Equip - Op Exp - Emerg & Rang Serv			0.00	112.73 100%
Sub Total To Programme Summary	\$0.00	\$0.00	\$2,000.00	\$1,017.73
Total Emergency & Ranger Administration	\$0.00	\$0.00	\$2,000.00	\$1,017.73
Ranger Operations				
Operating Expenditure				
0052020 - Other Employment Costs - Op Exp - Ranger Operations			7,414.00	3,132.58 42%
0052281 - Ranger Uniforms - Op Exp - Ranger Operations			2,500.00	0.00 0%
0052282 - Other Minor Exp - Op Exp - Ranger Operations				
0052284 - Advertising & Promotion - Op Exp - Ranger Operations			10,000.00	3,662.06 37%
0052285 - Phone Exp - Op Exp - Ranger Operations			4,400.00	2,459.63 56%
0052296 - Loss on Asset Sale - Op Exp - Ranger Operations			22,425.00	0.00 0%
0052530 - Admin Costs Alloc - Op Exp - Ranger Operations			99,396.00	46,263.47 47%
0052800 - Vehicle & Plant Exps - Rangers (Post Expenses to the Plant Number Only) - Op Exp - Ranger Operations			31,700.00	11,875.28 37%
0053010 - 10731800			201,804.00	97,742.66 48%
0053011 - Superannuation Employee Expense - Ranger Ops			61,542.00	28,231.45 46%
0053015 - Relief Staff Exp - Op Exp - Ranger Operations			0.00	27,342.81 100%
0053017 - Fines Enforcement Registry Exp - Op Exp - Ranger Operations			9,000.00	13,575.40 151%
0053018 - Rangers Equipment - Op Exp - Ranger Operations			12,500.00	993.10 8%
0053033 - Security Beach Patrols - Op Exp - Ranger Operations			10,000.00	3,903.92 39%
0507298 - IT/Records Allocated - Ranger Operations			84,300.00	37,137.11 44%
Sub Total To Programme Summary	\$0.00	\$0.00	\$556,981.00	\$276,319.47
Operating Income				
0053341 - Commercial Trading Licence Fee Rec'd - Op Inc - Ranger Operations				
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00
Capital Expenditure				

SHIRE OF BROOME
Schedule 05
LAW ORDER AND PUBLIC SAFETY
Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0052548 - Vehicle & Mob Plant New -Cap Exp -Ranger Ops			21,000.00	0.00	0%
0052550 - Vehicle & Mob Plant Renewal(Replacement) Exp -Cap Exp -Ranger Ops			120,000.00	0.00	0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$141,000.00	\$0.00	
Capital Income					
0052950 - Proceeds From Sale of Assets - Cap Inc- Ranger Operations	39,000.00	0.00			0%
Sub Total To Programme Summary	\$39,000.00	\$0.00	\$0.00	\$0.00	
Total Ranger Operations	\$39,000.00	\$0.00	\$697,981.00	\$276,319.47	
Fire Prevention					
Operating Expenditure					
0051010 - Salaries - Op Exp - Fire Prevention			50,450.00	24,705.81	49%
0051015 - 569300			4,062.00	198.81	5%
0051051 - FESA Levy Paid on Shire Land - Op Exp - Fire Prevention			8,500.00	10,505.67	124%
0051530 - Admin cost Alloc - Op Exp - Fire Prevention			36,144.00	16,823.09	47%
0053289 - Bush Fire Board/Fire Warden Training - Op Exp - Fire Prevention					
0508206 - Other Employment Costs - Op Exp - Fire Prevention			799.00	720.85	90%
0508216 - Bush Fire Mitigation - Op Exp - Fire Prevention			66,135.00	33,029.55	50%
Sub Total To Programme Summary	\$0.00	\$0.00	\$166,090.00	\$85,983.78	
Operating Income					
0051400 - Fines - Op Inc - Fire Prevention	6,000.00	2,500.00			42%
0051410 - User Charges - Fire - Slashing Etc - Op Inc - Fire Prevention	45,000.00	32,289.53			72%
Sub Total To Programme Summary	\$51,000.00	\$34,789.53	\$0.00	\$0.00	
Total Fire Prevention	\$51,000.00	\$34,789.53	\$166,090.00	\$85,983.78	
Animal Control					
Operating Expenditure					
0052010 - Salaries - Op Exp - Animal Control			126,127.00	62,384.79	49%
0052011 - Reimbursement Exp - Op Exp - Animal Control					
0052012 - Advertising Tags & Other Animal Control Exps - Op Exp - Animal Control			4,000.00	1,438.46	36%
0052040 - Pound Fees Animal Destruction & Disposal - Op Exp - Animal Control			80,000.00	24,070.59	30%
0052286 - Cat Sterilisation Program - Op Exps - Animal Control			2,000.00	0.00	0%
0052287 - Dog Sterilisation Program - Op Exps - Animal Control			2,000.00	0.00	0%

SHIRE OF BROOME
Schedule 05
LAW ORDER AND PUBLIC SAFETY
Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0057530 - Admin Costs Alloc to Animal Control - Op Exp - Animal Control			74,196.00	34,531.59	47%
0509206 - Other Employment Costs - Op Exp - Animal Control			1,998.00	1,802.63	90%
Sub Total To Programme Summary	\$0.00	\$0.00	\$290,321.00	\$124,228.06	
Operating Income					
0052335 - Reimbursements Rec'd - OP Inc - Animal Control					
0052400 - Animal Fines & Penalties - Op Inc - Animal Control	10,000.00	10,843.30			108%
0052410 - Dog Impounding Fees & Sundries - Op Inc - Animal Control	27,500.00	12,755.75			46%
0052411 - Dog Handling Accessories - Op Inc - Animal Control MUN	0.00	212.73			100%
0052416 - Cat Registration - Op Inc - Animal Control	2,000.00	768.25			38%
0052420 - Dog Registration - Op Inc - Animal Control	40,000.00	28,166.50			70%
0052486 - Cat Sterilisation Program Income - Op Inc - Animal Control	0.00	-105.25			100%
Sub Total To Programme Summary	\$79,500.00	\$52,641.28	\$0.00	\$0.00	
Total Animal Control	\$79,500.00	\$52,641.28	\$290,321.00	\$124,228.06	
Other Law Order & Public Safety					
Operating Expenditure					
0053034 - Surf Club Operating Exps - Op Exp - Other Law Order & Public Safety			16,403.00	7,808.70	48%
0053036 - Surf Club Building Maint - Op Exp - Other Law Order & Public Safety			2,000.00	0.00	0%
0053060 - Impounding of Vehicles Expense - Op Exp - Other Law Order & Public Safety			10,000.00	8,660.00	87%
0053283 - 4394200			20,000.00	433.79	2%
0053286 - Warning Signs Maintenance - Op Exp - Other Law Order & Public Safety			4,673.00	0.00	0%
0053288 - Local Laws Review - Op Exp - Other Law Order & Public Safety			0.00	-27.24	100%
0053410 - Fixed Asset Dep'n - Op Exp - Other Law Order & Public Safety			34,041.00	4,690.95	14%
Sub Total To Programme Summary	\$0.00	\$0.00	\$87,117.00	\$21,566.20	
Operating Income					
0053340 - Surf Club - Rent & Recoup Income - Op Inc	6,000.00	0.00			0%
0053400 - Sundry (ORV Etc) Fines & Penalties - Op Inc - Other Law Order & Public Safety	10,000.00	11,272.95			113%
0053405 - Vehicle Impounding Fees - Op Inc - Other Law Order & Public Safety	1,500.00	0.00			0%
0053450 - Sale of Impounded Vehicles & Goods - Op Inc - Other Law Order & Public Safety	1,000.00	0.00			0%
Sub Total To Programme Summary	\$18,500.00	\$11,272.95	\$0.00	\$0.00	

SHIRE OF BROOME
Schedule 05
LAW ORDER AND PUBLIC SAFETY
Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Total Other Law Order & Public Safety	\$18,500.00	\$11,272.95	\$87,117.00	\$21,566.20
Volunteer Bush Fire Brigade				
Operating Expenditure				
0051050 - Insurance Exp - VBFB/FESA - Op Exp - Volunteer Bush Fire Brigade			2,137.00	2,136.82 100%
0053146 - Utilities Rates & Taxes - VBFB/FESA - Op Exp - Volunteer Bush Fire Brigade			1,500.00	274.54 18%
0053198 - Dep'n Exp - VBFB/FESA - Op Exp - Volunteer Bush Fire Brigade			3,166.00	16,840.45 532%
0053291 - Vehicles & Boat Maint - VBFB/FESA - Op Exp - Volunteer Bush Fire Brigade			5,400.00	1,201.48 22%
Sub Total To Programme Summary	\$0.00	\$0.00	\$12,203.00	\$20,453.29
Operating Income				
0051401 - Bush Fire Brigade FESA Operating Grant - Op Inc - Volunteer Bush Fire Brigade	9,037.00	3,158.08 35%		
Sub Total To Programme Summary	\$9,037.00	\$3,158.08	\$0.00	\$0.00
Capital Expenditure				
0053172 - VBFB Building New Const - Cap Exp - Volunteer Bush Fire Brigade			1,200,000.00	0.00 0%
0053174 - VBFB Buildings Renewal - Cap Ex - VBFB			5,580.00	5,580.00 100%
Sub Total To Programme Summary	\$0.00	\$0.00	\$1,205,580.00	\$5,580.00
Capital Income				
0053390 - Capital Grant Funding For Plant/Equip/ Buildings - Cap Inc - Volunteer Bush Fire Brigade	1,200,000.00	0.00 0%		
Sub Total To Programme Summary	\$1,200,000.00	\$0.00	\$0.00	\$0.00
Total Volunteer Bush Fire Brigade	\$1,209,037.00	\$3,158.08	\$1,217,783.00	\$26,033.29
SES/Fire & Emergency Services				
Operating Expenditure				
0055125 - Vehicles & Boats Maint - - Op Exp - SES/ Fire & Emergency Services			4,800.00	1,700.07 35%
0055130 - Land & Building Maint - Op Exp - SES/ Fire & Emergency Services				
0055146 - Utilities Rates & Taxes - - Op Exp - SES/ Fire & Emergency Services			12,400.00	3,963.21 32%
0055150 - Other Good & Services - Op Exp - SES/ Fire & Emergency Services				
0055155 - Insurance Exp - - Op Exp - SES/ Fire & Emergency Services			3,558.00	3,557.64 100%
0055198 - Dep'n Exp - Op Exp - SES/ Fire & Emergency Services			0.00	9,202.52 100%
Sub Total To Programme Summary	\$0.00	\$0.00	\$20,758.00	\$18,423.44

SHIRE OF BROOME
Schedule 05
LAW ORDER AND PUBLIC SAFETY
Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Operating Income				
0055199 - Profit On Sale of Assets Exp - SES/FESA - Op Inc - SES				
0055300 - State Grants/Reimbursements - Op Inc - SES/ Fire & Emergency Services	20,758.00	10,553.99 51%		
Sub Total To Programme Summary	\$20,758.00	\$10,553.99	\$0.00	\$0.00
Capital Expenditure				
0055167 - Vehicles & Mob Plant Renewal > \$3000 - Cap Exp - SES/ FESA				
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00
Capital Income				
0055190 - Non Op Grant Funding for Plant/Equip/Buildings - Op Inc - SES/ Fire & Emergency Services				
0055470 - Proceeds From the Sale Of Assets (Income from the sale or trade-in of assets) > \$3000 - Cap Inc - S				
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00
Total Ses/Fire & Emergency Services	\$20,758.00	\$10,553.99	\$20,758.00	\$18,423.44
TOTAL LAW ORDER AND PUBLIC SAFETY	\$1,417,795.00	\$112,415.83	\$2,482,050.00	\$553,571.97

SHIRE OF BROOME

Schedule 07

HEALTH

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Health Service - Inspection			758,232.00	352,310.63
Health Service - Pest Control			20,174.00	4,412.45
Health Service - Other			20,000.00	12,114.47
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$798,406.00	\$368,837.55
Operating Income				
Health Service - Inspection	187,700.00	142,488.37		
Health Service - Pest Control	2,000.00	2,198.21		
Health Service - Other		1,680.00		
TOTAL OPERATING INCOME	\$189,700.00	\$146,366.58	\$0.00	\$0.00
Capital Expenditure				
Health Service - Inspection			40,000.00	
Health Service - Pest Control				
TOTAL CAPITAL EXPENDITURE	\$0.00	\$0.00	\$40,000.00	\$0.00
Capital Income				
Health Service - Inspection	13,000.00			
Health Service - Pest Control	6,974.00			
TOTAL CAPITAL INCOME	\$19,974.00	\$0.00	\$0.00	\$0.00
TOTAL HEALTH	\$209,674.00	\$146,366.58	\$838,406.00	\$368,837.55

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME
Schedule 07
HEALTH

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Health Service - Inspection				
Operating Expenditure				
0074010 - Salary - Op Exp - Preventive - Inspection/Admin			463,886.00	219,633.36 47%
0074012 - Superannuation Employee Expense - Health			59,566.00	24,338.44 41%
0074028 - FBT & Staff Utilities Expense - Op Exp - Preventive - Inspection/Admin			0.00	547.69 100%
0074280 - Other Minor Expenditure - Op Exp - Preventive - Inspection/Admin			7,520.00	3,736.72 50%
0074296 - Loss on Sale Of Assets - Op Exp - Preventive - Inspection/Admin			3,850.00	0.00 0%
0074298 - Fixed Asset Dep'n - Op Exp - Preventive - Inspection/Admin			2,567.00	614.20 24%
0074530 - Admin Costs Alloc - Op Exp - Preventive - Inspection/Admin			121,284.00	56,445.87 47%
0078800 - Vehicle & Plant Exps - Op Exp - Preventive - Inspection/Admin			25,300.00	11,939.91 47%
0716206 - Other Employment Costs - Op Exp - Health Services Inspection			11,079.00	7,221.50 65%
0716298 - IT/Records Costs Allocated -Health Services Inspection			63,180.00	27,832.94 44%
Sub Total To Programme Summary	\$0.00	\$0.00	\$758,232.00	\$352,310.63
Operating Income				
0074400 - Health Fines & Penalties - Op Inc - Preventive - Inspection/Admin	100.00	0.00 0%		
0074413 - Commercial Pool Inspection Fees - Op Inc - Preventive - Inspection/Admin	85,800.00	43,285.00 50%		
0074414 - Water Sampling (Not Swimming Pools) - Op Inc - Health Service Inspect	2,860.00	243.00 8%		
0074420 - Health Licences - Op Inc - Preventive - Inspection/Admin	70,000.00	70,762.28 101%		
0074421 - Inspections and Minor Charges includes GST - Op Inc - Preventive - Inspection/Admin	500.00	509.09 102%		
0074425 - Service on Demand Fees - Op Inc - Health Service Inspection	500.00	0.00 0%		
0074490 - Trading Licences - All Except Beach - Op Inc - Prevent - Inspection/Admin	27,940.00	27,689.00 99%		
Sub Total To Programme Summary	\$187,700.00	\$142,488.37	\$0.00	\$0.00
Capital Expenditure				
0074550 - Vehicle & Mob Plant Renewal(Replacement) - Cap Exp - Health Inspect's			40,000.00	0.00 0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$40,000.00	\$0.00
Capital Income				
0074950 - Proceeds from Sale of Assets - Cap Inc - Health Inspect	13,000.00	0.00 0%		
Sub Total To Programme Summary	\$13,000.00	\$0.00	\$0.00	\$0.00
Total Health Service - Inspection	\$200,700.00	\$142,488.37	\$798,232.00	\$352,310.63

SHIRE OF BROOME

Schedule 07

HEALTH

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
Health Service - Pest Control					
Operating Expenditure					
0075020 - Mosquito Control & Pest Control - Op Exp - Preventive Service-Pest Control			16,974.00	3,782.41	22%
0075030 - Eradication Flies/Rodents - Op Exp - Preventive Service-Pest Control			2,000.00	0.00	0%
0075800 - Vehicle & Plant Exps - Op Exp - Preventive Service-Pest Control			1,200.00	630.04	53%
Sub Total To Programme Summary	\$0.00	\$0.00	\$20,174.00	\$4,412.45	
Operating Income					
0075391 - Grants and Contributions Rec'd Op Inc - Prev Svcs - Pest Control	2,000.00	2,198.21	110%		
Sub Total To Programme Summary	\$2,000.00	\$2,198.21	\$0.00	\$0.00	
Capital Expenditure					
0074596 - Transfer to Restricted Cash Reserve - Cap Exp - Health					
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00	
Capital Income					
0717599 - Transfer From Restricted Cash Reserve - Cap Inc - Health Service - Pest Control	6,974.00	0.00	0%		
Sub Total To Programme Summary	\$6,974.00	\$0.00	\$0.00	\$0.00	
Total Health Service - Pest Control	\$8,974.00	\$2,198.21	\$20,174.00	\$4,412.45	
Health Service - Other					
Operating Expenditure					
0076020 - Analytical Expenses - Op Exp - Preventive Services Other			20,000.00	12,114.47	61%
Sub Total To Programme Summary	\$0.00	\$0.00	\$20,000.00	\$12,114.47	
Operating Income					
0076030 - Grants Contributions Rec'd - Op Inc - Preventive Services Other	0.00	1,680.00	100%		
Sub Total To Programme Summary	\$0.00	\$1,680.00	\$0.00	\$0.00	
Total Health Service - Other	\$0.00	\$1,680.00	\$20,000.00	\$12,114.47	
TOTAL HEALTH	\$209,674.00	\$146,366.58	\$838,406.00	\$368,837.55	

SHIRE OF BROOME
Schedule 08
EDUCATION AND WELFARE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Aged & Disabled Services			8,000.00	
Community Services			680,681.00	265,749.76
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$688,681.00	\$265,749.76
Operating Income				
Community Services	15,000.00	15,000.00		
TOTAL OPERATING INCOME	\$15,000.00	\$15,000.00	\$0.00	\$0.00
Capital Expenditure				
Community Services			36,000.00	
TOTAL CAPITAL EXPENDITURE	\$0.00	\$0.00	\$36,000.00	\$0.00
Capital Income				
Community Services	8,000.00			
TOTAL CAPITAL INCOME	\$8,000.00	\$0.00	\$0.00	\$0.00
TOTAL EDUCATION AND WELFARE	\$23,000.00	\$15,000.00	\$724,681.00	\$265,749.76

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME
Schedule 08
EDUCATION AND WELFARE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Aged & Disabled Services				
Operating Expenditure				
0082034 - Disability Access and Inclusion Maint & Operating Exp - Op Exp - Aged & Disabled Services			8,000.00	0.00 0%
Sub Total To Programme Summary	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$8,000.00</u>	<u>\$0.00</u>
Total Aged & Disabled Services	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$8,000.00</u>	<u>\$0.00</u>
Community Services				
Operating Expenditure				
0082600 - Salary - Op Exp - Community Services			365,167.00	122,343.84 34%
0082602 - Other Employment Costs - Community Services			14,540.00	10,401.30 72%
0082603 - Legal Exp - Op Exp - Community Services			10,000.00	0.00 0%
0082604 - Vehicle & Plant Exps - Op Exp - Community Services			10,400.00	5,248.85 50%
0082608 - Loss On Sale Of Assets Op Exp - Community Services			1,000.00	0.00 0%
0082610 - Relief Staff - Op Exp - Community Services)			2,866.00	8,014.02 280%
0082611 - Consultants - Op Exp - Community Services				
0082612 - Function Expenses - Op Exp - Community Services				
0082613 - Advertising Promotion & Printing - Op Exp - Community Services			3,000.00	0.00 0%
0082616 - Superannuation Employee Expense - Community Services			46,488.00	16,357.53 35%
0082617 - Community Development Strategy - Op Exp - Community Services				
0082621 - Sundry Exp - Op Exp - Community Services			600.00	128.00 21%
0082630 - Admin Costs Alloc - Comm Serv			137,448.00	63,971.99 47%
0821298 - IT/Records Costs Alloc - Comm Serv			89,172.00	39,284.23 44%
Sub Total To Programme Summary	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$680,681.00</u>	<u>\$265,749.76</u>
Operating Income				
0082672 - Reimb & Other Income - Op Inc - Com Services				
0082675 - Grants For Community Programs - Op Inc - Community Services	15,000.00	15,000.00 100%		
Sub Total To Programme Summary	<u>\$15,000.00</u>	<u>\$15,000.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Capital Expenditure				
0082605 - Vehicle & Mob Plant Renewal (Replacement) Cap Exp - Comm Services			36,000.00	0.00 0%
Sub Total To Programme Summary	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$36,000.00</u>	<u>\$0.00</u>
Capital Income				

SHIRE OF BROOME
Schedule 08
EDUCATION AND WELFARE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income			Expenditure	
	Current Year Estimated	Current Year Actual		Current Year Estimated	Current Year Actual
0082606 - Proceeds On Sale Of Assets - Cap Inc - Community Services	8,000.00	0.00	0%		
Sub Total To Programme Summary	\$8,000.00	\$0.00		\$0.00	\$0.00
Total Community Services	\$23,000.00	\$15,000.00		\$716,681.00	\$265,749.76
TOTAL EDUCATION AND WELFARE	\$23,000.00	\$15,000.00		\$724,681.00	\$265,749.76

SHIRE OF BROOME

Schedule 09

HOUSING

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Staff Housing			648,725.00	307,438.15
Other Housing			140,772.00	65,521.49
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$789,497.00	\$372,959.64
Operating Income				
Staff Housing	628,275.00	301,288.53		
TOTAL OPERATING INCOME	\$628,275.00	\$301,288.53	\$0.00	\$0.00
Capital Expenditure				
Staff Housing			769,000.00	729,025.98
TOTAL CAPITAL EXPENDITURE	\$0.00	\$0.00	\$769,000.00	\$729,025.98
Capital Income				
Staff Housing	729,000.00			
TOTAL CAPITAL INCOME	\$729,000.00	\$0.00	\$0.00	\$0.00
TOTAL HOUSING	\$1,357,275.00	\$301,288.53	\$1,558,497.00	\$1,101,985.62

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME
Schedule 09
HOUSING

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Staff Housing				
Operating Expenditure				
0092299 - Fixed Asset Dep'n - Op Exp - Staff Housing			47,426.00	6,200.50 13%
0095110 - 2/10 Frederick Street (ex Manager Infra break lease)			0.00	429.48 100%
0095200 - Staff Housing Rental Costs (External Arrangement)			536,000.00	263,325.28 49%
0096100 - Staff Housing - Planned Maint & Minor Works - Op Exp			10,000.00	3,329.82 33%
0096101 - Staff Housing - Reactive Maint - Op Exp			16,500.00	6,741.90 41%
0096102 - Staff Housing - Operating Expense - Op Exp			38,799.00	27,411.17 71%
Sub Total To Programme Summary	\$0.00	\$0.00	\$648,725.00	\$307,438.15
Operating Income				
0095400 - Rented Staff Housing Annual Operating Income - Staff housing	536,000.00	254,742.18 48%		
0095442 - 69 Robinson St Rent & Recoup Income - Op Inc	10,300.00	1,802.59 18%		
0096200 - 1/17 Honeyeater Loop - Rent & Recoup Income - Op Inc	11,375.00	7,150.00 63%		
0096201 - 8/83 Walcott Street - Rent & Recoup Income - Op Inc	11,375.00	5,452.86 48%		
0096202 - 8/6 Ibis Way - Rent & Recoup Income - Op Inc	5,650.00	5,049.99 89%		
0096203 - 11/6 Ibis Way - Rent & Recoup Income - Op Inc	11,375.00	7,150.00 63%		
0096204 - 2/50 Tanami Drive - Rent & Recoup Income - Op Inc	12,500.00	4,200.00 34%		
0096205 - 4/50 Tanami Drive - Rent & Recoup Income - Op Inc	12,500.00	7,290.91 58%		
0145561 - Lot 1002 Shelduck Way - Rent & Recoup Income - Op Inc	17,200.00	8,450.00 49%		
Sub Total To Programme Summary	\$628,275.00	\$301,288.53	\$0.00	\$0.00
Capital Expenditure				
0095810 - Building Staff Housing - Cap Exp - New			729,000.00	729,025.98 100%
0095816 - Shire Staff Housing Building Renewal - Staff Housing				
0095901 - Transfer to Building Reserve - Cap Exp - Housing			40,000.00	0.00 0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$769,000.00	\$729,025.98
Capital Income				
0095910 - Transfer From Building Reserve - Staff Housing - Cap Inc	729,000.00	0.00 0%		
Sub Total To Programme Summary	\$729,000.00	\$0.00	\$0.00	\$0.00
Total Staff Housing	\$1,357,275.00	\$301,288.53	\$1,417,725.00	\$1,036,464.13

Other Housing

Page :22

Printed : 25/01/2018 8:57:15AM

SHIRE OF BROOME

Schedule 09

HOUSING

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Operating Expenditure				
0947294 - Admin Costs Allocated Op Exp - Other Housing			140,772.00	65,521.49 47%
Sub Total To Programme Summary	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$140,772.00</u>	<u>\$65,521.49</u>
Total Other Housing	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$140,772.00</u>	<u>\$65,521.49</u>
TOTAL HOUSING	<u>\$1,357,275.00</u>	<u>\$301,288.53</u>	<u>\$1,558,497.00</u>	<u>\$1,101,985.62</u>

SHIRE OF BROOME
Schedule 10
COMMUNITY AMENITIES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Regional Resource Recovery Park			400,000.00	2,780.45
Sanitation - General Refuse			4,806,798.00	1,472,899.52
Sanitation - Other			962,479.00	446,048.66
Sewerage			6,500.00	3,538.06
Storm Water Drainage			1,284,898.00	654,329.89
Town Planning/Regional Development			833,685.00	401,904.03
Development Services Support			714,994.00	325,926.36
Protection of Environment			76,726.00	30,689.68
Other Community Amenities			404,422.00	167,318.84
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$9,490,502.00	\$3,505,435.49
Operating Income				
Regional Resource Recovery Park	259,800.00	10,220.91		
Sanitation - General Refuse	7,081,400.00	4,521,574.78		
Sanitation - Other	2,000.00	1,989.62		
Sewerage	3,000.00	5,074.00		
Storm Water Drainage	40,600.00	1,632.07		
Town Planning/Regional Development	82,500.00	28,226.62		
Development Services Support	5,000.00			
Protection of Environment	5,000.00	5,000.00		
Other Community Amenities	19,940.00	9,655.86		
TOTAL OPERATING INCOME	\$7,499,240.00	\$4,583,373.86	\$0.00	\$0.00
Capital Expenditure				
Regional Resource Recovery Park			259,800.00	10,220.91
Sanitation - General Refuse			3,510,655.00	97,835.20
Storm Water Drainage			726,067.00	1,632.07
Other Community Amenities			102,300.00	6,901.62
TOTAL CAPITAL EXPENDITURE	\$0.00	\$0.00	\$4,598,822.00	\$116,589.80
Capital Income				
Regional Resource Recovery Park	400,000.00			
Sanitation - General Refuse	1,236,053.00			
Storm Water Drainage	255,000.00			

SHIRE OF BROOME
Schedule 10
COMMUNITY AMENITIES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Development Services Support				
TOTAL CAPITAL INCOME	\$1,891,053.00	\$0.00	\$0.00	\$0.00
TOTAL COMMUNITY AMENITIES	\$9,390,293.00	\$4,583,373.86	\$14,089,324.00	\$3,622,025.29

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME
Schedule 10
COMMUNITY AMENITIES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
Regional Resource Recovery Park					
Operating Expenditure					
0108001 - New Refuse Site Exp - Op Exp - Regional Resource Recovery Park			400,000.00	2,780.45	1%
Sub Total To Programme Summary	\$0.00	\$0.00	\$400,000.00	\$2,780.45	
Operating Income					
0101426 - Interest - Reg Res Rec Pk Reserve - Op Inc - Reg Res Recov Pk	259,800.00	10,220.91	4%		
Sub Total To Programme Summary	\$259,800.00	\$10,220.91	\$0.00	\$0.00	
Capital Expenditure					
0101895 - Transfer to Regional Resource Recovery Park Reserve - Cap Exp - Reg Res Rec Pk			259,800.00	10,220.91	4%
Sub Total To Programme Summary	\$0.00	\$0.00	\$259,800.00	\$10,220.91	
Capital Income					
0101995 - Transfer from Regional Resource Recovery Reserve - Cap Inc - Reg Res Recov	400,000.00	0.00	0%		
Sub Total To Programme Summary	\$400,000.00	\$0.00	\$0.00	\$0.00	
Total Regional Resource Recovery Park	\$659,800.00	\$10,220.91	\$659,800.00	\$13,001.36	
Sanitation - General Refuse					
Operating Expenditure					
0101010 - Salary & Wages Default - Op Exp - Sanitation General Refuse			101,269.00	24,556.46	24%
0101011 - Salary & Wages Workers Comp - Op Exp - Sanitation General Refuse					
0101020 - Kerbside Refuse Collection - Op Exp - Sanitation Gen Refuse			412,000.00	182,870.87	44%
0101022 - Kerbside Recycling Collection -Op Exp - San Gen Refuse			714,000.00	321,783.61	45%
0101023 - Commercial Recycling - Op Exp - Sanitation Gen Refuse			143,000.00	0.00	0%
0101024 - Less On Cost Allocated - Op Exp - Sanitation General Refuse			-324,748.00	-176,928.14	54%
0101027 - Recycling Advertising - Op Exp - San Gen Refuse			1,000.00	0.00	0%
0101028 - 20415300			311,313.00	185,287.88	60%
0101029 - Salary - Waste Co-ordinator - Op Exp -Sanitation Gen Refuse			121,959.00	0.00	0%
0101030 - 23245900			1,521,103.00	636,607.77	42%
0101031 - Liquid Waste - Op Exp - Sanitation Gen Refuse			49,500.00	602.25	1%
0101032 - Other Employment Costs - Op Exp - Sanitation General Refuse			20,460.00	13,537.94	66%
0101033 - Superannuation Employee Expense - Op Exp - Sanitation General			84,989.00	38,627.68	45%
0101036 - Mobile Phone & Sundries - Op Exp - Sanitation Gen Refuse			720.00	315.10	44%

SHIRE OF BROOME
Schedule 10
COMMUNITY AMENITIES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0101038 - Training & Staff Meeting Expenses - Op Exp - Sanitation Gen Refuse			19,361.00	4,204.92	22%
0101040 - Consultants - Op Exp - Sanitation Gen Refuse					
0101080 - Refuse Site Building Maint & Operating - Op Exp - Sanitation Gen Refuse			50,041.00	22,626.42	45%
0101285 - Minor Assets Equipment & Consumables - Op Exps - Sanitation Gen Refuse			5,000.00	2,914.47	58%
0101295 - Dep'cn Expense Infrastructure - Op Exps - Sanitation Gen Refuse			35,405.00	23,325.23	66%
0101296 - Loss on Sale of Assets - Sanitation Gen Refuse					
0101299 - Dep'n Exp Furniture & Fittings - Sanitation Gen Refuse			0.00	102.05	100%
0101530 - Admin Costs Alloc - Op Exps - Sanitation Gen Refuse			299,148.00	139,233.15	47%
0101800 - Vehicle & Plant Exps - Op Exps - Sanitation Gen Refuse			29,100.00	19,898.44	68%
1011298 - IT/Record Costs Allocated - Op Exps - Sanitation Gen Refuse			51,444.00	22,663.97	44%
1026218 - Kerbside Collection Disposal Costs - (Internal Shire Charge) - Op Exp - San Gen Refuse			1,145,500.00	0.00	0%
1026296 - Fixed Asset Dep'n - Op Exp - Sanitation General Refuse			15,234.00	10,669.45	70%
Sub Total To Programme Summary	\$0.00	\$0.00	\$4,806,798.00	\$1,472,899.52	
Operating Income					
0101410 - Refuse & Recycling Chgs - Op Inc - Sanitation Gen Refuse	3,274,000.00	3,285,549.92	100%		
0101411 - Refuse & Recycling Removal Chgs - Additional & C'van Pk Services - Op Inc - Sanitation Gen Refuse	335,000.00	299,883.11	90%		
0101420 - Charges Refuse Site - Op Inc - Sanitation Gen Refuse	2,200,000.00	884,129.76	40%		
0101423 - Sundry Income (Inc. GST) - Op Inc - Sanitation Gen Refuse	6,500.00	10,179.49	157%		
0101424 - EDL Lease - Op Inc - Sanitation Gen Refuse	36,000.00	36,227.70	101%		
0101425 - Interest - Refuse Site Reserve - Op Inc - Sanitation Gen Refuse	83,400.00	3,744.80	4%		
0101427 - Contributions Rec'd Op & Non Op - - Op Inc - Sanitation Gen Refuse					
0101480 - Refuse & Recycling Bin Sales - Op Inc - Sanitation Gen Refuse	1,000.00	1,860.00	186%		
0101481 - Sundry Income (No GST) - Op Inc Sanitation Gen Refuse					
0101499 - Profit On Sale Of Assets - Op Inc - Sanitation Gen Refuse					
0102636 - Kerbside Collection Disposal Costs - Internal Shire charge - Op Inc - Sanitation Gen Refuse	1,145,500.00	0.00	0%		
Sub Total To Programme Summary	\$7,081,400.00	\$4,521,574.78	\$0.00	\$0.00	
Capital Expenditure					

SHIRE OF BROOME
Schedule 10
COMMUNITY AMENITIES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
0101510 - Vehicle & Mob Plant Renewal(Replacement)-Cap Exp- Sanit Gen Refuse				
0101512 - Transfer to Resource Recovery Park Reserve - Cap Exp - San Gen Refuse			2,334,202.00	0.00 0%
0101515 - Transfer to Refuse Reserve - Cap Exp - Sanitation Gen Refuse			83,400.00	3,744.80 4%
0101520 - 8000000				
0101545 - Other Infra Upgrade Const - Cap Exp - Sanitation Gen Refuse			797,330.00	94,090.40 12%
0101550 - Other Infra Renewal Const - Cap Exp - Sanitation Gen Refuse			295,723.00	0.00 0%
0101999 - Other Infrastructure Sanitation - WIP Cap Exp				
0102556 - Furniture & Equip New Cap Exp - San Gen Refuse				
Sub Total To Programme Summary	\$0.00	\$0.00	\$3,510,655.00	\$97,835.20
Capital Income				
0101500 - Proceeds From Sale of Assets - Cap Inc - Sanitation Gen Refuse				
0101525 - Transfer From Refuse Site Reserve - Sanitation Gen Refuse	1,236,053.00	0.00 0%		
Sub Total To Programme Summary	\$1,236,053.00	\$0.00	\$0.00	\$0.00
Total Sanitation - General Refuse	\$8,317,453.00	\$4,521,574.78	\$8,317,453.00	\$1,570,734.72
Sanitation - Other				
Operating Expenditure				
0102010 - 3577300			898,502.00	420,440.89 47%
0102060 - 2419000			9,910.00	0.00 0%
0102070 - Purchase of Bins- Op Exp - Sanitation Other			0.00	95.00 100%
0102530 - Admin Costs Alloc - Op Exp - Sanitation Other			53,268.00	24,791.92 47%
1027206 - Other Employment Costs - Sanitation Other			799.00	720.85 90%
Sub Total To Programme Summary	\$0.00	\$0.00	\$962,479.00	\$446,048.66
Operating Income				
0102390 - Litter Control Bin Hire Etc User Charges - Op Inc - Sanitation Other	0.00	896.77 100%		
0102400 - Litter - fines & Penalties & Reimb (No GST)- Op Inc - Sanitation Other	2,000.00	1,092.85 55%		
Sub Total To Programme Summary	\$2,000.00	\$1,989.62	\$0.00	\$0.00
Total Sanitation - Other	\$2,000.00	\$1,989.62	\$962,479.00	\$446,048.66
Sewerage				
Operating Expenditure				
0103101 - Sewerage Facility Maintenance Exps - Op Exp - Sewerage			6,500.00	3,538.06 54%
Sub Total To Programme Summary	\$0.00	\$0.00	\$6,500.00	\$3,538.06

Page :28

Printed : 25/01/2018 8:57:15AM

SHIRE OF BROOME
Schedule 10
COMMUNITY AMENITIES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Operating Income				
0103480 - Septic Tank Fees - Op Inc - Sewerage	3,000.00	5,074.00 169%		
Sub Total To Programme Summary	\$3,000.00	\$5,074.00	\$0.00	\$0.00
Total Sewerage	\$3,000.00	\$5,074.00	\$6,500.00	\$3,538.06
Storm Water Drainage				
Operating Expenditure				
0102202 - 13884400			136,019.00	88,119.80 65%
0102210 - Drainage Consultant/Strategy - op			28,000.00	0.00 0%
Exp - Urban Stormwater Drainage				
0102295 - Fixed Asset Dep'n - Op Exp - Urban Stormwater Drainage			1,120,879.00	566,210.09 51%
Sub Total To Programme Summary	\$0.00	\$0.00	\$1,284,898.00	\$654,329.89
Operating Income				
0102983 - Interest Rec Drainage Reserve -Op IncUrban S'water Drainage	40,600.00	1,632.07 4%		
Sub Total To Programme Summary	\$40,600.00	\$1,632.07	\$0.00	\$0.00
Capital Expenditure				
0104281 - Transfer to Drainage Reserve - Cap Exp - Urban Stormwater Drainage			336,067.00	1,632.07 0%
0104600 - Drainage Upgrade Infra Const - Urban Stormwater Drainage			390,000.00	0.00 0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$726,067.00	\$1,632.07
Capital Income				
0104480 - Transfer From Drainage Reserve - Urban Stormwater Drainage - Cap Inc				
0104482 - Headworks Contribution - Non Op Inc - Urban Stormwater Drainage				
0104484 - Gen Non Op Grants - Cap Inc - Urban Stormwater Drainage	255,000.00	0.00 0%		
Sub Total To Programme Summary	\$255,000.00	\$0.00	\$0.00	\$0.00
Total Storm Water Drainage	\$295,600.00	\$1,632.07	\$2,010,965.00	\$655,961.96
Town Planning/Regional Development				
Operating Expenditure				
0106010 - Salary - Op Exp - Planning			480,805.00	231,072.98 48%
0106011 - Superannuation Employee Expense - Planning			49,010.00	26,562.91 54%
0106024 - Other Employment Costs - Op Exp - Planning			9,225.00	7,147.01 77%
0106030 - Consultants & Project Employees - Op Exp - Town Planning/Reg Dev			42,261.00	29,097.51 69%
0106032 - Relief Staff - Op Exp - Town Planning/Regional Devel				
0106039 - Planning Appeals - Op Exp - Town Planning/ Regional Devel			10,000.00	0.00 0%

SHIRE OF BROOME
Schedule 10
COMMUNITY AMENITIES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0106040 - Advertising - Op Exp - Town Planning/Regional Devel			5,000.00	1,579.53	32%
0106051 - Engagement Expenses - Op Exp - Town Planning/Regional Dev			3,000.00	0.00	0%
0106279 - Copying & Printing Expenses - Op Exp - Town Planning/Regional Devel			500.00	0.00	0%
0106280 - Sundry Expenses - Op Exp - Town Planning/Regional Devel			500.00	0.00	0%
0106290 - Reimbursement Expense Legal & Other - Town Planning			2,000.00	0.00	0%
0106530 - Admin Cost Alloc - Town Planning & Reg Dev - Op Exp			181,200.00	84,336.77	47%
0106531 - Engineering Office Staff Time - Op Exp - Town Planning & Reg Develop					
0106800 - Vehicle & Plant Exps - Planning					
1030298 - IT/Records Costs Allocated -Town Planning & Reg Development			50,184.00	22,107.32	44%
Sub Total To Programme Summary	\$0.00	\$0.00	\$833,685.00	\$401,904.03	
Operating Income					
0106410 - Planning Fees (GST Free) - Op Inc - Town Planning/Regional Devel	75,000.00	25,646.62	34%		
0106420 - Rezoning Fees (Incl GST) - Op Inc - Town Planning/Regional Devel					
0106421 - Rezoning Fees (Excl GST) - Op Inc - Town Planning	5,000.00	2,500.00	50%		
0106430 - Subdivision/ Strata Title Fees - Op Inc - Town Planning/Regional Devel	2,000.00	0.00	0%		
0106479 - Reimbursements Consultants etc. - Op Inc - Town Planning/Regional Devel					
0106480 - Other Minor Charges No GST - Op Inc - Town Planning/Regional Devel	500.00	80.00	16%		
0106481 - Other Minor Charges Includes GST - Op Inc - Town Planning/Regional Devel					
Sub Total To Programme Summary	\$82,500.00	\$28,226.62	\$0.00	\$0.00	
Total Town Planning/Regional Development	\$82,500.00	\$28,226.62	\$833,685.00	\$401,904.03	
Development Services Support					
Operating Expenditure					
0106038 - Legal Expenses - Development Services			70,000.00	38,762.33	55%
0106100 - Salary - Op Exp - Development Services			383,749.00	170,247.55	44%
0106102 - Other Employment Costs - Development Services			17,295.00	9,760.45	56%
0106104 - Vehicle & Plant Exps - Development Services			7,200.00	3,047.77	42%
0106105 - Relief Staff - Op Exp - Development Services					
0106106 - Consultants & Project Employees - Op Exp - Development Services			15,000.00	600.00	4%
0106107 - Superannuation Employee Expense - Development Services			49,114.00	23,875.97	49%

SHIRE OF BROOME
Schedule 10
COMMUNITY AMENITIES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0106120 - Conferences Travel & Accom - Development Services			0.00	463.64	100%
0106125 - Sundry Expenses - Development Services			1,600.00	830.64	52%
0106630 - Admin Costs Alloc - Dev Serv			116,520.00	54,232.31	47%
0106631 - Engineering Office Staff Time - Op Exp Dev Serv Sup			0.00	89.85	100%
1031298 - IT/Records Costs Alloc - Development Services			54,516.00	24,015.85	44%
Sub Total To Programme Summary	\$0.00	\$0.00	\$714,994.00	\$325,926.36	
Operating Income					
0106390 - Reimbursements Received - Development Services	5,000.00	0.00	0%		
Sub Total To Programme Summary	\$5,000.00	\$0.00	\$0.00	\$0.00	
Capital Income					
0106986 - Transfer From Restricted Cash - Development Services					
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00	
Total Development Services Support	\$5,000.00	\$0.00	\$714,994.00	\$325,926.36	
Protection of Environment					
Operating Expenditure					
0105054 - 1231900			23,437.00	5,494.45	23%
0105295 - Motor Vehicle & Plant Running Costs - Op Exp - Minyirr Park					
0105297 - Fixed Asset Dep'n - Op Exp - Protection of Environment			5,931.00	2,214.71	37%
0105530 - Admin Costs Alloc - Op Exp - Protection of Environment			31,860.00	14,830.88	47%
0105535 - Asbestos Removal- Moonlight to Demco - Op Exp - Protection of Environment					
0105546 - Consultants - Environmental - Op Exp - Prot of Envir			7,036.00	7,500.00	107%
0105565 - Water Quality Monitoring Expenses - Op Exp (Inc in 105545) - Prot of Env					
0113300 - 2055200			8,462.00	649.64	8%
Sub Total To Programme Summary	\$0.00	\$0.00	\$76,726.00	\$30,689.68	
Operating Income					
0105541 - Coastal Grants & Reimb Rec'd	5,000.00	5,000.00	100%		
Sub Total To Programme Summary	\$5,000.00	\$5,000.00	\$0.00	\$0.00	
Total Protection Of Environment	\$5,000.00	\$5,000.00	\$76,726.00	\$30,689.68	
Other Community Amenities					
Operating Expenditure					
0107010 - Public Toilets - Building Maintenance Exps			22,000.00	7,825.93	36%

SHIRE OF BROOME
Schedule 10
COMMUNITY AMENITIES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0107028 - Cemetery Operating Expenses - Other Comm Amen			35,890.00	23,636.43	66%
0107029 - 4585900			0.00	161.42	100%
0107030 - 7644000			114,717.00	27,023.12	24%
0107034 - Broome Cemetery Survey & Other - Op Exp - Other Comm Amen			8,000.00	-537.50	-7%
0107035 - Cemeteries CCTV & Wireless Network Maint - Op Exp - Other Comm Amen			2,000.00	1,839.00	92%
0107071 - 450000			149,263.00	74,582.25	50%
0107100 - Cleaning Materials Util & Sundries - Op Exp - Other Community Amenities			360.00	82.00	23%
0107530 - Admin Costs Alloc - Op Exp - Other Community Amenities			39,480.00	18,372.58	47%
1033296 - Fixed Asset Depn - Op Exp - Other Community Amenities			32,712.00	14,333.61	44%
Sub Total To Programme Summary	\$0.00	\$0.00	\$404,422.00	\$167,318.84	
Operating Income					
0107370 - Cemetery Fees Inc GST - Op Inc - Other Community Amenities	17,000.00	8,412.74	49%		
0107375 - Cemetery related Licenses - GST Free - Op Inc - Other Community Amenities	640.00	1,075.00	168%		
1033399 - Interest Rec - Public Art Reserve - Op Inc - Other Comm Amen	2,300.00	168.12	7%		
Sub Total To Programme Summary	\$19,940.00	\$9,655.86	\$0.00	\$0.00	
Capital Expenditure					
0107540 - Cemeteries Other Infrastructure Upgrade - Cap Exp - Other Com Amenit			56,000.00	1,120.00	2%
0107550 - Cemeteries Other Infrastructure New - - Cap Exp - Other Community Amenities			44,000.00	5,613.50	13%
0107580 - Cemeteries Fixed Plant & Equip (CCTV) New-Cap Exp-Other Comm Amenities					
1033499 - Transfer to Public Art Reserve - Cap Exp - Other Community Amenities			2,300.00	168.12	7%
Sub Total To Programme Summary	\$0.00	\$0.00	\$102,300.00	\$6,901.62	
Total Other Community Amenities	\$19,940.00	\$9,655.86	\$506,722.00	\$174,220.46	
TOTAL COMMUNITY AMENITIES	\$9,390,293.00	\$4,583,373.86	\$14,089,324.00	\$3,622,025.29	

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Public Halls & Civic Centres			218,670.00	90,564.56
Libraries			1,351,752.00	610,952.63
Broome Civic Centre (Was Arts Centre)			985,798.00	437,019.38
Other Culture			450,995.00	198,475.75
Recreation Services			291,778.00	113,257.14
Swimming Areas & Beaches			250,355.00	139,018.23
Other Recreation & Sport			713,602.00	237,543.86
Parks & Ovals			3,251,141.00	1,418,773.61
BRAC - General			2,073,535.00	984,055.57
BRAC - Aquatic			460,004.00	210,059.31
BRAC - Dry			821,724.00	677,845.96
BRAC - Ovals			457,235.00	273,747.43
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$11,326,589.00	\$5,391,313.43
Operating Income				
Public Halls & Civic Centres	500.00			
Libraries	38,740.00	9,758.41		
Broome Civic Centre (Was Arts Centre)	244,500.00	134,327.29		
Other Culture	54,500.00	300.00		
Recreation Services	80,000.00	55,000.00		
Swimming Areas & Beaches				
Other Recreation & Sport	126,105.00	33,807.98		
Parks & Ovals	88,167.00	46,932.11		
BRAC - General	162,600.00	75,811.03		
BRAC - Aquatic	377,000.00	184,552.94		
BRAC - Dry	157,000.00	64,653.18		
BRAC - Ovals	54,000.00	18,347.93		
TOTAL OPERATING INCOME	\$1,383,112.00	\$623,490.87	\$0.00	\$0.00
Capital Expenditure				
Libraries				
Broome Civic Centre (Was Arts Centre)			451,558.00	223,551.11
Other Culture			128,139.00	2,350.00

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Other Recreation & Sport			7,182,506.00	6,027.56
Parks & Ovals			615,117.00	9,618.61
BRAC - General			100.00	56.16
BRAC - Aquatic			26,405.00	9,896.65
BRAC - Dry			146,766.00	86,838.63
BRAC - Ovals			175,231.00	105,990.41
TOTAL CAPITAL EXPENDITURE	\$0.00	\$0.00	\$8,725,822.00	\$444,329.13
Capital Income				
Libraries	4,555.00			
Other Culture	91,636.00	66,636.37		
Recreation Services				
Swimming Areas & Beaches				
Other Recreation & Sport	5,985,923.00			
Parks & Ovals				
BRAC - General				
BRAC - Aquatic				
BRAC - Dry	74,000.00			
TOTAL CAPITAL INCOME	\$6,156,114.00	\$66,636.37	\$0.00	\$0.00
TOTAL RECREATION AND CULTURE	\$7,539,226.00	\$690,127.24	\$20,052,411.00	\$5,835,642.56

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
Public Halls & Civic Centres					
Operating Expenditure					
0111021 - 1970000			56,742.00	29,046.19	51%
0111530 - Admin Costs Alloc - Op Exp - Public Halls Civic Centres			30,444.00	14,166.80	47%
1135296 - Fixed Asset Dep'n - Op Exp - Public Halls			131,484.00	47,351.57	36%
Sub Total To Programme Summary	\$0.00	\$0.00	\$218,670.00	\$90,564.56	
Operating Income					
0111411 - Lotteries House - Rent & Recoup Income - Op Inc	500.00	0.00	0%		
Sub Total To Programme Summary	\$500.00	\$0.00	\$0.00	\$0.00	
Total Public Halls & Civic Centres	\$500.00	\$0.00	\$218,670.00	\$90,564.56	
Libraries					
Operating Expenditure					
0115010 - Salary - Op Exp - Libraries			538,716.00	241,262.39	45%
0115011 - Superannuation Employee Expense - Libraries			62,140.00	27,247.54	44%
0115024 - Other Employment Costs - Op Exp - Library			6,074.00	1,647.81	27%
0115070 - IT Costs Alloc Lib - Op Exp - Libraries			270,240.00	119,045.50	44%
0115270 - Local History Resources - Op Exp - Library			1,800.00	471.11	26%
0115279 - Minor Assets Expensed - Op Exp Library			8,200.00	8,672.73	106%
0115280 - Grant Program Expenses - Op Exp - Library (Income in 115480)			5,820.00	7,272.72	125%
0115281 - 2500000			101,467.00	57,907.23	57%
0115282 - Library Office - Op Exp - Libraries			4,950.00	3,400.67	69%
0115284 - Subscriptions - Op Exp - Libraries			14,020.00	7,211.79	51%
0115285 - Freight - Op Exp - Libraries			4,000.00	221.19	6%
0115286 - SLWA Travel & Accommodation Op Exp - Library			24,580.00	2,853.09	12%
0115287 - Loan Reservation Service - Op Exp - Libraries			1,800.00	855.91	48%
0115289 - Programmes & Materials - Op Exp - Libraries			3,450.00	3,011.57	87%
0115290 - Lost/Damaged Items Exp - Library			1,700.00	1,500.00	88%
0115292 - Books & Binding - Op Exp			8,820.00	2,273.87	26%
0115293 - Office Equipment - Op Exp - Libraries			2,000.00	0.00	0%
0115294 - Advertising & Promotions Exp - Op Exp - Libraries			4,200.00	501.81	12%
0115295 - Sundry Exp - Op Exp - Libraries			350.00	170.63	49%
0115299 - Dep'n - Furniture & Fittings - Op Exp - Libraries			988.00	1,438.85	146%
0115530 - Admin Costs Alloc - Op Exp - Libraries			189,768.00	88,321.19	47%

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
1136206 - Other Employment Costs - Op Exp - Libraries			11,827.00	9,325.36	79%
1136296 - Fixed Asset Dep'n - Op Exp - Libraries			84,842.00	26,339.67	31%
Sub Total To Programme Summary	\$0.00	\$0.00	\$1,351,752.00	\$610,952.63	
Operating Income					
0115380 - Grant Op - State SLWA Library Grant	24,580.00	0.00	0%		
0115410 - Lost/Damaged Items - Op Inc - Libraries	1,500.00	807.58	54%		
0115420 - Sundry Income & Special Op Grants - Op Inc - Libraries	2,340.00	840.42	36%		
0115431 - Income Library (photocopier mobile and fax services) - Op Inc - Libraries	10,320.00	6,110.86	59%		
0115480 - Grant Program Income - Op Inc - Library (Expense in 115280)	0.00	1,999.55	100%		
Sub Total To Programme Summary	\$38,740.00	\$9,758.41	\$0.00	\$0.00	
Capital Expenditure					
0115511 - Transfer to Restricted Cash Reserve - Libraries - Cap Exp					
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00	
Capital Income					
0115311 - Transfer from Restricted Cash Reserve - Libraries - Cap Inc	4,555.00	0.00	0%		
Sub Total To Programme Summary	\$4,555.00	\$0.00	\$0.00	\$0.00	
Total Libraries	\$43,295.00	\$9,758.41	\$1,351,752.00	\$610,952.63	

Broome Civic Centre (Was Arts Centre)

Operating Expenditure

0116106 - Interest Expense Broome Civic Centre Loan 193 - Op Exp- Bme Civic Centre			104,286.00	45,347.01	43%
0116107 - Fixed Asset Dep'n - Op Exp - Bme Civic Centre			297,967.00	92,147.37	31%
0116470 - Broome Civic Centre Build Maint & Services Op Exp - Bme Civic Centre			42,000.00	14,178.17	34%
0116486 - Salary - Op Exp - Broome Civic Centre - Op Exp			47,556.00	24,621.45	52%
0116489 - Operational Expenses - Broome Civic Centre - Production/Events			33,000.00	15,472.21	47%
0116491 - Minor Assets - Op Exp - Bme Civic Centre			13,000.00	4,719.00	36%
0116493 - Advertising Promotion & Printing Expenses - Broome Civic Centre - Op Exp			30,000.00	5,126.88	17%
0116494 - Broome Civic Centre - Operating Expense - Op Exp			123,311.00	100,492.19	81%
0116495 - Performance Production Expenses - Broome Civic - Op Exp			54,000.00	23,568.44	44%
0116497 - Superannuation Employee Expense - Broome Civic Centre			3,780.00	2,205.75	58%

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0116730 - Admin Costs Alloc - Op Exp - Bme Civic Centre			233,040.00	108,464.62	47%
1137206 - Other Employment Costs - Op Exp - Broome Civic Centre			3,858.00	676.29	18%
Sub Total To Programme Summary	\$0.00	\$0.00	\$985,798.00	\$437,019.38	
Operating Income					
0116483 - Broome Civic Centre Operational Grants & Contributions - Op Inc - Bme Civic Centre	40,000.00	51,903.50	130%		
0116540 - Broome Civic Centre Reimbursements Received - Op Inc - Bme Civic Centre	45,000.00	22,975.31	51%		
0116541 - Broome Civic Centre Venue Income - Op Income - Bme Civic Centre	159,500.00	59,448.48	37%		
Sub Total To Programme Summary	\$244,500.00	\$134,327.29	\$0.00	\$0.00	
Capital Expenditure					
0116116 - Princ Repay Broome Civic Centre Loan 193 - Cap Exp - Bme Civic Centre			433,508.00	214,634.48	50%
0116119 - Broome Civic Centre Other Infrastructure Renewal - Cap Exp - Bme Civic Centre			18,050.00	8,916.63	49%
0116130 - Mobile Plant & Equip New - Cap Exp - Bme Civic Centre					
Sub Total To Programme Summary	\$0.00	\$0.00	\$451,558.00	\$223,551.11	
Total Broome Civic Centre (Was Arts Centre)	\$244,500.00	\$134,327.29	\$1,437,356.00	\$660,570.49	
Other Culture					
Operating Expenditure					
0116084 - Community Signage - Op Exp - Other Culture			13,570.00	0.00	0%
0116090 - 890000			36,049.00	15,388.05	43%
0116101 - Festival Events and Culture Promotion Program General - Op Exp - Other Culture			58,500.00	0.00	0%
0116120 - Public Art Masterplan- Op Exp - Other Culture					
0116122 - Community Murals - Op Ex - Other Culture					
0116175 - Community Storage Shed Expenditure			4,264.00	16,623.23	390%
0116180 - Event Sponsorship - Op Exps - Other Culture			68,000.00	68,000.00	100%
0116184 - Festivals & Events Contributions/Support Op Exp - Other Culture			183,737.00	70,551.51	38%
0116282 - Triple J Maintenance & Operating Exp - Other Culture			2,200.00	1,352.72	61%
0116283 - Public Statue & Artwork Maintenance & Operating Exp - Other Culture			4,430.00	0.00	0%
0116297 - Dep'cn - Land & Building - Op Exp - Other Culture			13,624.00	6,872.16	50%

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
1138296 - Fixed Asset Dep'n - Op Exp - Other Culture			66,621.00	19,688.08	30%
Sub Total To Programme Summary	\$0.00	\$0.00	\$450,995.00	\$198,475.75	
Operating Income					
0116070 - Community Storage Facility Income - Op Inc	4,500.00	0.00			0%
0116071 - Festival & Events Sundry Inc - Op Inc - Other Culture	0.00	300.00			100%
0116098 - Reimb & Other Income - Op Inc - Other Culture					
1138332 - Grant Income - Op Inc- Other Culture	50,000.00	0.00			0%
Sub Total To Programme Summary	\$54,500.00	\$300.00	\$0.00	\$0.00	
Capital Expenditure					
0116111 - Community Storage Shed New Const - Cap Ex)					
0116125 - Other Infrastructure New Const - Cap Exp - Other Cult			128,139.00	2,350.00	2%
0116961 - Transfer to POS Reserve - Other Culture - Cap Exp					
0116998 - Community Storage Shed - WIP Cap Exp					
0116999 - Other Infrastructure - WIP Cap Exp - Broome Entry Signage and Jetty To Jetty					
Sub Total To Programme Summary	\$0.00	\$0.00	\$128,139.00	\$2,350.00	
Capital Income					
0116151 - Non Operating Grants Other Culture - Non Op Inc	91,636.00	66,636.37			73%
0116520 - Transfer From Building Reserve - Cap Inc - Other Culture					
1138501 - Transfer From Public Art Reserve - Cap Inc - Other Culture					
Sub Total To Programme Summary	\$91,636.00	\$66,636.37	\$0.00	\$0.00	
Total Other Culture	\$146,136.00	\$66,936.37	\$579,134.00	\$200,825.75	
Recreation Services					
Operating Expenditure					
0113697 - Superannuation Employee Expense - Recreation Services			9,854.00	4,675.67	47%
0113699 - Salary - Op Exp - Rec Services			104,670.00	49,638.64	47%
0113702 - Club Development Officer Programs Exp - Rec Services			20,300.00	1,072.96	5%
0113704 - Consultants - Op Exp - Rec Services			30,000.00	10,000.00	33%
0113708 - Grant Funded Operational Expense - Rec Serv			46,684.00	10,206.00	22%
1139206 - Other Employment Costs - Recreation Services			1,658.00	1,491.94	90%
1139297 - Admin Costs Allocated - Op Exp - Recreation Services			61,824.00	28,776.32	47%

Page :38

Printed : 25/01/2018 8:57:15AM

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
1139298 - IT/Records Costs Allocated -Recreation Services			16,788.00	7,395.61	44%
Sub Total To Programme Summary	\$0.00	\$0.00	\$291,778.00	\$113,257.14	
Operating Income					
0113751 - Operating Grants & Contributions Rec'd - Recreation Services - Op Inc	80,000.00	55,000.00			69%
Sub Total To Programme Summary	\$80,000.00	\$55,000.00	\$0.00	\$0.00	
Capital Income					
0113752 - Transfer From Restricted Cash Reserve - Recreation Service - Cap Inc					
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00	
Total Recreation Services	\$80,000.00	\$55,000.00	\$291,778.00	\$113,257.14	
Swimming Areas & Beaches					
Operating Expenditure					
0112053 - 20000			1,619.00	319.20	20%
1140201 - Salary - Op Exp - Swim Areas & Beach Life Guard					
1140202 - Superannuation Employee Exp - Op Exp - Swim Areas & Beach Life Guard					
1140203 - Other Employee Exp - Op Exp - Swim Areas & Beach Life Guard			0.00	-423.81	100%
1140211 - General Operating Exp - Swim Areas & Beach Life Guard			240,239.00	135,629.18	56%
1140213 - Cable Beach Life Guard Office Maint - Op Exp - Swim Areas & Beach Life Guard			500.00	0.00	0%
1140291 - Vehicle and Plant Exp - Op Exp - Swim Areas & Beach Life Guard			6,100.00	2,913.94	48%
1140296 - Fixed Asset Dep'n - Op Exp - Swimming Areas & Beaches			1,897.00	579.72	31%
Sub Total To Programme Summary	\$0.00	\$0.00	\$250,355.00	\$139,018.23	
Operating Income					
0112499 - Profit of Sale of Assets - Swimming Areas & Beaches					
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00	
Capital Income					
0112500 - Proceeds From Sale of Assets Swimm Areas & Bchs					
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00	
Total Swimming Areas & Beaches	\$0.00	\$0.00	\$250,355.00	\$139,018.23	
Other Recreation & Sport					
Operating Expenditure					
0113001 - Haynes Oval Pavilion Maint & Operating Exp - Other Rec & Sport			25,735.00	14,581.78	57%

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0113005 - Weed Control - Op Exp - Other Rec & Sport			203,232.00	91,674.39	45%
0113026 - 1152500			23,041.00	2,477.23	11%
0113060 - 1537300			10,209.00	1,217.84	12%
0113297 - Dep'cn - Land & Buildings - Op Exp - Other Recreation & Sport			0.00	378.05	100%
0113298 - Dep'cn - Plant & Equip - Op Exp - Other Recreation & Sport			0.00	789.12	100%
0113394 - Other Recreation Projects & Events - Op Exp - Other Rec					
0113466 - Minor Assets Expensed - Op Exp - Other Rec & Sport					
0116100 - Library Gazebo (Old Wackett Roof) Expenses - Op Exp			853.00	352.80	41%
1141296 - Fixed Asset Dep'n - Op Exp - Other Recreation & Sport			195,795.00	92,956.84	47%
1181201 - Jetty to Jetty Town Beach - Design/Plans/Feasibility - Op Exp - Other Recreation & Sport			254,737.00	33,115.81	13%
Sub Total To Programme Summary	\$0.00	\$0.00	\$713,602.00	\$237,543.86	
Operating Income					
0113391 - Haynes Oval & Pavilion Income - Op Inc	96,078.00	4,946.38	5%		
0113392 - Haynes Oval Sporting Precinct - Netball & Basketball Courts- Op Inc - Other Rec & Sport					
0113411 - Venue Hire Inc - Amphitheatre & Oth Rec Areas (not Ovals) - Op Inc - Other Rec & Sport	8,500.00	7,383.75	87%		
0113412 - Cable Beach Club - Rent & Recoup Income - Op Inc	19,827.00	19,460.85	98%		
0113416 - Event Application Fees No GST - Amphitheatre & Oth Rec Areas (not Ovals) - Op Inc - Other Rec & Spor	1,700.00	2,017.00	119%		
Sub Total To Programme Summary	\$126,105.00	\$33,807.98	\$0.00	\$0.00	
Capital Expenditure					
0112070 - Gantheaume Point Rotunda Building Renewal - Cap Exp - Other Recreation & Sport					
1181401 - Town Beach Redevelopment -Other Infra New - Cap Exp			6,982,506.00	6,027.56	0%
1181420 - Youth Bike Recreation New Infra Const - Cap Exp - Other Recreation & Sport			200,000.00	0.00	0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$7,182,506.00	\$6,027.56	
Capital Income					
0113403 - Grants - Non Op - Cap Inc - Other Rec & Sport	3,620,000.00	0.00	0%		
0113406 - Council Loans Received - Other Rec & Sport	1,956,053.00	0.00	0%		
0113409 - Transfer From Restricted Cash Reserve - Other Rec & Sport	9,870.00	0.00	0%		
0113489 - Transfer From POS Reserve - Other Rec & S	400,000.00	0.00	0%		

Page :40

Printed : 25/01/2018

8:57:15AM

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Sub Total To Programme Summary	\$5,985,923.00	\$0.00	\$0.00	\$0.00
Total Other Recreation & Sport	\$6,112,028.00	\$33,807.98	\$7,896,108.00	\$243,571.42
Parks & Ovals				
Operating Expenditure				
0113000 - Parks & Reserves Maint - Op Exp - Parks & Ovals			3,221,931.00	1,410,413.98 44%
0113283 - 70000			3,160.00	47.42 2%
0113380 - Consultants & Concept Plan Exps - Op Exp - Parks & Ovals				
0113396 - Reticulation Control System Maint Op Exp - Parks & Ovals			11,050.00	1,727.08 16%
0113398 - Work for the Dole Turf Reduction & L/scaping Project - Op Exp - Parks & Ovals			0.00	579.16 100%
0115222 - Haynes Oval Utility Exp - OP Exp - Parks & Ovals			15,000.00	6,005.97 40%
Sub Total To Programme Summary	\$0.00	\$0.00	\$3,251,141.00	\$1,418,773.61
Operating Income				
0112989 - Interest Rec-REC-POS Reserve - Op Inc - Parks & Ovals	40,100.00	1,574.36 4%		
0113410 - Male Oval & Concourse - Op Inc - Other Rec & Sport	15,000.00	11,753.20 78%		
0113413 - Town Beach Hire - Op Inc - Other Rec & Sport	5,000.00	783.50 16%		
0113417 - Event Application Fee (No GST) Male Oval & Concourse - Op Inc - Other Rec & Sport	5,000.00	9,941.00 199%		
0113418 - Event application Fee (No GST) Town Beach Hire - Op Inc - Other Rec & Sport	1,500.00	1,313.50 88%		
0113419 - Work for the Dole Contribution - Op Inc - Parks & Ovals				
0113420 - Sundry Contributions - Op Inc - Parks & Ovals	21,567.00	21,566.55 100%		
Sub Total To Programme Summary	\$88,167.00	\$46,932.11	\$0.00	\$0.00
Capital Expenditure				
0111989 - Transfer to POS Reserve - Cap Exp - Parks & Ovals			462,617.00	1,574.36 0%
0113550 - Parks - Infrastructure - New Construction - Cap Exp - Parks & Ovals			32,500.00	279.25 1%
0113551 - Parks - Infrastructure - Renewal - Cap Exp - Parks & Ovals			78,050.00	7,765.00 10%
0113553 - Parks - Other Infrastructure - Renewal - Cap Exp - Parks & Ovals			41,950.00	0.00 0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$615,117.00	\$9,618.61
Capital Income				
0113316 - Grants - non Operating Income for Parks & Oval Const - Cap Inc - Parks & Ovals				

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00
Total Parks & Ovals	\$88,167.00	\$46,932.11	\$3,866,258.00	\$1,428,392.22
BRAC - General				
Operating Expenditure				
0117000 - BRAC General Building Maint & Op Exp - BRAC Gen			476,928.00	248,047.22 52%
0117004 - Salary - Op Exp - Admin Staff - BRAC General			690,785.00	320,005.59 46%
0117005 - Superannuation Employee Expense - BRAC General Admin			84,708.00	37,773.23 45%
0117006 - Salary - Op Exp - Cleaning & Maint Exp - BRAC General			68,593.00	32,242.95 47%
0117013 - First Aid - Op Exp - BRAC - General			2,000.00	1,330.20 67%
0117017 - Consultants - Op Exp - BRAC - General			16,000.00	0.00 0%
0117022 - Uniforms BRAC			2,500.00	0.00 0%
0117044 - Licence Exps - BRAC			6,000.00	1,299.32 22%
0117049 - Rubbish & Recycling - Op Exp - BRAC - General			12,000.00	8,392.74 70%
0117058 - Sundry Equipment - Op Exp - BRAC - General			2,000.00	1,565.49 78%
0117080 - Marketing - BRAC			5,000.00	888.78 18%
0117235 - Cost of Goods Sold Goods Kiosk - Op Exp - BRAC - General MUN			60,000.00	23,134.33 39%
0117268 - Cost of Goods Equip - Op Exp - BRAC - General			6,000.00	3,515.06 59%
0117296 - Loss on Asset Disposal - BRAC General				
0117336 - Cost Of Goods Sold Direct (Consumables) Op Exp - BRAC General			29,000.00	15,519.14 54%
0117530 - Admin Costs Alloc - Op Exp - BRAC - General			598,776.00	278,687.65 47%
0117555 - Plant and Equipment Maintenance - Op Exp - BRAC General			1,000.00	216.11 22%
1143206 - Other Employment Costs - BRAC General			12,245.00	11,437.76 93%
Sub Total To Programme Summary	\$0.00	\$0.00	\$2,073,535.00	\$984,055.57
Operating Income				
0117038 - Reimbursement Rec'd - Op Inc - BRAC - General				
0117200 - Hire of BRAC Staff Inc Recd - Op Inc - BRAC General	2,500.00	1,851.82 74%		
0117233 - Kiosk Sales - No GST	15,000.00	4,353.90 29%		
0117234 - Kiosk Sales - Op Inc - BRAC - General	75,000.00	35,210.46 47%		
0117236 - Consumables Sales	58,000.00	27,442.78 47%		
0117269 - Sales Income Equipment - Op Inc - BRAC General	12,000.00	6,895.91 57%		
0117499 - Profit on Sale of Assets - Op Inc - BRAC - General				

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
0117982 - Interest Rec'd; All BRAC Reserves - BRAC General	100.00	56.16 56%		
Sub Total To Programme Summary	\$162,600.00	\$75,811.03	\$0.00	\$0.00
Capital Expenditure				
0117398 - Vehicle & Mobile Plant Renewal (Replacement) -Cap Exp- BRAC General				
0117983 - Transfer to BRAC Reserve - Cap Exp - BRAC - General			100.00	56.16 56%
Sub Total To Programme Summary	\$0.00	\$0.00	\$100.00	\$56.16
Capital Income				
0117500 - Proceeds From The Sale Of Assets - BRAC General				
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00
Total Brac - General	\$162,600.00	\$75,811.03	\$2,073,635.00	\$984,111.73
BRAC - Aquatic				
Operating Expenditure				
0112014 - Aquatic Utilities Exp - BRAC			102,000.00	40,416.52 40%
0117001 - Superannuation Employee Expense - BRAC Aquatic			25,584.00	12,480.31 49%
0117002 - Salary -Op Exp - Lifeguard - BRAC Aquatic			233,360.00	96,588.71 41%
0117003 - Relieving Staff Exp - Op Ex - BRAC Aquatic			6,200.00	14,203.22 229%
0117009 - Plant & Equip Maint - Aquatic			6,000.00	40.87 1%
0117010 - Aquatic Building & Pool Maint Exp			23,270.00	14,516.05 62%
0117015 - 3000000			41,500.00	18,313.41 44%
0117016 - Reimbursements/Refunds - Aquatic			500.00	624.54 125%
0117148 - Group Fitness Program - Op Exp - BRAC - Aquatic			8,000.00	5,095.58 64%
0117150 - Swimming Lessons Program- Op Exp - BRAC Aquatic			2,500.00	1,246.03 50%
0117182 - Salary & Related Swimming Lesson Exp - BRAC - Aquatic			0.00	47.54 100%
0117184 - BRAC Equipment - Wet Programs - Op Exp - BRAC Aquatic			1,000.00	89.09 9%
0117186 - Inflatable Operating Exp - BRAC Aquatic			1,000.00	110.00 11%
1144206 - Other Employment Costs - BRAC Aquatic			3,765.00	3,602.15 96%
1144296 - Fixed Asset Dep'n - Op Exp - BRAC Aquatic			5,325.00	2,685.29 50%
1144297 - BRAC Aquatic Centre Loan Interest & Fee Exp - Op Exp				
Sub Total To Programme Summary	\$0.00	\$0.00	\$460,004.00	\$210,059.31
Operating Income				
0117262 - Education Inc - Aquatic	2,000.00	63.18 3%		

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
0117280 - Group Fitness by BRAC Inc - Aquatic	40,000.00	17,838.64		45%
0117282 - Swimming Lessons by BRAC Inc	100,000.00	61,172.48		61%
0117285 - School Program Income - Op Inc - BRAC Aquatic	20,000.00	9,392.72		47%
0117286 - Inflatable Hire Fees - Op Inc - BRAC Aquatic	10,000.00	5,907.71		59%
0117287 - BBQ & Party Hire Fees - Op Inc - BRAC Aquatic	5,000.00	1,890.91		38%
0117410 - Entry Fees and Spectator Fees - Op Inc - BRAC Aquatic	200,000.00	88,287.30		44%
0117412 - State Swimming Pool Grant - Op Inc - BRAC - Aquatic				
Sub Total To Programme Summary	\$377,000.00	\$184,552.94	\$0.00	\$0.00
Capital Expenditure				
0117132 - Plant & Equip			26,405.00	9,896.65
Renewal/Replacement - Cap Exp - BRAC - Aquatic				37%
0117136 - BRAC Aquatic Centre Loan Principal Exp				
0117999 - BRAC Aquatic Upgrade - Works in Progress - BRAC - Aquatic				
Sub Total To Programme Summary	\$0.00	\$0.00	\$26,405.00	\$9,896.65
Capital Income				
0117414 - Grant Non Op - BRAC Aquatic - Cap Inc MUN				
0117719 - Transfer From Building Reserve - Cap Inc - BRAC Aquatic				
0117720 - Transfer From BRAC Reserve - Cap Inc - BRAC Aquatic				
0117722 - Transfer From Restricted Cash Reserve - BRAC Aquatic				
1144561 - Loans Received - BRAC Aquatic - Cap Inc				
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00
Total Brac - Aquatic	\$377,000.00	\$184,552.94	\$486,409.00	\$219,955.96
BRAC - Dry				
Operating Expenditure				
0117081 - Building & Facility Maint Exp - BRAC Dry			50,000.00	29,639.39
0117101 - Loan 171 Interest & Fee Exp				59%
BRAC Stage1 - Op Exp - BRAC Dry				
0117140 - BRAC Equipment - Dry Programs - Op Exp - BRAC - Dry			8,000.00	8,184.61
0117142 - Holiday Program Op Exp - BRAC - Dry			5,500.00	1,828.03
0117146 - Netball Expenses - Op Exp - BRAC - Dry			5,000.00	2,118.00
0117152 - Volleyball Expenses - Op Exp - BRAC - Dry			1,500.00	0.00
				0%

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0117156 - Program Annual Events - Op Exp - BRAC Dry			8,000.00	4,493.57	56%
0117160 - Salary - Op Exp - BRAC Dry			15,902.00	6,302.67	40%
0117161 - Superannuation Employee Expense - BRAC Dry			3,885.00	408.01	11%
0117170 - Creche Program Expenses - Op Exp - BRAC			0.00	2,988.02	100%
0117171 - Salary - Op Exp - Holiday Prog Exps - BRAC Dry			23,310.00	5,797.26	25%
0117173 - Grant Submission Costs - Op Exp - BRAC			0.00	588.10	100%
0117800 - Vehicle & Plant Exps - BRAC Dry - (Inc Gen Set) - Op Exp			7,600.00	5,326.33	70%
1145206 - Other Employment Costs - BRAC Dry			2,173.00	544.87	25%
1145296 - Fixed Asset Dep'n - Op Exp - BRAC Dry			690,854.00	609,627.10	88%
Sub Total To Programme Summary	\$0.00	\$0.00	\$821,724.00	\$677,845.96	
Operating Income					
0117203 - Photocopying & Public Phone Inc Rec'd - Dry BRAC					
0117205 - Reimb Rec'd inc GST Inc Rec'd - Dry BRAC					
0117246 - Netball BRAC Program - Op Inc - BRAC Dry	15,000.00	10,800.00			72%
0117248 - Squash BRAC Program Inc	25,000.00	9,384.32			38%
0117250 - Tennis BRAC Program Inc	22,000.00	9,814.98			45%
0117251 - Outdoor Court Hire - Op Inc - BRAC Dry	15,000.00	4,780.01			32%
0117252 - Introductory Programs - Op Inc - BRAC Dry	8,000.00	0.00			0%
0117256 - Program Annual Events - Op Inc - BRAC Dry	12,000.00	3,363.64			28%
0117260 - Creche User Fees Inc. Rec'd	6,000.00	1,516.37			25%
0117266 - Multipurpose Room Hire Inc - BRAC	8,000.00	2,492.73			31%
0117272 - Holiday Program Enrolment Fees Rec'd	25,000.00	8,759.10			35%
0117275 - Stadium Venue Hire Inc. Rec'd - Op Inc - Dry BRAC	20,000.00	13,543.62			68%
0117277 - Back Bar & Grassed Area Venue Hire BRAC Inc. Rec'd - Dry BRAC	1,000.00	198.41			20%
Sub Total To Programme Summary	\$157,000.00	\$64,653.18	\$0.00	\$0.00	
Capital Expenditure					
0117301 - Princ Repay BRAC Stage 1 - Loan 171					
0117310 - BRAC Building Upgrade - Cap Exp - BRAC Dry			121,766.00	86,838.63	71%
0117315 - BRAC Building Renewal - Cap Exp - BRAC Dry			25,000.00	0.00	0%
0117998 - BRAC Building Renewal/Upgrade - WIP - BRAC Dry					
Sub Total To Programme Summary	\$0.00	\$0.00	\$146,766.00	\$86,838.63	

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Capital Income				
0117294 - Grant Income - Non-Op Inc - BRAC Dry	74,000.00	0.00 0%		
Sub Total To Programme Summary	\$74,000.00	\$0.00	\$0.00	\$0.00
Total Brac - Dry	\$231,000.00	\$64,653.18	\$968,490.00	\$764,684.59
BRAC - Ovals				
Operating Expenditure				
0117102 - Interest & Fees Repayment Loan				
186 BRAC Ovals Stg 2A - Op Exp				
0117105 - Interest & Fees Exp on Loan 191			7,538.00	3,713.87 49%
BRAC Ovals Stg 2B - Op Exp				
0117106 - Int Repaym't Loan 194 BRAC			27,707.00	10,290.52 37%
Oval Pavilion - Op Exp				
0117210 - BRAC Ovals Maint - Op Exp			244,509.00	183,040.68 75%
0117212 - BRAC Ovals Utility Exp - Op Exp			108,400.00	48,385.38 45%
0117218 - Pavilion Building Maint & Operating Expenses - Op Exp - BRAC Ovals			34,370.00	17,831.24 52%
0117487 - Fixed Asset Dep'n - Op Exp - BRAC Ovals			34,711.00	10,485.74 30%
Sub Total To Programme Summary	\$0.00	\$0.00	\$457,235.00	\$273,747.43
Operating Income				
0117289 - BRAC Field - Glenn & Pat Medlend Pavilion Fees - Op Inc - BRAC Ovals	4,000.00	4,621.38 116%		
0117291 - BRAC Fields - Electricity Reimb and Other Income - Op Inc	20,000.00	6,747.01 34%		
0117292 - BRAC Fields - Joseph Nipper Roe Playing Field Fees and Other Income - Op Inc	5,000.00	2,169.09 43%		
0117293 - BRAC Fields - Father McMahon Playing Field Fees and Other Income - Op Inc	25,000.00	4,810.45 19%		
Sub Total To Programme Summary	\$54,000.00	\$18,347.93	\$0.00	\$0.00
Capital Expenditure				
0117303 - Princ Repay BRAC Ovals Stg 2A - Loan 186				
0117305 - Princ Repay BRAC Ovals Stg 2B - Loan 191			57,049.00	28,074.75 49%
0117306 - Princ Repay BRAC Ovals Pavilion - Loan 194			102,186.00	50,355.13 49%
0117455 - BRAC Ovals Renewal Infra Works - Cap Exp - BRAC Ovals			15,996.00	27,560.53 172%
Sub Total To Programme Summary	\$0.00	\$0.00	\$175,231.00	\$105,990.41
Total Brac - Ovals	\$54,000.00	\$18,347.93	\$632,466.00	\$379,737.84
TOTAL RECREATION AND CULTURE	\$7,539,226.00	\$690,127.24	\$20,052,411.00	\$5,835,642.56

SHIRE OF BROOME

Schedule 12

TRANSPORT

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Crossovers & General Expenses			8,266,037.00	4,167,475.16
Road Maintenance			3,523,687.00	896,056.89
Road Operating Expenses			1,778,055.00	810,284.39
Parking Control & Management			119,679.00	57,365.33
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$13,687,458.00	\$5,931,181.77
Operating Income				
Car Park Construction	12,800.00	501.08		
Footpath Construction	57,500.00	2,252.96		
Road Construction	60,100.00	2,615.94		
Crossovers & General Expenses	37,000.00			
Road Maintenance	1,465,525.00	292,723.00		
Parking Control & Management	25,000.00	14,806.05		
TOTAL OPERATING INCOME	\$1,657,925.00	\$312,899.03	\$0.00	\$0.00
Capital Expenditure				
Bus Shelter Construction				
Car Park Construction			37,800.00	501.08
Footpath Construction			926,461.00	172,834.04
Road Construction			4,062,874.00	1,056,454.33
Street Lighting Construction			125,000.00	76,795.65
TOTAL CAPITAL EXPENDITURE	\$0.00	\$0.00	\$5,152,135.00	\$1,306,585.10
Capital Income				
Footpath Construction	406,630.00			
Road Construction	2,769,337.00	681,834.20		
TOTAL CAPITAL INCOME	\$3,175,967.00	\$681,834.20	\$0.00	\$0.00
TOTAL TRANSPORT	\$4,833,892.00	\$994,733.23	\$18,839,593.00	\$7,237,766.87

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME
Schedule 12
TRANSPORT

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
Bus Shelter Construction					
Capital Expenditure					
0125145 - Bus Facilities Program Renewal - Cap Exp					
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00	
Total Bus Shelter Construction	\$0.00	\$0.00	\$0.00	\$0.00	
Car Park Construction					
Operating Income					
0124988 - Interest Recd - Car Park Reserve -Op IncCons Sts Rds Bridges Dep	12,800.00	501.08	4%		
Sub Total To Programme Summary	\$12,800.00	\$501.08	\$0.00	\$0.00	
Capital Expenditure					
0121390 - Transfer to Carpark Reserve - Cap Exp - Carpark Const			12,800.00	501.08	4%
0124600 - Car Park Renewal Wks - Cap Exp - Car Park Const			25,000.00	0.00	0%
0125000 - 7000000					
Sub Total To Programme Summary	\$0.00	\$0.00	\$37,800.00	\$501.08	
Total Car Park Construction	\$12,800.00	\$501.08	\$37,800.00	\$501.08	
Footpath Construction					
Operating Income					
0125988 - Interest Recd Footpath Reserve -Op IncCons Sts Rds Bridges Dep	57,500.00	2,252.96	4%		
Sub Total To Programme Summary	\$57,500.00	\$2,252.96	\$0.00	\$0.00	
Capital Expenditure					
0125140 - Footpath Construction New - Cap Exp - Cons Streets Roads Bridges			326,630.00	46,631.00	14%
0125300 - Footpath Const Renewal - Cap Exp - Cons Streets Roads Bridges			130,731.00	123,950.08	95%
0125950 - Transfer to Footpath Reserve			389,100.00	2,252.96	1%
0125999 - F/Path Construction - WIP Cap Exp					
1223481 - Footpath Const Upgrade - Cap Exp - Cons Streets Roads Bridges			80,000.00	0.00	0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$926,461.00	\$172,834.04	
Capital Income					
0121782 - Dev Contrib - Footpaths					
0125960 - Transfer From Footpath Reserve - Footpath Construction	406,630.00	0.00	0%		
Sub Total To Programme Summary	\$406,630.00	\$0.00	\$0.00	\$0.00	
Total Footpath Construction	\$464,130.00	\$2,252.96	\$926,461.00	\$172,834.04	
Road Construction					

SHIRE OF BROOME

Schedule 12

TRANSPORT

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Operating Income				
0121985 - Interest Recd on Road Reserve - Op IncCons Sts Rds Bridges Dep	60,100.00	2,615.94 4%		
Sub Total To Programme Summary	\$60,100.00	\$2,615.94	\$0.00	\$0.00
Capital Expenditure				
0113661 - Street & Verge Upgrade by P & G - Infra Cap Exp - Rd Const				
0121000 - Urban Road New Construction - Cap Exp - Cons Streets Roads Bridges				
0121100 - Urban Road Upgrade Const - Cap Exp			1,579,104.00	93,866.44 6%
0121101 - Urban Road Renewal Const - Cap Exp			1,053,878.00	164,891.96 16%
0121501 - Rural Road Upgrade Const - Cap Exp			900,792.00	655,362.59 73%
0121505 - Rural Road Renewal Const - Cap Exp			132,000.00	139,717.40 106%
0121950 - Transfer to Road Reserve - Cap Exp - Cons Streets Roads Bridges Dep			397,100.00	2,615.94 1%
0121951 - Transfer to Restricted Cash Reserve - Road Construction - Cap Exp				
1254421 - Access & Inclusion Improvements New Infra - Cap Exp				
1254499 - Road Construction - WIP Cap Exp				
Sub Total To Programme Summary	\$0.00	\$0.00	\$4,062,874.00	\$1,056,454.33
Capital Income				
0121761 - Aboriginal Roads Non Op Grant from MRWA - Op Inc - Rd Const	124,000.00	80,000.00 65%		
0121763 - Black Spot Non Op Grant (Commonwealth/Federal)	745,336.00	27,244.00 4%		
0121770 - Rds to Recovery Grant for Rural Rds - Non Op Inc - Rd Const	242,884.00	77,217.00 32%		
0121771 - Black Spot State Non Op Grant	0.00	13,764.40 100%		
0121776 - Rds To Recovery Non Op Grant for Urban Rds - Non Op Inc	390,470.00	0.00 0%		
0121778 - Regional Rd Group (RRG) Rural Rd Const Funding -Non Op Inc-Rd Const	528,011.00	483,608.80 92%		
0121779 - Regional Rd Group (RRG) Urban Rd Const Funding - Non Op Inc - Rd Const	153,000.00	0.00 0%		
0121783 - Developer Contributions - Roadworks				
0121906 - Transfer From Restricted Cash Reserve - Road Construction	535,636.00	0.00 0%		
0121960 - Transfer From Road Reserve Road Construction - Cap Inc	50,000.00	0.00 0%		
Sub Total To Programme Summary	\$2,769,337.00	\$681,834.20	\$0.00	\$0.00
Total Road Construction	\$2,829,437.00	\$684,450.14	\$4,062,874.00	\$1,056,454.33

Street Lighting Construction

Capital Expenditure

SHIRE OF BROOME

Schedule 12

TRANSPORT

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0125200 - Street Lighting New - Cap Exp - Cons Streets Roads Bridges			95,000.00	76,795.65	81%
0125225 - Street Lighting Renewal Const - Cap Exp - St Lighting			30,000.00	0.00	0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$125,000.00	\$76,795.65	
Total Street Lighting Construction	\$0.00	\$0.00	\$125,000.00	\$76,795.65	
Crossovers & General Expenses					
Operating Expenditure					
0121209 - 1057000			28,338.00	2,581.24	9%
0121217 - 397100			34,151.00	8,270.15	24%
0121541 - 496400			14,985.00	70.00	0%
0121550 - Statutory Contrib for Crossovers - Op Exp - Crossovers & General			20,000.00	5,150.00	26%
0121990 - 4767900			43,753.00	37,262.62	85%
0122207 - 1374700			21,070.00	0.00	0%
0122285 - 1224900			12,888.00	0.00	0%
0122295 - Dep'cn Infrastructure - Op Exp - Mtce Streets Roads Bridges Dep			8,090,852.00	4,114,141.15	51%
Sub Total To Programme Summary	\$0.00	\$0.00	\$8,266,037.00	\$4,167,475.16	
Operating Income					
0121404 - MRWA Grant Rec'd For St Lighting Op Costs - Op Inc - Cross & Gen	37,000.00	0.00	0%		
Sub Total To Programme Summary	\$37,000.00	\$0.00	\$0.00	\$0.00	
Total Crossovers & General Expenses	\$37,000.00	\$0.00	\$8,266,037.00	\$4,167,475.16	
Road Maintenance					
Operating Expenditure					
0122000 - Urban Road Maintenance - Op Exp - Mtce Streets Roads Bridges			1,507,688.00	520,134.27	34%
0123000 - 82817600			2,015,999.00	375,922.62	19%
Sub Total To Programme Summary	\$0.00	\$0.00	\$3,523,687.00	\$896,056.89	
Operating Income					
0120305 - WALGGC Road Grants Untied Op Grant Rec'd	344,474.00	172,237.00	50%		
0120306 - Dep't Premier & Cabint Natural Disaster Grant - Cape Leveque Rd	1,000,551.00	0.00	0%		
0121762 - State Direct MRWA/RRG Rd Maint Op Grant Rec'd	120,500.00	120,486.00	100%		
Sub Total To Programme Summary	\$1,465,525.00	\$292,723.00	\$0.00	\$0.00	
Total Road Maintenance	\$1,465,525.00	\$292,723.00	\$3,523,687.00	\$896,056.89	
Road Operating Expenses					
Operating Expenditure					

SHIRE OF BROOME

Schedule 12

TRANSPORT

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0122204 - Street Lighting - Mnthly Elect Accts & Insurance - Op Exp - Road Operating Exp			500,000.00	179,797.39	36%
0126000 - Road Operating Expenses - Op Exp - Rd Op Exps			932,164.00	519,096.60	56%
0126050 - 2547000			61,996.00	5,081.60	8%
0126051 - 1257600			283,895.00	106,308.80	37%
Sub Total To Programme Summary	\$0.00	\$0.00	\$1,778,055.00	\$810,284.39	
Total Road Operating Expenses	\$0.00	\$0.00	\$1,778,055.00	\$810,284.39	
Parking Control & Management					
Operating Expenditure					
0124010 - 9413900			75,676.00	36,361.48	48%
0124530 - Admin Cost Alloc - Op Exp - Parking Facilities			42,804.00	19,922.08	47%
1260206 - Other Employment Costs - Parking Control			1,199.00	1,081.77	90%
Sub Total To Programme Summary	\$0.00	\$0.00	\$119,679.00	\$57,365.33	
Operating Income					
0124910 - Parking Fines - Op Inc - Parking Facilities	25,000.00	14,806.05			59%
Sub Total To Programme Summary	\$25,000.00	\$14,806.05	\$0.00	\$0.00	
Total Parking Control & Management	\$25,000.00	\$14,806.05	\$119,679.00	\$57,365.33	
TOTAL TRANSPORT	\$4,833,892.00	\$994,733.23	\$18,839,593.00	\$7,237,766.87	

SHIRE OF BROOME
Schedule 13
ECONOMIC SERVICES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Tourism & Area Promotion			818,201.00	417,405.53
Building Control			454,272.00	210,207.74
Economic Services Special Projects			3,366,801.00	253,352.56
Other Economic Services			599,686.00	259,887.70
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$5,238,960.00	\$1,140,853.53
Operating Income				
Tourism & Area Promotion	558,965.00	326,900.48		
Building Control	190,500.00	150,816.73		
Economic Services Special Projects	143,088.00			
Other Economic Services		100,356.00		
TOTAL OPERATING INCOME	\$892,553.00	\$578,073.21	\$0.00	\$0.00
Capital Expenditure				
Tourism & Area Promotion			59,045.00	15,125.65
Building Control			40,000.00	
Economic Services Special Projects			6,922,787.00	1,153,000.00
TOTAL CAPITAL EXPENDITURE	\$0.00	\$0.00	\$7,021,832.00	\$1,168,125.65
Capital Income				
Tourism & Area Promotion	23,880.00			
Building Control	13,000.00			
Economic Services Special Projects	10,146,501.00	4,750,000.00		
TOTAL CAPITAL INCOME	\$10,183,381.00	\$4,750,000.00	\$0.00	\$0.00
TOTAL ECONOMIC SERVICES	\$11,075,934.00	\$5,328,073.21	\$12,260,792.00	\$2,308,979.18

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME
Schedule 13
ECONOMIC SERVICES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Tourism & Area Promotion				
Operating Expenditure				
0132020 - Australia's North West Tourism Contribution - Op Exp - Tourism			175,000.00	175,000.00 100%
0132044 - Visitors Centre Const Loans 185 Interest & Fee Exp - Op Exp-Tour & Area				
0132050 - Broome Visitor Centre Complex- Op Exp - Tourism & Area Promotion			184,016.00	88,016.25 48%
0132060 - Tourism Development - Op Exp - Tourism & Area Promotion			50,000.00	0.00 0%
0132070 - Broome Visitor Centre - Annual Subsidy - Op Exp - Tourism & Area Promot			100,000.00	55,000.00 55%
0132075 - Sundry Exp - Tourism & Area Promotion			0.00	90.00 100%
0132078 - Promotional Signage Structures Maint Exp - Tourism & Area Promotion			10,605.00	109.24 1%
0132310 - 1021000			12,564.00	1,589.12 13%
0132311 - Commercial & Tourism Consultants - Op Exp			10,000.00	9,039.82 90%
0132314 - Sanctuary Caravan Park Op Exp - Tourism & Area Promotion				
0132530 - Admin Costs Alloc - Op Exp - Tourism & Area Promotion			60,396.00	28,112.27 47%
1365296 - Fixed Asset Dep'n - Op Exp - Tourism & Area Promotion			215,620.00	60,448.83 28%
Sub Total To Programme Summary	\$0.00	\$0.00	\$818,201.00	\$417,405.53
Operating Income				
0132380 - Promotional Banners & Sundry Income Inc GST Tourism	6,000.00	1,477.27 25%		
0132381 - Shire Directory Sales Income - Tourism	40,000.00	0.00 0%		
0132410 - Roebuck Bay CP - Rent & Recoup Income - Op Inc	337,500.00	212,871.83 63%		
0132411 - Stat Fees & Lic - Caravan Parks	15,000.00	14,129.00 94%		
0132414 - Broome Visitor Centre - Rent & Recoup Income - Op Inc	102,266.00	67,137.19 66%		
0132415 - Broome Visitor Centre Courthouse - Rent & Recoup Income - Op Inc	58,199.00	31,285.19 54%		
Sub Total To Programme Summary	\$558,965.00	\$326,900.48	\$0.00	\$0.00
Capital Expenditure				
0132038 - Transfer to Restricted Cash Reserve - Cap Exp - Tourism & Area Promo				
0132110 - Roebuck Bay Caravan Pk Building Redevelopment Const - Cap Exp				
0132141 - Pearl Luggier Const Upgrade - Cap Exp - Tourism			35,165.00	9,365.00 27%
0132544 - Visitors Centre Const Loans 185 Principal Exp				
0132950 - Transfer to Building Reserve - Tourism & Area Promotion				
0132999 - Roebuck Bay CP - WIP Cap Exp - Tourism & Area Promotion				

SHIRE OF BROOME
Schedule 13
ECONOMIC SERVICES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
1365495 - Other Infrastructure - New Const - Cap Exp			23,880.00	5,760.65	24%
1365499 - Other Infrastructure - WIP Cap Exp - Tourism & Area Promotion					
Sub Total To Programme Summary	\$0.00	\$0.00	\$59,045.00	\$15,125.65	
Capital Income					
0132938 - Transfer From Restricted Cash Reserve - Tourism & Area Promotion	23,880.00	0.00	0%		
1365494 - Grants & Contr. Received Non Op - Cap Inc - Tourism & Area Promotion					
Sub Total To Programme Summary	\$23,880.00	\$0.00	\$0.00	\$0.00	
Total Tourism & Area Promotion	\$582,845.00	\$326,900.48	\$877,246.00	\$432,531.18	
Building Control					
Operating Expenditure					
0133010 - Salary - Op Exp - Building Control			162,955.00	76,610.87	47%
0133011 - Salary - Op Exp - Swimming Pool Inspections			44,789.00	21,000.80	47%
0133013 - Superannuation Employee Expense- Building Control			29,328.00	13,855.28	47%
0133015 - Consultants - Op Exp - Building Control			10,000.00	345.00	3%
0133027 - Other Employment Costs - Op Exp - Building Control			6,544.00	7,715.36	118%
0133030 - Subscriptions - Op Exp - Building Control			3,000.00	845.23	28%
0133283 - Sundry Expenses - Op Exp - Building Control			500.00	250.46	50%
0133284 - Reimbursements Exps - Build Control			500.00	0.00	0%
0133296 - Loss on Sale of Assets - Op Exp - Building Control			3,900.00	0.00	0%
0133800 - Vehicle & Plant Exps - Building			7,500.00	4,612.21	61%
1366217 - Legal Expenses - Building Services					
1366297 - Admin Cost Allocated - Building Control			135,072.00	62,865.21	47%
1366298 - IT/Records Costs Allocated -Building Control			50,184.00	22,107.32	44%
Sub Total To Programme Summary	\$0.00	\$0.00	\$454,272.00	\$210,207.74	
Operating Income					
0133410 - Stat Fees & Lic - Building Permits	70,000.00	33,021.52	47%		
0133411 - Building Strata Application Fees - Op Inc - Building Control	500.00	0.00	0%		
0133420 - Stat Fees & Lic - Demolition Permits	2,000.00	1,571.70	79%		
0133440 - Stat Fees & Lic - Pool Inspections	94,000.00	90,828.25	97%		
0133480 - Other Minor Charges Inc GST - Op Inc - Building Control	23,000.00	24,780.26	108%		
0133485 - Other Minor Building Charges & Penalties No GST - Op Inc - Building Control	1,000.00	615.00	62%		

SHIRE OF BROOME
Schedule 13
ECONOMIC SERVICES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
Sub Total To Programme Summary	\$190,500.00	\$150,816.73	\$0.00	\$0.00	
Capital Expenditure					
0133550 - Vehicle & Mob Plant Renewal(Replacement) - Cap Exp - Building Control			40,000.00	0.00	0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$40,000.00	\$0.00	
Capital Income					
0133950 - Proceeds from Sale of Assets - Cap Inc - Building Control	13,000.00	0.00	0%		
Sub Total To Programme Summary	\$13,000.00	\$0.00	\$0.00	\$0.00	
Total Building Control	\$203,500.00	\$150,816.73	\$494,272.00	\$210,207.74	
Economic Services Special Projects					
Operating Expenditure					
1367206 - Salary - Op Exp - Economic Services Special Projects			111,874.00	51,147.36	46%
1367207 - Superannuation Employee Exp - Op Exp - Economic Services Special Projects			17,186.00	7,902.89	46%
1367208 - Other Employment Costs - Op Exp - Economic Services Special Projects			8,097.00	3,452.89	43%
1367209 - Phone & PC - Op Exp - Economic Services Special Projects			360.00	695.00	193%
1367211 - Chinatown Revitalisation Consultant and Other Expenses - Op Exp - Economic Services Special Project			3,044,328.00	112,079.23	4%
1367212 - Chinatown Revitalisation Grant/Seed Funding for Enhanced Lanways Projects			180,000.00	75,523.23	42%
1367215 - Vehicle Lease Exps - Op Exp - Economic Services Special Projects			4,956.00	2,551.96	51%
1382295 - Loss on Derecognition of WIP - Op Exp - Economic Services Special Projects					
Sub Total To Programme Summary	\$0.00	\$0.00	\$3,366,801.00	\$253,352.56	
Operating Income					
1367301 - Grants & Contributions Received - Op Inc - Economic Services Special Projects	143,088.00	0.00	0%		
Sub Total To Programme Summary	\$143,088.00	\$0.00	\$0.00	\$0.00	
Capital Expenditure					
1367404 - Chinatown Revitalisation - Road Upgrade - Cap Exp			5,646,819.00	1,153,000.00	20%
1367405 - Chinatown Revitalisation - Other Infra New - Cap Exp			1,275,968.00	0.00	0%
1367451 - Chinatown Revitalisation - Other Infrastructure WIP					
1367998 - Transfer to Restricted Cash Reserve - Cap Exp - Economic Services Special Projects					

SHIRE OF BROOME
Schedule 13
ECONOMIC SERVICES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Sub Total To Programme Summary	\$0.00	\$0.00	\$6,922,787.00	\$1,153,000.00
Capital Income				
1367502 - Loans Received China Town Revitalisation - Cap Inc - Economic Services Special Projects	1,700,000.00	0.00 0%		
1367504 - Grants & Contr. Received Non Op - Cap Inc - Economic Services Special Projects	7,823,912.00	4,750,000.00 61%		
1367505 - Transfer From Restricted Cash Reserve - Chinatown Revitalisation	622,589.00	0.00 0%		
Sub Total To Programme Summary	\$10,146,501.00	\$4,750,000.00	\$0.00	\$0.00
Total Economic Services Special Projects	\$10,289,589.00	\$4,750,000.00	\$10,289,588.00	\$1,406,352.56
Other Economic Services				
Operating Expenditure				
1367201 - Salary - Op Exp - Economic Services			374,570.00	152,709.21 41%
1367202 - Superannuation Employee Expense - Op Exp - Economic Services			44,278.00	14,432.79 33%
1367204 - Other Employment Costs - Op Exp - Economic Services			10,695.00	9,274.76 87%
1367205 - Relieving Staff Exp - Op Exp - Oth Economic Services				
1367210 - Economic Development Program Expense - Op Exp - Other Economic Services			9,091.00	10,000.00 110%
1367213 - Event Innovation - Op Exp - Other Economic Services				
1367297 - Admin Cost Allocated - Economic Services			101,304.00	47,148.90 47%
1367298 - IT/Records Costs Allocated - Economic Services			59,748.00	26,322.04 44%
Sub Total To Programme Summary	\$0.00	\$0.00	\$599,686.00	\$259,887.70
Operating Income				
1367310 - Grants & Contributions Received - Op Inc - Other Economic Services	0.00	100,356.00 100%		
Sub Total To Programme Summary	\$0.00	\$100,356.00	\$0.00	\$0.00
Total Other Economic Services	\$0.00	\$100,356.00	\$599,686.00	\$259,887.70
TOTAL ECONOMIC SERVICES	\$11,075,934.00	\$5,328,073.21	\$12,260,792.00	\$2,308,979.18

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES
Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Private Works			52,977.00	4,735.55
Engineering Office			1,219,583.00	503,714.19
Parks & Gardens Operations			-758,945.00	-397,134.57
Works Operations			-78,540.00	-30,014.67
Depot Operations			776,522.00	355,235.91
Plant Operation			-178,001.00	-141,619.47
Salaries & Wages				-529.98
Corporate Governance & Support			375,202.00	132,690.19
IT and Records Operations			9,916.00	618.09
Unclassified General			336,041.00	167,658.98
Other Buildings Leased - Unclassified			127,893.00	47,185.05
Community Facilities Leased - Unclassified			648,900.00	186,602.29
Office Properties Leased - Unclassified			679,731.00	337,666.88
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$3,211,279.00	\$1,166,808.44
Operating Income				
Private Works	44,918.00	17,659.16		
Engineering Office	139,385.00	34,383.91		
Parks & Gardens Operations		13,696.01		
Works Operations				
Depot Operations	45,527.00	44,527.00		
Corporate Governance & Support	363,889.00	130,635.46		
IT and Records Operations	9,900.00	387.85		
Unclassified General	20,400.00	935.91		
Other Buildings Leased - Unclassified	223,117.00	105,592.43		
Community Facilities Leased - Unclassified	149,830.00	54,809.86		
Office Properties Leased - Unclassified	1,038,775.00	642,173.60		
TOTAL OPERATING INCOME	\$2,035,741.00	\$1,044,801.19	\$0.00	\$0.00
Capital Expenditure				
Engineering Office			39,600.00	1,532.46
Parks & Gardens Operations			825,000.00	225,875.28
Works Operations			237,000.00	161,803.60

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Depot Operations			50,000.00	
Corporate Governance & Support			374,100.00	42,699.87
IT and Records Operations			819,314.00	314,243.86
Unclassified General			100,000.00	31,612.00
Community Facilities Leased - Unclassified				
Office Properties Leased - Unclassified			1,500,000.00	65,861.90
TOTAL CAPITAL EXPENDITURE	\$0.00	\$0.00	\$3,945,014.00	\$843,628.97
Capital Income				
Private Works	25,737.00			
Engineering Office				
Parks & Gardens Operations	209,000.00	72,272.73		
Works Operations	82,000.00	33,000.00		
Depot Operations	26,673.00			
Corporate Governance & Support	180,441.00			
IT and Records Operations	125,170.00	125,170.00		
Unclassified General	21,326.00			
Office Properties Leased - Unclassified	1,500,000.00			
TOTAL CAPITAL INCOME	\$2,170,347.00	\$230,442.73	\$0.00	\$0.00
TOTAL OTHER PROPERTY AND SERVICES	\$4,206,088.00	\$1,275,243.92	\$7,156,293.00	\$2,010,437.41

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES
Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
Private Works					
Operating Expenditure					
0141271 - 1796200			43,822.00	4,735.55	11%
0141610 - 570800			9,155.00	0.00	0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$52,977.00	\$4,735.55	
Operating Income					
0141450 - Works Private Works Income - Not Prepaid	20,502.00	2,473.92	12%		
0141451 - Works - Blue & White Directional Signs & Prepaid Private Works Income	13,430.00	15,185.24	113%		
0141600 - P & G Private Works - Fees Charged	10,986.00	0.00	0%		
Sub Total To Programme Summary	\$44,918.00	\$17,659.16	\$0.00	\$0.00	
Capital Income					
0141960 - Transfer From Restricted Cash Reserve Private Wks Rd Const - Cap Inc	25,737.00	0.00	0%		
Sub Total To Programme Summary	\$25,737.00	\$0.00	\$0.00	\$0.00	
Total Private Works	\$70,655.00	\$17,659.16	\$52,977.00	\$4,735.55	
Engineering Office					
Operating Expenditure					
0143010 - Salary - Op Exp - Engineering Office			599,137.00	160,485.36	27%
0143013 - Superannuation Employee Expense - Engineering			70,933.00	35,689.20	50%
0143020 - Reimb & Other Exp - Op Exp - Eng Office			1,000.00	25.10	3%
0143021 - Survey Consumables - Op Exp - Eng Office			1,000.00	318.88	32%
0143022 - Minor Assets Expensed - Op Exp - Eng Office			1,000.00	0.00	0%
0143025 - Safety Audit Op Exp - Eng Office			10,000.00	0.00	0%
0143027 - Relieving Staff - Op Exp - Engineering			15,610.00	15,609.31	100%
0143029 - Other Employment Costs - Engineering			30,230.00	17,036.45	56%
0143031 - Survey Equipment & Maintenance - Op Exp - Engineering Office			500.00	0.00	0%
0143032 - Minor Non IT Items Exp Engineering			3,800.00	1,294.12	34%
0143033 - Title Searches/Survey Info - Op Exp - Engineering Office			10,000.00	4,678.66	47%
0143035 - Map Printing & Photos - Op Exp - Engineering Office			300.00	0.00	0%
0143036 - Advertising - Op Exp - Engineering Office			2,500.00	280.60	11%
0143038 - Consultants Engineering Office			156,634.00	45,686.76	29%
0143102 - Less Design & Project Management Costs Alloc - Eng Office - Op Exp			-99,350.00	-73,042.20	74%

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES
Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
0143110 - Office Duties & Non Productive Eng Office Staff Time - Op Exp-Eng Office			0.00	110,957.29 100%
0143295 - Stationery Exp - Op Exp - Engineering Office				
0143296 - Loss on Sale of Assets - Op Exp - Engineering Office				
0143800 - Vehicle & Plant Exps - Eng Office			40,300.00	16,234.65 40%
1471296 - Fixed Asset Dep'n - Op Exp - Engineering Office			4,769.00	761.43 16%
1471297 - Admin Costs Allocated - Op Exp - Engineering			167,412.00	77,917.44 47%
1471298 - IT/Records Costs Allocated - Op Exp - Engineering			203,808.00	89,781.14 44%
Sub Total To Programme Summary	\$0.00	\$0.00	\$1,219,583.00	\$503,714.19
Operating Income				
0143390 - Reimb Received No GST Incl Diesel Fuel Rebate & Insurance - Op Inc	60,000.00	30,351.45 51%		
0143405 - Grant Op - R4R KRGS - Op Inc - Eng Off	37,785.00	0.00 0%		
0143485 - Subdivision Engineering Supervision Charges - Op Inc - Eng Off	2,000.00	2,500.00 125%		
0143499 - Profit on Sale of Assets - Op Inc - Engineering Office				
0143988 - Interest Rec Plant Reserve - Op Inc - Engineering Office	39,600.00	1,532.46 4%		
Sub Total To Programme Summary	\$139,385.00	\$34,383.91	\$0.00	\$0.00
Capital Expenditure				
0142988 - Transfer to Plant Reserve - Cap Exp - Engineering Office			39,600.00	1,532.46 4%
0148004 - Vehicle & Mobile Plant Renewal(Replacement)- Cap Exp - Eng Office				
Sub Total To Programme Summary	\$0.00	\$0.00	\$39,600.00	\$1,532.46
Capital Income				
0143600 - Proceeds from Sale of Assets - Cap Inc - Engineering Office				
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00
Total Engineering Office	\$139,385.00	\$34,383.91	\$1,259,183.00	\$505,246.65
Parks & Gardens Operations				
Operating Expenditure				
0113048 - 1596100			23,879.00	338.47 1%
0143048 - Other Employment Costs - Op Exp - Parks			71,176.00	43,799.03 62%
0143049 - Relieving Staff Exp - P&G - Gen Admin			100,000.00	53,960.69 54%
0143500 - Salary - Op Exp - P & G (Management)			363,132.00	206,648.46 57%
0143501 - Minor Tools & Equipment - Op Exp - Parks and Gardens Ops			14,000.00	6,466.95 46%

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES
Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0143502 - Staff Meetings - P & G Workers			66,846.00	21,540.06	32%
0143503 - Workers Compensation - Op Exp			0.00	12,210.94	100%
- Parks & Gardens Operations					
0143504 - 3940900			78,695.00	47,939.70	61%
0143507 - P & G Equipment Replacement			25,000.00	1,856.27	7%
Exp - P & G Ops					
0143508 - Wages & Related Sick & Holiday -			416,880.00	148,586.30	36%
P & G Ops					
0143510 - Protective Clothing & Equip			22,815.00	11,276.69	49%
Uniforms & Boots - Op Exp - P & G Ops					
0143511 - General Expenses - Op Exp -			4,200.00	1,263.65	30%
Parks & Gardens Operations					
0143512 - Medicals - Op Exp - Parks &					
Gardens Operations					
0143520 - Loss on Sale of Assets - Op Exp -			109,537.00	40,754.71	37%
Parks & Gardens Operations					
0143521 - PWOH Parks Allocated - Op Exp			-3,145,099.00	-1,479,738.05	47%
- Parks & Gardens Operations					
0143523 - Superannuation Employee			44,972.00	11,438.14	25%
Expense - P & G Management					
0143526 - Superannuation Employee			245,362.00	109,531.00	45%
Expense - P&G Ops					
0143585 - Phone Exps - P & G			5,400.00	1,162.16	22%
0143801 - Vehicle & Plant Exps - P & G Ops			125,600.00	54,288.44	43%
1472296 - Fixed Asset Dep'n - Op Exp -			32,564.00	16,414.58	50%
Parks & Gardens					
1472297 - Admin Cost Allocated - P & G			518,400.00	241,278.43	47%
1472298 - IT/Records Costs Allocated -P &			117,696.00	51,848.81	44%
G					
Sub Total To Programme Summary	\$0.00	\$0.00	-\$758,945.00	-\$397,134.57	
Operating Income					
0143384 - Reimbursements - W. Comp &	0.00	13,696.01			100%
Sundry No GST P & G Ops - Op Inc					
0143415 - Surplus Minor Equipment Sales -					
Op Inc - Parks & Gardens Operations					
0143518 - Profit on Sale of Assets - Op Inc -					
Parks & Gardens Operations					
Sub Total To Programme Summary	\$0.00	\$13,696.01	\$0.00	\$0.00	
Capital Expenditure					
0143610 - Vehicle & Plant			825,000.00	225,875.28	27%
Renewal(Replacement) - Cap Exp - P&G					
Operations					
0143621 - Vehicle & Plant New - Cap Exp -					
P&G Operations					
Sub Total To Programme Summary	\$0.00	\$0.00	\$825,000.00	\$225,875.28	
Capital Income					
0143601 - Proceeds from Sale of Assets -	209,000.00	72,272.73			35%
Cap Inc - Parks & Gardens Operations					
Sub Total To Programme Summary	\$209,000.00	\$72,272.73	\$0.00	\$0.00	
Total Parks & Gardens Operations	\$209,000.00	\$85,968.74	\$66,055.00	-\$171,259.29	

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES
Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
Works Operations					
Operating Expenditure					
0142045 - 544400			37,730.00	11,345.40	30%
0143050 - Wages & related Sick & Annual Leave Workers Exp - Works Ops			224,438.00	81,166.73	36%
0143054 - Superannuation Employee Expense - Works Operations			144,690.00	63,886.03	44%
0143055 - Relieving Staff Exp - Works - Gen Admin			60,000.00	21,417.74	36%
0143056 - Workers Compensation - Op Ex - Works Operations					
0143080 - Works Protective Clothing - Op Exp - Works Operations			16,245.00	6,108.84	38%
0143290 - Less On Costs Alloc - Op Exp - Works Operations			-1,573,788.00	-748,761.82	48%
0148010 - Salary - Op Exp - Works (Management)			340,463.00	210,025.87	62%
0148015 - Superannuation Employee Expense - Works Management			57,706.00	17,464.87	30%
0148035 - Other Employment Costs - Works Ops			29,284.00	19,671.24	67%
0148281 - 4248300			50,663.00	27,137.69	54%
0148282 - 59700			0.00	105.00	100%
0148283 - Minor Equipment Replacement - Op Exp - Works Operations			6,600.00	706.60	11%
0148284 - Sundry Mobile & Sat Phone Exp - Works Ops			7,000.00	2,361.54	34%
0148287 - Workshop Renewal - Fabrication Area - Op Ex			2,660.00	0.00	0%
0148396 - Loss On Sale Of Assets - Op Exp - Works Operations			41,297.00	38,457.87	93%
0148800 - Vehicle & Plant Exps - Works Ops			93,600.00	42,704.30	46%
1473297 - Admin Cost Allocated - Woks Ops			302,004.00	140,561.25	47%
1473298 - IT/Records Costs Allocated -Works Ops			80,868.00	35,626.18	44%
Sub Total To Programme Summary	\$0.00	\$0.00	-\$78,540.00	-\$30,014.67	
Operating Income					
0148406 - Reimbursements Rec'd No GST - Works Ops - Op Inc					
0148415 - Surplus Minor Equip Sales Works Ops - OP Inc					
0148499 - Profit On Sale of Assets - Op Inc - Works Operations					
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00	
Capital Expenditure					
0148611 - Vehicle & Mob Plant Renewal(Replacement) - Cap Exp - Works Ops			224,000.00	161,803.60	72%
0148621 - Vehicle & Mob Plant New - Cap Exp - Works Ops			13,000.00	0.00	0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$237,000.00	\$161,803.60	
Capital Income					

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
0148395 - Transfer from Plant Reserve - Works Ops	29,000.00	0.00	0%	
0148600 - Proceeds from Sale of Assets - Cap Inc - Works Operations	53,000.00	33,000.00	62%	
Sub Total To Programme Summary	\$82,000.00	\$33,000.00	\$0.00	\$0.00
Total Works Operations	\$82,000.00	\$33,000.00	\$158,460.00	\$131,788.93

Depot Operations

Operating Expenditure

0000800 - Oils & Lubricants - Op Exp - Depot Operations	23,000.00	10,430.70	45%
0148025 - Staff Meetings & Office Duties Exp - Depot Operations	195,144.00	6,412.69	3%
0148050 - Default Wages Sick & Annual Leave Mechanics Exp - Depot	42,271.00	54,779.62	130%
0148051 - Superannuation Employee Expense - Depot Staff	24,310.00	11,562.19	48%
0148060 - Contract Staff Op Exp - Depot Ops	57,200.00	24,227.88	42%
0148070 - Salary - Op Exp - Depot (Management)	83,287.00	41,845.99	50%
0148071 - Superannuation Employee Expense - Depot	12,766.00	6,094.00	48%
0148078 - Minor Assets - Op Exp - Depot Operations	8,050.00	2,258.81	28%
0148100 - Depot Building & Grounds Op Exps - Depot Operations	214,196.00	98,475.89	46%
0148271 - Workshop Consumables Exp - Depot	11,500.00	4,203.91	37%
0148291 - Consumables - Op Exp - Depot Operations	19,200.00	5,382.43	28%
0148292 - Tool Replacement - Op Exp - Depot Operations	12,450.00	1,697.63	14%
0148293 - Safety Equip - Op Exp - Depot Operations	26,400.00	20,825.77	79%
0148297 - 1107700	17,200.00	15,991.65	93%
0148298 - 535700	8,089.00	2,093.55	26%
0148299 - Insurances - Op Exp - Depot Operations	0.00	105.39	100%
0148301 - Depot Overheads Alloc - Op Exp - Depot Operations	-276,499.00	-65,832.05	24%
0148305 - IT Costs Alloc - Depot Ops	64,080.00	28,230.57	44%
0148630 - Admin Costs Alloc - Op Exp - Depot Operations	114,624.00	53,346.88	47%
0148696 - Loss on Sale of Assets - Op Exp - Depot Operations	1,467.00	0.00	0%
0148801 - Vehicle & Plant Exps - Depot Ops	20,900.00	5,053.48	24%
0149028 - Workshop Cleaning & Other Operational Exps - Op Exp	22,955.00	4,273.07	19%
0149225 - Depot Sundry Exp - Depot Ops	1,500.00	80.84	5%
1474206 - Other Employment Costs - Depot Staff	6,684.00	6,735.62	101%
1474296 - Fixed Asset Depn - Op Exp - Depot	65,748.00	16,959.40	26%

Page :63

Printed : 25/01/2018

8:57:15AM

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES
Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Sub Total To Programme Summary	\$0.00	\$0.00	\$776,522.00	\$355,235.91
Operating Income				
0148602 - Apprentice	44,527.00	44,527.00		100%
Subsidy/Grants/Contributions - Op Inc - Depot Ops				
0148605 - Reimb & Sundry Income Rec'd - Op Inc - Depot Operations				
0148606 - Reimbursements Rec'd W. Comp & Sundry No GST - Depot Ops - Op Inc				
0148699 - Profit on Sale of Assets - Op Inc - Depot Operations	1,000.00	0.00		0%
Sub Total To Programme Summary	\$45,527.00	\$44,527.00	\$0.00	\$0.00
Capital Expenditure				
0148230 - Transfer to Restricted Cash Reserve - Cap Exp - Depot Operations				
0148240 - Furn & Equip Over \$3000 Cap Exp - Depot				
0148242 - Depot Building Upgrade - Cap Exp - Depot Operations				
0148610 - Vehicle & Mobile Plant Renewal(Replacement) - Cap Exp - Depot Ops			50,000.00	0.00
0148999 - Depot Building - Works in Progress - Depot Ops				0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$50,000.00	\$0.00
Capital Income				
0148601 - Proceeds From Sale of Assets - Cap Inc - Depot Operations	14,000.00	0.00		0%
0148613 - Transfer From Restricted Cash Reserve - Cap Inc - Depot Operations	12,673.00	0.00		0%
Sub Total To Programme Summary	\$26,673.00	\$0.00	\$0.00	\$0.00
Total Depot Operations	\$72,200.00	\$44,527.00	\$826,522.00	\$355,235.91
Plant Operation				
Operating Expenditure				
0145101 - Plant Repair Wages - Op Exp - Plant Operation			741,591.00	330,392.54
0145102 - Plant Tyres & Tubes - Op Exp - Plant Operation			65,000.00	29,193.04
0145103 - Plant Parts & Repairs - Op Exp - Plant Operation			300,000.00	150,942.78
0145104 - Plant Insurance & Licences - Op Exp - Plant Operation			53,234.00	54,634.16
0145105 - Plant Fuel & Oil - Op Exp - Plant Operation			280,000.00	153,256.04
0145106 - Plant Depreciation - Op Exp - Plant Operation			723,363.00	287,271.43
0145290 - Plant Operation Costs Allocated - Op Exp - Plant Operation			-1,764,723.00	-856,768.58
0145291 - Plant Dep'n Op Alloc (Credits) - Op Exp - Plant Operation			-576,466.00	-290,540.88

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES
Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Sub Total To Programme Summary	\$0.00	\$0.00	-\$178,001.00	-\$141,619.47
Total Plant Operation	\$0.00	\$0.00	-\$178,001.00	-\$141,619.47
Salaries & Wages				
Operating Expenditure				
0146010 - Salaries & Wages For Year - Op			13,287,475.00	6,442,728.69 48%
Exp - Salaries & Wages				
0146200 - Salaries & Wages Allocated - Op			-13,287,475.00	-6,443,258.67 48%
Exp - Salaries & Wages				
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	-\$529.98
Total Salaries & Wages	\$0.00	\$0.00	\$0.00	-\$529.98
Corporate Governance & Support				
Operating Expenditure				
0141800 - Vehicle & Plant Exps - Gen Admin			11,300.00	2,847.33 25%
0141801 - Vehicle Running Exps - Property			5,100.00	1,813.52 36%
Management				
0142000 - 16630000			522,785.00	236,627.08 45%
0142002 - Salary - Op Exp - Corp Serv			149,984.00	74,286.96 50%
Directorate				
0142003 - Superannuation Employee			14,248.00	11,514.50 81%
Expense - Corp Service Directorate				
0142004 - Salary - Op Exp - Finance			869,016.00	414,869.96 48%
0142005 - Superannuation Employee			105,222.00	50,561.52 48%
Expense - Finance				
0142006 - Salary - Op Exp - Human			282,234.00	190,638.39 68%
Resources				
0142007 - Superannuation Employee			39,780.00	14,553.92 37%
Expense - HR				
0142008 - Relieving Staff Exp - HR			13,133.00	7,419.60 56%
0142010 - Salary - Op Exp - Gen Admin			568,032.00	276,194.33 49%
0142011 - Superannuation Employee			67,054.00	36,720.81 55%
Expense - General Admin				
0142012 - Relieving Staff Exp - DCS - Gen			98,000.00	45,842.80 47%
Admin				
0142013 - Salary - Op Exp - Property			276,991.00	88,757.67 32%
Management				
0142015 - All Employee Centrelink Paid			11,120.00	12,510.00 113%
Parental Leave - Op Exp - Gen Admin				
O'Heads				
0142016 - Superannuation Employee			31,694.00	10,958.98 35%
Expense - Property Management				
0142020 - Other Employment Costs - Corp			13,614.00	7,426.46 55%
Serv Directorate				
0142025 - Other Employment Costs -			12,871.00	8,829.45 69%
General Admin				
0142027 - Other Employment Costs -			9,854.00	6,858.04 70%
Property Management				
0142034 - Other Employment Costs -			17,828.00	13,512.59 76%
Finance				
0142037 - Other Employment Costs -			7,002.00	4,990.81 71%
Human Resources				

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0142040 - All Ex Employee LSL & Other Exps (From any work area) - Gen Admin					
0142042 - Performance Based Rewards - Gen Admin			9,978.00	1,621.83	16%
0142043 - Organisational Training - General			265,870.00	120,601.26	45%
0142044 - Uniform - Op Exp - General Admin O'Heads			18,000.00	7,554.60	42%
0142046 - Recruitment Expenses - Op Exp - General Admin O'Heads			86,505.00	25,312.78	29%
0142048 - HRM Consultancy - Op Exp			30,000.00	8,712.00	29%
0142049 - Employee Assistance Programme - Op Exp			9,000.00	4,575.00	51%
0142050 - Shire Office Barker St - Op Exps - Corp Gov Support			134,918.00	55,998.48	42%
0142060 - IT Costs Allocated - Op Exp - General Administration O'Heads			327,816.00	144,413.24	44%
0142070 - Printing & Stationery - Op Exp - General Admin O'Heads			22,000.00	6,480.35	29%
0142090 - Postage & Freight - Op Exp - General Administration O'Heads			32,000.00	13,653.75	43%
0142100 - Advertising - Op Exp - General Administration O'Heads			3,000.00	948.55	32%
0142111 - Minor Asset Purchases - Op Exp - General Administration O'Heads			10,000.00	4,780.41	48%
0142112 - Sundry Exp Corp Serv - Op Exp - General Administration O'Heads			500.00	0.00	0%
0142120 - Bank Charges with GST Only - Op Exp - General Administration O'Heads			41,000.00	30,252.26	74%
0142121 - Bank Charges - No GST - Op Exp - General Administration O'Heads			100.00	313.70	314%
0142160 - Other Office Expenses - Op Exp - General Administration O'Heads			5,000.00	2,591.35	52%
0142184 - Gifts & Miscellaneous Employee Op Exp - Corp Gov			1,000.00	143.59	14%
0142191 - Relocation & Removal Costs - All Staff - Op Exp - Corp Gov			30,000.00	0.00	0%
0142230 - Legal Corp Serv - Op Exp - Corp Gov & Support (legal recovery opinc see 142391)			5,000.00	3,000.00	60%
0142231 - Consultants Corp Serv - Op Exp - Corp Gov Support			38,000.00	0.00	0%
0142232 - LGIS Insurance Funded Expenses (Inc in 142393) - Op Exp - Corp Gov			125,015.00	40,270.19	32%
0142233 - Consultants Administration Dept - Op Exp - Corp Gov Support			4,500.00	1,300.00	29%
0142260 - Insurance - Op Exp - General Administration O'Heads			194,765.00	192,868.86	99%
0142261 - Occupation Health & Safety - Op Exp - General Admin O'Heads			11,000.00	0.00	0%
0142273 - HR Staff Printing & Stationery and Other Exp - Op Exp - General Admin O'Heads			1,600.00	1,561.89	98%
0142281 - Refund Overpayments - Op Exp - General Admin (Clearing)			1,000.00	0.00	0%
0142296 - Loss on Asset Disposal - Gen Admin			7,800.00	0.00	0%

Page :66

Printed : 25/01/2018

8:57:15AM

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0142298 - Dep'n Exp Plant & Equip Op Exp - Corp Gov & Support			0.00	3,776.38	100%
0142299 - Dep'cn Furniture & Fittings - Op Exp-Corp Gov & Support			0.00	3,652.46	100%
0142300 - Accrued Leave Expense			100,000.00	0.00	0%
0142305 - Doubtful Debt Expenses - Op Exp - General Administration O'Heads			4,000.00	0.00	0%
0142548 - Local Number Plate Purchases - Op Exp - General Administration O'Heads			2,000.00	690.20	35%
0142999 - Less Cost Alloc - Op Exp - General Administration O'Heads			-4,755,984.00	-2,213,563.58	47%
0144027 - Property Dept Legal Expenses - Op Exp - Property Dep't (see legal recovery opinc 142995)			20,000.00	0.00	0%
1441244 - Drug & Alcohol Testing - General			8,000.00	0.00	0%
1477296 - Fixed Asset Depn - Op Exp - Corporate Governance			454,957.00	153,445.92	34%
Sub Total To Programme Summary	\$0.00	\$0.00	\$375,202.00	\$132,690.19	
Operating Income					
0142212 - Interest Rec on Muni Investment - Op Inc - General Administration O'Heads	161,712.00	50,799.09			31%
0142322 - Unpresented Cheques Cancelled Income					
0142390 - Reimb Bonuses Rebates & Sundry Income Inc GST - Op Inc - General Admin O'Heads	2,500.00	0.00			0%
0142393 - LGIS Insurance Bonus & Funding (Exp in 142232) - Op Inc - Corp Gov	47,237.00	51,903.53			110%
0142394 - Legal Employee Leave & Other No GST Reimb from Others Op Inc - Corp Gov					
0142395 - All Employee Paid Parental Leave Reimb - Op Inc - Gen Admin O'Heads	11,120.00	12,510.00			113%
0142440 - Sales Information Of Records (i.e. FOI) - Op Inc - General Administration O'Heads	200.00	30.00			15%
0142441 - Photocopying & Sundries + GST - Op Inc - General Administration O'Heads	20.00	0.00			0%
0142471 - Commission - DFES / FESA ESL Levy collection	8,500.00	7,980.00			94%
0142481 - HR Operating Grants Rec'd - Op Inc - Gen Admin					
0142499 - Profit on Sale of Assets - Op Inc - General Administration O'Heads					
0142500 - Local Number Plate Sales Op Inc - Gen Admin	3,000.00	1,454.55			48%
0142791 - Interest Rec Building Reserve - Op Inc - General Administration O'Heads	94,400.00	4,481.21			5%
0142995 - Reimbursement Property Dept Legal Fee - Op Inc - Corp Gov & Supp (Legal opex refer 144027)	500.00	0.00			0%
0142997 - Interest Rec Leave Reserve - Op Inc - General Administration O'Heads	34,700.00	1,477.08			4%
Sub Total To Programme Summary	\$363,889.00	\$130,635.46	\$0.00	\$0.00	
Capital Expenditure					

Page :67

Printed : 25/01/2018

8:57:15AM

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES
Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0141790 - Transfer to Building Reserve - Cap Exp - General Administration O'Heads			94,400.00	4,481.21	5%
0141997 - Transfer to Leave Reserve - Cap Exp - Corp Gov & Support			34,700.00	1,477.08	4%
0142551 - Vehicle & Mob Plant Renewal (Replacement) - Cap Exp - Gen Admin			80,000.00	0.00	0%
0142552 - Shire Office Haas St Fixed Plant New -Cap Exp- Corp Gov					
0142558 - Shire Office Build Haas St Renewal - Cap Exp - Corp Gov			70,000.00	36,741.58	52%
0147371 - Shire Office Barker St - Building Upgrade Wks - Cap Exp - Corp Gov			80,000.00	0.00	0%
Support					
0147372 - Shire Office Barker St - Building Renewal - Cap Exp - Corp Gov Support			15,000.00	0.00	0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$374,100.00	\$42,699.87	
Capital Income					
0142320 - Transfer From Leave Reserve Corp Gov & Support	84,441.00	0.00	0%		
0142790 - Transfer From Building Reserve Gen Admin	70,000.00	0.00	0%		
0142794 - Transfer From Plant Reserve - Corp Gov & Support					
0142951 - Proceeds from Sale of Assets - Cap Inc - General Administration	26,000.00	0.00	0%		
Sub Total To Programme Summary	\$180,441.00	\$0.00	\$0.00	\$0.00	
Total Corporate Governance & Support	\$544,330.00	\$130,635.46	\$749,302.00	\$175,390.06	
IT and Records Operations					
Operating Expenditure					
0142075 - Records Management Exps - IT			3,500.00	1,166.17	33%
0146102 - License Maint and Support - IT Exp			419,400.00	310,374.06	74%
0146104 - Equip Maint & Supplies - IT Exp - OP Exp			88,765.00	42,071.90	47%
0146105 - Salary - Op Exp - IT			319,837.00	145,866.58	46%
0146106 - Salary - Op Exp - Records			260,018.00	111,154.08	43%
0146108 - Superannuation Employee Expense - IT			35,516.00	19,254.05	54%
0146109 - Software<\$5000 - IT Exp			22,200.00	0.00	0%
0146110 - Minor Assets<\$5000 - IT Exp			103,000.00	43,240.78	42%
0146111 - IT Contract Consultants - Exp			80,000.00	34,592.13	43%
0146113 - Superannuation Employee Expense - Records			28,548.00	12,679.68	44%
0146117 - Other Employment Costs - IT			8,940.00	5,564.37	62%
0146121 - Other Employment Costs - Records			6,443.00	4,461.78	69%
0146159 - Less Op Costs Alloc - IT			-1,805,160.00	-795,227.15	44%
0146199 - Fixed Asset Dep'n - Op Exp - IT			438,909.00	65,419.66	15%
Sub Total To Programme Summary	\$0.00	\$0.00	\$9,916.00	\$618.09	
Operating Income					

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income			Expenditure		
	Current Year Estimated	Current Year Actual		Current Year Estimated	Current Year Actual	
0142996 - Interest Rec Equip & Ins Reserve - Op Inc - General Administration O'Heads	9,900.00	387.85	4%			
Sub Total To Programme Summary	\$9,900.00	\$387.85		\$0.00	\$0.00	
Capital Expenditure						
0141995 - Transfer to Equip & Insurance Reserve IT Operations Cap Exp				9,900.00	387.85	4%
0146120 - Equip & H'Ware > \$5000 Cap Exp - IT				463,170.00	222,169.09	48%
0146122 - Software >\$5000 Cap Exp - IT				346,244.00	91,686.92	26%
0146126 - Furniture & Equipment - Works in Progress - IT & Records Operations						
Sub Total To Programme Summary	\$0.00	\$0.00		\$819,314.00	\$314,243.86	
Capital Income						
0146178 - Grants Received - Non Op Inc - IT & Records Operations	125,170.00	125,170.00	100%			
Sub Total To Programme Summary	\$125,170.00	\$125,170.00		\$0.00	\$0.00	
Total It And Records Operations	\$135,070.00	\$125,557.85		\$829,230.00	\$314,861.95	
Unclassified General						
Operating Expenditure						
0014295 - Loss from Theft/Fraud - Unclassified General						
0114310 - Broome Turf Club Recoupable Expenses (Income in 114401) - Op Exp - Unclassified General				19,233.00	19,233.38	100%
0147103 - Survey & Misc Expenses Leased Properties - Op Exp - Unclassified Gen				50,000.00	24,244.68	48%
0147104 - Consultant Expenses - Op Exp - Unclassified General						
0147287 - Recoupable Expenses (Inc in 147587 & 147588)- Op Exp - Un Clas Gen						
0147530 - Admin Costs Alloc - Op Exp - Unclassified General				266,808.00	124,180.92	47%
Sub Total To Programme Summary	\$0.00	\$0.00		\$336,041.00	\$167,658.98	
Operating Income						
0114401 - Turf Club - Rent & Recoup Income - Op Inc	19,500.00	0.00	0%			
0147493 - Turf Club - Reserve Point - Op Inc - Unclassified General						
0147585 - Recovery of theft loss - Op Inc - Unclassified General						
0147586 - Reimbursements & Other Income - Op Inc - Unclassified General	500.00	935.91	187%			
0147587 - Recouped Income (Exp In 147287) -Op Inc-Unclass Gen	200.00	0.00	0%			
0147588 - Recoupable Income Non-GST - Op Inc - Unclassified General	200.00	0.00	0%			
Sub Total To Programme Summary	\$20,400.00	\$935.91		\$0.00	\$0.00	
Capital Expenditure						

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0147100 - Building Capital > \$5k - Cap Exp - Unclassified General			100,000.00	31,612.00	32%
Sub Total To Programme Summary	\$0.00	\$0.00	\$100,000.00	\$31,612.00	
Capital Income					
0147510 - Transfer From Building Reserve - Unclassified)	21,326.00	0.00	0%		
Sub Total To Programme Summary	\$21,326.00	\$0.00	\$0.00	\$0.00	
Total Unclassified General	\$41,726.00	\$935.91	\$436,041.00	\$199,270.98	
Other Buildings Leased - Unclassified					
Operating Expenditure					
0112051 - 630800			4,966.00	2,445.76	49%
0132000 - Office Bagot St - Op Exp - Tourism & Area Promotion			8,070.00	5,384.90	67%
0147409 - Cable Beach Restaurant Facilities (Zanders) Build Maint & Operating - Op Exp-Other Build Leased			500.00	0.00	0%
0147482 - 510000			5,675.00	3,347.09	59%
0147862 - Sam Male Lugger - Op Exp- Other Build Leased			1,630.00	630.02	39%
1480296 - Fixed Asset Depn - Op Exp - Other Buildings Leased			107,052.00	35,377.28	33%
Sub Total To Programme Summary	\$0.00	\$0.00	\$127,893.00	\$47,185.05	
Operating Income					
0112483 - Town Beach Cafe - Rent & Recoup Income - Op Inc	63,500.00	35,452.06	56%		
0146408 - Zanders - Rent & Recoup Income - Op Inc	38,050.00	21,330.89	56%		
0147181 - Office Bagot St (Magabala Books) - Rent & Recoup Income - Op Inc	41,770.00	20,416.62	49%		
0147491 - Old Broome Lock Up - Rent & Recoup Income - Op Inc	15,900.00	6,224.40	39%		
0147492 - Broome Last Resort Carpark (Reserve 34305) - Rent & Recoup Income - Op Inc	18,500.00	0.00	0%		
0147502 - Comms Tower Crown Castle BRAC (Reserve 39420) - Rent & Recoup Income - Op Inc	28,897.00	10,918.46	38%		
0147865 - Sam Male Lugger - Op Inc - Other Build Leased	16,500.00	11,250.00	68%		
Sub Total To Programme Summary	\$223,117.00	\$105,592.43	\$0.00	\$0.00	
Total Other Buildings Leased - Unclassified	\$223,117.00	\$105,592.43	\$127,893.00	\$47,185.05	
Community Facilities Leased - Unclassified					
Operating Expenditure					
0114201 - Broome Speedway Club Maint & Operating Expenses - Op Exp - Community Facilities Leased			1,000.00	0.00	0%

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0114601 - Naval Cadets Building Maint & Operating Expenses - Op Exp - Community Facilities Leased			2,200.00	191.34	9%
0146020 - Child Care Centre Cnr Guy & Herb Sts - Op Exp - Comm Fac Leased			17,686.00	7,273.61	41%
0146030 - Broome Golf Club Maint & Operating Expenses - Op Exp - Community Facilities Leased			8,424.00	8,424.08	100%
0146040 - Broome Pistol Club Maint & Operating Expenses - Op Exp - Community Facilities Leased			3,468.00	3,468.00	100%
0146050 - 4 Jones Place Maint & Operating Expenses - Op Exp - Comm Fac Leased			7,480.00	4,592.45	61%
0146091 - Scout & Guide Shed Maint & Operating Exps - Op Exp - Com Fac Leased			500.00	0.00	0%
0146297 - Dep'n - Land & Buildings - Community Facilities Leased			138,748.00	51,766.39	37%
0146670 - Bowling Club Maint & Operating Expenses - Op Exp - Community Facilities Leased			8,685.00	7,864.40	91%
0149420 - 930000			10,347.00	3,796.33	37%
1481296 - Fixed Asset Depn - Op Exp - Commercial Facilities Leased			450,362.00	99,225.69	22%
Sub Total To Programme Summary	\$0.00	\$0.00	\$648,900.00	\$186,602.29	
Operating Income					
0147496 - Mulberry Tree Child Care - Rent & Recoup Income - Op Inc	88,129.00	40,226.55			46%
0149408 - Rent & Recoup Income - Op Inc - Community Facilities Leased	22,000.00	0.00			0%
0149410 - BOSCCA - Rent & Recoup Income - Op Inc	35,500.00	14,583.31			41%
0149450 - 4 Jones Place - Reent & Recoup Income - Op Inc	4,201.00	0.00			0%
Sub Total To Programme Summary	\$149,830.00	\$54,809.86	\$0.00	\$0.00	
Capital Expenditure					
0146682 - Bowling Club Building Renewal - Cap Exp - Com Fac Leased					
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00	
Total Community Facilities Leased - Unclassified	\$149,830.00	\$54,809.86	\$648,900.00	\$186,602.29	
Office Properties Leased - Unclassified					
Operating Expenditure					
0147265 - KRO Business Plan - Op Exp - Office Prop Leased					
0147270 - 21700000			451,307.00	288,316.58	64%
0147280 - Shire Office Cable Beach Rd - Op Exp - Office Properties Leased			6,302.00	1,880.01	30%
1482295 - Loss on Derecognition of WIP - Op Exp - Office Properties Leased					
1482296 - Fixed Asset Dep'n - Op Exp - Office Properties Leased			222,122.00	47,470.29	21%

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES

Financial Statement For The Period Ending 31/12/2017

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
1482297 - KRO Loan Interest & Fee Exp - Op Exp					
Sub Total To Programme Summary	\$0.00	\$0.00	\$679,731.00	\$337,666.88	
Operating Income					
0147463 - Far North Community Services Tenancy 567 - KRO2 - Rent & Recoup Income - Op Inc	50,000.00	36,630.09	73%		
0147464 - Anglicare Tenancy 23 - KRO2 - Rent & Recoup Income - Op Inc	178,000.00	103,768.84	58%		
0147465 - Dept Corrective Services KRO1 Rent Rec'd - Op Inc - Office Prop Leased					
0147467 - Main Roads WA Tenancy 9 - KRO1 - Rent & Recoup Income - Op Inc	15,000.00	0.00	0%		
0147472 - BEC - Rent & Recoup Income - Op Inc	21,796.00	10,964.59	50%		
0147483 - Dept of Housing Tenancy 11 - KRO1 - Rent & Recoup Income - Op Inc	203,003.00	115,384.78	57%		
0147484 - Tenancy 1 - KRO2 - Rent & Recoup Income - Op Inc	20,000.00	0.00	0%		
0147485 - Dep Corrective Serivces - KRO2 (Tenancy 4)- Rent & Recoup Income - Op Inc	131,976.00	75,649.39	57%		
0147487 - WA Police Tenancy 10 - KRO1 - Rent & Recoup Income - Op Inc	65,000.00	69,125.00	106%		
0147489 - User Charges KRO Outgoings - Op Inc - Office Properties Leased	354,000.00	230,650.91	65%		
Sub Total To Programme Summary	\$1,038,775.00	\$642,173.60	\$0.00	\$0.00	
Capital Expenditure					
0147374 - KRO1 Building Renewal - Cap Exp - Office Prop Leased			845,000.00	47,473.12	6%
0147375 - KRO2 Building Renewal - Cap Exp - Office Prop Leased			655,000.00	18,388.78	3%
0147999 - Works in Progress - KRO2 Building Renewal & KRO3 New Building Construction					
1482298 - KRO Loan Principal Exp					
1482446 - KRO3 Building New Const - Cap Exp - Office Prop Leased					
Sub Total To Programme Summary	\$0.00	\$0.00	\$1,500,000.00	\$65,861.90	
Capital Income					
0147355 - Transfer From Building Reserve Leased Offices Un Clas	1,500,000.00	0.00	0%		
0147390 - Transfer From Restricted Cash Reserve Cap Inc - Office Prop Leased					
1486561 - Loans Received KRO3 - Cap Inc - Other Property Leased					
Sub Total To Programme Summary	\$1,500,000.00	\$0.00	\$0.00	\$0.00	
Total Office Properties Leased - Unclassified	\$2,538,775.00	\$642,173.60	\$2,179,731.00	\$403,528.78	
TOTAL OTHER PROPERTY AND SERVICES	\$4,206,088.00	\$1,275,243.92	\$7,156,293.00	\$2,010,437.41	

9.4.4 MONTHLY STATEMENT OF FINANCIAL ACTIVITY REPORT JANUARY 2018

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FRE02
AUTHOR:	Coordinator Financial Operations
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Manager Financial Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	14 February 2018

SUMMARY: Council is required by legislation to consider and adopt the Monthly Statement of Financial Activity Report for the period ended 31 January 2018, as required by Regulation 34(1) of the Local Government (Financial Management) Regulations 1996 (FMR).

Council is further provided with a General Fund Summary of Financial Activity (Schedules 2 to 14) which provides comprehensive information on Council's operations by Function and Activity.

BACKGROUNDPrevious Considerations

Council is provided with the Monthly Financial Activity Report which has been developed in line with statutory reporting standards and provides Council with a holistic overview of the operations of the Shire of Broome.

Supplementary information has been provided in the form of Notes to the Monthly Report and a General Fund Summary of Financial Activity, which discloses Council's Revenue and Expenditure in summary form, by Programme (Function and Activity).

Disclosure and supply of appropriate explanations for variances presented in the Statement of Financial Activity, is mandatory under FMR 34(2)(b) as stated in Policy 2.1.1 Materiality in Financial Reporting.

FMR 34(5) requires a local government to adopt a percentage or value, calculated in accordance with the Australian Accounting Standards (AAS) and Council's adopted risk management matrix thresholds, to be used in statements of financial activity for reporting material variances.

COMMENT

The 2017/2018 Annual Budget was adopted at the Ordinary Meeting of Council on 29 June 2017.

The following are key indicators supporting the year to-date budget position with respect to the Annual Forecast Budget:

Budget Year elapsed	58.9%
Total Rates Raised Revenue	100% (of which 86.19% has been collected)

Total Other Operating Revenue	57%
Total Operating Expenditure	47%
Total Capital Revenue	37%
Total Capital Expenditure	17%
Total Sale of Assets Revenue	37%

More detailed explanations of variances are contained in Note 2 of the Monthly Statement of Financial Activity. The commentary identifies material variations between the expected year-to-date budget position and the position at the reporting date.

Based on the 2017/2018 Annual Budget presented at the Ordinary Meeting of Council on 29 June 2017, Council adopted a balanced budget to 30 June 2018.

It should be noted that the Annual Financial Statements for the Shire of Broome were completed and presented to the Audit Committee on 16 October 2017 before being endorsed by Council on 19 October 2017. The final report included recommendations for the use of an additional \$1,727,141 in carried forward surplus. These recommendations were approved by Council and incorporated into the 2017-18 budget. The result of all amendments year-to-date has a nil impact on the forecast end-of-year position and presents a balanced budget.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

34. Financial activity statement report — s. 6.4

(1A) *In this regulation —*

"committed assets" means revenue unspent but set aside under the annual budget for a specific purpose.

- (1) *A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*
 - (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
 - (b) *budget estimates to the end of the month to which the statement relates;*
 - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the month to which the statement relates*
- (2) *Each statement of financial activity is to be accompanied by documents containing —*
 - (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*

- (b) an explanation of each of the material variances referred to in sub regulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown —
 - (a) according to nature and type classification;
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
 - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
 - (a) is incurred in a financial year before the adoption of the annual budget by the local government;
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.
- * Absolute majority required.

- (1a) In subsection (1) —

“additional purpose” means a purpose for which no expenditure estimate is included in the local government's annual budget.
- (2) Where expenditure has been incurred by a local government —
 - (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
 - (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

POLICY IMPLICATIONS

2.2.2 Materiality in Financial Reporting

FINANCIAL IMPLICATIONS

The adoption of the Monthly Financial Report is retrospective. Accordingly, the financial implications associated with adopting the Monthly Financial Report are nil.

RISK

The Financial Activity report is presented monthly and provides a retrospective picture of

the activities at the Shire. Contained within the report is information pertaining to the financial cost and delivery of strategic initiatives and key projects.

In order to mitigate the risk of budget over-runs or non-delivery of projects, the Chief Executive Officer has implemented internal control measures such as regular Council and management reporting and the quarterly FACR process to monitor financial performance against budget estimates. Materiality reporting thresholds have been established at half the adopted Council levels, which equate to \$5,000 for operating budget line items and \$10,000 for capital items, to alert management prior to there being irreversible impacts.

It should also be noted that there is an inherent level of risk of misrepresentation of the financials through either human error or potential fraud. The establishment of control measures through a series of efficient systems, policies and procedures, which fall under the responsibility of the CEO as laid out in the *Local Government (Financial Management Regulations) 1996* regulation 5, seek to mitigate the possibility of this occurring. These controls are set in place to provide daily, weekly and monthly checks to ensure that the integrity of the data provided is reasonably assured.

STRATEGIC IMPLICATIONS

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

Affordable land for residential, industrial, commercial and community use

Key economic development strategies for the Shire which are aligned to regional outcomes working through recognised planning and development groups/committees

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

Improved systems, processes and compliance

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council:

1. *Adopts the Monthly Financial Activity Report for the period ended 31 January 2018; and*
2. *Receives the General Fund Summary of Financial Activity (Schedules 2-14) for the*

period ended 31 January 2018.

Attachments

1. Monthly Financial Activity Statements Report- January 2018
2. Summary Schedule
3. Schedule 2

SHIRE OF BROOME
MONTHLY FINANCIAL REPORT
For the Period Ended 31 January 2018

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

TABLE OF CONTENTS

	<u>Pages</u>
Compilation Report	2
Monthly Summary Information	3
Statement of Financial Activity by Program	6
Statement of Financial Activity By Nature or Type	8
Statement of Capital Acquisitions and Capital Funding	9
Statement of Budget Amendments	11
Note 1 Significant Accounting Policies	13
Note 2 Explanation of Material Variances	20
Note 3 Net Current Funding Position	22
Note 4 Cash and Investments	23
Note 5 Budget Amendments	24
Note 6 Receivables	29
Note 7 Cash Backed Reserves	30
Note 8 Capital Disposals	31
Note 9 Rating Information	32
Note 10 Information on Borrowings	33
Note 11 Trust	34
Note 12 Details of Capital Acquisitions	35
Appendix A Supplementary Notes to the Monthly Report	39
Appendix B Detailed Schedules	

Shire of Broome

Compilation Report

For the Period Ended 31 January 2018

Report Purpose

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996*, Regulation 34.

Overview

Summary reports and graphical progressive graphs are provided on page 3, 4 and 5.
No matters of significance are noted.

Statement of Financial Activity by reporting program

Is presented on page 6 and shows a surplus as at 31 January 2018 of \$20,034,339.

Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary.

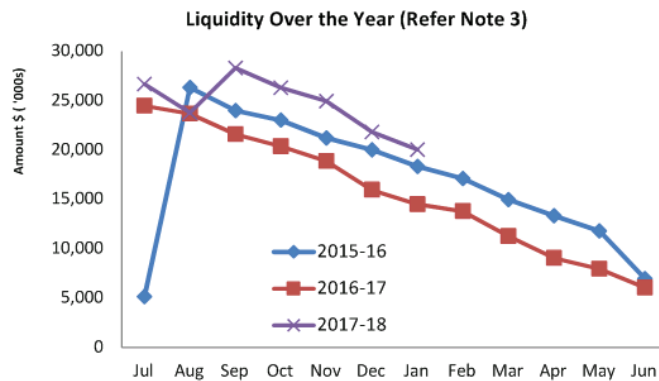
Preparation

Prepared by: R Nembi
Reviewed by: Alvin Santiago
Date prepared: 14/02/2018

Shire of Broome

Monthly Summary Information

For the Period Ended 31 January 2018

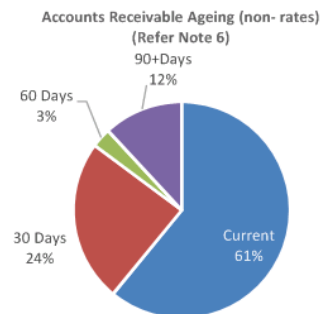
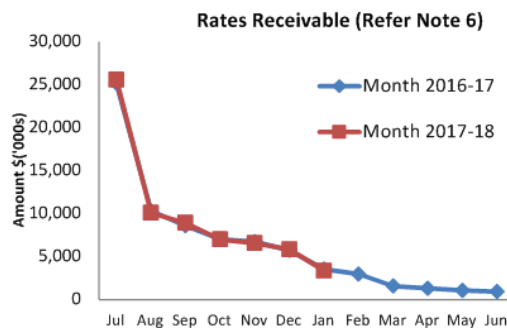


Cash and Cash Equivalents as at period end

Unrestricted	\$ 18,032,002
Restricted	\$ 31,531,165
	<u>\$ 49,563,166</u>

Receivables

Rates	\$ 3,139,300
Other	\$ 498,508
	<u>\$ 3,637,808</u>



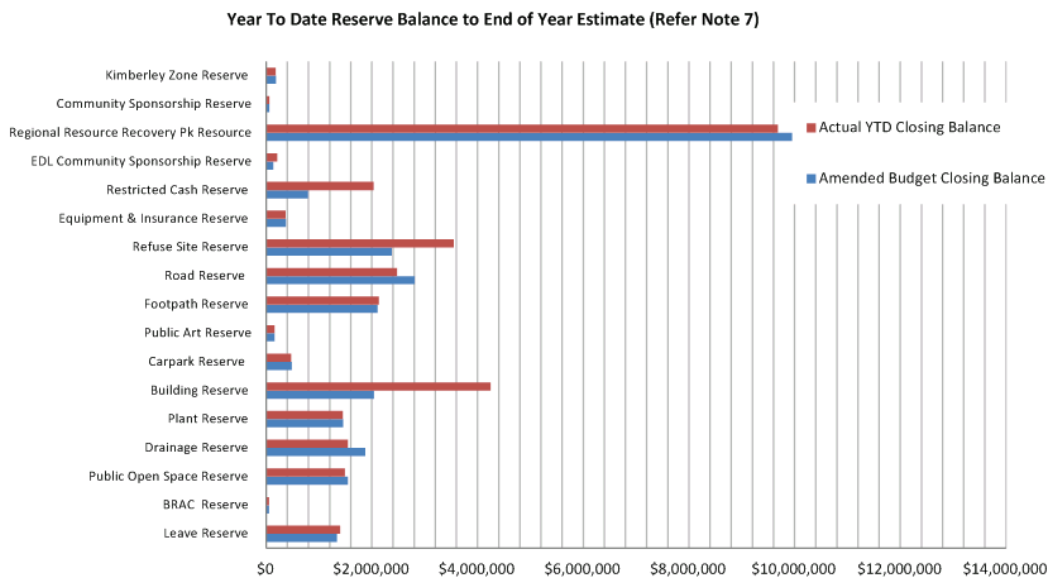
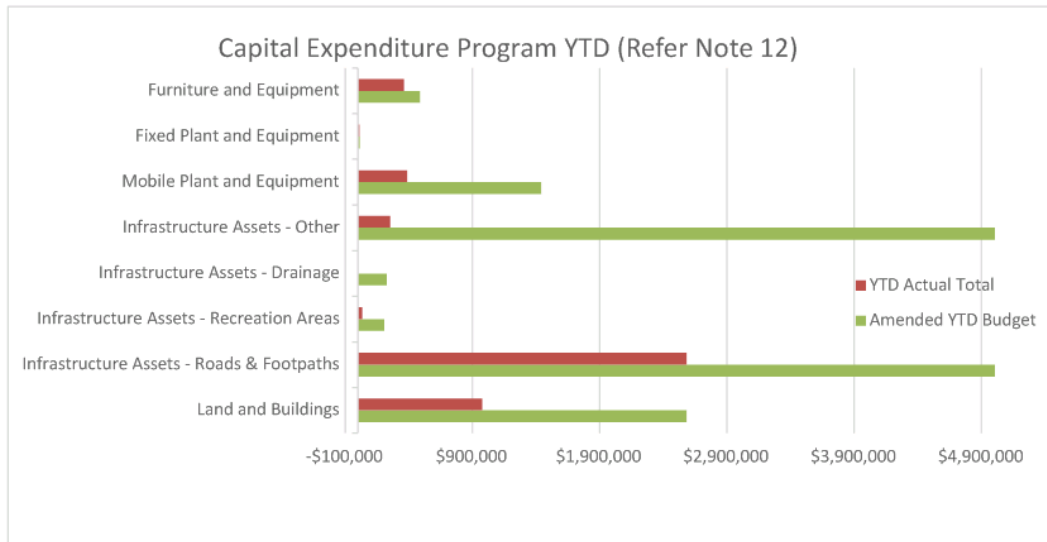
Comments

1. Liquidity refers to the Shire of Broome's ability to meet it's financial obligations within the current year. Liquidity increased at the start of the financial year by \$20.628M due mainly to the issuance of rates. Liquidity is a combination of unrestricted cash, Current Debtors (including Rates), and Current Creditors. The Shire of Broomes current position (representing liquidity) can be found in Note 3.

2. Rates were raised in July with payment due 35 days after issuing. Total Rates raised for the year was \$21.89M with total outstanding rates YTD at \$3.14M.

This information is to be read in conjunction with the accompanying Financial Statements and notes.

Shire of Broome
Monthly Summary Information
 For the Period Ended 31 January 2018



Comments

*Amended Budget Closing balance is the forecast of the closing balance after all budgeted transfers to and from reserve have been performed. At this time there have been no transactions to or from reserve other than to recognise interest earned on reserve investments. All interest earned on Reserve investments is recorded on reserve at the end of each month.

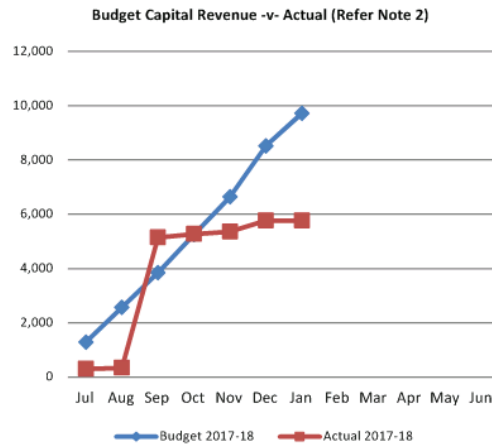
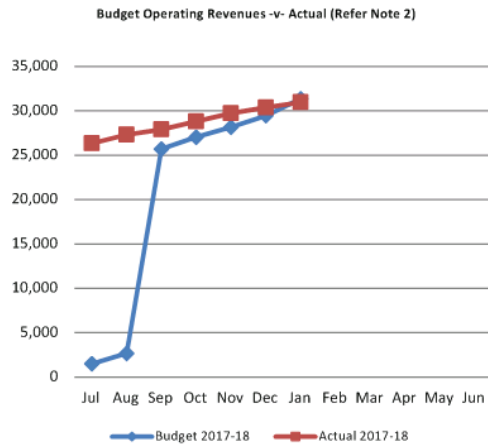
This information is to be read in conjunction with the accompanying Financial Statements and notes.

Shire of Broome

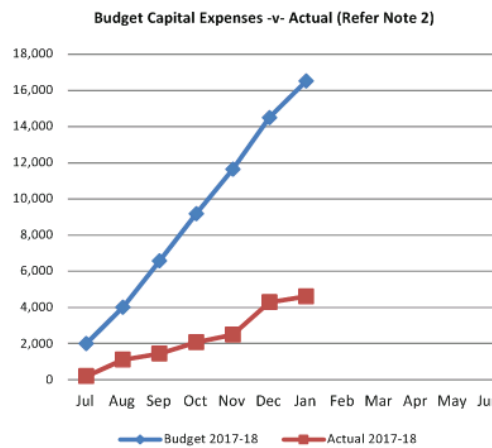
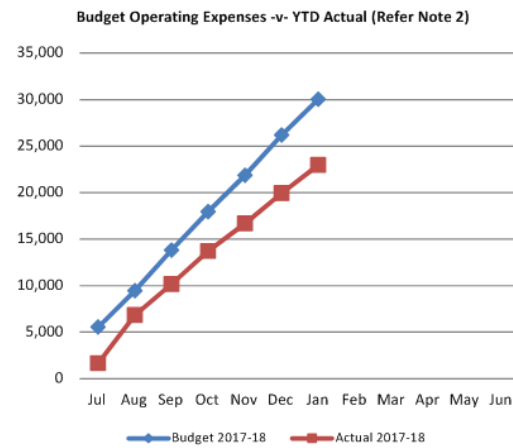
Monthly Summary Information

For the Period Ended 31 January 2018

Revenues



Expenditure



Comments

This information is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF BROOME
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 January 2018

	Note	Amended Annual Budget (a)	Amended YTD Budget (b)	YTD Actual (c)	%	Var. \$ (c)-(b)	Var. % (c)-(b)/(a)	Var.
Operating Revenues		\$	\$	\$		\$	%	
Governance		28,450	15,721	5,918		(9,803)	(34.46%)	
General Purpose Funding - Rates	9	22,361,672	22,193,152	22,259,424		66,272	0.30%	
General Purpose Funding - Other		858,080	623,111	429,040		(194,071)	(22.62%)	▼
Law, Order and Public Safety		178,795	132,212	122,155		(10,057)	(5.62%)	
Health		189,700	148,969	155,477		6,508	3.43%	
Education and Welfare		15,000	8,750	15,000		6,250	41.67%	
Housing		628,275	366,464	335,269		(31,195)	(4.97%)	
Community Amenities		7,499,240	4,362,646	4,785,224		422,578	5.63%	
Recreation and Culture		1,383,112	816,788	728,033		(88,755)	(6.42%)	
Transport		1,657,925	1,015,007	334,697		(680,310)	(41.03%)	▼
Economic Services		892,553	501,896	614,221		112,325	12.58%	▲
Other Property and Services		2,035,741	1,179,956	1,189,546		9,590	0.47%	
Total Operating Revenue		37,728,543	31,364,672	30,974,004	82%	(390,668)		
Operating Expense								
Governance		(2,333,120)	(1,469,623)	(1,223,231)		246,392	10.56%	▲
General Purpose Funding		(647,688)	(351,877)	(210,018)		141,859	21.90%	▲
Law, Order and Public Safety		(1,147,970)	(699,173)	(864,612)		(165,439)	(14.41%)	▼
Health		(798,406)	(468,487)	(427,769)		40,718	5.10%	
Education and Welfare		(688,681)	(407,985)	(305,665)		102,320	14.86%	▲
Housing		(789,497)	(462,302)	(424,165)		38,137	4.83%	
Community Amenities		(9,490,502)	(6,042,585)	(4,013,419)		2,029,166	21.38%	▲
Recreation and Culture		(11,326,589)	(6,780,487)	(6,177,096)		603,391	5.33%	
Transport		(13,687,458)	(8,071,950)	(6,932,068)		1,139,882	8.33%	
Economic Services		(5,238,960)	(3,070,821)	(1,276,718)		1,794,103	34.25%	▲
Other Property and Services		(3,211,279)	(2,203,271)	(1,100,127)		1,103,144	34.35%	▲
Total Operating Expenditure		(49,360,150)	(30,028,561)	(22,954,888)	47%	7,073,673		
Funding Balance Adjustments								
Add back Depreciation		13,766,535	8,104,921	7,619,548		(485,373)	(3.53%)	
Adjust (Profit)/Loss on Asset Disposal	8	190,276	190,275	82,036		(108,239)	(56.89%)	▼
Adjust Revaluation, Provisions and Accruals		0	0	0		0		
Net Cash from Operations		2,325,204	9,631,307	15,720,700		6,089,393		
Capital Revenues								
Grants, Subsidies and Contributions		15,373,419	9,344,309	5,623,640		(3,720,669)	(24.20%)	▼
Governance		0	0	0		0		
General Purpose Funding		0	0	0		0		
Rates		0	0	0		0		
Other General Purpose Funding		0	0	0		0		
Law, Order and Public Safety		1,200,000	700,000	0		(700,000)	(58.33%)	▼
Health		0	0	0		0		
Education and Welfare		0	0	0		0		
Housing		0	0	0		0		
Community Amenities		255,000	148,750	0		(148,750)	(58.33%)	▼
Recreation and Culture		3,785,636	2,237,530	66,636		(2,170,894)	(57.35%)	▼
Transport		2,183,701	1,621,082	681,834		(939,248)	(43.01%)	▼
Economic Services		7,823,912	4,563,930	4,750,000		186,070	2.38%	
Other Property and Services		125,170	73,017	125,170		52,153	41.67%	▲
Proceeds from Disposal of Assets	8	375,000	374,997	139,255	37%	(235,742)	(62.86%)	▼
Total Capital Revenues		15,748,419	9,719,306	5,762,895	37%	(3,956,411)		
Capital Expenses								
Land Held for Resale	12	0	0	0		0		
Land Under Control (Crown Land)	12	0	0	0		0		
Land and Buildings	12	(3,846,346)	(2,583,095)	(976,850)		1,606,245	41.76%	▲
Works in Progress Land & Buildings	12	0	0	0		0		
Works in Progress Recreation Areas								
Infrastructure	12	0	0	0		0		
Works in Progress - Rds, F/Paths & Bridges	12	0	0	0		0		
Works in Progress Other Infrastructure	12	0	0	0		0		
Works in Progress Drainage								
Infrastructure	12	0	0	0		0		

SHIRE OF BROOME
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 January 2018

	Note	Amended Annual Budget (a)	Amended YTD Budget (b)	YTD Actual (c)	%	Var. \$ (c)-(b)	Var. % (c)-(b)/(a)	Var.
Works in Progress Plant & Equipment	12	0	0	0		0		
Infrastructure Assets - Roads & Footpaths	12	(9,874,954)	(5,786,697)	(2,583,511)		3,203,186	32.44%	▲
Infrastructure Assets - Recreation Areas	12	(326,546)	(207,164)	(35,605)		171,559	52.54%	▲
Infrastructure Assets - Drainage	12	(390,000)	(227,500)	0		227,500	58.33%	▲
Infrastructure Assets - Other	12	(9,823,711)	(5,750,902)	(254,887)		5,496,015	55.95%	▲
Mobile Plant and Equipment	12	(1,449,000)	(1,440,232)	(387,679)		1,052,553	72.64%	▲
Fixed Plant and Equipment	12	(26,405)	(15,405)	(13,472)		1,933	7.32%	
Furniture and Equipment	12	(809,414)	(487,988)	(361,926)		126,062	15.57%	▲
Total Capital Expenditure		(26,546,376)	(16,498,983)	(4,613,929)	17%	11,885,054		
Net Cash from Capital Activities		(10,797,957)	(6,779,677)	1,148,966		7,928,643		
Financing								
Proceeds from New Debentures		3,656,053	0	0		0		
Proceeds from Advances		0	0	0		0		
Self-Supporting Loan Principal		0	0	0		0		
Transfer from Reserves	7	6,253,364	288,907	0		(288,907)	(4.62%)	
Advances to Community Groups		0	0	0		0		
Repayment of Debentures	10	(592,743)	(296,371)	(293,064)		3,307	0.56%	
Transfer to Reserves	7	(4,506,486)	(1,647,656)	(148,727)		1,498,929	33.26%	▲
Net Cash from Financing Activities		4,810,188	(1,655,120)	(441,791)		1,213,329		
Net Operations, Capital and Financing		(3,662,565)	1,196,510	16,427,875		15,231,365		
Opening Funding Surplus(Deficit)	3	3,606,464	3,606,464	3,606,464		0		
Closing Funding Surplus(Deficit)	3	(56,101)	4,802,974	20,034,339		15,231,365		

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.
Refer to Note 2 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF BROOME
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 31 January 2018

	Note	Amended Annual Budget (a)	Amended YTD Budget (b)	YTD Actual (c)	%	Var. \$ (c)-(b)	Var. % (c)-(b)/(a)	Var.
Operating Revenues		\$	\$	\$		\$	%	
Rates	9	21,927,252	21,923,083	21,889,477		(33,606)	(0.15%)	
Operating Grants, Subsidies and Contributions		2,889,389	1,893,610	1,085,778		(807,832)	(27.96%)	▼
Fees and Charges		10,885,791	6,420,302	6,995,804		575,502	5.29%	
Service Charges		0	0	0		0		
Interest Earnings		1,177,412	627,868	450,419		(177,449)	(15.07%)	▼
Other Revenue		847,699	498,810	552,524		53,714	6.34%	
Profit on Disposal of Assets	8	1,000	999	0		(999)	(99.90%)	
Total Operating Revenue		37,728,543	31,364,672	30,974,002	82%	(389,671)		
Operating Expense								
Employee Costs		(15,553,817)	(9,083,152)	(8,256,565)		826,587	5.31%	
Materials and Contracts		(14,391,125)	(9,118,207)	(4,205,299)		4,912,908	34.14%	▲
Utility Charges		(2,055,610)	(1,199,037)	(1,114,124)		84,913	4.13%	
Depreciation on Non-Current Assets		(13,766,535)	(8,104,921)	(7,619,548)		485,373	3.53%	
Interest Expenses		(119,838)	(59,920)	(59,351)		569	0.47%	
Insurance Expenses		(631,178)	(631,174)	(629,226)		1,948	0.31%	
Other Expenditure		(2,650,771)	(1,640,876)	(988,741)		652,135	24.60%	▲
Loss on Disposal of Assets	8	(191,276)	(191,274)	(82,036)		109,238	57.11%	▲
Total Operating Expenditure		(49,360,150)	(30,028,561)	(22,954,890)	47%	6,964,433		
Funding Balance Adjustments								
Add back Depreciation		13,766,535	8,104,921	7,619,548		(485,373)	(3.53%)	
Adjust (Profit)/Loss on Asset Disposal	8	190,276	190,275	82,036		(108,239)	(56.89%)	▼
Adjust Revaluation, Provisions and Accruals		0	0	0		0		
Net Cash from Operations		2,325,204	9,631,307	15,720,696		5,981,150		
Capital Revenues								
Grants, Subsidies and Contributions		15,373,419	9,344,309	5,623,641		(3,720,668)	(24.20%)	▼
Proceeds from Disposal of Assets	8	375,000	374,997	139,255	37%	(235,742)	(62.86%)	▼
Total Capital Revenues		15,748,419	9,719,306	5,762,896	37%	(3,956,410)		
Capital Expenses								
Land and Buildings	12	(3,846,346)	(2,583,095)	(976,850)		1,606,245	41.76%	▲
Infrastructure Assets - Roads & Footpaths	12	(9,874,954)	(5,786,697)	(2,583,511)		3,203,186	32.44%	▲
Infrastructure Assets - Recreation Areas	12	(326,546)	(207,164)	(35,605)		171,559	52.54%	▲
Infrastructure Assets - Drainage	12	(390,000)	(227,500)	0		227,500	58.33%	▲
Infrastructure Assets - Other	12	(9,823,711)	(5,750,902)	(254,887)		5,496,015	55.95%	▲
Mobile Plant and Equipment	12	(1,449,000)	(1,440,232)	(387,679)		1,052,553	72.64%	▲
Fixed Plant and Equipment	12	(26,405)	(15,405)	(13,472)		1,933	7.32%	
Furniture and Equipment	12	(809,414)	(487,988)	(361,926)		126,062	15.57%	▲
Total Capital Expenditure		(26,546,376)	(16,498,983)	(4,613,929)	17%	11,885,054		
Net Cash from Capital Activities		(10,797,957)	(6,779,677)	1,148,967		7,928,644		
Financing								
Proceeds from New Debentures		3,656,053	0	0		0		
Transfer from Reserves	7	6,253,364	288,907	0		(288,907)	(4.62%)	
Advances to Community Groups		0	0	0		0		
Repayment of Debentures	10	(592,743)	(296,371)	(293,064)		3,307	0.56%	
Transfer to Reserves	7	(4,506,486)	(1,647,656)	(148,727)		1,498,929	33.26%	▲
Net Cash from Financing Activities		4,810,188	(1,655,120)	(441,791)		1,213,329		
Net Operations, Capital and Financing		(3,662,565)	1,196,510	16,427,872		15,123,123		
Opening Funding Surplus(Deficit)	3	3,606,464	3,606,464	3,606,464		0		
Closing Funding Surplus(Deficit)	3	(56,101)	4,802,974	20,034,336		15,123,123		

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold
Refer to Note 2 for an explanation of the reasons for the variance

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF BROOME
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 31 January 2018

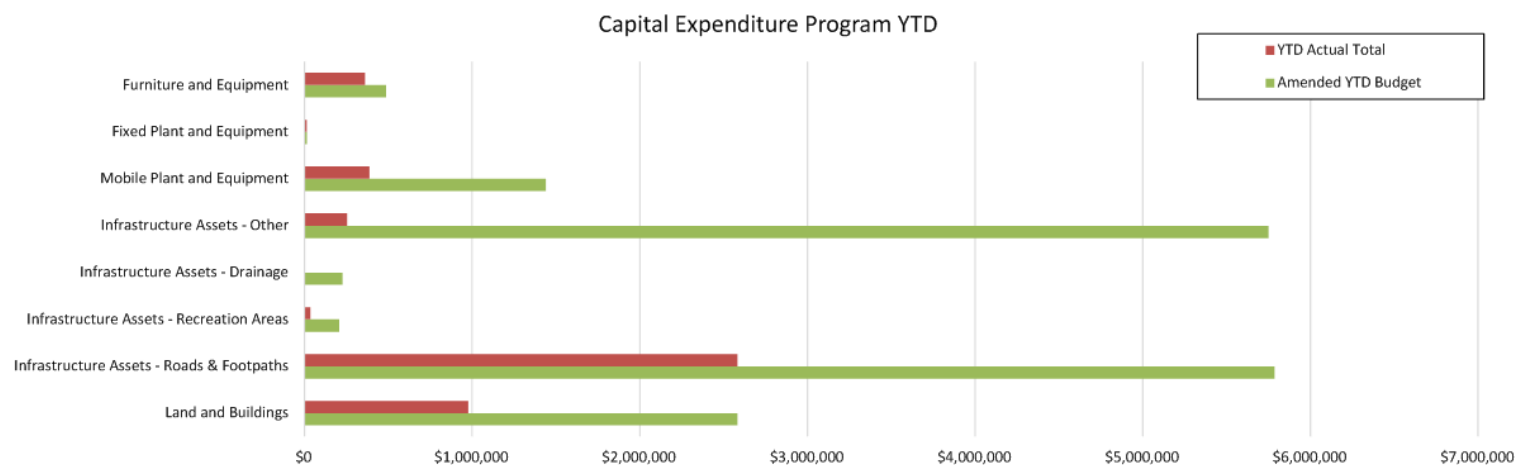
Capital Acquisitions	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	YTD Actual Total (c) = (a)+(b)	Amended YTD Budget (d)	Amended Annual Budget	Variance (d) - (c)
		\$	\$	\$	\$	\$	\$
Land and Buildings	12	815,865	160,985	976,850	2,583,095	3,846,346	(1,606,245)
Infrastructure Assets - Roads & Footpaths	12	2,154,952	428,559	2,583,511	5,786,697	9,874,954	(3,203,186)
Infrastructure Assets - Recreation Areas	12	279	35,326	35,605	207,164	326,546	(171,559)
Infrastructure Assets - Drainage	12	0	0	0	227,500	390,000	(227,500)
Infrastructure Assets - Other	12	245,970	8,917	254,887	5,750,902	9,823,711	(5,496,015)
Mobile Plant and Equipment	12	0	387,679	387,679	1,440,232	1,449,000	(1,052,553)
Fixed Plant and Equipment	12	0	13,472	13,472	15,405	26,405	(1,933)
Furniture and Equipment	12	361,926	0	361,926	487,988	809,414	(126,062)
Capital Expenditure Totals		3,578,992	1,034,937	4,613,929	16,498,983	26,546,376	(11,885,054)

Funded By:

Capital Grants and Contributions	5,623,641	9,344,309	15,373,419	3,720,668
Borrowings	0	0	3,656,053	0
Other (Disposals & C/Fwd)	139,255	374,997	375,000	(235,742)
Total Own Source Funding - Cash Backed Reserves	0	288,907	6,253,364	(288,907)
Own Source Funding - Operations	(1,148,967)	6,490,770	888,540	(7,639,737)
Capital Funding Total	4,613,929	16,498,983	26,546,376	(11,885,054)

SHIRE OF BROOME
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 31 January 2018

Capital Acquisitions	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	YTD Actual Total (c) = (a)+(b)	Amended YTD Budget (d)	Amended Annual Budget	Variance (d) - (c)
----------------------	------	-----------------------------------	--	-----------------------------------	------------------------------	--------------------------	-----------------------



SHIRE OF BROOME
STATEMENT OF BUDGET AMENDMENTS
(Statutory Reporting Program)
For the Period Ended 31 January 2018

	Adopted Budget	Adopted Budget Amendments (Note 5)	Amended Annual Budget	Amended YTD Budget (a)
Operating Revenues	\$	\$	\$	\$
Governance	28,450	0	28,450	15,721
General Purpose Funding - Rates	22,321,672	40,000	22,361,672	22,193,152
General Purpose Funding - Other	939,879	(81,799)	858,080	623,111
Law, Order and Public Safety	133,795	45,000	178,795	132,212
Health	184,700	5,000	189,700	148,969
Education and Welfare	15,000	0	15,000	8,750
Housing	628,275	0	628,275	366,464
Community Amenities	7,492,240	7,000	7,499,240	4,362,646
Recreation and Culture	1,361,545	21,567	1,383,112	816,788
Transport	1,798,076	(140,151)	1,657,925	1,015,007
Economic Services	881,553	11,000	892,553	501,896
Other Property and Services	1,986,836	48,905	2,035,741	1,179,956
Total Operating Revenue	37,772,021	(43,478)	37,728,543	31,364,672
Operating Expense				
Governance	(2,284,817)	(48,303)	(2,333,120)	(1,469,623)
General Purpose Funding	(647,688)	0	(647,688)	(351,877)
Law, Order and Public Safety	(1,084,935)	(63,035)	(1,147,970)	(699,173)
Health	(798,432)	26	(798,406)	(468,487)
Education and Welfare	(688,681)	0	(688,681)	(407,985)
Housing	(789,497)	0	(789,497)	(462,302)
Community Amenities	(9,492,966)	2,464	(9,490,502)	(6,042,585)
Recreation and Culture	(11,268,999)	(57,590)	(11,326,589)	(6,780,487)
Transport	(13,664,659)	(22,799)	(13,687,458)	(8,071,950)
Economic Services	(5,229,869)	(9,091)	(5,238,960)	(3,070,821)
Other Property and Services	(3,217,636)	6,357	(3,211,279)	(2,203,271)
Total Operating Expenditure	(49,168,179)	(191,971)	(49,360,150)	(30,028,561)
Funding Balance Adjustments				
Add back Depreciation	13,766,535	0	13,766,535	8,104,921
Adjust (Profit)/Loss on Asset Disposal	190,276	0	190,276	190,275
Adjust Provisions and Accruals	0	0	0	0
Net Cash from Operations	2,560,653	(235,449)	2,325,204	9,631,307
Capital Revenues				
Grants, Subsidies and Contributions	15,363,153	10,266	15,373,419	9,344,309
Proceeds from Disposal of Assets	375,000	0	375,000	374,997
Proceeds from Sale of Investments	0	0	0	0
Total Capital Revenues	15,738,153	10,266	15,748,419	9,719,306
Capital Expenses				
Land Held for Resale	0	0	0	0
Land Under Control (Crown Land)	0	0	0	0
Land and Buildings	(3,581,766)	(264,580)	(3,846,346)	(2,583,095)
Works in Progress Land & Buildings	0	0	0	0
Works In Progress Recreation Areas	0	0	0	0
Infrastructure	0	0	0	0
Works in Progress - Rds, F/Paths & Bridges	0	0	0	0
Works In Progress Other Infrastructure	0	0	0	0
Works in Progress Drainage Infrastructure	0	0	0	0
Works in Progress Plant & Equipment	0	0	0	0
Infrastructure Assets - Roads & Footpaths	(9,811,779)	(63,175)	(9,874,954)	(5,786,697)
Infrastructure Assets - Recreation Areas	(286,416)	(40,130)	(326,546)	(207,164)
Infrastructure Assets - Drainage	(390,000)	0	(390,000)	(227,500)
Infrastructure Assets - Other	(9,774,666)	(49,045)	(9,823,711)	(5,750,902)

SHIRE OF BROOME
STATEMENT OF BUDGET AMENDMENTS
(Statutory Reporting Program)
For the Period Ended 31 January 2018

	Adopted Budget	Adopted Budget Amendments (Note 5)	Amended Annual Budget	Amended YTD Budget (a)
Mobile Plant and Equipment	(1,449,000)	0	(1,449,000)	(1,440,232)
Fixed Plant and Equipment	(26,400)	(5)	(26,405)	(15,405)
Furniture and Equipment	(771,414)	(38,000)	(809,414)	(487,988)
Total Capital Expenditure	(26,091,441)	(454,935)	(26,546,376)	(16,498,983)
Net Cash from Capital Activities	(10,353,288)	(444,669)	(10,797,957)	(6,779,677)
Financing				
Proceeds from New Debentures	3,656,053	0	3,656,053	0
Proceeds from Advances	0	0	0	0
Self-Supporting Loan Principal	0	0	0	0
Transfer from Reserves	6,101,682	151,682	6,253,364	288,907
Purchase of Investments	0	0	0	0
Advances to Community Groups	0	0	0	0
Repayment of Debentures	(592,743)	0	(592,743)	(296,371)
Transfer to Reserves	(3,251,680)	(1,254,806)	(4,506,486)	(1,647,656)
Net Cash from Financing Activities	5,913,312	(1,103,124)	4,810,188	(1,655,120)
Net Operations, Capital and Financing	(1,879,323)	(1,783,242)	(3,662,565)	1,196,510
Opening Funding Surplus(Deficit)	1,879,323	1,727,141	3,606,464	3,606,464
Closing Funding Surplus(Deficit)	0	(56,101)	(56,101)	4,802,974

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

1. SIGNIFICANT ACCOUNTING POLICIES

(a) Basis of Accounting

This statement comprises a general purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this statement are presented below and have been consistently applied unless stated otherwise.

Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

Critical Accounting Estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

(b) The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in this statement.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated.

All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 11.

(c) Rounding Off Figures

All figures shown in this statement are rounded to the nearest dollar.

(d) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(e) Goods and Services Tax

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable or payable.

The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(f) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.

Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

(g) Trade and Other Receivables

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

(h) Inventories

General

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Land Held for Resale

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed.

Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point.

Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

(i) Fixed Assets

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead.

Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(j) Depreciation of Non-Current Assets

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation rates and periods are:

Buildings	40 to 50 years
Construction other than Buildings (Public Facilities)	40 to 50 years
Furniture and Equipment	10 years
Plant and Equipment	4 to 15 years
Roads	15 to 100 years
Footpaths	50 years
Sewerage Piping	60 years
Water Supply Piping and Drainage Systems	60 years

(k) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

(l) Employee Benefits

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the Shire has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Shire expects to pay and includes related on-costs.

(ii) Annual Leave and Long Service Leave (Long-term Benefits)

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the project unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the Shire does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(m) Interest-bearing Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs.

After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

Borrowing Costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

(n) Provisions

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses.

Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one of item included in the same class of obligations may be small.

(o) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non current based on Council's intentions to release for sale.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(p) Nature or Type Classifications

Rates

All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service charges.

Operating Grants, Subsidies and Contributions

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

Non-Operating Grants, Subsidies and Contributions

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

Profit on Asset Disposal

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.

Fees and Charges

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

Service Charges

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies the These are television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

Interest Earnings

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

Other Revenue / Income

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

Employee Costs

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

Materials and Contracts

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

Utilities (Gas, Electricity, Water, etc.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(q) Nature or Type Classifications (Continued)

Insurance

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

Loss on asset disposal

Loss on the disposal of fixed assets.

Depreciation on non-current assets

Depreciation expense raised on all classes of assets.

Interest expenses

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

Other expenditure

Statutory fees, taxes, provision for bad debts, member's fees or levies including WA Fire Brigade Levy and State taxes. Donations and subsidies made to community groups.

(r) Statement of Objectives

Council has adopted a 'Plan for the future' comprising a Strategic Community Plan and Corporate Business Plan to provide the long term community vision, aspirations and objectives.

Based upon feedback received from the community the vision of the Shire is:

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

The Strategic Community Plan defines the key objectives of the Shire as:

"Our People Goal - Foster a community environment that is accessible, affordable, inclusive, healthy and safe.

Our Place Goal - Help to protect the natural and built environment and Cultural heritage of Broome whilst recognising the unique sense of place

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

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

(s) Reporting Programs

Council operations as disclosed in this statement encompass the following service orientated activities/programs:

GOVERNANCE

Expenses associated with provision of services to members of council and elections. Also included are costs associated with computer operations, corporate accounting, corporate records and asset management. Costs reported as administrative expenses are redistributed in accordance with the principle of activity based costing (ABC).

GENERAL PURPOSE FUNDING

Rates and associated revenues, general purpose government grants, interest revenue and other miscellaneous revenues such as commission on Police Licensing. The costs associated with raising the above mentioned revenues, eg. Valuation expenses, debt collection and overheads.

LAW, ORDER, PUBLIC SAFETY

Enforcement of Local Laws, fire prevention, animal control and provision of ranger services.

HEALTH

Health inspection services, food quality control, mosquito control and contributions towards provision of medical health services.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(s) Reporting Programs (Continued)

HOUSING

Provision and maintenance of rented housing accommodation for pensioners and employees.

COMMUNITY AMENITIES

Sanitation, sewerage, stormwater drainage, protection of the environment, public conveniences, cemeteries and town planning.

RECREATION AND CULTURE

Parks, gardens and recreation reserves, library services, television and radio re-broadcasting, swimming facilities, walk trails, youth recreation, Shark Bay World Heritage Discovery and Visitor Centre, boat ramps, foreshore, public halls and Shark Bay Recreation Centre.

TRANSPORT

Construction and maintenance of roads, footpaths, drainage works, parking facilities, traffic control, depot operations, plant purchase, marine facilities and cleaning of streets.

ECONOMIC SERVICES

Tourism, community development, pest control, building services, caravan parks and private works.

OTHER PROPERTY & SERVICES

Plant works, plant overheads and stock of materials.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

Note 2: EXPLANATION OF MATERIAL VARIANCES

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Operating Revenues	\$	%			
Governance	(9,803)	(34.46%)		Timing	Variance is due to Youth Coordinating Committee grants not being received.
General Purpose Funding - Rates	66,272	0.30%			
General Purpose Funding - Other	(194,071)	(22.62%)	▼	Timing	FAAGS grant being received earlier than budgeted. This will be normalised as the year progresses.
Law, Order and Public Safety	(10,057)	(5.62%)		Timing	Variance is due to a number of income accounts being up against year-to-date budget. This may normalise as the year progresses.
Health	6,508	3.43%			
Education and Welfare	6,250	41.67%		Timing	Variance is due to Grants for Community Programs being received early than budgeted.
Housing	(31,195)	(4.97%)		Timing	Variance is due to the income being budgeted evenly, this will normalise as the year progresses.
Community Amenities	422,578	5.63%		Timing	Variance is due to the recognition of the refuse and recycling charges applied as part of the 2017-18 rates billing.
Recreation and Culture	(88,755)	(6.42%)		Timing	Variance is due to Haynes Oval & Civic Centre income due for invoicing. This may normalise as the year progresses.
Transport	(680,310)	(41.03%)	▼	Timing	Variance is due to a WANDRRA grant having not yet been received.
Economic Services	112,325	12.58%	▲	Timing	Variance is due to the Chinatown Revitalisation Grant and bulk of Pool inspection fees collected in advance.
Other Property and Services	9,590	0.47%		Timing	
Operating Expense					
Governance	246,392	10.56%	▲	Timing	Variance is due to Council sitting fee are now paid monthly rather than quarterly & Wages in Governance has been charged to relief staff account.
General Purpose Funding	141,859	21.90%	▲	Timing	Variance is predominantly due to GRV revaluation expenses having not yet been incurred.
Law, Order and Public Safety	(165,439)	(14.41%)	▼	Timing	Variance is predominantly due to less spent on Bush Fire Mitigation & Pound fees for Animal control.
Health	40,718	5.10%		Permanent	Variance is due to unspent/savings on salaries
Education and Welfare	102,320	14.86%	▲	Permanent	Variance is predominantly due to unspent/saving on salaries in Community Services.
Housing	38,137	4.83%			Variance is due to staff rent being paid in advance this will normalise as the year progresses.
Community Amenities	2,029,166	21.38%	▲	Timing	Variance due to unspent funds on bin replacement, new refuse site and generally reduced tip activity.
Recreation and Culture	603,391	5.33%		Timing	Variance is predominantly due to unspent/saving on salaries in BRAC & Jetty to Jetty design-Consultant expenses
Transport	1,139,882	8.33%			Variance is predominantly due to less spent on Urban, Rural Rd maintenance projects & Street lighting.
Economic Services	1,794,103	34.25%	▲	Timing	Variance is mostly due to the Chinatown Revitalisation feasibility studies having not yet commenced.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

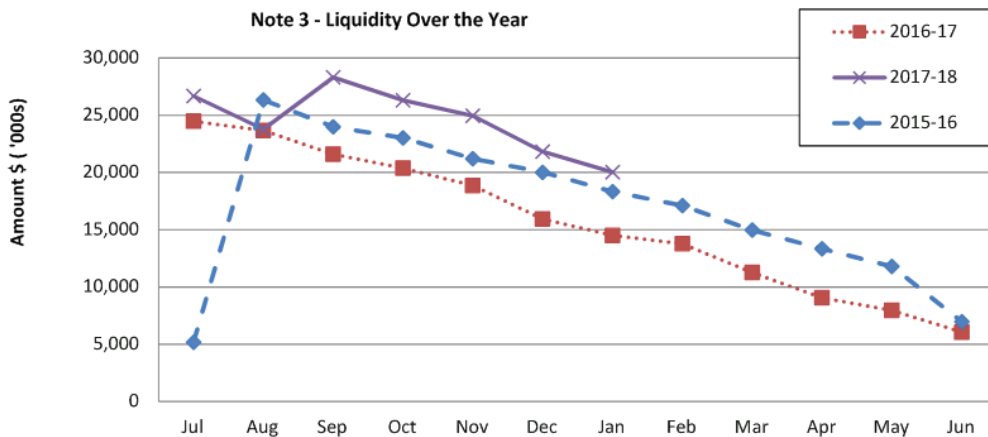
Note 2: EXPLANATION OF MATERIAL VARIANCES

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Other Property and Services	1,103,144	34.35%	▲	Permanent	Variance is due to delayed acquisition of plant and equipment & ther expenses like Engineering HRM Consultancy, LGIS insurance being less spent to budgeted.
Capital Revenues					
Grants, Subsidies and Contributions	(3,720,669)	(24.20%)	▼	Timing	Variance is predominantly with the Grant funding due for Town Beach- Building Better Regions project.
Proceeds from Disposal of Assets	(235,742)	(62.86%)	▼	Timing	Only a small number of plant have been disposed of at this time. This will normalise during the year.
Capital Expenses					
Land and Buildings	1,606,245	41.76%	▲	Timing	Variance is due the KRO Building Renewal and Volunteer Bush Fire Brigade building projects having not yet commenced.
Infrastructure Assets - Roads & Footpaths	3,203,186	32.44%	▲	Timing	Variance is mostly due to the Dampier St and Carnarvon St upgrade projects having not yet commenced
Infrastructure Assets - Recreation Areas	171,559	52.54%	▲	Timing	Variance is due to a number of renewal accounts being down against budget. This is likely to normalise throughout the year
Infrastructure Assets - Drainage	227,500	58.33%	▲	Timing	Variance is due the Hamersley St Drainage upgrade project having not yet commenced.
Infrastructure Assets - Other	5,496,015	55.95%	▲	Timing	Variance is due to the Town Beach Redevelopment project having not yet commenced.
Mobile Plant and Equipment	1,052,553	72.64%	▲	Timing	Most items of plant have yet to be ordered. This will normalise throughout the year.
Fixed Plant and Equipment	1,933	7.32%		Timing	Variance is due to invoices to be received for the services being provided for the BRAC aquatic project upgrade
Furniture and Equipment	126,062	15.57%	▲	Timing	Variance is due to numerous IT projects having not yet commenced.
Financing					
Transfer from Reserves	(288,907)	(4.62%)			
Advances to Community Groups	0				
Loan Principal	3,307	0.56%			
Transfer to Reserves	1,498,929	33.26%	▲	Timing	A number of recommendations for the use of the additional 2016-17 surplus resulted in amendments made to transfers to a number of reserves. However, the reconciliation of the transfers to & from reserve are done at the EOFY. This variance will diminish after those processes.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

Note 3: NET CURRENT FUNDING POSITION

		Positive=Surplus (Negative=Deficit)		
	Note	YTD 31 Jan 2018	30 Jun 2017	YTD 31 Jan 2017
		\$	\$	\$
Current Assets				
Cash Unrestricted	4	18,032,002	6,223,947	12,613,778
Cash Restricted	4	31,531,165	31,382,437	29,183,468
Receivables - Rates	6	3,139,300	850,382	3,338,794
Receivables - Rates Other		216,298	57,991	180,237
Receivables - Debtors	6	426,530	532,320	242,230
Receivables - Other		71,978	300,008	129,837
Sundry Provisions & Accruals		36,998	139,356	46,218
Inventories		37,721	36,645	25,669
		53,491,991	39,523,087	45,760,231
Less: Current Liabilities				
Payables		(1,293,537)	(3,479,565)	(1,427,277)
Provisions		(625,898)	(1,054,622)	(641,896)
		(1,919,435)	(4,534,187)	(2,069,173)
Less: Cash Reserves	7	(31,531,164)	(31,382,437)	(29,183,468)
Rounding and Timing Adjustment		(7,053)		
Net Current Funding Position		20,034,339	3,606,462	14,507,590



Comments - Net Current Funding Position

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

Note 4: CASH AND INVESTMENTS

	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Total Amount \$	Institution	Maturity Date
(a) Cash Deposits							
Municipal Bank Account	0.15%	4,601,617			4,601,617	CommBank	At Call
Business Online Saver	0.60%	1,369,675			1,369,675	CommBank	At Call
BRAC Bank Account	0.10%	88,897			88,897	CommBank	At Call
BPAY Bank Account	0.00%	0			0	CommBank	At Call
Reserve Bank Account	0.60%		13,568		13,568	CommBank	At Call
Trust Bank Account	0.00%			896,625	896,625	CommBank	At Call
Cash On Hand	Nil	4,400			4,400	N/A	On Hand
(b) Term Deposits							
Term Deposit	2.64%		20,000,000		20,000,000	CBA	18-Jun-18
Term Deposit	2.50%		11,517,597		11,517,597	BWA	12-Jun-18
Term Deposit	2.35%	4,015,967			4,015,967	BWA	09-Mar-18
Term Deposit	2.50%	4,000,000			4,000,000	NAB	08-Feb-18
Term Deposit	2.51%	4,000,000			4,000,000	NAB	09-Apr-18
WATC grant in Trust				3,979,536	3,979,536	WATC	
Total		18,080,556	31,531,165*	4,876,161‡	54,487,882		
Adjustments							
Payment Timing Adjustments**		48,555					
Add back Cash on Hand		4,400					
Total		18,027,602					

Comments/Notes - Investments

*Note - The total of Restricted Cash balances to the reserves on Note 7

**NOTE - Payment Timing adjustments indicate payments that have been recorded on the ledger but have yet to be paid out of the bank. The bank accounts are reconciled monthly to ensure no discrepancies occur.

‡Note - A discrepancy between Trust balance and the balance of Note 11 is a result of money in transit, either as a refund or a payment, or an unrepresented cheque.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

Note 5: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Job Number	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
		Budget Adoption		Opening Surplus	\$	\$	\$	\$
		Permanent Changes						0
		Opening surplus adjustment				1,727,141		1,727,141
		Budgeted EOY Surplus/(Deficit)					0	1,727,141
		General Purpose Funding						
30301		Grants Commission - Op Inc - Other General Purpose Funding		Operating Income			(81,799)	1,645,342
30146		Interest - Rates Instalments - Op Inc - Rates		Operating Income		40,000		1,685,342
								1,685,342
		Governance						
22230		Legal Exps Op Exp - Other Governance		Operating Expenditure			(42,215)	1,643,127
23040		Youth Development Programme & Working Group - Op Exp - Other Governance		Operating Expenditure			(6,543)	1,636,584
22172		Community Sponsorship Program - Op Exp - Other Governance		Operating Expenditure			(4,545)	1,632,039
22172		Community Sponsorship Program - Op Exp - Other Governance		Operating Expenditure			(5,000)	1,627,039
23596		Transfer From Community Sponsorship Reserve Cap Inc - Other Gov		Capital Income		5,000		1,632,039
22124		Contribution to Kimberley Zone Secretariat		Operating Expenditure		10,000		1,642,039
		Law, Order and Public Safety						
508216		Bush Fire Mitigation - Op Exp - Fire Prevention		Operating Expenditure			(6,535)	1,635,504
51400		Fines - Op Inc - Fire Prevention		Operating Income		5,000		1,640,504
51410		User Charges - Fire - Slashing Etc - Op Inc - Fire Prevention		Operating Income		40,000		1,680,504
508216		Bush Fire Mitigation - Op Exp - Fire Prevention		Operating Expenditure			(40,000)	1,640,504
53017		Fines Enforcement Registry Exp - Op Exp - Ranger Operations		Operating Expenditure			(4,000)	1,636,504
53174		VBFB Buildings Renewal - Cap Ex - VBFB		Capital Expenditure			(5,580)	1,630,924
52011		Reimbursement Exp - Op Exp - Animal Control		Operating Expenditure			(12,500)	1,618,424
		Health						
75020		Mosquito Control & Pest Control - Op Exp - Preventive Service- Pest Control		Operating Expenditure		26		1,618,450
717599		Transfer From Restricted Cash Reserve - Cap Inc - Health Service - Pest Control		Capital Income		6,974		1,625,424

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

Note 5: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Job Number	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
74490		Trading Licences - All Except Beach - Op Inc - Prevent - Inspection/Admin		Operating Income		5,000		1,630,424
								1,630,424
		Education and Welfare						
82600		Salary - Op Exp - Community Services		Operating Expenditure		2,866		1,633,290
82610		Relief Staff - Op Exp - Community Services)		Operating Expenditure			(2,866)	1,630,424
		Housing						
95810		Building Staff Housing - Cap Exp - New		Capital Expenditure			(179,000)	1,451,424
95910		Transfer From Building Reserve - Staff Housing - Cap Inc		Capital Income		179,000		1,630,424
		Community Amenities						
105546	105550	Project - Broome Townsite Coastal Hazard Risk Mgt & Adaptation Plan Consult -Op Exp - Prot of Envrn		Operating Expenditure		464		1,630,888
105541		Coastal Grants & Reimb Rec'd		Operating Income		5,000		1,635,888
104281		Transfer to Drainage Reserve - Cap Exp - Urban Stormwater Drainage		Capital Expenditure			(250,000)	1,385,888
106420		Rezoning Fees (Incl GST) - Op Inc - Town Planning/Regional Devel		Operating Income			(5,000)	1,380,888
106421		Rezoning Fees (Excl GST) - Op Inc - Town Planning		Operating Income		5,000		1,385,888
103480		Septic Tank Fees - Op Inc - Sewerage		Operating Income		2,000		1,387,888
102210		Drainage Consultant/Strategy - op Exp - Urban Stormwater Drainage		Operating Expenditure		22,000		1,409,888
104281		Transfer to Drainage Reserve - Cap Exp - Urban Stormwater Drainage		Capital Expenditure			(45,467)	1,364,421
106038		Legal Expenses - Development Services		Operating Expenditure			(20,000)	1,344,421
								1,344,421
		Recreation and Culture						
117132		Plant & Equip Renewal/Replacement - Cap Exp - BRAC - Aquatic		Capital Expenditure			(5)	1,344,416
116151		Non Operating Grants Other Culture - Non Op Inc		Capital Income		66,636		1,411,052
113708		Grant Funded Operational Expense - Rec Serv		Operating Expenditure			(6,684)	1,404,368
117010	117011	Aquatic Building & Pool General Maint Exp		Operating Expenditure			(11,940)	1,392,428
117414		Grant Non Op - BRAC Aquatic - Cap Inc MUN		Capital Income			(169,717)	1,222,711
117210		BRAC Ovals Maint - Op Exp		Operating Expenditure			(15,000)	1,207,711

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

Note 5: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Job Number	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
111989		Transfer to POS Reserve - Cap Exp - Parks & Ovals		Capital Expenditure			(377,739)	829,972
1181420	YBRA001	Youth Bike Recreation Area - New Construction - Cap Exp		Capital Expenditure			(40,130)	789,842
113403		Grants - Non Op - Cap Inc - Other Rec & Sport		Capital Income			(5,000)	784,842
117003		Relieving Staff Exp - Op Ex - BRAC Aquatic		Operating Expenditure			(6,200)	778,642
113411		Venue Hire Inc - Amphitheatre & Oth Rec Areas (not Ovals) - Op Inc - Other Rec & Sport		Operating Income			(6,500)	772,142
113417		Event Application Fee (No GST) Male Oval & Concourse - Op Inc - Other Rec & Sport		Operating Income		5,000		777,142
113418		Event application Fee (No GST) Town Beach Hire - Op Inc - Other Rec & Sport		Operating Income		1,500		778,642
116184	116196	Staircase to the Moon Event Management Op Exp - Other Cult		Operating Expenditure		3,400		782,042
113420		Sundry Contributions - Op Inc - Parks & Ovals		Operating Income		21,567		803,609
1181201		Jetty to Jetty Town Beach - Design/Plans/Feasibility - Op Exp - Other Recreation & Sport		Operating Expenditure			(21,166)	782,443
117000	117052	BRAC - Operating Expense, Security & Insurance - Op Exp		Operating Expenditure		4,844		787,287
117000	117048	BRAC Cleaning Materials & Contractor expenses		Operating Expenditure			(4,844)	782,443
117010	117012	BRAC Wet - Planned Maint & Minor Works - Op Exp		Operating Expenditure		5,670		788,113
117218	117221	Medland Pavilion - Planned Maint & Minor Works - Op Exp		Operating Expenditure			(5,670)	782,443
		Transport						
121100	RU433	Hammersley Napier Black Spot Project - Cap Exp		Capital Expenditure			(73)	782,370
121501	RU12	Crab Creek Road - SLK 1.53 to 2.13 - New alignment from BR Ind. - Cap Ex - Upgrade		Capital Expenditure		84,875		867,245
121906		Transfer From Restricted Cash Reserve - Road Constructor		Capital Income			(84,802)	782,443
120305		WALGGC Road Grants Untied Op Grant Rec'd		Operating Income			(103,450)	678,993
121761		Aboriginal Roads Non Op Grant from MRWA - Op Inc - Rd Const		Capital Income			(8,000)	670,993
121950		Transfer to Road Reserve - Cap Exp - Cons Streets Roads Bridges Dep		Capital Expenditure			(250,000)	420,993
125950		Transfer to Footpath Reserve		Capital Expenditure			(331,600)	89,393
120306		Dep't Premier & Cabint Natural Disaster Grant - Cape Leveque Rd		Operating Income		22,799		112,192
123000	122197	WANDRRA Event - Works Maint		Operating Expenditure			(22,799)	89,393
125960		Transfer From Footpath Reserve - Footpath Construction		Capital Income		21,630		111,023
125140	125192	Palmer Road - Footpath Construction		Capital Expenditure			(15,130)	95,893

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

Note 5: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Job Number	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
125140	121597	Frangiapani Subdivision Footpath Construction Expense - Cap Exp		Capital Expenditure			(6,500)	89,393
121762		State Direct MRWA/RRG Rd Maint Op Grant Rec'd		Operating Income			(59,500)	29,893
121501	121540	Cape Leveque Rd Upgrade Const - Cap Exp (See 121507 for Reforms & Drainage)		Capital Expenditure			(93,667)	(63,774)
121770		Rds to Recovery Grant for Rural Rds - Non Op Inc - Rd Const		Capital Income			(122,123)	(185,897)
121776		Rds To Recovery Non Op Grant for Urban Rds - Non Op Inc		Capital Income		390,470		204,573
121778		Regional Rd Group (RRG) Rural Rd Const Funding - Non Op Inc-Rd Const		Capital Income			(295,000)	(90,427)
121779		Regional Rd Group (RRG) Urban Rd Const Funding - Non Op Inc - Rd Const		Capital Income		153,000		62,573
121101	121552	Hunter St Renewal Rd Infra Const - Capex (was Herbert st)		Capital Expenditure			(32,680)	29,893
122000	121011	Sector 1 Chinatown - Works Maint		Operating Expenditure		9,000		38,893
122000	121025	Sector 2 Cable Beach - Works Maint		Operating Expenditure		10,000		48,893
122000	121026	Sector 3 Old Broome - Works Maint		Operating Expenditure		10,000		58,893
122000	121029	Sector 6 Broome North / Blue Haze - Works Maint		Operating Expenditure		9,000		67,893
122000	121027	Sector 4 Sunset Park - Works Maint		Operating Expenditure		6,000		73,893
123000	123000	Mtce Strees, Rds - Rural Summary Budget Only -No Post-Op Exp		Operating Expenditure			(44,000)	29,893
		Economic Services						
132141	132142	Pearl Luger Const Upgrade - Cap Exp - Tourism		Capital Expenditure			(25,165)	4,728
1365495	136549	New Caravan Dumping Point - Other Infrastructure - Tourism & Transfer From Restricted Cash Reserve - Tourism & Area		Capital Expenditure			(23,880)	(19,152)
132938		Promotion		Capital Income		23,880		4,728
133480		Other Minor Charges Inc GST - Op Inc - Building Control		Operating Income		11,000		15,728
1367210		Economic Development Program Expense - Op Exp - Other Economic Services		Operating Expenditure			(9,091)	6,637
		Other Property and Services						
142043		Organisational Training - General		Operating Expenditure		8,117		14,754
142232		LGIS Insurance Funded Expenses (Inc in 142393) - Op Exp - Corp Gov		Operating Expenditure		594		15,348
143038		Consultants Engineering Office		Operating Expenditure			(43,800)	(28,452)
143405		Grant Op - R4R KRGS - Op Inc - Eng Off		Operating Income		37,785		9,333
147371		Shire Office Barker St - Building Upgrade Wks - Cap Exp - Corp Gov Support		Capital Expenditure			(80,000)	(70,667)

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

Note 5: BUDGET AMENDMENTS

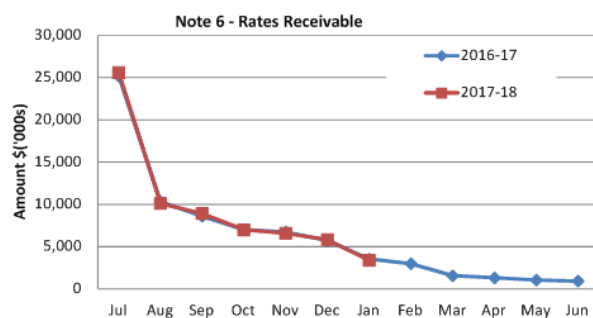
Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Job Number	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
146122		Software >\$5000 Cap Exp - IT		Capital Expenditure			(38,000)	(108,667)
143010		Salary - Op Exp - Engineering Office		Operating Expenditure		15,610		(93,057)
143027		Relieving Staff - Op Exp - Engineering		Operating Expenditure			(15,610)	(108,667)
143508		Wages & Related Sick & Holiday - P & G Ops		Operating Expenditure		32,400		(76,267)
143500		Salary - Op Exp - P & G (Management)		Operating Expenditure		35,000		(41,267)
143523		Superannuation Employee Expense - P & G Management		Operating Expenditure		5,000		(36,267)
148010		Salary - Op Exp - Works (Management)		Operating Expenditure		55,000		18,733
148015		Superannuation Employee Expense - Works Management		Operating Expenditure		12,000		30,733
143049		Relieving Staff Exp - P&G - Gen Admin		Operating Expenditure			(100,000)	(69,267)
143055		Relieving Staff Exp - Works - Gen Admin		Operating Expenditure			(60,000)	(129,267)
145104		Plant Insurance & Licences - Op Exp - Plant Operation		Operating Expenditure		54,000		(75,267)
143038		Consultants Engineering Office		Operating Expenditure		39,166		(36,101)
142006		Salary - Op Exp - Human Resources		Operating Expenditure		13,133		(22,968)
142008		Relieving Staff Exp - HR		Operating Expenditure			(13,133)	(36,101)
142015		All Employee Centrelink Paid Parental Leave - Op Exp - Gen Admin O'Heads		Operating Expenditure			(11,120)	(47,221)
142048		HRM Consultancy - Op Exp		Operating Expenditure			(20,000)	(67,221)
142395		All Employee Paid Parental Leave Reimb - Op Inc - Gen Admin O'Heads		Operating Income		11,120		(56,101)
					0	3,234,667	(3,290,768)	

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

Note 6: RECEIVABLES
Receivables - Rates Receivable

	YTD 31 Jan 2018	30 Jun 2017
	\$	\$
Opening Arrears Previous Years	850,382	819,335
Levied this year	21,889,477	21,460,516
Less Collections to date	(19,600,559)	(21,429,468)
Equals Current Outstanding	3,139,300	850,382
Net Rates Collectable	3,139,300	850,382
% Collected	86.19%	96.18%

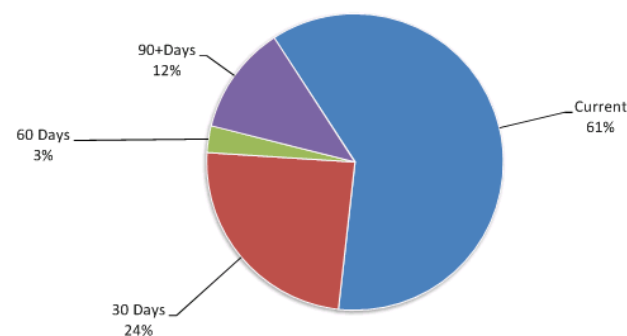

Comments/Notes - Receivables Rates

* NOTE - Rates were raised on 19 July 2017 and are due on 23 August 2017

**NOTE - The calculation of percentage of Rates collected only reports on current Rates, Arrears and Back Rates. For a full breakdown on Rates received, please see the Rates Receipt Statement in the info bulletin

Receivables - General	Credit*	Current	30 Days	60 Days	90+Days
		\$	\$	\$	\$
Receivables - General	(23,498)	274,261	109,125	13,074	53,568
Total Receivables General Outstanding					426,530

Amounts shown above include GST (where applicable)

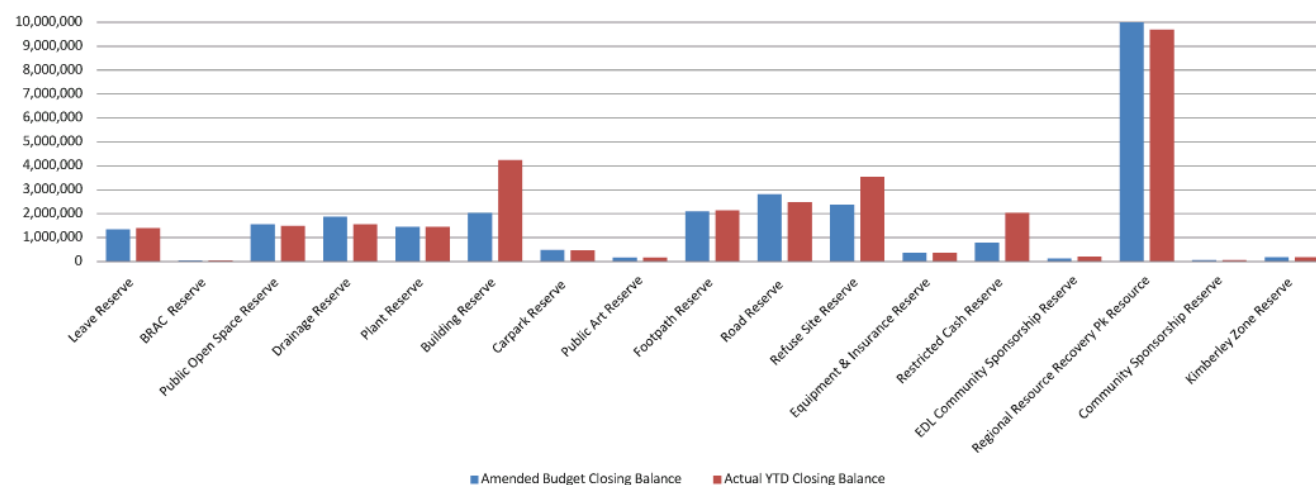
Receivables - General

Comments/Notes - Receivables General

* Note - A credit refers to a debtor paying more than required in the current billing period. It sits as a credit against the account until the following period when it is applied

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

Note 7: Cash Backed Reserve

2017-18										
Name	Opening Balance	Amended Budget Interest Earned	Actual Interest Earned	Amended Budget Transfers In (+)	Actual Transfers In (+)	Amended Budget Transfers Out (-)	Actual Transfers Out (-)	Transfer out Reference	Amended Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$		\$	\$
Leave Reserve	1,392,788	34,700	7,058	0	0	(84,441)	0		1,343,047	1,399,846
BRAC Reserve	52,963	100	268	0	0	0	0		53,063	53,231
Public Open Space Reserve	1,484,517	40,100	7,523	422,517	0	(400,000)	0		1,547,134	1,492,040
Drainage Reserve	1,538,937	40,600	7,799	295,467	0	0	0		1,875,004	1,546,736
Plant Reserve	1,445,001	39,600	7,323	0	0	(29,000)	0		1,455,601	1,452,324
Building Reserve	4,225,521	94,400	21,413	40,000	0	(2,320,326)	0		2,039,595	4,246,934
Carpark Reserve	472,478	12,800	2,394	0	0	0	0		485,278	474,872
Public Art Reserve	158,517	2,300	803	0	0	0	0		160,817	159,320
Footpath Reserve	2,124,387	57,500	10,765	331,600	0	(406,630)	0		2,106,857	2,135,152
Road Reserve	2,466,646	60,100	12,500	337,000	0	(50,000)	0		2,813,746	2,479,146
Refuse Site Reserve	3,531,100	83,400	17,894	0	0	(1,236,053)	0		2,378,447	3,548,994
Equipment & Insurance Reserve	365,710	9,900	1,853	0	0	0	0		375,610	367,563
Restricted Cash Reserve	2,033,576	0	0	0	0	(1,241,914)	0		791,662	2,033,576
EDL Community Sponsorship Reserve	210,361	4,400	1,066	0	(843)	(80,000)	0		134,761	210,584
Regional Resource Recovery Pk Resource	9,637,910	259,800	48,841	2,334,202	1	(400,000)	0		11,831,912	9,686,752
Community Sponsorship Reserve	61,986	1,300	314	0	0	(5,000)	0		58,286	62,300
Kimberley Zone Reserve	180,039	4,700	912	0	843	0	0		184,739	181,794
	31,382,437	745,700	148,726	3,760,786	1	(6,253,364)	0		29,635,559	31,531,164



SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

Note 8 CAPITAL DISPOSALS

Actual YTD Profit/(Loss) of Asset Disposal				Disposals	Amended Current Budget			Comments
Cost	Accum Depr	Proceeds	Profit (Loss)		YTD 31 Jan 2018			
					Amended Annual Budget Profit/(Loss)	Actual Profit/(Loss)	Variance	
\$	\$	\$	\$		\$	\$	\$	
				P Number Plant and Equipment				
				0 P113 Utility Crew Cab w Tray Isuzu D-Max SX Auto (Ranger 1) 1EHR084	(8,100)	0	0	
				0 P213 Utility Crew Cab w Tray Isuzu D-Max SX Man (Ranger 2) 1EHR085	(7,125)	0	0	
				0 P16512 ISUZU - D-MAX SX UTILITY - 4WD CREW - CAB (DSD - COMPLIANCE) 1EAD664	(7,200)	0	0	
				0 P10112 Isuzu D-Max SX 4x4 Crew Cab Ute (MHS) 1DXC557	(3,850)	0	0	
				0 P12112 Hyundai Santa Fe Wagon CRDI 4x4 (MCD) 1DWL167	(1,000)	0	0	
				0 P4412 Isuzu D-Max SX 4x4 Crew Cab Ute Canopy (MBS) 1DWL170	(3,900)	0	0	
				0 P7511 Isuzu D-Max SX Crew Cab 4WD Tray Top (Surveyor) 1DUD117	(3,900)	0	0	
				0 P11312 Isuzu D-Max SX 4x4 Crew Cab Ute Canopy (D&SE) 1DWL168	(3,900)	0	0	
				0 P3812 Isuzu D-Max SX 4x4 Crew Cab Ute Canopy (P&G) 1DWL184	(3,900)	0	0	
				0 P85807 TRAILER POLMAC DUAL AXLE - P&G	0	0	0	
				0 P6913 John Deere 1565 Front Deck Ride on Mower (P&Gs) 1ELL395	(2,267)	0	0	
				0 P6910 4WD Front Deck Mower John Deere 1565 BM28612	0	0	0	
				0 P10513 Mower Ride on Front Deck John Deere 1565 (P&Gs) 1GCB289	(1,495)	0	0	
95,500	(13,503)	(45,000)	(36,997)	0 P1910 Truck Tipper 8t Single Cab - P&Gs UD Nissan PK9	(40,400)	(36,997)	3,403	
				0 P2713 Utility Isuzu D-Max SX Space Cab w tray (Mowing 1. P&Gs) BM25118	(8,200)	0	0	
				0 P2512 Isuzu D-Max SX 4x4 Space Cab Alloy Tray (P&Gs) Retic 3 (1EAD681)	(5,850)	0	0	
				0 P6812 Isuzu D-Max SX 4x4 Space Cab Alloy Tray (P&Gs) Retic 1(1EAD682)	(5,850)	0	0	
				0 P6212 Isuzu D-Max SX 4x4 Crew Cab Steel Tray Top (P&Gs) Snr Supvr 1DWL178	(3,900)	0	0	
				0 P9112 Isuzu D-Max EX 4x4 Single Cab Steel Tipper Body (P&Gs) Supvr 1DYG927	(2,600)	0	0	
				0 P13611 Rota slasher Howard EHD180 (P&Gs)	0	0	0	
				0 P88515 HOWARD STEALTH S2 WING TIP MOWER (REPLACES P88513) INSURANCE	(20,328)	0	0	
				0 P8913 Woodchipper Bandit 1390XP (P&Gs) 1TNQ120	(14,747)	0	0	
				0 P13209 Tractor John Deere 6430 4WD PTO 72kW - P & Gs BM21763	0	0	0	
				0 P8703 Trailer Dean No 17 Flatbed Tilting (for ride-on mower) BM11268	0	0	0	
91,563	(20,105)	(33,000)	(38,458)	0 P83307 ROLLER VIBRATING SOIL COMPACTER HAMM 3411 - WORKS	(34,375)	(38,458)	(4,083)	
				0 P1611 4WD Utility Crew Cab - Isuzu D-Max Works Team Leader - Construction 1GCB288	(6,922)	0	0	
42,193	(5,388)	(33,982)	(2,823)	0 P16016 Isuzu MUX LST Outback Bronze (DCEO) (1GDI704)	0	(2,823)	(2,823)	
				0 P10605 Pump Water Robin PTG405DS - 8.5hp 4" diesel	0	0	0	
42,120	(11,089)	(27,273)	(3,758)	0 P8913 Woodchipper Bandit 1390XP (P&Gs) 1TNQ120	0	(3,758)	(3,758)	
				0 P2201 Generator 6KVA EH36DH/SIN6 - Signs	0	0	0	
				0 P11412 Isuzu D-Max SX 4x4 Standard Cab Steel tray Top - Stores 1DWL185	(1,467)	0	0	
				0 P16612 Pressure Cleaner Spitwater SW151 with attachments (Depot)	1,000	0	0	
95,500	(50,086)	(139,255)	(82,036)		(190,276)	(82,036)	(7,261)	
Comments - Capital Disposal/Replacements								

Comments - Capital Disposal/Replacements

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

Note 9: RATING INFORMATION		Rate in \$	Number of Properties	Rateable Value \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$	Amended Budget Rate Revenue \$	Amended Budget Interim Rate \$	Amended Budget Back Rate \$	Amended Budget Total Revenue \$
RATE TYPE												
Differential General Rate												
<u>Gross Rental Valuations</u>												
GRV -	Residential	9.7547	4,786	121,481,660	11,851,039	0	10,000	11,861,039	11,851,039	0	10,000	11,861,039
GRV -	Residential - Vacant	15.7916	148	2,453,450	387,711			387,711	387,711			387,711
GRV -	Commercial/Industrial	10.7652	582	53,984,924	5,790,824			5,790,824	5,790,824			5,790,824
GRV -	Tourism	14.9725	426	16,887,828	2,528,530			2,528,530	2,528,530			2,528,530
<u>Unimproved Value Valuations</u>												
UV -	Rural	0.6570	55	20,820,000	136,787			136,787	136,787			136,787
UV -	Mining	12.3270	41	944,372	116,413			116,413	116,413			116,413
UV -	Commercial Rural	3.0779	21	6,643,773	204,489			204,489	204,489			204,489
Sub-Totals			6,059	223,216,007	21,015,793	0	10,000	21,025,793	21,015,793	0	10,000	21,025,793
Minimum Payment		Minimum \$										
<u>Gross Rental Valuations</u>												
GRV -	Residential	1,220	73	821,692	89,060			89,060	89,060			89,060
GRV -	Residential - Vacant	1,220	216	1,269,480	263,520			263,520	263,520			263,520
GRV -	Commercial/Industrial	1,220	26	194,054	31,720			31,720	31,720			31,720
GRV -	Tourism	1,220	412	1,880,840	502,640			502,640	502,640			502,640
<u>Unimproved Value Valuations</u>												
UV -	Rural	1,220	4	191,300	4,880			4,880	4,880			4,880
UV -	Mining	500	31	44,610	14,500			14,500	14,500			14,500
UV -	Commercial Rural	1,220	2	28,300	2,440			2,440	2,440			2,440
Sub-Totals			764	4,430,276	908,760	0	0	908,760	908,760	0	0	908,760
UV Concession - Coconut Well								21,934,553				21,934,553
UV Concession - Twelve Mile								(978)				(978)
UV Concession - Horticulture Land Use								(5,339)				(5,339)
Amount from General Rates								(984)				(984)
Ex-Gratia Rates								21,927,252				21,927,252
Specified Area Rates								0				0
Totals								0				0
Totals								21,927,252				21,927,252

Comments - Rating Information

NOTE - This note represents the budgeted rating and back rating revenue expected for the 2017/18 financial year. The Statement of Financial Activity (by Reporting Program) examines the reporting program for rates which also includes other items, such as debt recovery and rates instalments charges, which are not represented in this table as they do not form part of ordinary rates modelling.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

10. INFORMATION ON BORROWINGS
(a) Debenture Repayments

Particulars	Principal 30-Jun-17	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual \$	Amended Budget \$	Actual \$	Amended Budget \$	Actual \$	Amended Budget \$
Loan 191 - BRAC Inf & Stage 2B	171,375		28,075	57,049	143,300	114,326	4,203	7,538
Loan 193 - Civic Centre Redevelopment	2,764,382		214,634	433,508	2,549,747	2,330,874	53,632	104,286
Loan 194 - BRAC Oval Pavillion	543,115		50,355	102,186	492,760	440,929	11,883	27,707
Town Beach Redevelopment Loan	0	1,956,053	0	0	0	0	0	0
Chinatown Revitalisation Loan	0	1,700,000	0	0	0	0	0	0
			0	0	0	0	0	0
			0	0	0	0	0	0
	3,478,872	3,656,053	293,064	592,743	3,185,807	2,886,129	69,718	139,531

All debenture repayments were financed by general purpose revenue.

(b) New Debentures

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

Note 11: TRUST FUND

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 1 Jul 17	Amount Received	Amount Paid	Closing Balance 31-Jan-18
	\$	\$	\$	\$
Verge Bonds	32,276	0	0	32,276
Library Transient Borrower Deposits	70	0	0	70
Election Nomination Deposits	0	800	(800)	0
Civic Centre Event Takings	3,654	0	0	3,654
Key & Other General Purpose Deposits	8,493	0	0	8,493
BCITF Collection & Refund Deposits	6,532	31,768	(23,901)	14,400
Japanese Cemetery Improvements Deposits	0	0	0	0
Town Planning Related Bond Deposits	106,208	0	0	106,208
Cemetery Plot Reservation Deposits	33,596	1,465	0	35,061
Recreation Facility use Bond Deposits	32,925	85,682	(67,417)	51,189
Cash In Lieu Of Public Open Space	99,876	0	0	99,876
Parking Facilities Bond Deposits	0	0	0	0
Road & Footpath Facilities Bond Deposits	506,947	0	0	506,947
Capital Works Bond Deposits	3,060	0	0	3,060
Bank Guarantee Deposits Received	16,431	0	0	16,431
Contract Bonds & Retentions	0	0	0	0
Overpayments Held	0	0	0	0
Unclaimed Monies	19,523	60	0	19,583
BRB Levy	5,947	31,255	(26,328)	10,874
Staff Rental Bonds	40,113	760	(7,020)	33,853
Key Deposits	2,545	0	0	2,545
Chinatown Revitalisation grant	9,169,410	49,689	(5,225,000)	3,994,098
	10,087,606	201,479	(5,350,466)	4,938,618

Level of Completion Indicators

- 0% ☐
- 20% ☐
- 40% ☐
- 60% ☐
- 80% ☐
- 100% ☒
- No Budget ☐

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

Note 12: CAPITAL ACQUISITIONS

		YTD 31 Jan 2018								
% of Completion	Level of Completion Indicator	Infrastructure Assets	Acct	Job	Amended Annual Budget	Amended YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Strategic Reference Comment
		Governance								
0%	○						0		0	
0%	○	Governance Total			0	0	0	0	0	
		Law, Order And Public Safety								
0%	○	Vehicle & Mob Plant New -Cap Exp -Ranger Ops	52548		21,000	12,250	0	(21,000)	0	
0%	○	Vehicle & Mob Plant Renewal(Replacement) Exp -Cap Exp -Ranger Ops	52550		120,000	120,000	0	(120,000)	0	
0%	○	VBFB Building New Const - Cap Exp - Volunteer Bush Fire Brigade	53172		1,200,000	700,000	0	(1,200,000)	0	
0%	○	Law, Order And Public Safety Total			1,341,000	832,250	0	(1,341,000)	0	
		Education and Welfare								
0%	○	Vehicle & Mob Plant Renewal (Replacement) Cap Exp - Comm Services	82605		36,000	36,000	0	(36,000)	0	
100%	●	VBFB Buildings Renewal - Cap Ex - VBFB	53174		5,580	5,580	0	0	5,580	
13%	○	Education and Welfare Total			41,580	41,580	0	(36,000)	5,580	
		Housing								
100%	●	Building Staff Housing - Cap Exp - New	95810		729,000	729,000	729,026	26	0	
100%	●	Housing Total			729,000	729,000	729,026	26	0	
		Health								
0%	○	Vehicle & Mob Plant Renewal(Replacement) - Cap Exp - Health Inspect's	74550		40,000	39,999	0	(40,000)	0	
0%	○	Health Total			40,000	39,999	0	(40,000)	0	
		Community Amenities								
17%	○	Buckleys Rd Closure Upgrade (was Opex 101302) - Cap Exp - San Gen Refuse	101545	101558	797,330	465,108	132,827	(664,503)	0	
0%	○	Other Infra Renewal Rubbish Services - Cap Exp - San Gen Refuse	101550	101552	295,723	172,501	0	(295,723)	0	
0%	○	Hamersley St Upgrade Drainage - Infra Cap Exp	104600	104695	390,000	227,500	0	(390,000)	0	
2%	○	Cemeteries Other Infrastructure Upgrade - Cap Exp- Oth Com A	107540	107541	56,000	32,669	1,120	(54,880)	0	
13%	○	Broome Cemetery New Infrastructure Cap Exp	107550	107556	44,000	25,669	5,614	(38,387)	0	
9%	○	Community Amenities Total			1,583,053	923,447	139,561	(1,443,492)	0	
		Recreation And Culture								
0%	○	Herbert Park New Infra Const - Cap Exp	113550	113554	12,500	7,294	0	(12,500)	0	
0%	○	Cable Beach Reserve P & G New Infra - Cap Exp	113550	113574	10,000	5,831	0	(10,000)	0	
0%	○	Demco Foreshore Plan Year 1 New Infra Const - Cap Exp	113550	113963	10,000	5,831	0	(10,000)	0	
No Budget	❏	Town Bch Water Park Contract Wks-New Infra Cap Pks&Ova	113550	113672	0	0	279	279	0	
24%	○	Cable Beach Reserve Renewal Works - Cap Exp	113551	113674	15,519	9,044	0	(11,829)	3,690	
0%	○	Town Beach Renewal Works - Infra Cap Exp	113551	113677	6,000	3,500	0	(6,000)	0	
58%	●	Sunset Park Renewal Infra - Cap Exp - Parks and Ovals	113551	113765	7,003	4,081	0	(2,928)	4,075	
0%	○	Solway Park renewal Infra - Cap Exp - Pks & Ovals	113551	113787	6,000	3,500	0	(6,000)	0	
0%	○	Cygnat Park Infrastructure Renewal - Cap Exp	113551	113788	13,500	7,868	0	(13,500)	0	
0%	○	Maritana Park Infrastructure Renewal - Cap Exp	113551	113789	7,503	4,368	0	(7,503)	0	
0%	○	Six Seasons Parks Infrastructure Renewal - Cap Exp	113551	113790	8,516	4,963	0	(8,516)	0	
0%	○	Tolentino Park Infrastructure Renewal - Cap Exp	113551	113791	14,009	8,169	0	(14,009)	0	
0%	○	Haynes Oval Other Infrastructure Renewal - Cap Exp	113553	HAYN001	41,950	24,472	0	(41,950)	0	
49%	●	Bme Civic Centre Other Infrastructure Renewal - Cap Exp	116119	116120	18,050	10,521	0	(9,133)	8,917	

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

Note 12: CAPITAL ACQUISITIONS

% of Completion	Level of Completion Indicator	Infrastructure Assets	Acct	Job	Amended Annual Budget	Amended YTD Budget	YTD 31 Jan 2018			YTD Actual (Renewal Exp)	Strategic Reference / Comment
							YTD Actual	Variance (Under)/Over			
3%	○	Broome Entry Statement Signage New Const - Cap Exp - Other Cult	116125	116126	76,439	44,590	2,350	(74,089)	0		
0%	○	Broome Trails Signage New - Cap Exp - Other Cult	116125	116131	51,700	30,156	0	(51,700)	0		
51%	●	Plant & Equip Renewal/Replacement - Cap Exp - BRAC - Aquatic	117132		26,405	15,405	0	(12,933)	13,472		
71%	●	BRAC Building Upgrade - Cap Exp - BRAC Dry	117310	117311	121,766	71,029	86,839	(34,927)	0		
0%	○	BRAC Building Renewal - Cap Exp - BRAC Dry	117315	117316	25,000	14,581	0	(25,000)	0		
172%	●	BRAC Ovals Renewal Infra Works - Cap Exp - BRAC Ovals	117455	117456	15,996	9,331	0	11,565	27,561		
0%	○	Town Beach Redevelopment -Other Infra New - Cap Exp	1181401		6,982,506	4,073,111	12,138	(6,970,368)	0		
0%	○	Youth Bike Recreation Area - New Construction - Cap Exp	1181420	YBRA001	200,000	133,384	0	(200,000)	0		
		TOWN BEACH - Playground -	113551	113627	0	0	0	0	0		
2%	○	Recreation And Culture Total			7,670,362	4,491,029	101,606	(7,511,041)	57,715		
		Transport									
106%	●	Cable Beach Rd East Upgrade - Cap Exp	121100	RU223	26,000	15,169	27,644	1,644	0		
43%	●	Black Spot - Sanderling, Spoonbill, & Banu - Rd Upgrade Cap Exp	121100	RU225	102,165	59,598	43,426	(58,739)	0		
4%	○	Hammersley Napier Black Spot Project - Cap Exp	121100	RU433	1,450,939	846,408	51,533	(1,399,406)	0		
0%	○	Hunter St Renewal Rd Infra Const - Capex (was Herbert st)	121101	121552	818,680	491,180	0	(818,200)	480		
		Urban Reseals Renewal Program - Various (Sealing Contractor) - Cap Ex - Renewal									
70%	●	Cape Leveque Rd Upgrade Const - Cap Exp [See 121507 for Reforms & Drainage]	121101	RRU	235,198	137,200	0	(70,786)	164,412		
56%	●	Crab Creek Road - SLK 1.53 to 2.13 - New alignment from BR Ind. - Cap Ex - Upgrade	121501	121540	235,667	176,498	132,343	(103,324)	0		
105%	●	Broome / Cape Leveque Rd - Unsealed pindan section - Cap Ex - Renewal	121501	RU12	665,125	352,625	700,093	34,968	0		
106%	●	Car Park New Const - Cap Exp - Car Park Const	121505	RR80	132,000	76,993	0	7,717	139,717		
No Budget	□	Car park renewals - Various	125000		0	0	282	282	0		
0%	○		124600	124611	25,000	14,581	0	(25,000)	0		
78%	●	Frangiapani Subdivision Footpath Construction Expense - Cap Exp	125140	125197	21,300	15,131	16,537	(4,763)	0		
77%	●	Palmer Road - Footpath Construction	125140	125192	35,130	26,799	26,950	(8,180)	0		
		Roebuck Estate Subdivision - Various Stages									
0%	○		125140	125269	20,000	11,669	0	(20,000)	0		
0%	○	Broome North Footpath New Const - Capex	125140	125277	213,200	124,369	0	(213,200)	0		
0%	○	Six Seasons Estate - Januburu Subdivision - Various Stages	125140	125279	7,000	4,081	0	(7,000)	0		
0%	○	Sunset Rise Subdivision - Whole Estate - Various Paths	125140	125289	20,000	11,669	0	(20,000)	0		
		Old Broome Estate Subdivision - Whole Estate - Various Paths									
31%	○		125140	125290	10,000	5,831	3,144	(6,856)	0		
81%	●	Sandpiper Ave New Light Construction - Cap Exp	125200	STLN001	95,000	55,419	76,796	(18,204)	0		
0%	○	Street Lighting at Various Locations - Renewal	125225	125232	30,000	17,500	0	(30,000)	0		
95%	●	Various Footpath Renewal - Renewal Construction - Cap Exp	125300	VARPATH	130,731	76,265	0	(6,781)	123,950		
0%	○	Various FootPath Upgrade - Cap Exp	1223481	FPUP001	80,000	46,669	0	(80,000)	0		
		Footpath Old Broome Road - One Mile Access/Sandpiper/Short St									
			125300	125291	0	0	0	0	0		
35%	○	Transport Total			4,353,135	2,565,654	1,078,748	(2,845,828)	428,559		
		Economic Services									
27%	○	Pearl Luggar Const Upgrade - Cap Exp - Tourism Vehicle & Mob Plant Renewal(Replacement) - Cap Exp - Building Control	132141	132142	35,165	30,996	9,365	(25,800)	0		
0%	○		133550		40,000	39,999	0	(40,000)	0		
35%	○	Dampier St Upgrade - Cap Exp	1367404	1367407	3,288,569	1,918,322	1,153,000	(2,135,569)	0		
0%	○	Carnarvon St Upgrade - Cap Ex	1367404	1367408	2,358,250	1,375,640	0	(2,358,250)	0		
0%	○	Frederick St Lookout - Other Infra New - Cap Exp	1367405	1367409	732,984	427,574	0	(732,984)	0		
0%	○	Tourist Rest Stop at Pearl Luggar - Other Infra New - Cap Exp	1367405	1367410	542,984	316,736	0	(542,984)	0		

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

Note 12: CAPITAL ACQUISITIONS

% of Completion	Level of Completion Indicator	YTD 31 Jan 2018								Strategic Reference / Comment
		Infrastructure Assets	Acct	Job	Amended Annual Budget	Amended YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	
24%	○	New Caravan Dumping Point - Other Infrastructure - Tourism & Area Promotion - Cap Exp	1365495	136549	23,880	23,880	5,761	(18,119)	0	
17%	○	Economic Services Total			7,021,832	4,133,147	1,168,126	(5,853,706)	0	
		Other Property & Services								
0%	○	Vehicle & Mob Plant Renewal (Replacement) - Cap Exp - Gen Admin	142551		80,000	79,998	0	(80,000)	0	
56%	●	Shire Office Build Haas St Renewal - Cap Exp - Corp Gov	142558		70,000	40,831	0	(31,031)	38,969	
27%	○	Vehicle & Plant Renewal(Replacement) - Cap Exp - P&G Operations	143610		825,000	824,991	0	(599,125)	225,875	
54%	●	Equip & H'Ware > \$5000 Cap Exp - IT	146120		463,170	270,179	250,767	(212,403)	0	
32%	○	Software >\$5000 Cap Exp - IT	146122		346,244	217,809	111,160	(235,084)	0	
34%	○	Building Capital > \$5k - Cap Exp - Unclassified General	147100		100,000	58,331	0	(65,585)	34,415	
		Shire Office Barker St - Building Renewal - Cap Exp - Corp Gov								
0%	○	Support	147372		15,000	8,750	0	(15,000)	0	
6%	○	KRO1 Building Renewal - Cap Exp - Office Prop Leased	147374		845,000	492,912	0	(790,527)	54,473	
4%	○	KRO2 Building Renewal - Cap Exp - Office Prop Leased	147375		655,000	382,081	0	(627,451)	27,549	
		Vehicle & Mobile Plant Renewal(Replacement) - Cap Exp - Depot								
0%	○	Ops	148610		50,000	49,998	0	(50,000)	0	
72%	●	Vehicle & Mob Plant Renewal(Replacement) - Cap Exp - Works Ops	148611		224,000	223,998	0	(62,196)	161,804	
0%	○	Vehicle & Mob Plant New - Cap Exp - Works Ops	148621		13,000	12,999	0	(13,000)	0	
		Shire Office Barker St - Building Upgrade Wks - Cap Exp - Corp Gov								
0%	○	Support	147371		80,000	80,000	0	(80,000)	0	
24%	○	Other Property & Services Total			3,766,414	2,742,877	361,926	(2,861,403)	543,085	
17%	○	GRAND TOTAL			26,546,376	16,498,983	3,578,993	(21,932,445)	1,034,939	

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2018

Note 12: CAPITAL ACQUISITIONS

		Level of Completion Indicator	YTD 31 Jan 2018								
% of Completion			Infrastructure Assets	Acct	Job	Amended Annual Budget	Amended YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Strategic Reference Comment
38%		○	Land & Buildings - New			1,929,000	1,429,000	729,026	(1,199,974)	0	
43%		●	Land & Buildings - Upgrade			201,766	151,029	86,839	(114,927)	0	
9%		○	Land & Buildings - Renewal			1,715,580	1,003,066	0	(1,554,594)	160,986	
25%		○	Land & Buildings - Total			3,846,346	2,583,095	815,865	(2,869,495)	160,986	
0%		○	Recreation Areas Infrastructure - New			232,500	152,340	279	(232,221)	0	
38%		○	Recreation Areas Infrastructure - Renewal			94,046	54,824	0	(58,720)	35,326	
11%		○	Recreation Areas Infrastructure - Total			326,546	207,164	279	(290,941)	35,326	
14%		○	Roads, F/Paths & Bridges Infrastructure - New			326,630	199,549	46,913	(279,717)	0	
26%		○	Roads, F/Paths & Bridges Infrastructure - Upgrade			8,206,715	4,790,929	2,108,039	(6,098,676)	0	
32%		○	Roads, F/Paths & Bridges Infrastructure - Renewal			1,341,609	796,219	0	(813,050)	428,559	
26%		○	Roads, F/Paths & Bridges Infrastructure - Total			9,874,954	5,786,697	2,154,952	(7,721,443)	428,559	
0%		○	Drainage Infrastructure - Upgrade			390,000	227,500	0	(390,000)	0	
0%		○	Drainage Infrastructure - Total			390,000	227,500	0	(390,000)	0	
1%		○	Other Infrastructure - New			8,549,493	4,997,135	102,658	(8,446,835)	0	
16%		○	Other Infrastructure - Upgrade			888,495	528,773	143,312	(745,183)	0	
2%		○	Other Infrastructure - Renewal			385,723	224,994	0	(376,806)	8,917	
3%		○	Other Infrastructure - Total			9,823,711	5,750,902	245,970	(9,568,824)	8,917	
0%		○	Mobile Plant & Equip New			34,000	25,249	0	(34,000)	0	
27%		○	Mobile Plant & Equipment Renewal (Replacement)			1,415,000	1,414,983	0	(1,027,111)	387,679	
27%		○	Mobile Plant & Equip - Total			1,449,000	1,440,232	0	(1,061,321)	387,679	
51%		○	Fixed Plant & Equipment - Renewal			26,405	15,405	0	(12,911)	13,472	
51%		○	Fixed Plant & Equipment - Total			26,405	15,405	0	(12,911)	13,472	
45%		○	Furniture & Equipment - New			809,414	487,988	361,926	(447,488)	0	
45%		○	Furniture & Equipment - Total			809,414	487,988	361,926	(447,488)	0	
17%		○	Capital Expenditure Total			26,546,376	16,498,983	3,578,993	(21,932,445)	1,034,939	

SHIRE OF BROOME
Monthly Statement of Financial Activity
For the Period Ending 31 January 2018

Appendix A: SUPPLEMENTARY NOTES TO THE MONTHLY REPORT

NOTES TO THIS MONTH'S REPORT

OVERVIEW

For the period ended 31 January 2018, the following are key indicators supporting the year to-date budget position with respect to the Annual Forecast Budget:

Budget Year elapsed	58.9%
Total Rates Raised Revenue	100% (of which 86.19% were paid)
Total Other Operating Revenue	57%
Total Operating Expenditure	47%
Total Capital Revenue	37%
Total Capital Expenditure	17%
Total Sale of Assets Revenue	37%

The budget was adopted at the Ordinary Meeting of Council on 29 June 2017. Council adopted a balanced annual budget, which included a net carried forward balance of \$1,879,323, being \$393,426 of carry-over projects, plus \$1,485,897 Financial Assistance Grants received in advance.

It should be noted that the end of financial year (EOFY) processes are now completed and the Annual Financial statements were presented to the Audit Committee on 16 October 2017 before the recommendations were presented to the Ordinary Meeting of Council on 19 October 2017. The final report included recommendations for the use of an additional \$1,727,141 in carried forward surplus. These recommendations were approved by Council and incorporated into the 2017-18 budget.

More information on the Shire's current position can be found on Note 3 of these Financial Statements.

The details of all amendments year-to-date can be found on Note 5 of the Financial Report.

ADJUSTMENTS TO DETERMINE THE CASH POSITION

Budget Allocations

No amendments for Wages, Overhead and Plant Costs have been made this year.

CURRENT POSITION

Currently, to the end of January, the current position stands at \$20.03M.

Cash

Total Cash Assets are now \$49.56M having increased by \$1.5M due to collection of rates.

The major revenue items this month include receipt of:

- \$134K in various Reserve's interest income;
- \$123K in refuse site user charges.

The major expenditure items this month include payments of:

- \$279K to Mccorrey Brown Earth Moving- Equipment hire;
- \$91K to Land crop (Chinatown Revitalisation);
- \$64K to Kimberley Quarry Toxfree-(RFQ17-81) Carb Creek Rd Project;
- \$55K to Horizon power- Electricity for Shire various sites;
- \$53K to M P Rogers & Associates- Consultant expenses (RFQ17-88) for new Town Beach Jetty.

Receivables

Sundry debtors including GST refundable stand at \$499K.

Rates and rubbish debtors stands at \$3.36M due to annual rates being raised on 19 July 2017. The due date for rates was 23 August 2017. Rates & Rubbish debtors will continue to reduce throughout the year as ratepayers on instalment and payment plans continue to pay their rates.

Other Assets

These stand at \$75K having decreased by \$1.2K since the previous month.

Cash Liabilities

These stand at \$300K. This represents our obligation on our outstanding loans. This will reduce when a payment becomes due.

Creditors and Payables

Sundry Creditors are \$700K, as invoices were processed and/or are paid.

Other Payables comprising Tax Payable, FESA Levy Collected, Accrued Loan Interest, Prepayments Received and accruals stand at \$594K.

Employee Provisions and Accruals

In the normal course of events, these figures are adjusted in June and July each year by end of year accounting adjustments.

Currently leave provisions are \$2.025M. Accruals to reflect the year end position have been completed for the 2016-2017 year.

SHIRE OF BROOME
Schedule 03
GENERAL PURPOSE FUNDING

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Rates			647,688.00	210,017.52
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$647,688.00	\$210,017.52
Operating Income				
Rates	22,361,672.00	22,259,423.97		
Other General Purpose Funding	858,080.00	429,040.00		
TOTAL OPERATING INCOME	\$23,219,752.00	\$22,688,463.97	\$0.00	\$0.00
TOTAL GENERAL PURPOSE FUNDING	\$23,219,752.00	\$22,688,463.97	\$647,688.00	\$210,017.52

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME
Schedule 03
GENERAL PURPOSE FUNDING

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
Rates					
Operating Expenditure					
0030145 - Debt Collection Recovery			95,700.00	68,453.20	72%
0030149 - Legal & Rates Consulting Exp - Op Exp - Rates			175,000.00	44,794.54	26%
0030251 - Rates Reduced/Written Off - Op Exp - Rates			15,000.00	981.87	7%
0030530 - Admin Cost Alloc - Op Exp - Rates			150,288.00	78,220.47	52%
0032220 - Valuation Expenses - Op Exp - Rates			177,000.00	3,616.85	2%
0032230 - Rates Review Land Use Pickup - Op Exp - Rates			2,000.00	0.00	0%
0032250 - General Expenditure - Op Exp - Rates			31,500.00	13,950.59	44%
0032290 - Refunds - Over/ Prepaid Rates - Op Exp - Rates			1,000.00	0.00	0%
0032291 - Refunds/Reimbursements of Fees - Op Exp - Rates			200.00	0.00	0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$647,688.00	\$210,017.52	
Operating Income					
0030105 - Rates Broome - Op Inc - Rates	21,917,252.00	21,883,715.81	100%		
0030146 - Interest - Rates Instalments - Op Inc - Rates	140,000.00	132,886.34	95%		
0030147 - Rates Admin Instalment Charge - Op Inc - Rates	40,000.00	41,181.00	103%		
0030201 - Rates Non Payment Int - Op Inc - Rates	130,000.00	102,228.69	79%		
0030203 - Interest - Deferred Rates - Op Inc - Rates	0.00	-1,208.94	100%		
0032480 - Rates Enquiry Fees - Op Inc - Rates	32,500.00	15,950.00	49%		
0032481 - Rates Other Fees for Service (ex GST)- Op Inc - Rates	2,200.00	6,510.00	296%		
0032489 - Legal Expense Recovery Inc GST - Op Inc - Rates	3,000.00	190.00	6%		
0032490 - Legal Expense Recovery No GST - Op Inc - Rates	86,220.00	72,210.12	84%		
0032491 - Other Refunds/Reimbursements - Op Inc - Rates	500.00	0.00	0%		
0032492 - Back Rates - Op Inc - Rates	10,000.00	5,760.95	58%		
Sub Total To Programme Summary	\$22,361,672.00	\$22,259,423.97	\$0.00	\$0.00	
Total Rates	\$22,361,672.00	\$22,259,423.97	\$647,688.00	\$210,017.52	
Other General Purpose Funding					
Operating Income					
0030301 - Grants Commission - Op Inc - Other General Purpose Funding	858,080.00	429,040.00	50%		
Sub Total To Programme Summary	\$858,080.00	\$429,040.00	\$0.00	\$0.00	
Total Other General Purpose Funding	\$858,080.00	\$429,040.00	\$0.00	\$0.00	

Page :2

Printed : 09/02/2018 4:49:38PM

SHIRE OF BROOME
Schedule 03
GENERAL PURPOSE FUNDING

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
TOTAL GENERAL PURPOSE FUNDING	\$23,219,752.00	\$22,688,463.97	\$647,688.00	\$210,017.52

SHIRE OF BROOME
Schedule 04
GOVERNANCE

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Council Member Activities			730,719.00	412,239.18
Other Governance Activities			1,602,401.00	810,992.12
Kimberley Regional Collaborative Group (Zone)				
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$2,333,120.00	\$1,223,231.30
Operating Income				
Council Member Activities	2,000.00	80.00		
Other Governance Activities	21,750.00	4,925.59		
Kimberley Regional Collaborative Group (Zone)	4,700.00	912.37		
TOTAL OPERATING INCOME	\$28,450.00	\$5,917.96	\$0.00	\$0.00
Capital Expenditure				
Other Governance Activities			5,700.00	537.20
Kimberley Regional Collaborative Group (Zone)			4,700.00	1,755.30
TOTAL CAPITAL EXPENDITURE	\$0.00	\$0.00	\$10,400.00	\$2,292.50
Capital Income				
Other Governance Activities	85,000.00	33,981.82		
Kimberley Regional Collaborative Group (Zone)				
TOTAL CAPITAL INCOME	\$85,000.00	\$33,981.82	\$0.00	\$0.00
TOTAL GOVERNANCE	\$113,450.00	\$39,899.78	\$2,343,520.00	\$1,225,523.80

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME
Schedule 04
GOVERNANCE

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Council Member Activities				
Operating Expenditure				
0024010 - Conferences Travel & Accom Op Exp - Members			42,000.00	16,169.59 38%
0024020 - Shire President & CEO Special Travel - Op Exp - Members			11,000.00	351.19 3%
0024040 - Election Expenses Op Exp - Members			43,000.00	28,852.92 67%
0024060 - Broome Shire Council Allowances Members Op Exp - Members			251,887.00	147,258.50 58%
0024070 - Other Council Sitting Fees & Allowances Op Exp - Members				
0024160 - Subscriptions Op Exp - Members			43,000.00	44,041.01 102%
0024280 - Sundry Expenses - Op Exp - Members			4,000.00	3,259.75 81%
0024530 - Admin Costs Alloc-Op Exp - Members			262,536.00	136,638.28 52%
0403298 - IT Costs Allocated - Council Members			73,296.00	35,667.94 49%
Sub Total To Programme Summary	\$0.00	\$0.00	\$730,719.00	\$412,239.18
Operating Income				
0024390 - Reimbursements & Sundry Income With GST - Op Inc - Members	1,000.00	0.00 0%		
0024391 - Reimbursements & Sundry Income No GST - Op Inc - Members	1,000.00	80.00 8%		
Sub Total To Programme Summary	\$2,000.00	\$80.00	\$0.00	\$0.00
Total Council Member Activities	\$2,000.00	\$80.00	\$730,719.00	\$412,239.18
Other Governance Activities				
Operating Expenditure				
0022110 - Refreshments & Receptions - Op Exp - Other Governance			35,000.00	20,102.19 57%
0022115 - Minor Asset & Equip <\$5K - Op Exp - Other Governance			1,000.00	0.00 0%
0022118 - Kullarri Patrol Support - Op Exp - Other Governance			20,000.00	0.00 0%
0022120 - Naturalisation Ceremonies - Op Exp - Other Governance			5,000.00	0.00 0%
0022121 - Kimberley Zone - SOB's Members Costs - Op Exp - Kimberley Zone			20,000.00	7,424.48 37%
0022124 - Contribution to Kimberley Zone Secretariat			55,000.00	55,000.00 100%
0022125 - WARCA (WA Regional Capitals Alliance) - Op Exp - Other Governance			55,000.00	8,500.00 15%
0022130 - Sundry Op Exp - Other Governance			500.00	0.00 0%
0022171 - Council Newsletter & Community Info Op Exp - Other Governance			55,000.00	19,474.40 35%
0022172 - Community Sponsorship Program - Op Exp - Other Governance			70,945.00	21,136.17 30%

SHIRE OF BROOME
Schedule 04
GOVERNANCE

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0022173 - EDL sponsorship programme Reserve Funded - Op Exp - Other Governance			80,000.00	14,000.00	18%
0022174 - Sundry In Kind Donations Op Exp - Other Governance			32,893.00	26,048.97	79%
0022175 - CEO Ad hoc Sponsorship Programme - Op Exp - Other Governance			10,000.00	4,700.87	47%
0022177 - LandCorp Bme North Community-Sponsorship Prog Grant Exps - Op Exp - Other Gov			5,000.00	1,000.00	20%
0022200 - Audit Fees Op Exp - Other Governance			51,000.00	17,893.42	35%
0022230 - Legal Exps Op Exp - Other Governance			67,215.00	96,936.50	144%
0022290 - Sister City Relations/Japanese Youth Ambassador - Op Exp - Other Governance			5,000.00	878.63	18%
0022530 - Gen Agenda Items & Councillor Support - IT Eng & Admin Costs Alloc - Op Exp			189,768.00	98,765.72	52%
0023010 - Salary - Op Exp - Other Governance			431,897.00	234,497.82	54%
0023014 - Superannuation Employee Expense- Other Governance			55,900.00	31,976.49	57%
0023015 - Executive Travel & Accom - Op Exp - Other Governance			25,000.00	17,931.21	72%
0023016 - Promotions Exp - Op Exp - Other Governance			41,178.00	4,936.36	12%
0023031 - Other Employment Costs - Other Gov			55,950.00	28,683.76	51%
0023035 - Plant & Vehicle Op Exp - Other Governance			20,400.00	6,685.04	33%
0023040 - Youth Development Programme & Working Group - Op Exp - Other Governance			42,543.00	1,917.64	5%
0023052 - Volunteers Day Program Op Exp - Other Governance			2,000.00	0.00	0%
0023096 - Loss On Sale Of Assets Op Exp - Other Governance			0.00	2,822.95	100%
0023099 - Fixed Asset Dep'n Expense - Op Exp - Other Governance					
0023450 - Consultants - Op Exp - Other Governance			100,000.00	39,275.00	39%
0023451 - Staff EBA Review Provision - Op Exp - Other Gov			20,000.00	27,914.38	140%
0023453 - Review of Strategies Relating to the Community Strategic Plan - Op Exp - Other Gov			3,000.00	0.00	0%
0404298 - IT/Records Costs Allocated - Other Governance			46,212.00	22,490.12	49%
Sub Total To Programme Summary	\$0.00	\$0.00	\$1,602,401.00	\$810,992.12	
Operating Income					
0022116 - Reimbursements Including GST Op Inc. - Other Governance					
0022117 - Reimbursements & Donations No GST Op Inc - Other Governance	0.00	500.00	100%		

SHIRE OF BROOME
Schedule 04
GOVERNANCE

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0022218 - Grants - Op Inc - Other Governance					
0022450 - User Charges - Sale of Minutes & Rolls Op Inc. - Other Governance	50.00	0.00	0%		
0023050 - Grant Op - Youth Coordinating Committee Op Inc. - Other Governance	16,000.00	3,045.46	19%		
0023093 - Profit On Sale Of Assets - Op Inc. - Other Governance					
0023530 - Interest Rec EDL Sponsorship Reserve - Op Inc. - Other Governance	4,400.00	1,066.02	24%		
0023535 - Interest Rec Community Sponsorship Reserve - Op Inc. - Other Governance	1,300.00	314.11	24%		
Sub Total To Programme Summary	\$21,750.00	\$4,925.59	\$0.00	\$0.00	
Capital Expenditure					
0023571 - Vehicle & Mobile Plant Renewal (Replacement) Cap Exp - Other Gov					
0023592 - Transfer to EDL Sponsorship Reserve - Cap Exp - Other Governance			4,400.00	223.09	5%
0023595 - Transfer to Community Sponsorship Reserve - Cap Exp - Other Governance			1,300.00	314.11	24%
Sub Total To Programme Summary	\$0.00	\$0.00	\$5,700.00	\$537.20	
Capital Income					
0023094 - Proceeds On Sale Of Assets - Cap Inc - Other Governance	0.00	33,981.82	100%		
0023593 - Transfer From EDL Sponsorship Reserve - Cap Inc - Other Gov	80,000.00	0.00	0%		
0023596 - Transfer From Community Sponsorship Reserve Cap Inc - Other Gov	5,000.00	0.00	0%		
Sub Total To Programme Summary	\$85,000.00	\$33,981.82	\$0.00	\$0.00	
Total Other Governance Activities	\$106,750.00	\$38,907.41	\$1,608,101.00	\$811,529.32	
Kimberley Regional Collaborative Group (Zone)					
Operating Expenditure					
0022137 - Kimberley Zone - Sundry Expenses - Op Exp					
0022146 - Kimberley Zone - Strategic Community Plan 2012-2021 - Op Exp					
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00	
Operating Income					
0023026 - Kimberley Zone - Member Contribution Strategic Community Plant - Op Inc					
0023536 - Kimberley Zone - Interest on Reserve - Op Inc.	4,700.00	912.37	19%		
Sub Total To Programme Summary	\$4,700.00	\$912.37	\$0.00	\$0.00	
Capital Expenditure					

SHIRE OF BROOME

Schedule 04

GOVERNANCE

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
0023590 - Kimberley Zone - Transfer to Restricted Cash Reserve - Cap Exp			0.00	842.93 100%
0023597 - Kimberley Zone - Transfer to Kimberley Zone Reserve - Cap Exp -			4,700.00	912.37 19%
Sub Total To Programme Summary	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$4,700.00</u>	<u>\$1,755.30</u>
Capital Income				
0023598 - Transfer From Kimberley Zone Reserve - Cap Inc - Kimberley Zone				
Sub Total To Programme Summary	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Total Kimberley Regional Collaborative Group (Zon	<u>\$4,700.00</u>	<u>\$912.37</u>	<u>\$4,700.00</u>	<u>\$1,755.30</u>
TOTAL GOVERNANCE	<u>\$113,450.00</u>	<u>\$39,899.78</u>	<u>\$2,343,520.00</u>	<u>\$1,225,523.80</u>

SHIRE OF BROOME
Schedule 05
LAW ORDER AND PUBLIC SAFETY
Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Emergency & Ranger Administration			2,000.00	229,258.89
Ranger Operations			556,981.00	328,402.56
Fire Prevention			166,090.00	92,757.08
Animal Control			302,821.00	145,140.40
Other Law Order & Public Safety			87,117.00	23,748.65
Volunteer Bush Fire Brigade			12,203.00	23,335.99
SES/Fire & Emergency Services			20,758.00	21,968.14
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$1,147,970.00	\$864,611.71
Operating Income				
Ranger Operations				
Fire Prevention	51,000.00	34,789.53		
Animal Control	79,500.00	62,087.63		
Other Law Order & Public Safety	18,500.00	11,566.20		
Volunteer Bush Fire Brigade	9,037.00	3,158.08		
SES/Fire & Emergency Services	20,758.00	10,553.99		
TOTAL OPERATING INCOME	\$178,795.00	\$122,155.43	\$0.00	\$0.00
Capital Expenditure				
Ranger Operations			141,000.00	
Volunteer Bush Fire Brigade			1,205,580.00	5,580.00
SES/Fire & Emergency Services				
TOTAL CAPITAL EXPENDITURE	\$0.00	\$0.00	\$1,346,580.00	\$5,580.00
Capital Income				
Ranger Operations	39,000.00			
Volunteer Bush Fire Brigade	1,200,000.00			
SES/Fire & Emergency Services				
TOTAL CAPITAL INCOME	\$1,239,000.00	\$0.00	\$0.00	\$0.00
TOTAL LAW ORDER AND PUBLIC SAFETY	\$1,417,795.00	\$122,155.43	\$2,494,550.00	\$870,191.71

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME
Schedule 05
LAW ORDER AND PUBLIC SAFETY
Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Emergency & Ranger Administration				
Operating Expenditure				
0052110 - Salary - Op Exp - Emerg & Rang Serv			0.00	492.59 100%
0052116 - Phone Expenses Op Exp - Emerg & Rang Serv			2,000.00	1,166.37 58%
0052119 - Emergency Management Expenses - Op Exp - Emerg & Rang Serv			0.00	223,794.11 100%
0052184 - Sundry Equip - Op Exp - Emerg & Rang Serv			0.00	3,805.82 100%
Sub Total To Programme Summary	\$0.00	\$0.00	\$2,000.00	\$229,258.89
Total Emergency & Ranger Administration	\$0.00	\$0.00	\$2,000.00	\$229,258.89
Ranger Operations				
Operating Expenditure				
0052020 - Other Employment Costs - Op Exp - Ranger Operations			7,414.00	3,132.58 42%
0052281 - Ranger Uniforms - Op Exp - Ranger Operations			2,500.00	1,635.74 65%
0052282 - Other Minor Exp - Op Exp - Ranger Operations				
0052284 - Advertising & Promotion - Op Exp - Ranger Operations			10,000.00	3,662.06 37%
0052285 - Phone Exp - Op Exp - Ranger Operations			4,400.00	2,887.78 66%
0052296 - Loss on Asset Sale - Op Exp - Ranger Operations			22,425.00	0.00 0%
0052530 - Admin Costs Alloc - Op Exp - Ranger Operations			99,396.00	51,734.41 52%
0052800 - Vehicle & Plant Exps - Rangers (Post Expenses to the Plant Number Only) - Op Exp - Ranger Operations			31,700.00	13,847.39 44%
0053010 - 10731800			201,804.00	116,786.46 58%
0053011 - Superannuation Employee Expense - Ranger Ops			61,542.00	32,668.30 53%
0053015 - Relief Staff Exp - Op Exp - Ranger Operations			0.00	41,783.02 100%
0053017 - Fines Enforcement Registry Exp - Op Exp - Ranger Operations			9,000.00	13,694.75 152%
0053018 - Rangers Equipment - Op Exp - Ranger Operations			12,500.00	988.61 8%
0053033 - Security Beach Patrols - Op Exp - Ranger Operations			10,000.00	4,554.55 46%
0507298 - IT/Records Allocated - Ranger Operations			84,300.00	41,026.91 49%
Sub Total To Programme Summary	\$0.00	\$0.00	\$556,981.00	\$328,402.56
Operating Income				
0053341 - Commercial Trading Licence Fee Rec'd - Op Inc - Ranger Operations				
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00
Capital Expenditure				

SHIRE OF BROOME
Schedule 05
LAW ORDER AND PUBLIC SAFETY
Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0052548 - Vehicle & Mob Plant New -Cap Exp -Ranger Ops			21,000.00	0.00	0%
0052550 - Vehicle & Mob Plant Renewal(Replacement) Exp -Cap Exp -Ranger Ops			120,000.00	0.00	0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$141,000.00	\$0.00	
Capital Income					
0052950 - Proceeds From Sale of Assets - Cap Inc- Ranger Operations	39,000.00	0.00			0%
Sub Total To Programme Summary	\$39,000.00	\$0.00	\$0.00	\$0.00	
Total Ranger Operations	\$39,000.00	\$0.00	\$697,981.00	\$328,402.56	
Fire Prevention					
Operating Expenditure					
0051010 - Salaries - Op Exp - Fire Prevention			50,450.00	29,489.68	58%
0051015 - 569300			4,062.00	198.81	5%
0051051 - FESA Levy Paid on Shire Land - Op Exp - Fire Prevention			8,500.00	10,505.67	124%
0051530 - Admin cost Alloc - Op Exp - Fire Prevention			36,144.00	18,812.52	52%
0508206 - Other Employment Costs - Op Exp - Fire Prevention			799.00	720.85	90%
0508216 - Bush Fire Mitigation - Op Exp - Fire Prevention			66,135.00	33,029.55	50%
Sub Total To Programme Summary	\$0.00	\$0.00	\$166,090.00	\$92,757.08	
Operating Income					
0051400 - Fines - Op Inc - Fire Prevention	6,000.00	2,500.00			42%
0051410 - User Charges - Fire - Slashing Etc - Op Inc - Fire Prevention	45,000.00	32,289.53			72%
Sub Total To Programme Summary	\$51,000.00	\$34,789.53	\$0.00	\$0.00	
Total Fire Prevention	\$51,000.00	\$34,789.53	\$166,090.00	\$92,757.08	
Animal Control					
Operating Expenditure					
0052010 - Salaries - Op Exp - Animal Control			126,127.00	75,085.55	60%
0052011 - Reimbursement Exp - Op Exp - Animal Control			12,500.00	0.00	0%
0052012 - Advertising Tags & Other Animal Control Exps - Op Exp - Animal Control			4,000.00	1,748.46	44%
0052040 - Pound Fees Animal Destruction & Disposal - Op Exp - Animal Control			80,000.00	27,888.59	35%
0052286 - Cat Sterilisation Program - Op Exps - Animal Control			2,000.00	0.00	0%
0052287 - Dog Sterilisation Program - Op Exps - Animal Control			2,000.00	0.00	0%
0057530 - Admin Costs Alloc to Animal Control - Op Exp - Animal Control			74,196.00	38,615.17	52%

SHIRE OF BROOME
Schedule 05
LAW ORDER AND PUBLIC SAFETY
Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
0509206 - Other Employment Costs - Op Exp - Animal Control			1,998.00	1,802.63 90%
Sub Total To Programme Summary	\$0.00	\$0.00	\$302,821.00	\$145,140.40
Operating Income				
0052335 - Reimbursements Rec'd - OP Inc - Animal Control				
0052400 - Animal Fines & Penalties - Op Inc - Animal Control	10,000.00	11,427.15 114%		
0052410 - Dog Impounding Fees & Sundries - Op Inc - Animal Control	27,500.00	19,190.25 70%		
0052411 - Dog Handling Accessories - Op Inc - Animal Control MUN	0.00	212.73 100%		
0052416 - Cat Registration - Op Inc - Animal Control	2,000.00	838.25 42%		
0052420 - Dog Registration - Op Inc - Animal Control	40,000.00	30,524.50 76%		
0052486 - Cat Sterilisation Program Income - Op Inc - Animal Control	0.00	-105.25 100%		
Sub Total To Programme Summary	\$79,500.00	\$62,087.63	\$0.00	\$0.00
Total Animal Control	\$79,500.00	\$62,087.63	\$302,821.00	\$145,140.40
Other Law Order & Public Safety				
Operating Expenditure				
0053034 - Surf Club Operating Exps - Op Exp - Other Law Order & Public Safety			16,403.00	7,808.70 48%
0053036 - Surf Club Building Maint - Op Exp - Other Law Order & Public Safety			2,000.00	0.00 0%
0053060 - Impounding of Vehicles Expense - Op Exp - Other Law Order & Public Safety			10,000.00	8,660.00 87%
0053283 - 4394200			20,000.00	769.23 4%
0053286 - Warning Signs Maintenance - Op Exp - Other Law Order & Public Safety			4,673.00	350.37 7%
0053288 - Local Laws Review - Op Exp - Other Law Order & Public Safety			0.00	679.08 100%
0053410 - Fixed Asset Dep'n - Op Exp - Other Law Order & Public Safety			34,041.00	5,481.27 16%
Sub Total To Programme Summary	\$0.00	\$0.00	\$87,117.00	\$23,748.65
Operating Income				
0053340 - Surf Club - Rent & Recoup Income - Op Inc	6,000.00	0.00 0%		
0053400 - Sundry (ORV Etc) Fines & Penalties - Op Inc - Other Law Order & Public Safety	10,000.00	11,566.20 116%		
0053405 - Vehicle Impounding Fees - Op Inc - Other Law Order & Public Safety	1,500.00	0.00 0%		
0053450 - Sale of Impounded Vehicles & Goods - Op Inc - Other Law Order & Public Safety	1,000.00	0.00 0%		
Sub Total To Programme Summary	\$18,500.00	\$11,566.20	\$0.00	\$0.00
Total Other Law Order & Public Safety	\$18,500.00	\$11,566.20	\$87,117.00	\$23,748.65

SHIRE OF BROOME
Schedule 05
LAW ORDER AND PUBLIC SAFETY
Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Volunteer Bush Fire Brigade				
Operating Expenditure				
0051050 - Insurance Exp - VBFB/FESA - Op Exp - Volunteer Bush Fire Brigade			2,137.00	2,136.82 100%
0053146 - Utilities Rates & Taxes - VBFB/FESA - Op Exp - Volunteer Bush Fire Brigade			1,500.00	319.99 21%
0053198 - Dep'n Exp - VBFB/FESA - Op Exp - Volunteer Bush Fire Brigade			3,166.00	19,677.70 622%
0053291 - Vehicles & Boat Maint - VBFB/FESA - Op Exp - Volunteer Bush Fire Brigade			5,400.00	1,201.48 22%
Sub Total To Programme Summary	\$0.00	\$0.00	\$12,203.00	\$23,335.99
Operating Income				
0051401 - Bush Fire Brigade FESA Operating Grant - Op Inc - Volunteer Bush Fire Brigade	9,037.00	3,158.08 35%		
Sub Total To Programme Summary	\$9,037.00	\$3,158.08	\$0.00	\$0.00
Capital Expenditure				
0053172 - VBFB Building New Const - Cap Exp - Volunteer Bush Fire Brigade			1,200,000.00	0.00 0%
0053174 - VBFB Buildings Renewal - Cap Ex - VBFB			5,580.00	5,580.00 100%
Sub Total To Programme Summary	\$0.00	\$0.00	\$1,205,580.00	\$5,580.00
Capital Income				
0053390 - Capital Grant Funding For Plant/Equip/ Buildings - Cap Inc - Volunteer Bush Fire Brigade	1,200,000.00	0.00 0%		
Sub Total To Programme Summary	\$1,200,000.00	\$0.00	\$0.00	\$0.00
Total Volunteer Bush Fire Brigade	\$1,209,037.00	\$3,158.08	\$1,217,783.00	\$28,915.99
SES/Fire & Emergency Services				
Operating Expenditure				
0055125 - Vehicles & Boats Maint - - Op Exp - SES/ Fire & Emergency Services			4,800.00	1,700.07 35%
0055130 - Land & Building Maint - Op Exp - SES/ Fire & Emergency Services				
0055146 - Utilities Rates & Taxes - - Op Exp - SES/ Fire & Emergency Services			12,400.00	5,957.49 48%
0055150 - Other Good & Services - Op Exp - SES/ Fire & Emergency Services				
0055155 - Insurance Exp - - Op Exp - SES/ Fire & Emergency Services			3,558.00	3,557.64 100%
0055198 - Dep'n Exp - Op Exp - SES/ Fire & Emergency Services			0.00	10,752.94 100%
Sub Total To Programme Summary	\$0.00	\$0.00	\$20,758.00	\$21,968.14
Operating Income				

SHIRE OF BROOME
Schedule 05
LAW ORDER AND PUBLIC SAFETY
Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
0055199 - Profit On Sale of Assets Exp - SES/FESA - Op Inc - SES				
0055300 - State Grants/Reimbursements - Op Inc - SES/ Fire & Emergency Services	20,758.00	10,553.99 51%		
Sub Total To Programme Summary	\$20,758.00	\$10,553.99	\$0.00	\$0.00
Capital Expenditure				
0055167 - Vehicles & Mob Plant Renewal > \$3000 - Cap Exp - SES/ FESA				
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00
Capital Income				
0055190 - Non Op Grant Funding for Plant/Equip/Buildings - Op Inc - SES/ Fire & Emergency Services				
0055470 - Proceeds From the Sale Of Assets (Income from the sale or trade-in of assets) > \$3000 - Cap Inc - S				
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00
Total Ses/Fire & Emergency Services	\$20,758.00	\$10,553.99	\$20,758.00	\$21,968.14
TOTAL LAW ORDER AND PUBLIC SAFETY	\$1,417,795.00	\$122,155.43	\$2,494,550.00	\$870,191.71

SHIRE OF BROOME
Schedule 07
HEALTH

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Health Service - Inspection			758,232.00	405,547.89
Health Service - Pest Control			20,174.00	9,861.02
Health Service - Other			20,000.00	12,360.20
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$798,406.00	\$427,769.11
Operating Income				
Health Service - Inspection	187,700.00	151,598.87		
Health Service - Pest Control	2,000.00	2,198.21		
Health Service - Other		1,680.00		
TOTAL OPERATING INCOME	\$189,700.00	\$155,477.08	\$0.00	\$0.00
Capital Expenditure				
Health Service - Inspection			40,000.00	
Health Service - Pest Control				
TOTAL CAPITAL EXPENDITURE	\$0.00	\$0.00	\$40,000.00	\$0.00
Capital Income				
Health Service - Inspection	13,000.00			
Health Service - Pest Control	6,974.00			
TOTAL CAPITAL INCOME	\$19,974.00	\$0.00	\$0.00	\$0.00
TOTAL HEALTH	\$209,674.00	\$155,477.08	\$838,406.00	\$427,769.11

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME
Schedule 07
HEALTH

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Health Service - Inspection				
Operating Expenditure				
0074010 - Salary - Op Exp - Preventive - Inspection/Admin			463,886.00	257,761.46 56%
0074012 - Superannuation Employee Expense - Health			59,566.00	27,933.64 47%
0074028 - FBT & Staff Utilities Expense - Op Exp - Preventive - Inspection/Admin			0.00	547.69 100%
0074280 - Other Minor Expenditure - Op Exp - Preventive - Inspection/Admin			7,520.00	4,155.15 55%
0074296 - Loss on Sale Of Assets - Op Exp - Preventive - Inspection/Admin			3,850.00	0.00 0%
0074298 - Fixed Asset Dep'n - Op Exp - Preventive - Inspection/Admin			2,567.00	717.68 28%
0074530 - Admin Costs Alloc - Op Exp - Preventive - Inspection/Admin			121,284.00	63,120.94 52%
0078800 - Vehicle & Plant Exps - Op Exp - Preventive - Inspection/Admin			25,300.00	13,341.62 53%
0716206 - Other Employment Costs - Op Exp - Health Services Inspection			11,079.00	7,221.50 65%
0716298 - IT/Records Costs Allocated -Health Services Inspection			63,180.00	30,748.21 49%
Sub Total To Programme Summary	\$0.00	\$0.00	\$758,232.00	\$405,547.89
Operating Income				
0074400 - Health Fines & Penalties - Op Inc - Preventive - Inspection/Admin	100.00	0.00 0%		
0074413 - Commercial Pool Inspection Fees - Op Inc - Preventive - Inspection/Admin	85,800.00	50,320.00 59%		
0074414 - Water Sampling (Not Swimming Pools) - Op Inc - Health Service Inspect	2,860.00	243.00 8%		
0074420 - Health Licences - Op Inc - Preventive - Inspection/Admin	70,000.00	72,837.78 104%		
0074421 - Inspections and Minor Charges includes GST - Op Inc - Preventive - Inspection/Admin	500.00	509.09 102%		
0074425 - Service on Demand Fees - Op Inc - Health Service Inspection	500.00	0.00 0%		
0074490 - Trading Licences - All Except Beach - Op Inc - Prevent - Inspection/Admin	27,940.00	27,689.00 99%		
Sub Total To Programme Summary	\$187,700.00	\$151,598.87	\$0.00	\$0.00
Capital Expenditure				
0074550 - Vehicle & Mob Plant Renewal(Replacement) - Cap Exp - Health Inspect's			40,000.00	0.00 0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$40,000.00	\$0.00
Capital Income				
0074950 - Proceeds from Sale of Assets - Cap Inc - Health Inspect	13,000.00	0.00 0%		
Sub Total To Programme Summary	\$13,000.00	\$0.00	\$0.00	\$0.00
Total Health Service - Inspection	\$200,700.00	\$151,598.87	\$798,232.00	\$405,547.89

SHIRE OF BROOME
Schedule 07
HEALTH

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
Health Service - Pest Control					
Operating Expenditure					
0075020 - Mosquito Control & Pest Control - Op Exp - Preventive Service-Pest Control			16,974.00	9,033.71	53%
0075030 - Eradication Flies/Rodents - Op Exp - Preventive Service-Pest Control			2,000.00	0.00	0%
0075800 - Vehicle & Plant Exps - Op Exp - Preventive Service-Pest Control			1,200.00	827.31	69%
Sub Total To Programme Summary	\$0.00	\$0.00	\$20,174.00	\$9,861.02	
Operating Income					
0075391 - Grants and Contributions Rec'd Op Inc - Prev Svcs - Pest Control	2,000.00	2,198.21	110%		
Sub Total To Programme Summary	\$2,000.00	\$2,198.21	\$0.00	\$0.00	
Capital Expenditure					
0074596 - Transfer to Restricted Cash Reserve - Cap Exp - Health					
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00	
Capital Income					
0717599 - Transfer From Restricted Cash Reserve - Cap Inc - Health Service - Pest Control	6,974.00	0.00	0%		
Sub Total To Programme Summary	\$6,974.00	\$0.00	\$0.00	\$0.00	
Total Health Service - Pest Control	\$8,974.00	\$2,198.21	\$20,174.00	\$9,861.02	
Health Service - Other					
Operating Expenditure					
0076020 - Analytical Expenses - Op Exp - Preventive Services Other			20,000.00	12,360.20	62%
Sub Total To Programme Summary	\$0.00	\$0.00	\$20,000.00	\$12,360.20	
Operating Income					
0076030 - Grants Contributions Rec'd - Op Inc - Preventive Services Other	0.00	1,680.00	100%		
Sub Total To Programme Summary	\$0.00	\$1,680.00	\$0.00	\$0.00	
Total Health Service - Other	\$0.00	\$1,680.00	\$20,000.00	\$12,360.20	
TOTAL HEALTH	\$209,674.00	\$155,477.08	\$838,406.00	\$427,769.11	

SHIRE OF BROOME
Schedule 08
EDUCATION AND WELFARE

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Aged & Disabled Services			8,000.00	
Community Services			680,681.00	305,665.36
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$688,681.00	\$305,665.36
Operating Income				
Community Services	15,000.00	15,000.00		
TOTAL OPERATING INCOME	\$15,000.00	\$15,000.00	\$0.00	\$0.00
Capital Expenditure				
Community Services			36,000.00	
TOTAL CAPITAL EXPENDITURE	\$0.00	\$0.00	\$36,000.00	\$0.00
Capital Income				
Community Services	8,000.00			
TOTAL CAPITAL INCOME	\$8,000.00	\$0.00	\$0.00	\$0.00
TOTAL EDUCATION AND WELFARE	\$23,000.00	\$15,000.00	\$724,681.00	\$305,665.36

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME
Schedule 08
EDUCATION AND WELFARE

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Aged & Disabled Services				
Operating Expenditure				
0082034 - Disability Access and Inclusion Maint & Operating Exp - Op Exp - Aged & Disabled Services			8,000.00	0.00 0%
Sub Total To Programme Summary	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$8,000.00</u>	<u>\$0.00</u>
Total Aged & Disabled Services	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$8,000.00</u>	<u>\$0.00</u>
Community Services				
Operating Expenditure				
0082600 - Salary - Op Exp - Community Services			365,167.00	143,714.35 39%
0082602 - Other Employment Costs - Community Services			14,540.00	10,436.02 72%
0082603 - Legal Exp - Op Exp - Community Services			10,000.00	0.00 0%
0082604 - Vehicle & Plant Exps - Op Exp - Community Services			10,400.00	5,902.37 57%
0082608 - Loss On Sale Of Assets Op Exp - Community Services			1,000.00	0.00 0%
0082610 - Relief Staff - Op Exp - Community Services)			2,866.00	10,783.23 376%
0082611 - Consultants - Op Exp - Community Services				
0082612 - Function Expenses - Op Exp - Community Services				
0082613 - Advertising Promotion & Printing - Op Exp - Community Services			3,000.00	0.00 0%
0082616 - Superannuation Employee Expense - Community Services			46,488.00	19,765.40 43%
0082617 - Community Development Strategy - Op Exp - Community Services				
0082621 - Sundry Exp - Op Exp - Community Services			600.00	128.00 21%
0082630 - Admin Costs Alloc - Comm Serv			137,448.00	71,537.07 52%
0821298 - IT/Records Costs Alloc - Comm Serv			89,172.00	43,398.92 49%
Sub Total To Programme Summary	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$680,681.00</u>	<u>\$305,665.36</u>
Operating Income				
0082672 - Reimb & Other Income - Op Inc - Com Services				
0082675 - Grants For Community Programs - Op Inc - Community Services	15,000.00	15,000.00 100%		
Sub Total To Programme Summary	<u>\$15,000.00</u>	<u>\$15,000.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Capital Expenditure				
0082605 - Vehicle & Mob Plant Renewal (Replacement) Cap Exp - Comm Services			36,000.00	0.00 0%
Sub Total To Programme Summary	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$36,000.00</u>	<u>\$0.00</u>
Capital Income				

SHIRE OF BROOME
Schedule 08
EDUCATION AND WELFARE

Financial Statement For The Period Ending 31/01/2018

Particulars	Income			Expenditure	
	Current Year Estimated	Current Year Actual		Current Year Estimated	Current Year Actual
0082606 - Proceeds On Sale Of Assets - Cap Inc - Community Services	8,000.00	0.00	0%		
Sub Total To Programme Summary	\$8,000.00	\$0.00		\$0.00	\$0.00
Total Community Services	\$23,000.00	\$15,000.00		\$716,681.00	\$305,665.36
TOTAL EDUCATION AND WELFARE	\$23,000.00	\$15,000.00		\$724,681.00	\$305,665.36

SHIRE OF BROOME
Schedule 09
HOUSING

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Staff Housing			648,725.00	350,895.64
Other Housing			140,772.00	73,269.81
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$789,497.00	\$424,165.45
Operating Income				
Staff Housing	628,275.00	335,268.53		
TOTAL OPERATING INCOME	\$628,275.00	\$335,268.53	\$0.00	\$0.00
Capital Expenditure				
Staff Housing			769,000.00	729,025.98
TOTAL CAPITAL EXPENDITURE	\$0.00	\$0.00	\$769,000.00	\$729,025.98
Capital Income				
Staff Housing	729,000.00			
TOTAL CAPITAL INCOME	\$729,000.00	\$0.00	\$0.00	\$0.00
TOTAL HOUSING	\$1,357,275.00	\$335,268.53	\$1,558,497.00	\$1,153,191.43

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME

Schedule 09

HOUSING

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Staff Housing				
Operating Expenditure				
0092299 - Fixed Asset Dep'n - Op Exp - Staff Housing			47,426.00	7,245.15 15%
0095110 - 2/10 Frederick Street (ex Manager Infra break lease)			0.00	753.38 100%
0095200 - Staff Housing Rental Costs (External Arrangement)			536,000.00	302,970.86 57%
0096100 - Staff Housing - Planned Maint & Minor Works - Op Exp			10,000.00	4,021.51 40%
0096101 - Staff Housing - Reactive Maint - Op Exp			16,500.00	7,111.90 43%
0096102 - Staff Housing - Operating Expense - Op Exp			38,799.00	28,792.84 74%
Sub Total To Programme Summary	\$0.00	\$0.00	\$648,725.00	\$350,895.64
Operating Income				
0095400 - Rented Staff Housing Annual Operating Income - Staff housing	536,000.00	285,222.18 53%		
0095442 - 69 Robinson St Rent & Recoup Income - Op Inc	10,300.00	1,802.59 18%		
0096200 - 1/17 Honeyeater Loop - Rent & Recoup Income - Op Inc	11,375.00	8,250.00 73%		
0096201 - 8/83 Walcott Street - Rent & Recoup Income - Op Inc	11,375.00	5,452.86 48%		
0096202 - 8/6 Ibis Way - Rent & Recoup Income - Op Inc	5,650.00	5,049.99 89%		
0096203 - 11/6 Ibis Way - Rent & Recoup Income - Op Inc	11,375.00	8,250.00 73%		
0096204 - 2/50 Tanami Drive - Rent & Recoup Income - Op Inc	12,500.00	4,200.00 34%		
0096205 - 4/50 Tanami Drive - Rent & Recoup Income - Op Inc	12,500.00	7,290.91 58%		
0145561 - Lot 1002 Shelduck Way - Rent & Recoup Income - Op Inc	17,200.00	9,750.00 57%		
Sub Total To Programme Summary	\$628,275.00	\$335,268.53	\$0.00	\$0.00
Capital Expenditure				
0095810 - Building Staff Housing - Cap Exp - New			729,000.00	729,025.98 100%
0095816 - Shire Staff Housing Building Renewal - Staff Housing				
0095901 - Transfer to Building Reserve - Cap Exp - Housing			40,000.00	0.00 0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$769,000.00	\$729,025.98
Capital Income				
0095910 - Transfer From Building Reserve - Staff Housing - Cap Inc	729,000.00	0.00 0%		
Sub Total To Programme Summary	\$729,000.00	\$0.00	\$0.00	\$0.00
Total Staff Housing	\$1,357,275.00	\$335,268.53	\$1,417,725.00	\$1,079,921.62

Other Housing

SHIRE OF BROOME

Schedule 09

HOUSING

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
Operating Expenditure					
0947294 - Admin Costs Allocated Op Exp - Other Housing			140,772.00	73,269.81	52%
Sub Total To Programme Summary	\$0.00	\$0.00	\$140,772.00	\$73,269.81	
Total Other Housing	\$0.00	\$0.00	\$140,772.00	\$73,269.81	
TOTAL HOUSING	\$1,357,275.00	\$335,268.53	\$1,558,497.00	\$1,153,191.43	

SHIRE OF BROOME
Schedule 10
COMMUNITY AMENITIES

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Regional Resource Recovery Park			400,000.00	2,780.45
Sanitation - General Refuse			4,806,798.00	1,680,305.30
Sanitation - Other			962,479.00	521,137.68
Sewerage			6,500.00	3,538.06
Storm Water Drainage			1,284,898.00	761,064.46
Town Planning/Regional Development			833,685.00	454,391.27
Development Services Support			714,994.00	377,445.14
Protection of Environment			76,726.00	32,816.65
Other Community Amenities			404,422.00	179,940.48
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$9,490,502.00	\$4,013,419.49
Operating Income				
Regional Resource Recovery Park	259,800.00	48,840.50		
Sanitation - General Refuse	7,081,400.00	4,672,541.40		
Sanitation - Other	2,000.00	2,064.62		
Sewerage	3,000.00	5,074.00		
Storm Water Drainage	40,600.00	7,798.67		
Town Planning/Regional Development	82,500.00	31,176.99		
Development Services Support	5,000.00			
Protection of Environment	5,000.00	5,000.00		
Other Community Amenities	19,940.00	12,727.68		
TOTAL OPERATING INCOME	\$7,499,240.00	\$4,785,223.86	\$0.00	\$0.00
Capital Expenditure				
Regional Resource Recovery Park			259,800.00	48,840.50
Sanitation - General Refuse			3,510,655.00	150,721.55
Storm Water Drainage			726,067.01	7,798.67
Other Community Amenities			102,300.00	7,536.80
TOTAL CAPITAL EXPENDITURE	\$0.00	\$0.00	\$4,598,822.01	\$214,897.52
Capital Income				
Regional Resource Recovery Park	400,000.00			
Sanitation - General Refuse	1,236,053.00			
Storm Water Drainage	255,000.01			

SHIRE OF BROOME
Schedule 10
COMMUNITY AMENITIES

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Development Services Support				
TOTAL CAPITAL INCOME	\$1,891,053.01	\$0.00	\$0.00	\$0.00
TOTAL COMMUNITY AMENITIES	\$9,390,293.01	\$4,785,223.86	\$14,089,324.01	\$4,228,317.01

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME
Schedule 10
COMMUNITY AMENITIES

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
Regional Resource Recovery Park					
Operating Expenditure					
0108001 - New Refuse Site Exp - Op Exp - Regional Resource Recovery Park			400,000.00	2,780.45	1%
Sub Total To Programme Summary	\$0.00	\$0.00	\$400,000.00	\$2,780.45	
Operating Income					
0101426 - Interest - Reg Res Rec Pk Reserve - Op Inc - Reg Res Recov Pk	259,800.00	48,840.50	19%		
Sub Total To Programme Summary	\$259,800.00	\$48,840.50	\$0.00	\$0.00	
Capital Expenditure					
0101895 - Transfer to Regional Resource Recovery Park Reserve - Cap Exp - Reg Res Rec Pk			259,800.00	48,840.50	19%
Sub Total To Programme Summary	\$0.00	\$0.00	\$259,800.00	\$48,840.50	
Capital Income					
0101995 - Transfer from Regional Resource Recovery Reserve - Cap Inc - Reg Res Recov	400,000.00	0.00	0%		
Sub Total To Programme Summary	\$400,000.00	\$0.00	\$0.00	\$0.00	
Total Regional Resource Recovery Park	\$659,800.00	\$48,840.50	\$659,800.00	\$51,620.95	
Sanitation - General Refuse					
Operating Expenditure					
0101010 - Salary & Wages Default - Op Exp - Sanitation General Refuse			101,269.00	36,052.43	36%
0101011 - Salary & Wages Workers Comp - Op Exp - Sanitation General Refuse					
0101020 - Kerbside Refuse Collection - Op Exp - Sanitation Gen Refuse			412,000.00	204,681.31	50%
0101022 - Kerbside Recycling Collection -Op Exp - San Gen Refuse			714,000.00	367,482.20	51%
0101023 - Commercial Recycling - Op Exp - Sanitation Gen Refuse			143,000.00	0.00	0%
0101024 - Less On Cost Allocated - Op Exp - Sanitation General Refuse			-324,748.00	-220,217.91	68%
0101027 - Recycling Advertising - Op Exp - San Gen Refuse			1,000.00	0.00	0%
0101028 - 20415300			311,313.00	185,837.88	60%
0101029 - Salary - Waste Co-ordinator - Op Exp -Sanitation Gen Refuse			121,959.00	0.00	0%
0101030 - 23245900			1,521,103.00	771,351.17	51%
0101031 - Liquid Waste - Op Exp - Sanitation Gen Refuse			49,500.00	602.25	1%
0101032 - Other Employment Costs - Op Exp - Sanitation General Refuse			20,460.00	13,537.94	66%
0101033 - Superannuation Employee Expense - Op Exp - Sanitation General			84,989.00	45,610.76	54%
0101036 - Mobile Phone & Sundries - Op Exp - Sanitation Gen Refuse			720.00	445.63	62%

SHIRE OF BROOME
Schedule 10
COMMUNITY AMENITIES

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0101038 - Training & Staff Meeting Expenses - Op Exp - Sanitation Gen Refuse			19,361.00	4,204.92	22%
0101040 - Consultants - Op Exp - Sanitation Gen Refuse					
0101080 - Refuse Site Building Maint & Operating - Op Exp - Sanitation Gen Refuse			50,041.00	24,047.56	48%
0101285 - Minor Assets Equipment & Consumables - Op Exps - Sanitation Gen Refuse			5,000.00	2,914.47	58%
0101295 - Dep'cn Expense Infrastructure - Op Exps - Sanitation Gen Refuse			35,405.00	27,255.02	77%
0101296 - Loss on Sale of Assets - Sanitation Gen Refuse					
0101299 - Dep'n Exp Furniture & Fittings - Sanitation Gen Refuse			0.00	119.24	100%
0101530 - Admin Costs Alloc - Op Exps - Sanitation Gen Refuse			299,148.00	155,698.33	52%
0101800 - Vehicle & Plant Exps - Op Exps - Sanitation Gen Refuse			29,100.00	23,177.25	80%
1011298 - IT/Record Costs Allocated - Op Exps - Sanitation Gen Refuse			51,444.00	25,037.83	49%
1026218 - Kerbside Collection Disposal Costs - (Internal Shire Charge) - Op Exp - San Gen Refuse			1,145,500.00	0.00	0%
1026296 - Fixed Asset Dep'n - Op Exp - Sanitation General Refuse			15,234.00	12,467.02	82%
Sub Total To Programme Summary	\$0.00	\$0.00	\$4,806,798.00	\$1,680,305.30	
Operating Income					
0101410 - Refuse & Recycling Chgs - Op Inc - Sanitation Gen Refuse	3,274,000.00	3,285,549.92			100%
0101411 - Refuse & Recycling Removal Chgs - Additional & C'van Pk Services - Op Inc - Sanitation Gen Refuse	335,000.00	304,092.03			91%
0101420 - Charges Refuse Site - Op Inc - Sanitation Gen Refuse	2,200,000.00	1,007,262.16			46%
0101423 - Sundry Income (Inc. GST) - Op Inc - Sanitation Gen Refuse	6,500.00	17,835.49			274%
0101424 - EDL Lease - Op Inc - Sanitation Gen Refuse	36,000.00	36,227.70			101%
0101425 - Interest - Refuse Site Reserve - Op Inc - Sanitation Gen Refuse	83,400.00	17,894.10			21%
0101427 - Contributions Rec'd Op & Non Op - - Op Inc - Sanitation Gen Refuse					
0101480 - Refuse & Recycling Bin Sales - Op Inc - Sanitation Gen Refuse	1,000.00	3,680.00			368%
0101481 - Sundry Income (No GST) - Op Inc Sanitation Gen Refuse					
0101499 - Profit On Sale Of Assets - Op Inc - Sanitation Gen Refuse					
0102636 - Kerbside Collection Disposal Costs - Internal Shire charge - Op Inc - Sanitation Gen Refuse	1,145,500.00	0.00			0%
Sub Total To Programme Summary	\$7,081,400.00	\$4,672,541.40	\$0.00	\$0.00	
Capital Expenditure					

SHIRE OF BROOME
Schedule 10
COMMUNITY AMENITIES

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
0101510 - Vehicle & Mob Plant Renewal(Replacement)-Cap Exp- Sanit Gen Refuse				
0101512 - Transfer to Resource Recovery Park Reserve - Cap Exp - San Gen Refuse			2,334,202.00	0.00 0%
0101515 - Transfer to Refuse Reserve - Cap Exp - Sanitation Gen Refuse			83,400.00	17,894.10 21%
0101520 - 8000000				
0101545 - Other Infra Upgrade Const - Cap Exp - Sanitation Gen Refuse			797,330.00	132,827.45 17%
0101550 - Other Infra Renewal Const - Cap Exp - Sanitation Gen Refuse			295,723.00	0.00 0%
0101999 - Other Infrastructure Sanitation - WIP Cap Exp				
0102556 - Furniture & Equip New Cap Exp - San Gen Refuse				
Sub Total To Programme Summary	\$0.00	\$0.00	\$3,510,655.00	\$150,721.55
Capital Income				
0101500 - Proceeds From Sale of Assets - Cap Inc - Sanitation Gen Refuse				
0101525 - Transfer From Refuse Site Reserve - Sanitation Gen Refuse	1,236,053.00	0.00 0%		
Sub Total To Programme Summary	\$1,236,053.00	\$0.00	\$0.00	\$0.00
Total Sanitation - General Refuse	\$8,317,453.00	\$4,672,541.40	\$8,317,453.00	\$1,831,026.85
Sanitation - Other				
Operating Expenditure				
0102010 - 3577300			898,502.00	492,598.11 55%
0102060 - 2419000			9,910.00	0.00 0%
0102070 - Purchase of Bins- Op Exp - Sanitation Other			0.00	95.00 100%
0102530 - Admin Costs Alloc - Op Exp - Sanitation Other			53,268.00	27,723.72 52%
1027206 - Other Employment Costs - Sanitation Other			799.00	720.85 90%
Sub Total To Programme Summary	\$0.00	\$0.00	\$962,479.00	\$521,137.68
Operating Income				
0102390 - Litter Control Bin Hire Etc User Charges - Op Inc - Sanitation Other	0.00	896.77 100%		
0102400 - Litter - fines & Penalties & Reimb (No GST)- Op Inc - Sanitation Other	2,000.00	1,167.85 58%		
Sub Total To Programme Summary	\$2,000.00	\$2,064.62	\$0.00	\$0.00
Total Sanitation - Other	\$2,000.00	\$2,064.62	\$962,479.00	\$521,137.68
Sewerage				
Operating Expenditure				
0103101 - Sewerage Facility Maintenance Exps - Op Exp - Sewerage			6,500.00	3,538.06 54%
Sub Total To Programme Summary	\$0.00	\$0.00	\$6,500.00	\$3,538.06

Page :28

Printed : 09/02/2018 4:49:38PM

SHIRE OF BROOME
Schedule 10
COMMUNITY AMENITIES

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
Operating Income					
0103480 - Septic Tank Fees - Op Inc - Sewerage	3,000.00	5,074.00	169%		
Sub Total To Programme Summary	\$3,000.00	\$5,074.00	\$0.00	\$0.00	
Total Sewerage	\$3,000.00	\$5,074.00	\$6,500.00	\$3,538.06	
Storm Water Drainage					
Operating Expenditure					
0102202 - 13884400			136,019.00	99,460.28	73%
0102210 - Drainage Consultant/Strategy - op Exp - Urban Stormwater Drainage			28,000.00	0.00	0%
0102295 - Fixed Asset Dep'n - Op Exp - Urban Stormwater Drainage			1,120,879.00	661,604.18	59%
Sub Total To Programme Summary	\$0.00	\$0.00	\$1,284,898.00	\$761,064.46	
Operating Income					
0102983 - Interest Rec Drainage Reserve -Op IncUrban S'water Drainage	40,600.00	7,798.67	19%		
Sub Total To Programme Summary	\$40,600.00	\$7,798.67	\$0.00	\$0.00	
Capital Expenditure					
0104270 - Drainage New Infra Const - Urban Stormwater Drainage			0.01	0.00	0%
0104281 - Transfer to Drainage Reserve - Cap Exp - Urban Stormwater Drainage			336,067.00	7,798.67	2%
0104600 - Drainage Upgrade Infra Const - Urban Stormwater Drainage			390,000.00	0.00	0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$726,067.01	\$7,798.67	
Capital Income					
0104480 - Transfer From Drainage Reserve - Urban Stormwater Drainage - Cap Inc	0.01	0.00	0%		
0104482 - Headworks Contribution - Non Op Inc - Urban Stormwater Drainage					
0104484 - Gen Non Op Grants - Cap Inc - Urban Stormwater Drainage	255,000.00	0.00	0%		
Sub Total To Programme Summary	\$255,000.01	\$0.00	\$0.00	\$0.00	
Total Storm Water Drainage	\$295,600.01	\$7,798.67	\$2,010,965.01	\$768,863.13	
Town Planning/Regional Development					
Operating Expenditure					
0106010 - Salary - Op Exp - Planning			480,805.00	267,187.20	56%
0106011 - Superannuation Employee Expense - Planning			49,010.00	30,603.59	62%
0106024 - Other Employment Costs - Op Exp - Planning			9,225.00	7,147.01	77%
0106030 - Consultants & Project Employees - Op Exp - Town Planning/Reg Dev			42,261.00	29,140.94	69%
0106032 - Relief Staff - Op Exp - Town Planning/Regional Devel					

SHIRE OF BROOME
Schedule 10
COMMUNITY AMENITIES

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0106039 - Planning Appeals - Op Exp - Town Planning/ Regional Devel			10,000.00	0.00	0%
0106040 - Advertising - Op Exp - Town Planning/Regional Devel			5,000.00	1,579.53	32%
0106051 - Engagement Expenses - Op Exp - Town Planning/Regional Dev			3,000.00	0.00	0%
0106279 - Copying & Printing Expenses - Op Exp - Town Planning/Regional Devel			500.00	0.00	0%
0106280 - Sundry Expenses - Op Exp - Town Planning/Regional Devel			500.00	0.00	0%
0106290 - Reimbursement Expense Legal & Other - Town Planning			2,000.00	0.00	0%
0106530 - Admin Cost Alloc - Town Planning & Reg Dev - Op Exp			181,200.00	94,310.12	52%
0106531 - Engineering Office Staff Time - Op Exp - Town Planning & Reg Develop					
0106800 - Vehicle & Plant Exps - Planning					
1030298 - IT/Records Costs Allocated -Town Planning & Reg Development			50,184.00	24,422.88	49%
Sub Total To Programme Summary	\$0.00	\$0.00	\$833,685.00	\$454,391.27	
Operating Income					
0106410 - Planning Fees (GST Free) - Op Inc - Town Planning/Regional Devel	75,000.00	28,596.99			38%
0106420 - Rezoning Fees (Incl GST) - Op Inc - Town Planning/Regional Devel					
0106421 - Rezoning Fees (Excl GST) - Op Inc - Town Planning	5,000.00	2,500.00			50%
0106430 - Subdivision/ Strata Title Fees - Op Inc - Town Planning/Regional Devel	2,000.00	0.00			0%
0106479 - Reimbursements Consultants etc. - Op Inc - Town Planning/Regional Devel					
0106480 - Other Minor Charges No GST - Op Inc - Town Planning/Regional Devel	500.00	80.00			16%
0106481 - Other Minor Charges Includes GST - Op Inc - Town Planning/Regional Devel					
Sub Total To Programme Summary	\$82,500.00	\$31,176.99	\$0.00	\$0.00	
Total Town Planning/Regional Development	\$82,500.00	\$31,176.99	\$833,685.00	\$454,391.27	
Development Services Support					
Operating Expenditure					
0106038 - Legal Expenses - Development Services			70,000.00	38,762.33	55%
0106100 - Salary - Op Exp - Development Services			383,749.00	208,287.31	54%
0106102 - Other Employment Costs - Development Services			17,295.00	9,760.45	56%
0106104 - Vehicle & Plant Exps - Development Services			7,200.00	3,396.21	47%
0106105 - Relief Staff - Op Exp - Development Services					
0106106 - Consultants & Project Employees - Op Exp - Development Services			15,000.00	600.00	4%

SHIRE OF BROOME
Schedule 10
COMMUNITY AMENITIES

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0106107 - Superannuation Employee Expense - Development Services			49,114.00	27,971.86	57%
0106120 - Conferences Travel & Accom - Development Services			0.00	463.64	100%
0106125 - Sundry Expenses - Development Services			1,600.00	936.56	59%
0106630 - Admin Costs Alloc - Dev Serv			116,520.00	60,645.62	52%
0106631 - Engineering Office Staff Time - Op Exp Dev Serv Sup			0.00	89.85	100%
1031298 - IT/Records Costs Alloc - Development Services			54,516.00	26,531.31	49%
Sub Total To Programme Summary	\$0.00	\$0.00	\$714,994.00	\$377,445.14	
Operating Income					
0106390 - Reimbursements Received - Development Services	5,000.00	0.00	0%		
Sub Total To Programme Summary	\$5,000.00	\$0.00	\$0.00	\$0.00	
Capital Income					
0106986 - Transfer From Restricted Cash - Development Services					
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00	
Total Development Services Support	\$5,000.00	\$0.00	\$714,994.00	\$377,445.14	
Protection of Environment					
Operating Expenditure					
0105054 - 1231900			23,437.00	5,494.45	23%
0105295 - Motor Vehicle & Plant Running Costs - Op Exp - Minyirr Park					
0105297 - Fixed Asset Dep'n - Op Exp - Protection of Environment			5,931.00	2,587.84	44%
0105530 - Admin Costs Alloc - Op Exp - Protection of Environment			31,860.00	16,584.72	52%
0105535 - Asbestos Removal- Moonlight to Demco - Op Exp - Protection of Environment					
0105546 - Consultants - Environmental - Op Exp - Prot of Envir			7,036.00	7,500.00	107%
0105565 - Water Quality Monitoring Expenses - Op Exp (Inc in 105545) - Prot of Env					
0113300 - 2055200			8,462.00	649.64	8%
Sub Total To Programme Summary	\$0.00	\$0.00	\$76,726.00	\$32,816.65	
Operating Income					
0105541 - Coastal Grants & Reimb Rec'd	5,000.00	5,000.00	100%		
Sub Total To Programme Summary	\$5,000.00	\$5,000.00	\$0.00	\$0.00	
Total Protection Of Environment	\$5,000.00	\$5,000.00	\$76,726.00	\$32,816.65	

Other Community Amenities

Operating Expenditure

SHIRE OF BROOME
Schedule 10
COMMUNITY AMENITIES

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0107010 - Public Toilets - Building Maintenance Exps			22,000.00	7,825.93	36%
0107028 - Cemetery Operating Expenses - Other Comm Amen			35,890.00	25,308.75	71%
0107029 - 4585900			0.00	161.42	100%
0107030 - 7644000			114,717.00	28,938.08	25%
0107034 - Broome Cemetery Survey & Other - Op Exp - Other Comm Amen			8,000.00	704.50	9%
0107035 - Cemeteries CCTV & Wireless Network Maint - Op Exp - Other Comm Amen			2,000.00	1,839.00	92%
0107071 - 450000			149,263.00	77,768.63	52%
0107100 - Cleaning Materials Util & Sundries - Op Exp - Other Community Amenities			360.00	100.41	28%
0107530 - Admin Costs Alloc - Op Exp - Other Community Amenities			39,480.00	20,545.25	52%
1033296 - Fixed Asset Depn - Op Exp - Other Community Amenities			32,712.00	16,748.51	51%
Sub Total To Programme Summary	\$0.00	\$0.00	\$404,422.00	\$179,940.48	
Operating Income					
0107370 - Cemetery Fees Inc GST - Op Inc - Other Community Amenities	17,000.00	10,816.38	64%		
0107375 - Cemetery related Licenses - GST Free - Op Inc - Other Community Amenities	640.00	1,108.00	173%		
1033399 - Interest Rec - Public Art Reserve - Op Inc - Other Comm Amen	2,300.00	803.30	35%		
Sub Total To Programme Summary	\$19,940.00	\$12,727.68	\$0.00	\$0.00	
Capital Expenditure					
0107540 - Cemeteries Other Infrastructure Upgrade - Cap Exp - Other Com Amenit			56,000.00	1,120.00	2%
0107550 - Cemeteries Other Infrastructure New - - Cap Exp - Other Community Amenities			44,000.00	5,613.50	13%
0107580 - Cemeteries Fixed Plant & Equip (CCTV) New-Cap Exp-Other Comm Amenities					
1033499 - Transfer to Public Art Reserve - Cap Exp - Other Community Amenities			2,300.00	803.30	35%
Sub Total To Programme Summary	\$0.00	\$0.00	\$102,300.00	\$7,536.80	
Total Other Community Amenities	\$19,940.00	\$12,727.68	\$506,722.00	\$187,477.28	
TOTAL COMMUNITY AMENITIES	\$9,390,293.01	\$4,785,223.86	\$14,089,324.01	\$4,228,317.01	

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE
Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Public Halls & Civic Centres			218,670.00	101,748.72
Libraries			1,351,752.00	692,178.46
Broome Civic Centre (Was Arts Centre)			985,798.00	486,794.05
Other Culture			450,995.00	219,864.82
Recreation Services			291,778.00	134,378.24
Swimming Areas & Beaches			250,355.00	139,522.83
Other Recreation & Sport			713,602.00	319,453.42
Parks & Ovals			3,251,141.00	1,599,292.79
BRAC - General			2,073,535.00	1,131,704.80
BRAC - Aquatic			460,004.00	258,418.70
BRAC - Dry			821,724.00	787,284.33
BRAC - Ovals			457,235.00	306,455.11
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$11,326,589.00	\$6,177,096.27
Operating Income				
Public Halls & Civic Centres	500.00			
Libraries	38,740.00	22,102.95		
Broome Civic Centre (Was Arts Centre)	244,500.00	136,959.12		
Other Culture	54,500.00	300.00		
Recreation Services	80,000.00	55,000.00		
Swimming Areas & Beaches				
Other Recreation & Sport	126,105.00	38,468.83		
Parks & Ovals	88,167.00	54,789.64		
BRAC - General	162,600.00	85,296.52		
BRAC - Aquatic	377,000.00	243,808.39		
BRAC - Dry	157,000.00	72,958.78		
BRAC - Ovals	54,000.00	18,347.93		
TOTAL OPERATING INCOME	\$1,383,112.00	\$728,032.16	\$0.00	\$0.00
Capital Expenditure				
Libraries				
Broome Civic Centre (Was Arts Centre)			451,558.00	223,551.11
Other Culture			128,139.00	2,350.00

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Other Recreation & Sport			7,182,506.00	12,137.80
Parks & Ovals			615,117.00	15,567.14
BRAC - General			100.00	268.38
BRAC - Aquatic			26,405.00	13,471.65
BRAC - Dry			146,766.00	86,838.63
BRAC - Ovals			175,231.00	105,990.41
TOTAL CAPITAL EXPENDITURE	\$0.00	\$0.00	\$8,725,822.00	\$460,175.12
Capital Income				
Libraries	4,555.00			
Other Culture	91,636.00	66,636.37		
Recreation Services				
Swimming Areas & Beaches				
Other Recreation & Sport	5,985,923.00			
Parks & Ovals				
BRAC - General				
BRAC - Aquatic				
BRAC - Dry	74,000.00			
TOTAL CAPITAL INCOME	\$6,156,114.00	\$66,636.37	\$0.00	\$0.00
TOTAL RECREATION AND CULTURE	\$7,539,226.00	\$794,668.53	\$20,052,411.00	\$6,637,271.39

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Public Halls & Civic Centres				
Operating Expenditure				
0111021 - 1970000			56,742.00	30,577.33 54%
0111530 - Admin Costs Alloc - Op Exp - Public Halls Civic Centres			30,444.00	15,842.11 52%
1135296 - Fixed Asset Dep'n - Op Exp - Public Halls			131,484.00	55,329.28 42%
Sub Total To Programme Summary	\$0.00	\$0.00	\$218,670.00	\$101,748.72
Operating Income				
0111411 - Lotteries House - Rent & Recoup Income - Op Inc	500.00	0.00 0%		
Sub Total To Programme Summary	\$500.00	\$0.00	\$0.00	\$0.00
Total Public Halls & Civic Centres	\$500.00	\$0.00	\$218,670.00	\$101,748.72
Libraries				
Operating Expenditure				
0115010 - Salary - Op Exp - Libraries			538,716.00	284,034.49 53%
0115011 - Superannuation Employee Expense - Libraries			62,140.00	31,582.95 51%
0115024 - Other Employment Costs - Op Exp - Library			6,074.00	1,647.81 27%
0115070 - IT Costs Alloc Lib - Op Exp - Libraries			270,240.00	131,514.52 49%
0115270 - Local History Resources - Op Exp - Library			1,800.00	667.44 37%
0115279 - Minor Assets Expensed - Op Exp Library			8,200.00	8,672.73 106%
0115280 - Grant Program Expenses - Op Exp - Library (Income in 115480)			5,820.00	7,272.72 125%
0115281 - 2500000			101,467.00	61,250.90 60%
0115282 - Library Office - Op Exp - Libraries			4,950.00	3,478.17 70%
0115284 - Subscriptions - Op Exp - Libraries			14,020.00	8,007.48 57%
0115285 - Freight - Op Exp - Libraries			4,000.00	285.43 7%
0115286 - SLWA Travel & Accommodation Op Exp - Library			24,580.00	3,248.82 13%
0115287 - Loan Reservation Service - Op Exp - Libraries			1,800.00	882.13 49%
0115289 - Programmes & Materials - Op Exp - Libraries			3,450.00	3,097.04 90%
0115290 - Lost/Damaged Items Exp - Library			1,700.00	1,500.00 88%
0115292 - Books & Binding - Op Exp			8,820.00	2,649.58 30%
0115293 - Office Equipment - Op Exp - Libraries			2,000.00	740.54 37%
0115294 - Advertising & Promotions Exp - Op Exp - Libraries			4,200.00	882.76 21%
0115295 - Sundry Exp - Op Exp - Libraries			350.00	213.28 61%
0115299 - Dep'n - Furniture & Fittings - Op Exp - Libraries			988.00	1,681.26 170%
0115530 - Admin Costs Alloc - Op Exp - Libraries			189,768.00	98,765.72 52%

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
1136206 - Other Employment Costs - Op Exp - Libraries			11,827.00	9,325.36	79%
1136296 - Fixed Asset Dep'n - Op Exp - Libraries			84,842.00	30,777.33	36%
Sub Total To Programme Summary	\$0.00	\$0.00	\$1,351,752.00	\$692,178.46	
Operating Income					
0115380 - Grant Op - State SLWA Library Grant	24,580.00	11,515.35			47%
0115410 - Lost/Damaged Items - Op Inc - Libraries	1,500.00	1,092.58			73%
0115420 - Sundry Income & Special Op Grants - Op Inc - Libraries	2,340.00	917.70			39%
0115431 - Income Library (photocopier mobile and fax services) - Op Inc - Libraries	10,320.00	6,577.77			64%
0115480 - Grant Program Income - Op Inc - Library (Expense in 115280)	0.00	1,999.55			100%
Sub Total To Programme Summary	\$38,740.00	\$22,102.95	\$0.00	\$0.00	
Capital Expenditure					
0115511 - Transfer to Restricted Cash Reserve - Libraries - Cap Exp					
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00	
Capital Income					
0115311 - Transfer from Restricted Cash Reserve - Libraries - Cap Inc	4,555.00	0.00			0%
Sub Total To Programme Summary	\$4,555.00	\$0.00	\$0.00	\$0.00	
Total Libraries	\$43,295.00	\$22,102.95	\$1,351,752.00	\$692,178.46	

Broome Civic Centre (Was Arts Centre)

Operating Expenditure

0116106 - Interest Expense Broome Civic Centre Loan 193 - Op Exp- Bme Civic Centre			104,286.00	53,631.90	51%
0116107 - Fixed Asset Dep'n - Op Exp - Bme Civic Centre			297,967.00	107,672.19	36%
0116470 - Broome Civic Centre Build Maint & Services Op Exp - Bme Civic Centre			42,000.00	14,861.05	35%
0116486 - Salary - Op Exp - Broome Civic Centre - Op Exp			47,556.00	26,240.80	55%
0116489 - Operational Expenses - Broome Civic Centre - Production/Events			33,000.00	16,367.12	50%
0116491 - Minor Assets - Op Exp - Bme Civic Centre			13,000.00	4,719.00	36%
0116493 - Advertising Promotion & Printing Expenses - Broome Civic Centre - Op Exp			30,000.00	5,538.60	18%
0116494 - Broome Civic Centre - Operating Expense - Op Exp			123,311.00	106,379.40	86%
0116495 - Performance Production Expenses - Broome Civic - Op Exp			54,000.00	27,144.94	50%
0116497 - Superannuation Employee Expense - Broome Civic Centre			3,780.00	2,271.53	60%

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0116730 - Admin Costs Alloc - Op Exp - Bme Civic Centre			233,040.00	121,291.23	52%
1137206 - Other Employment Costs - Op Exp - Broome Civic Centre			3,858.00	676.29	18%
Sub Total To Programme Summary	\$0.00	\$0.00	\$985,798.00	\$486,794.05	
Operating Income					
0116483 - Broome Civic Centre Operational Grants & Contributions - Op Inc - Bme Civic Centre	40,000.00	51,903.50	130%		
0116540 - Broome Civic Centre Reimbursements Received - Op Inc - Bme Civic Centre	45,000.00	22,975.31	51%		
0116541 - Broome Civic Centre Venue Income - Op Income - Bme Civic Centre	159,500.00	62,080.31	39%		
Sub Total To Programme Summary	\$244,500.00	\$136,959.12	\$0.00	\$0.00	
Capital Expenditure					
0116116 - Princ Repay Broome Civic Centre Loan 193 - Cap Exp - Bme Civic Centre			433,508.00	214,634.48	50%
0116119 - Broome Civic Centre Other Infrastructure Renewal - Cap Exp - Bme Civic Centre			18,050.00	8,916.63	49%
0116130 - Mobile Plant & Equip New - Cap Exp - Bme Civic Centre					
Sub Total To Programme Summary	\$0.00	\$0.00	\$451,558.00	\$223,551.11	
Total Broome Civic Centre (Was Arts Centre)	\$244,500.00	\$136,959.12	\$1,437,356.00	\$710,345.16	
Other Culture					
Operating Expenditure					
0116084 - Community Signage - Op Exp - Other Culture			13,570.00	0.00	0%
0116090 - 890000			36,049.00	15,565.27	43%
0116101 - Festival Events and Culture Promotion Program General - Op Exp - Other Culture			58,500.00	0.00	0%
0116120 - Public Art Masterplan- Op Exp - Other Culture					
0116122 - Community Murals - Op Ex - Other Culture					
0116175 - Community Storage Shed Expenditure			4,264.00	17,841.35	418%
0116180 - Event Sponsorship - Op Exps - Other Culture			68,000.00	68,000.00	100%
0116184 - Festivals & Events Contributions/Support Op Exp - Other Culture			183,737.00	86,070.42	47%
0116282 - Triple J Maintenance & Operating Exp - Other Culture			2,200.00	1,352.72	61%
0116283 - Public Statue & Artwork Maintenance & Operating Exp - Other Culture			4,430.00	0.00	0%
0116297 - Dep'cn - Land & Building - Op Exp - Other Culture			13,624.00	8,029.97	59%

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
1138296 - Fixed Asset Dep'n - Op Exp - Other Culture			66,621.00	23,005.09	35%
Sub Total To Programme Summary	\$0.00	\$0.00	\$450,995.00	\$219,864.82	
Operating Income					
0116070 - Community Storage Facility Income - Op Inc	4,500.00	0.00			0%
0116071 - Festival & Events Sundry Inc - Op Inc - Other Culture	0.00	300.00			100%
0116098 - Reimb & Other Income - Op Inc - Other Culture					
1138332 - Grant Income - Op Inc- Other Culture	50,000.00	0.00			0%
Sub Total To Programme Summary	\$54,500.00	\$300.00	\$0.00	\$0.00	
Capital Expenditure					
0116111 - Community Storage Shed New Const - Cap Ex)					
0116125 - Other Infrastructure New Const - Cap Exp - Other Cult			128,139.00	2,350.00	2%
0116961 - Transfer to POS Reserve - Other Culture - Cap Exp					
0116998 - Community Storage Shed - WIP Cap Exp					
0116999 - Other Infrastructure - WIP Cap Exp - Broome Entry Signage and Jetty To Jetty					
Sub Total To Programme Summary	\$0.00	\$0.00	\$128,139.00	\$2,350.00	
Capital Income					
0116151 - Non Operating Grants Other Culture - Non Op Inc	91,636.00	66,636.37			73%
0116520 - Transfer From Building Reserve - Cap Inc - Other Culture					
1138501 - Transfer From Public Art Reserve - Cap Inc - Other Culture					
Sub Total To Programme Summary	\$91,636.00	\$66,636.37	\$0.00	\$0.00	
Total Other Culture	\$146,136.00	\$66,936.37	\$579,134.00	\$222,214.82	
Recreation Services					
Operating Expenditure					
0113697 - Superannuation Employee Expense - Recreation Services			9,854.00	5,432.87	55%
0113699 - Salary - Op Exp - Rec Services			104,670.00	58,292.94	56%
0113702 - Club Development Officer Programs Exp - Rec Services			20,300.00	1,091.31	5%
0113704 - Consultants - Op Exp - Rec Services			30,000.00	16,250.00	54%
0113708 - Grant Funded Operational Expense - Rec Serv			46,684.00	11,469.64	25%
1139206 - Other Employment Costs - Recreation Services			1,658.00	1,491.94	90%
1139297 - Admin Costs Allocated - Op Exp - Recreation Services			61,824.00	32,179.30	52%

Page :38

Printed : 09/02/2018 4:49:38PM

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
1139298 - IT/Records Costs Allocated -Recreation Services			16,788.00	8,170.24	49%
Sub Total To Programme Summary	\$0.00	\$0.00	\$291,778.00	\$134,378.24	
Operating Income					
0113751 - Operating Grants & Contributions Rec'd - Recreation Services - Op Inc	80,000.00	55,000.00			69%
Sub Total To Programme Summary	\$80,000.00	\$55,000.00	\$0.00	\$0.00	
Capital Income					
0113752 - Transfer From Restricted Cash Reserve - Recreation Service - Cap Inc					
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00	
Total Recreation Services	\$80,000.00	\$55,000.00	\$291,778.00	\$134,378.24	
Swimming Areas & Beaches					
Operating Expenditure					
0112053 - 20000			1,619.00	319.20	20%
1140201 - Salary - Op Exp - Swim Areas & Beach Life Guard					
1140202 - Superannuation Employee Exp - Op Exp - Swim Areas & Beach Life Guard					
1140203 - Other Employee Exp - Op Exp - Swim Areas & Beach Life Guard			0.00	-423.81	100%
1140211 - General Operating Exp - Swim Areas & Beach Life Guard			240,239.00	135,629.18	56%
1140213 - Cable Beach Life Guard Office Maint - Op Exp - Swim Areas & Beach Life Guard			500.00	0.00	0%
1140291 - Vehicle and Plant Exp - Op Exp - Swim Areas & Beach Life Guard			6,100.00	3,320.87	54%
1140296 - Fixed Asset Dep'n - Op Exp - Swimming Areas & Beaches			1,897.00	677.39	36%
Sub Total To Programme Summary	\$0.00	\$0.00	\$250,355.00	\$139,522.83	
Operating Income					
0112499 - Profit of Sale of Assets - Swimming Areas & Beaches					
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00	
Capital Income					
0112500 - Proceeds From Sale of Assets Swimm Areas & Bchs					
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00	
Total Swimming Areas & Beaches	\$0.00	\$0.00	\$250,355.00	\$139,522.83	
Other Recreation & Sport					
Operating Expenditure					
0113001 - Haynes Oval Pavilion Maint & Operating Exp - Other Rec & Sport			25,735.00	15,146.59	59%

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0113005 - Weed Control - Op Exp - Other Rec & Sport			203,232.00	104,901.27	52%
0113026 - 1152500			23,041.00	2,477.23	11%
0113060 - 1537300			10,209.00	1,217.84	12%
0113297 - Dep'cn - Land & Buildings - Op Exp - Other Recreation & Sport			0.00	441.74	100%
0113298 - Dep'cn - Plant & Equip - Op Exp - Other Recreation & Sport			0.00	922.07	100%
0113394 - Other Recreation Projects & Events - Op Exp - Other Rec					
0113466 - Minor Assets Expensed - Op Exp - Other Rec & Sport					
0116100 - Library Gazebo (Old Wackett Roof) Expenses - Op Exp			853.00	352.80	41%
1141296 - Fixed Asset Dep'n - Op Exp - Other Recreation & Sport			195,795.00	108,618.04	55%
1181201 - Jetty to Jetty Town Beach - Design/Plans/Feasibility - Op Exp - Other Recreation & Sport			254,737.00	85,375.84	34%
Sub Total To Programme Summary	\$0.00	\$0.00	\$713,602.00	\$319,453.42	
Operating Income					
0113391 - Haynes Oval & Pavilion Income - Op Inc	96,078.00	4,946.38	5%		
0113392 - Haynes Oval Sporting Precinct - Netball & Basketball Courts- Op Inc - Other Rec & Sport					
0113411 - Venue Hire Inc - Amphitheatre & Oth Rec Areas (not Ovals) - Op Inc - Other Rec & Sport	8,500.00	10,571.75	124%		
0113412 - Cable Beach Club - Rent & Recoup Income - Op Inc	19,827.00	19,460.85	98%		
0113416 - Event Application Fees No GST - Amphitheatre & Oth Rec Areas (not Ovals) - Op Inc - Other Rec & Spor	1,700.00	3,489.85	205%		
Sub Total To Programme Summary	\$126,105.00	\$38,468.83	\$0.00	\$0.00	
Capital Expenditure					
0112070 - Gantheaume Point Rotunda Building Renewal - Cap Exp - Other Recreation & Sport					
1181401 - Town Beach Redevelopment -Other Infra New - Cap Exp			6,982,506.00	12,137.80	0%
1181420 - Youth Bike Recreation New Infra Const - Cap Exp - Other Recreation & Sport			200,000.00	0.00	0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$7,182,506.00	\$12,137.80	
Capital Income					
0113403 - Grants - Non Op - Cap Inc - Other Rec & Sport	3,620,000.00	0.00	0%		
0113406 - Council Loans Received - Other Rec & Sport	1,956,053.00	0.00	0%		
0113409 - Transfer From Restricted Cash Reserve - Other Rec & Sport	9,870.00	0.00	0%		
0113489 - Transfer From POS Reserve - Other Rec & S	400,000.00	0.00	0%		

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Sub Total To Programme Summary	\$5,985,923.00	\$0.00	\$0.00	\$0.00
Total Other Recreation & Sport	\$6,112,028.00	\$38,468.83	\$7,896,108.00	\$331,591.22
Parks & Ovals				
Operating Expenditure				
0113000 - Parks & Reserves Maint - Op Exp - Parks & Ovals			3,221,931.00	1,588,797.52 49%
0113283 - 70000			3,160.00	56.98 2%
0113380 - Consultants & Concept Plan Exps - Op Exp - Parks & Ovals				
0113396 - Reticulation Control System Maint Op Exp - Parks & Ovals			11,050.00	3,114.76 28%
0113398 - Work for the Dole Turf Reduction & L/scaping Project - Op Exp - Parks & Ovals			0.00	579.16 100%
0115222 - Haynes Oval Utility Exp - OP Exp - Parks & Ovals			15,000.00	6,744.37 45%
Sub Total To Programme Summary	\$0.00	\$0.00	\$3,251,141.00	\$1,599,292.79
Operating Income				
0112989 - Interest Rec-REC-POS Reserve - Op Inc - Parks & Ovals	40,100.00	7,522.89 19%		
0113410 - Male Oval & Concourse - Op Inc - Other Rec & Sport	15,000.00	12,963.20 86%		
0113413 - Town Beach Hire - Op Inc - Other Rec & Sport	5,000.00	783.50 16%		
0113417 - Event Application Fee (No GST) Male Oval & Concourse - Op Inc - Other Rec & Sport	5,000.00	10,095.00 202%		
0113418 - Event application Fee (No GST) Town Beach Hire - Op Inc - Other Rec & Sport	1,500.00	1,858.50 124%		
0113419 - Work for the Dole Contribution - Op Inc - Parks & Ovals				
0113420 - Sundry Contributions - Op Inc - Parks & Ovals	21,567.00	21,566.55 100%		
Sub Total To Programme Summary	\$88,167.00	\$54,789.64	\$0.00	\$0.00
Capital Expenditure				
0111989 - Transfer to POS Reserve - Cap Exp - Parks & Ovals			462,617.00	7,522.89 2%
0113550 - Parks - Infrastructure - New Construction - Cap Exp - Parks & Ovals			32,500.00	279.25 1%
0113551 - Parks - Infrastructure - Renewal - Cap Exp - Parks & Ovals			78,050.00	7,765.00 10%
0113553 - Parks - Other Infrastructure - Renewal - Cap Exp - Parks & Ovals			41,950.00	0.00 0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$615,117.00	\$15,567.14
Capital Income				
0113316 - Grants - non Operating Income for Parks & Oval Const - Cap Inc - Parks & Ovals				

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00
Total Parks & Ovals	\$88,167.00	\$54,789.64	\$3,866,258.00	\$1,614,859.93
BRAC - General				
Operating Expenditure				
0117000 - BRAC General Building Maint & Op Exp - BRAC Gen			476,928.00	272,244.62 57%
0117004 - Salary - Op Exp - Admin Staff - BRAC General			690,785.00	390,331.19 57%
0117005 - Superannuation Employee Expense - BRAC General Admin			84,708.00	43,925.37 52%
0117006 - Salary - Op Exp - Cleaning & Maint Exp - BRAC General			68,593.00	39,518.68 58%
0117013 - First Aid - Op Exp - BRAC - General			2,000.00	1,383.99 69%
0117017 - Consultants - Op Exp - BRAC - General			16,000.00	0.00 0%
0117022 - Uniforms BRAC			2,500.00	985.63 39%
0117044 - Licence Exps - BRAC			6,000.00	3,355.55 56%
0117049 - Rubbish & Recycling - Op Exp - BRAC - General			12,000.00	8,834.70 74%
0117058 - Sundry Equipment - Op Exp - BRAC - General			2,000.00	1,727.56 86%
0117080 - Marketing - BRAC			5,000.00	888.78 18%
0117235 - Cost of Goods Sold Goods Kiosk - Op Exp - BRAC - General MUN			60,000.00	24,758.95 41%
0117268 - Cost of Goods Equip - Op Exp - BRAC - General			6,000.00	3,465.66 58%
0117296 - Loss on Asset Disposal - BRAC General				
0117336 - Cost Of Goods Sold Direct (Consumables) Op Exp - BRAC General			29,000.00	16,959.81 58%
0117530 - Admin Costs Alloc - Op Exp - BRAC - General			598,776.00	311,644.20 52%
0117555 - Plant and Equipment Maintenance - Op Exp - BRAC General			1,000.00	242.35 24%
1143206 - Other Employment Costs - BRAC General			12,245.00	11,437.76 93%
Sub Total To Programme Summary	\$0.00	\$0.00	\$2,073,535.00	\$1,131,704.80
Operating Income				
0117038 - Reimbursement Rec'd - Op Inc - BRAC - General				
0117200 - Hire of BRAC Staff Inc Recd - Op Inc - BRAC General	2,500.00	1,851.82 74%		
0117233 - Kiosk Sales - No GST	15,000.00	4,970.80 33%		
0117234 - Kiosk Sales - Op Inc - BRAC - General	75,000.00	39,242.46 52%		
0117236 - Consumables Sales	58,000.00	30,682.60 53%		
0117269 - Sales Income Equipment - Op Inc - BRAC General	12,000.00	8,280.46 69%		
0117499 - Profit on Sale of Assets - Op Inc - BRAC - General				

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
0117982 - Interest Rec'd; All BRAC Reserves - BRAC General	100.00	268.38 268%		
Sub Total To Programme Summary	\$162,600.00	\$85,296.52	\$0.00	\$0.00
Capital Expenditure				
0117398 - Vehicle & Mobile Plant Renewal (Replacement) -Cap Exp- BRAC General				
0117983 - Transfer to BRAC Reserve - Cap Exp - BRAC - General			100.00	268.38 268%
Sub Total To Programme Summary	\$0.00	\$0.00	\$100.00	\$268.38
Capital Income				
0117500 - Proceeds From The Sale Of Assets - BRAC General				
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00
Total Brac - General	\$162,600.00	\$85,296.52	\$2,073,635.00	\$1,131,973.18
BRAC - Aquatic				
Operating Expenditure				
0112014 - Aquatic Utilities Exp - BRAC			102,000.00	57,360.21 56%
0117001 - Superannuation Employee Expense - BRAC Aquatic			25,584.00	13,987.78 55%
0117002 - Salary -Op Exp - Lifeguard - BRAC Aquatic			233,360.00	116,487.83 50%
0117003 - Relieving Staff Exp - Op Ex - BRAC Aquatic			6,200.00	19,206.42 310%
0117009 - Plant & Equip Maint - Aquatic			6,000.00	499.65 8%
0117010 - Aquatic Building & Pool Maint Exp			23,270.00	14,781.50 64%
0117015 - 3000000			41,500.00	21,200.27 51%
0117016 - Reimbursements/Refunds - Aquatic			500.00	642.72 129%
0117148 - Group Fitness Program - Op Exp - BRAC - Aquatic			8,000.00	5,264.99 66%
0117150 - Swimming Lessons Program- Op Exp - BRAC Aquatic			2,500.00	1,341.03 54%
0117182 - Salary & Related Swimming Lesson Exp - BRAC - Aquatic			0.00	47.54 100%
0117184 - BRAC Equipment - Wet Programs - Op Exp - BRAC Aquatic			1,000.00	440.09 44%
0117186 - Inflatable Operating Exp - BRAC Aquatic			1,000.00	418.82 42%
1144206 - Other Employment Costs - BRAC Aquatic			3,765.00	3,602.15 96%
1144296 - Fixed Asset Dep'n - Op Exp - BRAC Aquatic			5,325.00	3,137.70 59%
1144297 - BRAC Aquatic Centre Loan Interest & Fee Exp - Op Exp				
Sub Total To Programme Summary	\$0.00	\$0.00	\$460,004.00	\$258,418.70
Operating Income				
0117262 - Education Inc - Aquatic	2,000.00	63.18 3%		

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/01/2018

Financial Statement For The Period Ending 31/03/2018					
Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0117280 - Group Fitness by BRAC Inc - Aquatic	40,000.00	19,976.82	50%		
0117282 - Swimming Lessons by BRAC Inc	100,000.00	100,656.12	101%		
0117285 - School Program Income - Op Inc - BRAC Aquatic	20,000.00	9,392.72	47%		
0117286 - Inflatable Hire Fees - Op Inc - BRAC Aquatic	10,000.00	6,375.89	64%		
0117287 - BBQ & Party Hire Fees - Op Inc - BRAC Aquatic	5,000.00	2,231.82	45%		
0117410 - Entry Fees and Spectator Fees - Op Inc - BRAC Aquatic	200,000.00	105,111.84	53%		
0117412 - State Swimming Pool Grant - Op Inc - BRAC - Aquatic					
Sub Total To Programme Summary	\$377,000.00	\$243,808.39	\$0.00	\$0.00	
Capital Expenditure					
0117132 - Plant & Equip			26,405.00	13,471.65	51%
Renewal/Replacement - Cap Exp - BRAC - Aquatic					
0117136 - BRAC Aquatic Centre Loan Principal Exp					
0117999 - BRAC Aquatic Upgrade - Works in Progress - BRAC - Aquatic					
Sub Total To Programme Summary	\$0.00	\$0.00	\$26,405.00	\$13,471.65	
Capital Income					
0117414 - Grant Non Op - BRAC Aquatic - Cap Inc MUN					
0117719 - Transfer From Building Reserve - Cap Inc - BRAC Aquatic					
0117720 - Transfer From BRAC Reserve - Cap Inc - BRAC Aquatic					
0117722 - Transfer From Restricted Cash Reserve - BRAC Aquatic					
1144561 - Loans Received - BRAC Aquatic - Cap Inc					
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00	
Total Brac - Aquatic					
	\$377,000.00	\$243,808.39	\$486,409.00	\$271,890.35	
BRAC - Dry					
Operating Expenditure					
0117081 - Building & Facility Maint Exp - BRAC Dry			50,000.00	31,414.48	63%
0117101 - Loan 171 Interest & Fee Exp					
BRAC Stage1 - Op Exp - BRAC Dry					
0117140 - BRAC Equipment - Dry Programs - Op Exp - BRAC - Dry			8,000.00	8,184.61	102%
0117142 - Holiday Program Op Exp - BRAC - Dry			5,500.00	2,470.10	45%
0117146 - Netball Expenses - Op Exp - BRAC - Dry			5,000.00	2,370.00	47%
0117152 - Volleyball Expenses - Op Exp - BRAC - Dry			1,500.00	0.00	0%

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0117156 - Program Annual Events - Op Exp - BRAC Dry			8,000.00	4,493.57	56%
0117160 - Salary - Op Exp - BRAC Dry			15,902.00	6,398.72	40%
0117161 - Superannuation Employee Expense - BRAC Dry			3,885.00	498.50	13%
0117170 - Creche Program Expenses - Op Exp - BRAC			0.00	3,061.47	100%
0117171 - Salary - Op Exp - Holiday Prog Exps - BRAC Dry			23,310.00	8,027.93	34%
0117173 - Grant Submission Costs - Op Exp - BRAC			0.00	588.10	100%
0117800 - Vehicle & Plant Exps - BRAC Dry - (Inc Gen Set) - Op Exp			7,600.00	6,895.97	91%
1145206 - Other Employment Costs - BRAC Dry			2,173.00	544.87	25%
1145296 - Fixed Asset Dep'n - Op Exp - BRAC Dry			690,854.00	712,336.01	103%
Sub Total To Programme Summary	\$0.00	\$0.00	\$821,724.00	\$787,284.33	
Operating Income					
0117203 - Photocopying & Public Phone Inc Rec'd - Dry BRAC					
0117205 - Reimb Rec'd inc GST Inc Rec'd - Dry BRAC	0.00	588.10			100%
0117246 - Netball BRAC Program - Op Inc - BRAC Dry	15,000.00	10,800.00			72%
0117248 - Squash BRAC Program Inc	25,000.00	10,737.73			43%
0117250 - Tennis BRAC Program Inc	22,000.00	10,204.07			46%
0117251 - Outdoor Court Hire - Op Inc - BRAC Dry	15,000.00	4,780.01			32%
0117252 - Introductory Programs - Op Inc - BRAC Dry	8,000.00	0.00			0%
0117256 - Program Annual Events - Op Inc - BRAC Dry	12,000.00	3,363.64			28%
0117260 - Creche User Fees Inc. Rec'd	6,000.00	1,549.10			26%
0117266 - Multipurpose Room Hire Inc - BRAC	8,000.00	2,492.73			31%
0117272 - Holiday Program Enrolment Fees Rec'd	25,000.00	12,677.28			51%
0117275 - Stadium Venue Hire Inc. Rec'd - Op Inc - Dry BRAC	20,000.00	15,567.71			78%
0117277 - Back Bar & Grassed Area Venue Hire BRAC Inc. Rec'd - Dry BRAC	1,000.00	198.41			20%
Sub Total To Programme Summary	\$157,000.00	\$72,958.78	\$0.00	\$0.00	
Capital Expenditure					
0117301 - Princ Repay BRAC Stage 1 - Loan 171					
0117310 - BRAC Building Upgrade - Cap Exp - BRAC Dry			121,766.00	86,838.63	71%
0117315 - BRAC Building Renewal - Cap Exp - BRAC Dry			25,000.00	0.00	0%
0117998 - BRAC Building Renewal/Upgrade - WIP - BRAC Dry					
Sub Total To Programme Summary	\$0.00	\$0.00	\$146,766.00	\$86,838.63	

SHIRE OF BROOME
Schedule 11
RECREATION AND CULTURE

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Capital Income				
0117294 - Grant Income - Non-Op Inc - BRAC Dry	74,000.00	0.00	0%	
Sub Total To Programme Summary	\$74,000.00	\$0.00	\$0.00	\$0.00
Total Brac - Dry	\$231,000.00	\$72,958.78	\$968,490.00	\$874,122.96
BRAC - Ovals				
Operating Expenditure				
0117102 - Interest & Fees Repayment Loan				
186 BRAC Ovals Stg 2A - Op Exp				
0117105 - Interest & Fees Exp on Loan 191			7,538.00	4,203.10
BRAC Ovals Stg 2B - Op Exp				56%
0117106 - Int Repaym't Loan 194 BRAC			27,707.00	11,883.40
Oval Pavilion - Op Exp				43%
0117210 - BRAC Ovals Maint - Op Exp			244,509.00	202,103.84
0117212 - BRAC Ovals Utility Exp - Op Exp			108,400.00	57,640.64
0117218 - Pavilion Building Maint & Operating Expenses - Op Exp - BRAC Ovals			34,370.00	18,371.77
				53%
0117487 - Fixed Asset Dep'n - Op Exp - BRAC Ovals			34,711.00	12,252.36
				35%
Sub Total To Programme Summary	\$0.00	\$0.00	\$457,235.00	\$306,455.11
Operating Income				
0117289 - BRAC Field - Glenn & Pat Medlend Pavilion Fees - Op Inc - BRAC Ovals	4,000.00	4,621.38	116%	
0117291 - BRAC Fields - Electricity Reimb and Other Income - Op Inc	20,000.00	6,747.01	34%	
0117292 - BRAC Fields - Joseph Nipper Roe Playing Field Fees and Other Income - Op Inc	5,000.00	2,169.09	43%	
0117293 - BRAC Fields - Father McMahon Playing Field Fees and Other Income - Op Inc	25,000.00	4,810.45	19%	
Sub Total To Programme Summary	\$54,000.00	\$18,347.93	\$0.00	\$0.00
Capital Expenditure				
0117303 - Princ Repay BRAC Ovals Stg 2A - Loan 186				
0117305 - Princ Repay BRAC Ovals Stg 2B - Loan 191			57,049.00	28,074.75
0117306 - Princ Repay BRAC Ovals Pavilion - Loan 194			102,186.00	50,355.13
0117455 - BRAC Ovals Renewal Infra Works - Cap Exp - BRAC Ovals			15,996.00	27,560.53
				172%
Sub Total To Programme Summary	\$0.00	\$0.00	\$175,231.00	\$105,990.41
Total Brac - Ovals	\$54,000.00	\$18,347.93	\$632,466.00	\$412,445.52
TOTAL RECREATION AND CULTURE	\$7,539,226.00	\$794,668.53	\$20,052,411.00	\$6,637,271.39

SHIRE OF BROOME
Schedule 12
TRANSPORT

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Crossovers & General Expenses			8,266,037.00	4,868,803.27
Road Maintenance			3,523,687.00	993,509.12
Flood Damage Repairs				29,479.45
Road Operating Expenses			1,778,055.00	972,644.33
Parking Control & Management			119,679.00	67,632.22
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$13,687,458.00	\$6,932,068.39
Operating Income				
Car Park Construction	12,800.00	2,394.32		
Footpath Construction	57,500.00	10,765.49		
Road Construction	60,100.00	12,499.91		
Crossovers & General Expenses	37,000.00			
Road Maintenance	1,465,525.00	292,723.00		
Parking Control & Management	25,000.00	16,314.00		
TOTAL OPERATING INCOME	\$1,657,925.00	\$334,696.72	\$0.00	\$0.00
Capital Expenditure				
Bus Shelter Construction				
Car Park Construction			37,800.00	2,676.40
Footpath Construction			926,461.00	181,346.57
Road Construction			4,062,874.00	1,272,148.64
Street Lighting Construction			125,000.00	76,795.65
TOTAL CAPITAL EXPENDITURE	\$0.00	\$0.00	\$5,152,135.00	\$1,532,967.26
Capital Income				
Footpath Construction	406,630.00			
Road Construction	2,769,337.00	681,834.20		
TOTAL CAPITAL INCOME	\$3,175,967.00	\$681,834.20	\$0.00	\$0.00
TOTAL TRANSPORT	\$4,833,892.00	\$1,016,530.92	\$18,839,593.00	\$8,465,035.65

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME
Schedule 12
TRANSPORT

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Bus Shelter Construction				
Capital Expenditure				
0125145 - Bus Facilities Program Renewal - Cap Exp				
Sub Total To Programme Summary	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Total Bus Shelter Construction	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Car Park Construction				
Operating Income				
0124988 - Interest Recd - Car Park Reserve - Op IncCons Sts Rds Bridges Dep	12,800.00	2,394.32 19%		
Sub Total To Programme Summary	<u>\$12,800.00</u>	<u>\$2,394.32</u>	<u>\$0.00</u>	<u>\$0.00</u>
Capital Expenditure				
0121390 - Transfer to Carpark Reserve - Cap Exp - Carpark Const			12,800.00	2,394.32 19%
0124600 - Car Park Renewal Wks - Cap Exp - Car Park Const			25,000.00	0.00 0%
0125000 - 7000000			0.00	282.08 100%
Sub Total To Programme Summary	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$37,800.00</u>	<u>\$2,676.40</u>
Total Car Park Construction	<u>\$12,800.00</u>	<u>\$2,394.32</u>	<u>\$37,800.00</u>	<u>\$2,676.40</u>
Footpath Construction				
Operating Income				
0125988 - Interest Recd Footpath Reserve - Op IncCons Sts Rds Bridges Dep	57,500.00	10,765.49 19%		
Sub Total To Programme Summary	<u>\$57,500.00</u>	<u>\$10,765.49</u>	<u>\$0.00</u>	<u>\$0.00</u>
Capital Expenditure				
0125140 - Footpath Construction New - Cap Exp - Cons Streets Roads Bridges			326,630.00	46,631.00 14%
0125300 - Footpath Const Renewal - Cap Exp - Cons Streets Roads Bridges			130,731.00	123,950.08 95%
0125950 - Transfer to Footpath Reserve			389,100.00	10,765.49 3%
0125999 - F/Path Construction - WIP Cap Exp				
1223481 - Footpath Const Upgrade - Cap Exp - Cons Streets Roads Bridges			80,000.00	0.00 0%
Sub Total To Programme Summary	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$926,461.00</u>	<u>\$181,346.57</u>
Capital Income				
0121782 - Dev Contrib - Footpaths				
0125960 - Transfer From Footpath Reserve - Footpath Construction	406,630.00	0.00 0%		
Sub Total To Programme Summary	<u>\$406,630.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Total Footpath Construction	<u>\$464,130.00</u>	<u>\$10,765.49</u>	<u>\$926,461.00</u>	<u>\$181,346.57</u>
Road Construction				

SHIRE OF BROOME

Schedule 12

TRANSPORT

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Operating Income				
0121985 - Interest Recd on Road Reserve - Op IncCons Sts Rds Bridges Dep	60,100.00	12,499.91 21%		
Sub Total To Programme Summary	\$60,100.00	\$12,499.91	\$0.00	\$0.00
Capital Expenditure				
0113661 - Street & Verge Upgrade by P & G - Infra Cap Exp - Rd Const				
0121000 - Urban Road New Construction - Cap Exp - Cons Streets Roads Bridges				
0121100 - Urban Road Upgrade Const - Cap Exp			1,579,104.00	122,603.44 8%
0121101 - Urban Road Renewal Const - Cap Exp			1,053,878.00	164,891.96 16%
0121501 - Rural Road Upgrade Const - Cap Exp			900,792.00	832,435.93 92%
0121505 - Rural Road Renewal Const - Cap Exp			132,000.00	139,717.40 106%
0121950 - Transfer to Road Reserve - Cap Exp - Cons Streets Roads Bridges Dep			397,100.00	12,499.91 3%
0121951 - Transfer to Restricted Cash Reserve - Road Construction - Cap Exp				
1254421 - Access & Inclusion Improvements New Infra - Cap Exp				
1254499 - Road Construction - WIP Cap Exp				
Sub Total To Programme Summary	\$0.00	\$0.00	\$4,062,874.00	\$1,272,148.64
Capital Income				
0121761 - Aboriginal Roads Non Op Grant from MRWA - Op Inc - Rd Const	124,000.00	80,000.00 65%		
0121763 - Black Spot Non Op Grant (Commonwealth/Federal)	745,336.00	27,244.00 4%		
0121770 - Rds to Recovery Grant for Rural Rds - Non Op Inc - Rd Const	242,884.00	77,217.00 32%		
0121771 - Black Spot State Non Op Grant	0.00	13,764.40 100%		
0121776 - Rds To Recovery Non Op Grant for Urban Rds - Non Op Inc	390,470.00	0.00 0%		
0121778 - Regional Rd Group (RRG) Rural Rd Const Funding -Non Op Inc-Rd Const	528,011.00	483,608.80 92%		
0121779 - Regional Rd Group (RRG) Urban Rd Const Funding - Non Op Inc - Rd Const	153,000.00	0.00 0%		
0121783 - Developer Contributions - Roadworks				
0121906 - Transfer From Restricted Cash Reserve - Road Construction	535,636.00	0.00 0%		
0121960 - Transfer From Road Reserve Road Construction - Cap Inc	50,000.00	0.00 0%		
Sub Total To Programme Summary	\$2,769,337.00	\$681,834.20	\$0.00	\$0.00
Total Road Construction	\$2,829,437.00	\$694,334.11	\$4,062,874.00	\$1,272,148.64

Street Lighting Construction

Capital Expenditure

SHIRE OF BROOME
Schedule 12
TRANSPORT

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0125200 - Street Lighting New - Cap Exp - Cons Streets Roads Bridges			95,000.00	76,795.65	81%
0125225 - Street Lighting Renewal Const - Cap Exp - St Lighting			30,000.00	0.00	0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$125,000.00	\$76,795.65	
Total Street Lighting Construction	\$0.00	\$0.00	\$125,000.00	\$76,795.65	
Crossovers & General Expenses					
Operating Expenditure					
0121209 - 1057000			28,338.00	2,581.24	9%
0121217 - 397100			34,151.00	12,150.53	36%
0121541 - 496400			14,985.00	869.37	6%
0121550 - Statutory Contrib for Crossovers - Op Exp - Crossovers & General			20,000.00	5,665.00	28%
0121990 - 4767900			43,753.00	37,542.62	86%
0122207 - 1374700			21,070.00	0.00	0%
0122285 - 1224900			12,888.00	2,710.02	21%
0122295 - Dep'cn Infrastructure - Op Exp - Mtce Streets Roads Bridges Dep			8,090,852.00	4,807,284.49	59%
Sub Total To Programme Summary	\$0.00	\$0.00	\$8,266,037.00	\$4,868,803.27	
Operating Income					
0121404 - MRWA Grant Rec'd For St Lighting Op Costs - Op Inc - Cross & Gen	37,000.00	0.00	0%		
Sub Total To Programme Summary	\$37,000.00	\$0.00	\$0.00	\$0.00	
Total Crossovers & General Expenses	\$37,000.00	\$0.00	\$8,266,037.00	\$4,868,803.27	
Road Maintenance					
Operating Expenditure					
0122000 - Urban Road Maintenance - Op Exp - Mtce Streets Roads Bridges			1,507,688.00	591,369.31	39%
0123000 - 82817600			2,015,999.00	402,139.81	20%
Sub Total To Programme Summary	\$0.00	\$0.00	\$3,523,687.00	\$993,509.12	
Operating Income					
0120305 - WALGGC Road Grants Untied Op Grant Rec'd	344,474.00	172,237.00	50%		
0120306 - Dep't Premier & Cabint Natural Disaster Grant - Cape Leveque Rd	1,000,551.00	0.00	0%		
0121762 - State Direct MRWA/RRG Rd Maint Op Grant Rec'd	120,500.00	120,486.00	100%		
Sub Total To Programme Summary	\$1,465,525.00	\$292,723.00	\$0.00	\$0.00	
Total Road Maintenance	\$1,465,525.00	\$292,723.00	\$3,523,687.00	\$993,509.12	
Flood Damage Repairs					
Operating Expenditure					
0122415 - Road and infrastructure damages from extreme rain event			0.00	29,479.45	100%

Page :50

Printed : 09/02/2018 4:49:38PM

SHIRE OF BROOME

Schedule 12

TRANSPORT

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$29,479.45
Total Flood Damage Repairs	\$0.00	\$0.00	\$0.00	\$29,479.45
Road Operating Expenses				
Operating Expenditure				
0122204 - Street Lighting - Mnthly Elect Accts & Insurance - Op Exp - Road Operating Exp			500,000.00	252,674.89 51%
0126000 - Road Operating Expenses - Op Exp - Rd Op Exps			932,164.00	596,971.90 64%
0126050 - 2547000			61,996.00	6,272.67 10%
0126051 - 1257600			283,895.00	116,724.87 41%
Sub Total To Programme Summary	\$0.00	\$0.00	\$1,778,055.00	\$972,644.33
Total Road Operating Expenses	\$0.00	\$0.00	\$1,778,055.00	\$972,644.33
Parking Control & Management				
Operating Expenditure				
0124010 - 9413900			75,676.00	44,272.46 59%
0124530 - Admin Cost Alloc - Op Exp - Parking Facilities			42,804.00	22,277.99 52%
1260206 - Other Employment Costs - Parking Control			1,199.00	1,081.77 90%
Sub Total To Programme Summary	\$0.00	\$0.00	\$119,679.00	\$67,632.22
Operating Income				
0124910 - Parking Fines - Op Inc - Parking Facilities	25,000.00	16,314.00 65%		
Sub Total To Programme Summary	\$25,000.00	\$16,314.00	\$0.00	\$0.00
Total Parking Control & Management	\$25,000.00	\$16,314.00	\$119,679.00	\$67,632.22
TOTAL TRANSPORT	\$4,833,892.00	\$1,016,530.92	\$18,839,593.00	\$8,465,035.65

SHIRE OF BROOME
Schedule 13
ECONOMIC SERVICES

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Tourism & Area Promotion			818,201.01	479,338.64
Building Control			454,272.00	239,061.04
Economic Services Special Projects			3,366,801.00	264,986.89
Other Economic Services			599,686.00	293,331.85
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$5,238,960.01	\$1,276,718.42
Operating Income				
Tourism & Area Promotion	558,965.01	352,261.22		
Building Control	190,500.00	161,603.54		
Economic Services Special Projects	143,088.00			
Other Economic Services		100,356.00		
TOTAL OPERATING INCOME	\$892,553.01	\$614,220.76	\$0.00	\$0.00
Capital Expenditure				
Tourism & Area Promotion			59,045.00	15,125.65
Building Control			40,000.00	
Economic Services Special Projects			6,922,787.00	1,153,000.00
TOTAL CAPITAL EXPENDITURE	\$0.00	\$0.00	\$7,021,832.00	\$1,168,125.65
Capital Income				
Tourism & Area Promotion	23,880.00			
Building Control	13,000.00			
Economic Services Special Projects	10,146,501.00	4,750,000.00		
TOTAL CAPITAL INCOME	\$10,183,381.00	\$4,750,000.00	\$0.00	\$0.00
TOTAL ECONOMIC SERVICES	\$11,075,934.01	\$5,364,220.76	\$12,260,792.01	\$2,444,844.07

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME
Schedule 13
ECONOMIC SERVICES

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Tourism & Area Promotion				
Operating Expenditure				
0132020 - Australia's North West Tourism Contribution - Op Exp - Tourism			175,000.00	175,000.00 100%
0132044 - Visitors Centre Const Loans 185 Interest & Fee Exp - Op Exp-Tour & Area				
0132050 - Broome Visitor Centre Complex- Op Exp - Tourism & Area Promotion			184,016.00	91,440.60 50%
0132060 - Tourism Development - Op Exp - Tourism & Area Promotion			50,000.00	0.00 0%
0132069 - Broome Visitor Centre - BVC Subsidised Rental (In-Kind) - Op Exp - Tourism & Area Promot			0.01	0.00 0%
0132070 - Broome Visitor Centre - Annual Subsidy - Op Exp - Tourism & Area Promot			100,000.00	100,000.00 100%
0132075 - Sundry Exp - Tourism & Area Promotion			0.00	90.00 100%
0132078 - Promotional Signage Structures Maint Exp - Tourism & Area Promotion			10,605.00	109.24 1%
0132310 - 1021000			12,564.00	1,589.12 13%
0132311 - Commercial & Tourism Consultants - Op Exp			10,000.00	9,039.82 90%
0132314 - Sanctuary Caravan Park Op Exp - Tourism & Area Promotion				
0132530 - Admin Costs Alloc - Op Exp - Tourism & Area Promotion			60,396.00	31,436.72 52%
1365296 - Fixed Asset Dep'n - Op Exp - Tourism & Area Promotion			215,620.00	70,633.14 33%
Sub Total To Programme Summary	\$0.00	\$0.00	\$818,201.01	\$479,338.64
Operating Income				
0132380 - Promotional Banners & Sundry Income Inc GST Tourism	6,000.00	1,477.27 25%		
0132381 - Shire Directory Sales Income - Tourism	40,000.00	0.00 0%		
0132410 - Roebuck Bay CP - Rent & Recoup Income - Op Inc	337,500.00	226,022.51 67%		
0132411 - Stat Fees & Lic - Caravan Parks	15,000.00	14,229.00 95%		
0132414 - Broome Visitor Centre - Rent & Recoup Income - Op Inc	102,266.01	74,844.36 73%		
0132415 - Broome Visitor Centre Courthouse - Rent & Recoup Income - Op Inc	58,199.00	35,688.08 61%		
Sub Total To Programme Summary	\$558,965.01	\$352,261.22	\$0.00	\$0.00
Capital Expenditure				
0132038 - Transfer to Restricted Cash Reserve - Cap Exp - Tourism & Area Promo				
0132110 - Roebuck Bay Caravan Pk Building Redevelopment Const - Cap Exp				
0132141 - Pearl Lugger Const Upgrade - Cap Exp - Tourism			35,165.00	9,365.00 27%
0132544 - Visitors Centre Const Loans 185 Principal Exp				

SHIRE OF BROOME
Schedule 13
ECONOMIC SERVICES

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
0132950 - Transfer to Building Reserve - Tourism & Area Promotion				
0132999 - Roebuck Bay CP - WIP Cap Exp - Tourism & Area Promotion				
1365495 - Other Infrastructure - New Const - Cap Exp			23,880.00	5,760.65 24%
1365499 - Other Infrastructure - WIP Cap Exp - Tourism & Area Promotion				
Sub Total To Programme Summary	\$0.00	\$0.00	\$59,045.00	\$15,125.65
Capital Income				
0132938 - Transfer From Restricted Cash Reserve - Tourism & Area Promotion	23,880.00	0.00 0%		
1365494 - Grants & Contr. Received Non Op - Cap Inc - Tourism & Area Promotion				
Sub Total To Programme Summary	\$23,880.00	\$0.00	\$0.00	\$0.00
Total Tourism & Area Promotion	\$582,845.01	\$352,261.22	\$877,246.01	\$494,464.29
Building Control				
Operating Expenditure				
0133010 - Salary - Op Exp - Building Control			162,955.00	89,624.88 55%
0133011 - Salary - Op Exp - Swimming Pool Inspections			44,789.00	24,409.29 54%
0133013 - Superannuation Employee Expense- Building Control			29,328.00	16,133.66 55%
0133015 - Consultants - Op Exp - Building Control			10,000.00	345.00 3%
0133027 - Other Employment Costs - Op Exp - Building Control			6,544.00	7,715.36 118%
0133030 - Subscriptions - Op Exp - Building Control			3,000.00	845.23 28%
0133283 - Sundry Expenses - Op Exp - Building Control			500.00	250.46 50%
0133284 - Reimbursements Exps - Build Control			500.00	0.00 0%
0133296 - Loss on Sale of Assets - Op Exp - Building Control			3,900.00	0.00 0%
0133800 - Vehicle & Plant Exps - Building			7,500.00	5,014.87 67%
1366217 - Legal Expenses - Building Services				
1366297 - Admin Cost Allocated - Building Control			135,072.00	70,299.41 52%
1366298 - IT/Records Costs Allocated -Building Control			50,184.00	24,422.88 49%
Sub Total To Programme Summary	\$0.00	\$0.00	\$454,272.00	\$239,061.04
Operating Income				
0133410 - Stat Fees & Lic - Building Permits	70,000.00	42,092.29 60%		
0133411 - Building Strata Application Fees - Op Inc - Building Control	500.00	0.00 0%		
0133420 - Stat Fees & Lic - Demolition Permits	2,000.00	2,111.70 106%		
0133440 - Stat Fees & Lic - Pool Inspections	94,000.00	90,943.15 97%		

Page :54

Printed : 09/02/2018

4:49:38PM

SHIRE OF BROOME
Schedule 13
ECONOMIC SERVICES

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
0133480 - Other Minor Charges Inc GST - Op Inc - Building Control	23,000.00	25,746.40 112%		
0133485 - Other Minor Building Charges & Penalties No GST - Op Inc - Building Control	1,000.00	710.00 71%		
Sub Total To Programme Summary	\$190,500.00	\$161,603.54	\$0.00	\$0.00
Capital Expenditure				
0133550 - Vehicle & Mob Plant Renewal(Replacement) - Cap Exp - Building Control			40,000.00	0.00 0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$40,000.00	\$0.00
Capital Income				
0133950 - Proceeds from Sale of Assets - Cap Inc - Building Control	13,000.00	0.00 0%		
Sub Total To Programme Summary	\$13,000.00	\$0.00	\$0.00	\$0.00
Total Building Control	\$203,500.00	\$161,603.54	\$494,272.00	\$239,061.04
Economic Services Special Projects				
Operating Expenditure				
1367206 - Salary - Op Exp - Economic Services Special Projects			111,874.00	60,782.19 54%
1367207 - Superannuation Employee Exp - Op Exp - Economic Services Special Projects			17,186.00	9,362.27 54%
1367208 - Other Employment Costs - Op Exp - Economic Services Special Projects			8,097.00	3,452.89 43%
1367209 - Phone & PC - Op Exp - Economic Services Special Projects			360.00	778.05 216%
1367211 - Chinatown Revitalisation Consultant and Other Expenses - Op Exp - Economic Services Special Project			3,044,328.00	112,175.44 4%
1367212 - Chinatown Revitalisation Grant/Seed Funding for Enhanced Lanways Projects			180,000.00	75,523.23 42%
1367215 - Vehicle Lease Exps - Op Exp - Economic Services Special Projects			4,956.00	2,912.82 59%
1382295 - Loss on Derecognition of WIP - Op Exp - Economic Services Special Projects				
Sub Total To Programme Summary	\$0.00	\$0.00	\$3,366,801.00	\$264,986.89
Operating Income				
1367301 - Grants & Contributions Received - Op Inc - Economic Services Special Projects	143,088.00	0.00 0%		
Sub Total To Programme Summary	\$143,088.00	\$0.00	\$0.00	\$0.00
Capital Expenditure				
1367404 - Chinatown Revitalisation - Road Upgrade - Cap Exp			5,646,819.00	1,153,000.00 20%
1367405 - Chinatown Revitalisation - Other Infra New - Cap Exp			1,275,968.00	0.00 0%

SHIRE OF BROOME
Schedule 13
ECONOMIC SERVICES

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
1367451 - Chinatown Revitalisation - Other Infrastructure WIP					
1367998 - Transfer to Restricted Cash Reserve - Cap Exp - Economic Services Special Projects					
Sub Total To Programme Summary	\$0.00	\$0.00	\$6,922,787.00	\$1,153,000.00	
Capital Income					
1367502 - Loans Received China Town Revitalisation - Cap Inc - Economic Services Special Projects	1,700,000.00	0.00	0%		
1367504 - Grants & Contr. Received Non Op - Cap Inc - Economic Services Special Projects	7,823,912.00	4,750,000.00	61%		
1367505 - Transfer From Restricted Cash Reserve - Chinatown Revitalisation	622,589.00	0.00	0%		
Sub Total To Programme Summary	\$10,146,501.00	\$4,750,000.00	\$0.00	\$0.00	
Total Economic Services Special Projects	\$10,289,589.00	\$4,750,000.00	\$10,289,588.00	\$1,417,986.89	
Other Economic Services					
Operating Expenditure					
1367201 - Salary - Op Exp - Economic Services			374,570.00	176,637.74	47%
1367202 - Superannuation Employee Expense - Op Exp - Economic Services			44,278.00	15,615.75	35%
1367204 - Other Employment Costs - Op Exp - Economic Services			10,695.00	9,274.76	87%
1367205 - Relieving Staff Exp - Op Exp - Oth Economic Services					
1367210 - Economic Development Program Expense - Op Exp - Other Economic Services			9,091.00	10,000.00	110%
1367213 - Event Innovation - Op Exp - Other Economic Services					
1367297 - Admin Cost Allocated - Economic Services			101,304.00	52,724.55	52%
1367298 - IT/Records Costs Allocated - Economic Services			59,748.00	29,079.05	49%
Sub Total To Programme Summary	\$0.00	\$0.00	\$599,686.00	\$293,331.85	
Operating Income					
1367310 - Grants & Contributions Received - Op Inc - Other Economic Services	0.00	100,356.00	100%		
Sub Total To Programme Summary	\$0.00	\$100,356.00	\$0.00	\$0.00	
Total Other Economic Services	\$0.00	\$100,356.00	\$599,686.00	\$293,331.85	
TOTAL ECONOMIC SERVICES	\$11,075,934.01	\$5,364,220.76	\$12,260,792.01	\$2,444,844.07	

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES
Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
FUNCTION SUMMARY				
Operating Expenditure				
Private Works			52,977.00	5,154.05
Engineering Office			1,219,583.00	598,089.63
Parks & Gardens Operations			-758,945.00	-468,237.55
Works Operations			-78,540.00	-33,009.08
Depot Operations			776,522.00	419,278.80
Plant Operation			-178,001.00	-227,525.09
Salaries & Wages				-209,201.89
Corporate Governance & Support			375,202.00	171,287.06
IT and Records Operations			9,916.00	1,853.27
Unclassified General			336,041.00	187,515.93
Other Buildings Leased - Unclassified			127,893.00	54,485.78
Community Facilities Leased - Unclassified			648,900.00	212,576.76
Office Properties Leased - Unclassified			679,731.00	387,859.00
TOTAL OPERATING EXPENDITURE	\$0.00	\$0.00	\$3,211,279.00	\$1,100,126.67
Operating Income				
Private Works	44,918.00	17,738.02		
Engineering Office	139,385.00	46,478.39		
Parks & Gardens Operations		14,975.80		
Works Operations				
Depot Operations	45,527.00	44,527.00		
Corporate Governance & Support	363,889.00	171,287.06		
IT and Records Operations	9,900.00	1,853.27		
Unclassified General	20,400.00	935.91		
Other Buildings Leased - Unclassified	223,117.00	117,510.14		
Community Facilities Leased - Unclassified	149,830.00	62,664.04		
Office Properties Leased - Unclassified	1,038,775.00	711,575.97		
TOTAL OPERATING INCOME	\$2,035,741.00	\$1,189,545.60	\$0.00	\$0.00
Capital Expenditure				
Engineering Office			39,600.00	7,322.65
Parks & Gardens Operations			825,000.00	225,875.28
Works Operations			237,000.00	161,803.60

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES
Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Depot Operations			50,000.01	
Corporate Governance & Support			374,100.00	67,439.99
IT and Records Operations			819,314.00	363,779.41
Unclassified General			100,000.00	34,414.55
Community Facilities Leased - Unclassified				
Office Properties Leased - Unclassified			1,500,000.00	82,021.90
TOTAL CAPITAL EXPENDITURE	\$0.00	\$0.00	\$3,945,014.01	\$942,657.38
Capital Income				
Private Works	25,737.00			
Engineering Office				
Parks & Gardens Operations	209,000.00	72,272.73		
Works Operations	82,000.00	33,000.00		
Depot Operations	26,673.00			
Corporate Governance & Support	180,441.00			
IT and Records Operations	125,170.00	125,170.00		
Unclassified General	21,326.00			
Office Properties Leased - Unclassified	1,500,000.00			
TOTAL CAPITAL INCOME	\$2,170,347.00	\$230,442.73	\$0.00	\$0.00
TOTAL OTHER PROPERTY AND SERVICES	\$4,206,088.00	\$1,419,988.33	\$7,156,293.01	\$2,042,784.05

SUB-FUNCTION DETAIL FOLLOWS.....

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES
Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
Private Works					
Operating Expenditure					
0141271 - 1796200			43,822.00	5,154.05	12%
0141610 - 570800			9,155.00	0.00	0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$52,977.00	\$5,154.05	
Operating Income					
0141450 - Works Private Works Income - Not Prepaid	20,502.00	2,473.92			12%
0141451 - Works - Blue & White Directional Signs & Prepaid Private Works Income	13,430.00	15,264.10			114%
0141600 - P & G Private Works - Fees Charged	10,986.00	0.00			0%
Sub Total To Programme Summary	\$44,918.00	\$17,738.02	\$0.00	\$0.00	
Capital Income					
0141960 - Transfer From Restricted Cash Reserve Private Wks Rd Const - Cap Inc	25,737.00	0.00			0%
Sub Total To Programme Summary	\$25,737.00	\$0.00	\$0.00	\$0.00	
Total Private Works	\$70,655.00	\$17,738.02	\$52,977.00	\$5,154.05	
Engineering Office					
Operating Expenditure					
0143010 - Salary - Op Exp - Engineering Office			599,137.00	201,353.05	34%
0143013 - Superannuation Employee Expense - Engineering			70,933.00	41,720.46	59%
0143020 - Reimb & Other Exp - Op Exp - Eng Office			1,000.00	25.10	3%
0143021 - Survey Consumables - Op Exp - Eng Office			1,000.00	318.88	32%
0143022 - Minor Assets Expensed - Op Exp - Eng Office			1,000.00	0.00	0%
0143025 - Safety Audit Op Exp - Eng Office			10,000.00	0.00	0%
0143027 - Relieving Staff - Op Exp - Engineering			15,610.00	15,609.31	100%
0143029 - Other Employment Costs - Engineering			30,230.00	17,036.45	56%
0143031 - Survey Equipment & Maintenance - Op Exp - Engineering Office			500.00	0.00	0%
0143032 - Minor Non IT Items Exp Engineering			3,800.00	2,238.17	59%
0143033 - Title Searches/Survey Info - Op Exp - Engineering Office			10,000.00	4,703.96	47%
0143035 - Map Printing & Photos - Op Exp - Engineering Office			300.00	0.00	0%
0143036 - Advertising - Op Exp - Engineering Office			2,500.00	280.60	11%
0143038 - Consultants Engineering Office			156,634.00	55,794.38	36%
0143102 - Less Design & Project Management Costs Alloc - Eng Office - Op Exp			-99,350.00	-73,042.20	74%

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES
Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
0143110 - Office Duties & Non Productive Eng Office Staff Time - Op Exp-Eng Office			0.00	126,823.16 100%
0143295 - Stationery Exp - Op Exp - Engineering Office				
0143296 - Loss on Sale of Assets - Op Exp - Engineering Office				
0143800 - Vehicle & Plant Exps - Eng Office			40,300.00	18,021.98 45%
1471296 - Fixed Asset Dep'n - Op Exp - Engineering Office			4,769.00	889.71 19%
1471297 - Admin Costs Allocated - Op Exp - Engineering			167,412.00	87,131.66 52%
1471298 - IT/Records Costs Allocated - Op Exp - Engineering			203,808.00	99,184.96 49%
Sub Total To Programme Summary	\$0.00	\$0.00	\$1,219,583.00	\$598,089.63
Operating Income				
0143390 - Reimb Received No GST Incl Diesel Fuel Rebate & Insurance - Op Inc	60,000.00	34,355.74 57%		
0143405 - Grant Op - R4R KRGS - Op Inc - Eng Off	37,785.00	0.00 0%		
0143485 - Subdivision Engineering Supervision Charges - Op Inc - Eng Off	2,000.00	4,800.00 240%		
0143499 - Profit on Sale of Assets - Op Inc - Engineering Office				
0143988 - Interest Rec Plant Reserve - Op Inc - Engineering Office	39,600.00	7,322.65 18%		
Sub Total To Programme Summary	\$139,385.00	\$46,478.39	\$0.00	\$0.00
Capital Expenditure				
0142988 - Transfer to Plant Reserve - Cap Exp - Engineering Office			39,600.00	7,322.65 18%
0148004 - Vehicle & Mobile Plant Renewal(Replacement)- Cap Exp - Eng Office				
Sub Total To Programme Summary	\$0.00	\$0.00	\$39,600.00	\$7,322.65
Capital Income				
0143600 - Proceeds from Sale of Assets - Cap Inc - Engineering Office				
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00
Total Engineering Office	\$139,385.00	\$46,478.39	\$1,259,183.00	\$605,412.28
Parks & Gardens Operations				
Operating Expenditure				
0113048 - 1596100			23,879.00	28,825.25 121%
0143048 - Other Employment Costs - Op Exp - Parks			71,176.00	43,799.03 62%
0143049 - Relieving Staff Exp - P&G - Gen Admin			100,000.00	69,115.56 69%
0143500 - Salary - Op Exp - P & G (Management)			363,132.00	231,977.41 64%
0143501 - Minor Tools & Equipment - Op Exp - Parks and Gardens Ops			14,000.00	7,382.77 53%

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES
Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0143502 - Staff Meetings - P & G Workers			66,846.00	24,993.84	37%
0143503 - Workers Compensation - Op Exp - Parks & Gardens Operations			0.00	12,724.97	100%
0143504 - 3940900			78,695.00	47,939.70	61%
0143507 - P & G Equipment Replacement Exp - P & G Ops			25,000.00	1,938.27	8%
0143508 - Wages & Related Sick & Holiday - P & G Ops			416,880.00	217,003.94	52%
0143510 - Protective Clothing & Equip Uniforms & Boots - Op Exp - P & G Ops			22,815.00	11,455.78	50%
0143511 - General Expenses - Op Exp - Parks & Gardens Operations			4,200.00	1,517.83	36%
0143512 - Medicals - Op Exp - Parks & Gardens Operations					
0143520 - Loss on Sale of Assets - Op Exp - Parks & Gardens Operations			109,537.00	40,754.71	37%
0143521 - PWOH Parks Allocated - Op Exp - Parks & Gardens Operations			-3,145,099.00	-1,760,990.24	56%
0143523 - Superannuation Employee Expense - P & G Management			44,972.00	14,129.26	31%
0143526 - Superannuation Employee Expense - P&G Ops			245,362.00	128,702.91	52%
0143585 - Phone Exps - P & G			5,400.00	1,514.26	28%
0143801 - Vehicle & Plant Exps - P & G Ops			125,600.00	62,706.48	50%
1472296 - Fixed Asset Dep'n - Op Exp - Parks & Gardens			32,564.00	19,180.08	59%
1472297 - Admin Cost Allocated - P & G			518,400.00	269,811.10	52%
1472298 - IT/Records Costs Allocated -P & G			117,696.00	57,279.54	49%
Sub Total To Programme Summary	\$0.00	\$0.00	-\$758,945.00	-\$468,237.55	
Operating Income					
0143384 - Reimbursements - W. Comp & Sundry No GST P & G Ops - Op Inc	0.00	14,975.80			100%
0143415 - Surplus Minor Equipment Sales - Op Inc - Parks & Gardens Operations					
0143518 - Profit on Sale of Assets - Op Inc - Parks & Gardens Operations					
Sub Total To Programme Summary	\$0.00	\$14,975.80	\$0.00	\$0.00	
Capital Expenditure					
0143610 - Vehicle & Plant Renewal(Replacement) - Cap Exp - P&G Operations			825,000.00	225,875.28	27%
0143621 - Vehicle & Plant New - Cap Exp - P&G Operations					
Sub Total To Programme Summary	\$0.00	\$0.00	\$825,000.00	\$225,875.28	
Capital Income					
0143601 - Proceeds from Sale of Assets - Cap Inc - Parks & Gardens Operations	209,000.00	72,272.73			35%
Sub Total To Programme Summary	\$209,000.00	\$72,272.73	\$0.00	\$0.00	
Total Parks & Gardens Operations	\$209,000.00	\$87,248.53	\$66,055.00	-\$242,362.27	

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES
Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
Works Operations					
Operating Expenditure					
0142045 - 544400			37,730.00	11,508.12	31%
0143050 - Wages & related Sick & Annual Leave Workers Exp - Works Ops			224,438.00	112,826.52	50%
0143054 - Superannuation Employee Expense - Works Operations			144,690.00	73,326.10	51%
0143055 - Relieving Staff Exp - Works - Gen Admin			60,000.00	36,572.62	61%
0143056 - Workers Compensation - Op Ex - Works Operations					
0143080 - Works Protective Clothing - Op Exp - Works Operations			16,245.00	6,634.57	41%
0143290 - Less On Costs Alloc - Op Exp - Works Operations			-1,573,788.00	-874,033.69	56%
0148010 - Salary - Op Exp - Works (Management)			340,463.00	234,242.13	69%
0148015 - Superannuation Employee Expense - Works Management			57,706.00	20,216.71	35%
0148035 - Other Employment Costs - Works Ops			29,284.00	19,671.24	67%
0148281 - 4248300			50,663.00	27,137.69	54%
0148282 - 59700			0.00	105.00	100%
0148283 - Minor Equipment Replacement - Op Exp - Works Operations			6,600.00	1,218.77	18%
0148284 - Sundry Mobile & Sat Phone Exp - Works Ops			7,000.00	3,216.62	46%
0148287 - Workshop Renewal - Fabrication Area - Op Ex			2,660.00	0.00	0%
0148396 - Loss On Sale Of Assets - Op Exp - Works Operations			41,297.00	38,457.87	93%
0148800 - Vehicle & Plant Exps - Works Ops			93,600.00	59,349.41	63%
1473297 - Admin Cost Allocated - Woks Ops			302,004.00	157,183.52	52%
1473298 - IT/Records Costs Allocated -Works Ops			80,868.00	39,357.72	49%
Sub Total To Programme Summary	\$0.00	\$0.00	-\$78,540.00	-\$33,009.08	
Operating Income					
0148406 - Reimbursements Rec'd No GST - Works Ops - Op Inc					
0148415 - Surplus Minor Equip Sales Works Ops - OP Inc					
0148499 - Profit On Sale of Assets - Op Inc - Works Operations					
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00	
Capital Expenditure					
0148611 - Vehicle & Mob Plant Renewal(Replacement) - Cap Exp - Works Ops			224,000.00	161,803.60	72%
0148621 - Vehicle & Mob Plant New - Cap Exp - Works Ops			13,000.00	0.00	0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$237,000.00	\$161,803.60	
Capital Income					

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES
Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0148395 - Transfer from Plant Reserve - Works Ops	29,000.00	0.00	0%		
0148600 - Proceeds from Sale of Assets - Cap Inc - Works Operations	53,000.00	33,000.00	62%		
Sub Total To Programme Summary	\$82,000.00	\$33,000.00	\$0.00	\$0.00	
Total Works Operations	\$82,000.00	\$33,000.00	\$158,460.00	\$128,794.52	
Depot Operations					
Operating Expenditure					
0000800 - Oils & Lubricants - Op Exp - Depot Operations			23,000.00	10,430.70	45%
0148025 - Staff Meetings & Office Duties Exp - Depot Operations			195,144.00	6,535.83	3%
0148050 - Default Wages Sick & Annual Leave Mechanics Exp - Depot			42,271.00	69,568.31	165%
0148051 - Superannuation Employee Expense - Depot Staff			24,310.00	13,441.23	55%
0148060 - Relief Staff Op Exp - Depot Ops			57,200.00	24,227.88	42%
0148070 - Salary - Op Exp - Depot (Management)			83,287.00	51,687.19	62%
0148071 - Superannuation Employee Expense - Depot			12,766.00	7,092.98	56%
0148078 - Minor Assets - Op Exp - Depot Operations			8,050.00	2,258.81	28%
0148100 - Depot Building & Grounds Op Exps - Depot Operations			214,196.00	130,248.14	61%
0148271 - Workshop Consumables Exp - Depot			11,500.00	4,265.98	37%
0148291 - Consumables - Op Exp - Depot Operations			19,200.00	7,096.77	37%
0148292 - Tool Replacement - Op Exp - Depot Operations			12,450.00	1,982.42	16%
0148293 - Safety Equip - Op Exp - Depot Operations			26,400.00	23,191.82	88%
0148297 - 1107700			17,200.00	15,991.65	93%
0148298 - 535700			8,089.00	2,093.55	26%
0148299 - Insurances - Op Exp - Depot Operations			0.00	105.39	100%
0148301 - Depot Overheads Alloc - Op Exp - Depot Operations			-276,499.00	-80,273.16	29%
0148305 - IT Costs Alloc - Depot Ops			64,080.00	31,187.48	49%
0148630 - Admin Costs Alloc - Op Exp - Depot Operations			114,624.00	59,655.48	52%
0148696 - Loss on Sale of Assets - Op Exp - Depot Operations			1,467.00	0.00	0%
0148801 - Vehicle & Plant Exps - Depot Ops			20,900.00	5,876.07	28%
0149028 - Workshop Cleaning & Other Operational Exps - Op Exp			22,955.00	5,747.77	25%
0149225 - Depot Sundry Exp - Depot Ops			1,500.00	314.20	21%
1474206 - Other Employment Costs - Depot Staff			6,684.00	6,735.62	101%
1474296 - Fixed Asset Depn - Op Exp - Depot			65,748.00	19,816.69	30%
Sub Total To Programme Summary	\$0.00	\$0.00	\$776,522.00	\$419,278.80	

Page :63

Printed : 09/02/2018 4:49:38PM

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES
Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
Operating Income					
0148602 - Apprentice	44,527.00	44,527.00	100%		
Subsidy/Grants/Contributions - Op Inc - Depot Ops					
0148605 - Reimb & Sundry Income Rec'd - Op Inc - Depot Operations					
0148606 - Reimbursements Rec'd W. Comp & Sundry No GST - Depot Ops - Op Inc					
0148699 - Profit on Sale of Assets - Op Inc - Depot Operations	1,000.00	0.00	0%		
Sub Total To Programme Summary	\$45,527.00	\$44,527.00	\$0.00	\$0.00	
Capital Expenditure					
0148008 - Transfer to Furniture & Equipment Reserve - Cap Exp			0.01	0.00	0%
0148230 - Transfer to Restricted Cash Reserve - Cap Exp - Depot Operations					
0148240 - Furn & Equip Over \$3000 Cap Exp - Depot					
0148242 - Depot Building Upgrade - Cap Exp - Depot Operations					
0148610 - Vehicle & Mobile Plant Renewal(Replacement) - Cap Exp - Depot Ops			50,000.00	0.00	0%
0148999 - Depot Building - Works in Progress - Depot Ops					
Sub Total To Programme Summary	\$0.00	\$0.00	\$50,000.01	\$0.00	
Capital Income					
0148601 - Proceeds From Sale of Assets - Cap Inc - Depot Operations	14,000.00	0.00	0%		
0148613 - Transfer From Restricted Cash Reserve - Cap Inc - Depot Operations	12,673.00	0.00	0%		
Sub Total To Programme Summary	\$26,673.00	\$0.00	\$0.00	\$0.00	
Total Depot Operations					
	\$72,200.00	\$44,527.00	\$826,522.01	\$419,278.80	
Plant Operation					
Operating Expenditure					
0145101 - Plant Repair Wages - Op Exp - Plant Operation			741,591.00	381,217.69	51%
0145102 - Plant Tyres & Tubes - Op Exp - Plant Operation			65,000.00	32,366.90	50%
0145103 - Plant Parts & Repairs - Op Exp - Plant Operation			300,000.00	162,641.23	54%
0145104 - Plant Insurance & Licences - Op Exp - Plant Operation			53,234.00	54,634.16	103%
0145105 - Plant Fuel & Oil - Op Exp - Plant Operation			280,000.00	175,652.73	63%
0145106 - Plant Depreciation - Op Exp - Plant Operation			723,363.00	334,550.56	46%
0145290 - Plant Operation Costs Allocated - Op Exp - Plant Operation			-1,764,723.00	-1,025,064.88	58%

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES
Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0145291 - Plant Dep'n Op Alloc (Credits) - Op Exp - Plant Operation			-576,466.00	-343,523.48	60%
Sub Total To Programme Summary	\$0.00	\$0.00	-\$178,001.00	-\$227,525.09	
Total Plant Operation	\$0.00	\$0.00	-\$178,001.00	-\$227,525.09	
Salaries & Wages					
Operating Expenditure					
0146010 - Salaries & Wages For Year - Op Exp - Salaries & Wages			13,287,475.00	7,380,083.14	56%
0146200 - Salaries & Wages Allocated - Op Exp - Salaries & Wages			-13,287,475.00	-7,589,285.03	57%
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	-\$209,201.89	
Total Salaries & Wages	\$0.00	\$0.00	\$0.00	-\$209,201.89	
Corporate Governance & Support					
Operating Expenditure					
0141800 - Vehicle & Plant Exps - Gen Admin			11,300.00	3,249.83	29%
0141801 - Vehicle Running Exps - Property Management			5,100.00	2,380.54	47%
0142000 - 16630000			522,785.00	288,974.06	55%
0142002 - Salary - Op Exp - Corp Serv Directorate			149,984.00	86,484.50	58%
0142003 - Superannuation Employee Expense - Corp Service Directorate			14,248.00	13,405.12	94%
0142004 - Salary - Op Exp - Finance			869,016.00	482,281.84	55%
0142005 - Superannuation Employee Expense - Finance			105,222.00	59,142.77	56%
0142006 - Salary - Op Exp - Human Resources			282,234.00	212,845.62	75%
0142007 - Superannuation Employee Expense - HR			39,780.00	16,428.02	41%
0142008 - Relieving Staff Exp - HR			13,133.00	7,419.60	56%
0142010 - Salary - Op Exp - Gen Admin			568,032.00	312,724.84	55%
0142011 - Superannuation Employee Expense - General Admin			67,054.00	37,620.20	56%
0142012 - Relieving Staff Exp - DCS - Gen Admin			98,000.00	59,922.37	61%
0142013 - Salary - Op Exp - Property Management			276,991.00	103,576.55	37%
0142015 - All Employee Centrelink Paid Parental Leave - Op Exp - Gen Admin O'Heads			11,120.00	12,510.00	113%
0142016 - Superannuation Employee Expense - Property Management			31,694.00	12,759.54	40%
0142020 - Other Employment Costs - Corp Serv Directorate			13,614.00	7,547.00	55%
0142025 - Other Employment Costs - General Admin			12,871.00	8,829.45	69%
0142027 - Other Employment Costs - Property Management			9,854.00	6,867.13	70%
0142034 - Other Employment Costs - Finance			17,828.00	13,512.59	76%

Page :65

Printed : 09/02/2018

4:49:38PM

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES
Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0142037 - Other Employment Costs - Human Resources			7,002.00	4,990.81	71%
0142040 - All Ex Employee LSL & Other Exps (From any work area) - Gen Admin					
0142042 - Performance Based Rewards - Gen Admin			9,978.00	1,718.68	17%
0142043 - Organisational Training - General			265,870.00	123,006.71	46%
0142044 - Uniform - Op Exp - General Admin O'Heads			18,000.00	10,349.35	57%
0142046 - Recruitment Expenses - Op Exp - General Admin O'Heads			86,505.00	27,170.08	31%
0142048 - HRM Consultancy - Op Exp			30,000.00	8,712.00	29%
0142049 - Employee Assistance Programme - Op Exp			9,000.00	4,620.45	51%
0142050 - Shire Office Barker St - Op Exps - Corp Gov Support			134,918.00	61,713.27	46%
0142060 - IT Costs Allocated - Op Exp - General Administration O'Heads			327,816.00	159,539.31	49%
0142070 - Printing & Stationery - Op Exp - General Admin O'Heads			22,000.00	7,229.37	33%
0142090 - Postage & Freight - Op Exp - General Administration O'Heads			32,000.00	16,039.06	50%
0142100 - Advertising - Op Exp - General Administration O'Heads			3,000.00	948.55	32%
0142111 - Minor Asset Purchases - Op Exp - General Administration O'Heads			10,000.00	6,578.59	66%
0142112 - Sundry Exp Corp Serv - Op Exp - General Administration O'Heads			500.00	0.00	0%
0142120 - Bank Charges with GST Only - Op Exp - General Administration O'Heads			41,000.00	33,436.22	82%
0142121 - Bank Charges - No GST - Op Exp - General Administration O'Heads			100.00	313.75	314%
0142160 - Other Office Expenses - Op Exp - General Administration O'Heads			5,000.00	2,890.40	58%
0142184 - Gifts & Miscellaneous Employee Op Exp - Corp Gov			1,000.00	143.59	14%
0142191 - Relocation & Removal Costs - All Staff - Op Exp - Corp Gov			30,000.00	0.00	0%
0142193 - Relief Staff - Op Exp - Finance - Corp. Gov. & Support			0.00	241.27	100%
0142230 - Legal Corp Serv - Op Exp - Corp Gov & Support (legal recovery opinc see 142391)			5,000.00	3,000.00	60%
0142231 - Consultants Corp Serv - Op Exp - Corp Gov Support			38,000.00	0.00	0%
0142232 - LGIS Insurance Funded Expenses (Inc in 142393) - Op Exp - Corp Gov			125,015.00	40,270.19	32%
0142233 - Consultants Administration Dept - Op Exp - Corp Gov Support			4,500.00	1,300.00	29%
0142260 - Insurance - Op Exp - General Administration O'Heads			194,765.00	192,868.86	99%
0142261 - Occupation Health & Safety - Op Exp - General Admin O'Heads			11,000.00	0.00	0%
0142273 - HR Staff Printing & Stationery and Other Exp - Op Exp - General Admin O'Heads			1,600.00	1,987.34	124%

Page :66

Printed : 09/02/2018

4:49:38PM

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0142281 - Refund Overpayments - Op Exp - General Admin (Clearing)			1,000.00	0.00	0%
0142296 - Loss on Asset Disposal - Gen Admin			7,800.00	0.00	0%
0142298 - Dep'n Exp Plant & Equip Op Exp - Corp Gov & Support			0.00	4,412.62	100%
0142299 - Dep'cn Furniture & Fittings - Op Exp-Corp Gov & Support			0.00	4,267.82	100%
0142300 - Accrued Leave Expense			100,000.00	0.00	0%
0142305 - Doubtful Debt Expenses - Op Exp - General Administration O'Heads			4,000.00	0.00	0%
0142548 - Local Number Plate Purchases - Op Exp - General Administration O'Heads			2,000.00	1,090.20	55%
0142999 - Less Cost Alloc - Op Exp - General Administration O'Heads			-4,755,984.00	-2,475,331.22	52%
0144027 - Property Dept Legal Expenses - Op Exp - Property Dep't (see legal recovery opinc 142995)			20,000.00	0.00	0%
1441244 - Drug & Alcohol Testing - General			8,000.00	0.00	0%
1477296 - Fixed Asset Depn - Op Exp - Corporate Governance			454,957.00	179,298.22	39%
Sub Total To Programme Summary	\$0.00	\$0.00	\$375,202.00	\$171,287.06	
Operating Income					
0142212 - Interest Rec on Muni Investment - Op Inc - General Administration O'Heads	161,712.00	67,786.02			42%
0142322 - Unpresented Cheques Cancelled Income					
0142390 - Reimb Bonuses Rebates & Sundry Income Inc GST - Op Inc - General Admin O'Heads	2,500.00	570.00			23%
0142393 - LGIS Insurance Bonus & Funding (Exp in 142232) - Op Inc - Corp Gov	47,237.00	51,903.53			110%
0142394 - Legal Employee Leave & Other No GST Reimb from Others Op Inc - Corp Gov					
0142395 - All Employee Paid Parental Leave Reimb - Op Inc - Gen Admin O'Heads	11,120.00	12,510.00			113%
0142440 - Sales Information Of Records (i.e. FOI) - Op Inc - General Administration O'Heads	200.00	30.00			15%
0142441 - Photocopying & Sundries + GST - Op Inc - General Administration O'Heads	20.00	0.00			0%
0142471 - Commission - DFES / FESA ESL Levy collection	8,500.00	7,980.00			94%
0142481 - HR Operating Grants Rec'd - Op Inc - Gen Admin					
0142499 - Profit on Sale of Assets - Op Inc - General Administration O'Heads					
0142500 - Local Number Plate Sales Op Inc - Gen Admin	3,000.00	2,036.37			68%
0142791 - Interest Rec Building Reserve - Op Inc - General Administration O'Heads	94,400.00	21,413.09			23%
0142995 - Reimbursement Property Dept Legal Fee - Op Inc - Corp Gov & Supp (Legal opex refer 144027)	500.00	0.00			0%

Page :67

Printed : 09/02/2018

4:49:38PM

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
0142997 - Interest Rec Leave Reserve - Op Inc - General Administration O'Heads	34,700.00	7,058.05 20%		
Sub Total To Programme Summary	\$363,889.00	\$171,287.06	\$0.00	\$0.00
Capital Expenditure				
0141790 - Transfer to Building Reserve - Cap Exp - General Administration O'Heads			94,400.00	21,413.09 23%
0141997 - Transfer to Leave Reserve - Cap Exp - Corp Gov & Support			34,700.00	7,058.05 20%
0142551 - Vehicle & Mob Plant Renewal (Replacement) - Cap Exp - Gen Admin			80,000.00	0.00 0%
0142552 - Shire Office Haas St Fixed Plant New -Cap Exp- Corp Gov				
0142558 - Shire Office Build Haas St Renewal - Cap Exp - Corp Gov			70,000.00	38,968.85 56%
0147371 - Shire Office Barker St - Building Upgrade Wks - Cap Exp - Corp Gov			80,000.00	0.00 0%
0147372 - Shire Office Barker St - Building Renewal - Cap Exp - Corp Gov Support			15,000.00	0.00 0%
Sub Total To Programme Summary	\$0.00	\$0.00	\$374,100.00	\$67,439.99
Capital Income				
0142320 - Transfer From Leave Reserve Corp Gov & Support	84,441.00	0.00 0%		
0142790 - Transfer From Building Reserve Gen Admin	70,000.00	0.00 0%		
0142794 - Transfer From Plant Reserve - Corp Gov & Support				
0142951 - Proceeds from Sale of Assets - Cap Inc - General Administration	26,000.00	0.00 0%		
Sub Total To Programme Summary	\$180,441.00	\$0.00	\$0.00	\$0.00
Total Corporate Governance & Support	\$544,330.00	\$171,287.06	\$749,302.00	\$238,727.05
IT and Records Operations				
Operating Expenditure				
0142075 - Records Management Exps - IT			3,500.00	1,166.17 33%
0146102 - License Maint and Support - IT Exp			419,400.00	317,080.98 76%
0146104 - Equip Maint & Supplies - IT Exp - OP Exp			88,765.00	49,042.68 55%
0146105 - Salary - Op Exp - IT			319,837.00	169,659.48 53%
0146106 - Salary - Op Exp - Records			260,018.00	130,828.77 50%
0146108 - Superannuation Employee Expense - IT			35,516.00	22,411.17 63%
0146109 - Software<\$5000 - IT Exp			22,200.00	0.00 0%
0146110 - Minor Assets<\$5000 - IT Exp			103,000.00	45,883.32 45%
0146111 - IT Contract Consultants - Exp			80,000.00	43,143.46 54%
0146113 - Superannuation Employee Expense - Records			28,548.00	14,690.16 51%
0146117 - Other Employment Costs - IT			8,940.00	5,564.37 62%
0146121 - Other Employment Costs - Records			6,443.00	4,461.78 69%
0146159 - Less Op Costs Alloc - IT			-1,805,160.00	-878,520.52 49%

Page :68

Printed : 09/02/2018

4:49:38PM

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES
Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0146199 - Fixed Asset Dep'n - Op Exp - IT			438,909.00	76,441.45	17%
Sub Total To Programme Summary	\$0.00	\$0.00	\$9,916.00	\$1,853.27	
Operating Income					
0142996 - Interest Rec Equip & Ins Reserve - Op Inc - General Administration O'Heads	9,900.00	1,853.27			19%
Sub Total To Programme Summary	\$9,900.00	\$1,853.27	\$0.00	\$0.00	
Capital Expenditure					
0141995 - Transfer to Equip & Insurance Reserve IT Operations Cap Exp			9,900.00	1,853.27	19%
0146120 - Equip & H'Ware > \$5000 Cap Exp - IT			463,170.00	250,766.62	54%
0146122 - Software >\$5000 Cap Exp - IT			346,244.00	111,159.52	32%
0146126 - Furniture & Equipment - Works in Progress - IT & Records Operations					
Sub Total To Programme Summary	\$0.00	\$0.00	\$819,314.00	\$363,779.41	
Capital Income					
0146178 - Grants Received - Non Op Inc - IT & Records Operations	125,170.00	125,170.00			100%
Sub Total To Programme Summary	\$125,170.00	\$125,170.00	\$0.00	\$0.00	
Total It And Records Operations	\$135,070.00	\$127,023.27	\$829,230.00	\$365,632.68	
Unclassified General					
Operating Expenditure					
0014295 - Loss from Theft/Fraud - Unclassified General					
0114310 - Broome Turf Club Recoupable Expenses (Income in 114401) - Op Exp - Unclassified General			19,233.00	19,233.38	100%
0147103 - Survey & Misc Expenses Leased Properties - Op Exp - Unclassified Gen			50,000.00	29,416.47	59%
0147104 - Consultant Expenses - Op Exp - Unclassified General					
0147287 - Recoupable Expenses (Inc in 147587 & 147588)- Op Exp - Un Clas Gen					
0147530 - Admin Costs Alloc - Op Exp - Unclassified General			266,808.00	138,866.08	52%
Sub Total To Programme Summary	\$0.00	\$0.00	\$336,041.00	\$187,515.93	
Operating Income					
0114401 - Turf Club - Rent & Recoup Income - Op Inc	19,500.00	0.00			0%
0147493 - Turf Club - Reserve Point - Op Inc - Unclassified General					
0147585 - Recovery of theft loss - Op Inc - Unclassified General					
0147586 - Reimbursements & Other Income - Op Inc - Unclassified General	500.00	935.91			187%
0147587 - Recouped Income (Exp In 147287) -Op Inc-Unclass Gen	200.00	0.00			0%

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
0147588 - Recoupable Income Non-GST - Op Inc - Unclassified General	200.00	0.00	0%		
Sub Total To Programme Summary	\$20,400.00	\$935.91	\$0.00	\$0.00	
Capital Expenditure					
0147100 - Building Capital > \$5k - Cap Exp - Unclassified General			100,000.00	34,414.55	34%
Sub Total To Programme Summary	\$0.00	\$0.00	\$100,000.00	\$34,414.55	
Capital Income					
0147510 - Transfer From Building Reserve - Unclassified)	21,326.00	0.00	0%		
Sub Total To Programme Summary	\$21,326.00	\$0.00	\$0.00	\$0.00	
Total Unclassified General	\$41,726.00	\$935.91	\$436,041.00	\$221,930.48	
Other Buildings Leased - Unclassified					
Operating Expenditure					
0112051 - 630800			4,966.00	2,798.16	56%
0132000 - Office Bagot St - Op Exp - Tourism & Area Promotion			8,070.00	5,907.63	73%
0147409 - Cable Beach Restaurant Facilities (Zanders) Build Maint & Operating - Op Exp-Other Build Leased			500.00	0.00	0%
0147482 - 510000			5,675.00	3,812.40	67%
0147862 - Sam Male Lugger - Op Exp- Other Build Leased			1,630.00	630.02	39%
1480296 - Fixed Asset Depn - Op Exp - Other Buildings Leased			107,052.00	41,337.57	39%
Sub Total To Programme Summary	\$0.00	\$0.00	\$127,893.00	\$54,485.78	
Operating Income					
0112483 - Town Beach Cafe - Rent & Recoup Income - Op Inc	63,500.00	40,516.64	64%		
0146408 - Zanders - Rent & Recoup Income - Op Inc	38,050.00	24,378.16	64%		
0147181 - Office Bagot St (Magabala Books) - Rent & Recoup Income - Op Inc	41,770.00	23,333.28	56%		
0147491 - Old Broome Lock Up - Rent & Recoup Income - Op Inc	15,900.00	7,113.60	45%		
0147492 - Broome Last Resort Carpark (Reserve 34305) - Rent & Recoup Income - Op Inc	18,500.00	0.00	0%		
0147502 - Comms Tower Crown Castle BRAC (Reserve 39420) - Rent & Recoup Income - Op Inc	28,897.00	10,918.46	38%		
0147865 - Sam Male Lugger - Op Inc - Other Build Leased	16,500.00	11,250.00	68%		
Sub Total To Programme Summary	\$223,117.00	\$117,510.14	\$0.00	\$0.00	
Total Other Buildings Leased - Unclassified	\$223,117.00	\$117,510.14	\$127,893.00	\$54,485.78	

Community Facilities Leased - Unclassified

Page :70

Printed : 09/02/2018

4:49:38PM

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES
Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure		
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual	
Operating Expenditure					
0114201 - Broome Speedway Club Maint & Operating Expenses - Op Exp - Community Facilities Leased			1,000.00	0.00	0%
0114601 - Naval Cadets Building Maint & Operating Expenses - Op Exp - Community Facilities Leased			2,200.00	236.77	11%
0146020 - Child Care Centre Cnr Guy & Herb Sts - Op Exp - Comm Fac Leased			17,686.00	7,684.64	43%
0146030 - Broome Golf Club Maint & Operating Expenses - Op Exp - Community Facilities Leased			8,424.00	8,424.08	100%
0146040 - Broome Pistol Club Maint & Operating Expenses - Op Exp - Community Facilities Leased			3,468.00	3,468.00	100%
0146050 - 4 Jones Place Maint & Operating Expenses - Op Exp - Comm Fac Leased			7,480.00	4,671.58	62%
0146091 - Scout & Guide Shed Maint & Operating Exps - Op Exp - Com Fac Leased			500.00	0.00	0%
0146297 - Dep'n - Land & Buildings - Community Facilities Leased			138,748.00	60,487.90	44%
0146670 - Bowling Club Maint & Operating Expenses - Op Exp - Community Facilities Leased			8,685.00	7,864.40	91%
0149420 - 930000			10,347.00	3,796.33	37%
1481296 - Fixed Asset Depn - Op Exp - Commercial Facilities Leased			450,362.00	115,943.06	26%
Sub Total To Programme Summary	\$0.00	\$0.00	\$648,900.00	\$212,576.76	
Operating Income					
0147496 - Mulberry Tree Child Care - Rent & Recoup Income - Op Inc	88,129.00	45,997.40			52%
0149408 - Rent & Recoup Income - Op Inc - Community Facilities Leased	22,000.00	0.00			0%
0149410 - BOSCCA - Rent & Recoup Income - Op Inc	35,500.00	16,666.64			47%
0149450 - 4 Jones Place - Reent & Recoup Income - Op Inc	4,201.00	0.00			0%
Sub Total To Programme Summary	\$149,830.00	\$62,664.04	\$0.00	\$0.00	
Capital Expenditure					
0146682 - Bowling Club Building Renewal - Cap Exp - Com Fac Leased					
Sub Total To Programme Summary	\$0.00	\$0.00	\$0.00	\$0.00	
Total Community Facilities Leased - Unclassified	\$149,830.00	\$62,664.04	\$648,900.00	\$212,576.76	
Office Properties Leased - Unclassified					
Operating Expenditure					
0147265 - KRO Business Plan - Op Exp - Office Prop Leased					
0147270 - 21700000			451,307.00	330,510.99	73%
0147280 - Shire Office Cable Beach Rd - Op Exp - Office Properties Leased			6,302.00	1,880.01	30%

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES

Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
1482295 - Loss on Derecognition of WIP - Op Exp - Office Properties Leased				
1482296 - Fixed Asset Dep'n - Op Exp - Office Properties Leased			222,122.00	55,468.00
1482297 - KRO Loan Interest & Fee Exp - Op Exp				
Sub Total To Programme Summary	\$0.00	\$0.00	\$679,731.00	\$387,859.00
Operating Income				
0147463 - Far North Community Services Tenancy 567 - KRO2 - Rent & Recoup Income - Op Inc	50,000.00	41,862.96		84%
0147464 - Anglicare Tenancy 23 - KRO2 - Rent & Recoup Income - Op Inc	178,000.00	103,768.84		58%
0147465 - Dept Corrective Services KRO1 Rent Rec'd - Op Inc - Office Prop Leased				
0147467 - Main Roads WA Tenancy 9 - KRO1 - Rent & Recoup Income - Op Inc	15,000.00	0.00		0%
0147472 - BEC - Rent & Recoup Income - Op Inc	21,796.00	12,561.66		58%
0147474 - KRO Rent Received - Commonwealth Rehabilitation Services Rent - Op Inc - Office Properties Leased				
0147483 - Dept of Housing Tenancy 11 - KRO1 - Rent & Recoup Income - Op Inc	203,003.00	131,868.32		65%
0147484 - Tenancy 1 - KRO2 - Rent & Recoup Income - Op Inc	20,000.00	0.00		0%
0147485 - Dep Corrective Services - KRO2 (Tenancy 4) - Rent & Recoup Income - Op Inc	131,976.00	86,520.26		66%
0147487 - WA Police Tenancy 10 - KRO1 - Rent & Recoup Income - Op Inc	65,000.00	79,000.00		122%
0147489 - User Charges KRO Outgoings - Op Inc - Office Properties Leased	354,000.00	255,993.93		72%
Sub Total To Programme Summary	\$1,038,775.00	\$711,575.97	\$0.00	\$0.00
Capital Expenditure				
0147374 - KRO1 Building Renewal - Cap Exp - Office Prop Leased			845,000.00	54,473.12
0147375 - KRO2 Building Renewal - Cap Exp - Office Prop Leased			655,000.00	27,548.78
0147999 - Works in Progress - KRO2 Building Renewal & KRO3 New Building Construction				
1482298 - KRO Loan Principal Exp				
1482446 - KRO3 Building New Const - Cap Exp - Office Prop Leased				
Sub Total To Programme Summary	\$0.00	\$0.00	\$1,500,000.00	\$82,021.90
Capital Income				
0147355 - Transfer From Building Reserve Leased Offices Un Clas	1,500,000.00	0.00		0%
0147390 - Transfer From Restricted Cash Reserve Cap Inc - Office Prop Leased				
1486561 - Loans Received KRO3 - Cap Inc - Other Property Leased				

SHIRE OF BROOME
Schedule 14
OTHER PROPERTY AND SERVICES
Financial Statement For The Period Ending 31/01/2018

Particulars	Income		Expenditure	
	Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Sub Total To Programme Summary	\$1,500,000.00	\$0.00	\$0.00	\$0.00
Total Office Properties Leased - Unclassified	\$2,538,775.00	\$711,575.97	\$2,179,731.00	\$469,880.90
TOTAL OTHER PROPERTY AND SERVICES	\$4,206,088.00	\$1,419,988.33	\$7,156,293.01	\$2,042,784.05

SHIRE OF BROOME
SCHEDULE 2
GENERAL FUND SUMMARY OF FINANCIAL ACTIVITY
Financial Statement For The Period Ending 31/01/2018

			Income		Expenditure	
Particulars			Current Year Estimated	Current Year Actual	Current Year Estimated	Current Year Actual
Operating Section						
GENERAL PURPOSE FUNDING	03		\$23,219,752.00	\$22,688,463.97	\$647,688.00	\$210,017.52
GOVERNANCE	04		\$28,450.00	\$5,917.96	\$2,333,120.00	\$1,223,231.30
LAW ORDER AND PUBLIC SAFETY	05		\$178,795.00	\$122,155.43	\$1,147,970.00	\$864,611.71
HEALTH	07		\$189,700.00	\$155,477.08	\$798,406.00	\$427,769.11
EDUCATION AND WELFARE	08		\$15,000.00	\$15,000.00	\$688,681.00	\$305,665.36
HOUSING	09		\$628,275.00	\$335,268.53	\$789,497.00	\$424,165.45
COMMUNITY AMENITIES	10		\$7,499,240.00	\$4,785,223.86	\$9,490,502.00	\$4,013,419.49
RECREATION AND CULTURE	11		\$1,383,112.00	\$728,032.16	\$11,326,589.00	\$6,177,096.27
TRANSPORT	12		\$1,657,925.00	\$334,696.72	\$13,687,458.00	\$6,932,068.39
ECONOMIC SERVICES	13		\$892,553.01	\$614,220.76	\$5,238,960.01	\$1,276,718.42
OTHER PROPERTY AND SERVICES	14		\$2,035,741.00	\$1,189,545.60	\$3,211,279.00	\$1,100,126.67
Total Operating Section			\$37,728,543.01	\$30,974,002.07	\$49,360,150.01	\$22,954,889.69
Capital Section						
GOVERNANCE	04		\$85,000.00	\$33,981.82	\$10,400.00	\$2,292.50
LAW ORDER AND PUBLIC SAFETY	05		\$1,239,000.00	\$0.00	\$1,346,580.00	\$5,580.00
HEALTH	07		\$19,974.00	\$0.00	\$40,000.00	\$0.00
EDUCATION AND WELFARE	08		\$8,000.00	\$0.00	\$36,000.00	\$0.00
HOUSING	09		\$729,000.00	\$0.00	\$769,000.00	\$729,025.98
COMMUNITY AMENITIES	10		\$1,891,053.01	\$0.00	\$4,598,822.01	\$214,897.52
RECREATION AND CULTURE	11		\$6,156,114.00	\$66,636.37	\$8,725,822.00	\$460,175.12
TRANSPORT	12		\$3,175,967.00	\$681,834.20	\$5,152,135.00	\$1,532,967.26
ECONOMIC SERVICES	13		\$10,183,381.00	\$4,750,000.00	\$7,021,832.00	\$1,168,125.65
OTHER PROPERTY AND SERVICES	14		\$2,170,347.00	\$230,442.73	\$3,945,014.01	\$942,657.38
Total Capital Section			\$25,657,836.01	\$5,762,895.12	\$31,645,605.02	\$5,055,721.41
TOTAL INCOME AND EXPENDITURE			\$63,386,379.02	\$36,736,897.19	\$81,005,755.03	\$28,010,611.10
			\$63,386,379.02	\$36,736,897.19	\$81,005,755.03	\$28,010,611.10
Surplus / Deficit C/Fwd			\$17,619,376.01	\$0.00	\$0.00	\$8,726,286.09
			\$81,005,755.03	\$36,736,897.19	\$81,005,755.03	\$36,736,897.19

SURPLUS / DEFICIT REPRESENTED BY:

NET CURRENT ASSETS

9.4.5 ANNUAL ELECTORS MEETING HELD 14 DECEMBER 2017

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	AME02
AUTHOR:	Manager Governance
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	19 December 2017

SUMMARY: The purpose of this report is to present to Council the Minutes of the Annual Electors Meeting held 14 December 2017.

BACKGROUNDPrevious Considerations

OMC 10 April 2008	Item 9.1.2
OMC 19 March 2009	Item 9.1.1
OMC 18 February 2010	Item 9.1.1
OMC 17 March 2011	Item 9.1.1
OMC 16 February 2012	Item 9.4.1
OMC 21 February 2013	Item 9.4.10
OMC 27 February 2014	Item 9.4.5
OMC 26 February 2015	Item 9.4.8
OMC 17 December 2015	Item 9.4.6
OMC 23 February 2017	Item 9.4.5

COMMENT

Pursuant to section 5.27 of the *Local Government Act 1995*, the Annual Electors Meeting was held on Thursday 14 December 2017 commencing at 4.00pm.

The former Shire President's Report and the Annual Report for the financial year 1 July 2016 to 30 June 2017 were received, and there were no further decisions made. A copy of the minutes form an attachment to this report.

CONSULTATION

The Annual Electors Meeting was advertised in the Broome Advertiser on the 2 November 2017, notices were placed on the Shire Administration Building and Library notice boards and on the Shire's website.

STATUTORY ENVIRONMENT***Local Government Act 1995*****5.27 Electors' general meetings**

- (1) A general meeting of the electors of a district is to be held once every financial year.

- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) The matters to be discussed at general electors' meetings are to be those prescribed.

5.30. Who presides at electors' meetings

- (1) The mayor or president is to preside at electors' meetings.
- (2) If the circumstances mentioned in section 5.34(a) or (b) apply the deputy mayor or deputy president may preside at an electors' meeting in accordance with that section.
- (3) If the circumstances mentioned in section 5.34(a) or (b) apply and —
 - (a) the office of deputy mayor or deputy president is vacant; or
 - (b) the deputy mayor or deputy president is not available or is unable or unwilling to perform the functions of mayor or president,
 then the electors present are to choose one of the councillors present to preside at the meeting but if there is no councillor present, able and willing to preside, then the electors present are to choose one of themselves to preside.

5.31. Procedure for electors' meetings

The procedure to be followed at, and in respect of, electors' meetings and the methods of voting at electors' meetings are to be in accordance with regulations.

5.32. Minutes of electors' meetings

The CEO is to —

- (a) cause minutes of the proceedings at an electors' meeting to be kept and preserved; and
- (b) ensure that copies of the minutes are made available for inspection by members of the public before the council meeting at which decisions made at the electors' meeting are first considered.

5.33. Decisions made at electors' meetings

- (1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —
 - (a) at the first ordinary council meeting after that meeting; or
 - (b) at a special meeting called for that purpose,
 whichever happens first.
- (2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

5.34. When deputy mayors and deputy presidents can act

If —

- (a) the office of mayor or president is vacant; or
- (b) the mayor or president is not available or is unable or unwilling to perform the functions of the mayor or president,

then the deputy mayor may perform the functions of mayor and the deputy president may perform the functions of president, as the case requires.

Local Government Administration Regulations 1996

15. Matters to be discussed at general meeting (Act s. 5.27(3))

For the purposes of section 5.27(3), the matters to be discussed at a general electors' meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business.

17. Voting at meeting (Act s. 5.31)

- (1) Each elector who is present at a general or special meeting of electors is entitled to one vote on each matter to be decided at the meeting but does not have to vote.*
- (2) All decisions at a general or special meeting of electors are to be made by a simple majority of votes.*
- (3) Voting at a general or special meeting of electors is to be conducted so that no voter's vote is secret.*

18. Procedure at meeting (Act s. 5.31)

Subject to regulations 15 and 17, the procedure to be followed at a general or special meeting of electors is to be determined by the person presiding at the meeting.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK

Section 5.33 of the *Local Government Act 1995* requires that all decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable at the first ordinary council meeting after that meeting, or at a special meeting called for that purpose.

As the Annual Electors Meeting was held on the 14 December 2017 legislative compliance has been met.

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 needs

Accessible and safe community spaces

Participation in recreational and leisure activities for Broome and the North West

A healthy and safe environment

Our Place Goal – Help to protect the natural and built environment and cultural heritage of Broome:

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

A built environment that reflects tropical climate design principles and the Broome vernacular

A natural environment for the benefit and enjoyment of current and future generations

A preserved, historical and cultural heritage of Broome

Retention and expansion of Broome's iconic tourism assets and reputation

Core asset management to optimise the Shire's infrastructure whilst minimising life cycle costs

Our Prosperity Goal – Create the means to enable economic diversity, growth and lifestyle affordability for the current and future population:

Affordable and equitable services and infrastructure

Affordable land for residential, industrial, commercial and community use

Key economic development strategies for the Shire which are aligned to regional outcomes working through recognised planning and development groups/committees

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

Improved systems, processes and compliance

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council notes that the former Shire President's Report and the Annual Report for the financial year ended 30 June 2017 were received, and that there were no further decisions made at the Annual Electors Meeting held 14 December 2017.

Attachments

1. Minutes - Annual Electors Meeting held 14 December 2017



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."

MINUTES

OF THE

ANNUAL ELECTORS MEETING

14 DECEMBER 2017

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.

SHIRE OF BROOME
ANNUAL ELECTORS MEETING
THURSDAY 14 DECEMBER 2017
INDEX – MINUTES

1.	OFFICIAL OPENING AND ATTENDANCE	4
2.	ANNUAL MEETING OF ELECTORS	4
3.	SHIRE PRESIDENT REPORT	4
4.	ANNUAL REPORT	5
5.	GENERAL BUSINESS	5
6.	MEETING CLOSURE.....	5

Chairperson.....Date.....

1. OFFICIAL OPENING AND ATTENDANCE

The Chairperson welcomed members and electors, and declared the meeting open at 4.02pm.

Attendance: Cr H Tracey Shire President
Cr C Marriott
Cr P Matsumoto
Cr C Mitchell
Cr B Rudeforth

Leave of Absence: Nil

Apologies: Cr D Male Deputy Shire President
Cr M Fairborn
Cr E Foy
Cr W Fryer

Officers: Mr S Mastrolembro Acting Chief Executive Officer
Mr J Watt Director Corporate Services
Ms A Nugent Director Development and Community
Mr S Harding Director Infrastructure
Ms R Piggin Manager Governance
Mr S Penn Media and Promotions Officer
Ms V Glanville Senior Administration and Governance Officer
Mr P Smith Manager Information Services

Public Gallery: Glenn Cordingley Broome Advertiser
Jakeb Waddell Broome Advertiser

2. ANNUAL MEETING OF ELECTORS

The Chairperson outlined the process for the Annual Electors Meeting.

Section 5.27 of the *Local Government Act 1995* requires a general meeting of electors to be held once every financial year. As prescribed by Regulation 15 of the *Local Government (Administration) Regulations 1996*, the purpose of the meeting is to discuss the annual report for the previous financial year and then any other general business.

The procedures for a general meeting of electors are set out in Sections 5.26–5.33 of the *Local Government Act 1995* (Attachment 1) and Regulations 15–18 of the *Local Government (Administration) Regulations 1996* (Attachment 2).

3. SHIRE PRESIDENT REPORT

The Chairperson read aloud the former Shire President's report which is contained on page 4 of the Shire of Broome Annual Report for the financial year 2016/2017.

MOTION:

Moved: Cr C Mitchell

Seconded: Cr B Rudeforth

That the 2016/2017 former Shire President's report be received.

Chairperson.....Date.....

CARRIED UNANIMOUSLY**4. ANNUAL REPORT**

The Shire of Broome Annual Report for the financial year 2016/2017 is available on the Shire of Broome website at the following link: [Shire of Broome Annual Report 2016/2017](#)

Supplementary Information

A copy of the previous Annual Electors Meeting Minutes held on 15 December 2016, are available on the Shire of Broome website at the following link: [Minutes – Annual Electors Meeting 15 December 2016](#)

The Ordinary Meeting of Council held on 23 February 2017, where Council dealt with the Minutes of the Annual Electors Meeting, are available at the following link: [Minutes - OMC 23 February 2017](#)

MOTION:**Moved: Cr C Marriott****Seconded: Cr C Mitchell****That the Shire of Broome Annual Report for the financial year ended 30 June 2017 be received.****CARRIED UNANIMOUSLY****5. GENERAL BUSINESS**

Nil.

6. MEETING CLOSURE

There being no further business the Chairman declared the meeting closed at 4.10pm.

Chairperson.....Date.....

ATTACHMENT 1: Subdivision 4 — Electors' meetings, Division 2, Part 5, Local Government Act 1995

5.26. Term used: electors

In this Subdivision —

electors includes ratepayers.

5.27. Electors' general meetings

- (1) A general meeting of the electors of a district is to be held once every financial year.
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) The matters to be discussed at general electors' meetings are to be those prescribed.

5.29. Convening electors' meetings

- (1) The CEO is to convene an electors' meeting by giving —
 - (a) at least 14 days' local public notice; and
 - (b) each council member at least 14 days' notice,of the date, time, place and purpose of the meeting.
- (2) The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time of publication of the notice under section 1.7(1)(a) and is to continue by way of exhibition under section 1.7(1)(b) and (c) until the meeting has been held.

5.30. Who presides at electors' meetings

- (1) The mayor or president is to preside at electors' meetings.
- (2) If the circumstances mentioned in section 5.34(a) or (b) apply the deputy mayor or deputy president may preside at an electors' meeting in accordance with that section.
- (3) If the circumstances mentioned in section 5.34(a) or (b) apply and —
 - (a) the office of deputy mayor or deputy president is vacant; or
 - (b) the deputy mayor or deputy president is not available or is unable or unwilling to perform the functions of mayor or president,then the electors present are to choose one of the councillors present to preside at the meeting but if there is no councillor present, able and willing to preside, then the electors present are to choose one of themselves to preside.

Chairperson.....Date.....

5.31. Procedure for electors' meetings

The procedure to be followed at, and in respect of, electors' meetings and the methods of voting at electors' meetings are to be in accordance with regulations.

5.32. Minutes of electors' meetings

The CEO is to —

- (a) cause minutes of the proceedings at an electors' meeting to be kept and preserved; and
- (b) ensure that copies of the minutes are made available for inspection by members of the public before the council meeting at which decisions made at the electors' meeting are first considered.

5.33. Decisions made at electors' meetings

- (1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —
 - (a) at the first ordinary council meeting after that meeting; or
 - (b) at a special meeting called for that purpose,whichever happens first.
- (2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

Chairperson.....Date.....

9.4.6 LOCAL GOVERNMENT ACT REVIEW SUBMISSION

LOCATION/ADDRESS:	N/A
APPLICANT:	N/A
FILE:	ACT03
AUTHOR:	Director Corporate Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	13 February 2018

SUMMARY: For Council to endorse the Shire's submission to the Department of Local Government, Sport and Cultural Industries (DLGSC) in response to the DLGSC Phase 1 Consultation Paper as part of the review of the *Local Government Act 1995*.

BACKGROUNDPrevious Considerations

Nil

On 20 June 2017, the former Local Government Minister announced that a review of the *Local Government Act 1995* (the Act) would be undertaken. The new WA Government decided to progress this review and the DLGSC commenced public consultation in November 2017. This is the first major review since the Act was introduced more than 20 years ago.

The intent of the review is to introduce changes that will modernise the Act and reduce red tape. The review is being undertaken in two phases and is supported by a reference group with representation from the Western Australian Local Government Association, Local Government Professionals Australia (WA), Western Australian Electoral Commission, Western Australian Council of Social Service, Regional Chamber of Commerce and Industry and the WA Rangers Association.

Phase 1 of the review will focus on 4 key areas:

- Electronic availability of information
- Meeting public expectations for accountability, including gift disclosures
- Meeting community expectations of standards, ethics and performance
- Building capacity through reducing red tape.

Commencing in 2018, Phase 2 will seek to ensure local governments are positioned to deliver for the community by examining ways to:

- Increase participation and public confidence in local government elections
- Increase community participation in local government decision-making

- Improve financial management, including through local government enterprises
- Build capacity through reducing red tape.

COMMENT

The DLGSC released a Phase 1 Consultation Paper on 8 November 2017, which is open for public comment until 9 March 2018 (see Attachment 2). The Consultation Paper discusses areas for additional, reduced or revised regulation under the following 5 themes:

1. Meeting community expectation of standards and performance
 - a. Relationships between Council and Administration
 - b. Training for elected members
 - c. The behaviour of elected members
 - d. Local government administration
 - e. Supporting local governments in challenging times
 - f. Making it easier to move between State and Local Government employment
2. Public confidence in Local Government
 - a. Gifts
3. Transparency
 - a. Access to information
 - b. Available information
4. Red Tape Reduction
 - a. Reducing red tape
5. Regional Subsidiaries
 - a. Regional Subsidiaries

Local governments and the community have been invited to have their say throughout the consultation period. In addition to making written submissions, DLGSC have run community consultation sessions and workshops across Western Australia to seek feedback on issues covered by the Consultation Paper. The DLGSC conducted consultation sessions and workshops in Broome, with the community workshop being held on Thursday, 16 November 2017 at 6.00pm. A workshop for Councillors and Shire staff was held on 17 November 2017. This workshop was attended by Councillors Mitchell and Male.

WALGA has advised that they are not making a submission in response to the Phase 1 Consultation Paper. Instead WALGA will have input into the consultation processes on specific policy proposals and draft legislation. In anticipation of this process, WALGA has undertaken a review of its advocacy positions. The WALGA State Council Meeting on 6 December 2017, considered the outcomes of this review and adopted updated policy positions. A copy of the WALGA Policy Positions Discussion Paper and an extract of the WALGA State Council Meeting Minutes relating to the WALGA advocacy positions and the *Local Government Act 1995* Review are attached to this report (see Attachments 3 and 4).

Given this is the first comprehensive review of the Act in more than 20 years, officers believe that it is important to have input into the consultation process. In addition to addressing the issues discussed in the Consultation Paper, it is an opportunity to raise additional matters that we would like to see considered in the review. It is also timely to highlight broader concerns regarding the intensity of regulation of local governments.

While support the overarching outcomes guiding the review, not all of the options discussed in the Consultation Paper would be consistent with the intent to develop modern, principles-based legislation which would provide local governments with more

flexibility to implement their responsibilities and deliver outcomes in a way that best suits their particular circumstances and community.

Shire officers have developed a submission on the Consultation Paper and present it to Council for consideration (see Attachment 1). The table below provides a summary of the comments in the submission against the topics in the Phase 1 Consultation Paper.

THEME	SHIRE OF BROOME COMMENTS
1. Meeting community expectation of standards and performance	
Relationships between Council and Administration	No comments on defining the roles of the Council and administration. Note most issues could be addressed through improved training. <i>(Note: There is no WALGA policy position on this matter.)</i>
Training for elected members	Support the WALGA policy positions that training should be provided and funded on core competencies, for newly elected members in particular, and continuing professional development. Do not support mandatory training because risks excluding cohorts from participating in local government, cannot see how would be enforced and community support is unclear. <i>(We note that there are different views among Councillors on mandatory training.)</i> Additional comments relate to: (a) elected members should be able to undertake training from their home location; (b) DLGSC should fund and provide core training; and (c) the costs, particularly for regional and remote local governments.
The behaviour of elected members	Support WALGA policy positions on official conduct legislation, the role of an independent Standards Panel and principles of natural justice, procedural fairness and confidentiality for parties during an investigation. Support the WALGA policy position that the Standards Panel can dismiss vexatious and frivolous complaints, but consider the Panel, rather than the local government, should be able to declare a vexatious and frivolous complainant. Additional comments relate to: (a) reviewing what constitutes a minor breach; (b) providing legislative backing for taking earlier action on meeting attendance; (c) supporting proposals for cost recovery and financial compensation to local government for misconduct; (d) supporting transparency of decisions; (e) interests in not-for-profit organisations in the same way as interests in commercial businesses when determining a local government member's role in decision-making.
Local Government Administration	Support the WALGA policy position that only the most important minimum requirements for CEO recruitment and performance should be in legislation, not other employees.
Supporting Local Governments in challenging times	No comments, noting the Shire does not have any experience with these provisions. <i>(Note: There is no WALGA policy position on this matter.)</i>
Making it easier to move between State and Local Government employment	Supportive of the proposal, noting risk of disproportionate movement from local to state government. Also suggest looking at opportunities between local governments within WA and across states. <i>(Note: There is no WALGA policy position on this matter.)</i>
2. Public confidence in Local Government	
Gifts	Support the WALGA policy positions to simplify the gifts and

	<p>travel framework into a single category with a single threshold. In addition, propose that gifts received in a genuine personal capacity and gifts received by partners related to their own employment are excluded. Also propose streamlining reporting and recording requirements.</p> <p>Noted that travel from remote locations is always likely to exceed the proposed \$500 threshold.</p>
3. Transparency	
Access to information	<p>Support the WALGA policy positions as a minimum step. In addition, propose more flexibility and outcomes-based legislation to enable use of current and new communication channels as they evolve, consistent with community expectations.</p> <p>Also provided information on the Shire's current communication strategies which already go beyond what is proposed.</p>
Available information	<p>Do not support legislation mandating the publication of information that is not critical to effective functioning of local government. Instead legislation should be flexible and outcomes-based, with detail in best practice guidance. Propose removing barriers to digital-only record keeping and communication, and also a review of access to personal information to bring in line with privacy principles and other levels of government.</p> <p><i>(Note: There is no WALGA policy position on this matter.)</i></p>
4. Red Tape Reduction	
Red Tape Reduction	<p>Support the WALGA policy positions:</p> <ul style="list-style-type: none"> - local governments should have flexibility to determine fees and charges for services; - a review of rates exemptions, including commercial activities of charities, resource projects, government entities; - a review of rate valuation methods; - flexibility to offer digital notices, electronic payment options and flexible instalment options - debt recovery actions should be recoverable - review and update legislation relating to financial management, borrowing and investment powers which are too prescriptive and restrict - increase tender threshold in line with State government - return responsibility for unvested facilities on Crown land to the State - legislation should only specify requirements for CEO recruitment and performance - exemption from AASB124 Related Party Transactions - remove restrictions and increase thresholds relating to the disposal of property <p>In addition:</p> <ul style="list-style-type: none"> - request definition of "charitable" in relation to rate exemptions under the Act - Request clarification of religious exemption clauses in regards to their application to Aboriginal culture (Aboriginal Corporations and Native Title bodies have requested exemptions under these clauses and there is no case law precedent nor State government direction provided to Local Governments)

	<ul style="list-style-type: none"> - remove impediments to digital transformation - suggest any details, such as thresholds be in regulations or other instruments so they can be reviewed and updated on a regular basis
5. Regional Subsidiaries	
Regional Subsidiaries	Support the WALGA policy positions on regional subsidiaries to allow local governments to establish Council Controlled Organisations and also, borrow in their own right and enter land transactions.

The Shire's submission proposes that the following additional issues be considered in Phase 2 of the review. While the Shire has raised these issues in the submission under the Red Tape Reduction theme, we think that they warrant further investigation and discussion by the DLGSC in the next consultation paper.

TOPIC	ISSUE
Rating exemption categories	<p>A broad review of all rating exemption categories as a high priority, consistent with the WALGA policy position.</p> <p>Request definition of "charitable" in relation to rate exemptions under the Act.</p> <p>Request clarification of religious exemption clauses in regard to their application to Aboriginal culture (Aboriginal Corporations and Native Title bodies have requested exemptions under these clauses and there is no case law precedent nor State government direction provided to Local Government).</p>
Local government elections and meetings	Investigation of options to modernise local government elections and Council meetings, including the WALGA policy positions, with a view to increasing community engagement in local government and reducing red tape.
Digital transformation	A broad review of impediments to digital transformation, noting some of the barriers are in other legislation not just the Local Government Act.
Access to personal information	A review of public access to personal information in local government records. The Shire is concerned that the current level of access to personal information is out of step with privacy principles and other levels of government.
Role of DLGSC	A shift in the role of the Department from a compliance focus to capacity building and support for local governments.

The detailed submission forms Attachment 1 to this report.

CONSULTATION

Department of Local Government, Sport and Cultural Industries (DLGSC)
Western Australian Local Government Association

Local governments and the community have been invited to have their say throughout the consultation period. In addition to making written submissions, DLGSC have run community consultation sessions and workshops across Western Australia to seek feedback on issues covered by the Consultation Paper. The DLGSC conducted consultation sessions and workshops in Broome, with the community workshop being held on Thursday 16 November 2017 at 6.00pm. A workshop for Councillors and Shire staff was held on 17 November 2017. This workshop was attended by Councillors Mitchell and Male.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil at this stage. However, note that any future amendments to the *Local Government Act 1995* and associated regulations may require subsequent changes to Council policies.

FINANCIAL IMPLICATIONS

Nil

RISK

The *Local Government Act 1995* governs all functions and responsibilities of local governments, elected members and employees.

This is the first major review of the legislation in more than 20 years. Not making a submission will be a missed opportunity to influence the review, and risk that issues of importance to the Shire will not be considered. Further, there are some issues where the Shire's position differs to the policy position endorsed by WALGA.

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

Accessible and safe community spaces

Participation in recreational and leisure activities for Broome and the North West region

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 the state and national frameworks and in consultation with the community

A built environment that reflects tropical climate design principles and the Broome vernacular

A natural environment for the benefit and enjoyment of current and future generations

A preserved, historical and cultural heritage of Broome

Retention and expansion of Broome's iconic tourism assets and reputation

Core asset management to optimise the Shire's 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

Affordable land for residential, industrial, commercial and community use

Key economic development strategies for the Shire which are aligned to regional outcomes working through recognised planning and development groups/committees

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

Improved systems, processes and compliance

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council:

1. *endorse the Shire of Broome submission to Phase 1 of the Review of the Local Government Act 1995; and*
2. *request that the Chief Executive Officer forward the submission at Attachment 1 to the Department of Local Government, Sport and Cultural Industries before the closing date of 9 March 2018 and provide a copy to the Western Australian Local Government Association.*

Attachments

1. Proposed Shire of Broome Submission in response to the Phase 1 Consultation Paper
2. Local Government Act 1995 Review - Agile, Smart, Inclusive - Local governments for the future - Phase 1: Consultation Paper
3. Extract of WALGA State Council Minutes, December 2017 - Policy Positions

4. WALGA Policy Positions Discussion Paper - July 2017

LOCAL GOVERNMENT ACT 1995 REVIEW: AGILE, SMART, INCLUSIVE – LOCAL GOVERNMENTS FOR THE FUTURE. PHASE 1: CONSULTATION PAPER

SHIRE OF BROOME SUBMISSION

Thank you for opportunity to make submission on the *Local Government Act 1995 Review: Agile, Smart, Inclusive – Local governments for the future*. The Shire of Broome supports the intent of the review to modernise the legislation given that it has been more than 20 years since the last major legislation review.

Context: The Shire of Broome

The Shire of Broome comprises around 55,000 square kilometres of coastline, bushland and desert. With a population of less than 17,000, this equates to a density of 3 square kilometres for every person, in comparison to 282 people per square kilometre within the Perth metropolitan area.

The age demographic of the resident population illustrates the Shire of Broome has a high proportion of young families with more than 50 per cent of the population being under 35 years of age and more than 80 per cent being under 55 years of age. The median household income of \$1,796 per week is higher than the Australian average. However, around 77 per cent of dwellings have access to internet at home which is lower than the Australian average.

The Shire's cultural diversity is immediately apparent with influences from local Indigenous and Asian cultures including Japanese, Chinese, Malaysian, Thai and Filipino. Around 28 per cent population identified as Indigenous in the most recent Census and almost 15 per cent of the population was born overseas. More than 10 per cent of households speak a language other than English at home.

The Council of the Shire of Broome consists of nine elected members. The Shire of Broome is divided into two wards: Broome Ward (seven Councillors) and Dampier Ward (two Councillors).

The Shire has a management structure of 4 directorates: (1) Office of the CEO; (2) Development and Community; (3) Corporate Services; and (4) Infrastructure. The directorates are led by an executive management team which coordinates the operations of the Shire. Teams of dedicated staff carry out each directorate's responsibilities, programs and initiatives of Council.

There are around 100 employees at the Shire – just over 50 per cent work in the administration office and the remainder in operational roles. The staff turnover rate is currently at around 30 per cent per annum. Given the small number of employees and difficulty attracting particular expertise to a remote region, the Shire relies on external contractors and consultants to fill skills gaps and implement larger projects.

Overarching comments

The Shire of Broome supports the overarching objectives and principles guiding the review.

The Shire strongly supports the proposal for the *Local Government Act 1995* (the Act) to be principles-based and focused on outcomes, with the detail relating to powers and responsibilities to be addressed in regulations or other guidance material. This will ensure that the legislation continues to be relevant over time and does not become outdated quickly. It will also provide flexibility for local governments to adapt how they implement responsibilities and deliver outcomes in a way that best suits their particular circumstances and community.

Poor governance and ineffective management impacts the effectiveness of local government and community confidence in local government. However, it is important that the intensity of regulation is proportionate to the risks and consequences of specific powers and responsibilities.

While some proposals are well intentioned, there is a risk that requirements will be imposed which are over and above what would be expected of other levels of government – even though local governments, particularly those in regional and remote regions, have least capacity and resources to deliver.

We are supportive of the proposal for a tiered compliance regime based on capacity. This would reduce the resource burden on small local governments and improved capacity building support from the Department. A tiered compliance regime would need to be reviewed over time to ensure it reflected changes in capacity etc. Also, moving from prescriptive to a principles or outcomes-based legislation model should enable local governments to implement their responsibilities in a way that best suit their circumstances and local community.

Additional areas for review

We understand that the review will be undertaken in two phases. We think it is important that the review consider the following additional matters in Phase 2:

- A broad review into all rating exemption categories is a high priority for the Shire, consistent with the WALGA policy position. In particular, the review should address rates exemptions for commercial activities of charities and the application of the religious organisation exemption to Registered Native Title Bodies Corporate and other Aboriginal Corporations registered under the CATSI Act. These issues are discussed in more detail under Section 10. Reducing Red Tape.
- The Shire recommends that a broader review be undertaken of impediments to digital transformation. Other legislation, such as the *State Records Act 2000*, is preventing modernisation of local government payments, services and information management in line with community expectations. These issues are discussed in more detail under Section 10. Reducing Red Tape.
- The Shire is concerned that personal information about ratepayers and employees is not protected to the same extent as personal information collected by other levels of government or in line with community expectations. It is unclear why any member of the public or business should be able to access personal information through the local government rates book, employee annual returns or the electoral roll data. Members of the public and businesses would not be able to obtain access to the same types of personal information collected by other levels of government, particularly without authorisation of the relevant individual. We consider that access to personal information should be reviewed to ensure it is consistent with privacy law and other levels of government. This issue is also discussed under Section 8. Access to information.
- The Shire supports investigation of options to modernise local government elections and Council meetings, including the WALGA policy positions relating to:
 - o investigating online voting options to encourage increased community participation;
 - o first-past-the-post method for voting;
 - o allowing other parties to support administration and conducting elections, particularly in regional and remote areas which
 - o method for election of Shire President at discretion of local government
 - o increase the requirements for the number of electors for calling special electors' meetings, proposal to Advisory Board and proposals

- annual electors' meetings not compulsory given little or no attendance. Electors already have an opportunity to ask questions about the Annual Report at other Council meetings; and
- review which decisions require a simple or absolute majority.
- The Department's focus seems to be on compliance. Would like to see shift towards focus on supporting local governments, capacity building and assisting with issues that are relevant to the whole sector. For instance, it would be helpful if the Department provided legal advice and training on issues that are relevant to the whole sector. It is inefficient, costly and risks inconsistency if local governments need to independently seek legal advice and training from the private sector when they cannot seek advice from the Department.
 - Areas where support and assistance from the Department would be particularly helpful include procurement, human resources and industrial relations.

Detailed comments on the Phase 1: Consultation Paper

1. Relationships between council and administration.....	4
2. Training for elected members.....	5
3. The behaviour of elected members.....	7
4. Local Government administration	12
5. Supporting local governments in challenging times.....	14
6. Making it easier to move between state and local government employment	15
7. Gifts	16
8. Access to information	18
9. Available information.....	20
10. Reducing red tape	21
11. Regional subsidiaries.....	25

1. Relationships between council and administration

Defining the roles of council and administration: guidance questions

- How should a council's role be defined? What should the definition include?
- How should the role of the CEO and administration be defined?
- What other comments would you like to make on the roles of council and administration?
- Are there any areas where the separation of powers is particularly unclear? How do you propose that these are improved?

The Shire of Broome does not have any comment on these matters or issues of concern. Any issues that do arise are usually due to a misunderstanding of the roles of council and administration and separation of powers. These issues could be addressed through improved training and capacity building.

2. Training for elected members

Elected member competencies: Response to guidance questions

- What competencies (skills and knowledge) do you think an elected member requires to perform their role?
- Do these vary between local governments? If so, in what way?

It is critical that elected members understand their roles and responsibilities. Consistent with the WALGA policy position, elected members require the following key competencies to effectively perform their role:

- Understand their obligations and responsibilities as Councillors under legislation;
- Understand and critically assess financial information, including budgets and financial reports;
- Conduct and conflicts of interest; and
- Processes and procedures for Council and committee meetings

The Shire considers that it would also be helpful if prospective and newly elected members understood the commitment involved, their role in the community and how local government fits within Australia's government structure.

Funding training: Response to guidance questions

- Who should pay for the costs of training (course fees, travel, other costs)?
- If councils are required to pay for training, should a training fund be established to reduce the financial impact for small and regional local governments? Should contribution to such a fund be based on local government revenue or some other measure?

The Shire agrees with WALGA's policy position that funding assistance should be available from the State to support participation in training. The current cost of training is an issue for smaller, remote local governments.

The Shire also considers that some training and capacity building support should be provided by the Department, rather than fully relying on training offered by WALGA. In particular, it would be appropriate for the Department to provide newly elected councillors with training on core responsibilities. Further, elected members should be able to undertake training from their home location and not be required to travel to Perth.

Mandatory training: response to guidance questions

- Should elected member training be mandatory? Why or why not?
- Should candidates be required to undertake some preliminary training to better understand the role of an elected member?
- Should prior learning or service be recognised in place of completing training for elected members? If yes, how would the work?
- What period should apply for elected members to complete essential training after their election?

Training should be available for newly elected members that they would be encouraged to complete within 12 months of being elected to Council for the first time. As discussed earlier, elected members should be able to undertake training from their home location and not be required to travel to Perth. Online training or information sessions should also be available for prospective candidates running for election.

While training for elected members should be supported and encouraged, the Shire does not support mandatory training. Local government members may not have a good understanding of government, their role and responsibilities as local government members or experience in finance, law or governance matters.

However, it is difficult to make formal training mandatory for local government members when it is not mandatory at other levels of government. It is often the case that local government members are time-poor, undertaking this role in addition to other employment and are not full-time politicians. It is also important that local government is diverse and representative of the community, and we do not want to inadvertently discourage or exclude cohorts of the population from participating by imposing mandatory training requirements.

It is also difficult to see how and who would be responsible for enforcing mandatory training requirements. The Shire does not consider it appropriate for the administration arm to be responsible for enforcing sanctions against elected members. It is unclear if the community would support sanctions against or steps to prevent participation in Council decision-making of a local government member who they have elected to Council.

Continuing professional development: response to guidance questions

- Should ongoing professional development be undertaken by elected members?
- If so, what form should this take?

There should be professional development options available to local government members to ensure they are up to date with their responsibilities and they can effectively participate in Council meetings and any Committees which they are members of.

As raised above, the Shire considers that some training and capacity building support should be provided by the Department, rather than fully relying on training offered by WALGA. This should include training and support to implement any legislative changes and guidance updates and capacity building to ensure core Council committees can function effectively, such as audit and risk.

The Shire would consider a remuneration structure for local government members which reflects the level of training completed. However, given the potential costs, we propose deductions for not undertaking training rather than introducing additional financial incentives or bonuses for members for undertaking training.

3. The behaviour of elected members

In addition to the issues discussed in the Consultation Paper, the Shire supports the WALGA policy position that elected members should be required to take leave of absence when contesting a State or Federal election. At a minimum an elected member should not participate in decision-making while they are contesting another election.

Code of Conduct: Response to guidance questions

- Should standards of conduct/behaviour differ between local governments? Please explain.
- Which option do you prefer for codes of conduct and why?
- How should a code of conduct be enforced?

Poor conduct and disruptive behaviour of an elected member can significantly impact the effectiveness of local government and community confidence. It is hard to identify a type of serious breach of conduct or disruptive behaviour that would have a significant impact on one local government but not another.

For these reasons, the Shire supports the WALGA policy position that there should be official conduct legislation to govern the behaviour of elected members.

It is important that any legislation governing conduct and the consequences of is proportionate to the risks and consequences of the conduct or behaviour of an elected member. For instance, behaviour that significantly disrupts confidence and functioning of a local government and breaches of powers and responsibilities of local government members should be covered by legislation and have more severe consequences for breaches.

In this regard, we would suggest that there needs to be a review of what constitutes a major or minor breach, as well as the other issues currently discussed in the Consultation Paper. We are concerned that some conduct which is categorised as a minor breach could significantly impact the effectiveness of local government and community confidence. For example, regulations currently prescribe the misuse of local government resources, improper use of the office to gain personal advantage and disclosing confidential information as minor breaches despite the potential significant impact on local government if this behaviour occurred.

The Shire also proposes the legislation enable Council meeting attendance to be addressed earlier than is currently allowed under the legislation. Currently, action can only be taken after a member has not attended 3 consecutive meetings and the only action available is disqualification. It would be helpful to have steps that could be taken before disqualification, such as being able to write and publish formal correspondence about attendance and withhold payments for non-attendance.

However, continued non-attendance at Council and Committee meetings affects local government decision-making. We are also concerned about the time and resources involved in holding and rescheduling meetings when unable to obtain a quorum, as well as the impact on the elected members that do attend meetings. Elected members also continue to receive payment of Councillors fees even when they do not attend meetings. The administration arm cannot take other actions or withhold payments without legislation backing.

Streamlined rules of conduct: Response to guidance questions

- Do you support streamlined Rules of Conduct regulations? Why?
- If the rules were streamlined, which elements should be retained?

- Do you support a reduction in the time frame in which complaints can be made? Is three months adequate?

The Shire would not support a reduction in the timeframe within which complaints can be made to three months.

Members of the public who have been the subject of a serious breach may require time and support to be able to lodge a formal complaint and make arrangements to participate in a conduct review process. We also note that some members of the public may take time or be reluctant to bring complaints forward against a local government member because of their high profile in the community and concerns around confidentiality.

Revised disciplinary framework: Response to guidance questions

- Do you support an outcome-based framework for elected members? Why or why not?
- What specific behaviours should an outcomes-based framework target?

As a general principle, the Shire supports outcomes-based regulatory framework. This would ensure that the code of conduct can be implemented consistent with its intent and more flexible to deal with new, unforeseen circumstances that may arise.

However, given the seriousness of the issues and potential consequences, it is important that guidance is available to ensure consistency and fair process for all parties involved in any misconduct investigation and

Application of the Rules of Conduct: Response to guidance questions

- Should the rules of conduct that govern behaviour of elected members be extended to all candidates in council elections? Please explain.

Candidates running for local government elections would be expected to comply with conduct requirements if elected, so it would follow that they should comply while running for election. However, to ensure due process, new candidates would need to be advised of their responsibilities and be required to sign a declaration that they understand and can comply with the requirements.

The Shire supports the WALGA policy position that a person should be disqualified from being an elected member if they have been convicted of an offence against the Planning and Development Act or the Building Act, because of the significant personal benefits which can be illegally gained through these systems.

Offence provisions: Response to guidance questions

- Should the offence covering improper use of information be extended to former members of council for a period of twelve months? Why?
- Should this restriction apply to former employees? Please explain?

Improper use of information obtained during tenure as a local government member or employment with the Shire should incur an offence. However, we understood that improper use of information gained in the way was already a breach that incurred an offence even after leaving office or public service employment.

Confidentiality: Response to guidance questions

- Is it appropriate to require the existence and details of a complaint to remain confidential until the matter is resolved? Why?

The Shire supports the WALGA policy position that confidentiality is maintained for all parties involved until the matter is determined.

Sector conduct review committees: Response to guidance questions

- What do you see as the benefits and disadvantages of this model?
- What powers should the Conduct Review Committee have?
- In your opinion what matters should go directly to the Standards Panel?
- Who should be able to be a member of a panel: elected members, people with local government experience, independent stakeholders?
- Who should select the members for the pool?
- How many members should there be on the Review Committee?
- Are the proposed actions for the Review Committee appropriate? If not, what do you propose?

The Shire supports the WALGA policy position that there should be an efficient and effective independent Standards Panel review process for handling complaints and breaches, and which ensures that the principles of natural justice and procedural fairness are adhered to and confidentiality for all parties is maintained through the process.

Review of elected member non-compliance: Response to guidance questions

- Which of the options for dealing with complaints do you prefer? Why?
- Are there any other options that could be considered?
- Who should be able to request a review of a decision: the person the subject of the complaint, the complainant or both?

The Shire supports the WALGA policy position that the Standards Panel should have an ability to dismiss vexatious and frivolous complaints. However, the Shire would support an ability for the Standards Panel, rather than the local government, to declare a member of the public a vexatious or frivolous complainant.

Mediation: Response to guidance questions

- Do you support the inclusion of mediation as a sanction for the Panel? Why or why not?

Mediation could be a helpful option in the situation where it would be more appropriate to resolve a dispute or misunderstanding between two parties and/or the broader community is not affected by the matter.

Prohibition from attending council meeting: Response to guidance questions

- Do you support the Panel being able to prohibit elected members from attending council meetings? Why or why not?
- How many meetings should the Panel be able to order the elected member not attend?
- Should the elected member be eligible for sitting fees and allowances in these circumstances?

The Shire supports that WALGA policy position that an individual elected member can be stood down from their role when they are under investigation, have been charged, or when their continued presence prevents council from properly discharging its functions or affects the Council's reputation.

To ensure the principles of natural justice and procedural fairness are adhered to, it would be important to define the process and what is considered disruptive behaviour that would result in an elected member being stood down where their continued presence prevents council from properly discharging its functions or affects the Council's reputation.

Compensation to the local government: Response to guidance questions

- Do you support the Panel being able to award financial compensation to the local government? Why or why not?
- What should the maximum amount be?

The Shire supports the proposal for the Panel being able to award financial compensation to the local government. It is not appropriate that rate payers and the wider community incur the costs associated with the misconduct of an elected member. These costs should ideally be born by an elected member found to be in breach of the conduct requirements. However, there may be circumstances where the elected member cannot pay the compensation.

At a minimum, financial compensation should include the administration costs incurred in managing complaint, participating in panel process and implementing any response.

If relevant, the compensation should also include any financial loss incurred due to misuse or loss of local government funds, as well as any grant funding from other levels of government and/or sponsorship funding from other parties, which is recouped or withdrawn as a result of the investigation and misconduct of an elected member.

Complaint administrative fee: Response to guidance questions

- Do you support this option? Why or why not?
- Do you believe that a complaint administration fee would deter complainants from lodging a complaint? Is this appropriate?
- Would a complaint administrative fee be appropriate for a sector conduct review committee model? Why or why not?
- What would be an appropriate fee for lodging a complaint?
- Should the administrative fee be refunded along with a finding of a minor breach or should it be retained by the Department to offset costs? Why or why not?

The Shire is supportive of a minimal complaint administration fee to be paid when a complaint is lodged. However, it is important that this does not deter members of the public from lodging a complaint, particularly where the matter potentially involved a significant breach of conduct requirements.

Cost recovery to local government: Response to guidance questions

- Do you support the cost of the panel proceedings being paid by a member found to be in breach? Why or why not?

As discussed above, the Shire supports the proposal for the Panel being able to award financial compensation to the local government, which at a minimum includes the administration costs incurred in managing complaint, participating in panel process and implementing any response.

It is not appropriate that rate payers and the wider community incur the costs associated with the misconduct of an elected member. In the first instance, these costs should be born by any elected member found to be in breach of the conduct requirements.

Publication of complaints in the annual report: Guidance question

- Do you support the publication of complaints in the annual report?

The Shire already publishes statistic relating to complaints of minor breaches that resulted in action. We would not have any concerns with publishing a broader range of statistics, but note that we would usually have a nil report. We do not think that the Annual Report is the most appropriate or timely way to publish more detailed information about breaches and responses/actions.

Tabling decision report at Ordinary Council Meeting: Response to guidance question

- Do you support the tabling of the decision report at the Ordinary Council Meeting? Why or why not?

The Shire agrees that decisions should be tabled at an Ordinary Council Meeting to ensure transparency. We consider that this may be a more useful and timely mechanism that publishing information once a year in the Annual Report.

Elected member interests: Response to guidance questions

- Should not-for-profit organisation members participate in council decisions affecting that organisation? Why or why not?
- Would your response be the same if the elected member was an office holder in the organisation?

Preventing elected members who are members or volunteer in not-for-profit organisations may affect the functioning of Council meetings in a Shire with a small population. Elected members are often involved in not-for-profit organisations in their local community. Further there is a risk that Aboriginal elected members would be excluded from participating in a significant portion of Council decisions in the Shire of Broome if not-for-profit membership meant they could not participate in decision-making.

If an elected member were office holder and/or had a financial interest and a council decision had a direct financial impact on the not-for-profit, then it would not be appropriate for them to participate in the council decision. This would be consistent with the approach for elected members who declare financial interests in for-profit businesses.

4. Local Government administration

Recruitment and selection of local government CEOs: Response to guidance questions

- Would councils benefit from assistance with CEO recruitment and selection? Why?
- How could the recruitment and selection of local government CEOs be improved?
- Should the Public Sector Commission be involved in CEO recruitment and selection? If so, how?
- Should other experts be involved in CEO recruitment and selection? If so, who and how?
- What competencies, attributes and qualifications should a CEO have?

The Shire has engaged a recruitment agency to undertake CEO recruitment processes. This is to ensure that appropriate process is followed, expertise and independent from the Council and Shire administration office, which is important in a regional and remote shire.

We would consider using a selection panel for CEO recruitment comprising state government officials, including the WA Public Sector Commission, and/or other independent experts if this option were cost effective and timely, relative to our current approach of using an independent, private recruitment agency.

While we agree that it is important that CEO's have the necessary capabilities, attributes and qualifications, we do not think that this should be specified in legislation. There is a risk that imposing these types of restrictions on CEO recruitment in the legislation will further disadvantage local governments competing for senior staff in remote regions.

Consistent with the WALGA policy position, we consider that only the most important, minimum requirements should be included in legislation regarding CEO recruitment, for instance, the decision-maker and requirements for minimum involvement of independent and appropriately qualified selection panel members.

Acting CEOs: Response to guidance questions

- Should the process of appointing an acting CEO be covered in legislation? Why or why not?
- If so, who should appoint the CEO when there is a short term temporary vacancy (covering sick or annual leave for example)?
- Who should appoint the CEO if there will be a vacancy for an extended period (for example, while a recruitment process is to be undertaken)?

The Shire has a policy adopted by Council which sets out the arrangements for the appointment of an Acting CEO during periods of absence, to avoid any uncertainty. We note that any officer who holds a position of Director at the Shire should be suitably qualified to act in the CEO position.

We do not consider that the specific arrangements relating to the selection and appointment of an Acting CEO need to be specified in legislation. This is not consistent with the objective of moving to principles-based, flexible legislation. The only exception may be relating to the maximum length of absence before a recruitment process needs to be undertaken.

Performance review of local government CEOs: Response to guidance questions

- Who should be involved in CEO performance reviews?
- What should be the criteria for reviewing a CEO's performance?
- How often should CEO performance be reviewed?
- Which model/option do you prefer? Why? Is there an alternative model that could be considered?

Currently the performance review process relies on the experience of the Shire President and elected members, who may not have had any prior experience in undertaking a performance review of senior staff. It is also important that a broad range of factors are considered, not just the relationship between elected members and the CEO.

Termination or extension of CEO contract around an election: Response to guidance questions

- Would a 'cooling off' period before a council can terminate the CEO following an election assist strengthening productive relationships between council and administration?
- What length should such a cooling off period be?
- For what period before an election should there be a restriction on a council from extending a CEO contract? Should there be any exceptions to this?

While we understand the concerns around the ability of a Council to extend or terminate a CEO contract immediately before or after a local government election, we note that it is also critical that a local government can function effectively and a good working relationship between the Council members and the CEO is important to achieve this outcome.

If these options are pursued, it would be helpful to have guidance around what happens in the circumstances that a contract end-date falls within the cooling off period.

Public expectations of staff performance: Response to guidance questions

- Is greater oversight required over local government selection and recruitment of staff?
- Should certain offences or other criteria exclude a person from being employed in local government? If so, what?

The Shire supports the WALGA policy position that legislation should only specify requirements for CEO recruitment and performance, not other local government employees. We also support the WALGA position that subsection 5.37(2) be deleted to remove ambiguity regarding the role of Council in relation to the appointment of other employees.

Expectations regarding the recruitment and performance of staff apply to all levels of government, not just local government. We would have concerns if it is proposed to prescribe requirements in legislation regarding the recruitment and performance management of employees over and above what is the case in other levels of government.

Local governments, particularly those in rural and remote areas, already face significant challenges with recruiting staff with the expertise and capabilities as well as high turnover. Imposing greater restrictions on local government would risk placing us at a further disadvantage when competing for staff with state and commonwealth government agencies located in our region.

5. Supporting local governments in challenging times

Remedial intervention: Response to guidance questions

- Should the appointed person be a departmental employee, a local government officer or an external party? Why?
- Should the appointed person be able to direct the local government or would their role be restricted to advice and support? Please explain.
- Who should pay for the appointed person? Why?

Powers of appointed person: Response to guidance questions

- What powers should an appointed person have?

Remedial action process: Response to guidance questions

- Do you think the proposed approach would improve the provision of good governance in Western Australia? Please explain.
- What issues need to be considered in appointing a person?

The Shire does not have any comments in relation to the specific proposals. The Shire is supportive of the overarching objective that there should be a scale of remedial actions depending on the findings of an inquiry. Among other remedial actions, the Minister should be able to suspend one or more local government members, not just the entire council.

6. Making it easier to move between state and local government employment

Transferability of employees: Response to guidance questions

- Should local and State government employees be able to carry over the recognition of service and leave if they move between State and local government?
- What would be the benefits if local and State Government employees could move seamlessly via transfer and secondment?

As a smaller local government with high staff turnover, the Shire can see the benefits of improving mobility of employees between state and local government where it assists with addressing capability and capacity gaps. It could also assist with employee development and provide more substantial career path opportunities.

We note that recognition of service and leave entitlements has been identified as one of the key barriers to mobility between state and local government. The Shire would support the recognition and recovery of associated costs of annual leave and long service leave, but not personal leave.

There is a risk that improving mobility may not result in an equal outcome and could facilitate a disproportionate movement from local to state government. Given this, we think it would be helpful to consider transfers in conjunction with other initiatives such as a two-way secondment program.

In addition to supporting movement between state and local government, the Shire would be interested in transfer and secondment opportunities between local governments within WA and with local governments in other states.

7. Gifts

A new framework for disclosing gifts: Response to guidance questions

- Is the new framework or disclosing gifts appropriate? If not, why?
- Is the threshold of \$500 appropriate? If not, why?
- Should certain gifts – or gifts from particular classes or people – be prohibited? Why or why not?
- If yes, what gifts should be prohibited?

It is critical for confidence in local government that there is transparent disclosure of gifts and travel where there is an actual or potential conflict of interest. However, the current regime governing the disclosure and recording of information about gifts is too complex and onerous, and also goes beyond what is required at other levels of government.

As a principle, there needs to be a clearer link between gift disclosure rules and the decision-making responsibilities and powers of local government members and employees. Any new gift framework should be designed to address confusion about what needs to be disclosed, which is currently contributing to both under and over reporting.

Things that a Councillor or local government employees would receive in the normal course of performing their role, such as lunch provided while attending WALGA training or Zone meetings, should not be required to be disclosed.

In this regard, the Shire of Broome supports the WALGA policy position:

- simplify the gifts framework into one single category (rather than separate gifts and travel provisions);
- legislation provisions should only apply to elected members and the CEO, with other employees covered by code of conduct or policies;
- exempt attendance at ALGA, WALGA and LG Professionals meetings, training and events;
- the proposed \$500 threshold.

However, the value of the threshold should be specified in regulations, rather than legislation, as it should be updated on a regular basis. Further, we note that any return travel from a remote location such as Broome is likely to always exceed the \$500 threshold and so consideration should be given to including a higher threshold for remote areas in the regulations for travel.

Excluding gifts received in a personal capacity: Response to guidance questions

- Should gifts received in a personal capacity be exempt from disclosure?
- If yes, how could 'personal capacity' be defined?
- Should there be any other exemptions from the requirement to disclose a gift over the threshold?
- If so, what should these be? Please justify your proposal?

Birthday, wedding and any other gifts genuinely received in a personal capacity from family and friends should also not need to be disclosed.

There also needs to be clarification that gifts provided to partners of Councillors, the CEO and Shire employees, do not need to be disclosed if they are received in a personal capacity or directly related to their partner's own employment.

Gifts: Response to guidance question

- Do you have any other suggestions or comments on this topic?

The Shire also considers that there is scope to significantly streamline the requirements around recording and reporting gift information. We currently record and publish identical information in multiple ways to ensure compliance with the legislation, which costs significant time and resources.

8. Access to information

Public notices: Response to guidance questions

- Which general option do you prefer for making local public notices available? Why?
- Which general option do you prefer for State-wide public notices? Why?
- With reference to the list of public notices, do you believe that the requirement for a public notice should be changed? Please provide details.
- For the State-wide notices in Attachment 3, are there alternative websites where any of this information could be made available?

The Shire supports the WALGA policy position relating to public notices as a minimum step towards modernising the legislation:

- replace the requirement for public notices in newspapers with contemporary digital channels (we do not think it is helpful to restrict the digital channel to a website);
- remove the requirement to advertise local laws in a state-wide public notices;
- allow bridge to be closed for urgent repairs without a notice; and
- limiting the definition of a person having an interest for consultation requirements on proposed roadworks – consistent with town planning consultation requirements.

It is important that the community has ready access to information and the opportunity to participate in consultation processes. The Shire of Broome already uses a range of channels to engage with the community, beyond what is required under the legislation, including: advertising in a range of print, electronic and online media outlets; publishing newsletters; email distribution lists; open days and public information sessions; and social media.

The Shire has active and growing Facebook pages for the Shire of Broome, Broome Recreation and Aquatic Centre, Broome Civic Centre, Broome Public Library and Club Development. These are updated regularly to effectively communicate information, as well as providing a forum for community members to ask questions and provide feedback. The Shire of Broome website is updated regularly to ensure that it is an up-to-date and reliable source of information.

We would suggest that legislation requirements around public communication be principles or outcomes-based rather than mandating specific channels. Local governments need to be able to adapt how they disseminate information and engage with the community reflecting the diversity of their population and how people prefer to seek out and access information.

It is important that legislation enables the use of current and emerging technologies, and continues to be relevant as the media landscape evolves. The risk of prescribing communication channels, such as particular websites, is that they can become outdated very quickly. The current legislation mandates public notices be displayed at certain locations, which we would now consider the least effective way of communicating with the broader community. Also, in future, there may not be options available to meet the current requirements around print media.

If specific communication channels are proposed, then it would be more appropriate to do this through regulations or other guidance materials that can be updated more regularly, rather than in the Act.

Information available for public inspection: Response

- Advise how you think information should be made available.

- Should additional information that is available to the public in other jurisdictions be available here? If so which items? How should they be made available: in person, website only or both?
- Is there additional information that you believe should be made publicly available? Please detail.
- For Local Governments: How often do you receive requests from members of the public to see this information? What resources do you estimate are involved in providing access in person (hours of staff time and hourly rate)?

Other levels of government moving to digital only record keeping and communication channels, unless there are exceptional circumstances. This means that information is more accessible and communication is more efficient, timely and cost effective. Local government does not face additional risks regarding the type of information collected and stored, or unique challenges with regard to ensuring that the community has access to information. Given this, we consider that it would be appropriate to modernise requirements and bring into line with community expectations.

The Shire currently records and stores the same information multiple times and in multiple ways to meet legislation requirements. This is an inefficient and costly use of resources. While it may appear risk averse, it makes it more difficult for people to locate and access all relevant information pertaining to a matter, because employees need to be able to search and locate information stored in different ways and cross check to determine any gaps or duplicate information.

The Shire received 10 Freedom of Information (FOI) applications in 2016-17 which were processed within legislated timeframes. Only one FOI application was received in the previous financial year. No internal or external reviews were requested. While we do not receive a large number of requests, the costs of locating and preparing information far exceed the \$30 administration fee which can be charged under legislation. The Shire can provide further detail to the Department.

Similarly, the Shire receives only a small number of requests, less than 5 each year, from the public to view Annual/Primary Returns and Electoral Gift Registers.

The Shire is concerned that personal information about ratepayers and employees is not protected to the same extent as personal information collected by other levels of government or in line with community expectations. It is unclear why any member of the public or business should be able to access personal information through the local government rates book, employee annual returns or the electoral roll data. Members of the public and businesses would not be able to obtain access to the same types of personal information collected by other levels of government, particularly without authorisation of the relevant individual. We consider that access to personal information should be reviewed to ensure it is consistent with privacy law and other levels of government.

9. Available information

Expanding the information provided to the public: Response

- Which option do you prefer? Why?
- Please indicate whether you think the information should be made available, and if so, whether this should be required or at the discretion of the local government?
- What other information do you think should be made available?

The guiding principles in determining what information should be made available to the public are around transparency of interests of decision-makers and accountability for decision-making. To ensure well functioning local government and community participation in local government (including being able to make informed decisions at local government elections) information about elected members meeting attendance, business interests and financial benefits should be readily accessible.

However, in the context of the broader objectives of the review and guiding principles, most of the other proposals in the list in the Consultation Paper should not be prescribed in legislation or regulations. Rather they could be included in guidance material as examples of best practice.

10. Reducing red tape

Defining red tape: response to guidance questions

- Which regulatory measures within the Act should be removed or amended to reduce the burden on local governments? Please provide detailed analysis with your suggestions.
 - Briefly describe the red tape problem you have identified.
 - What is the impact of the problem? Please quantify if possible.
 - What solutions can you suggest to solve this red tape problem?
- Which regulatory measures within the Act should be removed or amended to reduce the burden on the community? Please provide detailed analysis with your suggestions.
 - Briefly describe the red tape problem you have identified.
 - What is the impact of the problem? Please quantify if possible.
 - What solutions can you suggest to solve this red tape problem?

Fees and charges

The Shire strongly supports WALGA's policy position that Councils should be able to set fees and charges for local government services. Setting specific fees and charges for local government services in legislation means that they become outdated quickly.

Further, we are concerned that the methodology for calculating fees and charges is not transparent, does not appear to include indexation or consider the costs – administration or operational – of providing services. The current regime does not take into account that the costs of providing services will differ between urban and remote locations. The consequence is that all rate payers in the Shire subsidise the cost of providing local government services, including those that are only utilised by a small number of people in the community. Further, specifying this level of detail in legislation impedes innovation and deters local governments from making structural changes to what and how services are provided.

The Shire notes that a number of fees and charges for local government services are restricted by other legislation, not just the Act, including fees and charges relating to planning and development, health, waste management and vehicle usage.

Both Planning and Building fees are prescribed under Regulation and the fees are generally calculated based on the estimated cost of the development/building. The Building fees are general adjusted annually each year to account for CPI, however Planning fees have not been increased to account for CPI since 2015.

WALGA undertook an extensive review of planning fees in 2013 which advocated for a true cost recovery/fee for service model as it was found following extensive research that in most cases the cost to undertake the work required is more than the regulated fee. No significant changes to the fee structure have been made since this time. As a simple example, the maximum fee for a planning application where the estimated development value is less than \$50,000 is \$147. This would not cover the administrative costs imposed on the Shire to process the application. Similarly for building, the minimum fee for a building application is \$97.70 and similarly this would not cover the administrative cost in processing an application.

The Shire could provide further detail on examples if this would assist the review.

Rates

The Shire also strongly supports the WALGA policy position that a broad review of all ratings exemptions be undertaken, including eliminating rates exemptions for commercial activities of charities and providing compensation to Councils for charitable organisation exemptions. We are concerned that exemptions under this section of the Act have extended beyond the original intention and now provide rating exemptions for non-charitable purposes and increases the rate burden on other ratepayers.

In particular, we would suggest that the definition of "charitable purposes" needs to be clarified and/or defined in legislation. The review should also clarify rating exemptions for Registered Native Title Bodies Corporate and other Aboriginal Corporations, particularly in relation to applications for exemption under the existing religious exemption clauses in the legislation.

The Shire of Broome also supports the WALGA policy positions that:

- resource projects should be required to pay local government rates;
- rate equivalency payments by government entities should be paid to the relevant local government(s) rather than to the State government;
- a review should be undertaken of current valuation methods and limitations, for instance, local governments should have discretion about using Gross Rental Value or capital value for ratings;
- time-based differential ratings should be available as an option to encourage development;
- local governments should have the flexibility to move to issuing electronic rates notices and be able to offer regular rate payments, without instalment notices (e.g. weekly, fortnightly payments).

Debt recovery

The Shire supports the WALGA policy position that all debt recovery action costs incurred in pursuing unpaid rates and unpaid fees and charges should be recoverable and not limited by legislation. Otherwise the burden falls on other ratepayers to cover the costs of debt recovery actions.

The Shire also supports the proposal to introduce a responsible person definition for vehicle offences to enable more effective administration of vehicle-related offences.

Financial management

The Shire supports the WALGA policy positions to review and update the legislation relating to financial management, borrowing and investment powers:

- Undertake a broad review of the financial management provisions under Part 6 of the Act and the associated regulations.
- Review the current restrictions on borrowing, including:
 - o delete requirement under subsection 6.20(2) that local governments must provide one month's public notice of the intent to borrow; and
 - o allow local governments to use freehold land as security when borrowing.
- Reinstate pre-GFC investment powers, including to allow local governments to invest in accordance with the Trustees Act consistent with investment powers that existed prior to the Global Financial Crisis. The Shire agrees with WALGA that it is no appropriate to base legislation restrictions on the worst-case scenario.

Procurement

The Shire supports WALGA policy position that the tender threshold for local government be increased and brought into line with the State Government tender threshold of \$250,000.

In addition, we would suggest that the tender threshold should be in regulations, not set the Act, so that it can be reviewed and updated on a regular basis.

Unvested facilities

Section 3.53 of the Act refers to infrastructure as an 'otherwise unvested facility', and is defined to mean: "a thoroughfare, bridge, jetty, drain, or watercourse belonging to the Crown, the responsibility for controlling or managing which is not vested in any person other than under this section."

Section 3.53 places responsibility for an otherwise unvested facility on the Local Government in whose district the facility is located. Lack of ongoing maintenance and accreting age has resulted in much infrastructure falling into a dilapidated state. This, together with the uncertain provenance of many of these facilities, particularly bridges, is reported as placing an unwarranted and unfunded burden on local governments.

It is recommended Section 3.53 of the Act be deleted and that responsibility for facilities located on Crown Land return to the State as the appropriate land manager.

Digital transformation

The Shire proposes that the Act and other relevant legislation be reviewed to remove impediments to digital transformation. We consider that there is significant scope to reduce inefficient, time-consuming manual processes, which would have significant benefits to local government and the wider community.

Local government does not face unique or additional risks in relation to the type of information collected and stored, managing payments and services and ensuring access to information, relative to other levels of government. However, there is a risk that we are falling behind community expectations regarding:

- digital communications;
- electronic payments and services; and
- digitisation of records.

Special majority: guidance question

- Should the provisions for a special majority be removed? Why or why not?

The Council of the Shire of Broome consists of nine elected members and so the special majority provisions of the Act are not relevant to our Shire. Given that the Shire is not forecast to experience significant population growth, we do not anticipate any increase to the number of Councillors in the short to medium term.

However, the Shire supports the WALGA policy position that a broader review be undertaken of which decisions which require a simple or absolute majority.

Senior employees: response to guidance questions

- Is it appropriate that council have a role in the appointment, dismissal or performance management of any employees other than the CEO? Why or why not?
- Is it necessary for some employees to be designated as senior employees? If so, what criteria should define which employees are senior employees?

As discussed earlier, the Shire supports the WALGA policy position that legislation should only specify requirements for CEO recruitment and performance, not other local government employees. We also support the WALGA position that subsection 5.37(2) be deleted to remove ambiguity regarding the role of Council in relation to the appointment of other employees.

Exemption from accounting standard AASB124 – Related party disclosure: response to guidance question

- Are the existing related party disclosure provisions in the Act sufficient without the additional requirements introduced by AASB124? Why or why not?

Support WALGA policy position to provide an exemption from AASB 124 Related Party Transactions given that local government members and CEOs are already required to disclose interests and this information is already recorded and available.

Disposal of property: response to guidance questions

- The threshold for trade-ins was set originally to \$50,000 in 1996 and raised to \$75,000 in 2015. Should the threshold be raised higher, if so how high?
- Should the threshold remain at \$75,000 but with separate exemptions for specific types of equipment, for example plant?
- The general \$20,000 threshold was put in place in 1996 and has not been amended. Should the threshold be raised higher than \$20,000? If so, what should it be and why?
- Would raising these thresholds create an unacceptable risk that the items would not be disposed of to achieve the best price for the local government?
- Is there an alternative model for managing the disposal of property? Please explain.

The Shire support WALGA policy position that Regulation 30(3), *Local Government (Functions and General) Regulations 1996*, be amended to delete any financial threshold limitation (currently \$75,000) on a disposition where it is used exclusively to purchase other property in the course of acquiring goods and services, commonly applied to a trade-in activity.

The thresholds are arbitrary and do not appear to be linked to the value of particular types of equipment or other property. Further, it is not clear why local governments would have an incentive to make a trade-in at a lower value because it would increase the gap, and therefore the costs, of purchasing the replacement equipment or property.

At a minimum, the regulation should be amended so that the threshold increases in line with CPI. To keep up with inflation, the \$50,000 threshold should have been adjusted to more than \$83,000 by the end of 2017. Similarly, the \$20,000 threshold would now be around \$33,000 if the threshold was indexed to CPI.

In addition, the Shire supports the WALGA policy position that a broader review be undertaken of Section 3.58 Disposing of Property and Section 3.59 Commercial Enterprises to redraft and update to reflect current commercial and contractual practices.

11. Regional subsidiaries

Regional subsidiaries

- Which option do you prefer?
- Should regional subsidiaries be allowed to borrow money other than from the member councils? Why or why not?
- If a regional subsidiary is given the power to borrow directly, what provisions should be put in place to mitigate the risks?

The Shire supports the WALGA policy positions on regional subsidiaries, including the proposals to enable:

- local governments to establish Council Controlled Organisations to participate in commercial enterprises and partnerships; and
- regional subsidiaries to borrow in their own right and enter into land transactions.

These restrictions, particularly around borrowing and land transactions, are impeding the establishment of regional subsidiaries.



Department of
**Local Government, Sport
and Cultural Industries**

Local Government Act 1995 review
Agile • Smart • Inclusive



Local Government Act 1995 Review

Agile • Smart • Inclusive – Local governments for the future

Phase 1: Consultation Paper

8 November 2017

Page 2 – *Local Government Act 1995 Review – Phase 1 Consultation Paper*

Contents

Minister's foreword	8
Introduction	9
Consultation to date.....	11
Having your say	12
About local government in Western Australia.....	13
Meeting community expectations of standards and performance	15
1. Relationships between council and administration.....	16
Introduction	16
Defining the roles of council and administration	17
Across Australia.....	19
2. Training.....	22
Introduction	22
Across Australia.....	23
2.1 Competencies required to be an elected member.....	24
2.2 Funding training	25
2.3 Mandatory training	26
2.4 Continuing professional development	29
3. The behaviour of elected members	31
3.1 Current Situation	32
Across Australia.....	32
Code of conduct requirements.....	35
3.2 Regulation of elected member conduct: rules of conduct.....	37
Across Australia.....	37
Option 1: Streamlined Rules of Conduct	40
Option 2: Revised disciplinary framework	41
3.3 Other matters recommended in the 2015-16 review	43
Application of Rules of Conduct	43

Offence provisions	43
Confidentiality.....	43
3.4 Reforms to the Local Government Standards Panel and the means to review alleged breaches of the Rules of Conduct Regulations	44
Across Australia.....	45
Option 1: Status Quo.....	46
Option 2: Sector Conduct Review Committees	47
3.5 Sanctions and other Standard Panel matters.....	49
Across Australia.....	49
Mediation	51
Prohibition from attending council meetings.....	51
Compensation to the local government.....	52
Complaint administrative fee	52
Cost recovery to the local government.....	53
Publish complaints in the annual report	53
Table decision report at Ordinary Council Meeting	54
3.6 Elected member interests	54
4. Local government administration.....	56
4.1 Recruitment and selection of local government Chief Executive Officers ...	56
Across Australia.....	57
Option 1: Local governments to engage the services of the Public Sector Commission to provide support and guidance to council during the selection of a CEO	57
Option 2: Councils to involve third-parties in CEO selection	58
Option 3: Local governments to adopt a CEO recruitment standard	59
Option 4: Status Quo.....	59
4.2 Acting Chief Executive Officers	60
Across Australia.....	61
4.3 Performance review of local government Chief Executive Officers	61
Across Australia.....	62
Option 1: Approved third-party to be involved in the performance review of CEOs	64
Option 2: Local governments to adopt a CEO performance review policy	65

Option 3: Local governments to conform to a standard for CEO performance review.....	65
4.4 Extension or termination of the Chief Executive Officer contract immediately before or following an election	65
4.5 Public expectations of staff performance	67
5. Supporting local governments in challenging times	69
Across Australia.....	70
Proposed Remedial Action Process.....	73
Discussion.....	75
6. Making it easier to move between State and local government employment	76
Public confidence in Local Government	78
7. Gifts	79
7.1 Simplifying the gift provisions	79
Background	79
Across Australia.....	80
Current situation.....	81
Recommendations of the gifts working group	82
Key elements of the proposed approach.....	83
Excluding gifts in a genuine personal capacity.....	87
Transparency.....	89
8. Access to information	90
8.1 Public notices	91
Across Australia.....	92
General options.....	92
Specific options	93
8.2 Information available for public inspection	94
Across Australia.....	95
General options.....	96
9. Available information.....	100

9.1 Expanding the information provided to the public.....	100
Option 1: Status Quo.....	102
Option 2: Additional reporting requirement.....	102
Option 3: Policy requirement.....	102
Red Tape Reduction.....	105
10. Reducing red tape	106
10.1 Defining red tape.....	106
Red Tape Rapid Assessment Tool.....	107
Regulatory Burden Measure	107
10.2 Potential red tape reductions	108
Special Majority.....	108
Senior employees	108
Across Australia.....	109
Exemption from Accounting Standard AASB124 — Related Party Disclosures	110
Disposal of Property.....	111
Regional Subsidiaries	113
11. Regional Subsidiaries	114
11.1 Risks and benefits of borrowing.....	115
Across Australia.....	117
11.2 Options:	118
Option 1: Status quo	118
Option 2: Regional subsidiaries are permitted to borrow from Treasury Corporation.	118
Option 3: Regional subsidiaries are permitted to borrow from financial institutions	119
For more information, please contact:	120
Attachment 1: Councillor position description	121
Attachment 2: Gifts	123
Supplementary Information: Public notices	129

8 November 2017

Department of Local Government, Sport and Cultural Industries
Gordon Stephenson House, 140 William Street, Perth WA 6000
GPO Box R1250, Perth WA 6844
Telephone: (08) 6551 8700 Fax: (08) 6552 1555
Freecall: 1800 620 511 (Country only)
Email: legislation@dlgsc.wa.gov.au Website: www.dlgsc.wa.gov.au

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

All or part of this document may be copied. Due recognition of source would be appreciated. If you would like more information please contact the Department of Local Government, Sport and Cultural Industries.

Page 7 – Local Government Act 1995 Review – Phase 1 Consultation Paper

Minister's foreword

The McGowan Government is undertaking a review of the Act to modernise local governments and better position them to deliver services for the community.

Western Australia's local government system is unique in Australia and reflects the State's colonial heritage through the establishment of roads boards as some of the State's first forms of European municipal government.

While the Western Australian *Constitution Act 1889* provides for a system of local government throughout the State, the powers and functions of local governments are conferred by the *Local Government Act 1995* (the Act).

The review will be undertaken in two phases. Phase 1 of the review considers the following matters:

- meeting community expectations of standards and performance
- transparency
- making more information available online
- red tape reduction.

These matters address reforms that have the potential to modernise local government, empower and enable local government, meet community expectations for accountability and transparency, and relieve regulatory burden. Local government autonomy in decision-making remains a key feature of Western Australia's local government system.

Where possible, I would like the detail relating to the powers and responsibilities for local government to be addressed in regulations rather than a prescriptive Act to ensure that the legislation is more flexible and adaptable to changing needs.

This consultation paper seeks your comment to inform the government's position. While the consultation deals with specific matters, comment is welcome on all aspects of the Act.

This paper presents a range of options that aim to modernise local government, restore the reputation of the sector, simplify regulation and improve services. I seek your valuable feedback to inform this review.

Western Australians deserve local government that is smart, agile and inclusive.

Hon David Templeman MLA
MINISTER FOR LOCAL GOVERNMENT

Page 8 – *Local Government Act 1995 Review – Phase 1 Consultation Paper*

Introduction

The *Local Government Act 1995* (the Act) provides the framework for Western Australian local government. Local governments are created by the Act which sets out the functions, responsibilities and powers of local government.

Western Australia has changed greatly since the Act was introduced in 1995. Public expectations of government and what can be achieved through technology have evolved. While the Act has been regularly amended, key aspects seem outdated.

It is time to modernise the Act to match public expectations of local government. As a consequence, the McGowan Government has committed to undertaking a review of the Act. The following principles underpin the review:

- Transparent – providing easy access to meaningful, timely and accurate information about local governments.
- Participatory – strengthening local democracy through increased community engagement.
- Accountable – holding local governments accountable by strengthening integrity and good governance.
- Efficient – providing a framework for local governments to be more efficient by removing impediments to good practice.
- Modern – embracing contemporary models for governance and public sector management.
- Enabled – local governments will be empowered to deliver for communities as autonomous bodies with powers and responsibilities specified in legislation.

The review will be conducted in two phases as outlined below:

Phase 1	Phase 2
Making information available online	Increasing participation in local government elections
Meeting public expectations for accountability	Increasing community participation
Meeting public expectations of ethics, standards and performance	Introducing an adaptive regulatory framework
Building capacity through reducing red tape*	Improving financial management
	Building capacity through reducing red tape*
	Other matters raised in phase 1 consultation

**matter to be dealt with in both phases*

While this consultation paper deals with the matters listed above in phase 1, responses and proposals for reform are invited on any aspect that contributes to the principles underpinning the review of local government legislation.

A second consultation paper will be released in 2018.

This review is examining all of the legislation that sets the framework for local government: the *Local Government Act* and the twelve sets of regulations that underpin it.

Local government makes a big difference in our everyday lives. Local governments define the places where Western Australians live, work and play.

In Western Australia's regions they are often a major employer and glue for communities. They can support local economies, businesses and the environment and have an important role supporting our communities, including vulnerable people and must carefully balance these competing priorities. Local governments have a tough job and often have to make controversial decisions.

Local governments are an expression of their community and like Western Australians communities, are increasingly diverse and face complex issues. They manage an aging population, provide safe and inclusive public spaces and deliver high quality services and infrastructure.

To meet contemporary community expectations, local governments need a contemporary legislative framework that provides boundaries for their operations. The framework will need to account for the diversity of Western Australia's local governments and the varying roles that they perform to service their unique communities.

While the Act establishes local government and the key rules for its operation, this Act is just one of many legislative instruments administered across multiple portfolios that inform how local governments conduct their business. For example, local governments' role in planning is defined in planning laws and their role in public health matters is defined in the *Public Health Act 2016*. Some of the matters raised in this review may therefore impact other legislation.

Consultation to date

Modernising the legislative framework by which local governments operate is a complex task. The views of local government, the community and business are all needed to achieve the best result.

In June 2017, a reference group was established to provide expertise and advice to the review. The reference group members are drawn from the:

- Western Australian Local Government Association (WALGA);
- LG Professionals Australia WA (LG Professionals WA);
- Western Australian Council of Social Service;
- Western Australian Electoral Commission;
- Regional Chamber of Commerce and Industry; and
- Western Australian Rangers Association.

In July and August 2017, the Department of Treasury and the Department of Local Government, Sport and Cultural Industries (the Department) hosted three red tape workshops. The workshops were attended by representatives from WALGA, LG Professionals WA and various industry groups.

In July 2017, the Department presented its findings to the Minister for Citizenship and Multicultural Interests' Multicultural Reference Group.

In preparing this consultation paper, the Department has also met with local governments, industry groups and community sector advocates on an individual basis.

Having your say

Submissions

The State Government invites submissions on the consultation. Submissions can be sent via:

completing the online submission form:
www.dlgsc.wa.gov.au/lgareview

email:
legislation@dlgsc.wa.gov.au

post:
LGA Review
Department of Local Government, Sport and Cultural Industries
PO Box 8349
Perth Business Centre
Western Australia 6849

Your submission will be made public and published in full on the Department's website unless you ask for it to be confidential. Submissions that contain defamatory or offensive material will not be published.

Submissions close on Friday 9 March 2018.

Community workshops

The Department will be conducting community workshops across Western Australia to promote the paper and seek your views.

Attend one of our workshops in your region and tell us how you think the local government legislation can be improved.

Details of the workshops are on the Department's website at
www.dlgc.wa.gov.au/LGARReview

About local government in Western Australia

Western Australia's constitution establishes a system of elected local government bodies empowered through State Government legislation.

Much of Western Australia's system of local government can be traced back to road boards created in the 19th century. Over the past 120 years, there have been various pieces of legislation establishing local municipalities and their functions. The most recent of these is the *Local Government Act 1995*.

Reflecting Western Australia's unique history and geography, the State has the nation's most diverse local government sector. The State's 137 local governments and the two Indian Ocean Territories feature the largest and smallest in the country by size, the nation's thirteenth most populous local government and the nation's least populous.

Over 90 per cent of the State's population live in the State's largest 40 local governments, with the remaining 10 per cent living in the State's other 97 local governments. The combined population of the State's 34 least populated local governments is less than 1 per cent of the State's total population.

All local governments regardless of their size or population are framed by the Act which in line with the power of general competence provides significant autonomy to local governments.

Councils appoint a Chief Executive Officer (CEO) to manage the day to day operations of the local government. The CEO is responsible for hiring all other local government staff.

The council is the primary decision-maker in the local government, although they can delegate some powers to an officer. The CEO is responsible for implementing council's decisions.

While the term is not used within the Act, local governments in Western Australia operate under the principle of 'general competence'. This means that local governments are autonomous bodies established to provide for the good government of persons in their district.

The degree of autonomy is an ongoing challenge. On one hand, many local governments believe that they do not have enough autonomy. On the other hand, some industry groups and members of the community are concerned that local government decision making is inconsistent, and that greater oversight and

accountability is required. This tension between autonomy and oversight is a constant and is not unique to Western Australia.

At the time of its introduction, the current Act was intended to replace prescriptive legislation with a broad outcomes-based framework. The Act reduced the number of areas where the Minister's approval was required down to 30, from approximately 150 in the previous Act.

The Act is still considered quite prescriptive, in the sense that it establishes rules for particular matters, especially as they relate to accountability, while giving local governments autonomy on other matters.

Given the diversity in their size, location and population, it is not surprising that local governments in Western Australia provide a variety of services, and to varying standards. All local governments in Western Australia provide core services including waste, roads, parks, playgrounds and gardens, as well as having statutory responsibilities in planning, development approvals, public health and various licencing requirements.

In response to community expectations, some local governments also provide other services such as community centres, libraries, swimming pools, gyms, child care, seniors and youth programs, environmental and land care programs, health programs, local infrastructure including marinas and airports, as well as programs to support tourism, local events and businesses.

In general, the scope and range of services provided by local governments are expanding. While some may argue that this is due to cost-shifting from other tiers of government, local governments ultimately determine the majority of the services they choose to provide.

While Western Australia's local government structure is unique, lessons can be learned from other jurisdictions. Victoria, New South Wales, Tasmania, and the Northern Territory are conducting, or have recently concluded, major reviews of their local government legislation.

Meeting community expectations of standards and performance

Local governments today have many complex responsibilities. They deal with potentially controversial matters such as town planning, assessment of development applications and domestic animal management, and provide an increasing variety of community services.

Elected members and local government officers have a challenging job and their communities have high expectations of standards, ethics and performance.

Largely, the Western Australian community is well served by local government. However, on occasion poor governance or ineffective management can result in community expectations not being met.

This review presents the opportunity to consider whether reforms are required to strengthen accountability by modernising the governance model that frames local government decision making and operations.

Areas where opportunities may exist include:

- improving relationships between council and administration,
- improving behaviour and managing misconduct,
- increasing training for elected members,
- reforming CEO selection and recruitment, and
- improving the way that a CEO's performance is reviewed.

1. Relationships between council and administration

Introduction

The effectiveness of a local government in Western Australia is largely dependent on the relationship the council has with the administration, primarily the CEO. Running alongside this is the requirement for a council to act independently when it is making decisions in the best interests of, and on behalf of, the community it was elected by.

Local governments are made up of several components:

Local government

The Western Australian *Constitution Act 1889* states that Parliament will maintain a system of local government throughout the State. This is given effect through local government legislation which confers powers and functions on local governments. A local government is a corporate body which can sue and be sued.

Council

The council is elected by the community and is the governing body of a local government. It is made up of between six and fifteen elected members and is led by a mayor or president. Councils are responsible for the governance of their local government's affairs and functions. This includes oversight of the planning and allocation of finances and resources, and the determination of local government policies.

Chief Executive Officer (CEO)

The CEO is employed by the council to head the administration and manage the day to day operations, or executive functions, of the local government and to implement council policies and decisions.

Staff

The staff are employed by the CEO to perform the functions of the local government.

The community

The community is comprised of residents, ratepayers including property owners that do not live in the district and those renting business premises within the district, as well

as the extended community that are impacted by council decisions but do not live within its district.

Defining the roles of council and administration

In 1995, when the current Act was introduced to Parliament, the then Minister for Local Government remarked in his second reading speech:

“There will be a clear specification of the roles of key players; that is, council, mayor or president, and councillors. This is designed to promote efficient administration at the local government level and to avoid conflicts caused by uncertainty. The lack of role clarity has led to some mayors/presidents and councillors becoming involved in administrative matters which should be handled by staff. The new Act will provide a clear distinction between the representative and policy making role of the elected councillors and the administrative and advisory role of the chief executive officer and other staff.”¹

Under the Act the council —

- governs the local government’s affairs; and
- is responsible for the performance of the local government’s functions, which includes (although is not limited to):
 - overseeing the allocation of the local government’s finances and resources; and
 - determining the local government’s policies.

The role of an individual councillor includes:

- representing the interests of electors, ratepayers and residents of the district;
- providing leadership and guidance to the community in the district;
- facilitating communication between the community and the council;
- participating in the local government’s decision-making processes at council and committee meetings; and
- performing such other functions as are given to a councillor by the Act or any other written law.

The mayor or president has the following additional roles:

- presiding at meetings in accordance with the Act;
- providing leadership and guidance to the community in the district;
- carrying out civic and ceremonial duties on behalf of the local government;
- speaking on behalf of the local government;

¹ Western Australia, *Parliamentary Debates*, Legislative Assembly, 31 August 1995, 7548-9 (Hon Paul Omodei MLA).

- performing such other functions as are given to the mayor or president by the Act or any other written law; and
- liaising with the CEO on the local government's affairs and the performance of its functions.

The CEO's functions under the Act are to:

- advise the council in relation to the functions of a local government under this Act and other written laws;
- ensure that advice and information is available to the council so that informed decisions can be made;
- cause council decisions to be implemented;
- manage the day to day operations of the local government;
- liaise with the mayor or president on the local government's affairs and the performance of the local government's functions;
- speak on behalf of the local government if the mayor or president agrees;
- be responsible for the employment, management, supervision, direction and dismissal of other employees;
- ensure that records and documents of the local government are properly kept for the purposes of the Act and any other written law; and
- perform any other function specified or delegated by the local government or imposed under the Act or any other written law as a function to be performed by the CEO.

Despite this, tension still arises within local governments. This appears to be due to a lack of understanding of the separation of powers between the council and the administration, or deliberate attempts to act outside this separation.

The diagram below sets out how the Department believes an effective relationship between a local government council and the administration should operate:

Separation of powers



While it is expected that training and education would clarify the roles of a council and the administration, the roles as currently defined are drafted broadly. Very little detail is provided about the tasks that should be undertaken by the council and the CEO.

Delegations

Councils may delegate certain functions and powers to the CEO or senior staff. Delegations are an important tool for local governments as they mean that many matters do not need to be considered by council, which saves time.

Different local governments delegate different powers, with some only delegating very limited powers to the CEO, while other local governments delegate everything, retaining only specific, stated powers.

Delegations are occasionally a point of contention between council and administration, and the decision whether to delegate certain powers is sometimes viewed as a test of the council's confidence in the CEO.

Across Australia

Each Australian jurisdiction has a broadly similar set of roles and responsibilities for their members of council. The table below highlights the differences.

Jurisdiction	Additional provisions relating to elected members, not included in the Western Australian legislation
New South Wales	<ul style="list-style-type: none"> To participate in the development of the integrated planning and reporting framework To make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor
Victoria	<ul style="list-style-type: none"> The role of a councillor does not include the performance of any functions that are specified as functions of the CEO
Queensland	<ul style="list-style-type: none"> To participate in council meetings, policy development, and decision-making, for the benefit of the local government area A member of a council has no direct authority over an employee of the council with respect to the way in which the employee performs his or her duties
South Australia	<ul style="list-style-type: none"> To participate in the deliberations and civic activities of the council

Jurisdiction	Additional provisions relating to elected members, not included in the Western Australian legislation
	<ul style="list-style-type: none"> • To keep the council's objectives and policies under review to ensure that they are appropriate and effective • To keep the council's resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery, under review
Tasmania	<ul style="list-style-type: none"> • To develop and monitor the implementation of strategic plans and budgets • To determine and monitor the application of policies, plans and programs for: <ul style="list-style-type: none"> ○ the efficient and effective provision of services and facilities ○ the efficient and effective management of assets ○ the fair and equitable treatment of employees of the council • To facilitate and encourage the planning and development of the municipal area in the best interests of the community • To appoint and monitor the performance of the general manager • To determine and review the council's resource allocation and expenditure activities • To monitor the manner in which services are provided by the council • In performing any function under this Act or any other Act, a councillor must not— <ul style="list-style-type: none"> ○ direct or attempt to direct an employee of the council in relation to the discharge of the employee's duties; or ○ perform any function of the mayor without the approval of the mayor
Northern Territory	<ul style="list-style-type: none"> • To ensure, as far as practicable, that the council acts honestly, efficiently and appropriately in carrying out its statutory responsibilities • However, a member of the council has no power to direct or control staff, or to interfere with the management of staff

Defining the roles of council and administration: Guidance questions

- 1) How should a council's role be defined? What should the definition include?
- 2) How should the role of the CEO and administration be defined?
- 3) What other comments would you like to make on the roles of council and administration?
- 4) Are there any areas where the separation of powers is particularly unclear? How do you propose that these are improved?

Improving relationships between council and administration: Guidance question

- 5) Do you have any other suggestions or comments on this topic?

2. Training

Introduction

Elected members have a unique and challenging role. Internal support available to elected members is often limited, especially in smaller local governments.

They are elected officials who represent their often diverse communities and oversee multi-million dollar budgets. No qualifications are required to be a candidate. Elected members are often elected in contests where less than one third of eligible voters cast a ballot. Elected members are frequently elected unopposed in regional areas. The 2016 Census of Western Australian Elected Members conducted by the University of Western Australia on behalf of the Department found that approximately one in four elected members completing the survey had not completed year 12.

It could be argued that elected members should be provided with the knowledge and skills to be able to properly understand and perform their role.

Training for elected members has been recommended by successive inquiries and reports by the Corruption and Crime Commission. Making elected member training compulsory has also been raised.

Elected member training through the Country Local Government Fund

To encourage more elected members in regional Western Australia to participate in training, the State Government invested more than \$1.5 million over four years to provide subsidised training in four core areas.

Between June 2014 and June 2017, more than 500 individual elected members participated in at least one training unit of the Country Local Government Fund (CLGF) elected member training program. This represented approximately 55 per cent of the more than 900 elected members in regional areas who could have undertaken the training.

The program has achieved a breadth, if not depth of coverage, with 105 of the 109 country local governments represented at one or more sessions. There were 24 local governments which did not have a single elected member attend a training session.

On average, elected members who have attended training through the CLGF participated in 2.4 units. Some elected members attended the same course on multiple occasions with two elected members attending all four of the courses twice.

Elected members currently have access to training provided on a commercial basis by WALGA. WALGA provides training courses in topics including, but not limited to, serving on council; meeting procedures and debating; effective community leadership; and land use planning. WALGA's suite of training for elected members culminates in an Elected Member Diploma, through the Western Australian Training Accreditation Council. Undertaking any of these courses is currently voluntary.

Since 2013-14, WALGA has delivered more than 340 training courses to elected members across the State. Over the same period, approximately 70 elected members have enrolled in the Elected Member Diploma.

WALGA elected member training

	2013-14	2014-15	2015-16	2016-17
Courses delivered	61 (including 8 CLGF funded courses)	89 (including 31 CLGF funded courses)	90 (including 41 CLGF funded courses)	106 (including 76 CLGF funded courses)
Individual registrations	625 (including 41 registrations at CLGF funded courses)	899 (including 308 registrations at CLGF funded courses)	838 (including 423 at CLGF funded courses)	930 (including 595 at CLGF funded courses)

In some circumstances, elected members are required to receive training. Under the *Planning and Development (Development Assessment Panels) Regulations 2011*, elected members appointed as a Development Assessment Panel (DAP) members are required to complete training approved by the Department of Planning, Lands and Heritage. This requirement reflects that to perform certain duties elected members require specialist skills that they may not yet possess.

Across Australia

Until recently, South Australia was the only State that required elected members to be trained. However, across Australia, moves are underway to introduce mandatory training. New South Wales has amended its legislation to require councils to implement induction programs and professional development, and serious consideration is being given to the concept in Tasmania and the Northern Territory.

While training in Queensland is not mandatory, a culture of professional development has been embedded in the State, with 90 per cent of elected members and a high percentage of candidates voluntarily undergoing training.

Jurisdiction	Status
Western Australia	Voluntary
New South Wales	Mandatory Regulations under development
Victoria	Voluntary
Queensland	Voluntary – high participation rates due to use of an in-house training unit
South Australia	Mandatory: <ul style="list-style-type: none"> • A council must prepare and adopt a training and development policy for its members • Council policies must comply with training standards • The training standards cover introduction to local government, legal responsibilities, council and committee meetings, financial management and reporting
Tasmania	Voluntary - but under consideration
Northern Territory	Voluntary - but under consideration

2.1 Competencies required to be an elected member

With an operating budget of over \$4 billion and assets worth over \$40 billion, Western Australian local government is a big business.

Local government elected members take on a uniquely challenging role. They are responsible for representing their district and providing oversight for the complex operations of a local government, with varying levels of support from local government administration. The complex role of elected members is summarised in the councillor position description included as Attachment 1. This was developed by the Department in 2015 to assist potential candidates better understand the role.

In Western Australia, WALGA has developed an elected member learning and development pathway that includes courses covering matters like 'serving on council', 'effective community leadership' and 'meeting procedures and debating'. Many of these modules are linked to units of competency under the National Training Qualification Framework.

In considering ways to provide elected members across Western Australia with the competencies required to do their difficult role, there may be benefits in identifying core training units as part of a new elected member professional development training package along with training units which provide advanced skills. These skills could include matters such as:

- the role of an elected member
- meeting procedures
- knowledge of the Local Government Act and other legislation
- understanding financial reports
- budgeting and rates setting
- long term financial planning
- town planning and approvals
- engaging with the community
- policy development
- recruitment and performance appraisal.

Elected member competencies: Guidance questions

- 6) What competencies (skills and knowledge) do you think an elected member requires to perform their role?
- 7) Do these vary between local governments? If so, in what way?

2.2 Funding training

While the benefits of training are widely recognised, there is a cost to training. These costs include the actual fees for the training courses, travel costs (particularly for those in regional areas) and lost time from the elected member's job or business. Currently, the costs associated with training are variously met by local governments (the community) and individual elected members.

Some councils allocate funds towards the professional development of elected members and directly fund all or part of elected member training. In other cases, elected members undertake and pay for training as part of their role as an elected member or generally as part of their profession.

In the past, concerns have been raised that the benefits of dedicating funding to training elected members is constrained by the turnover in elected members. An elected member may only perform the role for a single four-year term. Countering this are the benefits gained by the local government and the community in having elected members who are well-equipped to perform their best. Turnover in new elected members may potentially be reduced if they felt more confident in their ability to undertake the role competently.

A local government's financial capacity will determine its ability to absorb the costs of training. Local governments with less revenue may find allocating funds for training more difficult than larger local governments. Similarly it will be costlier for country local governments to pay for travel to attend face-to-face courses.

One solution may be the establishment of a training fund to which local governments could contribute in proportion to their annual revenue. This would provide a means of sharing the costs of training across the sector.

Funding training: Guidance questions

- 8) Who should pay for the costs of training (course fees, travel, other costs)?
- 9) If councils are required to pay for training, should a training fund be established to reduce the financial impact for small and regional local governments? Should contribution to such a fund be based on local government revenue or some other measure?

2.3 Mandatory training

Based on participation rates on the state-funded councillor training programs, it appears that providing heavily subsidised or free training does not provide sufficient incentive for many elected members to undertake training. To increase participation rates in training alternative methods are required.

Mandatory training would result in all local government elected members being better prepared to undertake their challenging role.

WALGA's 2008 *Systemic Sustainability Study* recommended that a comprehensive induction or foundational training program be mandated and supported by payments for attendance. The report further stated that, "More generally, a culture of continuing professional development for elected members should be encouraged to ensure ongoing exposure and insights to the role of local government."²

² <http://walga.asn.au/getattachment/Policy-Advice-and-Advocacy/WALGA-Advocacy-Position-Statements/2-2-2006-SSS-Panel-Report-In-your-Hands-Final-Report.pdf.aspx?lang=en-AU>

The Corruption and Crime Commission (CCC) observed in its report on the actions of the former CEO of the Shire of Dowerin that it was difficult see how the responsibilities of an elected member could be fulfilled without some training.

Reforms to require elected members to undertake an induction was also a recommendation of the City of Canning Inquiry.³

The case against requiring elected members to undertake mandatory training has three main arguments:

- training is not mandatory for State and Commonwealth parliamentarians;
- mandatory training would dissuade people from standing for office; and
- limiting the holding of office to people who have completed or will complete training is undemocratic.

It is difficult to assess whether mandatory training would dissuade people from standing for office. In regional Western Australia especially, unopposed elections are common. In the 2015 ordinary elections, 153 of the 169 (90 per cent) uncontested elections took place in country local governments.

While limiting the holding of office to those who have completed training or will complete training may seem to be undemocratic, it represents one of a series of pre-conditions to be an elected member. The eligibility criteria currently covers items such as not being insolvent, or having previously been convicted of a serious local government offence, or other indictable offence. It could be argued that being prepared to complete the training required to perform this important role could also be a minimum criterion.

In South Australia, mandatory training operates by requiring a local government to adopt a training policy that must comply with the training standard. The content of the training standard is specified in regulations.

Implementation of mandatory training would need to take into account the barriers that currently exist to training, including cost, time and access to training, particularly in regional and remote areas. Training would need to be made available in a range of modes, including online, to allow elected members throughout the State to undertake the training with minimal disruption to their working and personal lives.

Who should be required to undertake training?

One of the key questions around mandatory training is who should be required to complete training. It could apply to:

³ https://www.dlgs.wa.gov.au/publications/documents/inquiry_City_Canning_report.pdf

- all elected members,
- all elected members, with exemptions given to those who complete a recognition of prior learning process, or
- only first-time elected members.

Some local governments have previously advocated that only first-time elected members should be required to undertake mandatory training. Due to the relatively high turnover of elected members, requiring only first-time elected members to complete training would still result in a significant proportion of elected members receiving training. At the 2015 ordinary local government elections, almost half of the candidates elected (306 of 655) had not previously served on council.

Training for all elected members regardless of their previous service would provide the greatest coverage and ensure the best performing councils. As noted in successive inquiries, experience does not necessarily equate to competence when it comes to the evolving and complex role of an elected member.

In addition, candidates could be required to complete an induction program as part of their nomination process. This would ensure that they better understood the role and responsibilities of the position for which they are nominating. In Western Australia, candidates are currently encouraged to attend web-based sessions to increase their awareness of the roles and responsibilities of elected members, but only a fraction of candidates participate. Requiring candidates to complete an induction could reduce the number of potential candidates but improve their understanding of the complex and challenging role they are preparing to undertake.

Mandatory training: Guidance questions

- 10) Should elected member training be mandatory? Why or why not?
- 11) Should candidates be required to undertake some preliminary training to better understand the role of an elected member?
- 12) Should prior learning or service be recognised in place of completing training for elected members? If yes, how would this work?
- 13) What period should apply for elected members to complete essential training after their election?

2.4 Continuing professional development

While there are benefits to training that builds essential basic skills, the ongoing professional development of elected members has the potential to improve and maintain capacity in the long-term.

Continuing professional development is an accepted part of many professions in fields like law, finance and accounting. Continuing professional development reflects the complexity of these professions and the need to be aware of innovations and changing requirements and responsibilities.

Being an elected member shares many of the complexities of these professions. Like these professions, elected members are best placed to serve the community if they are aware of evolving best practice in matters such as community engagement, planning, auditing and finance.

Continuing professional development also better equips elected members to perform their legislated functions and work constructively with the CEO to improve the efficiency and effectiveness of local government services.

Many elected members already undertake continuing professional development through training providers such as WALGA. WALGA's Diploma in Local Government is one example; however, training programs offered on topics such as planning, financial management, and governance are also available.

In New South Wales legislation was introduced in 2016 that requires elected members to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of the elected member. In doing so, New South Wales embedded continuing professional development as a requirement to be an elected member.

Requiring councils to adopt a training policy that incorporates the concept of continuing professional development is one option to build the capacity of councils through ongoing skills development and training.

Many professions require their members to gain a specific number of credit points each year by undertaking additional training. Relevant courses, seminars and other activities are allocated credit points on the basis of their duration and complexity.

Continuing professional development: Guidance questions

- 14) Should ongoing professional development be undertaken by elected members?
- 15) If so, what form should this take?

Training: Guidance question

- 16) Do you have any other suggestions or comments on training?

3. The behaviour of elected members

The Act regulates the conduct of local government elected members and employees through provisions that prescribe:

- that each local government must adopt a code of conduct to apply to elected members and employees (which is managed by individual local governments);
- a system for dealing with 'minor breaches' by elected members (which is administered by the Local Government Standards Panel);
- a process for dealing with 'serious breaches' by elected members (which is administered by the Department with referral to the State Administrative Tribunal);
- offences against the Act; and
- powers⁴ for the Minister and/or Department to investigate where conduct impacts the ability of the local government to perform its functions properly.

In 2015, responding to concerns about the timeliness and effectiveness of the process raised through the Local Government Governance Roundtable, a review of the *Local Government (Rules of Conduct) Regulations 2007* and associated minor breach complaint administration was initiated.

The 2015-16 review analysed minor breach complaints received by the Panel between November 2007 and November 2015, considered inter-jurisdictional models and undertook targeted consultation with departmental officers, Standards Panel members, the WA local government sector and the State Solicitor's Office.

The key concerns highlighted by the sector about the minor breach process during initial consultation were that:

- the process is perceived to be slow, legalistic and non-transparent; and
- there is low sector confidence in the Standards Panel and minor breach framework and concern that the original objectives are not being met.

The analysis of the minor breach complaints received since 2007 revealed that the regulations are poorly understood. Over 60 per cent of complaints received related to inconsequential conduct that posed no risk to the effective performance of the local government. The evidence suggested that many complainants appear to regard the system as a grievance mechanism, a political tool or a way to enlist the State in matters that should be resolved locally.

In contrast, some clearly dysfunctional behaviour that had potential to impact the effectiveness of council was found not to result in a minor breach because the conduct

⁴ under Part 8 of the Act

is not defined in the regulations or the conduct did not occur within the very narrow circumstances to which the regulation applies.

The focus of this 2015-16 review was on amendments to the regulations. The 2015-16 review also noted, however, that a relatively inflexible rules-based system is not well equipped to deal with the complexities of local government culture and sometimes volatile relationships, and is vulnerable to manipulations and misuse.

With the review of the Act it is timely to consider potential reforms to improve the overall framework for managing allegations of minor breaches.

3.1 Current Situation

Under the current Act, all local governments are required to have a code of conduct for elected members, committee members and employees.

This is in addition to rules of conduct set by regulations which elected members are required to observe. These are discussed in the following sections.

A code of conduct is required to include the information prescribed in the *Local Government (Administration) Regulations 1996*. This includes provisions relating to prohibited gifts, notifiable gifts, and disclosure of interest.

All other matters in a code of conduct are up to the local government to decide, as long as they are not inconsistent with the Act.

While codes of conduct are mandatory for local governments, they have limited enforceability. Non-compliance is to be dealt with by the local government as an internal disciplinary matter.

Across Australia

The differences between the systems in other States are contrasted below:

Jurisdiction	Code of conduct required?	Content	Enforceability for members and employees
Western Australia	Yes	The code must contain certain provisions as prescribed in regulations. The remaining content is left to the	Failure to comply with the code is interpreted as non-compliance with the Act. However, non-compliance is not defined as an

Jurisdiction	Code of conduct required?	Content	Enforceability for members and employees
		discretion of the local government, provided it does not contradict the Act.	offence or a form of misconduct in itself.
New South Wales	Yes	Local governments must adopt the model code of conduct as prepared by the Minister. The model may be supplemented with additional provisions, provided the existing model isn't contradicted.	Members who fail to comply with the code commit misconduct and can be reported for investigation. The code has no legislative effect on employees.
Victoria	Yes	The code must contain certain provisions as set in regulations. The remaining content is left to the local government's discretion, provided it does not contradict the Act.	Members who fail to comply with the code commit misconduct and can be reported for investigation. The code has no legislative effect on employees.
Queensland	No Conduct requirements are addressed by Act and Regulations. Code of conduct is optional.	None	The code has no application to councillors. Employees are required to comply with a code if one exists.
South Australia	No Conduct requirements are	None	Not applicable

Jurisdiction	Code of conduct required?	Content	Enforceability for members and employees
	addressed by the Act and Regulations. Code of conduct is optional.		
Tasmania	Yes	Local governments must adopt the model code of conduct as prepared by the Minister. Variations can be made if the regulations state that this variation is permitted. The model may be supplemented with additional provisions, provided the existing model isn't contradicted.	Members who fail to comply with the code commit misconduct and can be reported for investigation. The code has no legislative effect on employees.
Northern Territory	Yes	The code must contain certain provisions as set in regulations. The remaining content is left to the local government's discretion, provided it does not contradict the Act.	Members who fail to comply with the code commit misconduct and can be reported for investigation. The code has no legislative effect on employees.

As the above comparison shows, the jurisdictions differ regarding the requirements for a codes content.

Code of conduct requirements

As part of the review of the Act, the State Government is investigating whether codes of conduct are necessary and if so, whether the level of prescription should be changed.

The consideration of other jurisdictions raises potential options outlined below:

Option	Advantages	Disadvantages
Codes of conduct are no longer required.	<p>Increased autonomy for local governments.</p> <p>Mandatory conduct requirements could be addressed in regulations.</p>	<p>Local governments may not clearly specify (in any form) the standard of behaviour expected of employees and elected members leading to increased uncertainty about expectations.</p> <p>May require a strengthening of the Rules of Conduct Regulations.</p>
Codes of conduct are required but the content is left to the local government's discretion.	<p>Increased autonomy for local governments.</p> <p>Mandatory conduct requirements could be addressed in regulations.</p>	<p>Risk of code imposing improper requirements.</p> <p>Local governments may not clearly specify the standard of behaviour expected of employees and elected members leading to increased uncertainty about expectations.</p>
<p>Codes of conduct are required.</p> <p>The content of a code is partially prescribed in regulations, but is otherwise at the local government's discretion.</p>	Status quo	<p>Risk of code imposing improper requirements.</p> <p>Local governments may not clearly specify the standard of behaviour expected of employees and elected members leading to increased uncertainty about expectations.</p>

Option	Advantages	Disadvantages
<p>Codes of conduct are required.</p> <p>The content of a code is prepared by a local government and approved by the Minister.</p>	<p>The Minister's approval could prevent the imposition of improper or unclear requirements while maintaining local government autonomy.</p>	<p>Increased burden on Department and Ministerial staff to assess draft codes.</p> <p>Increased red tape.</p> <p>Reduced autonomy for local governments.</p>
<p>Codes of conduct are required</p> <p>Local governments must adopt a model code, with certain clauses subject to modification</p>	<p>Create more uniformity in the codes of conduct between districts.</p> <p>It will make codes of conduct easier to draft, since most of it will be derived from the model.</p>	<p>Reduced autonomy for local governments.</p>
<p>Codes of conduct are required.</p> <p>The codes will only cover the matters which local governments have a discretion to decide.</p> <p>All other matters are to be addressed in Act and Regulations.</p>	<p>The legislation will be reorganised to better reflect the role which a code of conduct serves.</p>	<p>These won't cause any practical changes to the current system.</p>

Codes of conduct: Guidance questions

- 17) Should standards of conduct/behaviour differ between local governments? Please explain.
- 18) Which option do you prefer for codes of conduct and why?
- 19) How should a code of conduct be enforced?

3.2 Regulation of elected member conduct: rules of conduct

Since 2007, the Act has provided for a disciplinary framework to deal with minor, recurrent and serious breaches of conduct by individual elected members. The minor breach system is intended to provide a mechanism to deter inappropriate conduct by individual elected members that may lead to council dysfunction, loss of trust between council and administration, impairment of the local government's integrity and operational performance, and a consequent reduction in public confidence. The current minor breach system complements local government codes of conduct with enforceable standards for specified conduct that focuses on governance and integrity.

The foundation of the minor breach system is the *Local Government (Rules of Conduct) Regulations 2007*⁵. This provides for the reporting of contraventions of the regulations to the Local Government Standards Panel, which comprises members appointed by the Minister.

The current regulations are very prescriptive and an opportunity exists to introduce reforms that provide greater flexibility and agility to resolving allegations of breaches.

Across Australia

Jurisdiction	
New South Wales	Councils are required to adopt a Model Code of Conduct which outlines the expected standards of behaviour. The Code is a legal document.
Victoria	<p>All councils must adopt a councillor code of conduct which needs to be publicly available on the council's website.</p> <p>There are various levels of misconduct:</p> <p>Misconduct – repeatedly contravenes the councillor conduct principles or does not comply with the internal resolution procedure or sanctions imposed for breaching the code;</p> <p>Serious misconduct – behaviour that is more disruptive to good governance at a local level;</p> <p>Gross misconduct – breaches of the councillor conduct principles and certain sections of the Local Government Act (Vic).</p>

⁵ enforced through the complaints process set out in Part 5 Division 9 of the Act

Jurisdiction	
Queensland	<p>The Local Government Act (Qld) sets out the conduct and performance of councillors. Councils are responsible for managing inappropriate behaviour (low level matters that are not misconduct).</p> <p>Matters of misconduct (defined in the Act) are referred to a regional conduct review panel or the Tribunal.</p> <p>A mandatory, uniform Code of Conduct is proposed.</p>
South Australia	<p>Code of Conduct for Council Members is published in the <i>Gazette</i>. The Code applies to all elected members.</p> <p>The Code addresses general principles with which an elected member must comply and determines what is misconduct.</p>
Tasmania	<p>Model Code of Conduct sets out the standard of behaviour for all Councillors.</p> <p>The Model addresses a range of matters, including decision making, conflict of interest, use of office and use of resources.</p>

Current situation

The Rules of Conduct Regulations provide the general principles to guide the behaviour of elected members, including that they should:

- act with reasonable care and diligence
- act with honesty and integrity
- act lawfully, and
- avoid damage to the reputation of the local government.

While it is not a rule that elected members have to observe the principles set out in the regulations, there are a number of rules where non-compliance constitutes a minor breach. Alleged breaches are considered by the Standards Panel.

The Rules of Conduct prescribe the following behaviour as a minor breach:

Disclosing information

Regulation 6 states that an elected member must not disclose information that an elected member derived from a confidential document or acquired from a closed meeting (unless the information was from a non-confidential document).

There are a number of exceptions, including if the information is already in the public domain or provided to an officer of the Department, the Minister or a legal practitioner for the purpose of obtaining legal advice.

Securing personal advantage or disadvantaging others

Regulation 7 states that an elected member must not make improper use of the person's office to gain advantage for the person or to cause detriment to the local government or any other person.

Misuse of local government resources

Regulation 8 prohibits an elected member from using the resources of a local government to persuade electors to vote in a particular way or for any other purpose unless authorised by council or the CEO.

Involvement in administration

Regulation 9 prohibits an elected member from undertaking a task that contributes to the administration of the local government unless authorisation is granted by the council or CEO.

Relations with local government employees

Regulation 10 provides that an elected member is not to direct, attempt to direct or attempt to influence a person who is a local government employee.

It also prohibits an elected member attending a council meeting, committee meeting or other event where members of the public are present, from making statements that a local government employee is incompetent or dishonest, or from using offensive or objectionable expressions about a local government employee.

Disclosure of interest

Regulation 11 defines an interest as *'an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association'*.

In accordance with the regulations, a person who has an interest in any matter that is to be discussed at a council or committee meeting is required to disclose the interest both in writing to the CEO and at the meeting before the matter is discussed.

Interests referred to in the Rules of Conduct Regulations differ from financial and proximity interests defined under the Act. An interest in accordance with the Rules of Conduct Regulations does not preclude a member from participating in the matter to be discussed. Rather the interest needs to be noted at the meeting and recorded in the minutes. It is a minor breach if an interest is not disclosed.

Option 1: Streamlined Rules of Conduct

Option 1 proposes that the Rules of Conduct are streamlined and more emphasis is placed on conduct that is likely to:

- be a detriment to the local government,
- result in council dysfunction, or
- impair public confidence in decision making.

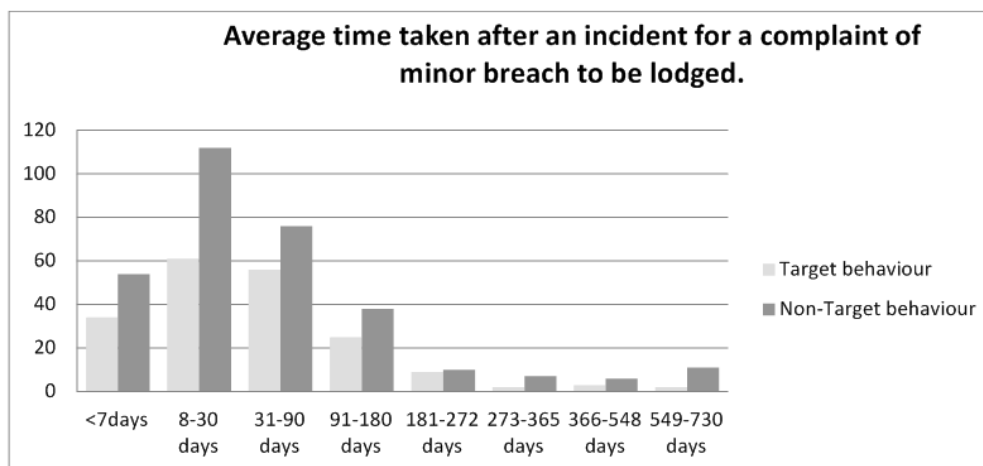
This option proposes to minimise the rules that constitute a minor breach and which are dealt with externally. It is intended that those which are removed will be captured under the local government's Code of Conduct and will be dealt with locally. This reinforces the principle of autonomy.

The streamlined rules will focus on:

- misuse of information,
- disclosure of interest, and
- securing personal advantage or disadvantaging others.

This will increase the responsibility of local governments to manage disputes at a local level. Matters relating to relationships between elected members, and between staff and elected members, could be seen to be more appropriately dealt with at a local level. This could result in those types of issues being dealt with more rapidly and before they escalate.

A review of complaints has identified that most complaints are made within three months of the incident, with very few made later than six months, as identified in the graph below.



Target behaviour is that which has significant potential consequences for local government integrity, performance or reputation. Non-target behaviour has no significant consequences for the local government.

The time limit for submitting a complaint could be reduced from the existing two years after the incident to three months, with a provision for an extension of up to 12 months to be granted in exceptional circumstances.

Streamlined rules of conduct: Guidance questions

- 20) Do you support streamlined Rules of Conduct regulations? Why?
- 21) If the rules were streamlined, which elements should be retained?
- 22) Do you support a reduction in the time frame in which complaints can be made? Is three months adequate?

Option 2: Revised disciplinary framework

Option 2 proposes that a disciplinary framework that is less prescriptive and more outcome-based is introduced. Such a scheme would require elected members to refrain from conduct likely to impair the integrity, operational performance or reputation of the local government, and they would be held accountable should they fail to do so. The focus would be on abuses of position, breaches of trust, dishonesty and bias that can be demonstrated.

Rule-based disciplinary models, such as the current minor breach system, are generally not able to capture all dysfunctional conduct, or exclude all minor lapses that might result in vexatious complaints. A more flexible outcome-based misconduct management model may provide greater focus on the impact, intent and context of the conduct. The investigation, evidence gathering and determination process required is likely to be considerably more resource intensive compared to the current situation or Option 1.

In a practical sense, the current Rules of Conduct regulations would be repealed and the Act would be amended to set out that an elected member is to refrain from:

- impairing the integrity of the local government;
- impairing the operational performance of the local government;
- impairing the reputation of the local government; and
- any other matters as set out in regulations.

All complaints where a person believed that the outcomes were breached would be submitted through the local government complaints officer (usually the CEO) to the

reviewing body. The reviewing body would assess complaints based on whether the integrity, operational performance or reputation of the local government has been impaired, rather than whether a breach of a specific regulation has occurred. This proposal may create uncertainty as to what behaviours would constitute a breach and could result in an increase in the number of complaints received.

As with Option 1, the time limit for submitting a complaint could be reduced from two years after the incident to three months, with provision for an extension of up to 12 months to be granted in exceptional circumstances.

The options for complaint management are discussed in the next section.

Revised disciplinary framework: Guidance questions

- 23) Do you support an outcome-based framework for elected members? Why or why not?
- 24) What specific behaviours should an outcomes based framework target?

3.3 Other matters recommended in the 2015-16 review

Application of Rules of Conduct

The 2015-16 review recommended that the rules governing behaviour be extended to candidates in local government elections. In this case sanctions would only apply for any minor breaches if the candidate was ultimately elected. This change would ensure that all nominees for election would be held to the same high standard of behaviour, as currently councillors seeking re-election must conform with the rules of conduct while other nominees do not.

Application of the Rules of Conduct: Guidance question

- 25) Should the rules of conduct that govern behaviour of elected members be extended to all candidates in council elections? Please explain.

Offence provisions

It was further proposed that the restriction relating to improper use of information acquired in the performance of their role apply to persons who were formerly elected members, for a period of 12 months after their separation from local government. This offence carries a maximum penalty of \$10,000 or imprisonment for 2 years, and currently only applies to elected members, committee members and employees.

Offence Provisions: Guidance questions

- 26) Should the offence covering improper use of information be extended to former members of council for a period of twelve months? Why?
- 27) Should this restriction apply to former employees? Please explain.

Confidentiality

Currently, the Act restricts a person who makes a complaint or becomes aware of any detail of a complaint made during the campaign period from disclosing that a complaint has been made or any details. This restriction applies up until election day. This provision was inserted to prevent the complaints system being used as a tool in an election period against a candidate seeking re-election.

The 2015-16 review proposed that this restriction on the disclosure of the existence or details of a complaint apply at all times and not only during campaign periods.

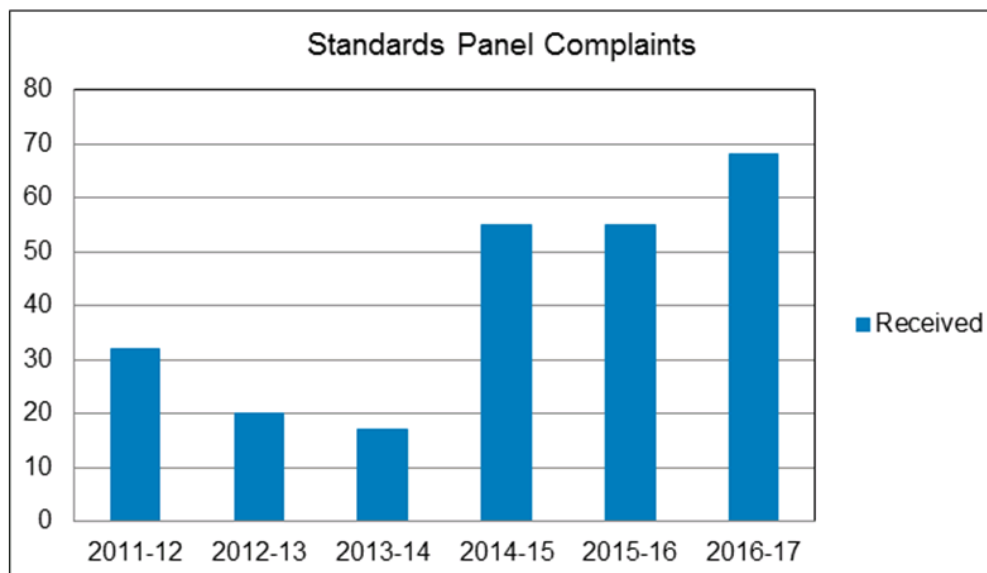
Confidentiality: Guidance question

- 28) Is it appropriate to require the existence and details of a complaint to remain confidential until the matter is resolved? Why?

3.4 Reforms to the Local Government Standards Panel and the means to review alleged breaches of the Rules of Conduct Regulations

The Local Government Standards Panel⁶ currently reviews alleged breaches of the Rules of Conduct Regulations. In practice, most local governments and most elected members have little or no contact with the minor breach system. Between the commencement of the system in late 2007 and August 2015, 68 per cent of the total minor breach allegations (343 allegations out of 507 in total) were generated from less than 10 per cent of the State's local governments and involved complaints against just 6 per cent of all elected members. 80 local governments have not used the system at all.

A graph of the number of complaints received by the Panel since 2011-12 shows that there have been large increases in complaints over the past three financial years.



While the minor breach system appears to be supported in principle by the local government sector, the current system can be slow, and does not necessarily allow for early intervention to address inappropriate behaviour. The significant number of complaints – and procedural fairness requirements – mean that the process is lengthy. The goal to deter inappropriate conduct by individual elected members may consequently be lost. A breach finding may be an overreaction to a matter which is relatively minor, and which could be better dealt with in other ways.

⁶ The Standards Panel is established by the Minister under section 5.122 of the Act and provisions about the Panel are outlined in Schedule 5.1.

Of the 59 complaints of minor breach that were finalised by the Panel during 2016-17⁷, the Panel made findings that:

- 14 minor breaches had occurred
- No minor breach had occurred in relation to 22 complaints.

Of the remaining complaints:

- There were five complaints that were finalised on the basis that the Panel did not have jurisdiction to consider them or there was no allegation of minor breach.
- There were 10 complaints which were finalised by becoming suspended as a consequence of the councillor, the subject of the complaint, ceasing to be an elected member.
- The Panel refused to deal with eight complaints because it was satisfied that the complaints were either frivolous, trivial, vexatious, misconceived or without substance.

Across Australia

Jurisdiction	
New South Wales	Local governments are required to manage any breach to the Model Code of Conduct at a local level, including the appointment of a person to review allegations. Council is required to establish by resolution a panel of conduct reviewer. Councils may share a panel of conduct reviewers ⁸ .
Victoria	<p>Local government councils are required to have an internal resolution procedure to address a breach of a code of conduct, including providing for an independent arbiter.</p> <p>If the elected member does not comply with the internal resolution process or repeatedly breaches the code of conduct (considered misconduct), the breach is referred to an independent Councillor Conduct Panel. The Councillor Conduct Panel is established by the Minister for Local Government and comprises legal and non-legal members (five members in total).</p>
Queensland	The Regional Conduct Review Panel is an independent body established under the <i>Local Government Act 2009</i>

⁷ Local Government Standards Panel Annual Report 2016-17

[http://www.parliament.wa.gov.au/publications/tailedpapers.nsf/displaypaper/4010618aa75348cc3a9c03324825819a0019a8c7/\\$file/618.pdf](http://www.parliament.wa.gov.au/publications/tailedpapers.nsf/displaypaper/4010618aa75348cc3a9c03324825819a0019a8c7/$file/618.pdf)

⁸ <https://www.olg.nsw.gov.au/sites/default/files/Procedures-for-Administration-of-Model-Code-of-Conduct.pdf>

Jurisdiction	
	<p>(Qld) to hear and decide on complaints of misconduct. The Panel consists of three members from a pool of suitably qualified persons appointed by the Department. The Panel is supported by the Department.</p> <p>A Remuneration and Discipline Tribunal is also established to deal with remuneration for elected members and determine cases of serious misconduct. The Tribunal consists of three people appointed by the Governor.</p> <p>Changes are proposed to this system following a report tabled in Parliament in July 2017 recommending the introduction of an Independent Assessor to consider all complaints against councillors⁹. The Assessor will be able to assess and prosecute complaints.</p> <p>The report follows an independent Councillor Complaints Review Panel that was appointed in April 2016 to review how complaints about local government councillors were dealt with¹⁰.</p>
South Australia	<p>The Code of Conduct outlines the review process for complaints and misconduct.</p> <p>Complaints of misconduct, which are specified in the Code of Conduct, can be reported to the Council, Ombudsman, Electoral Commission (for specific breaches) or Office for Public Integrity.</p>
Tasmania	<p>The Minister has established a Local Government Code of Conduct Panel which is responsible for the investigation and determination of code of conduct complaints.</p>

Option 1: Status Quo

Option 1 is to maintain the Status Quo where all complaints against the Rules of Conduct Regulations are referred to the Standards Panel. The three person Panel consists of a person from the Department, a person who has experience as a member of a council and a person with relevant legal knowledge.

⁹ <https://www.dilgp.qld.gov.au/resources/publication/local-government/councillor-complaints-review-report-government-response.pdf>

¹⁰ <https://www.dilgp.qld.gov.au/resources/publication/local-government/councillor-complaints-review-report.pdf>

While the Act provides that more than one panel can be established, to date only one has been created. Currently, the Panel meets at least monthly and considers four or more complaints at each meeting, depending on the complexity of the complaints.

Local governments are charged for processing minor breach complaints. The fee reflects the time spent by the legal panel member on the complaint. No fee is charged to the person making the complaint, and elected members found to have committed a breach are not required to repay the local government.

Local governments paid approximately \$1,187 per complaint in 2016-17 (with an average of 1.7 allegations per complaint), but the real cost to the public is likely to be several times this amount, once State and local government administrative costs are factored in, including the time of the other panel members. In addition there are intangible costs such as reduced local government productivity and distress to participants.

Amendments made to the Act in 2016 introduced the ability for the Panel to refuse to consider frivolous, vexatious and misconceived complaints and those lacking in substance. While potentially reducing the time taken to consider and rule on complaints, resources are still required for assessment and the recording of decisions.

Option 2: Sector Conduct Review Committees

Under this option, minor breach complaints would be processed by the local government complaints officer and forwarded to a sector-based Conduct Review Committee.

The Conduct Review Committee would be limited to the following actions:

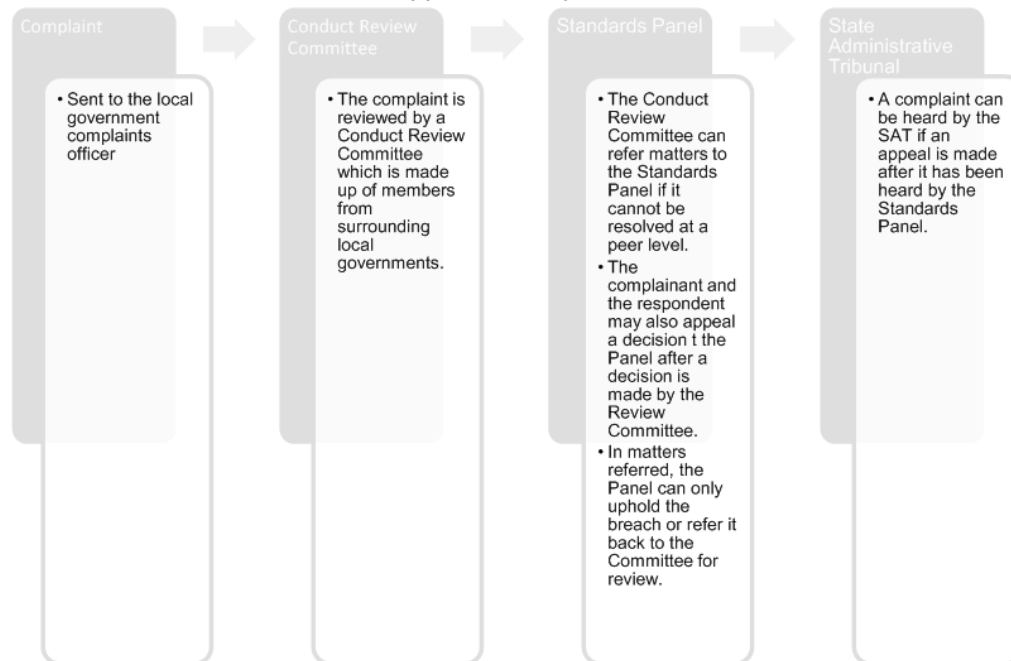
- dismissing the complaint due to non-compliance
- dismissing the complaint for being trivial, frivolous or vexatious or without substance
- ordering mediation
- ordering a public apology
- directing the complaint to the Standards Panel.

The Conduct Review Committee could refer a matter to the Standards Panel if it believes that a breach warrants the Panel's involvement. Regulations could prescribe matters that must be sent directly to the Panel.

Under this model, a pool of potential members for the Conduct Review Committee would be established. Membership could be sought from one or more of the following groups: elected members, people with local government experience and independent stakeholders. Appointments to the pool could be made by the Director General of the Department, which is consistent with the Queensland model. Alternatively,

assessment of the applications to be included in the pool could be made jointly by the Director General of the Department, WALGA and LG Professionals WA.

The flow chart below outlines the approach of Option 2:



A party to the complaint would be able to seek a review by the Standards Panel, with regulations setting out the circumstances where this could occur. The State Administrative Tribunal would remain the ultimate appeal body.

The local government from which the complaint originated would be responsible for the cost of establishing the Conduct Review Committee, including travel and accommodation expenses. This option may incur additional costs to cover committee membership expenses.

It is expected that this option would reduce the number of complaints referred to the Standards Panel and would speed up the review of minor breach complaints. A further potential advantage is that it could lead to greater support being provided by the sector to a local government that was experiencing multiple complaints being lodged.

Guidelines could be prepared similar to those in New South Wales for the Conduct Review Panels to assist Conduct Review Committee members understand their duties and obligations.

Sector conduct review committees: Guidance questions

- 29) What do you see as the benefits and disadvantages of this model?
- 30) What powers should the Conduct Review Committee have?
- 31) In your opinion what matters should go directly to the Standards Panel?
- 32) Who should be able to be a member of a panel: elected members, people with local government experience, independent stakeholders?
- 33) Who should select the members for the pool?
- 34) How many members should there be on the Review Committee?
- 35) Are the proposed actions for the Review Committee appropriate? If not, what do you propose?

Review of elected member non-compliance: Guidance questions

- 36) Which of the options for dealing with complaints do you prefer? Why?
- 37) Are there any other options that could be considered?
- 38) Who should be able to request a review of a decision: the person the subject of the complaint, the complainant or both?

3.5 Sanctions and other Standard Panel matters

Section 5.110(6) of the Act outlines the actions that the Standards Panel can impose when a minor breach is found:

- dismissing the complaint (the breach is found but no sanction is applied)
- ordering that the person must undertake specified training
- ordering that the person must publicly apologise
- ordering that the person be publicly censured.

Across Australia

Jurisdiction	Available sanctions
New South Wales	A full spectrum of sanctions is available as matters can be dealt with by councillors, the general manager or the New South Wales Civil and Administrative

Jurisdiction	Available sanctions
	Tribunal. This includes censure, training and the requirement to apologise.
Victoria	<p>Following an internal review of a code of conduct breach, a council can:</p> <ul style="list-style-type: none"> • direct an elected member to apologise • direct an elected member to not attend up to, but not exceeding, two council meetings • remove the elected member from committees or representative roles of the local government.
Queensland	<p>The Remuneration and Discipline Tribunal, which considers cases of misconduct, has various powers available including ordering that an elected member:</p> <ul style="list-style-type: none"> • receive counselling • make an apology • participate in mediation with another person • forfeit an allowance, payment, benefit or privilege • reimburse or make a payment to the local government. <p>The Tribunal can also recommend to the Director General of the Department that they monitor the councillor or local government for compliance with the Local Government Act.</p> <p>The Tribunal can recommend to the Minister that the councillor is suspended or dismissed or can make a recommendation to the Crime and Misconduct Commission or Police Commissioner to further investigate the conduct.</p>
South Australia	<p>Sanctions available to councils when dealing with complaints include:</p> <ul style="list-style-type: none"> • take no action • pass a censure motion • request a public apology (written or verbal) • request the member attend specific training • resolve to remove or suspend the member from a position within council • request the member repay monies to the council.
Tasmania	A Code of Conduct Panel can apply the following sanctions:

Jurisdiction	Available sanctions
	<ul style="list-style-type: none">• a caution• a reprimand• an apology• counselling or training• suspension from office for up to three months (no allowances).
Northern Territory	<p>A Local Government Disciplinary Committee can impose the following sanctions:</p> <ul style="list-style-type: none">• take no disciplinary action• reprimand the member• impose a fine• recommend to the Minister the member is removed from office.

Mediation

The Standards Panel cannot currently order that mediation is undertaken. A benefit of mediation is that it could address underlying issues and lack of understanding between elected members or between an elected member and another person. This is likely to lead to improved ongoing relationships and reduce the likelihood of the breach recurring.

Mediation: Guidance question

- 39) Do you support the inclusion of mediation as a sanction for the Panel? Why or why not?

Prohibition from attending council meetings

In some cases, minor breach complaints relate to inappropriate behaviour at council meetings. If an elected member is found to have committed a minor breach of this nature, it may be useful if the Panel could direct the member to not attend council meetings for a set period. While this could be seen as a circuit breaker, it must be noted that there is likely to be a considerable period between the inappropriate behaviour and the sanction.

The member would not be suspended from undertaking their other duties as an elected member. This sanction could have a financial impact on the elected member if they are not eligible for sitting fees or allowances associated with attendance at those council meetings.

Prohibition from attending council meetings: Guidance questions

- 40) Do you support the Panel being able to prohibit elected members from attending council meetings? Why or why not?
- 41) How many meetings should the Panel be able to order the elected member not attend?
- 42) Should the elected member be eligible for sitting fees and allowances in these circumstances?

Compensation to the local government

Another sanction option could be to require the person who has been found to have committed a minor breach to pay the local government an amount of compensation. The amount that could be ordered would have a limit, such as \$10,000. It is expected that this sanction would only be imposed in circumstances where there has been a clear financial impact to the local government.

This option exists under the equivalent breach systems in Tasmania, the Northern Territory, Queensland and South Australia.

Compensation to the local government: Guidance questions

- 43) Do you support the Panel being able to award financial compensation to the local government? Why or why not?
- 44) What should the maximum amount be?

Complaint administrative fee

This option proposes that a fee accompanies a complaint when it is lodged with a complaints officer. In the event that a breach is found, the fee would be refunded to the complainant. If no breach is found, the fee would be retained by the Department to partly off-set some of the administrative costs associated with the panel proceedings.

The benefit of requiring a complainant to pay a fee is twofold. Firstly, it would encourage complainants to only lodge a complaint where, in their opinion, there is strong evidence of a breach. It is expected that this would encourage more complaints to be dealt with at a local level and reduce the use of the Panel as a mechanism for dealing with personal grievances.

Secondly, a reduction in the number of trivial or vexatious complaints that need to be considered by the Panel will allow the Panel to consider breaches which may be causing serious dysfunction in a more expedient manner.

An administration fee for lodging an application is currently required by other bodies, such as the Liquor Commission Western Australia and Racing Penalties Appeal Tribunal.

Complaint administrative fee: Guidance questions

- 45) Do you support this option? Why or why not?
- 46) Do you believe that a complaint administrative fee would deter complainants from lodging a complaint? Is this appropriate?
- 47) Would a complaint administrative fee be appropriate for a sector conduct review committee model? Why or why not?
- 48) What would be an appropriate fee for lodging a complaint?
- 49) Should the administrative fee be refunded with a finding of minor breach or should it be retained by the Department to offset costs? Why or why not?

Cost recovery to the local government

An alternative to imposing a financial sanction is to require the elected member who has committed the breach to reimburse the local government the cost of the panel proceedings. Currently, the local government pays the cost.

Cost recovery to local government: Guidance questions

- 50) Do you support the cost of the panel proceedings being paid by a member found to be in breach? Why or why not?

Publish complaints in the annual report

This proposal is that local governments are required to publish in their annual report the number of minor breach allegations, the number of findings of breach and the costs reimbursed to the Standards Panel relating to those complaints. This would increase transparency to the community and make elected members more accountable for their actions.

This is a requirement under the Tasmanian framework for dealing with the conduct of elected members. New South Wales also requires a statistical report of complaints to be published within three months of the end of September each year.

Publication of complaints in the annual report: Guidance question

- 51) Do you support the tabling of the decision report at the Ordinary Council Meeting? Why or why not?

Table decision report at Ordinary Council Meeting

This proposal is that the council is required to table any decision reports which result from a minor breach finding against one of their elected members at the next Ordinary Council Meeting that is open to the public.

Currently where there is a breach finding the report is published on the Department's website. This proposal is more likely to ensure that all elected members and the local community are made aware of the minor breach finding.

This is a requirement under the Tasmanian framework. It is expected to increase transparency while acting as a deterrent.

Tabling decision report at Ordinary Council Meeting: Guidance question

- 52) Do you support this option? Why or why not?

3.6 Elected member interests

The Act requires elected members to disclose any financial interest they have. They are not allowed to participate in decision making related to that interest¹¹.

Section 5.63(f) provides an exemption for members of not-for-profit organisations. Specifically, it states that if a member is, or intends to become, a member of a not-for-profit organisation, the member does not need to disclose a financial interest.

They are, however, required to disclose what is known as an 'impartiality interest' under the Rules of Conduct Regulations. This must be recorded in the minutes of the relevant meeting but does not limit the member from participating in the decision making.

This option proposes that the Act is amended to remove the exemption. This would mean that members of not-for-profit organisations would no longer be able to participate in discussion or decision making on matters relevant to that organisation.

¹¹ Part 5, Division 6

While this would limit elected members' ability to use their role to potentially benefit their organisation, it could also interfere with the decision making of councils. Elected members are often very involved with their communities and are members of various community groups. It is possible that a majority of elected members could be members of the same not-for-profit organisation. If they are prohibited from participating in decisions that relate to those groups, it could affect the ability of council to make a decision if there is no longer a quorum. The Act, however, contains two provisions to mitigate that risk.

Where a member has disclosed an interest, the other elected members at the meeting can decide that the interest is so trivial or insignificant to be unlikely to influence the member's conduct or that the interest is common to a significant number of electors or ratepayers.¹² In these circumstances the other elected members can allow that member to participate in the discussions and vote on the matter. This must be recorded in the minutes.

An application can also be made to the Minister by the council or CEO when an interest has been disclosed.¹³ The Minister may decide to allow one or more members to participate in the decision making where this is necessary to provide a quorum or where it is in the public interest. The Minister can impose conditions on such an approval.

It could be argued that declaring an impartiality interest and having it recorded in the minutes is adequate to ensure transparency and accountability.

Elected member interests: Guidance questions

- 53) Should not-for-profit organisation members participate in council decisions affecting that organisation? Why or why not?
- 54) Would your response be the same if the elected member was an office holder in the organisation?

Improving the behaviour of elected members: Guidance question

- 55) Do you have any other suggestions or comments on this topic?

¹² Under s 5.68

¹³ Under s 5.69

4. Local government administration

4.1 Recruitment and selection of local government Chief Executive Officers

Local governments are given considerable autonomy when it comes to employing a CEO. The Act requires a local government to employ a CEO that the council believes is suitably qualified.¹⁴ Regulations require the council approve the process used to select and appoint a CEO before the position is advertised. The Act also requires that the CEO's performance should be reviewed by council at least once per year. Local government CEOs are appointed under a contract with a maximum duration of five years.

As the employing authority, the council has the power to employ, review the performance and dismiss a CEO ensuring that the CEO remains accountable to the council. Some elected members believe, however, that CEOs have too much power, leaving the council with no option but to renew a CEO's contract and to agree to the conditions requested.

High profile cases of governance failures in recent years indicate that, in some cases, selection outcomes could be improved. Likewise, a common issue expressed by small, regional councils is the difficulty in attracting high-calibre candidates. Reforms to the way CEOs are recruited and selected would potentially assist in expanding the pool of recruits and finding the right people.

The importance of an effective local government CEO with a strong and healthy relationship with council has been identified by multiple independent inquiries including the 2012 Metropolitan Local Government Review (the Robson Report) and inquiries into the Cities of South Perth (2002) and Canning (2014), the 2003 report on the Act by the Western Australian Parliament Standing Committee on Public Administration and Finance, and the Corruption and Crime Commission's report into the actions of the former CEO of the Shire of Dowerin.

The pitfalls associated with CEO recruitment were highlighted in the independent inquiry into the City of Joondalup in 2005. Among other things, the inquiry found that the council had failed to run an appropriate selection process for their CEO which resulted in the appointment of a candidate who had misrepresented their qualifications. This ultimately led to the dismissal of the council. While the example from the City of Joondalup is over a decade old and can be viewed as an isolated incident, the provisions in the Act concerning CEO recruitment remain largely

¹⁴ Section 5.36

unchanged. Furthermore, it demonstrated that such issues can impact local governments regardless of their size.

This section examines whether improvements can be made in this area.

Across Australia

Jurisdiction	Provisions
New South Wales	New South Wales requires councils to use a merit based selection process and abide by equal employment opportunity provisions.
Victoria	A council must appoint a person after it has invited applications in a state-wide newspaper. In its Directions for a new Local Government Act paper, it is proposed to introduce the requirement for the Mayor to obtain independent advice when overseeing CEO recruitment.
Queensland	A council must appoint a 'qualified' person to be its CEO. A qualified person is someone that has the ability, experience, knowledge and skills that the local government considers appropriate.
South Australia	Councils are required to advertise the position in a state-wide newspaper and appoint a selection panel to make recommendations to the council on an appointment.
Tasmania	Councils are required to advertise the position but the Act does not currently prescribe principles or a detailed process. The draft bill provides the Minister with powers to specify the principles governing the selection of a general manager and their performance management.
Northern Territory	Legislation requires councils appoint CEOs in accordance with the relevant Ministerial guidelines.

Option 1: Local governments to engage the services of the Public Sector Commission to provide support and guidance to council during the selection of a CEO

A case has previously been made, most prominently in the 2012 Robson Report, that the Public Sector Commission (PSC) should be involved in the selection of local government CEOs. The rationale for this proposal is four-fold:

- the PSC is currently responsible for leading the recruitment of State Government agency CEO positions by examining the applications and making a recommendation to the Government;
- the expertise of elected members, as democratically elected representatives, may not necessarily extend to CEO recruitment and selection;
- elected members may not have the resources required to undertake a suitably intensive and wide-reaching recruitment and selection process to select a high-performing CEO, particularly if this process is to be conducted independently of the existing CEO; and
- local governments in regional areas have frequently reported difficulties in attracting suitably-qualified candidates. The involvement of the PSC in recruitment could expand the pool of available candidates.

Local governments could be encouraged, or required through amendments to the Act, to use the expertise of independent people approved by the PSC, or the PSC itself. Currently, local governments may use the services of a recruitment agency or other independent assistance. However, concerns exist with the overall quality and consistency of this support and the capacity of small local governments to pay for private recruitment services.

By adapting the process used to recruit State government CEOs, the PSC could support councils with recruitment by providing a shortlist of applicants. Council would then determine whether to appoint one of the shortlisted candidates or an alternative candidate.

Option 2: Councils to involve third-parties in CEO selection

The knowledge and experience within Western Australia's local government sector and the public sector more broadly represents an underutilised resource for councils when selecting a CEO. Greater assistance could be provided in two areas: in assisting with, or participating on the selection panel in an advisory capacity.

Under this approach, a list would be maintained of approved providers that are 'accredited' to provide expert advice to local governments during the selection of a CEO. The support provided could include general advice, recruitment and short-listing services, background checks on candidates and support to selection panels. Importantly it could include early discussion on the particular skills and experience required by the CEO to deliver that local government's Strategic Community Plan under direction of the council.

The list of approved people could include private recruitment agencies, representatives from peak bodies and independent senior public servants.

The availability of approved providers would ensure that all councils could access high-quality recruitment services. Local governments would be required to meet the costs associated with contracting private recruitment specialists but would benefit from a high-quality recruitment process.

This approach also proposes reforms that require a council to include an experienced panel member from another local government, peak body or public sector agency on the selection panel. This could improve the diversity of panels and better equip local governments in making this important decision.

Several entities may be suitable to perform the role of accrediting representatives: This could include the Department, the Local Government Advisory Board, or the Public Sector Commission.

Option 3: Local governments to adopt a CEO recruitment standard

A CEO recruitment standard could be developed in consultation with the sector. It could be required that local governments adopt the standard through amendments to the Act, or the sector could be supported in the application of the standards, by the PSC or other relevant third parties.

The standard could formalise the existing guidance on good practice for CEO recruitment and detail the matters that local governments should have regard to when selecting a CEO. It would set out steps or processes that should be undertaken.

The standard could draw on best practice guidance published by the Public Sector Commission and describe the characteristics and attributes that a CEO should possess together with desirable experience, competencies and qualifications.

Option 4: Status Quo

A council's autonomy in selecting a CEO is a fundamental element of the current Act. Reforms to the way CEOs are selected may be seen as a restriction on the autonomy of local governments. Most CEOs employed in the sector are highly competent and manage their local governments effectively. In addition, it can be argued that local government CEO positions are unique and elected members, who must work closely with their CEO, are best positioned to select a candidate. This does not, however, address any lack of skills or experience in the elected members who are undertaking the selection process.

Recruitment and selection of local government CEOs: Guidance questions

- 56) Would councils benefit from assistance with CEO recruitment and selection? Why?
- 57) How could the recruitment and selection of local government CEOs be improved?
- 58) Should the Public Sector Commission be involved in CEO recruitment and selection? If so, how?
- 59) Should other experts be involved in CEO recruitment and selection? If so, who and how?
- 60) What competencies, attributes and qualifications should a CEO have?

4.2 Acting Chief Executive Officers

From time to time due to the absence of the CEO it is necessary for the local government to appoint an acting CEO. Absences can be temporary, when the CEO is on leave or temporarily absent for other reasons; or permanent, when the CEO has resigned, died or when the CEO's employment has been terminated.

The Act states that an employee may act in the position of the CEO or senior employee for a term not exceeding one year without a written contract.¹⁵ The Act is silent as to who has the responsibility for appointing the acting CEO.

Competing arguments exist as to whether the appointment of an acting CEO should be the responsibility of the CEO, council, or council in conjunction with the CEO. It can also be argued that there is a difference between the appointment of an acting CEO for a temporary absence and a situation where the appointed CEO will not be returning to the position.

The process for appointing an acting CEO is usually set out in council policy. In the absence of such a policy, this matter can cause confusion, especially if the CEO is absent unexpectedly.

¹⁵ Section 5.39(1a)

Across Australia

Jurisdiction	Provisions
New South Wales	Appointed by council, although legislation is silent on temporary vacancies for short term absences.
Victoria	Nil
Queensland	The council appoints a qualified person to act in the absence of the CEO.
South Australia	If the CEO is absent and there is a deputy, the deputy acts as the CEO. If not, the acting CEO is appointed by council.
Tasmania	Acting CEOs are appointed by the mayor and confirmed by the council. The legislation is silent on temporary vacancies.
Northern Territory	If the CEO is absent and there is a deputy, the deputy acts as the CEO. If not, the CEO nominates a person and informs the council.

As illustrated above there is no one approach that has been adopted across Australia.

Acting CEOs: Guidance questions

- 61) Should the process of appointing an acting CEO be covered in legislation? Why or why not?
- 62) If so, who should appoint the CEO when there is a short term temporary vacancy (covering sick or annual leave for example)?
- 63) Who should appoint the CEO if there will be vacancy for an extended period (for example, while a recruitment process is to be undertaken)?

4.3 Performance review of local government Chief Executive Officers

The Act requires that the performance of each employee who is employed for a term of more than one year, including the CEO, is to be reviewed at least once every year.¹⁶ While the CEO is responsible for reviewing the performance of officers, it is the council that is solely responsible for reviewing the CEO's performance.

¹⁶ Section 5.38

Councils have significant autonomy in selecting the method and means to review the performance of the CEOs. Some councils appoint a sub-committee of elected members, while others use external independent experts, including WALGA, to assist the process. For some councils, this can be a cursory assessment.

Reviewing the performance of a CEO is a critical matter. Like recruitment, elected members may not have any expertise in performance review. The review of a CEO's performance can be particularly difficult when relationships between the council and CEO are not professional. Both hostile and overly friendly relationships between council and CEO can be equally problematic.

Across Australia

Jurisdiction	Provisions
New South Wales	<p>Section 338 of the NSW <i>Local Government Act 1993</i> requires general managers and other senior council staff to be employed under performance based contracts and empowers the Chief Executive of the Office of Local Government to approve a standard form of contract for the general manager and senior staff.</p> <p>Part 7 of the approved standard contract for General Managers requires councils and General Managers to enter into a performance agreement setting out agreed performance criteria and for their performance to be reviewed regularly based on the performance criteria</p> <p>The role of the mayor prescribed under legislation includes to lead performance appraisals of the general manager in consultation with the councillors.</p> <p>The Office of Local Government has issued guidelines on the appointment and oversight of general managers. These include information on convening of performance review panels, their membership and the performance review process.</p> <p>Councils are required to consider the guidelines.</p>
Victoria	<p>At least once each year a council must review the performance of its Chief Executive Officer (section 97A(1) of the <i>Local Government Act 1989</i> (Vic)).</p> <p>The Chief Executive Officer's contract of employment must specify performance criteria for the purpose of that person's performance reviews (section 95A(2)).</p> <p>There is currently no legislative requirement for a council to engage independent advice regarding Chief Executive Officer performance matters, nor is there an existing</p>

Jurisdiction	Provisions
	<p>requirement for a council to maintain a policy concerning Chief Executive Officer performance.</p> <p>Reforms are being considered that will require all councils to have a CEO remuneration policy that broadly aligns with the policy that applies to executive positions in the Victorian Public Service.</p> <p>The directions paper also proposes that each council's audit and risk committee monitor and report on the council's performance against the remuneration policy, and further proposes that councils obtain independent professional advice in overseeing CEO recruitment, contractual arrangements and performance monitoring.</p>
Queensland	<p>The council is solely responsible for the performance review of the CEO as led by the Mayor and has autonomy to do so (nothing is prescribed). This often involves a group led by the Mayor, sometimes consultants are involved and sometimes it involves all councillors led by the Mayor.</p>
South Australia	<p>The <i>Local Government Act 1999</i> (SA) does not prescribe specific standards or processes in relation to CEO performance.</p> <p>Each council must have a chief executive officer. The CEO's performance standards are set by council. Section 97(1)(iv) of the Act enables termination of the CEO's appointment based on, amongst other things, failings of '...any performance standards specified by the council or in any contract relating to his or her appointment'.</p> <p>Section 99 covers the functions and some expectations of the CEO role and the Act contains other requirements of the CEO, however, does not contain quantitative performance measures.</p> <p>The Office of Local Government publishes guidance material for councils. This material addresses the selection process for a CEO but does include a short section covering the setting of CEO performance criteria by a council.</p>
Tasmania	<p>Section 28(2)(d) of the <i>Local Government Act 1993</i> requires the council to appoint and monitor the performance of the General Manager. External recruitment firms specialising in executive appointments are often engaged to assist with the appointment process, but are not mandated in legislation.</p> <p>Councils generally appoint a Council Committee under section 23 of the Act to undertake performance reviews of General Managers and report to the full council. Some</p>

Jurisdiction	Provisions
	councils engage external consultants to assist with the performance review process but again this is not mandated. Amendments to the Act are currently being developed that would give a power to the Minister to develop Ministerial Orders regarding the appointment and performance of general managers. Specifically the Order would provide the processes and procedures to be followed by a council in monitoring the performance of a General Manager.
Northern Territory	While the Minister in the Northern Territory has issued guidance material, CEO performance review is a matter for the council.

Option 1: Approved third-party to be involved in the performance review of CEOs

As councils work with CEOs daily, they are uniquely positioned to assess CEO performance. Providing additional tools such as guidance material for councils to review performance is an alternative to legislative reform. Without the skills or expertise to use these tools, however, they may be of little benefit.

Elected members do not necessarily have the competencies or experience in conducting performance reviews and may face difficulties balancing the professional performance of the CEO with community concerns about the implementation of unpopular decisions.

Involving an approved third-party can mitigate some of these challenges and ensure that CEO performance is assessed based on evidence. It may result in more rigorous and fair performance reviews.

The Public Sector Commission manages performance agreements with State Government agency CEO's and equivalents. The role of the Public Sector Commission to participate in local government CEO performance reviews could be expanded by:

- providing advice to local governments;
- maintaining panels of experts that local governments could contract to assist with reviews; or
- participating in performance reviews with councils.

Other experts that local governments could involve include experienced elected members or senior public servants. Alternatively, councils could contract services from WALGA or other consultants.

Option 2: Local governments to adopt a CEO performance review policy

Councils adopting a CEO performance review policy that contains specified elements could achieve greater consistency between local governments and result in more rigorous and fair performance reviews.

Items to be included within a CEO performance review policy could include:

- who is required to participate in the performance review; and
- what matters should be considered in the review such as key performance indicators, benchmarks and progress towards achieving the Strategic Community Plan and Corporate Business Plan.

Requiring local governments to adopt a CEO performance review policy would mandate a practice that is already employed by some local governments across the State but could provide further guidance on the contents of such policies. This in turn may result in improvements to the conduct of CEO performance reviews.

Option 3: Local governments to conform to a standard for CEO performance review

Providing a standard for CEO performance review represents another option that could achieve greater consistency, fairness and rigour in CEO performance review. A standard would take the concept of policy a step further by specifying the methods for performance review and the matters to be considered.

Performance review of local government CEOs: Guidance questions

- 64) Who should be involved in CEO performance reviews?
- 65) What should the criteria be for reviewing a CEO's performance?
- 66) How often should CEO performance be reviewed?
- 67) Which of the above options do you prefer? Why?
- 68) Is there an alternative model that could be considered?

4.4 Extension or termination of the Chief Executive Officer contract immediately before or following an election

As an employee directly appointed by the council, a CEO contract may be extended or terminated by council at any time, though financial penalties will apply to early termination. This can create situations where a newly elected council dismisses the

CEO immediately after an election, or where a council extends the contract of the CEO before an election for an extended period thus binding incoming elected members.

Dismissal of a CEO immediately after an election can be a political decision, rather than one based on performance and can lead to a lack of continuity and dysfunction during the time when a new council is settling in to their role. Western Australian legislation specifies that a CEO or senior employee who has their contract terminated is entitled to be compensated the value of the contract to a maximum of one year's remuneration, which means that while there is a financial consequence for terminating a CEO, it is not so great as to dissuade councils from terminating CEOs.

Council decisions regarding CEO contract management should be based on the CEO's performance and achievement. The current legislative framework does not provide significant protections to ensure that the grounds for extension or termination of the CEO are valid.

In New South Wales the Independent Local Government Review Panel¹⁷ recommended reforms that would introduce:

- a six month 'cooling off' period following a general election where a CEO's contract could not be terminated; and
- limits on the capacity of councils to extend CEO contracts prior to an election.

These reforms are being considered by the New South Wales Government.

A cooling off period could enable new councils and CEOs to establish a productive relationship, identify priorities and avoid potentially rushed or emotional decisions to remove a CEO.

Termination or extension of CEO contract around an election: Guidance questions

- 69) Would a 'cooling off' period before a council can terminate the CEO following an election assist strengthening productive relationships between council and administration?
- 70) What length should such a cooling off period be?
- 71) For what period before an election should there be a restriction on a council from extending a CEO contract? Should there be any exceptions to this?

¹⁷

<http://www.localgovernmentreview.nsw.gov.au/documents/LGR/Revitalising%20Local%20Government%20-%20ILGRP%20Final%20Report%20-%20October%202013.pdf>

4.5 Public expectations of staff performance

Western Australian local government employees perform important roles delivering services, regulating local businesses, supporting communities and ensuring that the local governments themselves are well managed.

While the public has high expectations for public officers at all levels of government, the public expectations of local government employees may be heightened because the community interacts so frequently with local government employees.

Local government employees are entrusted with public money, and must make sure that their decision making is fair and free of bias, and that private information is stored and used appropriately.

With over 15,000 employees across Western Australia, it is not surprising that, on occasion, public expectations of staff conduct and performance are not met. In Western Australia, the Public Sector Commission is responsible for oversight of minor misconduct for public officers and for misconduct and education programs. Matters of serious misconduct and corruption are the focus of the Corruption and Crime Commission.

There are clear benefits to preventing misconduct and raising the standard of public officer performance and conduct. The first step is employing the right people.

In respect to employment, the Act states that a person should not be employed unless the CEO believes that the person is suitably qualified for the position. It further states that employment should be based on merit and equity without nepotism, patronage or discrimination.

Local governments have greater autonomy than the State public service in determining the methods of selecting, remunerating and managing their workforce.

The Public Sector Commissioner's Instruction No.2 Filling a Public Sector Vacancy applies to State government agencies but not local government. This means there are no uniform requirements that local governments must advertise positions other than the CEO or senior employee. Officers are not required to complete a probationary period or meet other criteria such as being an Australian citizen or permanent resident.

Likewise, unless specified by an individual local government recruitment process, applicants are not required to provide evidence of a criminal record check, working with children check, health clearance or information regarding outstanding or completed disciplinary processes.

This gives local governments freedom to manage their operations more efficiently, but relies heavily on the diligence of CEOs.

Where oversight is not sufficient, poor workforce management decisions can be costly. Lack of diligence in the selection of staff can be particularly damaging in small local governments which have fewer staff. Remote local governments with small workforces are at greatest risk because they have fewer resources and may have difficulty attracting high quality applicants.

Many roles within local government involve significant levels of public trust. Some roles involve collecting and using private information, advising on important regulatory matters, procuring goods and services and enforcing local laws. Given the sensitivity and high public expectations of accountability, diligence and personal conduct in many local government roles, it could be argued that people found to have committed certain offences should be excluded from holding local government roles. Such exclusions would need to conform with discrimination laws.

Public expectations of staff performance: Guidance questions

- 72) Is greater oversight required over local government selection and recruitment of staff?
- 73) Should certain offences or other criteria exclude a person from being employed in a local government? If so, what?

Strengthening local government administration: Guidance question

- 74) Do you have any other suggestions or comments on this topic?

5. Supporting local governments in challenging times

The power of general competence means that the circumstances in which the State Government can reasonably intervene in local government affairs are limited. For instance, the State Government cannot intervene in lawful decisions made by a local government, even when these lawful decisions are inconsistent with broader community views.

Under the current Act, there are limited options for the State Government to implement remedial actions to ensure the good governance of a local government. This includes situations where a local government, a member of council, a CEO or employee has failed or is failing to comply with provisions under the Act or regulations.

There are also limited intervention options when there is reason to believe that a person or persons within a local government are engaging in behaviour adversely affecting the ability of council, its members or employees, or the local government to properly perform its functions.

In most cases, the need for remedial action is due to relatively minor issues in governance. Typically, a remedial action may be required because a local government:

- fails to meet statutory compliance requirements including budgeting, annual reporting or rate setting;
- does not comply with responsibilities under the Act or regulations including tender provision requirements or reviews of internal procedures; or
- poor relationships between the administration and the council impacting the performance of a local government's functions.

Remedial actions currently take the form of direct interventions. Suspending a council and installing a commissioner is an option of last resort and is neither an appropriate or effective approach to respond to the smaller governance issues that impact local governments from time to time.

A range of options and approaches is needed that is geared towards improving governance for the public, while supporting local democracies. These options ideally should be focused on intervening early, building capacity in local governments and working in partnership.

Across Australia

Jurisdiction	Provisions
New South Wales	<p>In New South Wales there are early intervention powers which are intended to provide the Minister with power to intervene early in a council that is experiencing difficulties. This may include the performance of a general manager (CEO).</p> <p>The Minister can issue performance improvement orders (PIO), and, in more serious circumstances, can suspend the governing body for up to 3 months (which can be extended for a further 3 months). A PIO can be aimed at addressing administrative deficiencies in the council.</p> <p>The Minister can appoint a temporary adviser to assist the council in implementing a PIO. Generally this is to assist the administrative body of council, but in some circumstances it is to assist the governing body.</p> <p>A financial controller can also be appointed to implement financial controls, and other functions relating to council finances, as specified by a PIO or a subsequent order appointing the financial controller.</p> <p>The cost is met by the Council.</p>
Victoria	<p>The Minister can appoint a municipal monitor at a local government to investigate complaints.</p> <p>The municipal monitor's function is to monitor council governance processes and practices, advise the council on governance improvements they should make, report to the Minister on any steps or actions taken by the council to improve its governance and the effectiveness of those steps, investigate any referred complaint received by the Minister, provide advice to and prepare a report for the Minister in relation to a complaint, and monitor and report to the</p>

Jurisdiction	Provisions
	<p>Minister on any other matters determined by the Minister.</p> <p>The cost is met by the Council.</p>
Queensland	<p>If information gathered by the department CEO shows a local government or councillor is not performing their responsibility properly or complying with the <i>Local Government Act 2009</i>, the information may be provided to the Minister along with recommendations about what remedial action to take. Remedial action is an action to improve the performance or compliance of a local government or councillor. The Minister may take remedial action that the Minister considers appropriate.</p> <p>Remedial action may include, for example, directing—</p> <ul style="list-style-type: none"> (a) the local government or councillor to take the action that is necessary to comply with the <i>Local Government Act 2009</i>; or (b) the local government to replace a resolution that is contrary to a <i>Local Government Act 2009</i> with a resolution that complies; or (c) the local government to amend a local law by removing a provision that is contrary to the <i>Local Government Act 2009</i> <p>If the local government is not performing appropriately, an advisor can be appointed. The advisor's role is to help the local government build its capacity to perform its responsibilities properly or comply with the <i>Local Government Act 2009</i> and perform other related duties as directed by the department CEO.</p> <p>If the local government is not performing appropriately, a financial controller can be</p>

Jurisdiction	Provisions
	<p>appointed to implement financial controls as directed by the department CEO; and perform other related duties as directed by the department CEO. Payments from an account kept by the local government require the financial controller's approval.</p> <p>The costs are paid to the State by the local government.</p>
South Australia	<p>Can appoint an administrator to undertake the affairs of the council if a council is dismissed for not undertaking its duties.</p> <p>The remuneration of an administrator is paid out of the funds of the defaulting council.</p>
Tasmania	<p>Can appoint a Commissioner to assist the Council, but no powers exist to assist with the administrative functions of the Council.</p> <p>The defaulting council is to pay the Commissioner.</p>
Northern Territory	<p>The Minister may establish a Commission of Inquiry to consider the affairs of a particular council. If deficiencies are identified, the Minister can recommend to the council specified remedial action to ensure the deficiencies are addressed. The Minister may place the council under official management if the deficiencies are serious enough or if the council has not remedied the situation. This applies to the council and not to the administration.</p> <p>Council pays for the official manager. The official manager has full power to transact any business of the council and perform any of its normal functions.</p>

Proposed Remedial Action Process

The introduction of more sophisticated ways to work with local governments to improve financial management, governance and performance has the potential to prevent large-scale issues and to strengthen local government capacity.

Currently, capacity building strategies, such as Better Practice Reviews, governance programs, service delivery reviews, asset management programs and tailored one-on-one support are employed. While these programs have strengthened local government capacity significantly, they are voluntary. As voluntary programs, their reach is limited to local governments that wish to participate and participation varies considerably across the sector.

The other tool available is a Directions Notice, which requires the local government to provide certain information.

Providing the State Government with the legislative power to formally implement a process to ensure local governments are providing good governance to their communities could take many forms including:

- issuing a remedial notice requiring the performance of an action or activity.
- the appointment of a person to the local government to assist local governments with a part of their operations.
- requiring the local government to participate in a capacity building program.

Through a remedial action process, matters could be addressed more quickly and efficiently. The proposed process would allow the State Government to direct local governments to address concerns where the capacity to do so exists, or in more serious cases, to appoint a person to the local government where specific expertise is required.

In contrast to the current approach, the process described below presents a range of options for working in partnership with a local government to deal with issues commensurate with the risk and, if necessary, provides ways to escalate the matter. Regardless of the severity, the proposed approach follows a repeatable sequence that allows a consistent, transparent but scalable approach to ensure good governance.

Under the proposed approach, if a local government fails to comply with the Act or regulations, behaves in a manner that affects the ability of the local government to perform its functions, or other factors considered relevant, a remedial notice may be issued to the local government.

The remedial notice would describe the matter of concern and the actions that the State Government has determined are required to resolve the matter. The remedial notice would be backed by the Act with legislative power as a written statutory direction

that would require, by law, that the notified recipient undertake works or activities detailed in the notice.

If the matter detailed in the remedial notice is addressed then the remedial action process would be completed. This would be typical in breaches of the Act for minor matters.

However, if the matter is not resolved satisfactorily, the revised approach presents options for scaled, proportional responses. One option that has been identified previously is appointing a person to assist the local government to implement strategies to resolve the matter.

In 2016, this approach was used on a voluntary basis to assist a shire to strengthen its financial management. This arrangement has been successful and presents an option for improving performance of local governments in areas beyond governance. Unlike the voluntary approach used in this case, the proposed approach would be formally incorporated within the Department's risk and compliance approach.

An appointed person would need to be a suitably qualified person with relevant expertise. The appointed person would work with the local government for a set period and report on progress regularly to the Department. Depending on the nature of the matters of concern, the appointed person may assist the CEO or relevant staff, or the appointed person may oversee the administration.

Remedial intervention: Guidance questions

- 75) Should the appointed person be a departmental employee, a local government officer or an external party? Why?
- 76) Should the appointed person be able to direct the local government or would their role be restricted to advice and support? Please explain.
- 77) Who should pay for the appointed person? Why?

To perform their duties, the appointed person would require wide-ranging powers and have the ability to employ a variety of strategies. This role could include:

- making recommendations to the council, CEO and the Department;
- mediating between parties;
- arranging for training; and
- reviewing, and making recommendations on, practices and procedures.

Powers of appointed person: Guidance question

- 78) What powers should an appointed person have?

A key role for the appointed person would be making recommendations to the Department about the success of the remedial action and whether escalation is required. In line with the current approach, in the rare event that a local government is failing to provide good governance for their district, the Minister will retain the ability to suspend a council and install a commissioner.

Discussion

The proposed remedial approach presents considerable benefits over the existing approach. It expands the narrow power of the existing directions notice to enable the Department to ensure that local governments are performing to the high standard expected by the community.

In situations where local governments are not meeting their obligations, the approach provides a scalable, repeatable and transparent approach that focuses on resolving the issue to the benefit of the community in a timely manner. In doing so, the approach is not focused on punishing the local government and by extension the wider community but on providing support.

The process may reduce costs in the long term by enabling intervention in local governments well before the need for formal inquiries. The process could provide councils and staff with the confidence of an independent evaluation that is key to identifying the issues that may be limiting the provision of good governance.

Views from local government peak bodies have been sought in the development of this proposal. While peak bodies have been broadly supportive, it is recognised that the suitability of the approach would be dependent on key, detailed aspects of its implementation. These include the details and conditions of employment of an appointed person including the responsibility for payment of the salary. Concerns were also expressed about the capacity of some local governments to respond to the remediation action process.

Remedial action process: Guidance questions

- 79) Do you think the proposed approach would improve the provision of good governance in Western Australia? Please explain.
- 80) What issues need to be considered in appointing a person?

Supporting local governments in challenging times: Guidance question

- 81) Do you have any other suggestions or comments on this topic?

6. Making it easier to move between State and local government employment

Local government employees are defined in Western Australia legislation as 'public officers' but have a unique status that complicates recognition of service and the ability of employees to transfer between local and State government.

These complications can make movement between local and State government less appealing for employees and limit the opportunity for transfers and secondments that currently give greater flexibility for State government agencies.

Removing these barriers has the potential to greatly increase the skills and capacity of both State and local government workforces. Both can be viewed as 'closed shops', and increasing the cross-pollination between these two major employers could result in exchange of skills, experience and capability that will benefit both tiers of government and the community.

While there are no specific prohibitions in place that would prevent individual State government agencies from recognising a new employee's service with a local government employer (or vice versa) in respect to long service leave and personal leave, the practice is not common. This is in part because no avenue currently exists for employers to recover the costs of the employee's leave entitlements.

Further legislative and industrial relations barriers exist to the seamless transition for employees between local and State government.

Local governments are defined in the *Public Sector Management Act 1994* as Schedule 1 entities. Other Schedule 1 entities include Western Australia's public universities, electoral officers of members of Parliament and government corporations.

Due to historic agreements, portability of leave (and recovery of the associated costs) to State government positions is possible for some schedule 1 entities but not all. It does not currently apply to local governments.

Reforms to simplify and encourage the transfer of employees between local and state government would require a whole of government approach and amendments to the *Public Sector Management Act 1994*, *Financial Management Act 2006*, and *Local Government Act 1995*.

Transferability of employees: Guidance questions

- 82) Should local and State government employees be able to carry over the recognition of service and leave if they move between State and local government?
- 83) What would be the benefits if local and State government employees could move seamlessly via transfer and secondment?

Making it easier to move between State and local government employment: Guidance question

- 84) Do you have any other suggestions or comments on this topic?

Public confidence in Local Government

Elected members make decisions on how funding is raised by the local government and how that money is spent. They decide development applications and give building approvals, determine what services will be provided and how these will be delivered. These decisions fundamentally affect the nature, function and appearance of our towns and suburbs.

Senior officers prepare reports and provide recommendations to council on a wide variety of matters. Officers are also responsible for the implementation of council decisions.

The community places their trust in their elected members and the local government administration to make decisions that are in the best interests of the broader community and to act without bias or favour. Occasionally local governments can misuse that trust.

One area where the potential exists for this to occur is in the acceptance of gifts.

7. Gifts

7.1 Simplifying the gift provisions

Background

Councillors and local government employees, as everyone does, occasionally receive gifts. Given the important role of council members and many local government employees as decision-makers in positions of power, the public has a reasonable expectation that the important decisions that a local government makes are free from improper influence.

There is nothing inherently wrong with accepting gifts when they are offered. It is critical, however, that their receipt is openly and transparently acknowledged and recorded, and that those records are made freely available to the community. Non-disclosure of gifts that may have an effect on, or could be perceived as possibly having an effect on, the decision-making of elected members runs the risk of damaging the reputation of the local government sector and the trust placed in elected members by their communities. In extreme cases this could leave councils unable to perform their primary function of providing for the good government of people in their districts.

The rules concerning the declaration of gifts must also be sensible and not create an unreasonable burden or compromise the council member's rights to maintain a private life beyond their service as a councillor.

Gifts and contributions to travel are regulated under the Act and three sets of Regulations – the *Local Government (Administration) Regulations 1996*, *Local Government (Elections) Regulations 1997* and *Local Government (Rules of Conduct) Regulations 2007*. Each regulation has a different framework for declaring gifts and contributions, which has led to confusion in the sector. Attachment 2 outlines the provisions currently applying in Western Australia.

It is widely acknowledged that current approach to gifts is overly complex and requires reform. Acknowledging the need for change, in September 2016 a gift working group was established with representatives from the Department of Local Government, WALGA, LG Professionals WA, the Department of the Premier and Cabinet, the Mayor of Armadale, Shire President of Morawa and the CEOs of the Cities of Swan and Vincent.

Prior to the formation of the working group WALGA, as the peak body representing the sector, prepared a policy position based on consultation with its members. While the working group did not accept all of these positions, the document formed the basis for the discussion and the working group's initial recommendations. Following

consideration of the matter, the individual working group member's positions have been refined.

With the review of the Act it is timely to consider the recommendations of the group to ensure that the proposed way forward is aligned to public expectations of accountability and transparency.

Across Australia

A summary of local government gift disclosure requirements across Australia is provided below:

State	Threshold	Exemptions
New South Wales	\$500 gift, \$250 travel	<ul style="list-style-type: none"> • Relatives • Political donation captured under other legislation. • Travel from public funds, political parties, relatives
Victoria	\$500	<ul style="list-style-type: none"> • Relatives • Reasonable hospitality. • Gifts received more than 12 months prior to becoming an elected member or employee (not including election campaign donations)
Queensland	\$500 gift, travel considered a "sponsored hospitality benefit"	<ul style="list-style-type: none"> • Relatives • Someone else related by blood or marriage. • Friends • Sponsored hospitality benefits where there could not be a perception of a conflict of interest
South Australia	\$750 in annual return, \$100 in register of interests	<ul style="list-style-type: none"> • Hospitality of reasonable value • Relatives by blood or marriage or family members
Tasmania	N/A	Not set at state-wide level
Northern Territory	N/A	Not set at a state-wide level
Australian Capital Territory	N/A	N/A

It is clear there is no “one size fits all” solution for the disclosure of gifts in the local government sector.

Current situation

The current framework for the disclosure of gifts and travel is outlined in detail in Attachment 2 and is summarised below:

Elements of Disclosure	Current requirements
Gift disclosure	✓
Travel disclosure	✓
Prohibited gifts	✓
Notifiable gifts	✓
Election gifts	✓
Monetary threshold	<ul style="list-style-type: none"> • \$50 for a notifiable gift • \$200 for a disclosable gift • \$200 for an election gift • Over \$300 for a prohibited gift
Prescribed timeframe for cumulative acceptance of gifts	Six or 12 months (depending on the regulation)
Who is required to disclose	<p>Elected members and designated employees for gifts and travel contributions.</p> <p>Notifiable and Prohibited gifts apply to elected members only.</p>
Exemptions (vary depending on the category of gift)	<ul style="list-style-type: none"> • A gift or travel from a relative • A gift or travel under \$200 • Travel contribution from Commonwealth, State or local government funds • Travel contribution as part of occupation of the person (not related to council duties) • Travel contribution was from a political party, of which the person is a member, for the purpose of political activity or representation • An electoral gift disclosable under the Elections Regulations • A gift from a statutory authority, government instrumentality or non-profit association for

Elements of Disclosure	Current requirements
	<p>professional training (prohibited and notifiable gifts only)</p> <ul style="list-style-type: none"> • A gift from WALGA, the Australian Local Government Association or Local Government Managers Australia WA (for prohibited and notifiable gifts only)

Recommendations of the gifts working group

The gifts working group proposed that a new framework should:

- provide for a transparent system of accountability where members of the community can have confidence in the decision-making of their representatives; and
- create a simplified legislative framework to deal with gifts received by elected members and senior staff.

The reference group agreed on an overhaul of the current requirements that included six key parts:

- There would no longer be separate monetary thresholds to determine what “type” of gift has been received, as is currently the case with “notifiable” and “prohibited” gifts and gifts under section 5.82.
- All gifts received by local government elected members and CEOs valued at \$500 or more received from a donor in a 12-month period must be disclosed.
- Recipients of gifts valued at \$500 or more would be prohibited from voting on matters before the council concerning the donor of the gift. The Minister for Local Government may, at their discretion and upon application, allow elected members to vote on such matters.
- Exemptions from the gift provisions would be minimal to aid simplicity.
- Gifts from a “relative” will continue to be exempt from disclosure; however, the definition of “relative” will be expanded to include adopted and foster children and grandchildren.
- All local governments will be required to develop and adopt a gifts policy for employees other than the CEO. Individual local governments can determine what gifts can or cannot be accepted by employees, any applicable threshold amounts and disclosure requirements.

Some members of the reference group sought additional changes, after agreement was reached on these positions.

Key elements of the proposed approach

The current framework sets three different categories for gifts with different thresholds:

- \$50 for a notifiable gift;
- \$200 for a disclosable gift; and
- \$300 for a prohibited gift.

Notifiable and prohibited gifts apply in situations where there is likely to be a perceived conflict of interest – where the donor has matters which require council decisions.

Replacing notifiable and prohibited gifts with a single category

Under the proposed approach, there would no longer be such a thing as a “prohibited” gift. Instead, the appropriateness of the acceptance of the gift will be a matter for the recipient.

This would simplify disclosure requirements while still maintaining a level of probity, accountability and transparency.

All gifts could be accepted regardless of the amount, but that acceptance of gifts over the threshold would disqualify the recipient of such a gift (being an elected member) from voting on matters relating to the donor. This would apply for the term in which they received the gift, or for the term following their election in the case of a gift received in the election period. This deals with any perception of bias in decision-making.

The Minister for Local Government would have the discretion to approve voting by elected members on such matters and on application from the local government where this is considered to be in the public interest. This approach would be consistent with section 5.69 of the Act, which gives the Minister the statutory authority to allow elected members who have disclosed an interest to continue to participate in meetings.

This would:

- allow elected members and CEOs to use their own judgement on the acceptance of gifts of any value without the concern that they are “prohibited”
- demonstrate that there is nothing inherently wrong with accepting a gift when it is offered, provided acceptance is properly regulated and disclosed
- deal with the critical matter to be addressed, being any attempt to influence decision-making through the provision of gifts
- make it clear to recipients and donors alike that while any and all gifts can be accepted regardless of value, they can have no perceived or actual impact on the recipient’s decision-making as the recipient will not be able to vote on matters relating to the donor
- provide for a level of independent Ministerial oversight by requiring recipients to apply for approval to vote on matters concerning the donor in circumstances

where this is considered necessary (for example, if a quorum can no longer be formed).

Consolidating 'gifts' and 'contributions to travel'

Consolidating gifts and contributions to travel would further streamline the gift provisions. At present, different information must be recorded depending on whether a gift or contribution to travel is received. What constitutes a contribution to travel can be a source of confusion, particularly when work trips may be extended for personal purposes. In addition, components of a trip may come under the definition of a gift rather than a contribution to travel.

In the interests of simplifying the disclosure requirements while still maintaining a level of probity, accountability and transparency, it is recommended that separate treatment of "contributions to travel" be discontinued.

In addition, using "gift" as an umbrella concept which includes travel will simplify and streamline the existing disclosure requirements for elected members and reduce red tape. The consolidation of the two also recognises that contributions to travel, including accommodation, are in practice a form of gift.

Having a single threshold of \$500

Replacing the categories of 'notifiable' and 'prohibited' gifts with a monetary threshold of \$500 would simplify gift provisions significantly. Any gifts under \$500 would be exempt from disclosure.

The argument for increasing the threshold is two-fold: to compensate for removing multiple exemption categories and so that the threshold was set at a level that would not generally capture gifts received from friends or multiple small gifts from the same person or organisation such as hospitality. Removing exemptions (see details in the table above) would further simplify the provisions, leading to less confusion on what should be disclosed.

The working group recommended \$500 as the threshold as it would capture many of the gifts that it was considered that members of public would reasonably expect council members to receive in the course of their everyday life – what could be considered to be personal gifts.

While it is acknowledged that raising the threshold to \$500 would allow more expensive gifts to be accepted without the requirement to disclose, there is also a significant reduction in red tape and administrative burden through the proposed lessened disclosure requirements.

Increasing the disclosure threshold to \$500 would:

- align Western Australia with the requirements in South Australia and Victoria; and
- align with the proposed gift framework more generally and reduce the confusion stemming from the differing disclosure amounts, leading towards a simplified and streamlined approach.

New South Wales has the highest disclosure threshold, being \$1,000. However, New South Wales is also more restrictive in prohibiting donations from particular donors, perhaps as a method of offsetting its relatively high disclosure threshold.

Disclosure timeframes

Regulations currently prescribe a six-month timeframe for cumulative acceptance of gifts to the \$50 and \$300 notifiable and prohibited thresholds. The cumulative threshold for disclosable gifts and contributions to travel is \$200 in a 12-month period. The working group recommended that these should be amended to \$500 over a 12-month period.

Raising the threshold and extending the prescribed time period will have the effect of reducing the administrative burden on elected members. For example, attendance at regular meetings including a meal worth \$40 would add up to \$480 over a year. It is less likely that, with a threshold of \$500 in 12 months, reasonably priced hospitality would be disclosable.

A timeframe of six months effectively doubles the threshold. Gifts of \$1,000 are likely to be significant enough that there is a strong public interest argument for disclosing them.

In the interests of promoting accountability and transparency and ensuring the community is aware of expensive gifts received by elected members it is recommended that the prescribed time period be 12 months.

Who should the framework apply to?

The working group recommended that the new gift disclosure provisions apply only to local government elected members and CEOs, with each local government required to adopt a gifts policy with which all other employees must comply.

Allowing each local government to set its own gifts policy provides the opportunity to tailor requirements to a local government's unique situation. With 137 local governments across the State and staffing numbers ranging from fewer than 20 to more than 800, there is no practical "one size fits all" approach.

The current framework captures all manner of employees which, while potentially appropriate in theory, is not actually necessary or practical. While those who choose

to run for office and represent their community as an elected member are public figures, and are therefore expected to make reasonable concessions as to their personal privacy, there is no compelling public interest reason for all local government employees, who are private citizens, to be required to disclose gifts.

Empowering local governments to develop their own gifts policies for employees gives the sector the flexibility to determine what gifts should and should not be accepted and to tailor each policy to the requirements of the district.

Excluding gifts from relatives

Gifts received from a relative do not need to be disclosed. A relative is currently defined as any of the following —

- (a) a parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant of the person or of the person's spouse or de facto partner;
- (b) the person's spouse or de facto partner or the spouse or de facto partner of any relative specified in paragraph (a), whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is a natural relationship or a relationship established by a written law.¹⁸

Consistent with the recommendations of the working group, it is proposed that the definition of relative is expanded to ensure foster and adopted children and grandchildren are also classed as relatives. This is consistent with the definition of "relative" in the *Members of Parliament (Financial Interests) Act 1992*, which includes that "an adopted person shall be treated as the legitimate child of his adopters".

It is also intended that the definition of gift specifically refers to fiancés and fiancées. This will remove any uncertainty about the giving of an engagement ring.

Penalties for non-disclosure or provision of false information

The working group recommended that existing penalties for non-disclosure and giving false and misleading information be retained. Under section 5.89B of the Act a failure to comply with the disclosure requirements is an offence with a penalty of \$10,000 or imprisonment for two years.

Similarly, it is an offence to give false or misleading information in a return lodged under various sections of the Act (including the gift provisions) with the same penalty of a \$10,000 fine or two years' imprisonment.

¹⁸ section 5.74

A new framework for disclosing gifts: Guidance questions

- 85) Is the new framework for disclosing gifts appropriate?
- 86) If not, why?
- 87) Is the threshold of \$500 appropriate?
- 88) If no, why?
- 89) Should certain gifts – or gifts from particular classes or people – be prohibited? Why or why not?
- 90) If yes, what gifts should be prohibited?

Excluding gifts in a genuine personal capacity

More recently, local government peak bodies have advocated for reforms in addition to the working group's initial recommendations by seeking for gifts in a genuine personal capacity to also be excluded

The argument for this exemption is that gifts from friends are a personal matter and not relevant to the performance of an elected member's functions. The value of some of these gifts may be over the threshold limit.

The difficulty with this option is how to define 'personal capacity'. A substantial gift from a property developer, for example, could be given to coincide with the elected member's birthday and said to be given in a personal capacity.

It is the role of elected members to make decisions on matters affecting the community, including on planning and other approvals and on expenditure of funds raised from rates and other charges. A gift could influence the recipient's views on the donor and result in decision making that may not be in the public interest. This can be mitigated in one of two ways: banning the receipt of gifts or requiring the giving of the gift to be made public. The second method allows the community to judge whether they believe decision-making has been affected.

An alternative treatment is to set a threshold at an amount that would exclude gifts that could be considered to be a personal gift.

Excluding gifts received in a personal capacity: Guidance questions

- 91) Should gifts received in a personal capacity be exempt from disclosure?
- 92) If yes, how could 'personal capacity' be defined?

- 93) Should there be any other exemptions from the requirement to disclose a gift over the threshold?
- 94) If so, what should these be? Please justify your proposal.

Gifts: Guidance question

- 95) Do you have any other suggestions or comments on this topic?

Transparency

Local governments are required to make a variety of information available as a matter of accountability and transparency. This includes issuing public notices on tenders, advertising annual electors meetings and keeping registers on a range of subjects. Other documents are required to be available for public inspection at the council office during business hours.

These requirements have not kept up with technology. In the digital age, people expect to be able to access information when and where they want. For many people, finding a notice in a newspaper is old-fashioned and not easily accessible. In fact, in the Kimberley and other areas of the State, the West Australian newspaper is no longer available.

All local governments now have a website and some have social media accounts.

This section examines what changes need to be made to meet current community expectations on information availability.

8. Access to information

It is vital that local governments take positive steps to provide information to their communities. This ensures that:

- Local governments operate in a transparent manner;
- Residents are sufficiently engaged in community affairs; and
- The public recognises the work and service that local governments provide to the community.

The Act provides many situations where local governments must provide information to the community. This includes issuing public notices, keeping registers on a variety of subjects and making certain documents available for public inspection.

Access to technology has changed the way that information is shared, received and discovered. Current trends indicate that people are turning away from traditional print media in favour of the internet and social media.

This shift in information consumption has significantly reduced the impact of the print notices required by the Act. It has also brought into question the practice of keeping physical documents available for inspection, which requires a person to attend the local government's offices during business hours.

It is difficult to justify the cost and inconvenience of continuing these practices when the same information could be made available electronically. In addition to being cheaper, electronic disclosure has the potential to be more accessible and convenient.

All other jurisdictions in Australia have addressed this issue by amending their legislation to account for new technology. The particular approach differs from State to State, but each jurisdiction now provides for:

- the operation of local government websites;
- the issuing of electronic notices; and
- online access to public documents.

Western Australia is the only jurisdiction that has yet to follow suit. The Act is generally silent on electronic disclosure and local governments have been left to address this issue themselves.

As a result, the review is considering how the Act should account for electronic disclosure and what approach is the most appropriate.

8.1 Public notices

The Act requires local governments to provide public notice to the community in a variety of circumstances. The Act specifies two forms of notice:

- (a) written notice in a newspaper circulating in the district ("local notice"); and
- (b) written notice in a newspaper circulating in the State ("state-wide notice").

The Act requires public notices to be issued in many situations. A complete list of the notices required by the Act is listed at the end of this section as supplementary information-Pubic notices.

The introduction of electronic notices on local government websites would have a number of positive benefits, but also have a number of drawbacks. These impacts are summarised below:

Benefits of electronic notice	Drawback of electronic notice
Cheaper than print media	Increased IT costs
Doesn't require the services of an external publisher	Requires IT skills provided internally or via a contractor
Accessible and convenient for the general population	Inconvenient for people who lack internet access
Available to be viewed from any location with internet access	Unlikely to be viewed by people outside the district
Can operate in conjunction with accessibility software	May not be accessible for certain demographics
Modernises sector standards for local governments	Makes local governments more dependent on website operations

The ultimate effect that electronic notices will have on the sector depends on the role that these notices will play in legislation.

For example:

- If an electronic notice were introduced as a replacement for a print notice, this could represent a significant reduction in red tape and its associated costs.
- If an electronic notice were to replace a State-wide notice, this could reduce transparency since people outside the district would generally have no reason to check the local government's website.
- If local governments were required to issue an electronic notice instead of providing the option of an electronic or print notice, this would improve sector standards at the cost of flexibility.

- If an electronic notice were required in addition to print notices, this would increase the regulatory burden imposed on the sector, with an associated increase in costs.

Across Australia

In other Australian jurisdictions, the requirement to issue electronic notices on websites is generally in addition to print notices.

This approach improves transparency, maximises the coverage of notices and ensures that local governments take advantage of electronic communication.

However, this approach also represents an increase in total regulatory burden and cost. This undermines one of the primary advantages of electronic notice, which is its potential to reduce costs.

Jurisdiction	Public notice requirements
Western Australia	Print notice only
New South Wales	Print and electronic notice required
Victoria	Print and electronic notice required
Queensland	Print and electronic notice required
South Australia	Print and electronic notice required
Tasmania	Print and electronic notice required
Northern Territory	Print and electronic notice required

General options

The general options available for public notice are as follows:

Option	Local notice requirements	State-wide notice requirements
1	No change to notice requirements	
2	Print or electronic notices	No change to State-wide notice requirements

Option	Local notice requirements	State-wide notice requirements
3	Print or electronic notices	Print and electronic notices
4	Print or electronic notices	
5	Electronic notice required Additional print notices are optional	
6	Print and electronic notices	
7	Electronic notice on local government website	Electronic notice published on centralised website

Specific options

In addition to reviewing how notices are made available, the question also arises as to whether a particular type of notice is still appropriate in its current form.

For each type of notice, there are several options which are available:

- (a) The requirement can remain unchanged;
- (b) The type of notice required by the Act may be changed from state-wide notice to local notice;
- (c) The form of the notice can be changed from print to electronic;
- (d) The requirement to issue the notice may no longer be necessary.

How appropriate these options are will depend on the type of notice and the reason for its issue.

Public notices: Guidance questions

- 96) Which general option do you prefer for making local public notices available? Why?
- 97) Which general option do you prefer for State-wide public notices? Why?
- 98) With reference to the list of public notices, do you believe that the requirement for a particular notice should be changed? Please provide details.
- 99) For the State-wide notices in Attachment 3, are there alternative websites where any of this information could be made available?

8.2 Information available for public inspection

Under the Act there are a number of registers and documents that local governments are required to produce and maintain. These documents are required to be available for inspection at the local government office on request.

Information that is currently required to be available to the public:

Information required to be made available
Annual Report
Annual Budget
Future plan for the district
Minutes of council, committee and elector meetings
Notice papers and agendas of meetings
Reports tabled at a council or committee meeting
Primary and Annual returns – for elected members
Includes – Sources of income
Trusts
Debts
Property holdings
Interests and positions in corporations
Discretionary disclosures generally
Gifts (already required to be on the website)
Electoral gifts register
Disclosure of travel contributions (already required to be on the website)
Allowance for deputy mayor or deputy president
Payments for certain committee members
Codes of Conduct
Complaints register (concerning elected members)
Contracts of employment of the CEO and other senior local government employees
Register of delegations to committees, CEO and employees
Schedule of fees and charges

Information required to be made available

Proposed local laws

Gazetted local laws (and any other law that has been adopted by the district)

Rates record

Electoral roll

Tenders register

Currently the only documents that are required to be placed upon a local government's website are the gifts register and contributions of travel register, and annual report following the amendments to the auditing provisions.

It may also be appropriate to make additional information available to enhance the transparency of local governments.

Across Australia

Information required to be available in other States includes:

Additional Information

Rates information generally

District maps that contain ward boundaries

Adverse findings by the Standards Panel or State Administrative Tribunal against elected members

Broadly speaking the impacts of requiring information to be made available on the local government's website are assessed as follows:

Benefits of electronic registers	Drawback of electronic register
Accessible and convenient for the general population without having to attend a local government office	Increased IT costs
Available to be viewed from any location with internet access	Requires IT service via internal staff or contractor
More likely to be viewed by members of the local community	Makes local governments more dependent on website operations

Benefits of electronic registers	Drawback of electronic register
Can operate in conjunction with accessibility software	
Modernises sector standards for local governments	
Potentially reduces staff time in providing access to the registers at the office	

The impact that electronic disclosure will have depends on how the information is provided.

General options

The options available are as follows:

- (a) The requirement can remain unchanged: Information is provided in person on demand, with placement on a website discretionary.
- (b) A hybrid approach depending on the nature of the information: Some information is required to be placed on a local government website, while other more sensitive information is only provided in person.
- (c) Electronic disclosure replaces physical registers completely: All information is provided on a local government website and no information is provided in person. This would represent a significant increase in the availability of information to the public.
- (d) Electronic disclosure is required for all information, in addition to providing it in person: This will increase the level of transparency, although it may create additional costs to publish the information online. A local government could simply print out the information if requested for it in person.

Information available for public inspection: Guidance questions

100) Using the following table, advise how you think information should be made available:

Provision	Documents	In person only	Website only	Both	Neither
Section 5.53	Annual Report				
Section 5.75 & 5.76	Primary and Annual returns – for Elected members Includes – sources of income Trusts Debts Property holdings. Interests and positions in corporations.				
Section 5.87	Discretionary disclosures generally				
Section 5.82	Gifts (already required to be on the website)				
Section 5.83	Disclosure of travel contributions (already required to be on the website)				
Elections Regulations 30H	Electoral gifts register				
Section 5.98A	Allowance for deputy mayor or deputy president				
Section 5.100	Payments for certain committee members				
Functions and General	Tenders register				

Regulations 17	
Section 5.94 & Administrati on Regulations 29	Register of delegations to committees, CEO and employees
	Minutes of council, committee and elector meetings
	Future plan for the district
	Annual Budget
	Notice papers and agendas of meetings
	Reports tabled at a council or committee meeting
	Complaints register (concerning elected members)
	Contracts of employment of the CEO and other senior local government employees
	Schedule of fees and charges
	Proposed local laws
	Gazetted Local laws (and other law that has been adopted by the district)
	Rates record
	Electoral roll

Note: There is no intention to amend the current limitations imposed by section 5.95 of the Act which limits the disclosure of certain information.

- 101) Should the additional information that is available to the public in other jurisdictions be available here? If so which items? How should they be made available: in person, website only or both?
- 102) Is there additional information that you believe should be made publicly available? Please detail.
- 103) For Local Governments: How often do you receive requests from members of the public to see this information? What resources do you estimate are involved in providing access in person (hours of staff time and hourly rate)?

Access to information: Guidance question

- 104) Do you have any other suggestions or comments on this topic?

9. Available information

9.1 Expanding the information provided to the public

Initial consultation with the sector highlighted additional information which could be reported and made available for public inspection.

The list of these proposals is provided below:

Proposal	Reasoning
Live streaming video of council meetings on local government website	Streamed meetings will give the public a better understanding of council matters. It will also allow community members an opportunity to directly scrutinise the behaviour of elected members during meetings.
Diversity data on council membership and employees	Reporting this information will identify whether a local government's council and employment practices are reflective of local demographics.
Elected member attendance rates at council meetings	Reporting this information will give the public an indication of whether elected members are attending meetings in accordance with their statutory duties.
Elected member representation at external meetings/events	This information will give the public an understanding of how often the council sends representatives to external events. The information will also assist ratepayers to assess whether an appropriate level of representation is occurring and whether the expenses are reasonable.
Gender equity ratios for staff salaries	This information will indicate whether the local government is operating in a diverse and equitable manner.
Complaints made to the local government and actions taken	This information will inform the public of how the local government deals with

Proposal	Reasoning
	complaints and how often action is taken to resolve these issues.
Performance reviews of CEO and senior employees	Providing these reviews will allow ratepayers to assess whether the CEO and senior staff are pursuing their duties with appropriate diligence.
Website to provide information on differential rate categories	This information will assist ratepayers to understand the rate system and how it applies in practice.
District maps and ward boundaries	<p>This information will assist the public to identify the limits of their local government's jurisdiction.</p> <p>This will also mean that the public can identify the correct authority to which they should refer a complaint or query.</p>
Adverse findings of the Standards Panel, State Administrative Tribunal or Corruption and Crime Commission	<p>This will inform district residents of critical governance matters of which they might not otherwise be aware.</p> <p>While adverse findings may be the subject of public media, there is never a guarantee that this will occur.</p>
Financial and non-financial benefits register	<p>This would inform ratepayers of the amount spent on each elected member and senior employee for:</p> <ul style="list-style-type: none"> (a) remuneration (b) superannuation payments (c) other monetary benefits (d) fringe benefits, and (e) any other non-monetary benefit which is significant and capable of being quantified.

For each proposal, the following options have been identified:

Option 1: Status Quo

Under this option, the reporting requirements under the Act will remain unchanged. This will prevent any increase in regulatory burden, but it will represent a lost opportunity for increasing the transparency standards applicable to the sector. While there will not be a legislative requirement to provide the information, local governments will still be able to provide it voluntarily.

Option 2: Additional reporting requirement

Under this option, local governments will need to provide the additional information on the local government's website.

This will increase transparency, better informing community decision-making. It will, however, represent an increase in regulatory burden.

Option 3: Policy requirement

Under this option, local governments will not be required to report additional information to the public. Instead, the local government will be required to develop a policy which states:

- (a) whether the information is available for public inspection; and
- (b) if so, how this information may be accessed by the public.

This policy will need to be made available on the local government's website. This option will slightly increase transparency of local governments, since it will assist the public to determine what kind of information is accessible to them. It does not make the information readily available.

The option will slightly increase the regulatory burden on local governments, although this burden will be restricted to the creation and disclosure of policy documents. Any further burden will depend on what level of information the local government chooses to make disclosable to the public.

Expanding the information provided to the public: Guidance questions

105) Which of these options do you prefer? Why?

106) In the table below, please indicate whether you think the information should be made available, and if so, whether this should be required or at the discretion of the local government:

Proposal	Should this be made available: No, optional, required?
Live streaming video of council meetings on local government website	
Diversity data on council membership and employees	
Elected member attendance rates at council meetings	
Elected member representation at external meetings/events	
Gender equity ratios for staff salaries	
Complaints made to the local government and actions taken	
Performance reviews of CEO and senior employees	
Website to provide information on differential rate categories	
District maps and ward boundaries	
Adverse findings of the Standards Panel, State Administrative Tribunal or Corruption and Crime Commission.	
Financial and non-financial benefits register	

107) What other information do you think should be made available?

Expanding the information available to the public: Guidance question

108) Do you have any other suggestions or comments on this topic?

Red Tape Reduction

No-one likes red tape. It gets in the way and makes simple tasks seem difficult.

Distinguishing red tape from vital checks which ensure our government acts in a fair manner, protects members of the community, and that everyone abides by the law, can be difficult.

Local governments may be subject to unnecessary red tape. Similarly, they may be unintentionally creating red tape for businesses and members of the community. This aspect of the review seeks to identify examples of red tape so these can be addressed.

10. Reducing red tape

Modern bureaucracies must strike a delicate balance between oversight and red tape. Accountability measures that go too far can become regulatory burdens that create unnecessary costs that outweigh their compliance benefits.

A goal of effective regulation is to impose the least amount of resistance to activity, for the lowest cost possible, while providing a governance framework to prevent or reduce the number, or seriousness, of issues in a timely manner.

The Department has identified a number of options for reducing red tape within the current Act and regulations. These only represent a partial list of potential options to streamline the legislation that provides the framework for local government.

Although this part of the review seeks to cover all aspects of the Act and associated regulations, it does not concern the individual decisions or internal policies used by a local government. These matters will be considered in phase 2 of the review.

10.1 Defining red tape

Red tape is comprised of time-consuming and excessive processes, procedures and paperwork. It imposes costs on government, businesses and individuals through duplicative and confusing regulations, overly complicated forms and excessive compliance burdens.

In the context of this review, some examples of red tape reduction burdens could be:

- Unnecessary or out-of-date reporting requirements imposed on local governments – regulatory requirements that may no longer have any benefit in the present day operations of local governments, or where the rationale for imposing these requirements no longer exists.
- The one size fits all approach where smaller local governments are disproportionately and negatively affected by compliance requirements.
- Requiring local governments to collect unnecessary data or requesting data that is already collected elsewhere within State Government. If the information can be sourced elsewhere, this should be preferred over requiring a local government to collect, store and submit information to State Government.
- Poor coordination between local government and other State Government agencies regarding applications and approvals.
- Local governments having outdated processes or requirements in their interactions with business and the community.

Defining red tape: Guidance questions

- 109) Which regulatory measures within the Act should be removed or amended to reduce the burden on local governments? Please provide detailed analysis with your suggestions.
- a) Briefly describe the red tape problem you have identified.
 - b) What is the impact of this problem? Please quantify if possible.
 - c) What solutions can you suggest to solve this red tape problem?
- 110) Which regulatory measures within the Act should be removed or amended to reduce the burden on the community? Please provide detailed analysis with your suggestions.
- a) Briefly describe the red tape problem you have identified.
 - b) What is the impact of this problem? Please quantify if possible.
 - c) What solutions can you suggest to solve this red tape problem?

Red Tape Rapid Assessment Tool

The Department of Treasury administers the Red Tape [Rapid Assessment Tool \(RAT\)](#) to provide a framework for examining processes and procedures. The RAT helps identify customers' and agencies' points of frustration or failures in a given process, and clarify options for improvement.

The RAT allows users to take a step back to see the whole picture, and map out the journey of how different stakeholders interact to achieve the desired outcome. This is appropriate when there is a specific process to be mapped to pinpoint areas for improvement (e.g. delays, duplication, bottlenecks, waste, and capacity issues).

Regulatory Burden Measure

The Department of Treasury administers the [Regulatory Burden Measure \(RBM\)](#) to assist in calculating the compliance costs of regulatory proposals on business, individuals and community organisations using an activity-based costing methodology. The tool also calculates the cost of administering regulatory proposals. This helps to illustrate the cost burden on government of enforcing and monitoring a particular regulatory process.

The quality of the cost analysis through the RBM is dependent on the quality of data available. This can help paint a better picture of the administrative and compliance activities imposed, including the volume of work, steps required and time taken to comply. This information will feed into an RBM assessment.

As an alternative to calculating a final dollar saving, other means of articulating a red tape reduction saving include:

- Number of licences, registrations and documents being moved online
- Number of hours/days/weeks/months saved from going online, reduced waiting times, fewer delays
- Number of paper pages no longer required or being published online

All feedback received on this topic will be analysed and considered for implementation. Easy to implement and well-considered suggestions may be implemented in phase 1. More complicated suggestions will be considered for inclusion in phase 2 of the review.

10.2 Potential red tape reductions

Special Majority

Section 1.10 of the Act defines a special majority decision as one made by a council with more than 11 members through a 75 per cent majority. In cases where there are 11 elected members or fewer, decisions that require a special majority may be made through an absolute (more than 50 per cent) majority.

The rules concerning special majorities currently apply to just 18 of the State's local governments, and a special majority is only required when changing the method of filling the office of mayor or president.

This means that a special majority is required very infrequently and by only a few local governments.

Special majority: Guidance question

111) Should the provisions for a special majority be removed? Why or why not?

Senior employees

A local government may designate employees to be senior employees.¹⁹ Currently, local government CEOs are required to inform the council of a proposal to employ or dismiss a senior employee. The council may accept or reject the CEO recommendation but if council rejects the CEO's recommendation it must provide reasons for doing so.

Some local government CEOs have argued that council involvement in workforce matters related to senior employees confuses the separate roles of council and

¹⁹ section 5.37 of the Act.

administration established elsewhere in the Act, and can be source of tension between council and CEOs²⁰.

For employees other than senior employees, the Act provides the CEO with broad workforce management powers, including the power to employ, direct, and dismiss employees. As a responsibility of the CEO, council has no role in the recruitment, selection and performance management of non-senior employees.

The Act does not define what criteria should be used to determine if an employee should be designated as a senior employee. A local government could, if it wished, designate all employees as senior employees.

Most commonly, local governments will designate employees that report directly to the CEO as senior employees. As these people are key personnel, often responsible for large portfolios and budgets, council may wish to retain the current oversight provisions.

An alternative view is that, as council cannot direct local government staff (other than the CEO), council involvement in workforce issues (beyond those involving the CEO) is an unnecessary expansion of council responsibility. It also can be viewed as a restriction of the powers and responsibility of the CEO to manage the day to day operations of the local government and implement council decisions.

Across Australia

Jurisdiction	Status
New South Wales	Senior staff are a defined category of person linked to the Executive Band of the Local Government (State) Award. The CEO can appoint (and dismiss) although must consult with council
Victoria	Nil
Queensland	Senior employees are a defined category and are appointed by a panel that includes the mayor, CEO and one other
South Australia	No separate senior employee category. The Deputy CEO is appointed by the CEO with the concurrence of the council. All other appointments are made by the CEO.

²⁰ Local governments have also queried whether the council is required to be informed of a decision to renew the contracts of senior employees.

Jurisdiction	Status
Tasmania	No separate category and the CEO is responsible for the appointment of all staff
Northern Territory	No separate category and the CEO is responsible for appointment of all staff

Senior employees: Guidance questions

- 112) Is it appropriate that council have a role in the appointment, dismissal or performance management of any employees other than the CEO? Why or why not?
- 113) Is it necessary for some employees to be designated as senior employees? If so, what criteria should define which employees are senior employees?

Exemption from Accounting Standard AASB124 — Related Party Disclosures

The Australian Accounting Standards Board (AASB) establishes Accounting Standards that regulate financial transactions and management of financial matters. Local government treatment of financial reporting must conform with AASB Standards, although regulations provide that if a provision of the Australian Accounting Standards is inconsistent with a provision of the *Local Government (Financial Management) Regulations 1996*, the provision of the regulations prevails to the extent of the inconsistency.

In July 2016 changes were made to AASB 124 - Related Party Disclosures. The Standard requires that transactions made between 'related parties' are to be disclosed. Related parties are defined as entities with a close relationship and in the context of local governments could include regional subsidiaries, key management personnel like the mayor or president, elected members and CEO, close family members of key management personnel, and entities that are controlled by key management personnel. Only related party transactions that are material (significant) are required to be disclosed.

Provisions in the Act already require local governments to disclose certain financial interests. Interests must be disclosed through the form of a primary return or annual return by the elected member and senior staff, and lodged with the CEO (or in the case of the CEO disclosing an interest, it must be lodged with the mayor or president).

This must be done within three months of the day that they take up that position. The CEO (or the mayor or president) must also provide written acknowledgement of receipt of the disclosure.

The AASB disclosure requirements may represent a duplication or overlap as most related party transactions should already be addressed by the Act's disclosure provisions. Alternatively, it can be argued that the AASB requirements introduce consistency between local governments and private entities, and thus strengthen accountability.

Exemption from accounting standard AASB124 - Related party disclosures: Guidance questions

- 114) Are the existing related party disclosure provisions in the Act sufficient without the additional requirements introduced by AASB 124? Why or why not?

Disposal of Property

Section 3.58 of the Act outlines the process that a local government is required to follow in order to dispose of property. Disposal is defined as 'to sell, lease or otherwise dispose of any property (other than money)'.

Property can be disposed of:

- through a public auction to the highest bidder; or
- through public tender to the most acceptable tender.

Alternatively, a local government can dispose of property if a local public notice is given and submissions sought on the proposed disposal of the property.

There are some exemptions to these requirements with respect to real property, property disposed of as part of a trading undertaking, and other exemptions set out in regulations.

Regulation 30 of the *Local Government (Functions and General) Regulations 1996* provides for a number of exemptions from these requirements predominately with respect to land transactions. Other exemptions exist where the requirements of the Act have been complied with but the property was not disposed of.

Two exemptions concern property that has a market value of less than \$20,000, and property that is disposed of during a 'trade-in' when less than \$75,000 is paid. It has

been suggested that these thresholds create a burden that is not commensurate with the monetary value of the property involved.

Trading-in property when purchasing new property of a similar type is a method of asset disposal that is widely used and accepted in the community. The threshold as currently set can create issues with the disposal of major equipment that is used by local governments such as graders, trucks or buses as an item valued over \$75,000 will need to be offered for sale by public auction or public tender.

Disposal of property: Guidance questions

- 115) The threshold for trade-ins was set originally to \$50,000 in 1996 and raised to \$75,000 in 2015. Should that threshold be raised higher, if so how high?
- 116) Should the threshold remain at \$75,000 but with separate exemptions for specific types of equipment, for example plant?
- 117) The general \$20,000 threshold was put in place in 1996 and has not been amended. Should the threshold be raised higher than \$20,000? If so, what should it be and why?
- 118) Would raising these thresholds create an unacceptable risk that the items would not be disposed of to achieve the best price for the local government?
- 119) Is there an alternative model for managing the disposal of property? Please explain.

Reducing red tape: Guidance question

- 120) Do you have any other suggestions or comments on this topic?

Regional Subsidiaries

Local governments are finding themselves under increased pressure to maintain community services in the current economic climate. The Act provides local governments with several mechanisms by which they can cooperate and pool resources. This includes the ability to form semi-independent entities known as regional subsidiaries. This model provides the ability for two or more local governments to provide a service or carry on an activity jointly with fewer compliance obligations under the Act.

Currently, many local governments are concerned that the regulatory requirements are too stringent to pursue the establishment of regional subsidiaries and at this time there are no regional subsidiaries in operation in WA.

The State Government strongly support local governments working collaboratively, and an effective subsidiary model will assist in delivering positive outcomes for local communities.

11. Regional Subsidiaries

Under the Act, local governments have the ability to form a corporate entity known as a regional subsidiary.

This arrangement allows multiple local governments to pool their resources to carry out their statutory functions, provide services across multiple districts or provide other benefits to their communities.

The characteristics of a regional subsidiary are:

- a separate legal entity from the local governments that form it
- governed by a binding charter which sets out its powers, functions and duties
- managed by a board appointed by the member councils, which can consist fully or partly of non-local government members (that is, people who are not elected members or employees)
- In the event of a regional subsidiary being wound up, the assets would become the property of the local governments that formed it, and those local governments would be liable for any debts
- required to release an annual report and financial statement, with any other reporting requirements to be set out in the charter
- not allowed to pursue commercial enterprises or borrow money except from the local governments which form it

This model was designed as a low risk-low compliance one. That is, most of the reporting and other statutory obligations under the Act would not apply to a regional subsidiary as it would be undertaking activities that would not present a significant risk to the forming local governments and therefore to the communities in those districts.

Regional subsidiaries are designed to carry out many of the activities which could be performed by a local government. They cannot, however, undertake commercial enterprises or speculative investments.

Under the *Local Government (Regional Subsidiaries) Regulations 2017*, subsidiaries are currently only able to borrow money from the local governments that form the subsidiary (the member councils). This restriction was put in place to ensure that regional subsidiaries would not incur excessive liabilities and cause risk to ratepayer money.

The local government sector has requested that regional subsidiaries be permitted to borrow money, either from financial institutions or the Treasury.

Further feedback from the sector has indicated that the restriction on borrowing is a major impediment to using regional subsidiaries to deal with matters such as waste management and other activities.

The implications of this proposal are discussed below.

11.1 Risks and benefits of borrowing

Regional subsidiaries were designed to be used as a form of collaborative service provision. The intent was that the model would allow local governments to pool their resources to provide new services and more effective existing services. They could also use the model to share back-office functions, such as accounting, records management and human resources.

For this reason, much of the financial management and reporting controls in the Act have not been applied to regional subsidiaries.

Importantly, for a regional subsidiary to be created, the Minister must approve an Establishment Charter which sets out the purpose of the regional subsidiary and its governance arrangements prior to its creation.

If subsidiaries were permitted to borrow money, this could have a number of advantages:

Advantage	Reasoning
Subsidiaries will have a greater capacity to obtain funds	<p>The subsidiary could borrow money which can be used to pursue the subsidiary's goals.</p> <p>The subsidiary will be able to obtain funds for unexpected situations or emergencies.</p> <p>Establishment of subsidiaries will be easier, since once the subsidiary is formed, it can borrow money to assist with setting up its operations.</p>
Subsidiaries will be less dependent on financial contributions from the member councils	<p>Subsidiaries will require less funding from member councils, since they can borrow money when needed.</p> <p>Borrowing money from a bank is less complex than obtaining funding from the member councils.</p>

Advantage	Reasoning
Subsidiaries will be more attractive to local governments	If the subsidiary model is more flexible, there is more chance that local governments will consider using the model.
Complexity will be reduced for the member councils	The forming councils do not have to consider how the loan will be apportioned between them.

Allowing subsidiaries to borrow money would also involve a number of risks and disadvantages which are set out below:

Disadvantage	Reasoning
Increased vulnerability	If a subsidiary incurs significant levels of debt, this will make the subsidiary more vulnerable to financial or economic shocks.
Increased chance of insolvency	<p>If a subsidiary is unable to pay its debts, the member councils will be required to pay the debts on the subsidiary's behalf.</p> <p>This could cause significant financial loss and the loss of jobs. It will also cause significant damage to public confidence.</p>
Reduced control by member councils	<p>Member councils will have less control over the borrowing activities of the subsidiary, with the degree of control and reporting entirely dependent upon any restrictions placed in the charter.</p> <p>Member councils may not foresee the need for these at the time of forming the subsidiary or may not have sufficient skills in this area to ensure that adequate safeguards are put in place.</p> <p>There is no requirement for the managing body of a regional subsidiary to have any members from the local governments (whether elected members or officers).</p>
Repayments	Once a subsidiary borrows money, it will need to pay the money back in addition to interest repayments.

Disadvantage	Reasoning
	<p>This will place the subsidiary under pressure to earn revenue to repay the loan.</p> <p>Any money spent on interest repayments will divert money which could have been spent on service provision.</p> <p>If a subsidiary is unable to pay back a loan, the member councils will be liable for any interest which is unpaid as well as the principal loan.</p>
Subprime lending	<p>The debts of a subsidiary will always be guaranteed by member councils.</p> <p>Banks will have little incentive to ensure that the subsidiary itself can repay the loan, since the debt can always be recovered from ratepayer money.</p> <p>Banks that make risky loans to a subsidiary will actually be rewarded if the debt spirals out of control, since this increases the total profit that the bank will receive.</p>

While the borrowing of money would lead to a number of risks, the danger could be mitigated by ensuring sufficient protections.

These legislative protections could include one or more of:

- Increasing the required reporting requirements of a subsidiary;
- Requiring the subsidiary to obtain consent to borrow;
- Only allowing borrowing to occur when permitted by the charter;
- Limiting the purposes for which money can be borrowed; or
- Limiting the amounts which can be borrowed by a subsidiary.

Each one of these precautions would lower the risk of a subsidiary, but would also represent a reduction in the model's flexibility.

Across Australia

Each Australian jurisdiction has a different approach regarding whether subsidiaries are allowed to borrow money. Subsidiaries in this situation has been interpreted widely to be the most applicable model in that jurisdiction. The range of approaches is as follows:

Jurisdiction	Status
Western Australia	Subsidiaries can borrow money, but only from member councils that formed it.
New South Wales	Subsidiaries can borrow money with Ministerial approval.
Victoria	Subsidiaries can borrow money with Ministerial approval.
Queensland	Subsidiaries cannot borrow money.
South Australia	Subsidiaries can borrow money when permitted by the charter and with the consent of member councils.
Tasmania	Subsidiaries can borrow money, but Ministerial approval is needed if liabilities exceed 30 per cent of subsidiary's revenue.
New Zealand	Subsidiaries can borrow money as necessary. Debts are not guaranteed by member councils.

11.2 Options:

Option 1: Status quo

This option proposes that the existing rules will remain unchanged and subsidiaries can only borrow from member councils.

This option will mean that subsidiaries do not gain the advantage of being able to borrow money from external bodies to pursue their objectives. It will mean, however, that subsidiaries will remain low-risk.

The current provisions have not provided the incentive for local governments to establish regional subsidiaries. Consequently, the collaborative benefits sought in the development of the legislation have not eventuated.

Currently, there are no regional subsidiaries in operation in WA.

Option 2: Regional subsidiaries are permitted to borrow from Treasury Corporation.

This option proposes that regional subsidiaries will be permitted to borrow money from the Treasury Corporation.

This will mean that subsidiaries have less chance of becoming insolvent. The Treasury will only lend money to the subsidiary in reasonable circumstances and subject to reasonable terms.

There is still a possibility that the subsidiary may borrow money it lacks the capacity to repay. Member councils will still be liable for the debt at the cost of their ratepayers.

Option 3: Regional subsidiaries are permitted to borrow from financial institutions

This option proposes that regional subsidiaries will be permitted to borrow money from financial institutions if permitted by the charter.

This course of action would result in the complete range of advantages and disadvantages listed in the previous section.

If this option is taken, the Government would need to review what additional legislative protections might be necessary to ensure that borrowing does not cause excessive risks to ratepayer money.

Regional subsidiaries: Guidance questions

- 121) Which option do you prefer?
- 122) Should regional subsidiaries be allowed to borrow money other than from the member councils?
- 123) Why or why not?
- 124) If a regional subsidiary is given the power to borrow directly, what provisions should be put in place to mitigate the risks?

Regional subsidiaries: Guidance question

- 125) Do you have any other suggestions or comments on this topic, including on any other aspect of the *Local Government (Regional Subsidiaries) Regulations 2017*?

Local Government Act review: Guidance question

- 126) You are invited to make comment and put forward suggestions for change on other matters which have not been covered in this paper.

For more information, please contact:

Department of Local Government, Sport and Cultural Industries
Gordon Stephenson House, 140 William Street, Perth WA 6000
GPO Box R1250, Perth W.A. 6844

Telephone: (08) 6551 8700 Fax: (08) 6552 1555

Freecall: 1800 620 511 (Country only)

Email: legislation@dlgsc.wa.gov.au Website: www.dlgc.wa.gov.au/lgareview

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

Attachment 1: Councillor position description

Councillor position description	
Role as prescribed by the <i>Local Government Act 1995</i>	<ul style="list-style-type: none"> • represent the interests of electors, ratepayers and residents of the district • provide leadership and guidance to the community district • facilitate communication between the community and the council • participate in the local government decision making process at council and committee meetings • perform such other functions as are given to councillor by the <i>Local Government Act 1995</i> or any other written law
Accountabilities, as prescribed by the <i>Local Government Act 1995</i>	<ul style="list-style-type: none"> • an understanding of the role and structure of local government as prescribed by the <i>Local Government Act 1995</i> • an understanding of the quasi-judicial town planning role of local government, as prescribed by the <i>Planning and Development Act 2005</i> • an understanding of Integrated Strategic Planning – the strategic plans for the future of local government, the processes involved and the strategic role of a councillor • an understanding of the process of managing the Chief Executive Officer's performance • ability to read and understand financial statements and reports • a basic understanding of legal processes
Governance and ethical standards	<ul style="list-style-type: none"> • an understanding of the 'separation of powers' between councillors and the administration (the difference between governing and managing) • an understanding of meeting process, including Standing Orders • an appreciation for policy development processes

Councillor position description	
	<ul style="list-style-type: none"> • an awareness of risk management strategies • an understanding of the accountability framework prescribed by <i>the Local Government Act 1995</i> and the <i>Corruption and Crime Act 2003</i>, and other legislation
Values, characteristics and commitment to the role	<ul style="list-style-type: none"> • the ability to communicate, debate and actively participate in meetings; ability to enhance discussion and assist discussions to reach closure; ability to disagree, without being disagreeable • the ability to develop and maintain effective working relationships and to manage interpersonal conflicts • ability to exercise independent judgements

Attachment 2: Gifts

The current gift framework

The current framework is established by section 5.82 of the Act for gifts and section 5.83 of the Act for contributions to travel. Under these sections, relevant persons are required to disclose gifts and contributions to travel over a prescribed amount, in writing, to the CEO within 10 days of receipt. The disclosures must be recorded in a register using a set form, which must then be made available on the local government's official website. There is currently no timeframe for disclosures to be published on the local government website.

Gift disclosures must include:

- a description of the gift;
- the name and address of the person who made the gift;
- the date on which the gift was received;
- the estimated value of the gift at the time it was made; and
- the nature of the relationship between the relevant person and the person who made the gift.

Section 5.82(4) of the Act defines a "gift" as:

"...any disposition of property, or the conferral of any other financial benefit, made by one person in favour of another, otherwise than by will (whether with, or without, an instrument in writing) without consideration in money or money's worth passing from the person in whose favour it is made to the other, or with such consideration so passing if the consideration is not fully adequate, but does not include any financial or other contributions to travel..."

Section 5.82(2) provides for the following exemptions from disclosure:

- if the gift did not exceed the prescribed amount (\$200), unless it was:
 - one of two or more gifts made by one person at any time during a year; and
 - the sum of those two or more gifts exceeded the prescribed amount;

or

- the donor was a relative of the person.

Travel disclosures must include:

- a description of the contribution;
- the name and address of the person who made the contribution;
- the date on which the contribution was received;
- the estimated value of the contribution at the time it was made;

- the nature of the relationship between the relevant person and the person who made the contribution;
- a description of the travel; and
- the date of travel.

A “contribution to travel” is not explicitly defined in the Act but section 5.83(4) states that it includes “accommodation incidental to a journey”. Regulation 34D of the *Local Government (Administration) Regulations 1996* defines a “travel contribution” as:

“...in relation to a person, means a financial or other contribution that has been made to any travel undertaken by the person.”

Section 5.83 provides for the following exemptions from disclosure:

- if the contribution was made from Commonwealth, State or local government funds; or
- the contribution was made by a relative of the person; or
- the contribution was made in the ordinary course of an occupation of the person which is not related to his or her duties as an elected member or employee; or
- the amount of the contribution did not exceed the prescribed amount unless it was –
 - one of two or more contributions made by one person at any time during a year; and
 - the sum of those two or more contributions exceeded the prescribed amount;

or

- the contribution was made by a political party of which the person was a member and the travel was undertaken for the purpose of political activity of the party, or to enable the person to represent the party.

If an elected member receives a gift or contribution to travel that needs to be disclosed under section 5.82 or 5.83 then for the remainder of their term in which the gift was received, the donor is deemed to be a “closely associated person” under section 5.62(1)(eb). As a consequence, the member will then have a financial interest (section 5.60) and need to disclose that interest in accordance with s. 5.65 if the donor requires (or has a financial relationship with someone who requires) a local government decision.

Section 5.103 of the Act requires every local government to prepare or adopt a code of conduct to be observed by elected members, committee members and employees. Regulations may prescribe the content or matters that are to be included, being the *Local Government (Administration) Regulations 1996*. Further information on codes of conduct can be viewed in Chapter 3.1 of this paper.

Section 5.104 of the Act states that elected members are required to observe rules of conduct which are set out in regulations, specifically the *Local Government (Rules of Conduct) Regulations 2007*.

In addition to the requirements set out in the Act, there are three sets of Regulations dealing with disclosure of gifts and contributions to travel:

- *Local Government (Rules of Conduct) Regulations 2007* (Rules of Conduct Regulations)
- *Local Government (Administration) Regulations 1996* (Admin Regulations)
- *Local Government (Elections) Regulations 1997* (Election Regulations)

Each set of regulations sets out different requirements including disclosure periods, monetary thresholds and exemption categories.

Rules of Conduct Regulations

The Rules of Conduct Regulations are “general principles to guide the behaviour of elected members”. This includes acting with reasonable care, diligence, honesty and integrity, acting lawfully, avoiding damage to the local government's reputation, and being open and accountable to the public.

Regulation 12 sets out the requirements surrounding acceptance and disclosure of gifts received by elected members.

Regulation 12 broadly aligns with the definition of gift under section 5.82(4) of the Act except for the following exemptions:

- a gift from a relative as defined in section 5.74(1) of the Act – parent, grandparent, sibling, uncle, aunt, nephew, niece, lineal descendant, spouse/de facto; or
- an electoral gift disclosable under the *Local Government (Elections) Regulations 1997* Regulation 30B; or
- a gift from a statutory authority, government instrumentality or non-profit association for professional training; or
- a gift from WALGA, the Australian Local Government Association or Local Government Managers Australia WA.

Types of gifts

The Rules of Conduct Regulations provide for two distinct types of gift with two monetary thresholds.

A notifiable gift is any gift between \$50 and \$300, or any series of gifts from the same donor which would come to that amount in value in a six-month period. Notifiable in

this context means that any gift between \$50 and \$300 must be disclosed to the CEO and entered into the notifiable gift register.

A prohibited gift is any gift worth over \$300, or any series of gifts from the same donor which would come to that amount in value in a six-month period. Elected members cannot accept prohibited gifts if the donor is undertaking, is seeking to undertake, or it is reasonable to believe will seek to undertake, an “activity involving local government discretion”.

An activity involving local government discretion is defined at *regulation 12(1) of the Rules of Conduct Regulations*. It means “an activity that cannot be undertaken without an authorisation from the local government or by way of a commercial dealing with the local government”. A practical example of such an activity in a local government context could be a property developer seeking to build an apartment block – such a change would require an application to the local government for approval.

These provisions sit alongside the section 5.82 and 5.83 provisions. Where a gift is valued between \$200 and \$300 and the donor is undertaking, or seeking to undertake, an activity involving local government discretion, disclosure will be required in both registers.

Administration Regulations

The Administration Regulations provide for administrative matters for local governments, including meeting procedures, employment requirements, reporting and planning, and disclosure of financial interests. This includes disclosure by local government employees of gifts.

The Administration Regulations mirror the Rules of Conduct Regulations in most matters relating to gifts.

Relevant regulations

Regulation 25 prescribes the amount of a gift for the purposes of section 5.82(2)(a) of the Act. The prescribed amount is \$200.

Regulation 26 prescribes the amount of a contribution to travel for the purposes of section 5.83(2)(d) of the Act. The prescribed amount is also \$200.

Regulation 34B prescribes that local governments must have a code of conduct regarding the acceptance of gifts. The code of conduct provisions only apply to employees. Regulation 34B of the Administration Regulations otherwise mirrors Regulation 12 of the Rules of Conduct Regulations.

The types of gifts established in Regulation 12 of the Rules of Conduct Regulations are, again, mirrored in Regulation 34B of the Admin Regulations.

Election Regulations

The Election Regulations prescribe requirements for the holding and management of local government elections.

Relevant regulations

Regulation 30A provides that gifts of \$200 or more, or gifts with a total value of \$200 or more received from the same person in the “disclosure period” are relevant for the purposes of the Election Regulations.

Regulation 30BA provides that candidates cannot receive gifts unless the name and address of the donor are known to them. Such gifts are not taken to have been received if, as soon as they become aware of the gift, the candidate takes reasonable steps to either return the gift or give it to the CEO for disposal.

Regulation 30B provides for the disclosure requirements.

Regulation 30CA provides that the donor of the gift must also disclose to the CEO within a required time.

Regulation 30C outlines the disclosure period. The disclosure period commences six months before election day and concludes three days after election day for unsuccessful candidates. For successful candidates, the disclosure period concludes on the start day as defined in section 5.74 of the Act. This effectively means that any electoral gifts received six months prior to and three days after the election must be disclosed.

Regulation 30D provides that disclosure must be made by completing a set form and lodging it with the CEO, within three days of the making, receipt or promise of a gift once the person has nominated to be a candidate. Gifts received earlier than the nomination date but within six months of the election must be disclosed within three days of nomination.

Regulation 30F outlines the information to be provided: description of the gift, date of receipt/making/promise, value and name/address of each donor.

Regulation 30G requires the CEO to maintain an electoral gifts register. Disclosures relating to unsuccessful candidates must be removed after the disclosure period (that is, three days after election day) and be retained separately for at least two years. Similarly, for successful candidates, the CEO must remove disclosures following the completion of the person's term of office. Those forms must be retained separately for at least two years.

Regulation 30H requires the electoral gifts register be kept at the local government's offices for public access.

Supplementary Information: Public notices

Situations where local public notices are required by the Local Government Act or associated regulations:

Provision	Situation	Details
Section 3.12	Local law is made and gazetted by the local government	Notice must specify the date the local law activates and where it can be inspected
Section 3.50	Closure of a thoroughfare for more than 4 weeks	Public notice must be issued before closure can occur
Section 3.51	Alterations to property in a way that will affect any individual	After public notice is issued, a "reasonable time" must be given before work can commence
Section 3.58	Disposing of certain kinds of property other than via an auction or tender	Notice must invite submissions from the local community (2 week minimum)
Section 5.29	Convening a meeting of local electors	Public notice must be issued at least 14 days prior to the meeting
Section 5.50(1)	Policies regarding the making of extra payments to terminated employees	Public notice must be issued after policy is adopted
Section 5.50(2)	Extra payments made to terminated employees	Public notice only required if amount exceeds the policy made under section 5.50(1)
Section 5.55	Release of annual report	Public notice must be issued as soon as practicable after the report is accepted by the council
Section 6.11	Proposal to use reserve account for a purpose other than what the money was originally reserved	Public notice must be given a month before the proposal is put into operation
Section 6.19	Proposal for the local government to set a new fee or charge	Public notice only required if changing fee or charge other than at the start of a financial year

Provision	Situation	Details
Section 6.20	Proposal for the local government to borrow money or obtain credit	Public notice must be given a month before the proposal is put into operation
Section 6.36	Proposal to impose differential rates and minimum payments	The notice must provide information on the rates being imposed and invite public submissions (3 week minimum)
Schedule 2.2 Clause 7	Local government seeks to carry out a review of the district ward boundaries	Public notice must invite public submissions (6 week minimum)
Schedule 6.3 Clause 1	Local government seeks to sell land for non-payment of rates	Public notice must be issued if the ratepayer cannot be notified personally through usual means
Administration Regulation 12	Council meeting dates	Public notice must be issued once a year and list the meeting dates for the next 12 months
Administration Regulation 19D	Release of strategic community plan	Notice must specify where the plan is available for inspection
Constitution Regulation 11H	Validity of election results is challenged	Notice must be issued once a decision is reached in the Court of Disputed Returns
Elections Regulation 73	Local election is to be postponed to a future time	Notice must be issued stating that the election is postponed
Elections Regulation 80	Final results of local election are available	Public notice must set out the results in the prescribed form
Elections Regulation 92	Poll to determine how presiding member of council is to be appointed	Public notice must set out the results in the prescribed form
Regional Subsidiaries Regulation 4	Proposal to establish subsidiary	Notice must state where the business plan may be inspected and invite submissions (6 week minimum)

Situations where State-wide notice is required:

Provision	Situation	Details
Section 2.12A	Proposal to change the method of electing the presiding member of council	Public notice must invite public submissions on the proposal (6 week minimum)
Section 3.12	Proposal to introduce new local law	Public notice must invite public submissions on the draft local law (6 week minimum)
Section 3.16	Review of an existing local law	Public notice must invite public submissions on the existing local law (6 week minimum)
Section 3.59	Major trading undertakings or land transactions	Public notice must invite public submissions on the business plan (6 week minimum)
Section 4.39	Closing date for enrolment in election	The notice must include details on how a person can become an elector
Section 4.47	Nomination of candidates in election	The notice must specify how many seats are up for election and how nominations can be submitted
Section 5.36	Advertising a vacancy for a CEO position	Also applies to senior employee positions
Schedule 6.3	Sale of land	The notice must include a description of the land and any improvements sold with the land
Functions and General Regulation 14	Invitation for tenders	Tender process applies whenever the local government seeks to acquire goods or services above a prescribed amount
Functions and General Regulation 21	Expression of interest for prospective suppliers	This process is used to obtain a group of prospective suppliers prior to formal tender process
Functions and General Regulation 24AD	Panel of pre-approved suppliers	Similar to tender process, but conducted in advance

Provision	Situation	Details
Functions and General Regulations 24E	Regional price preference policy	Notice must specify the region to which the policy will apply and invite submissions (4 week minimum)

5. MATTERS FOR DECISION

5.1 Local Government Act 1995 Review

*By Tony Brown, Executive Manager Governance and Organisational Services
and James McGovern, Manager Governance*

The Chair advised that each recommendations would be considered separately.

Moved: Cr Doug Thompson
Seconded: Mayor Tracey Roberts

1. That State Council endorse the following general principles as being fundamental to its response to the review of the Local Government Act:
 - (a) Uphold the General Competence Principle currently embodied in the Local Government Act;
 - (b) Provide for a flexible, principles-based legislative framework;
 - (c) Promote a size and scale compliance regime; and
 - (d) Support a Department of Local Government role as an enabler for the Local Government sector.

AMENDMENT

Moved: Cr Paul Kelly
Seconded: Cr Philip Blight

That item (d) be removed and now read:

1. That State Council endorse the following general principles as being fundamental to its response to the review of the Local Government Act:
 - (a) Uphold the General Competence Principle currently embodied in the Local Government Act;
 - (b) Provide for a flexible, principles-based legislative framework; and
 - (c) Promote a size and scale compliance regime

Moved: Cr Paul Kelly
Seconded: Mayor Tracey Roberts

THE MOTION AS AMENDED WAS PUT AND

RESOLUTION 120.6/2017

CARRIED

Note: WALGA staff to report to the next State Council meeting on the role of Department of Local Government.

-
2. That State Council endorse the retention of current WALGA Policy positions as listed:
 - (a) Method of Election of Mayor/President: Section 2.11

Position Statement	Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.
---------------------------	---

(b) Notification of Affected Owners: Section 3.51

Position Statement	Section 3.51 of the Local Government Act 1995 concerning "Affected owners to be notified of certain proposals" should be amended to achieve the following effects: to limit definition of "person having an interest" to those persons immediately adjoining the proposed road works (i.e. similar principle to town planning consultation); and to specify that only significant, defined categories of proposed road works require local public notice under Section 3.51 (3) (a).
---------------------------	--

(c) Regional Local Governments: Part 3, Division 4

Position Statement	The compliance obligations of Regional Local Governments should be reviewed.
---------------------------	--

(d) Council Controlled Organisations: Part 3, Division 4

Position Statement	The Local Government Act 1995 should be amended to enable Local Governments to establish Council Controlled Organisations (CCO).
---------------------------	--

(e) Tender Threshold: Local Government (Functions and General) Regulation 11(1)

Position Statement	WALGA supports an increase in the tender threshold to align with the State Government tender threshold (\$250 000).
---------------------------	---

(f) Regional Subsidiaries

Position Statement	That WALGA advocate for legislative and regulatory amendments to enable Regional Subsidiaries to: <ul style="list-style-type: none"> - Borrow in their own right; - Enter into land transactions; and - Undertake commercial activities
---------------------------	--

(g) Conduct of Postal Elections: Sections 4.20 and 4.61

Position Statement	The Local Government Act 1995 should be amended to allow the Australian Electoral Commission (AEC) and/or other third party provider to conduct postal elections.
---------------------------	---

(h) Voluntary Voting: Section 4.65

Position Statement	Voting in Local Government elections should remain voluntary.
---------------------------	---

(i) Electors' General Meeting: Section 5.27

Position	Section 5.27 of the Local Government Act 1995 should be
-----------------	---

Statement	amended so that Electors' General Meetings are not compulsory.
-----------	--

(j) Local Government (Rules of Conduct) Regulations 2007

Position Statement	<p>WALGA supports:</p> <ol style="list-style-type: none"> 1. Official Conduct legislation to govern the behaviour of Elected Members; 2. An efficient and effective independent Standards Panel process; 3. An ability for the Standards Panel to dismiss vexatious and frivolous complaints; and, 4. Confidentiality for all parties being a key component of the entire process.
--------------------	--

(k) Imposition of Fees and Charges: Section 6.16

Position Statement	That a review be undertaken to remove fees and charges from legislation and Councils be empowered to set fees and charges for Local Government services.
--------------------	--

(l) Rating Exemptions – Rate Equivalency Payments

Position Statement	Legislation should be amended so rate equivalency payments made by LandCorp and other Government Trading Entities are made to the relevant Local Governments instead of the State Government.
--------------------	---

(m) Rating Restrictions – State Agreement Acts

Position Statement	Resource projects covered by State Agreement Acts should be liable for Local Government rates.
--------------------	--

(n) Poll Provisions

Position Statement	Schedule 2.1 of the Local Government Act 1995 should be amended so that the electors of a Local Government affected by any boundary change or amalgamation proposal are entitled to petition the Minister for a binding poll.
--------------------	---

(o) Stand Down Provision

Position Statement	<p>WALGA supports, in principle, a proposal for an individual elected member to be 'stood down' from their role when they are under investigation; have been charged; or when their continued presence prevents Council from properly discharging its functions or affects the Council's reputation, subject to further policy development work being undertaken.</p> <p>Further policy development of the Stand Down Provisions must involve specific consideration of the following issues of concern to the Sector:</p> <ol style="list-style-type: none"> 1. That ... the established principles of natural justice and
--------------------	--

	<p>procedural fairness are embodied in all aspects of the proposed Stand Down Provisions; and</p> <p>2. That activities associated with the term 'disruptive behaviour', presented as reason to stand down a defined Elected Member on the basis their continued presence may make a Council unworkable, are thoroughly examined and clearly identified to ensure there is awareness, consistency and opportunity for avoidance.</p>
--	--

(p) Method of Voting - Schedule 4.1

Position Statement	Elections should be conducted utilising the first-past-the-post (FPTP) method of voting.
--------------------	--

Amendment

Moved: Cr Kate Driver
Seconded: Cr Michelle Rich

That WALGA rescind the current policy in relation to section 5.27 of the Local Government Act.

LOST

Moved: Cr Chris Mitchell
Seconded: President Cr Karen Chappel

THE PRIMARY MOTION AS AMENDED WAS PUT AND CARRIED.
RESOLUTION 121.6/2017

Moved: Cr Chris Mitchell
Seconded: President Cr Karen Chappel

3. That State Council:

(a) Amend current WALGA Policy position 'Rating Exemptions – Charitable Purposes: Section 6.26(2)(g)' by adding Item 3:

<ol style="list-style-type: none"> 1. Amend the Local Government Act to clarify that Independent Living Units should only be exempt from rates where they qualify under the Commonwealth Aged Care Act 1997; 2. Either: <ol style="list-style-type: none"> a. amend the charitable organisations section of the Local Government Act 1995 to eliminate exemptions for commercial (non-charitable) business activities of charitable organisations; or b. establish a compensatory fund for Local Governments, similar to the pensioner discount provisions, if the State Government believes charitable organisations remain exempt from payment of Local Government rates; and 3. <u>Request that a broad review be conducted into the justification and fairness of all rating exemption categories currently prescribed under Section 6.26 of the Local Government Act.</u>
--

(b) Amend current WALGA Policy position 'Elected Member Training' to read:

That WALGA:

1. Supports and encourages all Elected Members to carry out the Elected Member Skillset, as a minimum, that comprises;
 - i. Understanding Local Government;
 - ii. Serving on Council;
 - iii. Understanding Financial Reports and Budgets;
 - iv. Conflicts of Interest; and,
 - v. Meeting Procedures and Debating.
2. Requests the State Government through the Minister for Local Government to provide funding assistance to Local Governments to enable all Elected Members to receive training;
3. Supports Local Governments being required to establish an Elected Member Training Policy to encourage training and include budgetary provision of funding for Elected Members; and,
4. Supports Local Government election candidates being required to attend a Candidates information session, either in person or on-line, as an eligibility criteria for nomination as an Elected Member.

RESOLUTION 122.6/2017

CARRIED

Moved: Cr Julie Brown
Seconded: Cr Chris Mitchell

4. That State Council adopt as WALGA Policy positions the following items as listed:

(a) Local and Statewide Public Notice: Sections 1.7 and 1.8

That Sections 1.7 and 1.8 of the Local Government Act be amended to remove the statutory requirements for statewide and local public notice to be placed in a newspaper circulating statewide or locally, to be replaced with the requirement for a Local Government to place public notices on their website.

(b) Leave of Absence when Contesting State or Federal Election

Amend the Act to require an Elected Member to take leave of absence when contesting a State or Federal election, applying from the issue of Writs. The options to consider include:

- (a) that an Elected Member remove themselves from any decision making role and not attend Council and Committee meetings; or
- (b) that an Elected Member take leave of absence from all aspects of their role as a Councillor and not be able to perform the role as specified in Section 2.10 of the Local Government Act.

(c) Control of Certain Unvested Facilities: Section 3.53

That Section 3.53 be repealed and that responsibility for facilities located on Crown Land return to the State as the appropriate land manager.

- (d) Dispositions of Property: Local Government (Functions and General) Regulation 30(3)

That Regulation 30(3) be amended to delete any financial threshold limitation (currently \$75,000) on a disposition where it is used exclusively to purchase other property in the course of acquiring goods and services, commonly applied to a trade-in activity.

- (e) On-Line Voting

That WALGA continue to investigate online voting and other opportunities to increase voter turnout.

- (f) Special Electors' Meeting: Section 5.28

That Section 5.28(1)(a) be amended:
 (a) so that the prescribed number of electors required to request a meeting increase from 100 (or 5% of electors) to 500 (or 5% of electors), whichever is fewer; and
 (b) to preclude the calling of Electors' Special Meeting on the same issue within a 12 month period, unless Council determines otherwise.

- (g) Senior Employees: Section 5.37(2)

That Section 5.37(2) of the Local Government Act be deleted.

- (h) Annual Review of Certain Employees Performance: Section 5.38

That Section 5.38 either be deleted, or amended so that there is only a specific statutory requirement for Council to conduct the Chief Executive Officer's annual performance review.

- (i) Gifts and Contributions to Travel: Sections 5.82 and 5.83

That the *Local Government Act 1995* and Regulations be amended so that:

- There be one section for declaring gifts. Delete declarations for Travel.
- No requirement to declare gifts received in a genuinely personal capacity, as gifts only to be declared in respect to an Elected Member or CEO carrying out their role.
- Gift provisions only for Elected Members and CEO's.
- Other staff fall under Codes of Conduct from the CEO to the staff.
- Gifts only to be declared if above \$500.00.
- There will not be any category of notifiable gifts or prohibited gifts.
- Exemptions for ALGA, WALGA and LG Professionals (already achieved).
- Exemption for electoral gifts received that relate to the State and Commonwealth Electoral Acts, so Elected Members who are standing for State or Federal Parliament will only need to comply with the State or Federal electoral act and not declare it as a Local Government gift.

- (j) Vexatious and Frivolous Complainants: New Provision

That a statutory provision be developed, permitting a Local Government to declare a member of the public a vexatious or frivolous complainant.

- (k) Revoking or Changing Decisions: Regulation 10

That Regulation 10 be amended to clarify that a revocation or change to a previous decision does not apply to Council decisions that have already been implemented.

(l) Minutes, contents of: Regulation 11

That Regulation 11 be amended to require that information presented in a Council or Committee Agenda also be included in the Minutes to that meeting.

(m) Repayment of Advance Annual Payments: New Regulation

That regulations be drafted as matter of priority in relation to Section 5.102AB of the Local Government Act.

(n) Power to Borrow: Section 6.20

That Section 6.20(2) of the Local Government Act, requiring one month's public notice of the intent to borrow, be deleted.

(o) Basis of Rates: Section 6.28

That Section 6.28 be reviewed to examine the limitations of the current methods of valuation of land, Gross Rental Value or Unimproved Value, and explore other alternatives.

(p) Differential General Rates: Section 6.33

That Section 6.33 of the Local Government Act be reviewed in contemplation of time-based differential rating, to encourage develop of vacant land.

(q) Service of Rates Notice: Section 6.41

That Section 6.41 be amended to:

- (a) permit the rates notice to be issued electronically; and
- (b) introduce flexibility to offer regular rate payments (i.e. fortnightly, monthly etc) without requirement to issue individual instalment notices.

(r) Rates or Service Charges Recoverable in Court: Section 6.56

That Section 6.56 be amended to clarify that all debt recovery action costs incurred by a Local Government in pursuing recovery of unpaid rates and services charges be recoverable and not be limited by reference to the 'cost of proceedings'.

(s) Exemption from AASB 124: Regulation 4

That Regulation 4 of the *Local Government (Financial Management) Regulations* be amended to provide an exemption from the application of AASB 124 'Related Party Transactions' of the Australian Accounting Standards (AAS).

(t) Onus of Proof in Vehicle Offences may be Shifted: Section 9.13(6)

That Section 9.13 of the Local Government Act be amended by introducing the definition of 'responsible person' to enable Local Governments to administer and apply effective provisions associated with vehicle related offences

- (u) Schedule 2.1 – Proposal to the Advisory Board, Number of Electors clause 2(1)(d).

That Schedule 2.1 Clause 2(1)(d) be amended so that the prescribed number of electors required to put forward a proposal for change increase from 250 (or 5% of electors) to 500 (or 5% of electors) whichever is fewer.

- (v) Schedule 2.2 – Proposal to amend names, wards and representation, Number of Electors clause 3(1)

That Schedule 2.2 Clause 3(1) be amended so that the prescribed number of electors required to put forward a submission increase from 250 (or 5% of electors) to 500 (or 5% of electors) whichever is fewer.

Moved: Cr Malcolm Cullen
Seconded: President Cr Stephen Strange

RESOLUTION 123.6/2017

CARRIED

Moved: Cr Malcolm Cullen
Seconded: President Cr Stephen Strange

5. That State Council note additional proposals as listed for future consideration following Sector consultation:

- (a) New Proposal - Differentiating between Local Governments/Tiered Compliance

- Insert a new provision to differentiate between Local Governments based on capacity. This will reduce the compliance burden on smaller Local Governments with limited capacity and provide additional opportunities for local governments with capacity.
- Tiered application of legal framework and support a review of this approach.

- (b) New Proposal – Regional Capitals Recognition

The Regional Capitals Alliance would welcome legislative change to enable regional capitals to be designated within the Act under Section 2.4 (District to be designated city, town or shire) and also that the Regional Capitals Alliance WA (RCAWA) be established as a recognised statutory body not dissimilar to the establishment of a regional local government currently provided for in the Act under Division 4 Section 3.61.

- (c) New Proposal Section 2.21 – Disqualification because of Convictions

Add a disqualification criteria which disqualifies a person from being an Elected Member if they have been convicted of an offence against the Planning and Development Act, or the Building Act, in the preceding five years.

A planning or building system conviction is potentially more serious than a Local Government Act conviction because of Local Government's prominent role in planning and building control and the significant personal benefits which can be illegally gained through these systems.

(d) New Proposal – Local Laws

- Procedure for making local laws – Local Governments' local laws generally affect those persons within its district. The requirement to give statewide notice under subsection (3) should be reviewed and consideration being given to Local Governments only being required to advertise the proposed local law by way of local public notice;
- Eliminate the requirement to consult on Local Laws when a model is used;
- Periodic review of local laws – consideration might be given to review of this section and whether it could be deleted. Local Governments through administering local laws will determine when it is necessary to amend or revoke a local law in terms of meeting its needs for its inhabitants of its district. Other State legislation is not bound by such periodic reviews, albeit recognising such matters in subsidiary legislation are not as complex as matters prescribed in statute.

(e) New Proposal – Closure of Bridges for Repairs

Allow a bridge to be closed for urgent repairs and maintenance without notice, even if it will have significant adverse effects on users. The closure of a bridge will often have significant adverse effects on users. However, bridges may need to be closed for urgent repairs if there is a sign of weakness and, currently, the Act does not provide capacity to take this action without giving local public notice if the closure will be greater than four weeks.

(f) New Proposal Section 6.14 – Power to Invest

Allow Local Governments with capacity to invest in accordance with the Trustees Act in the manner that existed prior to the Global Financial Crisis. The Global Financial Crisis was a once in a generation experience (1987 and 1929 were the two previous financial crashes of extreme magnitude). Legislation should not be based on a worst case scenario but on a routine and general operating environment. Prior to the Global Financial Crisis, the previous legislation was adequately controlling Local Government investments.

(g) New Proposal – Financial Management Provisions

- Conduct a complete review of the Financial Management provisions under Part 6 of the Local Government Act and associated Regulations;

(h) New Proposal – Standards Panel

- Review of Standards Panel Legislative content and practices;.

(i) New Proposal – Local Government Election Provisions

- Review of Local Government election provisions under Part 4 of the Local Government Act and associated Regulations with a focus on lessons learnt in the conduct of the 2017 elections including currently non-legislated matters such as candidate conduct and campaigning behaviours.

(j) New Proposal – CEO Employment

Investigate and Development a policy on an approach whereby Local Government be encouraged to seek third party assistance in the recruitment, performance management and, if necessary, dismissal of a CEO, with any necessary legislation.

(k) New Proposal – Section 3.58 and 3.59: Disposal of Property and Commercial Enterprises

That WALGA include in the Local Government Act 1995 Review submission, the review of section 3.58 Disposing of Property and section 3.59 Commercial Enterprises to be redrafted to reflect current commercial and contractual practices in Western Australia.

(l) New Proposal – Simple / Absolute Majority Decisions

That WALGA support a review of those decisions requiring simple / absolute majority.

RESOLUTION 124.6/2017

CARRIED

Moved: Cr Doug Thompson
Seconded: Cr Paul Kelly

6. That WALGA staff write to the zones advising the basis of explaining the feedback on the Composite recommendations.

RESOLUTION 125.6/2017

CARRIED

In Brief

- WALGA released the Local Government Act Review Discussion Paper to member Local Governments on 20th July 2017, seeking comment on a range of policy and advocacy positions and any further proposals for amendments to the Act and associated Regulations by close of submissions on 20th October 2017
- At close of submissions, 24 individual Local Governments and 5 Zones comprising 61 Local Governments had submitted a response;
- This report provides a summary of the feedback and provides State Council the opportunity to consider retaining, amending and adding to its suite of policy and advocacy positions.

Attachment

Nil.

Relevance to Strategic Plan

Key Strategies

Engagement with Members

- Deliver a broad range of benefits and services that enhance the capacity of member Local Governments;
- Improve communication and build relationships at all levels of member Local Governments;
- Provide ongoing professional development and interactive opportunities for Elected Members to contribute to debate on sector issues;
- Build a strong sense of WALGA ownership and alignment.

Sustainable Local Government

- Continue to build capacity to deliver sustainable Local Government;
- Provide support to all members, according to need;
- Represent the diversity of members' aspirations in the further development of Local Government in Western Australia;
- Foster economic and regional development in Local Government.

Enhanced Reputation and Relationships

- Communicate and market the profile and reputation of Local Government and WALGA;
- Promote WALGA's advocacy successes with the sector and the wider community;
- Strengthen effective relationships with external peak bodies and key decision makers in State and Federal Government;
- Develop simple and consistent messages that are effectively articulated;
- Promote WALGA's supplier agreements to assist Local Governments.

Policy Implications

To be determined in accordance with this report.

Budgetary Implications

Nil.

Background

The Local Government Act Review Discussion Paper ('Act Review') was released to member Local Governments on 20 July 2017. The Paper contains policy and advocacy positions drawn from the following sources:

- WALGA Advocacy Positions: A document representing a collation of WALGA's advocacy positions determined by formal State Council resolutions, inclusive of motions passed at the Association's Annual General Meeting.
- WALGA Zone Proposals: This Discussion Paper attempts to capture WALGA Zone resolutions requesting WALGA seek amendment to the Local Government Act.
- Local Government Reform Steering Committee Report May 2010: Proposals developed by the Legislative Reform Working Group. Some proposals have already been implemented through Local Government Act amendments since 2010, with the remaining recommendations presented in this Paper for consideration.

Members were asked to provide feedback on these positions and provide any further amendment proposals. To support and facilitate this, WALGA provided advice and guidance at Zone meetings held throughout the State in August 2017 and subsequently attended a number of Zone meetings.

WALGA's review will assist the Local Government sector prepare a submission for the Local Government Act review initiated by the Minister for Local Government, to be conducted in two distinct phases, each addressing specific criteria:

Phase 1: 'Modernising Local Government' - 2017

- Increasing participation in local government elections
- Strengthening public confidence in local government elections
- Making information available online
- Restoring public confidence (includes the gift provisions)
- Reducing red tape
- Regional Subsidiaries

Phase 2: 'Services for the Community' – 2018

- Increasing community participation
- Improving financial management
- Improving behaviour and relationships
- Reducing red tape

Note that the proposals canvassed in WALGA's Act Review as highlighted in this report will fall into both Phase 1 and Phase 2 of the Minister's overall review process. Specifically, WALGA's discussion paper and consultation process facilitated the identification of a range of issues that the sector believes should be included in the Act Review in advance of the State Government's paper.

The Minister released the Local Government Act Review 'Agile, Smart, Inclusive – Local Governments for the Future' Discussion Paper on 8th November 2017. The Department of Local Government, Sport and Cultural Industries are undertaking a consultation process incorporating submissions and public forums. Submissions to the discussion paper close on 8 February.

WALGA will undertake further consultation on issues identified in the State Government's discussion paper for which there is not a sector position and an extension will be sought to the State Government's timeframe to enable sector input at February Zone meetings and the March 2018 State Council meeting.

Sector Principles and Role of the Department of Local Government

In listening to discussion at the Local Government and regional group forums on the Act review and also reflected in submissions, is that the sector considers the following as key principles for the review of the Act:

- (a) Retain the General Competence Principle
- (b) Provide for a flexible, principle based legislative framework
- (c) Size and Scale Compliance regime
- (d) Role of the Department of Local Government

- Retain the general competence principle.

The 1995 Act was based on the general competence principle and is fundamental for Local Governments to be able to govern for their communities. Over the 20 year life of the Act the general competence principle has eroded with various amendments and additional regulation.

The General Competence Principle for Local Government to make their own decisions has to remain as the foundation to the Act.

- Provide for a flexible, principle-based legislative framework

A flexible, principles based legislative framework, avoiding excessive prescription and unnecessary red tape, is required to modernise the Act. The Act should be confined to setting out the principles of how councils are established and operate. When further detail is required as to how these principles are to be achieved, then regulations and guidelines should be used.

- Size and scale compliance regime

Due to the diversity in the size and scale of the Local Government sector, consideration be given to providing a size and scale compliance regime. Consideration be given to different

levels of compliance depending on the size of the Local Governments with consideration to the use of a band system similar to what is used by the Salary and Allowances Tribunal.

A size and scale compliance regime is not about reducing accountability issues. There are some issues like procurement that certain standards are required for all Local Governments, however issues like the level of documentation in the Integrated Strategic Planning framework could be considered for this type of system.

- **Role of the Department of Local Government**

A number of groups participating in the review process have raised the issue of the role of the Department of Local Government. The general consensus is that the Department has for some time focused on compliance and policing with very little focus on supporting Local Governments and looking at ways to assist the sector. The capacity building role, which was a valued function of the Department's operations in the first decade from the commencement of the Local Government Act in 1996, should again become the primary focus.

The clear message from the sector is that the role of the Department should be as an enabler for the Local Government sector.

Response to the WALGA Discussion Paper

24 individual Local Governments, five Zones comprising 61 Local Governments, two Regional Local Governments and a regional alliance responded to the Discussion Paper.

The purpose of this section of the report is to identify views on existing policies, views on proposed new policies and consider additional commentary from member Local Governments. In addressing the latter point, it is noted that a number of proposals for Local Government Act and regulatory amendments fall within the 'red tape reduction' element of the Act Review to be dealt with in Phase 2 of the Minister's proposed process due to their technical or practice and procedure nature.

Phase 2 proposals will not be brought forward for consideration at this juncture as, in keeping with the theme of WALGA's Discussion Paper, this report is seeking to establish policy positions to prepare for Phase 1 of the Act Review. These matters are found under 'Additional Responses and New Proposals'.

New proposals falling within the Minister's criteria for Phase 1 of the review are included in this report for consideration and potential adoption as WALGA Policy.

The remainder of this section of the report details analysis of responses received from member Local Governments.

Local and Statewide Public Notice: Sections 1.7 and 1.8

The Association welcomes the opportunity to modernise the requirements of giving public notice of particular matters, as prescribed in the Local Government Act. The Minister for Local Government has indicated an intention to deal with this in Phase 1 of the Review process, by making information available online. It is already common practice within the Local Government sector to place statutory public notices on official websites, despite there being no legislated requirement to do so.

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Method of Election of Mayor/President: Section 2.11

Position Statement Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.

Local Government Response	Majority support current position
Zone/Regional Group Response	Majority support current position
Recommendation	Retain Policy

Elected Member Training: New Proposal

Position Statement WALGA opposes legislative change that would:

1. Require candidates to undertake training prior to nominating for election;
2. Incentivise Elected Member training through the fees and allowances framework; or
3. Mandate Elected Member training.

Further, if mandatory training becomes inevitable, WALGA will seek to ensure that it:

- a) Only applies to first time Elected Members;
- b) Utilises the Elected Member Skill Set as the appropriate content for mandatory training;
- c) Applies appropriate Recognition of Prior Learning (RPL);
- d) Requires training to be completed within the first 12 months of office; and
- e) Applies a penalty for non-completion of a reduction in fees and allowances payable.

Local Government Response	Various comments as detailed
Zone/Regional Group Response	Various comments as detailed
<p>Comments: Delete (a) and (e); change (d) to 2 years; add (f) "improve accessibility to training"; Consider more flexible training options to encourage participation; Support mandatory training with deductions from allowances for non-completion; Support principle of mandatory training but cost is a strong factor that hinders participation; Candidates should participate in some level of awareness raising as part of the criteria for nominating for Council; Support incentivising training, applying training requirements only to newly elected members and applying RPL.</p> <p>WALGA Comment: There was a divergence of views among Local Governments in relation to the question of mandatory training of Elected Members. A small majority of respondents oppose mandatory training, in line with the policy position adopted in 2008 and re-endorsed in 2015. The responses indicate that the opposition to mandating Elected Member training, evident in the Policy position adopted in 2008 and re-endorsed in 2015, remains relevant to Member Local Governments. Pre-existing acknowledgement that training will improve all Elected Members capacity to properly perform their complex role continues as a theme in the responses. Barriers to mandating training such as cost, mode of delivery and the problematic question of dealing with non-participation were also identified.</p> <p>Taking into account the mature reflection on this issue by responding Local Governments and Zones, reconsideration of the current WALGA Policy position appears to be warranted with the following Policy approach recommended:</p> <p><i>"That WALGA</i></p> <ol style="list-style-type: none"> 1. <i>Supports and encourages all Elected Members to carry out the Elected Member Skillset, as a minimum, that comprises;</i> <ol style="list-style-type: none"> i. <i>Understanding Local Government;</i> ii. <i>Serving on Council;</i> 	

iii. <i>Understanding Financial Reports and Budgets;</i> iv. <i>Conflicts of Interest; and,</i> v. <i>Meeting Procedures and Debating.</i>	
2. <i>Requests the State Government through the Minister for Local Government to provide funding assistance to Local Governments to enable all Elected Members to receive training;</i>	
3. <i>Supports Local Governments being required to establish an Elected Member Training Policy to encourage training and include budgetary provision of funding for Elected Members; and,</i>	
4. <i>Supports Local Government election candidates being required to attend a Candidates information session, either in person or on-line, as an eligibility criteria for nomination as an Elected Member."</i>	
Recommendation	Amend Policy

Leave of Absence* when Contesting State or Federal Election: New Proposal

Amend the Act to require an Elected Member to take leave of absence when contesting a State or Federal election, applying from the issue of Writs. The options to consider include:

- (a) that an Elected Member remove themselves from any decision making role and not attend Council and Committee meetings; or
- (b) that an Elected Member take leave of absence from all aspects of their role as a Councillor and not be able to perform the role as specified in Section 2.10 of the Local Government Act.

* *Note: Heading and content has been changed to differentiate between this proposal and the proposal to introduce Stand Down Provisions for Elected Members under investigation for serious breaches.*

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Notification of Affected Owners: Section 3.51

Position Statement

Section 3.51 of the Local Government Act 1995 concerning "Affected owners to be notified of certain proposals" should be amended to achieve the following effects:

- 1. to limit definition of "person having an interest" to those persons immediately adjoining the proposed road works (i.e. similar principle to town planning consultation); and
- 2. to specify that only significant, defined categories of proposed road works require local public notice under Section 3.51 (3) (a).

Local Government Response	Majority support current position
Zone/Regional Group Response	Majority support current position
Recommendation	Retain Policy

Control of Certain Unvested Facilities: Section 3.53

Section 3.53 places responsibility for an otherwise unvested facility on the Local Government in whose district the facility is located. Lack of ongoing maintenance and accreting age has resulted in much infrastructure falling into a dilapidated state. This, together with the uncertain

provenance of many of these facilities, particularly bridges, is reported as placing an unwarranted and unfunded burden on a number of Local Governments. It is recommended Section 3.53 of the Act be deleted and that responsibility for facilities located on Crown Land return to the State as the appropriate land manager.

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Regional Local Governments: Part 3, Division 4

Position Statement The compliance obligations of Regional Local Governments should be reviewed.

Local Government Response	Majority support current position
Zone/Regional Group Response	Majority support current position
Recommendation	Retain Policy

Council Controlled Organisations: Part 3, Division 4

Position Statement The Local Government Act 1995 should be amended to enable Local Governments to establish Council Controlled Organisations (CCO) - also referred to as 'Local Government Enterprises' i.e. WALGA's Systemic Sustainability Study 2008.

Local Government Response	Majority support current position
Zone/Regional Group Response	Majority support current position
Recommendation	Retain Policy

Tender Threshold: Local Government (Functions and General) Regulation 11(1)

Position Statement WALGA supports an increase in the tender threshold to align with the State Government tender threshold (\$250 000).

Local Government Response	Majority support current position
Zone/Regional Group Response	Majority support current position
Recommendation	Retain Policy

Dispositions of Property: Local Government (Functions and General) Regulation 30(3)

That Regulation 30(3) be amended to delete any financial threshold limitation (currently \$75,000) on a disposition where it is used exclusively to purchase other property in the course of acquiring goods and services, commonly applied to a trade-in activity.

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Regional Subsidiaries

Position Statement	That WALGA advocate for legislative and regulatory amendments to enable Regional Subsidiaries to: <ol style="list-style-type: none"> 1. Borrow in their own right; 2. Enter into land transactions; and, 3. Undertake commercial activities.
--------------------	---

Local Government Response	Majority support current position
Zone/Regional Group Response	Majority support current position
Recommendation	Retain Policy

Conduct of Postal Elections: Sections 4.20 and 4.61

Position Statement	The Local Government Act 1995 should be amended to allow the Australian Electoral Commission (AEC) and Local Governments to conduct postal elections.
--------------------	---

Local Government Response	Majority support current position
Zone/Regional Group Response	Majority support current position
Recommendation	Retain Policy

Voluntary Voting: Section 4.65

Position Statement	Voting in Local Government elections should remain voluntary.
--------------------	---

Local Government Response	Majority support current position
Zone/Regional Group Response	Majority support current position
Recommendation	Retain Policy

On-Line Voting

WALGA has received requests from three (3) Zones to explore the possibility of introducing on-line voting in Local Government elections. A State Council Item for Noting was prepared in May 2017 advising that WALGA staff will liaise with the WAEC regarding the use of the iVote system and also seek feedback from the Local Government sector on online voting and other opportunities to increase voter turnout. The Minister for Local Government has indicated that online voting is likely to be considered in the context of increasing elector participation.

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Electors' General Meeting: Section 5.27

Position Statement	Section 5.27 of the Local Government Act 1995 should be amended so that Electors' General Meetings are not compulsory.
--------------------	--

Local Government Response	Majority support current position
Zone/Regional Group Response	Majority support current position
Recommendation	Retain Policy

Special Electors' Meeting: Section 5.28

That Section 5.28(1)(a) be amended:

- (a) so that the prescribed number of electors required to request a meeting increase from 100 (or 5% of electors) to 500 (or 5% of electors), whichever is fewer; and
- (b) to preclude the calling of Electors' Special Meeting on the same issue within a 12 month period, unless Council determines otherwise.

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Senior Employees: Section 5.37(2)

That Section 5.37(2) be deleted to remove any inference or ambiguity as to the role of Council in the performance of the Chief Executive Officer's function under Section 5.41(g) regarding the appointment of other employees (with consequential amendment to Section 5.41(g) accordingly).

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Annual Review of Certain Employees Performance: Section 5.38

Section 5.41(g) of the Act prescribes the function of responsibility for all employees, including management supervision, to the Chief Executive Officer. Section 5.38 therefore creates unnecessary ambiguity; unnecessary in terms of the certainty that Section 5.41(g) already provides. It is recommended that Section 5.38 either be deleted, or amended so that there is only a specific statutory requirement for Council to conduct the Chief Executive Officer's annual performance review.

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Gifts and Contributions to Travel: Sections 5.82 and 5.83

The current Gift Provisions in the Local Government Act are very confusing and overly prescriptive. The Department of Local Government and Communities have established a Gift Working Group to look at completely reviewing the gift provisions for changes following the March 2017 State Election. WALGA is a participant in this working group. WALGA representatives have been advocating for the following:

- There be one section for declaring gifts. Delete declarations for Travel.
- No requirement to declare gifts received in a genuinely personal capacity.
- Gift provisions only for Elected Members and CEO's. Other staff fall under Codes of Conduct from the CEO to the staff.
- Gifts only to be declared if above \$500.00.
- There will not be any category of notifiable gifts or prohibited gifts.
- Gifts only to be declared in respect to an Elected Member or CEO carrying out their role.
- Exemptions for ALGA, WALGA and LG Professionals (already achieved).

- Exemption for electoral gifts received that relate to the State and Commonwealth Electoral Acts. So Elected Members who are standing for State or Federal Parliament will only need to comply with the State or Federal electoral act and not declare it as a Local Government gift.

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Vexatious and Frivolous Complainants: New Provision

It is recommended that a statutory provision be considered, permitting a Local Government to declare a person a vexatious or frivolous complainant. Section 5.110(3a) of the Act was recently introduced in relation to the Local Government Standards Panel ruling on vexatious and frivolous Rules of Conduct Regulations breach allegations:

"...a standards panel can at any stage of its proceedings refuse to deal with a complaint if the standards panel is satisfied that the complaint is frivolous, trivial, vexatious, misconceived or without substance."

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Revoking or Changing Decisions: Regulation 10

Regulation 10 provides a mechanism for the revocation or change to a previous decision of Council. It does not however, contain any provision clarifying that the provisions do not apply to Council decisions that have already been implemented. This regulatory deficiency is currently managed administratively, but warrants an appropriate amendment to assist clarify the rights of a Councillor to seek a revocation or change.

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Minutes, contents of: Regulation 11

Regulation 11 contains a potential anomaly in that the content requirements relating to Minutes of a Council or Committee meeting do not make reference to the reports and information that formed the basis of the Agenda to that meeting. Despite it being a common practice that Agenda reports and information are included in most Minutes, this is not universally the case, and it is recommended that an amendment be considered as an aid to community understanding of the decision-making process of the Council.

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Repayment of Advance Annual Payments: New Regulation

The Local Government Legislation Amendment Act 2016 introduced Section 5.102AB, which provides that Regulations may be made relating to the recovery of advance payments of annual allowances or annual fees made to a person who subsequently ceases to hold office during the period to which the payment relates:

5.102AB. Repayment of advance annual payments if recipient ceases to hold office

(2) Regulations may be made —

(a) requiring the repayment to a local government, to the extent determined in accordance with the regulations, of an advance payment of an annual allowance or annual fee in the circumstances to which this section applies; and

(b) providing for a local government to recover any amount repayable if it is not repaid.

Regulations enabling the recovery of advance annual payments have yet to be made and it is recommended this matter be prioritised.

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Local Government (Rules of Conduct) Regulations 2007

Position Statement

WALGA supports:

1. Official Conduct legislation to govern the behaviour of Elected Members;
2. An efficient and effective independent Standards Panel process;
3. An ability for the Standards Panel to dismiss vexatious and frivolous complaints; and,
4. Confidentiality for all parties being a key component of the entire process.

Local Government Response	Majority support current position
Zone/Regional Group Response	Majority support current position
Recommendation	Retain Policy

Imposition of Fees and Charges: Section 6.16

Position Statement

That a review be undertaken to remove fees and charges from legislation and Councils be empowered to set fees and charges for Local Government services.

Local Government Response	Majority support current position
Zone/Regional Group Response	Majority support current position
Recommendation	Retain Policy

Power to Borrow: Section 6.20

Section 6.20(2) requires, where a power to borrow is proposed to be exercised and details of the proposal are not included in the annual budget, that the Local Government must give one month's public notice of the proposal (unless an exemption applies). There is no associated requirement to request or consider written submission prior to exercising the power to borrow, as is usually associated with giving public notice. Section 6.20(2) simply stops the exercise of power to borrow for one month, and it is recommended it be deleted.

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Restrictions on Borrowings: Section 6.21

Position Statement Section 6.21 of the Local Government Act 1995 should be amended to allow Local Governments to use freehold land, in addition to its general fund, as security when borrowing.

Local Government Response	Majority support current position
Zone/Regional Group Response	Majority support current position
Recommendation	Retain Policy

Rating Exemptions – Charitable Purposes: Section 6.26(2)(g)

Position Statement WALGA's policy position regarding charitable purposes is as follows:

1. Amend the Local Government Act to clarify that Independent Living Units should only be exempt from rates where they qualify under the Commonwealth Aged Care Act 1997;
2. Either
 - a) amend the charitable organisations section of the Local Government Act 1995 to eliminate exemptions for commercial (non-charitable) business activities of charitable organisations; or
 - b) establish a compensatory fund for Local Governments, similar to the pensioner discount provisions, if the State Government believes charitable organisations remain exempt from payment of Local Government rates.

Local Government Response	Support of current position specific to Section 6.26(2)(g) with strong support to broaden the review to encompass all rate exemption categories under Section 6.26.
Zone/Regional Group Response	Support of current position specific to Section 6.26(2)(g) with strong support to broaden the review to encompass all rate exemption categories under Section 6.26. As a consequence of the responses, WALGA recommends the Policy position be amended to request that a broad review be conducted into the justification and fairness of all rating exemption categories currently prescribed under Section 6.26 of the Local Government Act.
Recommendation	Amend Policy

Basis of Rates: Section 6.28

That Section 6.28 be reviewed to examine the limitations of the current methods of valuation of land, Gross Rental Value or Unimproved Value, and explore other alternatives.

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Differential General Rates: Section 6.33

This section outlines the characteristics that Local Governments may take into account when imposing differential general rates. It is recommended the issue of time-based differential rating should be examined, to address some Local Governments view that vacant land should be developed in a timely manner.

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Service of Rates Notice: Section 6.41

That Section 6.41 be amended to:

- (a) permit the rates notice to be issued to electronically; and
- (b) introduce flexibility to offer regular rate payments (i.e. fortnightly, monthly etc) without requirement to issue individual instalment notice.

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Rates or Service Charges Recoverable in Court: Section 6.56

That Section 6.56 be amended to clarify that all debt recovery action costs incurred by a Local Government in pursuing recovery of unpaid rates and services charges be recoverable and not be limited by reference to the 'cost of proceedings'.

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Rating Exemptions – Rate Equivalency Payments

Position Statement Legislation should be amended so rate equivalency payments made by LandCorp and other Government Trading Entities are made to the relevant Local Governments instead of the State Government.

Local Government Response	Majority support current position
Zone/Regional Group Response	Majority support current position
Recommendation	Retain Policy

Rating Restrictions – State Agreement Acts

Position Statement Resource projects covered by State Agreement Acts should be liable for Local Government rates.

Local Government Response	Majority support current position
Zone/Regional Group Response	Majority support current position
Recommendation	Retain Policy

Exemption from AASB 124: Regulation 4

Regulation 4 of the Financial Management Regulations provides a mechanism for an exemption from the Australian Accounting Standards (AAS). Regulation 16 is an example of the use of this mechanism, relieving Local Governments from the requirement to value land under roads. A Zone has requested that an exemption be allowed from the implementation of AASB 124 'Related Party Transactions' due to the current provisions in the Act on declarations of interest at meetings and in Primary and Annual returns. This is regarded as providing appropriate material declaration and disclosure of interests associated with function of Local Government.

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Stand Down Provision

Position Statement WALGA supports, in principle, a proposal for an individual elected member to be 'stood down' from their role when they are under investigation; have been charged; or when their continued presence prevents Council from properly discharging its functions or affects the Council's reputation, subject to further policy development work being undertaken.

Further policy development of the Stand Down Provisions must involve specific consideration of the following issues of concern to the Sector:

- (a) That ... the established principles of natural justice and procedural fairness are embodied in all aspects of the proposed Stand Down Provisions; and
- (b) That activities associated with the term 'disruptive behaviour', presented as reason to stand down a defined Elected Member on the basis their continued presence may make a Council unworkable, are thoroughly examined and clearly identified to ensure there is awareness, consistency and opportunity for avoidance.

Local Government Response	Majority support current position
Zone/Regional Group Response	Majority support current position
Recommendation	Retain Policy

Onus of Proof in Vehicle Offences may be Shifted: Section 9.13(6)

Amend Section 9.13 by introducing the definition of 'responsible person' and enable Local Governments to administer and apply effective provisions associated with vehicle related offences

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Poll Provisions

Position Statement Schedule 2.1 of the Local Government Act 1995 should be amended so that the electors of a Local Government affected by any boundary

change or amalgamation proposal are entitled to petition the Minister for a binding poll.

Local Government Response	Majority support current position
Zone/Regional Group Response	Majority support current position
Recommendation	Retain Policy

Schedule 2.1 – Proposal to the Advisory Board, Number of Electors clause 2(1)(d).

That Schedule 2.1 Clause 2(1)(d) be amended so that the prescribed number of electors required to put forward a proposal for change increase from 250 (or 5% of electors) to 500 (or 5% of electors) whichever is fewer.

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Schedule 2.2 – Proposal to amend names, wards and representation, Number of Electors clause 3(1).

That Schedule 2.2 Clause 3(1) be amended so that the prescribed number of electors required to put forward a submission increase from 250 (or 5% of electors) to 500 (or 5% of electors) whichever is fewer.

Local Government Response	Majority support proposed position
Zone/Regional Group Response	Majority support proposed position
Recommendation	Adopt as Policy

Method of Voting - Schedule 4.1

Position Statement Elections should be conducted utilising the first-past-the-post (FPTP) method of voting.

Local Government Response	Majority support current position
Zone/Regional Group Response	Majority support current position
Recommendation	Retain Policy

Additional Responses and New Proposals

The following proposals were incorporated in Local Government and Zone/Regional Group Responses to the Discussion Paper, presented as stand-alone proposals (specific to Parts of the Local Government Act) and composite proposals (supporting reviews of Parts of the Act and associated Regulations).

Although not presented here in full, all proposals have been documented and will comprise part of what is likely to be a considerable contribution to the red tape reduction effort and lifting of the onerous regulatory compliance burden that the Local Government sector will look forward to in Phase 2.

In presenting the proposals in the report WALGA appreciates some matters, if not all, may require a consultation process with Member Local Governments prior to consideration and potential for adoption as WALGA Policy positions. For this reason, it is recommended these matters simply be

presented to the November round of WALGA Zone meetings and be noted by State Council at this stage.

New Proposal - Differentiating between Local Governments/Tiered Compliance

- Insert a new provision to differentiate between Local Governments based on capacity. This will reduce the compliance burden on smaller Local Governments with limited capacity and provide additional opportunities for local governments with capacity.
- Tiered application of legal framework and support a review of this approach.

New Proposal – Regional Capitals Recognition

Note: Regional Capitals Alliance comprises the following WALGA Member Councils:

*City of Albany
City of Bunbury
City of Busselton
City of Greater Geraldton
City of Kalgoorlie Boulder
City of Karratha
Town of Port Hedland
Shire of Broome
Shire of Esperance
Shire of Northam*

The Alliance would welcome legislative change to enable regional capitals to be designated within the Act under Section 2.4 (District to be designated city, town or shire) and also that the Regional Capitals Alliance WA (RCAWA) be established as a recognised statutory body not dissimilar to the establishment of a regional local government currently provided for in the Act under Division 4 Section 3.61.

New Proposal Section 2.21 – Disqualification because of Convictions

Add a disqualification criteria which disqualifies a person from being an Elected Member if they have been convicted of an offence against the Planning and Development Act, or the Building Act, in the preceding five years.

A planning or building system conviction is potentially more serious than a Local Government Act conviction because of Local Government's prominent role in planning and building control and the significant personal benefits which can be illegally gained through these systems.

New Proposal – Local Laws

- Procedure for making local laws – Local Governments' local laws generally affect those persons within its district. The requirement to give statewide notice under subsection (3) should be reviewed and consideration being given to Local Governments only being required to advertise the proposed local law by way of local public notice.
- Eliminate the requirement to consult on Local Laws when a model is used.
- Periodic review of local laws – consideration might be given to review of this section and whether it could be deleted. Local Governments through administering local laws will determine when it is necessary to amend or revoke a local law in terms of meeting its needs for its inhabitants of its district. Other State legislation is not bound by such periodic

reviews, albeit recognising such matters in subsidiary legislation are not as complex as matters prescribed in statute.

New Proposal – Closure of Bridges for Repairs

Allow a bridge to be closed for urgent repairs and maintenance without notice, even if it will have significant adverse effects on users. The closure of a bridge will often have significant adverse effects on users. However, bridges may need to be closed for urgent repairs if there is a sign of weakness and, currently, the Act does not provide capacity to take this action without giving local public notice if the closure will be greater than four weeks.

New Proposal Section 6.14 – Power to Invest

Allow Local Governments with capacity to invest in accordance with the Trustees Act in the manner that existed prior to the Global Financial Crisis. The Global Financial Crisis was a once in a generation experience (1987 and 1929 were the two previous financial crashes of extreme magnitude). Legislation should not be based on a worst case scenario but on a routine and general operating environment. Prior to the Global Financial Crisis, the previous legislation was adequately controlling Local Government investments.

Composite Proposals

1. Conduct a complete review of the Financial Management provisions under Part 6 of the Local Government Act and associated Regulations;
2. Review of Standards Panel Legislative content and practices;
3. Review of Local Government election provisions under Part 4 of the Local Government Act and associated Regulations with a focus on lessons learnt in the conduct of the 2017 elections including currently non-legislated matters such as candidate conduct and campaigning behaviours.

5.2 Submission to ERA – Western Power Access Arrangement (05-042-02-0001 DM)

By Dana Mason, Policy Manager - Economics

Cr Paul Kelly declared an interest in this item and did not participate in debate or voting on this item.

Moved: President Cr Phillip Blight
Seconded: Cr Les Price

That WALGA's submission to the Economic Regulation Authority on Western Power's Proposed Access Arrangement for the period 2017 to 2022 be endorsed with the following amendments:

- a) Western Power's Proposed Access Arrangement for the period 2017 to 2022 includes and develops and ability for peer-to-peer trading of electrical power; and,**
- b) A recommendation that Western Power discount the cost of streetlight removal and streetlight upgrades by the recognised depreciation of the asset.**

AMENDMENT

Moved: Mayor Carol Adams
Seconded: Mayor Tracey Roberts

That point (c) be added as follows:

- c) WALGA advocate to the WA Government for a new policy requiring that all new street lighting installations, including replacement luminaires on existing installations, and all new street lighting subdivisions, connected to the Western Power network, utilize LED technology.**

That point (c) be added as follows:

- a) WALGA advocate to the WA Government for a new policy requiring that all new street lighting installations, including replacement luminaires on existing installations, and all new street lighting in subdivisions, connected to the Western Power network, utilise LED technology.**

CARRIED

THE MOTION AS AMENDED NOW READS:

That WALGA's submission to the Economic Regulation Authority on Western Power's Proposed Access Arrangement for the period 2017 to 2022 be endorsed with the following amendments:

- a) Western Power's Proposed Access Arrangement for the period 2017 to 2022 includes and develops an ability for peer-to-peer trading of electrical power; and,**
- b) A recommendation that Western Power discount the cost of streetlight removal and streetlight upgrades by the recognised depreciation of the asset.**
- c) WALGA advocate to the WA Government for a new policy requiring that all new street lighting installations, including replacement luminaires on existing installations, and all new street lighting in subdivisions, connected to the Western Power network, utilise LED technology.**



REVIEW OF LOCAL GOVERNMENT ACT 1995

DISCUSSION PAPER



Contacts:

Tony Brown

Executive Manager, Governance & Organisational Services

Contact: (08) 9213 2051 or tbrown@walga.asn.au

James McGovern

Manager Governance

Contact: (08) 9213 2093 or jmcgovern@walga.asn.au



Contents

Executive Summary	5
Local Government Priorities	6
Previous Amendments to the Local Government Act	7
About this Discussion Paper	9
LOCAL GOVERNMENT ACT AMENDMENT PROPOSALS	10
Part 1 – Introductory Matters	10
Local and Statewide Public Notice: Sections 1.7 and 1.8	10
Part 2 – Constitution of Local Government	10
Method of Election of Mayor/President: Section 2.11	10
Elected Member Training: New Proposal	10
Stand Down when Contesting State or Federal Election: New Proposal	11
Part 3 – Functions of Local Government	11
Notification of Affected Owners: Section 3.51	11
Control of Certain Unvested Facilities: Section 3.53	11
Regional Local Governments: Part 3, Division 4	12
Council Controlled Organisations: Part 3, Division 4	12
Local Government (Functions and General) Regulations 1996	13
Tender Threshold: Regulation 11(1)	13
Dispositions of Property: Regulation 30(3)	13
Local Government (Regional Subsidiaries) Regulations 2017	13
Regional Subsidiaries	13
Part 4 – Elections and Other Polls	14
Conduct of Postal Elections: Sections 4.20 and 4.61	14
Voluntary Voting: Section 4.65	14
On-Line Voting	14
Part 5 - Administration	15
Electors' General Meeting: Section 5.27	15
Special Electors' Meeting: Section 5.28	15
Senior Employees: Section 5.37(2)	15
Annual Review of Certain Employees Performance: Section 5.38	15
Gifts and Contributions to Travel: Sections 5.82 and 5.83	16
Vexatious and Frivolous Complainants: New Provision	16



Local Government (Administration) Regulations 1996.....	17
Revoking or Changing Decisions: Regulation 10.....	17
Minutes, contents of: Regulation 11	17
Repayment of Advance Annual Payments: New Regulation	17
Local Government (Rules of Conduct) Regulations 2007.....	18
Part 6 – Financial Management	18
Imposition of Fees and Charges: Section 6.16.....	18
Power to Borrow: Section 6.20.....	19
Restrictions on Borrowings: Section 6.21	20
Rating Exemptions – Charitable Purposes: Section 6.26(2)(g).....	20
Basis of Rates: Section 6.28	21
Differential General Rates: Section 6.33	22
Service of Rates Notice: Section 6.41	22
Rates or Service Charges Recoverable in Court: Section 6.56	22
Rating Exemptions – Rate Equivalency Payments.....	22
Rating Restrictions – State Agreement Acts.....	23
Local Government (Financial Management) Regulations 1996	23
Exemption from AASB 124: Regulation 4.....	23
Part 7 – Audit	24
Part 8 – Scrutiny of the Affairs of Local Government.....	24
Stand Down Provision: New Proposal.....	24
Part 9 – Miscellaneous Provisions.....	25
Onus of Proof in Vehicle Offences may be Shifted: Section 9.13(6).....	25
Schedule 2.1 – Creating, Changing Boundaries and Abolishing Districts	25
Poll Provisions: New Proposal	25
Number of Electors: Clause 2.1(1)(d).....	26
Schedule 2.2 – Provisions about Names, Wards and Representation	26
Who may make Submission: Clause 3(1).....	26
Schedule 4.1 – How to Count Votes and Ascertain Result of Election	26
Method of Voting.....	26
Submission of Feedback.....	27
How to get involved.....	27



Executive Summary

The Minister for Local Government, Hon David Templeman wrote to the Association on 14 June 2017 to announce the commencement of the review of the *Local Government Act* 1995. The correspondence is outlined below:

Due to the scope of the likely amendments and my desire to see early progress, I have decided that the work will be undertaken in two phases:

The first will focus on modernising Local Government, with the policy work and consultation to be completed in 2017 with a Bill in 2018. Key topics in this phase will be increasing elector participation, electronic disclosure (making information more readily available), simplifying the disclosure of gifts and some reducing red tape provisions.

The theme for the second phase is delivering for the community, with the policy work and consultation to be completed in 2018 with a Bill in 2019. Key themes for this phase will be improving behaviour and relationships, increasing community participation, enabling local government enterprises, improving financial management and reducing red tape.

The following are the issues that the Minister's office has put forward:

Phase 1: 'Modernising local government' - 2017

- Increasing participation in local government elections
- Strengthening public confidence in local government elections
- Making information available online
- Restoring public confidence (includes the gift provisions)
- Reducing red tape
- Regional Subsidiaries

Phase 2: 'Services for the community' - 2018

- Increasing community participation
- Improving financial management
- Improving behaviour and relationships
- Reducing red tape

The Minister also expressed the Review's Principles and Vision thus:

Vision

The vision for local government in Western Australia is: Agile, Smart, Inclusive.

Principles

The review will deliver on this through application of the following principles:

- *Transparent – providing easy access to meaningful, timely and accurate information about local governments (S, I);*
- *Participatory – strengthening local democracy through increased community engagement (I);*
- *Accountable – holding local governments accountable by strengthening integrity and good governance (S, I);*



- *Efficient – providing a framework for local governments to be more efficient by removing impediments to good practice (A, S); and*
- *Modern – embracing contemporary models for governance and public sector management (A, S, I).*

The Minister has invited WALGA and Local Government Professionals WA to participate in a reference group on the review. The Minister's office has advised that there may be some flexibility as to what issues are to be considered in Phase 1 or Phase 2.

In July 2017, State Council considered and adopted the following Consultation Process:

- An Infopage will be distributed to Local Governments including a Discussion Paper on issues that have been identified over the last 8 years including advocacy positions resolved by the sector. This will include a request for Local Governments to submit additional items for consideration in the Act review process. Councils can submit individually or collectively through their Zone.
- WALGA to hold Zone/regional group forums on the Act/Regulatory amendment suggestions. Can be held in-conjunction with a Zone meeting or separately.
- Finalise feedback and provide recommendations on legislative and regulatory change through a State Council agenda item that would go through the Zones.

It is expected that this process will be carried out between July and November 2017 with the State Council item being considered at the 6 December meeting.

Local Government Priorities

The following key issues have previously been brought to the attention of WALGA and identified as priorities, and will form part of the consultation process with the sector on Act amendments:

- a) Gifts
 - Exempt gifts received in a genuinely personal capacity
 - Gift declarations threshold to commence at \$500.00 with no upper limit
 - Gift provisions to apply to Elected Members and CEO only
- b) Regional Subsidiaries
 - Amend Regulations to permit borrowings
 - Amend Regulations to permit dealing in land transactions
 - Amend Regulations to permit trading undertakings
- c) Rating Exemptions:
 - Charitable Purposes provisions
 - Rate Equivalency Payments of Government Trading entities
- d) Financial Management Issues:
 - Borrowings
 - Investments*
 - Fees and Charges
 - Financial ratios



(* Regulation 19C(2)(b) of the Financial Management Regulations was amended on 12 May 2017 to permit fixed term deposits to be invested for up to 3 years,)

e) Administration:

- Electors' General Meetings to be optional
- Designated Senior Officer section to be reviewed
- Public Notices (modernisation of the Act to acknowledge electronic means)

f) Functions of Local Governments:

- Tender Thresholds
- Establish Council Controlled Organisations (Local Government Enterprises)
- Regional Council provisions (review of compliance requirements)

g) Poll Provisions relating to amalgamations and boundary adjustments.

- The poll provisions contained in Schedule 2.1 of the Local Government Act should be extended to provide any community whose Local Government is undergoing a boundary change or amalgamation with the opportunity to demand a binding poll of electors.

Sector Principles

Key foundations of the Act, which the sector would like considered, relate to the retention of the 'general competence' principle and consideration of a size and scale compliance regime. The Act review will incorporate regulatory amendments.

Previous Amendments to the Local Government Act

The current *Local Government Act 1995* commenced on 1 July 1996, and has provided communities with an effective system of Local Government where locally governing Councils have general competence powers to determine the general functions and scope of services provided for the good government of people in their districts. Since 1996, the following major amendments have been promulgated:

- Local Government Amendment Act 1998	Assented to 26 March 1998
- Local Government Amendment Act (No 2) 1998	Assented to 12 January 1999
- Local Government Amendment Act 2004	Assented to 12 November 2004
- Local Government Amendment Act 2006	Assented to 8 December 2006
- Local Government Amendment Act 2007	Assented to 25 June 2007
- Local Government (Official Conduct) Amendment Act 2007	Assented to 28 March 2008
- Local Government Amendment (Elections) Act 2009	Assented to 17 August 2009
- Local Government Amendment Act 2009	Assented to 16 September 2009
- Local Government Amendment Act 2012	Assented to 4 April 2012
- City of Perth Act 2016	Assented to 3 March 2016
- Local Government Legislation Amendment Act 2016	Assented to 21 September 2016





About this Discussion Paper

This Discussion Paper draws on a number of resources upon which WALGA's proposals for Act amendment are based. These resources represent long-standing positions on Act amendments that were developed by the Sector and Sector representatives.

It is acknowledged that only formally adopted State Council advocacy positions can be truly regarded, for the purpose of this Discussion Paper, as representing the collective views of Local Government. Ultimately, this Discussion Paper aspires to honour all views on Local Government Act reform identified through research of the following resources:

- **WALGA Advocacy Positions:** A document representing a collation of WALGA's advocacy positions determined by formal State Council resolutions, inclusive of motions passed at the Association's Annual General Meeting.
- **WALGA Zone Proposals:** This Discussion Paper attempts to capture WALGA Zone resolutions requesting WALGA seek amendment to the Local Government Act.
- **Local Government Reform Steering Committee Report May 2010:** Proposals developed by the Legislative Reform Working Group. Some proposals have already been implemented through Local Government Act amendments since 2010, with the remaining recommendations presented in this Paper for consideration.

This Paper gathers the information from these sources and presents in order of the relevant Part of the Act and associated Regulation. The relationship between Parts of the Act and Regulations is shown in this Table:

LG Act	Regulation
Part 2 →	Constitution Regulations 1998
Part 3 →	Functions and General Regulations 1996 / Regional Subsidiaries Regulations 2017
Part 4 →	Elections Regulations 1996
Part 5 →	Administration Regulations 1996 / Rules of Conduct Regulations 2007
Part 6 →	Financial Management Regulations 1996
Part 7 →	Audit Regulations 1996
Part 8 →	No Regulations
Part 9 →	Uniform Local Provisions Regulations 1996
Schedules	Uniform Local Provisions Regulations 1996



LOCAL GOVERNMENT ACT AMENDMENT PROPOSALS

Part 1 – Introductory Matters

Local and Statewide Public Notice: Sections 1.7 and 1.8

The Association welcomes the opportunity to modernise the requirements of giving public notice of particular matters, as prescribed in the Local Government Act. The Minister for Local Government has indicated an intention to deal with this in Phase 1 of the Review process, by making information available online. It is already common practice within the Local Government sector to place statutory public notices on official websites, despite there being no legislated requirement to do so.

Part 2 – Constitution of Local Government

Method of Election of Mayor/President: Section 2.11

Position Statement	Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.
--------------------	---

State Council Resolution	March 2012 – 24.2/2012
--------------------------	------------------------

Elected Member Training: New Proposal

Position Statement	<p>WALGA opposes legislative change that would:</p> <ol style="list-style-type: none"> 1. Require candidates to undertake training prior to nominating for election; 2. Incentivise Elected Member training through the fees and allowances framework; or 3. Mandate Elected Member training.
--------------------	--

Further, if mandatory training becomes inevitable, WALGA will seek to ensure that it:

- a) Only applies to first time Elected Members;
- b) Utilises the Elected Member Skill Set as the appropriate content for mandatory training;
- c) Applies appropriate Recognition of Prior Learning (RPL);
- d) Requires training to be completed within the first 12 months of office; and
- e) Applies a penalty for non-completion of a reduction in fees and allowances payable.

State Council Resolution	December 2015 – 119.7/2015 October 2008 – 399.4/2008
--------------------------	---



Stand Down when Contesting State or Federal Election: New Proposal

Amend the Act to require an Elected Member to stand down when contesting a State or Federal election, applying from the issue of Writs. The options to consider include:

- (a) that an Elected Member stand down from any decision making role and not attend Council and Committee meetings; or
- (b) that an Elected Member stand down from all aspects of their role as a Councillor and not be able to perform the role as specified in Section 2.10 of the Local Government Act.

Background

The East Metropolitan Zone has identified that, under the *Local Government Act 1995*, there is no requirement for an Elected Member to either stand down or take leave of absence if they are a candidate for a State or Federal election. If elected to Parliament the Elected Member is immediately ineligible to continue as an Elected Member. Currently it is up to an individual Elected Member to determine if they wish to take a leave of absence. In some cases Elected Members have voluntarily resigned.

Part 3 – Functions of Local Government

Notification of Affected Owners: Section 3.51

Position Statement

Section 3.51 of the *Local Government Act 1995* concerning "Affected owners to be notified of certain proposals" should be amended to achieve the following effects:

1. to limit definition of "person having an interest" to those persons immediately adjoining the proposed road works (i.e. similar principle to town planning consultation); and
2. to specify that only significant, defined categories of proposed road works require local public notice under Section 3.51 (3) (a).

State Council Resolution February 2009 – 480.1/2009

Control of Certain Unvested Facilities: Section 3.53

The Local Government Act 1995 includes a provisions, under Section 3.53, that is carried forward from Section 300 of the former Local Government Act 1960. Former Section 300 stated:

300. A council has the care, control, and management of public places, streets, ways, bridges, culverts, fords, ferries, jetties, and drains, which are within the district, or, which although not within the district, are by this Act placed under the care, control, and management, of the council, or are to be regarded as being within the district, except where and to the extent that under an Act, another authority has that care, control, and management.



Section 3.53 refers to infrastructure as an 'otherwise unvested facility', and is defined to mean: *"a thoroughfare, bridge, jetty, drain, or watercourse belonging to the Crown, the responsibility for controlling or managing which is not vested in any person other than under this section."*

Section 3.53 places responsibility for an otherwise unvested facility on the Local Government in whose district the facility is located. Lack of ongoing maintenance and accreting age has resulted in much infrastructure falling into a dilapidated state. This, together with the uncertain provenance of many of these facilities, particularly bridges, is reported as placing an unwarranted and unfunded burden on a number of Local Governments.

It is recommended Section 3.53 of the Act be deleted and that responsibility for facilities located on Crown Land return to the State as the appropriate land manager.

Regional Local Governments: Part 3, Division 4

Position Statement	The compliance obligations of Regional Local Governments should be reviewed.
Background	<p>Currently, Regional Local Governments are treated by the <i>Local Government Act 1995</i> for the purposes of compliance, as if they were a Local Government.</p> <p>The Association believes that this places an overly large compliance burden on Regional Local Governments. The large compliance burden reduces potential cost savings that aggregated service delivery may achieve through increased efficiency and acts as a disincentive for Local Governments to establish Regional Local Governments.</p>
State Council Resolution	January 2012 – 9.1/2012

Council Controlled Organisations: Part 3, Division 4

Position Statement	The <i>Local Government Act 1995</i> should be amended to enable Local Governments to establish Council Controlled Organisations (CCO) - also referred to as 'Local Government Enterprises' i.e WALGA's Systemic Sustainability Study 2008.
Background	<p>The CCO model is available to Local Governments in New Zealand where they are used for a variety of purposes. The model allows one or more Local Governments to establish a wholly Local Government owned commercial organisation. The Association has developed the amendments required for the CCO model to be implemented in Western Australia.</p>
State Council Resolution	<p>October 2010 – 107.5/2010</p> <p>October 2010 – 114.5/2010</p>



Local Government (Functions and General) Regulations 1996

Tender Threshold: Regulation 11(1)

Position Statement	WALGA supports an increase in the tender threshold to align with the State Government tender threshold (\$250 000).
Background	The tender threshold should be increased to allow Local Governments responsiveness when procuring relatively low value good and services.
State Council Resolution	July 2015 – 74.4/2015 September 2014 – 88.4/2014

Dispositions of Property: Regulation 30(3)

That Regulation 30(3) be amended to delete any financial threshold limitation (currently \$75,000) on a disposition where it is used exclusively to purchase other property in the course of acquiring goods and services, commonly applied to a trade-in activity.

Local Government (Regional Subsidiaries) Regulations 2017

Regional Subsidiaries

Position Statement	That WALGA advocate for legislative and regulatory amendments to enable Regional Subsidiaries to: <ol style="list-style-type: none"> 1. Borrow in their own right; 2. Enter into land transactions; and, 3. Undertake commercial activities.
Background	<p>The <i>Local Government Act 1995</i> was amended in late 2016 to enable Local Governments to establish regional subsidiaries, and this represents a significant advocacy achievement for the Local Government sector;</p> <p>The <i>Local Government (Regional Subsidiaries) Regulations 2017</i>, which were enacted in early 2017, contain significant restrictions that limit the flexibility and will reduce the benefits of the regional subsidiary model;</p> <p>In particular, the regulations prevent regional subsidiaries from borrowing from any organisation other than a constituent Local Government, entering into a land transaction, and commencing a trading undertaking; and,</p> <p>This item recommends legislative and/or regulatory amendments to remove these restrictions that unnecessarily</p>



prevent regional subsidiaries from becoming an effective and efficient collaborative service delivery mechanism.

State Council Resolution March 2017 – 5.1/2017

Part 4 – Elections and Other Polls

Conduct of Postal Elections: Sections 4.20 and 4.61

Position Statement The *Local Government Act 1995* should be amended to allow the Australian Electoral Commission (AEC) and Local Governments to conduct postal elections.

Background Currently, the WAEC has a legislatively enshrined monopoly on the conduct of postal elections that has not been tested by the market.

State Council Resolution March 2012 – 24.2/2012

Voluntary Voting: Section 4.65

Position Statement Voting in Local Government elections should remain voluntary.

State Council Resolution 427.5/2008 – October 2008

On-Line Voting

WALGA has received requests from three (3) Zones to explore the possibility of introducing on-line voting in Local Government elections.

A State Council Item for Noting was prepared in May 2017 advising that WALGA staff will liaise with the WAEC regarding the use of the iVote system and also seek feedback from the Local Government sector on online voting and other opportunities to increase voter turnout. The Minister for Local Government has indicated that online voting is likely to be considered in the context of increasing elector participation.



Part 5 - Administration

Electors' General Meeting: Section 5.27

Position Statement Section 5.27 of the *Local Government Act 1995* should be amended so that Electors' General Meetings are not compulsory.

Background There is adequate provision in the Local Government Act for the public to participate in Local Government matters and access information by attending meetings, participating in public question time, lodging petitions, and requesting special electors' meetings.

NOTE: The current Local Government Amendment (Auditing) Bill 2017 proposes that a Local Government's Annual Report is to be placed on its official website within 10 days of being received.

State Council Resolution February 2011 – 09.1/2011

Special Electors' Meeting: Section 5.28

That Section 5.28(1)(a) be amended:

- (a) so that the prescribed number of electors required to request a meeting increase from 100 (or 5% of electors) to 500 (or 5% of electors), whichever is fewer; and
- (b) to preclude the calling of Electors' Special Meeting on the same issue within a 12 month period, unless Council determines otherwise.

Senior Employees: Section 5.37(2)

That Section 5.37(2) be deleted to remove any inference or ambiguity as to the role of Council in the performance of the Chief Executive Officer's function under Section 5.41(g) regarding the appointment of other employees (with consequential amendment to Section 5.41(g) accordingly).

Annual Review of Certain Employees Performance: Section 5.38

Section 5.41(g) of the Act prescribes the function of responsibility for all employees, including management supervision, to the Chief Executive Officer. Section 5.38 therefore creates unnecessary ambiguity; unnecessary in terms of the certainty that Section 5.41(g) already provides. It is recommended that Section 5.38 either be deleted, or amended so that there is only a specific statutory requirement for Council to conduct the Chief Executive Officer's annual performance review.



Gifts and Contributions to Travel: Sections 5.82 and 5.83

The current Gift Provisions in the Local Government Act are very confusing and overly prescriptive. The Department of Local Government and Communities have established a Gift Working Group to look at completely reviewing the gift provisions for changes following the March 2017 State Election. WALGA is a participant in this working group. WALGA representatives have been advocating for the following:

- There be one section for declaring gifts. Delete declarations for Travel.
- No requirement to declare gifts received in a genuinely personal capacity.
- Gift provisions only for Elected Members and CEO's. Other staff fall under Codes of Conduct from the CEO to the staff.
- Gifts only to be declared if above \$500.00.
- There will not be any category of notifiable gifts or prohibited gifts.
- Gifts only to be declared in respect to an Elected Member or CEO carrying out their role.
- Exemptions for ALGA, WALGA and LG Professionals (already achieved).
- Exemption for electoral gifts received that relate to the State and Commonwealth Electoral Acts. So Elected Members who are standing for State or Federal Parliament will only need to comply with the State or Federal electoral act and not declare it as a Local Government gift.

Vexatious and Frivolous Complainants: New Provision

It is recommended that a statutory provision be considered, permitting a Local Government to declare a person a vexatious or frivolous complainant. Section 5.110(3a) of the Act was recently introduced in relation to the Local Government Standards Panel ruling on vexatious and frivolous Rules of Conduct Regulations breach allegations:

"...a standards panel can at any stage of its proceedings refuse to deal with a complaint if the standards panel is satisfied that the complaint is frivolous, trivial, vexatious, misconceived or without substance."

Given the extensive cost and diversion of administrative resources currently associated with vexatious and frivolous complainants across the Local Government sector, it is recommended that a more general mechanism, based on the principles associated with the introduction of Section 5.110(3A), be investigated.

Amendments to the legislation would need to cover the following points to implement the proposed arrangements:

- Create a head of power to determine whether a community member is vexatious (potentially establish a new body through legislation and give it this power of determination);
- Define vexatious behaviour broadly to include the extent and nature of communication between the alleged vexatious person and the Local Government (using words such as 'unreasonable', 'persistent', 'extensive', 'malicious' and 'abusive');
- Outline the restrictions to statutory rights which can be imposed on a person if he or she is declared by the independent body to be vexatious;
- Establish a process, if necessary, to enable a Local Government to present its case for the alleged vexatious person to defend himself/herself;
- Determine what appeal rights are necessary.



Local Government (Administration) Regulations 1996

Revoking or Changing Decisions: Regulation 10

Regulation 10 provides a mechanism for the revocation or change to a previous decision of Council. It does not however, contain any provision clarifying that the provisions do not apply to Council decisions that have already been implemented. This regulatory deficiency is currently managed administratively, but warrants an appropriate amendment to assist clarify the rights of a Councillor to seek a revocation or change.

Minutes, contents of: Regulation 11

Regulation 11 contains a potential anomaly in that the content requirements relating to Minutes of a Council or Committee meeting do not make reference to the reports and information that formed the basis of the Agenda to that meeting. Despite it being a common practice that Agenda reports and information are included in most Minutes, this is not universally the case, and it is recommended that an amendment be considered as an aid to community understanding of the decision-making process of the Council.

Repayment of Advance Annual Payments: New Regulation

The Local Government Legislation Amendment Act 2016 introduced Section 5.102AB, which provides that Regulations may be made relating to the recovery of advance payments of annual allowances or annual fees made to a person who subsequently ceases to hold office during the period to which the payment relates:

5.102AB. Repayment of advance annual payments if recipient ceases to hold office

(2) *Regulations may be made —*

(a) requiring the repayment to a local government, to the extent determined in accordance with the regulations, of an advance payment of an annual allowance or annual fee in the circumstances to which this section applies; and

(b) providing for a local government to recover any amount repayable if it is not repaid.

Regulations enabling the recovery of advance annual payments have yet to be made and it is recommended this matter be prioritised.



Local Government (Rules of Conduct) Regulations 2007

Position Statement

WALGA supports:

1. Official Conduct legislation to govern the behaviour of Elected Members;
2. An efficient and effective independent Standards Panel process;
3. An ability for the Standards Panel to dismiss vexatious and frivolous complaints; and,
4. Confidentiality for all parties being a key component of the entire process.

NOTE: Point 3 achieved under the Local Government Legislation Amendment Act 2016

State Council Resolution

March 2016 – 10.1/2016
 July 2012 – 55.3/2012
 December 2008 – 454.6/2008

Part 6 – Financial Management

Imposition of Fees and Charges: Section 6.16

Position Statement

That a review be undertaken to remove fees and charges from legislation and Councils be empowered to set fees and charges for Local Government services

Background

Local Governments are able to impose fees and charges on users of specific, often incidental, services. Examples include dog registration fees, fees for building approvals and swimming pool entrance fees.

In some cases, Local Governments will recoup the entire cost of providing a service. In other cases, user charges may be set below cost recovery to encourage a particular activity with identified community benefit, such as sporting ground user fees or swimming pool entry fees.

Currently, fees and charges are determined according to three methods:

- By legislation
- With an upper limit set by legislation
- By the Local Government.

Fees determined by State Government legislation are of particular concern to Local Governments and represent significant revenue leakage because of:



- Lack of indexation
- Lack of regular review (fees may remain at the same nominal levels for decades)
- Lack of transparent methodology in setting the fees (fees do not appear to be set with regard to appropriate costs recovery levels).

Examples of fees and charges of this nature include dog registrations fees, town planning fees and building permits. Since Local Governments do not have direct control over the determination of fees set by legislation, this revenue leakage is recovered from rate revenue. This means all ratepayers end up subsidising the activities of some ratepayers.

When fees and charges are restricted by legislation, rather than being set at cost recovery levels, this sends inappropriate signals to users of Local Government services, particularly when the consumption of those services is discretionary. When legislative limits allow consumers to pay below 'true cost' levels for a discretionary service, this will lead to overprovision and a misallocation of resources.

Under the principle of 'general competence' there is no reason why Local Governments should not be empowered to make decisions regarding the setting of fees and charges for specific services.

Additionally, it is recommended that Section 6.16 be amended so that it only relates to statutory application fees and charges and not consumer items, facility entrance fees, ad hoc minor fees and charges etc. The exhaustive listing of relatively minor fee and charge items, together with the technical requirement to give public notice of any change after the adoption of the annual budget, is both inefficient and costly.

Power to Borrow: Section 6.20

Section 6.20(2) requires, where a power to borrow is proposed to be exercised and details of the proposal are not included in the annual budget, that the Local Government must give one month's public notice of the proposal (unless an exemption applies). There is no associated requirement to request or consider written submission prior to exercising the power to borrow, as is usually associated with giving public notice. Section 6.20(2) simply stops the exercise of power to borrow for one month, and it is recommended it be deleted.



Restrictions on Borrowings: Section 6.21

Position Statement	Section 6.21 of the <i>Local Government Act 1995</i> should be amended to allow Local Governments to use freehold land, in addition to its general fund, as security when borrowing.
Background	<p>Borrowing restrictions in the <i>Local Government Act 1995</i> act as a disincentive for investment in community infrastructure. Section 6.21(2) states that a Local Government can only use its 'general funds' as security for borrowings to upgrade community infrastructure, and is restricted from using its assets to secure its borrowings. This provision severely restricts the borrowing capacity of Local Governments and reduces the scale of borrowing that can be undertaken to the detriment of the community.</p> <p>This is particularly relevant since the Global Financial Crisis. Treasury now requires member Local Governments to show as contingent liabilities in their balance sheet their proportion of contingent liabilities of the Regional Local Government of which they are a member. Given that the cost of provision of an Alternative Waste Disposal System is anything up to \$100 million, the share of contingent liabilities for any Local Government is significant. Even under a 'Build-Own-Operate' financing method, the unpaid (future) payments to a contractor must be recognised in the balance sheet of the Regional Local Government as a contingent liability.</p> <p>This alone is likely to prevent some Local Governments from borrowing funds to finance its own work as the value of contingent liabilities are taken into account by Treasury for borrowing purposes.</p>
State Council Resolution	January 2012 – 8.1/2012

Rating Exemptions – Charitable Purposes: Section 6.26(2)(g)

Position Statement	<p>WALGA's policy position regarding charitable purposes is as follows:</p> <ol style="list-style-type: none"> 1. Amend the Local Government Act to clarify that Independent Living Units should only be exempt from rates where they qualify under the Commonwealth Aged Care Act 1997; 2. Either <ol style="list-style-type: none"> a) amend the charitable organisations section of the Local Government Act 1995 to eliminate exemptions for commercial (non-charitable) business activities of charitable organisations; or
--------------------	--



- b) establish a compensatory fund for Local Governments, similar to the pensioner discount provisions, if the State Government believes charitable organisations remain exempt from payment of Local Government rates.

Background Exemptions under this section of the Act have extended beyond the original intention and now provide rating exemptions for non-charitable purposes, which increase the rate burden to other ratepayers. There may be an argument for exemptions to be granted by State or Federal legislation. Examples include exemptions granted by the Commonwealth *Aged Care Act 1997* and group housing for the physically and intellectually disabled which is supported under a government scheme such as a Commonwealth-State Housing Agreement or Commonwealth-State Disability Agreement.

State Council Resolution December 2015 – 118.7/2015
January 2012 – 5.1/2012

Basis of Rates: Section 6.28

1. That Section 6.28 be reviewed to examine the limitations of the current methods of valuation of land, Gross Rental Value or Unimproved Value, and explore other alternatives.

The method of valuation of land to be used as the basis of rating in Western Australia is either: Gross Rental Value for predominantly non-rural purpose; or unimproved value of land for rural purposes. These are the only two methods available under the Section 6.28 of the Local Government Act in Western Australia.

Eastern State Local Governments can elect to rate on one of the following options:

- Site Value - levy on the unimproved value of land only and disregards the value of buildings, personal property and other improvements;
- Capital Value - value of the land including improvements;
- Annual Value - rental value of a property (same as GRV).

Alternative land valuation methods came under the scope of the WALGA Systemic Sustainability Study, particularly Capital Improved Valuations which is in operation in Victoria and South Australia.

2. Advocate for amendment to Section 6.28 to enable Differential Rating based on the time land remains undeveloped.

Concern at the amount of vacant land remaining in an undeveloped state for an extensive period of time and holding up development opportunities.



North Metropolitan Zone advocates an amendment to the current legislative provisions in relation to differential rating to enable a differential rate to be applied on the basis of the length of time a property has remained in an undeveloped state.

Differential General Rates: Section 6.33

This section outlines the characteristics that Local Governments may take into account when imposing differential general rates. It is recommended the issue of time-based differential rating should be examined, to address some Local Governments view that vacant land should be developed in a timely manner.

Service of Rates Notice: Section 6.41

That Section 6.41 be amended to:

- (a) permit the rates notice to be issued to electronically; and
- (b) introduce flexibility to offer regular rate payments (i.e. fortnightly, monthly etc) without requirement to issue individual instalment notice.

Rates or Service Charges Recoverable in Court: Section 6.56

That Section 6.56 be amended to clarify that all debt recovery action costs incurred by a Local Government in pursuing recovery of unpaid rates and services charges be recoverable and not be limited by reference to the 'cost of proceedings'.

Rating Exemptions – Rate Equivalency Payments

Position Statement	Legislation should be amended so rate equivalency payments made by LandCorp and other Government Trading Entities are made to the relevant Local Governments instead of the State Government.
Background	<p>A particular example is the exemption granted to LandCorp by the <i>Land Authority Act 1992</i>. In 1998, the Act was amended to include provisions for LandCorp to pay the Treasurer an amount equal to that which would have otherwise been payable in Local Government rates, based on the principle of 'competitive neutrality'.</p> <p>This matter is of concern to Local Governments with significant LandCorp holdings in their district. The shortfall in rates is effectively paid by other ratepayers, which means ratepayers have to pay increased rates because LandCorp has a presence in the district.</p>
State Council Resolution	January 2012 – 6.1/2012



Rating Restrictions – State Agreement Acts

Position Statement	Resource projects covered by State Agreement Acts should be liable for Local Government rates.
Background	<p>In 2011, the State Government introduced a new policy on 'the application of Gross Rental Valuation to mining, petroleum and resource interests' (the GRV mining policy). The Policy was extended in 2015 and remains in place. The primary objectives of the policy were to clarify the circumstances where Local Governments could apply GRV rating to mining land and enable the use of GRV rating on new (i.e., initiated after June 2012) mining, petroleum and resource interests. This included the application of GRV rating to new State Agreement Acts.</p> <p>However, existing State Agreement Acts continue to restrict Local Government rating. Rating exemptions on State Agreement Acts mean that Local Governments are denied an efficient source of revenue. There are also equity issues associated with the existing exemptions since they only apply to a select group of mining companies whose projects are subject to older State Agreement Acts. Removing the rates exemption clauses from the pre-July 2012 State Agreement Acts would provide a fairer outcome for all other ratepayers, including the proponents of new resources projects.</p>
State Council Resolution	September 2014 – 89.4/2014 March 2014 – 10.1/2014 October 2011 – 116.5/2011

Local Government (Financial Management) Regulations 1996

Exemption from AASB 124: Regulation 4

Regulation 4 of the Financial Management Regulations provides a mechanism for an exemption from the Australian Accounting Standards (AAS). Regulation 16 is an example of the use of this mechanism, relieving Local Governments from the requirement to value land under roads.

A Zone has requested that an exemption be allowed from the implementation of AASB 124 'Related Party Transactions' due to the current provisions in the Act on declarations of interest at meetings and in Primary and Annual returns. This is regarded as providing appropriate material declaration and disclosure of interests associated with function of Local Government.



Part 7 – Audit

The Local Government Amendment (Auditing) Bill 2017, before Parliament at the time of writing, will substantially replace much of Part 7 to provide for the auditing of Local Governments by the Auditor General. New legislation will allow the Auditor General to contract out some or all of the financial audits but all audits will be done under the supervision of the Auditor General and Office of the Auditor General. State Government will pay the cost for the conduct of performance audits.

Part 8 – Scrutiny of the Affairs of Local Government

Stand Down Provision: New Proposal

Position Statement

WALGA supports, in principle, a proposal for an individual elected member to be 'stood down' from their role when they are under investigation; have been charged; or when their continued presence prevents Council from properly discharging its functions or affects the Council's reputation, subject to further policy development work being undertaken.

Further policy development of the Stand Down Provisions must involve specific consideration of the following issues of concern to the Sector:

1. That ... the established principles of natural justice and procedural fairness are embodied in all aspects of the proposed Stand Down Provisions; and
2. That activities associated with the term 'disruptive behaviour', presented as reason to stand down a defined Elected Member on the basis their continued presence may make a Council unworkable, are thoroughly examined and clearly identified to ensure there is awareness, consistency and opportunity for avoidance.

Background

In 2008 a Discussion Paper was circulated seeking feedback regarding legislative amendments to suspend an individual Elected Member, as follows:

- An elected member to have the ability to stand down where they are being investigated or have been charged;
- An elected member to be forcibly stood down where they are being investigated or have been charged and whose continued presence prevents Council from properly discharging its functions and affects its reputation and integrity or where it is in the public interest;
- The Standards Panel to make the stand down decision;



- Such matters to be referred to the Standards Panel only by a Council (absolute majority), a statutory agency or the Department;
- Three to six months stand down periods with six month extensions;
- The elected member to remain entitled to meeting fees and allowances; and
- Inclusion of an offence for providing false information leading to a stand down.

State Council Resolution August 2008 – 400.4/2008

Part 9 – Miscellaneous Provisions

Onus of Proof in Vehicle Offences may be Shifted: Section 9.13(6)

Amend Section 9.13 by introducing the definition of 'responsible person' and enable Local Governments to administer and apply effective provisions associated with vehicle related offences

Background:

This proposal from the North Metropolitan Zone emerged due to an increase in cases when progressing the prosecution of vehicle related offences in court (at the request of the vehicle owner) resulted in dismissal of charges by the Magistrate when the owner of the vehicle states that he does not recall who was driving his vehicle at the time of the offence.

The *Litter Act 1979* was amended in 2012 to introduce the definition of 'responsible person' (as defined in *Road Traffic Act 1974*) so that a 'responsible person' is taken to have committed an offence where it cannot be established who the driver of the vehicle was at the time of the alleged offence. This also removes the ability for the responsible person to be absolved of any responsibility for the offence if they fail to identify the driver. It is suggested that a similar amendment be made to Section 9.13 of the Act in order to ensure that there is consistent enforcement in regards to vehicle related offences.

Schedule 2.1 – Creating, Changing Boundaries and Abolishing Districts

Poll Provisions: New Proposal

Position Statement

Schedule 2.1 of the *Local Government Act 1995* should be amended so that the electors of a Local Government affected by any boundary change or amalgamation proposal are entitled to petition the Minister for a binding poll.

State Council Resolution December 2014 – 108.5/2014



Number of Electors: Clause 2.1(1)(d)

That Schedule 2.1 Clause 2(1)(d) be amended so that the prescribed number of electors required to put forward a proposal for change increase from 250 (or 5% of electors) to 500 (or 5% of electors) whichever is fewer.

Schedule 2.2 – Provisions about Names, Wards and Representation

Who may make Submission: Clause 3(1)

That Schedule 2.2 Clause 3(1) be amended so that the prescribed number of electors required to put forward a submission increase from 250 (or 5% of electors) to 500 (or 5% of electors) whichever is fewer.

Schedule 4.1 – How to Count Votes and Ascertain Result of Election

Method of Voting

Position Statement	Elections should be conducted utilising the first-past-the-post (FPTP) method of voting.
Background	The FPTP method is simple, allows an expression of the electorate's wishes and does not encourage tickets and alliances to be formed to allocate preferences.
State Council Resolution	427.5/2008 – October 2008

This State Council resolution influenced amendment to Schedule 4.1 in 2009 that returned Local Government elections to a first past the post system from the preferential proportional Representation. The resolution is reiterated here as an indication of the sector's ongoing preference for this vote counting system.



Submission of Feedback

How to get involved

WALGA will conduct a comprehensive consultation process to provide Member Local Governments with as much opportunity as possible to contribute. This process will also assist WALGA determine its advocacy position on whether proposed changes should be dealt with in Phase 1 or Phase 2 (see Executive Summary).

During August and September 2017, WALGA will hold Zone and Regional Group forums on the Local Government Act Review. Local Governments can choose to contribute in conjunction with a Zone/Regional Group meeting, separately by lodging a Council endorsed submission, or both.

The final collated feedback will be prepared as a State Council Agenda Item for Zone consideration during the November/December 2017 round of Zone meetings. State Council will ultimately determine its position at its meeting of 6 December 2017.

Council endorsed submission on the issues raised in this Discussion Paper, as well as any other relevant matters, can be forwarded by Friday 20th October 2017 to:

James McGovern, Manager Governance - jmcgovern@walga.asn.au
or 9213 2093

Should you have any questions or queries about any aspect of the Discussion Paper or review process, please contact James McGovern at the above contacts, or Tony Brown on 9213 2051 or tbrown@walga.asn.au

9.4.7 PUBLIC LIBRARIES STRATEGY CONSULTATION 2017

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	CLIB1
AUTHOR:	Library Coordinator
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development and Community
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	10 January 2018

SUMMARY: The WA Public Libraries Strategy (**Strategy**) has been released by the WA State Government. The Strategy is the result of extensive research and consultation through the Public Libraries Working Group and with stakeholders including local government authorities. The priorities outlined in the Strategy are intended as a consultation tool to establish a shared strategic vision for public library development in Western Australia.

Feedback on the Strategy is being sought from community members, library users and those that do not use public libraries, local governments, public librarians and community groups.

The purpose of this report is to seek Council's endorsement of the Shire of Broome's submission on the Strategy. Submissions must be provided by 29 March 2018.

BACKGROUND

Public libraries are much-loved and used facilities. Across Western Australia's 231 public libraries, there are more than one million active library members who borrowed more than 16 million physical items and some 600,000 e-books and audio books in 2015-16.

The context for public libraries is shifting with libraries operating as community spaces with strong links to community, social cohesion and workforce development. Technological developments continue to change the way people interact with information, requiring public libraries to remain relevant at the forefront of technology, enabling access as well as support for skill development in the community. Public libraries also need to better communicate their connections with, value and impact on the community.

The Shire is the Regional Library for the Kimberley region. In accordance with the agreement with the State Library of Western Australia (**SLWA**) formalising this arrangement, the Shire receives an annual allotment of funding to support the delivery of library services to the 3 other local government authorities - Shire of Wyndham East Kimberley; Shire of Halls Creek and Shire of Derby West Kimberley. This role is in addition to the delivery of library services to community residents and visitors to Broome.

Previous Considerations

Nil

COMMENT

The Strategy identifies key areas that can be addressed as priorities over the next 4 years to deliver an improved and more sustainable library service. A copy of the Strategy is

included as **Attachment 1** to this report. The Strategy proposes the following 5 priority actions:

1. A single access card and management system that would allow users to borrow an item at any public library in WA
2. A new model to support public library service delivery in WA
3. A new model to support regional and remote library services to ensure equal access to library services across the State
4. Improved governance systems, including the development of new legislation to guide public library services
5. A system to measure and assess the impact and value of public library services on individuals and communities

The Strategy is accompanied by a Background Paper that contains supporting information and outlines the results of extensive research undertaken to develop the Strategy. A copy of the Background Paper is included as **Attachment 2** to this report.

The Background Paper was developed to promote thinking about public libraries, the strategic opportunities, policy recommendations and potential reform directions. Following on from this, the Strategy is a five-step action plan for transformational change to WA's public library system to deliver more efficient and flexible services that meet WA's growing and diverse community needs.

Given the importance of these documents on the future of library services in Broome, it is recommended that the Shire make the submission on the Strategy as shown in **Attachment 3**.

The key points from the proposed submission are as follows:

1. For the most part, the priority areas identified within the Strategy are supported. The priority areas are likely to result in a responsive and efficient library framework throughout the State.
2. As the Regional Library for the Kimberley the proposed changes are likely to affect the Shire's delivery of support services throughout the region, given that a complete reform of this current model is proposed.
3. The Shire currently receives approximately \$23,000 per annum from SLWA to deliver services to the Broome community. The Strategy creates some uncertainty regarding future allocation or criteria for further funding for core service delivery.

Overall, the WA Public Libraries Strategy Consultation is a timely and important opportunity for the Broome Public Library and the Shire to contribute to and influence the State's future direction in relation to library services. It is therefore recommended that Council endorse the submission in **Attachment 3**, and request that the Chief Executive Officer forward this submission under cover letter shown in **Attachment 4** to the Director General of the Department of Local Government, Sport and Cultural Industries.

CONSULTATION

The Shire made the survey on the Strategy available on the Shire's webpage and Facebook page for interested people to complete.

STATUTORY ENVIRONMENT

Nil.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There are no identified financial implications associated with Council making a submission on the Strategy.

RISK

Risk	Type	Rank	Mitigation
The Shire will be viewed as not taking a leadership role by not making an independent submission to SLWA	Reputational	Medium	As the Regional Library for the Kimberley it is recommended that Council makes a submission.
The Shire's feedback makes limited impact	Reputational Financial	Low	Shire makes the submission.
The Shire's submission is not supported/ recognised by SLWA	Reputational	Low	Shire makes the submission.

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 and leisure activity

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

Effective community engagement

Improved systems, processes and compliance

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council:

- 1. Endorses the proposed submission as part of the WA Public Libraries Strategy Consultation as shown in Attachment 3; and*
- 2. Requests that the Chief Executive Officer forward the submission in Attachment 3 and 4 to the Director General of the Department of Local Government, Sport and Cultural Industries.*

Attachments

1. WA Public Libraries Strategy
2. WA Libraries Background Paper
3. Shire of Broome Submission
4. Cover letter - Shire of Broome Submission



WA Public Libraries Strategy

A New Chapter for Our Public Library System

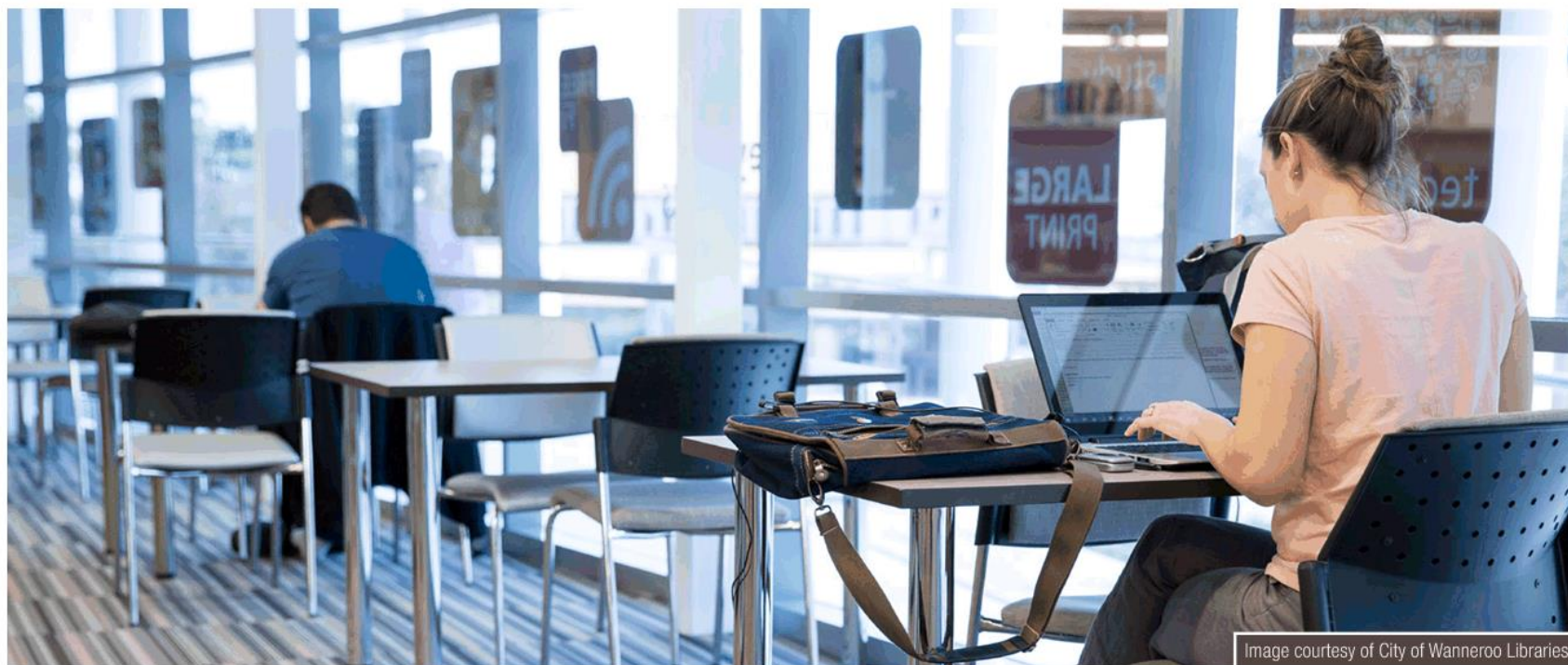


Image courtesy of City of Wanneroo Libraries.

Front cover images (L-R, clockwise): courtesy of City of Melville, City of Wanneroo, City of Melville, City of Cockburn.

WA Public Libraries Strategy

A New Chapter for Our Public Library System

Our public libraries are much-loved and much-used facilities. Across WA's 231 public libraries, there are more than one million active library members who borrowed more than 16 million physical items and some 600,000 e-books and audio books in 2015-16.

But there is a need for significant, transformational change to deliver more efficient and flexible public library services to continue to meet Western Australia's growing and diverse community needs.

The WA Public Libraries Strategy is the result of extensive research undertaken and presented in the Public Library Working Group background paper. As well as that, WALGA's *Vision 2025* also identified the need for such a strategic approach to public library development. The context for public libraries is shifting, with libraries operating as community spaces with strong links to community, social cohesion and workforce development. Technological developments continue to change the way people interact with information, requiring public libraries to remain relevant at the forefront of technology, enabling access as well as support for skills development in the community. Public libraries also need to better communicate their connections with, value and impact on the community.

The research highlighted a number of potential opportunities for public libraries in the future, and this strategy document identifies the key areas that can be addressed as priorities over the next four years in order to deliver an improved and more sustainable library service.

The priorities outlined below are intended as a consultation tool to establish a shared strategic vision for public library development in Western Australia.



Success Library. Image courtesy of City of Cockburn.

1. Governance

The *Library Board of Western Australia Act 1951* and the *Library Board (Registered Public Libraries) Regulations 1985* are dated and lack relevance to contemporary public library services in Western Australia.

The following priorities have been identified to ensure good governance:

- 1.1** Repeal the *Library Board (Registered Public Libraries) Regulations 1985* as they do not reflect contemporary public library services.
- 1.2** Establish a Library Board sub-committee for governance and strategic oversight of Western Australian public libraries, composed of local and State Government representatives.
- 1.3** Consider the adoption of the Australian Library and Information Association's (ALIA) *Guidelines, Standards and Outcome Measures for Australian Public Libraries* (2016) as an aspirational framework for benchmarking and measuring public value.
- 1.4** Develop new legislation that is reflective of contemporary public library services in Western Australia.

2. New model to support public library service delivery in Western Australia

The State Library of Western Australia leads the development of the public library network, primarily through the provision of capital funds for the purchase of library materials. Economies of scale are achieved by the consortia purchasing of print and electronic materials for State-wide delivery for Western Australia's 231 public libraries. However, the capital funding model for physical materials was developed in the 1950s and does not reflect the evolution of public library services and the expectation to meet the diverse information and recreational needs of the community through a variety of resources, infrastructure and programming.

The following priorities have been identified to implement a sustainable and appropriate model for the support of public library services:

- 2.1** Implement a multi-tiered support model determined by the ability to meet agreed criteria for service provision and population size.
- 2.2** Introduce a system for the allocation of annual State Government funding. Funds are not limited to the purchase of physical library stock; portions can be allocated for technological infrastructure, implementation of innovative programming, administration or other priorities.
- 2.3** Develop an accountable and robust reporting framework for expenditure of allocated funds.
- 2.4** Investigate ways in which to foster innovation and experimentation in public libraries through the introduction of a competitive innovation grants system, using the available annual State Government funding allocation.

3. New model to support regional and remote public library services

Western Australia has 161 regional and remote public libraries in eleven regions across the State. Since 1977, the State Library has supported these libraries through a model in which regional libraries receive additional funding to support smaller libraries within their region. The need for reform of this model was identified in 2011. A new model for the support of regional and remote libraries needs to be sustainable and efficient, providing adequate funding, training and support for staff to ensure equal access to library services across the State.

The following priorities have been identified for a new model to support regional and remote libraries:

- 3.1** Develop a new support model and an accountable reporting framework for regional and remote public libraries, to ensure equity of service and consistency of support across regions.
- 3.2** Realign public library regional boundaries with WA Regional Development boundaries to foster better integrated planning at a local level and collaboration within regions, and for administrative efficiency.
- 3.3** Contribute to a broader strategy to strengthen partnerships and collaboration between libraries, local government and the Western Australian Community Resource Network, business and not-for-profit organisations in the regions to enable a better coordinated approach to service delivery, responding to local needs.

4. Single access card system

There are a number of Library Management Systems currently in use across the State by different local governments, with little interoperability. A consolidated system would benefit all Western Australian library members and enable better collaboration between libraries. Research into a single card access system and shared Library Management System (LMS) demonstrates that centralisation would enable a more efficient loans system, improving accessibility across the State.

The following priorities have been identified to ensure best value service delivery:

- 4.1** Investigate further the proposed options for the single access card system and shared LMS to determine best value and return on investment.
- 4.2** Develop a business case for a single access card system and shared LMS for submission in 2018-19.

5. Public Value

Public libraries deliver a diverse range of services to the community, and while the intrinsic value of libraries is understood, it is difficult to measure library services in terms of economic return and social outcomes. ALIA's *Guidelines, Standards and Outcome Measures for Australian Public Libraries* provides guidance for measuring library services and programs against social outcomes, and a number of libraries around Australia are using Culture Counts, a digital application which measures public value and quantifies it through metrics, in order to demonstrate the impact they have on the community.

The following priorities have been identified to demonstrate the value of Western Australia's public libraries:

- 5.1** Consider the adoption of ALIA's *Guidelines, Standards and Outcome Measures for Australian Public Libraries* to provide clear and consistent guidance for measuring the impact of public library services on individuals and communities.
- 5.2** Investigate the feasibility of a State-wide subscription to Culture Counts as a measurement and evaluation framework to promote a clearer understanding to government, business and community of what libraries deliver and the impact of these services.
- 5.3** Develop a State-wide marketing campaign promoting the diverse service offerings and value of public libraries in Western Australia.



Image courtesy of City of Wanneroo Libraries.



Western Australian Public Libraries: Our Future Background Paper



CoderDojo - Free computer programming club for young people. Image courtesy of City of Fremantle Library.

Front cover images (L-R, clockwise): courtesy of City of Melville, City of Wanneroo, City of Melville, City of Cockburn.

Foreword from the Chair, Public Library Working Group

The Public Library Working Group (PLWG) was established in 2016, in recognition of the important contribution that public libraries make to Western Australian communities. The Group provided a structure for public library service provision planning between State and local government. The list of PLWG members is shown at the end of this document.



The PLWG was tasked with developing a shared vision and strategic framework to ensure our 231 public libraries remain relevant, contemporary and engaged with communities. That shared vision has been incorporated into this background paper, and has become the basis for the proposed WA Public Libraries Strategy that will mark a new chapter in the WA's public library system.

The strategy is a five-step action plan for transformational change to WA's public library system to deliver more efficient and flexible services that meet WA's growing and diverse community needs. Libraries are vibrant community hubs that have stood the test of time as hallmarks of civil societies. Libraries are in greater demand than ever as cultural, learning and recreational centres, providers of knowledge and skills, guardians of our cultural heritage and modern service providers, as well as playing a crucial role in the information society. Libraries continue to provide access to information for all, bridge the digital divide, support literacy, play a key role in community cohesiveness, facilitate citizenship and support learning for life, from early childhood to seniors, in a safe and welcoming environment.

There has been much international discussion, debate and research on the role of public libraries and their contribution to an accessible and civic society. In Western Australia the community wants its public libraries to remain as relevant tomorrow as they are today. The PLWG developed this paper to promote thinking about public libraries, the strategic opportunities, policy recommendations and potential reform directions.

This paper outlines the current strategic landscape, including the issues and challenges, drawing together key research to date into a consolidated document to facilitate the shaping of the policy reform and investment agenda for government across the identified drivers for change, which comprise of:

- Integrated planning • Good governance • Best value service delivery
- Public value • Community engagement and place-making

The PLWG recognised that many of the issues raised and potential opportunities are not new. What is new is the commitment to drive transformational change to the public library sector by all parties, and to ensure that all decisions made are in consideration of the long term vision for the future and provide the best return on investment for the Western Australian community.

We need to think strategically about what else is being achieved by public libraries to ensure that the workforce, resourcing and funding enables libraries to grow and reflect the needs of their communities now and into the future. We also need to develop strong partnerships to deliver services smarter and with greater efficiency.

The potential opportunities are designed to strengthen public library services to ensure best value for investment is derived for both government and the community, and in doing so contribute to the cultural vibrancy of Western Australia. Priorities identified from these potential opportunities will form a strategy for consultation to develop a strategic vision for public library development over the next four years.

The PLWG seeks your commitment to being a change-maker to help us establish the strategic direction for public libraries to secure long-term growth and sustainability. We cannot do it alone.

Duncan Ord OAM

Chair, Public Library Working Group

Director General, Department of Local Government, Sport and Cultural Industries

Contents

Delivering public library services in WA	5
The strategic landscape	9
Responding to drivers for change	14
Integrated planning	14
Good governance	20
Best value service delivery	24
Public value	27
Community engagement and place-making	30
Public Library Working Group Members	33
Appendices	34
Endnotes	38
References	40



Image courtesy of City of Wanneroo Libraries.

Delivering public library services in WA

A partnered approach

Since the early 1950s, the Library Board of Western Australia has delivered public library services through the State Library of Western Australia (SLWA), in partnership with local government. There are currently 231 public libraries in Western Australia, operated by 142 participating bodies including 139 local governments, including Christmas Island and the Cocos (Keeling) Islands.

Investment for the provision of public library services is shared between local governments, which provide the library building, staff and fund operating costs; and SLWA which is responsible for purchasing and delivering shelf ready stock and providing support services to public libraries throughout the State. SLWA provides additional support to the 161 remote and regional libraries.

Public Libraries Western Australia (PLWA) is the State's peak representative body for public libraries. PLWA provides significant support to the library sector and actively participates in the reform of public libraries. PLWA's recent *Inspiring Stories* report demonstrates the power of the public library to build capacity, meet local needs, and create a sense of place.¹ From children's book clubs to digital literacy programs, the case studies featured in the report highlight how the role of public libraries has evolved from predominantly traditional service delivery to a much more community-oriented approach.

The Western Australian public library system has served the community well for over six decades, characterised by funding tied to resources, a centrally coordinated State-wide exchange system, centralised purchasing, processing and distribution of library resources, a State-wide online catalogue and a centrally coordinated inter library loans system.²

“Engaging people in culture and arts is central to a connected, creative and civil society.”

Arts Leadership Group 2015

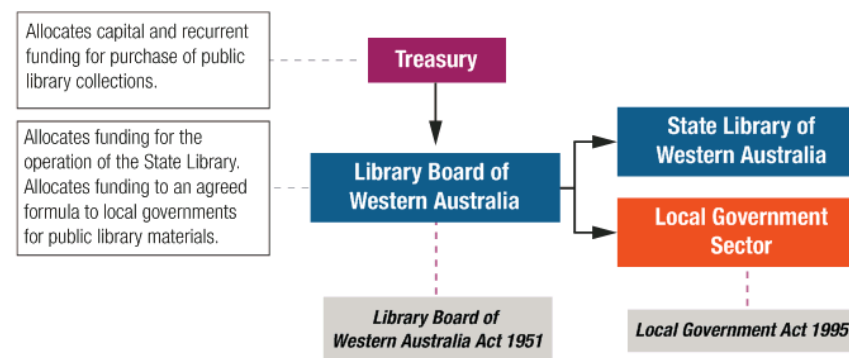


Fig. 1 - Libraries funding structure

Current Agreed Roles and Responsibilities

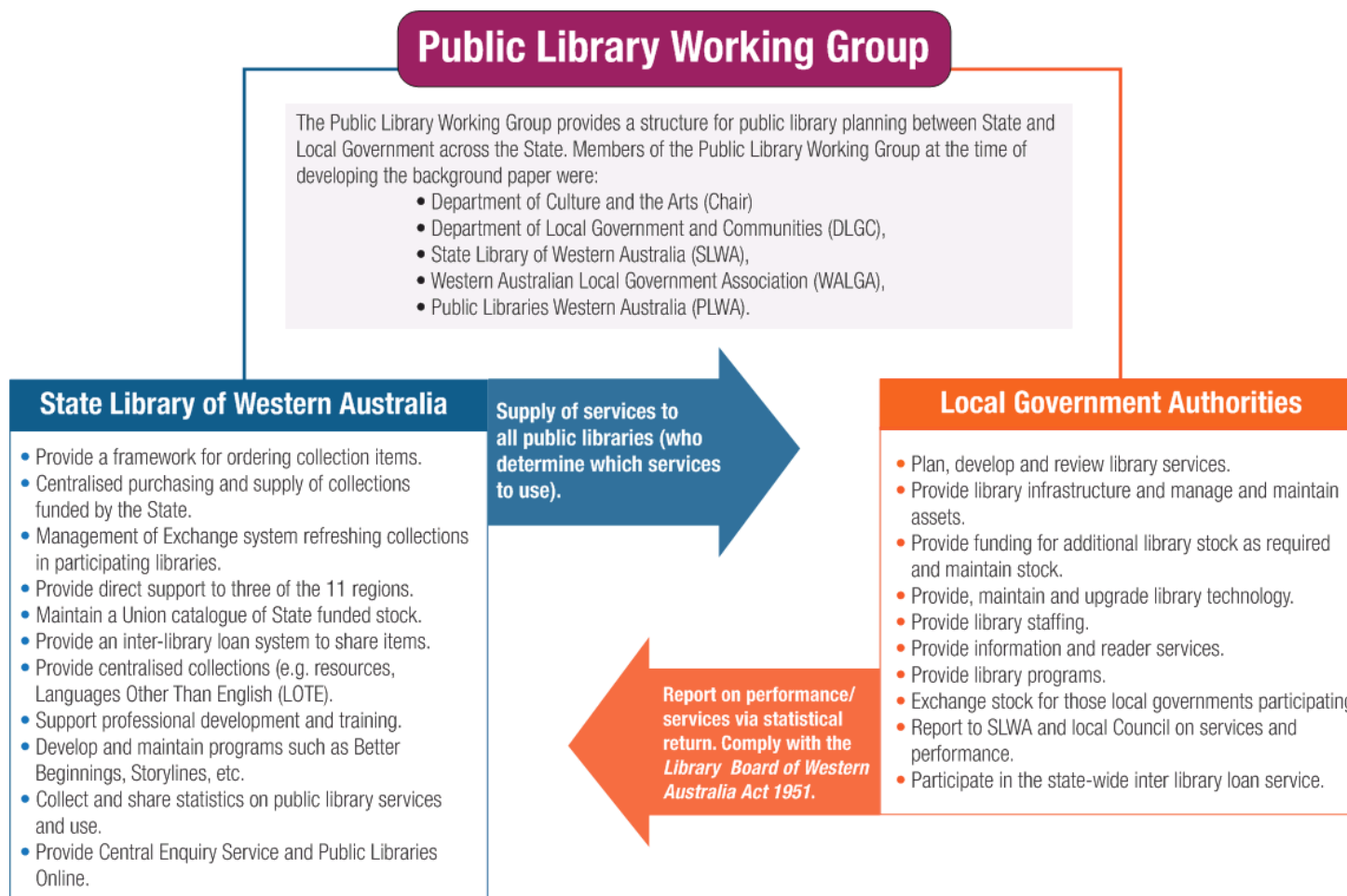


Fig. 2 - Current agreed roles and responsibilities

*The titles of the Departments were current during the development of the Background Paper. Machinery of Government changes that took effect from 1 July 2017 included the amalgamation of the Department of Culture and the Arts and the local government functions of the Department of Local Government and Communities in the establishment of the Department of Local Government, Sport and Cultural Industries (DLGSC).

Understanding the value

Public libraries are valued civic assets.

They are safe spaces, and by virtue of their accessibility, they improve social cohesion. All over the world, libraries are trusted institutions, a 'third place' (neither home nor the workplace) where everyone, especially those who cannot afford to access or purchase information, can find that information and the guidance that they need.

Libraries also stimulate national and local economic growth.

Approximately \$3.18 billion of economic stimulus is provided to the Australian economy by public libraries each year, and nearly 40,000 jobs are supported by public library services. Public libraries are the most used local government service with consistently high satisfaction ratings.

Research commissioned by the Australian Library and Information Association (ALIA) concluded that, "The level of investment in public library services does not display a pattern of diminishing returns... rather the larger the investment made into public libraries, the larger the benefits derived by the respective communities."³ Put simply, public libraries are a good investment for the wellbeing of Australian communities.

To ensure best value is derived we need to take a closer look at the business of libraries now and into the future.

KEY PUBLIC LIBRARY STATISTICS*

231	Public libraries in Western Australia
1,090,259	Active library members
16,247,690	Physical loans
369,641	New items were delivered to public libraries
\$11,100,000	Spent on public library resources

ELECTRONIC RESOURCES

606,075	e-books and e-audio books were borrowed
50,493	e-books and e-audio books available
230,984	e-magazines borrowed
602,752	Downloads from databases
47 per cent	Increase in the usage of digital materials

PROGRAM DELIVERY

9814	Programs for adults
16,847	Children's activities
500,000	People attended library programs

*2015-16 Figures.

The journey of reform

Public libraries are an excellent example of a mature community service that is ready for change. Queensland, Victoria and South Australia have recognised this and are increasing their investment in strategic planning, staff development, infrastructure and technology, in order to maintain relevance and deliver the range of services required to meet community needs.

In Western Australia, the reform of public libraries continues to be an iterative process. The development and support of the public library network is one of SLWA's key priorities, along with treasuring the stories of Western Australia, championing literacy and learning and cultivating creative ideas.

Until 2015, Western Australia's public library reform agenda was underpinned by the *Framework Agreement between State and Local Government for the Provision of Public Library Services in Western Australia*, which provided a shared vision for the State's public library service as a sustainable and responsive network of vibrant, connected, and well-resourced free public libraries that are hubs of community life.⁴ Although the Framework Agreement expired in 2015, it provides a suitable framework to review the key principles, and roles and responsibilities of the State and local government for the provision of public library services.

Over the past decade, the Library Board of Western Australia has supported the public library reform process with a focus on technological innovation and literacy that has influenced the way libraries provide services, as well as providing the impetus to drive the reform process.

In Western Australia, extensive research and consultation has occurred between the State Government, local government and public libraries to re-imagine public library services and to develop a vision for the future. At a strategic level, several committees and working groups have been established to consider reform opportunities, the most



Image courtesy of City of Melville.

recent being the Public Library Working Group (PLWG). The PLWG was established to develop a shared vision and strategic framework for public libraries in Western Australia.

The Operational Management Group (OMG) was established in 2009 to lead key operational reform.

The OMG provides operational leadership and advice on public library issues between the State and local government. Its focus is on the provision of technical advice and guidance, development of model policies, operating procedures and documentation of best practice.

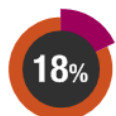
Further information is included at Appendix 1.

The strategic landscape

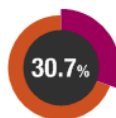
Planning and investment in public library services cannot be done in isolation; it must sit within the context of local, State and national policy frameworks, budget considerations, and the service delivery needs and aspirations of the communities they serve.

“Delivering on priorities requires clear leadership, strategic policy and long-term planning, a focus on implementation and robust performance management and evaluation.”⁵

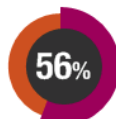
Western Australia - a snapshot



At June 2015, 18 per cent of the State's population was aged 60 years and older, with the proportion expected to grow to 25 per cent by 2050.



Western Australia is one of the most culturally, linguistically and religiously diverse states in Australia, with 30.7 per cent of the population born overseas.



In October 2015, Western Australia accounted for 56 per cent of the value of Australia's major resource projects.^{6, 7}



The 2015 *WA Tomorrow Report* forecasts a population of 3.27 million by 2026.

“We need to be co-designing and investing in smarter services that integrate across Government, private and not-for-profit sector.”

WACOSS Pre-Budget Submission 2017-18

State and local governments play a significant role in supporting their communities' well-being through the planning and investment of infrastructure, programs and service delivery. Western Australia's local governments are governed by the *Local Government Act 1995*, which sets out the function of local government, which, in broad terms, is to provide good governance for their communities.

Local governments are required to engage with their community to establish a vision that will frame priorities and objectives for the future. They must balance the needs of the community against legislative requirements, fiscal realities and emerging social imperatives.

For libraries, these challenges differ greatly across the State. Rural and remote libraries continue to experience barriers such as geographic isolation, inadequate telecommunications and infrastructure, limited resources, lack of professionally qualified library staff and limited opening hours. The sheer size of the State and low population base are also major challenges.

Metropolitan libraries are also facing increased pressures, with many facing unprecedented population growth and lags in infrastructure, poor facilities, inadequate staffing levels, increasing diversity in the population mix and high levels of expectation and demand.⁸

SLWA has multiple roles over which its resources need to be applied and balanced. In addition to supporting the public library network, the SLWA has legislated responsibilities to collect, preserve and make available Western Australia's documentary heritage and provide a research library service to the Western Australian community.

SLWA also coordinates and operates, on behalf of the public library network, a number of State-wide services and contracts. SLWA operates within a limited fiscal environment resulting in reduced capacity to respond to the needs of the public library network and meet the increased community demand for its own services.

Whilst the Library Board of Western Australia has strived to balance these two demands, it has not been possible to fully meet the demand for library services from the community, nor the demand for support and reform from the public library network.

Capacity to meet need

The capacity of local government to provide additional investment to libraries is limited by available financial resources. Local governments raise more than 80% of their revenue through user charges and property rates, with the remaining revenue coming from State and Commonwealth Governments grants.

Smaller populations mean that many rural and regional councils are not able to collect the same revenues as their urban and larger regional counterparts, and are consequently much more reliant on external funding sources.⁹

Planning for the future

In Western Australia, the importance of planning and coordination of community and cultural infrastructure is recognised and supported within the *State Planning Strategy 2050* and associated policies.¹⁰ There are a range of Commonwealth and State Government policies that influence public library service delivery.

The Department of Planning's *State Planning Policy 3.6 Developer Contributions for Infrastructure and Guidelines* sets out the principles and considerations that apply to development contributions for the provision of infrastructure in new and established urban areas, including libraries.¹¹ Developer contributions are an essential part of the planning system that supports the development of healthier and cohesive communities. The policy provides for consultation between the State Government and local government to ensure the future needs of the community are met through strategic land-use and facilities planning.

Strategic Directions 2016-2031, developed by the Arts Leadership Group outlined a joint vision for the arts and cultural sectors with measurable milestones. It recognises the valuable contribution of public libraries to the wellbeing of the community, and sets bold aspirations to ensure sustainability and vibrancy across the arts, culture and creative industries sectors.¹²

Similarly, The Library Board of Western Australia's annual report 2015-16 and SLWA's *Strategic Directions 2013-17* highlight the continued reform and service delivery changes that are improving the public library network, with a particular focus on improving literacy outcomes, increasing materials and programs to cater for Western Australia's multicultural population and supporting regional service delivery.^{13,14}

Through a partnership between PLWA and the Office of Multicultural Interests, PLWA has been funded to creatively engage and collaborate with Culturally and Linguistically

Diverse (CaLD) communities to identify priorities for the future development, delivery and evaluation of library services, and highlight existing examples of good practice for engaging with CaLD communities.

There are 287 discrete Aboriginal communities in Western Australia spanning 26 local government areas and accommodating approximately 17,000 Aboriginal people. Successive Commonwealth Governments have developed and funded policies and programs designed to improve the socio-economic status of Aboriginal Australians, and to overcome a long history of poverty and marginalisation. Despite these efforts, there has been only modest improvement in some areas, and many Aboriginal Australians continue to experience high levels of disadvantage in living standards, life expectancy, education, health and employment.

The Council of Australian Governments' (COAG) National Aboriginal Reform Agreement provides the current framework for the Commonwealth, State and Territory Governments to work together with Aboriginal Australians and the broader community to achieve the target of 'Closing the Gap' in Aboriginal disadvantage. The Closing the Gap strategy includes seven targets relating to Aboriginal life expectancy, health, education and employment, which need to be in place in order to address the current level of disadvantage.

ALIA's response to the Australian Government's National Action Plan 2016-18 highlighted public libraries as an excellent platform for government communication and public education initiatives, and a mechanism to improve the discoverability and accessibility of government data and information.¹⁵ In consideration of far-reaching transformation processes involving the digitisation of many aspects affecting our lives, it is important to develop a long-term technology investment plan for WA public libraries.

Other peak bodies, like the Chamber of Arts and Culture WA and Community Arts Network, have recognised the value of partnering with public libraries and are looking at ways to improve collaboration and maximise opportunities.

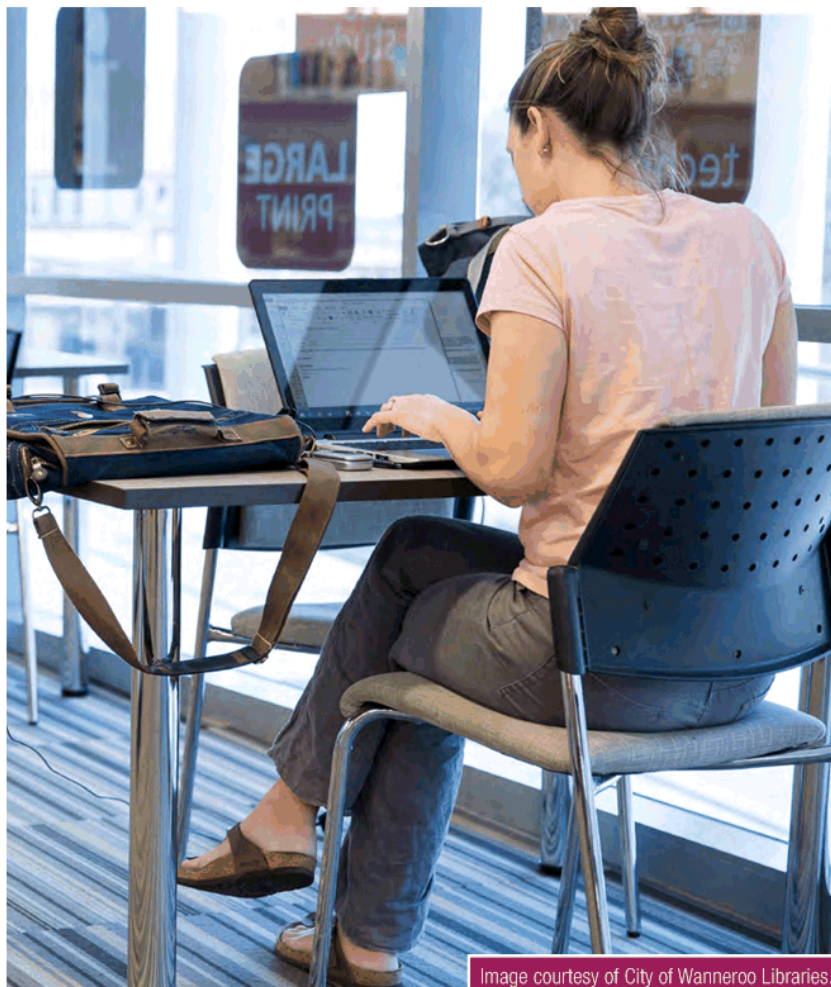


Image courtesy of City of Wanneroo Libraries.

The 2015 *Arts and Culture in Western Australian Local Government* report highlighted the commitment of the (then) 139 Western Australian local government authorities and that their significant investment of \$155 million in cultural activities was the third highest per capita figure nationally.¹⁶

Future considerations

Public libraries are at the heart of community inclusion and access to services.

As libraries grow to meet changing needs, decision makers need to understand the economic and social benefits of their investment and identify the best strategies to support and improve service delivery.

The future opportunities and considerations are captured in the following section of this paper and are presented as the **key drivers for change**:

- **Integrated planning;**
- **Good governance;**
- **Best value service delivery;**
- **Public value; and**
- **Community engagement and place-making.**

There is a need for significant transformational change at both the State and local level in order to deliver more efficient and flexible public library services that meet diverse community needs.¹⁷

Research tells us that people are connected to the idea of libraries, and they are gateways to the community that provide safe places where people can connect with resources, learn new skills and meet new people.



Story Time Herb Garden. Image courtesy of Mundijong Public Library.

Library staff and volunteers are passionate and committed to supporting customers' lifelong learning and access to services. However, there is a general consensus that public libraries need to be redefined to ensure they are relevant, valued and sustainable, and positioned to meet the challenges of constrained budgets, technology advancements and diverse community needs.

The research demonstrates the value and necessity of a strategic approach to the development of the public library services.

Libraries are moving away from being solely transaction-oriented resource lenders towards more activity focused community spaces. In addition, there is an emerging link between libraries and community development functions as a driver for workforce development. The way in which we measure the impact and value of libraries is largely through transactional indicators rather than qualitative measures and value to the community.

Libraries are leveraging technological changes to improve access to knowledge through education, digitising collections and service improvements. The challenge is to remain relevant and at the forefront of technology.

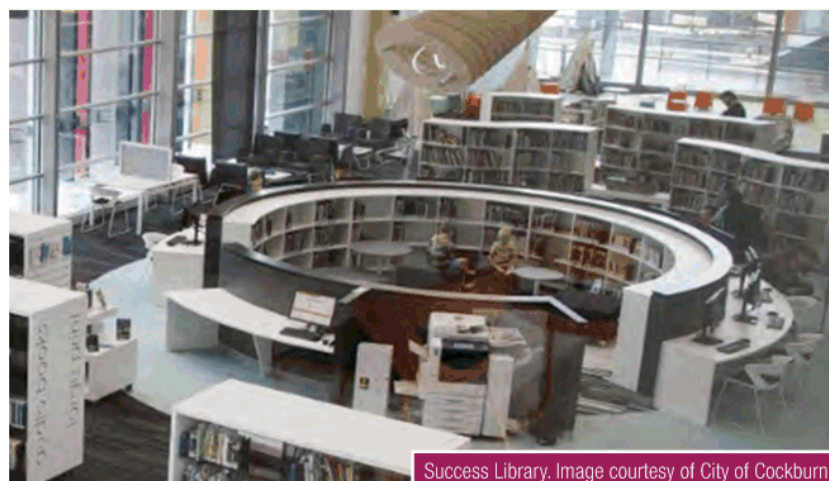
Taking into account previous reform, current trends and research outcomes, the PLWG identified the following **seven key reform priorities**:

1. **Legislative reform**
2. **New model for regional remote library services including strengthening the relationship with Community Resource Centres;**
3. **Single card access system;**
4. **Grants systems based on standards;**
5. **Incentive programs for innovative libraries;**
6. **A new model for support of WA public libraries; and**
7. **Public value modelling.**

These priorities are discussed within the context of the identified drivers for change: integrated planning, good governance, best value service delivery, public value and community engagement and place-making.

“In times of increasing digitalisation, it is important to secure public libraries' long-term future.”

Dr. Frank-Simon-Ritz, Chairman of the
German Library Association



Responding to drivers for change

Integrated planning

Public libraries serve their communities in ways that reflect and respond to local needs and priorities. Well-located, well-designed, accessible facilities and services encourage community participation, which in turn builds strong, socially inclusive, connected and active communities. There is a trend across all levels of government to work together more closely instead of providing stand-alone services.

There are examples of partnerships between local governments and not for profit providers to deliver library services.

The Western Australian Disability Enterprise (WADE) is contracted to provide the library courier service in the metropolitan region.¹⁸ At the Subiaco Library, Educated by Nature delivers a story time session named 'Wildtime' with outdoor adventures targeted towards fathers and sons.¹⁹ These examples of alternative models already used by WA public libraries illustrate the increased opportunities for collaborative approaches to service delivery. The determination of what works best will vary depending on local community needs and potential partners.

The vastness of Western Australia presents many challenges for service delivery. Regional Development Commissions support economic and social development in regional communities. There are nine Commissions across the State: Gascoyne, Goldfields, Great Southern, Kimberley, Mid-West, Peel, Pilbara, South West and Wheatbelt.²⁰ Each Commission has developed a regional blueprint setting out the aspirations and opportunities for the respective region.

Royalties for Regions (RfR) funding is delivered through the Commissions enabling it to be directed to the region's identified priorities. For example, the Kimberley Development Commission's blueprint highlights that its median population age is six years younger than the State as a whole, and literacy and numeracy rates are below those for the rest



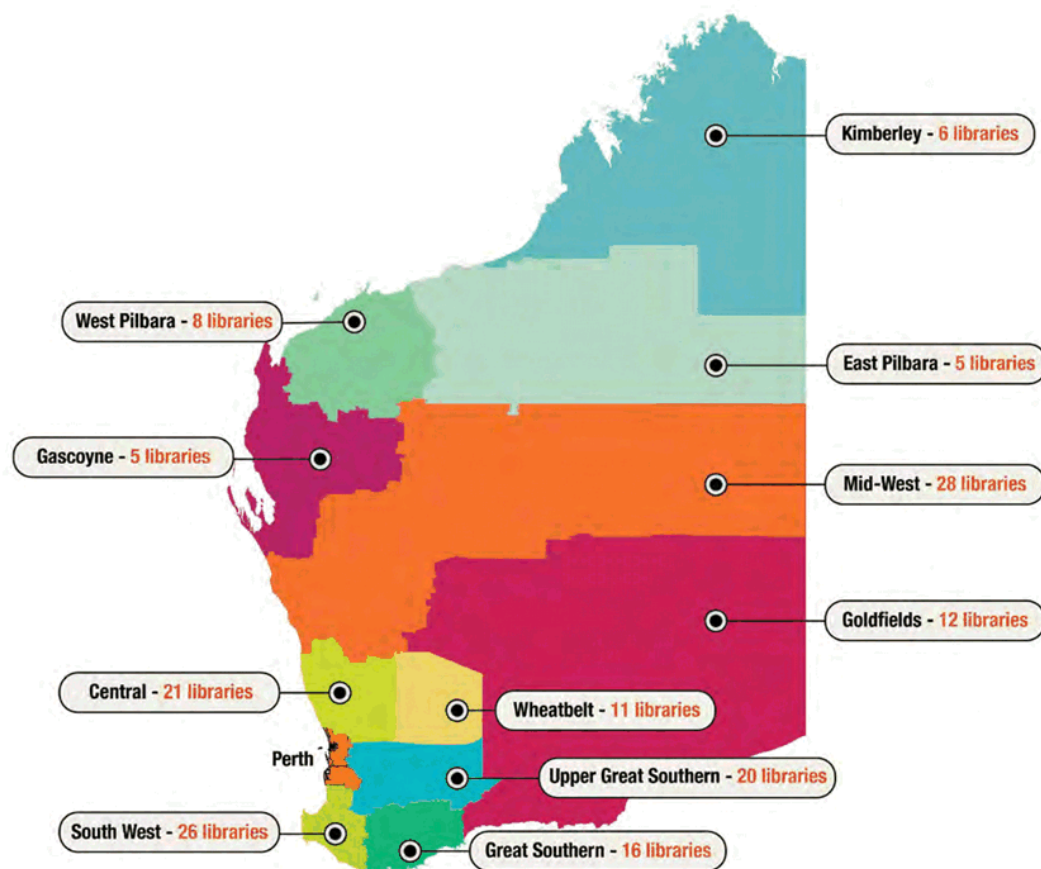
Dutch Journeys to the Western Edge exhibition. Image courtesy of SLWA.

of the State and Australia.²¹ The blueprint argues that literacy and numeracy rates can be improved with a commitment to innovation and appropriate policy settings.

One of the key challenges for SLWA is providing support to the 161 remote and regional public libraries. SLWA has established a 'hub and spoke' model, with 11 identified regions. Under the model, eight regional libraries receive additional funding to support smaller and remote libraries in their region and develop an annual activity plan detailing the support they will provide in the region for the coming year, which is assessed by SLWA. The remaining three regions are supported directly by SLWA, in addition to libraries located in the Indian Ocean Territories on behalf of the Commonwealth Government, including the selection of new and used resources.

An internal review in 2011 suggested that the regional model needs reform, and that an alternative model focused on strengthening local partnerships and opportunities for service delivery should be considered. The need for this regional reform is also reflected in the SLWA's *Strategic Directions 2013-2017*.

State Library of Western Australia – Regional Library Model



*Map does not include 3 libraries in the Indian Ocean Territories, i.e. Christmas Island and Cocos (Keeling) Islands.

Region	Libraries
Great Southern	Albany Public Library
South West Region	Bunbury Public Library
Upper Great Southern Region	Supported by the SLWA
East Pilbara Region	South Hedland Public Library
Gascoyne Region	Carnavon Public Library
Kimberley Region	Broome Public Library
Mid West Region	Geraldton Regional Library
West Pilbara Region	South Hedland Public Library
Wheatbelt Region	Merredin Public Library
Goldfields Region	Supported by the SLWA
Central Region	Supported by the SLWA



Felting workshop, Scarborough Library. Courtesy City of Stirling.

Shared use arrangements

Libraries often collaborate with other local services through co-location in the same building, shared access to facilities in order to share costs and improve the customer experience, or through integration of the management of services.

The majority of shared use agreements between the State and local governments have been successful in enabling efficiencies and increased access to facilities and services by the community. Two examples of shared use arrangements are with the Department of Education on school sites, and Community Resource Centres (CRCs) that are co-located with public libraries. Lake Grace is an example of a co-located service, with a school library and community library at one end of the building and a CRC at the other end – each with its own opening hours.

The Western Australian Community Resource Network (WACRN) consists of more

than 100 rural, remote and regional CRCs that are independently owned and operated by the local communities and provide a range of information and community based services to local people, businesses and visitors to Western Australia. In 2013, Western Australian Regional Development Trust undertook a review of the CRC network, which highlighted clear synergies with public libraries, and opportunities for future partnership development.²² The SLWA submission to the review noted that there are 30 CRCs that also provide library services, and further opportunities exist to extend this model of co-location, particularly in remote Western Australia. For further information about current shared use libraries with CRCs across Western Australia, please refer to Appendix 2.

The 2017-18 State Budget papers show that the funding to be allocated to CRCs will be \$13 million for 2017-18 and 2018-19; and \$8.0 million for 2019-20 and 2020-21.²³ The Minister for Regional Development had previously advised that the term of the next contract for CRCs would be reduced to 18 months, to enable a review of CRCs to be undertaken. This would include a review of CRC locations, usage, level of service provided and how resources are allocated between the regions.

Both the State Records Office (SRO) and the SLWA are physically located in the Alexander Library Building, which is located in the Perth Cultural Centre. Both entities hold collections of the State's documentary heritage which is accessed by hard copy, in person or online.

On 1 July 2017, the State Records Office (SRO) was administratively placed in the SLWA. Prior to this date, the SRO was administratively placed in the former Department of Culture and the Arts.

This is an administrative change only and the SRO will continue to support the independent State Records Commission (SRC) and the legislative responsibilities of the State Archivist and Executive Director State Records in accordance with the *State Records Act 2000*. The SRC will continue to be independent and have the same status as other entities that have an accountability role for Government, such as the Office of the Auditor General. One of the reasons for changing the administrative placement was the potential to create a

single workforce of specialist positions and the sharing of digital collections systems and physical service locations, resulting in greater flexibility and improved public service delivery and single cohesive access to the State's documentary heritage. As part of the MoG changes, the Aboriginal History and Research Unit from the former Department of Aboriginal Affairs now forms part of the new DLGSC. The Unit will also relocate to the Alexander Library Building, providing another information/research service based around using SRO and SLWA documents to meet the specific needs of Aboriginal people.

On 20 July 2017, the Australian Society of Archivists (ASA) released a [position statement on the State Records Office of WA](#). The ASA stated it remains concerned that the change will reduce the finances and regulatory power of the SRO and is seeking for the SRO to not be administratively placed in the SLWA.

In its position statement, the ASA advises that libraries and archives have different missions and methods. The ASA advises that the mission of libraries is to maximise public access to information sources, mostly online and published sources; and that records and archives in digital and traditional form arise mainly from natural accumulation, not selective collection.

The ASA further argues in its position statement that "archivists, records managers and librarians have different areas of expertise and competence, resulting in the requirement for tripartite accreditation of degrees. Professional practice further develops these areas, including differences in appraising material for inclusion in the archive, descriptive practices and working with source records across the records continuum. SLWA currently has no archivists working for it and has minimal recordkeeping experience or expertise. The staff cannot assist with archival description or management or with records management training for government agencies.

The areas in which the SRO requires support cannot be met from the Library's specialist areas, other than conservation. Nor do archives and libraries share common

delivery systems for content. Library descriptive systems are designed for a different purpose and meet different standards. SRO collection content can be harvested for use in a range of library discovery layers, including the National Library's TROVE portal, but the full context does not carry across."

In 2004, Canada became one of the first countries in the world to combine its national library and its national archives. Dr. Guy Berthiaume, Librarian and Archivist of Canada delivered a speech on 20 August 2015 at the World Library and Information Congress that was held in Capetown, South Africa. The speech was also published in the [International Federation of Library Associations and Institutions \(IFLA\) journal](#).

"Behind the creation of the new institution, called Library and Archives Canada (LAC), there was the vision of a new kind of knowledge organization, fully integrated between two disciplines and equipped to respond to the information demands of the 21st century."

The paper further states that, "By being both a national library and a national archives it has a unique opportunity to question the old ways of doing things, to find new routes to fulfil its mandate, and to mirror back the society we are busily documenting – one which is fluid, interconnected, spontaneous, and decidedly un-hierarchical."

The SRO also aligns well with the direction of digital transformation of Government information led by the [Office of the Government Chief Information Officer \(GCIO\)](#). Therefore there is also the potential to disaggregate the SRO from its current administrative placement in the SLWA.

On 6 December 2017 the final report on the Service Priority Review was released.^{24, 25}

The Service Priority Review is one of several measures being implemented to drive significant reform and cultural change across the public sector, in order to deliver better services for the community. The final report states: "With sustained, patient and thoughtful reform, WA can aspire to having the best public sector in Australia. But to



realise this, the sector must arrange its institutions well, design and deliver services to meet contemporary needs, and manage and develop its workforce with thought to the future. It must have absolute clarity about the Government's priorities and it must foster and develop leadership at all levels to serve the public interest.

"The WA public sector has an opportunity now to capitalise on its strengths to achieve purposeful reform. There is widespread agreement across the sector about what needs to change and there is already good practice that can be more effectively harnessed. There is also vast experience in reform outside the State that can be drawn upon."²⁵

The final report recommends that the Government establishes system-wide leadership to drive performance across common functions. It recommends developing a functional leadership framework and allocating responsibility for leadership of common functions across the sector, beginning with human resources, procurement, and ICT. The report also suggests introducing less formal 'heads of profession' or 'communities of practice'

arrangements to build capability and expertise in key professions across government, explaining that "There are multiple benefits from arrangements allowing greater collegiality and shared knowledge, including professional growth and enhanced skills for individual officers and efficiencies for the sector and the community."

Based on these recommendations, the State Library could take on the 'professional leader' role for WA government libraries service, particularly in the context of the Machinery of Government reforms.

Partnering with business

There has been an increase in Public Private Partnership (PPP) arrangements to build facilities that meet the needs of businesses and their communities. This is complemented by the Australian Infrastructure Plan, which recognises that infrastructure upgrades are essential to support economic and social development. The plan outlines the challenges for infrastructure and service provision in remote regions and that the demand for community infrastructure can often outstrip available supply.²⁶

A number of Western Australian local governments have partnered with business for the benefit of public library users and the community. The City of Kwinana successfully partnered with Dome Coffee to co-locate a Dome Café within the Darius Wells Library and Resource Centre, "to offer great books, great people, and great coffee all under the one roof."²⁷

Others such as the City of Cockburn, City of Armadale and City of Stirling have located public libraries within shopping centres to provide library lounge rooms with wifi hotspots. In regional areas, libraries are working with local tourism and accommodation providers. These arrangements deliver improved economic outcomes for the community.

One of the key challenges for government is overcoming the duplication of services and infrastructure, and libraries are not immune to this issue. Recent Victorian research

identified that “Library services have failed to standardise approaches leading to higher levels of duplicated efforts and wastage.”²⁸ Western Australia’s existing State-wide systems help to minimise the risk of duplication, but there are opportunities for continued exploration of what can be developed and refined.

While systems attempt to maximise resources and services, the lack of coordinated infrastructure planning across individual local governments has sometimes resulted in too many libraries servicing geographical areas. This is particularly true in the metropolitan area where libraries may be as little as five kilometres apart.

Potential opportunities

- Lead a whole of government discussion on integrated planning and service delivery for public library asset development and management.
- Consult with regional communities to identify what their aspirations are for the services that are delivered through their regional library, to inform a review of the SLWA’s regional model for the provision of public library services.
- Audit the current state of the buildings providing public library services and identify the amount required for new buildings, upgrades and extensions.
- Explore the establishment of a Public Library Infrastructure and Innovation Fund for local government developing or refurbishing library infrastructure.
- Explore partnerships, including with the WACRN, to deliver better library infrastructure and services.
- Work with the Regional Development Commissions to identify the key social priorities of each region and how public libraries can deliver on those priorities.
- Explore with the Department of Education current and future shared service arrangements to improve literacy and learning outcomes across the community.
- Develop guidelines in collaboration with the Department of Planning to improve public library infrastructure in accordance with State Planning Policy 3.6 Developer Contributions.



Good governance

Legislative arrangements

The *Library Board of Western Australia Act 1951* (the Act) established a free public library network in Western Australia and established the Library Board of Western Australia as a statutory body with management responsibility to oversee this process. The first public library opened in York in 1954 and 65 years after the Act was enacted, there are now 231 registered public libraries.

The Act provides for the constitution and functions of the Library Board and prescribes the relationship between the Board and Local Government in the provision of public library services. The Act was amended in 1955 to include the management of the State Library of Western Australia in the Board's responsibilities, which included the delivery of reference services and the collection and preservation of the State's documentary heritage.

The Library Board also has responsibilities under the *Legal Deposit Act 2012* for the collection and preservation of the State's documentary heritage.

There are currently three sets of Regulations under the Act:

- *Library Board (State Library) Regulations 1956*;
- *Library Board (Conduct of Proceedings) Regulations 1955*; and
- *Library Board (Registered Public libraries) Regulations 1985*.

Over the past 10 years, there have been several reviews of public library services in Western Australia.

“ We can’t solve problems by using the same kind of thinking we used when we created them. ”

Albert Einstein

Some of these reports include:

- *Proposed changes to the Library Act: Consultation Summary* (Library Board of Western Australia, 2007);
- *Structural Reform of Public Library Services* (AEC Group, 2007); and
- *WALGA: Public Library Services in Western Australia in 2025; Research & Consultation Findings* (AEC Group, 2015).

There is unanimous agreement between stakeholders on the need to change the existing Library Act to reflect current practice, and the environment in which the SLWA and public libraries now operate. While there has been extensive discussion on how to amend the current Act to make it more contemporary, the preferred option is to develop a new Act that reflects the business of today's public libraries and the needs of the SLWA.

ALIA launched the *Guidelines, Standards and Outcome Measures for Australian Public Libraries* (the Guidelines) in November 2016. Developed in partnership with



Robotics classes, Mirrabooka Library. Image courtesy of City of Stirling.

Australia's public and State libraries, the Guidelines outline a strategic and operational framework for Australia's public libraries. They establish the strategic and community context for the work of public libraries, describing not just what libraries should be doing, but why it is important.

Most importantly, it provides a set of standard outcome indicators for public libraries to encourage consistent reporting, evaluation, and demonstration of the real impact of libraries on people's lives.²⁹ The Guidelines could form the basis for new regulations for public library services in Western Australia.

Funding purpose and model

Funding for WA public libraries is provided to the Library Board of WA in the form of capital funds to purchase physical library materials (books and DVDs) and recurrent funding to purchase electronic materials (e-books, e-magazines, e-audio books).

The funding for materials is allocated annually by SLWA using an agreed funding methodology based on the population of each local government providing public library services. A minimum funding threshold is provided for local governments with small populations.

While this model is relatively robust, the lack of CPI or a mechanism to account for population growth is a concern. Without regular adjustments this investment can lose its relativity in terms of meeting community need and service costs.

Population is a sound base measure for library funding allocations as it is equitable and transparent. Adjustments for minimum allocations, regional centres, and remoteness are transparent and fair and are used in other States successfully.³⁰ Allocations for electronic resources and other shared materials such as languages other than English are determined for the whole State and agreed by the Operational Management Group (OMG) each year.

Each public library spends its annual material allocation through the SLWA by selecting the specific titles to meet the needs of their communities, while the SLWA undertakes book selection for small remote and regional public libraries that do not have the staff with the skills to undertake this function. A number of contracts are managed by the SLWA with suppliers for this purpose.

While the role of the State funding has historically been to enable the purchase of library materials, it may be more appropriate for funding to be provided for a range of other purposes such as technology, innovation and administration support. In QLD, NSW, SA and VIC, funding is provided for a range of services and is not limited only to library materials. This has supported significant innovation and helped to cement public libraries as community hubs.

The *Public Library Services in Western Australia in 2025: Research and Consultation Findings* report includes a comparative analysis of the funding models

operating in other states and determined that Queensland had the most relevant comparison for the funding of library services in a state due to its size and population dispersal.³¹ The local governments are also of similar size and demographics.

The Queensland model is a two tier system based on population. Local government areas with populations above 15,000 (Tier One) receive cash funding directly, while smaller regions (Tier Two) participate in a model called Rural Libraries Queensland.

This model is not dissimilar to the SLWA's regional model whereby regional libraries receive a notional allocation that is automatically indexed each year for population growth, funding the purchase of library materials and e-resources, which are accessed from a shared database.

From a funding perspective, the point of difference is that a further cash grant is paid to these libraries for local needs such as tablets, e-readers, and other resources as agreed. The Tier One libraries receive a direct grant from the State Library of Queensland to spend equally on library materials and local library priorities. The grant is automatically indexed each year for population growth and is administered under a Service Level Agreement.

Both tiers are able to access further competitive grant funding for innovation, which is provided by the State Library of Queensland and other state government agencies, to enable public libraries to create new spaces for engagement, collaboration, and community connectedness.

The current economic climate is a challenging time for government and business alike. The public library network could benefit from a central business unit to navigate and drive the reform process. Whilst the PLWG was tasked with setting strategic direction and the OMG has successfully continued to address joint operational issues, there is a need to consider what model is needed to propel public libraries into the future.



Disability Awareness Week. Image courtesy of Kalamunda Library.

Governance arrangements

There are many examples across Australia and internationally; the most closely aligned to Western Australian local government needs is the South Australian model – Public Libraries South Australia. It is a business unit that reports through the Director of the State Library to the Library Board of South Australia with part of the annual funding allocation for public libraries funding the operation of this unit.

Councils are accountable to their community and the decisions they make need to deliver a return on investment for the community, be it economic, social, or environmental.³²

Consideration of moving towards a dedicated business unit (or similar operational arrangements) to drive the reform process in Western Australia would require the appointment of additional staff with resultant resourcing considerations for the State Government.

To provide strategic input for this unit, a formal subcommittee of the Library Board of WA could be established with specific responsibilities for public libraries. The subcommittee would include both Local Government and State Government representatives. SA, QLD and NSW operate with similar Board committees.

If new legislation is to be developed, the Victorian model could also be considered. Currently in Victoria, a board of stakeholder representatives reports directly to the Minister. Standing working groups/and other occasional working groups are established on a project basis. Funding is provided by the Victorian Government through grant programs, managed by the Victorian Government.

Potential opportunities

- Develop new library legislation to clearly define the relationship between State and local government and the decision-making and governance arrangements.
- Repeal the existing *Library Board (Registered Public libraries) Regulations 1985*. Work to implement the *ALIA Guidelines, Standards and Outcome Measures for Australian Public Libraries* across WA public libraries.
- Determine the future investment from State Government and local governments for the provision of public library services including the purpose, amount and indexation methodology that addresses population growth.
- Determine the purpose of the funding, amount and indexation to be applied.
- Ensure that the value of public library services is understood, considered, and reflected in the development of State Government policy frameworks.
- Identify alternative funding that could be leveraged to encourage innovation, collaborative service delivery and partnerships.

- Investigate the establishment of a specific grant fund to encourage innovation in service delivery in Western Australian public libraries.
- Explore the establishment of a specific public libraries unit to lead the strategic and operational requirements for the provision of public libraries in Western Australia.
- Establish a new funding model to support the provision of public libraries services that meets community needs and agreed service outcomes. The funding model used in Queensland may be a useful model given the similarities with Western Australia.



Image courtesy of City of Wanneroo Libraries.

Best value service delivery

The societal shift to digital information is significantly impacting the library landscape. Libraries need to ensure services and resources are aligned to meet public demand and infrastructure needs to be fit-for-purpose.

The feasibility of a Single Library Card, underpinned by a Shared Library Management System (SLMS) or interoperability between systems, has been under consideration for nearly a decade.

The 2007 Structural Reform Report observed that 'opportunities for shared systems, particularly in metropolitan areas should be investigated. A State-wide strategy should be developed and opportunities for cooperative acquisition and management of library systems at the State and local level should be pursued.'³³

A variety of Library Management Systems (LMSs) are currently being used by libraries across Western Australia. While some libraries manage their own LMS, others are managed by their local government's administration. Some very small regional libraries do not use a LMS at all, using spread sheets to manage their library service.

SLWA uses a suite of systems to provide a single catalogue of public library materials purchased with State funding and materials held by the SLWA and to support the inter library lending functions across public libraries.

At present there is limited integration of these systems and business processes across the State's libraries, yet it is recognised that ICT infrastructure can be a driver of innovation, improve efficiencies, and enable equity of access.

Libraries are increasingly turning to consortia arrangements to pool their resources, increase their negotiating powers and to integrate their systems.



Gwenyth Ewans Art Award. Image courtesy of City of Fremantle Library.

The potential value of a SLMS is demonstrated in the number of SLMSs that have been established, or are in the process of being established in WA. These include:

- South West Consortium: Shires of Dardanup, Capel, Harvey, Manjimup, Boyup Brook, Waroona, Donnybrook-Balingup, Bridgetown-Greenbushes, Nannup, Boddington and the Cities of Bunbury and Busselton.
- Western Suburbs Regional Library Network: The Grove (Shire of Peppermint Grove; and Towns of Mosman Park and Cottesloe), Cities of Nedlands and Subiaco, and Town of Claremont.

The PLWG has acknowledged that ICT plays a significant role in delivering efficient, effective contemporary and relevant library services, and has prioritised the investigation of a State-wide SLMS model that would facilitate single card library access for the community for consideration by government.

The PLWG established a Single Library Card Access Subgroup to investigate potential management and procurement models, costs and the benefits that might result. Discussions were conducted with the SLWA to ascertain its specific needs including digital preservation, archiving and e-resource platforms to ensure these needs could be met as part of a State-wide SLMS.

A survey was conducted with WA public libraries and discussions were also conducted with State Library South Australia to ascertain their learnings, best practice, benefits gained, considerations and risks; as well as potential SLMS and fee sharing models.

Three options were considered:

1. The development of a new system.
2. The expansion of an existing system.
3. Development of a discovery layer.

An Investment Logic Map (ILM) was developed to identify the scope of the SLMS and identify the purpose and benefits for WA. The PLWG concluded that there is significant public benefit for a SLMS. It would facilitate the WA community to easily borrow materials from all public libraries (regardless of funding source) across the State using a single library card and enable a more efficient State-wide inter library loan system that reduces duplication in information handling for libraries.

Further benefits of a SLMS include offering seamless access to loan materials of all types including e-resources, improving inclusivity and accessibility across the State and offering contemporary and convenient services to the WA community. The ILM is included at Appendix 3.

The PLWG continues to explore opportunities to enhance public library users' experience, through the introduction of a Single Library Card and SLMS. The South West Consortium SLMS went live in July 2017 with policies and processes designed for WA around a common set of resource sharing goals and a robust delivery system.³⁴



Seniors computer skills, Dianella Library. Image courtesy of City of Stirling.

Equity of access and changing technology

Cooperation and sharing are cornerstones of effective library provision. The public library network is particularly well placed to engage with shared service delivery and collaborative models through its physical and virtual library network.

Public libraries will continue to play an important role in facilitating equitable access to the internet and bridging the digital divide. National trends and observations in public libraries show that internet terminals in public libraries continue to be well-used, despite increased access to the internet using other devices.³⁵

WALGA noted further research was needed to identify the changing usage of technology within public libraries, in particular how the rise of smart phones and the shift away from PCs and laptops to tablets will influence what technology will be provided, the allocation of space and the impact on workforce development.

Workforce development

Earlier in this paper the PLWG identified the broader role of public libraries as community hubs and the move away from simple transactional loaning of library materials. This evolving role raises the need to explore what this means for the development of the future library workforce and the skills required, such as community development, place-making, effective marketing, communication and relationship management, and evaluation skills.

Supporting people to use digital resources competently and confidently is increasingly important as information sources continue to move online. Those who work in libraries will need ongoing support and access to training to improve their skills in order to navigate complex information systems.

Libraries traditionally measure outputs (how many people, visits, loans etc.) however

there will be a shift to measure outcomes of the programs and activities – the specific benefits to the community that result from the provision of a library service. As previously stated, ALIA has developed national Guidelines. These guidelines are outcome measures for Australian public libraries, and will enable the library sector to measure, compare and report consistently on its impact effectiveness and value.

It provides a framework for local governments to measure return on investment and aligns with the legislative requirements under the *Local Government Act 1995*.³⁶ The Guidelines will enable decision-makers to make more informed choices about budget allocation, infrastructure investment, and workforce development.

Potential opportunities

- Develop a business case for government for a Single Library Card and SLMS for Western Australia.
- Adopt ALIA's *Guidelines, Standards and Outcome Measures for Australian Public Libraries* for the Western Australian Public Library Network.
- Develop guidelines for the Commonwealth and State governments to procure library services for the support and delivery of centralised government information services.
- Assist public libraries to pilot emerging e-services and technology to meet the changing needs of library users.
- Explore the opportunities of the National Disability Insurance Scheme (NDIS) and self-directed care policy to strengthen accessibility of resources by people with disabilities.
- Explore opportunities to develop bilingual digital content, Aboriginal language content and languages other than English (LOTE) e-resources to better serve WA's CaLD community.
- Develop an ICT strategy for public libraries in Western Australia and working with the Office of the Government Chief Information Officer.

Public value

Western Australian libraries are community centric; delivering services around the aspirations and interests of their local communities.

Despite being one of the most valued services provided by a local government, often it can be a challenge to measure the true value of the library against the economic return of recreation centres or waste services. It is not enough to simply say people love libraries. In the previous section, the importance of standards and guidelines to improve service delivery was outlined. Now we will consider public value.

There is an increasing pressure across all government services to demonstrate their value in terms of return on investment, and library services across Australia and the world are striving to demonstrate the link between expenditure and service delivery outcomes.

As stated in the 'Integrated planning' section of this discussion paper, the review of the CRC Network highlighted the limited knowledge of the potential of the CRC network across other government agencies. While there are examples of effective utilisation by one or two agencies it was not consistent across government as a whole.

The same observation could be made for public libraries. The intrinsic value of public libraries to the civic wellbeing of our community is understood, yet it is very hard to measure. As a result libraries often remain out-of-focus for whole of government policy frameworks, despite their success at the local level.

Culture Counts

The Department of Culture and the Arts (DCA) (now the Culture and Arts (WA) division of the Department of Local Government, Sport and Cultural Industries) recognised a similar situation for arts organisations which were finding it challenging to provide qualitative

“Libraries are not only great places for books and reading, they are social hubs, technology hotspots and learning spaces for all.”

Sue McKerracher, CEO, ALIA June 2016

rather than quantitative feedback. To address this, the DCA, in partnership with Pracsys Economics and the UK's Intelligence Agency, developed the Culture Counts system, which collates in real time the quality of arts and cultural experiences.³⁷ It measures the artistic value and community benefit of government funded programs, and illustrates the impact and value through standard co-designed metrics.

Culture Counts is a digital application and web portal system based around a set of core metrics, which are answered by an organisation, their peers and members of the public to assess the quality of the experience, which can be translated into the intrinsic, instrumental and institutional values. It also collects information on attendance, sponsorship, investment and profit. Put simply, it quantifies the anecdotal.

Culture Counts provides a standardised level of benchmarking for organisations and funders. Arts organisations that receive recurrent funding from the Department of Local Government, Sport and Cultural Industries' Organisations Investment Program utilise the Culture Counts application for free.



Disrupted Festival of Ideas. Image courtesy of State Library of WA.

In terms of efficiency savings, Culture Counts saved more than \$950,000 in research and administration costs for WA arts organisations last year.³⁸

In Western Australia, there are 16 public libraries using the Culture Counts system, which is demonstrating the value of the library services, programs and partnerships, in real time.

In turn, this is being used to leverage further funding resources and open up partnership opportunities. Public Libraries South Australia is currently leading collaboration with Culture Counts to trial a set of library metrics to measure against the community outcomes contained within ALIA Guidelines. It is being piloted across six local governments in South Australia, Victoria and Western Australia. The Cities of Wanneroo and Armadale are taking part. As outlined in Appendix 4, the ALIA guidelines:

- Support adoption of best practice work processes within libraries;
- Enable local governments to benchmark their library services and to plan effectively; and
- Promote clearer understanding of what public libraries do and why they do it.³⁹

Spaces and places

There is a growing trend in USA and European libraries to increasingly focus on the library space, community use and participation – moving away from being ‘collection centric’.

These libraries reduce and curate their collections and create spaces where community members can create in the physical or virtual space (sometimes under the guidance of an artist), or sometimes just collaborate on a project. The State Library of Queensland’s (SLQ) report ‘The impact of libraries as creative spaces’, highlights that as more library contact goes digital, and as less floor space is required to store hard copies, there is a trend to repurposing library spaces for creative activity.⁴⁰

As an outcome of its research, SLQ developed a Creative Spaces Framework to allow

for the evaluation of libraries and creative spaces through the creative activities they deliver.

Much of the creative activity in libraries is attributed to makerspaces where people come together to share creative practice across a variety of mediums. From robotics coding, combining textiles with electronics, recording studios, 3D printing and face painting, makerspaces are teaching participants new skills and broadening and redefining their definition of the 'library'.⁴¹

This shift to repurposing of existing space lends itself to the broader imperative of planning for library spaces for the future. In 2012, the Library Council of New South Wales updated *People Places: A Guide for Public Library Buildings in New South Wales*.⁴²

It contains practical advice and tools to assist with the step-by-step planning process for the development of new public library buildings to meet the needs of the community now and into the future; and in consideration of the digital technology and optimising resources.

Potential opportunities

- Adopt Culture Counts as the measurement and evaluation framework for larger libraries in the public library network.
- Explore the development of a State-wide marketing campaign on the relevance and diversity of service offerings. Look for opportunities to leverage existing campaigns across tourism, economic development and literacy.
- Develop guidelines for the space required for public libraries to assist with the sustainable development of public library buildings.
- Undertake an ILM process to define the public value of public libraries in Western Australia to ascertain what is driving the need to invest in libraries and to ensure



Image courtesy of City of Melville Libraries.

strategic investment reflects the aspirations of the WA community and service providers.

- Develop and implement a public libraries workforce plan with identified partners, to ensure library staff have the right skills and access to training to meet the needs of contemporary library services. This will include Universities and education institutions to ensure new approaches are integrated into their curricula.
- Explore opportunities for cross resourcing and up skilling staff with other local services providers and organisations.

Community engagement and place-making

Public libraries strengthen public participation, and increase access to the world of information. They are powerful spaces for exchange, creation and learning.

Public libraries provide a range of opportunities for participation that cultivate a sense of belonging and offer services that improve community wellbeing. Increasing over the past decade, libraries are adopting a place-making framework to achieve this.

The *City of Fremantle Library's 2015-16 Annual Report* highlighted how the library is working with local businesses and care facilities to support patients and people with disabilities with information about their community, the services they can access, and programs to improve their skills. This is part of a broader human services initiative of the Southwest Metropolitan Forum, which takes a collaborative approach to regional planning in partnership with business, not-for-profits and the Cities of Fremantle, Cockburn and Melville.^{43, 44} It is an excellent example of how public libraries deliver a social, economic and cultural return on investment for local communities in terms of learning, literacy, wellbeing, connectedness and communities.

Our communities are changing. Engaged and empowered citizens generate optimism about the future; they produce good decisions on meeting tough community challenges, and contribute to economic vitality. In communities large and small, public libraries provide leadership, information, tools and a place where people can connect to fulfil the roles and responsibilities of active civic engagement.⁴⁵

Building cohesion

Community cohesion is generally considered in terms of the quality and nature of the relationship between residents of a given locality. People want to 'belong' to a community and feel welcomed. Australia has experienced sustained population growth through immigration since 1945 with a substantial increase in the past two

“Libraries are a place where people feel they belong.”

Public librarian, local government consultations 2015

decades, particularly to Western Australia. Over 30% of Western Australians were born overseas. In this context, local governments need to be adaptive to support their changing communities. The role of the library service offers a significant opportunity for new and strengthened functions in the changing role of local government. Through their strong civic presence, libraries have the potential to assume a leadership role in local community engagement. This opportunity also applies with regard to diverse age demographics.

The Scanlon Foundation survey *Australians Today*⁴⁶ identified challenges to community cohesion including the relatively low level of personal trust and sense of safety, and heightened experience of discrimination and misconceptions that impede mutual understanding and respect.

In a recent submission to the Commonwealth's Inquiry into the Indigenous Advancement Strategy (IAS) tendering processes, the National Congress of Australia's First People highlighted the need to develop and implement an Indigenous outcomes accountability framework for organisations responsible for delivering positive results for Aboriginal and

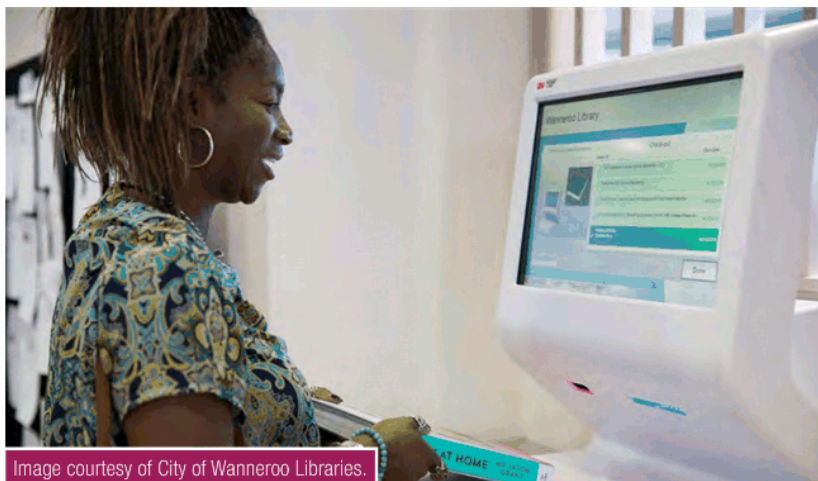


Image courtesy of City of Wanneroo Libraries.

Torres Strait Islander people. The intent was to ensure that organisations receiving funding were clear about their obligations and expectations, and that they matched community needs.⁴⁷

SLWA has established the Storylines program, an online archive for the Library's digitised heritage collections relating to Aboriginal history in Western Australia. By engaging Aboriginal communities through the return of digital photographs and other materials, the program assists in the building of digital skills, the retention and protection of cultural knowledge and the building strengthening of trust between the library and communities.

SLWA is also piloting alternate models of public service delivery through the Ideas Box which is being piloted at the Yungngora community in the Kimberley region.⁴⁸

Public libraries are well positioned to respond to the challenges of community cohesion

and collective effort to improve outcomes for Aboriginal and Torres Strait Islander and CaLD communities.

International research shows that there are effective solutions that libraries can implement to encourage social cohesion including relationship building activities to promote trust; ensuring community programs maintain fairness and prioritise local issues; creating youth focused programs; and developing risk management strategies to respond to challenges to social harmony.

Investing in early literacy

If we want young people to be engaged, they need to be literate and connected to their wider community. There are many examples of libraries' commitment and investment in early literacy. One of the best regarded is the State Library's Better Beginnings program led by the SLWA and which is delivered by the public library network and partners.⁴⁹

Better Beginnings aims to develop literacy skills in young children through fostering a love of books and language. The program supports parents and caregivers in reading to children so that they build the early literacy skills they need to become good readers and succeed at school.

Using a partnership approach between public libraries, child health, community organisations, and schools, Better Beginnings supports families as their child's most important teacher in modelling early literacy practices starting from birth. SLWA developed the Better Beginnings program with the belief that literacy transforms lives. Exposing children to libraries early in life gives children a head start in literacy and learning to read.

To date, there have been more than 550,000 reading packs provided to Western Australian families with newborn babies and children aged four and five since the Better Beginnings program's pilot in 2004.

The report *From Little Things Big Things Grow*,⁵⁰ identified public libraries as the driving force behind efforts to improve early literacy in Western Australia, noting they:

- Support and encourage parents to play greater roles in their children's literacy and on-going education;
- Expose children to a wider range of books, stories and literacy activities; and
- Provide year-round free access to books, parenting information, story and rhyme sessions and knowledgeable staff.

SLWA recently released *Literacy Matters- State Library of Western Australia Literacy Strategy 2017-2027*. *Literacy Matters* provides a 10 year strategy to coordinate the work of the State Library of Western Australia with its partners and supporters to improve literacy for all Western Australians.⁵¹ *Literacy Matters* identifies a clear leadership role for libraries in their communities in developing and enhancing literacy for life.

Investing in Smart Australia

The Australian Government is committed to achieving the vision of an innovative Australia. Significant funding is being invested to support the STEM agenda (Science Technology, Engineering and Maths) through education and business support.

It is recognised that the inclusion of the Arts agenda (to make STEAM) delivers a deeper knowledge of a subject, creativity, problem solving, critical thinking and communication skills, which are relevant to an increasingly wide range of occupations. They will be part of the foundation of adaptive and nimble workplaces of the future.

Any industry that relies on innovation benefits greatly from people who can bring different perspectives or look at problems in new ways. STEAM fields are charged with imagining the future for all of humanity, and providing new solutions to big problems.

Public libraries are well positioned to support the growth of STEAM through programs such as robotics, makerspaces as well as a safe community space that fosters innovation.

Potential opportunities

- Work in partnership with the SLWA to achieve the goals and deliver the strategies outlined in *Literacy Matters*.
- Identify and promote good practice in libraries in support of community cohesion and diversity.
- Explore opportunities to promote good practice community development programs and outreach services delivered by libraries to meet local needs.
- Develop literacy and engagement strategies with the CaLD and Aboriginal and Torres Strait Islander people to improve literacy and lifelong learning outcomes.
- Facilitate and encourage the STEAM agenda in public libraries through community engagement with initiatives that increase public interest and involvement.
- Seek further opportunities to expand Better Beginnings at a State and local level.
- Work across governments to identify human services strategies that would benefit from the experience and knowledge of the WA public library network.

Public Library Working Group Members

(At the time of developing the background paper)

Duncan Ord OAM	Director General, Department of Culture and the Arts (Chair)
Margaret Allen	Chief Executive Officer and State Librarian, State Library of Western Australia
Jennifer Mathews	Director General, Department of Local Government and Communities
Ricky Burges	Chief Executive Officer, Western Australian Local Government Association
Debbie Terelinck	Chair, Operational Management Group
Fiona Reid	Councillor, City of South Perth
Jodie Holbrook	Policy Manager-Community, Western Australian Local Government Association

“Develop the vision, the strategic direction and plan, resource it and commit to it.”

Local Government Association Chief Executive Officer,
2015 Consultations



Ideas Box Launch at Kulkarriya School, Yungngora Community September 2016.

Appendices

Appendix 1

The **Operational Management Group (OMG)** was established in 2009 to provide operational leadership and advice on public libraries issues between the State and local government. To date, OMG has proven successful in developing solutions to the issues outlined below:

Completed	
Lost and damaged items	Process improvements made so that a pre-determined charge is levied annually to alleviate considerable workload by public library staff.
Exchange system review	A two-tier system introduced to create efficiencies for selecting public libraries whilst enabling the exchange system to continue for those public libraries requiring this service.
Metropolitan van service	Measures put in place to enable the continuation of a van service for metropolitan public libraries and enabling the inter-library loans system to continue.
Review of public library materials allocations	Improved processes to ensure funds are appropriately spent.
e-resources	Management, implementation and process improvements for the e-resources accessed by all public libraries in WA; and introduction of radio frequency identification (RFID) tagging for centrally-purchased library materials.
In Progress	
Inter Library Loans (ILLs)	Alternative system to administer ILLs, and recommendations to ensure the model is efficient and sustainable.
Supplier stock selection	Pilot successfully completed with the City of Stirling and will now be rolled out to other selecting libraries over the coming months.
Language Other Than English (LOTE) materials	Review of stock selection and management.
Collection management guidelines	Develop collection management guidelines to assist public libraries with the ongoing management of their collections to meet the needs of public library patrons.

Appendix 2

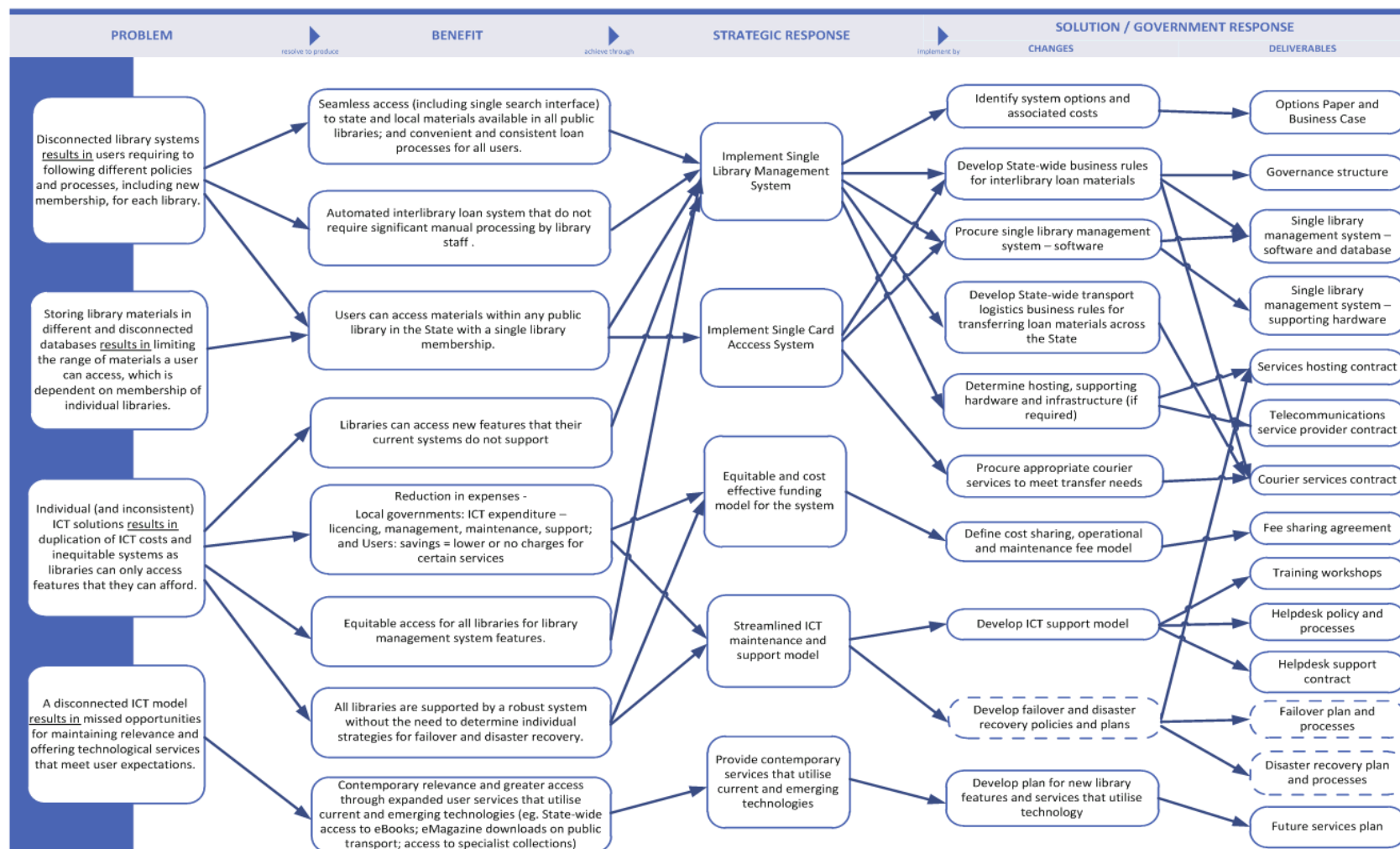
Shared Use Libraries with the Department of Education	
Bullsbrook Library	City of Swan
Cocos Home Island Library	Shire of Cocos (Keeling) Islands
Cocos West Island Library	Shire of Cocos (Keeling) Islands
Donnybrook Library	Shire of Donnybrook
Eaton Library	Shire of Eaton
Ellenbrook Library	City of Swan
Kununurra Community Library	Shire of Wyndham/East Kimberley
Lake King Library	Shire of Lake Grace
Lake Grace Library	Shire of Lake Grace
Lesmurdie Library	Shire of Kalamunda
Newman Library	Shire of East Pilbara
Warnbro Community Library	City of Rockingham

Co-located Community Resource Centres and Public Libraries	
Beacon	Kellerberrin
Bremer Bay	Lake Grace
Brookton	Laverton
Coolgardie	Menzies
Cunderdin	Mount Barker
Dalwallinu	Newdegate
Dandaragan	Pingelly
Dowerin	Pingrup
Dumbleyung	Ravensthorpe
Frankland River	Tambellup
Gascoyne Junction	Wandering
Gingin	Wellstead
Goomalling	West Arthur
Halls Creek	Westonia
Hopetoun	Wickepin
Jerramungup	Williams
Jurien Bay	Wongan Hills
Kambalda	Wyalkatchem

These tables were correct at the time of publication.

Appendix 3

Investment Logic Map for the Shared Library Management System



Appendix 4

Australian Library Information Association (ALIA). A Framework for Australian Public Libraries. Guidelines, Standards and Outcome Measures for Australian Public Libraries 2016.

STRATEGIC COMMUNITY FOCUS	PUBLIC LIBRARIES			INDIVIDUAL AND COMMUNITY OUTCOMES
	SERVICE MANAGEMENT	SERVICE OFFERING	SERVICE DELIVERY	
<p>Public libraries work actively with their communities to provide services that are responsive to community needs and build individual and community capacity</p> <p>Ensure access for all</p> <p>Reflect community needs and aspirations</p> <p>Engage the community in shaping library services</p> <p>Champion the community's cultural identity</p> <p>Create partnerships to build community and individual resilience and capacity</p>	<p>Governance</p> <ul style="list-style-type: none"> Strategic decision-making Strategic planning Accountability and reporting Advocacy <p>Management</p> <ul style="list-style-type: none"> Policy and planning Human resources management Financial and asset management Technology management Public relations and promotions Monitoring and evaluation 	<p>Content/Collections</p> <ul style="list-style-type: none"> General and specialist Local studies, heritage, culture Digital <p>Information and reference services</p> <p>Programs</p> <ul style="list-style-type: none"> Literacy Learning Creative, cultural Technology awareness, digital literacy <p>Technology access</p> <ul style="list-style-type: none"> Computers Internet and wifi <p>Places (physical and digital)</p> <ul style="list-style-type: none"> Read and relax Study and work Meet and connect Collaborate and create 	<p>Service points</p> <ul style="list-style-type: none"> Branches (incl. opening hours) Mobile libraries Website and online services Outreach services <p>Staffing</p> <ul style="list-style-type: none"> Staffing levels Skills, qualifications <p>Funding</p> <ul style="list-style-type: none"> Operating Capital Sustainability <p>Partnership and collaboration</p> <ul style="list-style-type: none"> Community Government Education and business Library sector Volunteers <p>Customer service</p>	<p>Effective library programs and services help individuals to change their knowledge, skills, attitudes and behaviours and communities to be more inclusive, productive and creative.</p> <p>Literacy and lifelong learning</p> <p>Informed and connected citizens</p> <p>Digital inclusion</p> <p>Personal development and wellbeing</p> <p>Stronger and more creative communities</p> <p>Economic and workforce development</p>

Endnotes

- ¹ Public Libraries Western Australia, [Inspiring Stories](#), 2015.
- ² State Government and Local Government, [Framework Agreement for the Provision of Library Services in Western Australia](#), 2004.
- ³ Australian Library and Information Association, [National Welfare & Economic Contributions of Public Libraries Final Report](#), 2013.
- ⁴ State Government and Local Government, 2004.
- ⁵ Economic Audit Committee, [Putting the Public First](#), 2009.
- ⁶ Office of Multicultural Interests, [Cultural Diversity in Western Australia: A Demographic Profile](#), 2015.
- ⁷ Department of State Development, [Economic Profile October 2016](#).
- ⁸ WALGA & AEC Group, [Public Library Services in Western Australia in 2025. Research and Consultation Findings](#), 2015.
- ⁹ Australian Local Government Association, [Local Government's Plan for an Innovative and Prosperous Australia](#), 2016.
- ¹⁰ Western Australian Planning Commission, [State Planning Strategy 2050](#), 2014.
- ¹¹ Department of Planning, [State Planning Policy 3.6 – Developer Contributions for Infrastructure and Guidelines](#), 2014.
- ¹² Arts Leadership Group, [Strategic Directions 2016-2031](#).
- ¹³ State Library of Western Australia, [Annual Report 2015-2016](#).
- ¹⁴ State Library of Western Australia, [Strategic Directions 2013-2017](#).
- ¹⁵ Australian Library and Information Association, [ALIA Response to the Australian Government Open Government National Action Plan](#), 2016.
- ¹⁶ Chamber of Arts and Culture WA and Community Arts Network, [Arts and Culture in Western Australian Local Government](#), 2015.
- ¹⁷ The Western Australian Local Government Association (WALGA) undertook a comprehensive visioning and strategic planning review of the public library service delivery in Western Australia called [Public libraries in Western Australia 2025](#) to better understand what public libraries could and should look like in 2025. This body of work built upon the 2007 *Structural Reform of Public Libraries in Western Australia*.
- ¹⁸ WALGA, Public Library Courier Services, member information sheet, 2015.
- ¹⁹ [City of Subiaco website](#).
- ²⁰ [Department of Primary Industries and Regional Development](#)
- ²¹ Kimberley Development Commission, [2036 and Beyond: a Regional Investment Blueprint for the Kimberley](#), 2016.
- ²² Western Australian Regional Development Trust, [Review of the Western Australian Community Resource Network](#), 2013.
- ²³ [Western Australia - State Budget 2017-18](#)
- ²⁴ Service Priority Review: [Public Sector Reform](#)
- ²⁵ Service Priority Review: [Media Statement](#)

- ²⁶ Infrastructure Australia, [Australian Infrastructure Plan: The Infrastructure Priority List](#), 2017.
- ²⁷ [Darius Wells Library and Resource Centre](#).
- ²⁸ Ministerial Advisory Council on Public Libraries, [Review of Victorian Public Libraries Stage 2 Report](#), November 2013.
- ²⁹ ALIA, APLA & NSLA, [Guidelines, Standards and Outcome Measures for Australian Public Libraries](#), 2016.
- ³⁰ WALGA & AEC Group, 2015.
- ³¹ Ibid.
- ³² WALGA, Consultation Roundtable with Local Government Chief Executive Officers on the future of Public Libraries, 2014.
- ³³ State Library of Western Australia, WALGA & AEC Group, [Structural Reform of Public Libraries in Western Australia Report](#), 2007.
- ³⁴ South West Consortia, 'Shared Vision for South West Shared Library Management System', 2016.
- ³⁵ SLWA, WALGA & AEC Group, 2007.
- ³⁶ Local governments are required to report on their community strategic plans in accordance with section S5.56 (1) of the Local Government Act 1995 and Regulations S5.56(2) of the Act which outlines the minimum requirements to achieve this.
- ³⁷ www.culturecounts.cc
- ³⁸ Department of Treasury, WA State Budget 2016-17 infographic.
- ³⁹ Ibid.
- ⁴⁰ State Library of Queensland, [The Impact of Libraries as Creative Spaces](#), 2016.
- ⁴¹ Andrew Kelly, [Why do we need one of those? The role of the library in promoting and creating makerspaces](#) ALIA National Library and Information Technicians Symposium 2013.
- ⁴² State Library of New South Wales, [People Places: A Guide for Public Library Buildings in New South Wales](#), 2012.
- ⁴³ The South West Metropolitan Partnership Forum (SWMPF) brings together all individuals, groups and thirty organisations who are concerned about social disadvantage in the local government areas of Cockburn, Fremantle and Melville who work together to address local disadvantage through collective impact approach.
- ⁴⁴ [City of Fremantle Annual Report 2015-2016](#).
- ⁴⁵ [Urban Libraries Council](#), 22 November 2016.
- ⁴⁶ Scanlon Foundation, [Australians Today Survey](#), 2016.
- ⁴⁷ National Congress of Australia's First People Submission to the Senate Standing Committees on Finance and Public Administration – Inquiry into the Indigenous Advancement Strategy Tendering Processes, pg 6.
- ⁴⁸ Media release. [Out of the box: Ideas that excite at Yungngora](#).
- ⁴⁹ Better Beginnings is led by the State Library of Western Australia in partnership with public libraries, with assistance from the Department of Health, the Child and Adolescent Health Service. Delivery partners also include Child and Adolescent Community Health and the WA Country Health Service. Departments of Training and Workforce Development (North Metropolitan TAFE), Corrective Services and Education (through the Child and Parent Centres). Funding partners are Rio Tinto and the Department of Regional Development supports the delivery of the program.
- ⁵⁰ State Library of Western Australia, [From Little Things Big Things Grow](#), 2013.
- ⁵¹ State Library of Western Australia, [Literacy Matters](#).

References

- ALIA, APLA & NSLA, [Guidelines, Standards and Outcome Measures for Australian Public Libraries](#), 2016.
- [Arts Leadership Group, Strategic Directions 2016-2031](#).
- Australian Library and Information Association, [ALIA Response to the Australian Government Open Government National Action Plan](#), 2016.
- Australian Library and Information Association, [National Welfare & Economic Contributions of Public Libraries Final Report](#), 2013.
- Australian Local Government Association, [Local Government's Plan for an Innovative and Prosperous Australia](#), 2016.
- Chamber of Arts and Culture WA and Community Arts Network, [Arts and Culture in Western Australian Local Government](#), 2015.
- [City of Fremantle Annual Report 2015-2016](#).
- [City of Subiaco](#).
- [Culture Counts](#).
- [Darius Wells Library and Resource Centre](#).
- Department of Planning, [State Planning Policy 3.6 – Developer Contributions for Infrastructure and Guidelines](#), 2014.
- [Department of Primary Industries and Regional Development](#).
- Department of State Development, [Economic Profile October 2016](#).
- Department of Treasury, WA State Budget 2016-17 infographic.
- Economic Audit Committee, [Putting the Public First](#), 2009.
- Infrastructure Australia, [Australian Infrastructure Plan: The Infrastructure Priority List](#), 2016.
- Kelly, A. [Why do we need one of those? The role of the library in promoting and creating makerspaces](#) ALIA National Library and Information Technicians Symposium 2013.
- Kimberley Development Commission, [2036 and Beyond: a Regional Investment Blueprint for the Kimberley](#), 2016.
- Ministerial Advisory Council on Public Libraries, [Review of Victorian Public Libraries Stage 2 Report](#), November 2013.
- National Congress of Australia's First People Submission to the Senate Standing Committees on Finance and Public Administration – Inquiry into the Indigenous Advancement Strategy Tendering Processes.
- Office of Multicultural Interests, [Cultural Diversity in Western Australia: A Demographic Profile](#), 2015.
- Public Libraries Western Australia, [Inspiring Stories](#), 2015.
- Scanlon Foundation, [Australians Today Survey](#), 2016.
- South West Consortia, [Shared Vision for South West Shared Library Management System](#), 2016.
- State Government and Local Government, [Framework Agreement for the Provision of Library Services in Western Australia](#), 2004.
- State Government and WALGA, [Funding Arrangement between the Minister for Culture and Arts and WALGA regarding Funding for Public Libraries](#), 2010.
- State Library of New South Wales, [People Places: A Guide for Public Library Buildings in New South Wales](#), 2012.
- State Library of Queensland, [The Impact of Libraries as Creative Spaces](#), 2016.
- State Library of Western Australia, [Annual Report 2015-2016](#).
- State Library of Western Australia, [From Little Things Big Things Grow](#), 2013.
- State Library of Western Australia, [Strategic Directions 2013-2017](#).
- State Library of Western Australia, WALGA & AEC Group, [Structural Reform of Public Libraries in Western Australia Report](#), 2007.

[Urban Libraries Council, 22 November 2016.](#)

WALGA, Public Library Courier Services, member information sheet, 2015.

WALGA & AEC Group, [Public Library Services in Western Australia in 2025. Research and Consultation Findings](#), 2015.

Western Australian Planning Commission, [State Planning Strategy 2050](#), 2014.

Western Australian Regional Development Trust, [Review of the Western Australian Community Resource Network](#), 2013.



Public Libraries Strategy Consultation 2017 – Survey Questions

Introduction

Our public libraries are much-loved and much-used facilities. Across Western Australia's 231 public libraries, there are more than one million active library members who borrowed more than 16 million physical items and some 600,000 e-books and audio books in 2015-16.

But there is a need for significant, transformational change to deliver more efficient and flexible public library services to continue to meet Western Australia's growing and diverse community needs.

The context for public libraries is shifting, with libraries operating as community spaces with strong links to community, social cohesion and workforce development. Technological developments continue to change the way people interact with information, requiring public libraries to remain relevant at the forefront of technology, enabling access as well as support for skills development in the community. Public libraries also need to better communicate their connections with, value and impact on the community.

The WA Public Libraries Strategy is the result of extensive research and consultation through the Public Libraries Working Group and with stakeholders including local government authorities. The priorities outlined in the Strategy are intended as a consultation tool to establish a shared strategic vision for public library development in Western Australia. The draft Strategy and background research papers can be found at: www.slwa.wa.gov.au/about-us/corporate/public-libraries-partnership

We are seeking feedback on the Strategy from community members, library users and those that do not use public libraries, local governments, public librarians and community groups.

Should you have any questions regarding this consultation process please contact: publiclibraryconsultation@slwa.wa.gov.au

1. Are you a:

- ☐ Local Government Elected Member
- ☒ Local Government Officer
- ☒ Public Library Manager
- ☐ Public Library Staff Member
- ☐ Community Resource Centre Representative
- ☐ Community Member
- ☒ Other (please specify)

Regional Librarian - Kimberley

General Questions

The WA Public Library Strategy outlines five priority actions to be addressed in the next four years, including:

- * A single access card and management system that would allow users to borrow an item at any public library in WA
- * A new model to support public library service delivery in WA
- * A new model to support regional and remote library services to ensure equal access to library services across the State
- * Improved governance systems, including the development of new legislation to guide public library services
- * A system to measure and assess the impact and value of public library services on individuals and communities.

2. What do you most value about WA public libraries?

The Shire of Broome highly values the provision of a free, inclusive library service which is accessible for all members of the community and seeks to continue this service. Continued funding is the key component for this service. It is increasingly important as technology evolves, that the library responds to community needs. The financial and other support offered by the State Government is appreciated and the Shire keen to maintain a working relationship without a loss of financial investment from the State.

3. How could WA public libraries change to better meet current community needs?

The Shire notes the 5 key priorities outlined within the Strategy and is in support. However the Shire acknowledges that to implement reform will require a revised funding model, which may or may not be in addition to the current budget. The Shire would like to see further consultation with local governments regarding alternate funding models to facilitate change and innovation while maintaining current levels of service delivery.

4. What do you think will be the challenges for WA public libraries and their services in the future?

The Shire would like to understand the proposed funding model which will drive reform and transformation of public libraries throughout the State. The beginning of the reform process may prove challenging should service levels be expected to continue while funding is reallocated to transformational or innovative initiatives.

The Shire also suggests that equitable spread of funding for innovation trials will be a challenge, and would call for adequate support and distribution to the regions.

Governance

The Library Board of Western Australia Act 1951 and the Library Board (Registered Public Libraries) Regulations 1985 are dated and lack relevance to contemporary public library services in Western Australia.

Do you agree with the following priorities to ensure good governance?

5. Repeal the Library Board (Registered Public Libraries) Regulations 1985 as they do not reflect contemporary public library services.

☒ Agree

☐ Disagree

Other (please specify)

6. Establish a Library Board sub committee for governance and strategic oversight of WA public libraries, composed of local and State Government representatives.

☒ Agree

☐ Disagree

Other (please specify)

7. Adoption of the Australian Library and Information Association's (ALIA) *Guidelines, Standards and Outcome Measures for Australian Public Libraries* (2016) as an aspirational framework for benchmarking and measuring public value.

☒ Agree

☐ Disagree

Other (please specify)

With the proviso that there is consideration of smaller country libraries which due to staffing and infrastructure would struggle to maintain the expected service level outlined in the *Guidelines, Standards and Outcomes Measures for Australian Public Libraries*.

8. Develop new legislation that is reflective of contemporary public library services in WA.

☒ Agree

☐ Disagree

Other (please specify)

New Model to support public library service in Western Australia

The State Library of Western Australia leads the development of the public library network, primarily through the provision of capital funds for the purchase of library materials. Economies of scale are achieved by the consortia purchasing of print and electronic materials for State-wide delivery for Western Australia's 231 public libraries. However, the capital funding model for physical materials was developed in the 1950s and does not reflect the evolution of public library services and the expectation to meet the diverse information and recreational needs of the community through a variety of resources, infrastructure and programming.

Do you agree with the following priorities identified to implement a sustainable and appropriate model for the support of public library services?

9. Implement a multi-tiered support model determined by the ability to meet agreed criteria for service provision and population size.

- ☒ Agree
☐ Disagree
Other (please specify)
-

10. Introduce a system for the allocation of annual State Government funding. Funds are not limited to the purchase of physical library stock; portions can be allocated for technological infrastructure, implementation of innovative programming, administration or other priorities.

- ☐ Agree
☒ Disagree
Other (please specify)

Those libraries already heavily invested in physical stock may require more funds to be invested in technology. For economies of scale programming should be State wide rather than library centric. This approach would also acknowledge differences in service provision and needs throughout regional Western Australia.

11. Develop an accountable and robust reporting framework for expenditure of allocated funds.

- ☐ Agree
☒ Disagree
Other (please specify)

This is already achieved on a local level by adhering to weekly quota reports.

12. Investigate ways in which to foster innovation and experimentation in public libraries through the introduction of a competitive innovation grants system, using the available annual State Government funding allocation.

- ☐ Agree
☒ Disagree
Other (please specify)

The Shire is supportive of innovation and experimentation, but would like to understand more regarding the innovation grant scheme using the available annual State government funding allocation. If a percentage of the available funding is used for innovation, the Shire is concerned that service levels across the State may be negatively impacted if further funding is not sourced. This could lead to added financial and community pressure on local governments to make up the shortfall to maintain current levels of service.

Rather than introducing a competitive grants process, the Shire would call for worthwhile initiatives to be trialled across a number of interested libraries. This would allow for a spread of results and data, and a more equitable spread of State funding.

New model to support regional and remote public libraries.

Western Australia has 161 regional and remote public libraries in eleven regions across the State. Since 1977, the State Library has supported these libraries through a model in which regional libraries receive additional funding to support smaller libraries within their region. The need for reform of this model was identified in 2011.

A new model for the support of regional and remote libraries needs to be sustainable and efficient, providing adequate funding, training and support for staff to ensure equal access to library services across the State.

Do you agree with the following priorities for a new model to support regional and remote public libraries?

13. Develop a new support model and an accountable reporting framework for regional and remote public libraries, to ensure equity of service and consistency of support across regions.

- ☒ Agree
- ☐ Disagree
- Other (please specify)

Regional support is currently not a “one size fits all” and changes do need to be made to provide equity of service across the State.

14. Realign public library regional boundaries with WA Regional Development boundaries to foster better integrated planning at a local level and collaboration within regions, and for administrative efficiency.

- ☒ Agree
- ☐ Disagree
- Other (please specify)

15. Contribute to a broader strategy to strengthen partnerships and collaboration between libraries, local government and the Western Australian Community Resource Network, business and not-for-profit organisations in

the regions to enable a better coordinated approach to service delivery, responding to local needs.

- ☒ Agree
☐ Disagree
Other (please specify)
-

Single access card system

There are a number of Library Management Systems currently in use across the State by different local governments, with little interoperability. A consolidated system would benefit all Western Australian library members and enable better collaboration between libraries. Research into a single card access system and shared Library Management System (LMS) demonstrates that centralisation would enable a more efficient loans system, improving accessibility across the State.

Do you agree with the following priorities to ensure best value service delivery?

16. Investigate further options for a single access card system which provides access to all 232 WA public libraries and the ability to locate and borrow an item from any public library through that card?

- ☒ Agree
☐ Disagree
Other (please specify)
-

Public Value

Public libraries deliver a diverse range of services to the community, and while the intrinsic value of libraries is understood, it is difficult to measure library services in terms of economic return and social outcomes. ALIA's Guidelines, Standards and Outcome Measures for Australian Public Libraries provides guidance for measuring library services and programs against social outcomes, and a number of libraries around Australia are using Culture Counts, a digital application which measures public value and quantifies it through metrics, in order to demonstrate the impact they have on the community.

Do you agree with the following priorities that have been identified to demonstrate the value of Western Australia's public libraries?

17. Consider the adoption of ALIA's Guidelines, Standards and Outcome Measures for Australian Public Libraries to provide clear and consistent guidance for measuring the impact of public library services on individuals and communities.

- ☒ Agree
☐ Disagree

Other (please specify)

Same as question 7

18. Investigate the feasibility of a State-wide subscription to Culture Counts as a measurement and evaluation framework to promote a clearer understanding to government, business and community of what libraries deliver and the impact of these services.

☒ Agree

☐ Disagree

Other (please specify)

The Shire supports a State wide measurement and evaluation framework, but would promote the use of a customised tool which is developed for library services. Allowing all libraries to share and access data would encourage collaboration and sharing of best practice service delivery for the benefit of all.

19. Develop a State-wide marketing campaign promoting the diverse service offerings and value of public libraries in Western Australia.

☒ Agree

☐ Disagree

Other (please specify)

We need to reach other sections of the community who do not, for a variety of reasons, currently use our services.

Thank you for your feedback which will be used to further inform the Strategy.

To assist with understanding the feedback, we would like to learn more about you:

20. Do you live in:

☐ 1. Metropolitan Perth

☐ 2. Outer metropolitan Perth

☒ 3. Regional or remote Western Australia

☐ Other (please specify)

21. Are you a regular public library user?

☐ Yes

☐ No

22. If so, which libraries?

Broome Public Library _____

23. If you are not a regular public library user, would you please tell us why?

24. Are there any other comments you would like to make?

End Survey

Thank you for your feedback, we appreciate your thoughts and comments. A summary of the feedback will be available in the early part of 2018.

Our ref: SE:DO File CLIB1

22 February 2018

Mr Duncan Ord OAM
Chair, Public Library Working Group
Director General
Department of Local Government, Sport and Cultural Industries
140 William St, 2nd floor Reception
Perth WA 6000

Dear Mr Ord

Shire of Broome submission -WA Public Libraries Strategy Consultation 2017

Thank you for the opportunity for the Shire of Broome to provide feedback on the Public Libraries Strategy Consultation 2017. The **enclosed** submission is provided by the Broome Public Library representing the Shire of Broome.

As the Regional Librarian for the Kimberley, the Shire welcomes the introduction of a new model to assist in supporting remote, regional library services.

The Shire welcomes this reform initiative and looks forward to continuing dialogue regarding the reforms. The Shire is largely supportive of the priority areas and values the continuation of funding and support to deliver library services across the region.

For further queries please contact Sally Eaton at sally.eaton@broome.wa.gov.au

Yours faithfully

Aletta Nugent
Director Development and Community

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)(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”.

9.4.8 WESTERN AUSTRALIA NATIONAL DISASTER RELIEF RECOVERY ARRANGEMENTS - CONTRACTS RFQ17-103 TO 17-108 AND RFQ17-110

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	EMM05,RFQ17-103,RFQ17-104,RFQ17-105,RFQ17-106,RFQ17-107,RFQ17-108 and RFQ17-110
AUTHOR:	Director Infrastructure
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Infrastructure
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	6 December 2017

SUMMARY: This report seeks Council to consider quotations and award contracts for the supply of traffic management, plant and materials for Western Australian National Disaster Relief Recovery Arrangements (WANDRRA) funded rehabilitation works.

10.

**REPORTS
OF
COMMITTEES**

10.1 LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING MINUTES - 13 DECEMBER 2017

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	EMS02
AUTHOR:	Executive Support Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development and Community
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	3 January 2018

SUMMARY: This report presents the minutes and associated recommendations of the Local Emergency Management Committee meeting held on 13 December 2017 for Council's consideration.

BACKGROUNDPrevious Considerations

Nil.

The Local Emergency Management Committee (**LEMC**) is established by Council under section 38 of the *Emergency Management Act 2005 (Act)*. In accordance with section 39 of the Act, the functions of the LEMC are:

- (a) to advise and assist the local government in assuring that local emergency management arrangements are established for its district;
- (b) to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and
- (c) to carry out other emergency management activities as directed by the State Emergency Management Committee, or prescribed by the *Emergency Management Regulations 2006*.

COMMENT

The minutes of the LEMC meeting held on 13 December 2017 are included as **Attachments 1 and 2** of this report.

At the meeting, the LEMC discussed the following:

Item 5.1 Local Emergency Management Committee Contact List

The current contact list was reviewed with members to provide updates as applicable.

Item 5.2 Status Report

The status of actions from previous LEMC meetings were circulated and discussed.

Item 5.3 Resource Register

The Resource Register was circulated, and members were requested to provide any updates to the Committee Secretariat where applicable.

Item 5.4 Incident Report

The 2017 Incident Report was circulated, and members were requested to provide any updates to the Committee Secretariat as needed.

Item 5.5 Training Schedule

The 2017 Training Schedule was circulated, and members were requested to provide any updates to the Committee Secretariat where applicable.

Item 5.6 Vegetation Update by Horizon Power

Jodie Lynch from Horizon Power discussed the Horizon Power flyer, "Why Trees Should be Trimmed" and displayed associated photos.

Item 5.7 Department of Communities – Disaster & Emergency Support Services

Megan Spence from Department of Communities discussed the holding of the Kimberley Integrated Information Session 2017.

Item 5.8 Updates from Committee members

A round table discussion was conducted allowing Committee members to give an update on their agencies, and any relevant matters.

CONSULTATION

As outlined in the minutes attached.

STATUTORY ENVIRONMENT

Emergency Management Act 2005

Section 36 Functions of local government

It is a function of a local government —

- (a) subject to this Act, to ensure that effective local emergency management arrangements are prepared and maintained for its district;*
- (b) to manage recovery following an emergency affecting the community in its district;*
and
- (c) to perform other functions given to the local government under this Act.*

38 Local emergency management committees

- (1) A local government is to establish one or more local emergency management committees for the local government's district.*
- (2) If more than one local emergency management committee is established, the local government is to specify the area in respect of which the committee is to exercise its functions.*

- (3) A local emergency management committee consists of —
 - (a) a chairman and other members appointed by the relevant local government in accordance with subsection (4); and
 - (b) if the local emergency coordinator is not appointed as chairman of the committee, the local emergency coordinator for the local government district.
- (4) Subject to this section, the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.

39 Functions of local emergency management committees

The functions of a local emergency management committee are, in relation to its district or the area for which it is established —

- (a) to advise and assist the local government in ensuring that local emergency management arrangements are established for its district;
- (b) to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and
- (c) to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.

Section 41 Emergency management arrangements in local government district

- (1) A local government is to ensure that arrangements (local emergency management arrangements) for emergency management in the local government's district are prepared.
- (2) The local emergency management arrangements are to set out —
 - (a) the local government's policies for emergency management;
 - (b) the roles and responsibilities of public authorities and other persons involved in emergency management in the local government district;
 - (c) provisions about the coordination of emergency operations and activities relating to emergency management performed by the persons mentioned in paragraph (b);
 - (d) a description of emergencies that are likely to occur in the local government district;
 - (e) strategies and priorities for emergency management in the local government district;
 - (f) other matters about emergency management in the local government district prescribed by the regulations; and
 - (g) other matters about emergency management in the local government district the local government considers appropriate.
- (3) Local emergency management arrangements are to be consistent with the State emergency management policies and State emergency management plans.
- (4) Local emergency management arrangements are to include a recovery plan and the nomination of a local recovery coordinator.
- (5) A local government is to deliver a copy of its local emergency management arrangements, and any amendment to the arrangements, to the SEMC as soon as is practicable after they are prepared.

Section 42 Reviewing and renewing local emergency management arrangements

- (1) local government is to ensure that its local emergency management arrangements are reviewed in accordance with the procedures established by the SEMC.
- (2) Local emergency management arrangements may be amended or replaced whenever the local government considers it appropriate.

Section 43 Local emergency management arrangements to be available for inspection

- (1) A local government is to keep a copy of its local emergency management arrangements at the offices of the local government.
- (2) The arrangements are to be available for inspection, free of charge, by members of the public during office hours.
- (3) The arrangements may be made available in written or electronic form.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

RISK

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

Sustainable and integrated strategic and operational plans

Responsible resource allocation

Effective community engagement

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council receives the minutes of the Local Emergency Management Committee held on 13 December 2017.

Attachments

1. Unconfirmed Minutes of the Local Emergency Management Committee held on the 13 September 2017
2. Associated Attachments
3. LEMC Contact List (*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)(h) as it contains “such other matters as may be prescribed”.



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."

**UNCONFIRMED
MINUTES**

OF THE

**LOCAL EMERGENCY MANAGEMENT
COMMITTEE**

13 DECEMBER 2017

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.

SHIRE OF BROOME
LOCAL EMERGENCY MANAGEMENT COMMITTEE
WEDNESDAY 13 DECEMBER 2017
INDEX – MINUTES

1.	OFFICIAL OPENING	5
2.	ATTENDANCE AND APOLOGIES	5
3.	CONFIRMATION OF MINUTES	6
4.	CORRESPONDENCE IN / OUT	6
4.1	CORRESPONDENCE IN.....	6
5.	BUSINESS ARISING.....	6
5.1	LOCAL EMERGENCY MANAGEMENT COMMITTEE CONTACT LIST	6
5.2	STATUS REPORT.....	7
5.3	RESOURCE REGISTER	7
5.4	INCIDENT REPORT	7
5.5	TRAINING SCHEDULE	7
5.6	VEGETATION UPDATE BY HORIZON POWER	7
5.7	DEPARTMENT OF COMMUNITIES - DISASTER & EMERGENCY SUPPORT SERVICES.....	7
5.8	UPDATES FROM MEMBERS	8
6.	REPORTS OF OFFICERS.....	9
6.1	LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING DATES FOR 2018.....	9
7.	MEETING CLOSURE.....	ERROR! BOOKMARK NOT DEFINED.

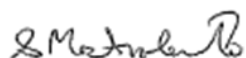
Chairperson.....Date.....

NOTICE OF MEETING

Dear Council Member,

The next Local Emergency Management Committee Meeting of the Shire of Broome will be held on Wednesday, 13 December 2017 in the Committee Room, Corner Weld and Haas Streets, Broome, commencing at 10:00am.

Regards



S MASTROLEMBO
Chief Executive Officer

19/12/2017

Chairperson.....Date.....

**MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE OF THE SHIRE
OF BROOME,
HELD IN THE COMMITTEE ROOM, CORNER WELD AND HAAS STREETS, BROOME, ON
WEDNESDAY 13 DECEMBER 2017, COMMENCING AT 10:00AM.**

1. OFFICIAL OPENING

The Chairman welcomed Members and Officers and declared the meeting open at 10:00am.

2. ATTENDANCE AND APOLOGIES

Attendance:	Chris Mitchell	Chairperson
	Brendon Barwick	Broome Police
	Trevor Fish	12 Mile Community Representative
	Ian Clark	Broome Regional Prison
	Phil Leach	Broome Volunteer Fire & Rescue
	Ivan Davie	Townsite Representative
	Mat Morrissy	Air Services Australia
	Todd Carrington	Dampier Peninsula Police
	Ben Dearing	Dampier Peninsula Police
	Megan Spence	Department of Communities
	Maj. Chris McGlashan	Department of Defence – NORFORCE
	Rick Darlow	Department of Fire & Emergency Services
	Pat Foley	Department of Parks & Wildlife
	Ken Robertson	Department of Transport
	Jodie Lynch	Horizon Power
	Nick Van Straaten	Kimberley Aboriginal Medical Services Ltd
	Lindsay Copeman	Kimberley Port Authority
	Gary Bradshaw	Main Roads
	Tracey Beckett	Royal Flying Doctors Service
	Andrew Graffen	St John Ambulance
	Jonathon Lane	Department of Communities – Housing
	Gary Davies	St John Ambulance
	Jodi Miller	Broome Regional Prison
	Marie Vallelonga	Department of human Services
	Holly Hanna	Broome Hospital
	Luke Westlake	Kimberley Ports Authority
	Chris McGlashan	Norforce
	Ingrid de Meillon	Shire of Broome
	Alan Ingram	Department of Communities - Housing
Apoloies:	Tania Baxter	Bidyadanga Community Representative
	Ed Carroll	Coconut Wells Community Representative
	Loretta Bin Omar	Australia Red Cross
	Chris Fox	Bidyadanga Police
	Rob Aristei	Broome Surf Life Saving Club
	John Kennedy	Broome Volunteer Sea Rescue Group
	Barry Louvel	Department of Aboriginal Affairs
	Scott Maxwell	Department of Immigration & Border Protection
	Deanne Hayward	Department of Human Services

Chairperson.....Date.....

	Jeanette Bryson	Housing Authority
	Kevin Tromp	Kimberley Land Council
	Rita Rose	Nyamba Buru Yawuru
	Andy Boutell	Telstra
	Paul Beard	Water Corporation
Officers:	Aletta Nugent	Shire of Broome
	Ty Matson	Shire of Broome
	Bronwyn Jones	Shire of Broome

3. CONFIRMATION OF MINUTES

3.1 The minutes of the LEMC were distributed and taken as read.

COMMITTEE RESOLUTION:

Moved: Mr I Clark

Seconded: Mr P Foley

That the Minutes of the Local Emergency Management Committee held on 13 September 2017, as published and circulated, be confirmed as a true and accurate record of that meeting.

CARRIED UNANIMOUSLY 40/0

4. CORRESPONDENCE IN / OUT

4.1 CORRESPONDENCE IN

- OEM District Advisor Report – 13 September 2017
- Horizon Power October Media Release – Customers urged to prepare for cyclone season

Attachments

1. OEM District Advisor Report
2. Horizon Power - Preparing for Cyclone Season

5. BUSINESS ARISING

5.1 LOCAL EMERGENCY MANAGEMENT COMMITTEE CONTACT LIST

An updated contact list of members and proxies is attached, the Committee were asked to provide any updates to the Committee Secretariat.

Attachments

1. Attachment 1

Chairperson.....Date.....

5.2 STATUS REPORT

The 2017 Status Report is attached.

Attachments

1. Attachment 1

5.3 RESOURCE REGISTER

The 2017 Resource Register is attached, the Committee were asked to provide any updates to the Committee Secretariat.

Attachments

1. Attachment 1

5.4 INCIDENT REPORT

The 2017 Incident Report is attached, the Committee were asked to provide any updates to the Committee Secretariat.

Attachments

1. Attachment 1

5.5 TRAINING SCHEDULE

The LEMC Training Schedule is attached, the Committee were asked to provide any updates to the Committee Secretariat.

Attachments

1. Attachment 1

5.6 VEGETATION UPDATE BY HORIZON POWER**Attachments**

1. Attachment 1 - Why Should Trees Be Trimmed
2. Attachment 2 - Picture
3. Attachment 3 - Picture

5.7 DEPARTMENT OF COMMUNITIES - DISASTER & EMERGENCY SUPPORT SERVICES**Attachments**

1. Kimberley Integration Information Session 2017

Chairperson.....Date.....

5.8 UPDATES FROM MEMBERSDepartment of Communities, Emergency Services –

- attended Emergency Services in Perth in October
- working with WA Police in major emergencies/disasters
- visited regional Kimberley LEMC meetings recently
- all services in place for Christmas period – Megan to provide contact details

Manager Health, Emergency & Rangers, Shire of Broome –

- reviewed internal cyclone procedures
- attended EDL exercise – pipeline burst
- BRAC installed security cameras inside & outside – concerns with inside cameras whilst BRAC is used as a welfare centre

St John Ambulance –

- there has been a decrease in Priority 1's but an increase in transfers
- Emergency Support Vehicle brought along for members to view

Broome Regional Prison – the prison has undergone renovations and trees removed from carpark for better accessibility and parking space.

Horizon Power – Jodie gave an update on Telecommunications and electronic billing.

Royal Flying Doctor Service (RFDS) –

- Derby service has closed down – all services now running out of Broome
- Gaining 4 x PC-12 aircrafts at the end of February 2018 and a Jet in November 2018

Broome Hospital –

- Busy with the increase in Ambulance transfers & RFDS
- Carried out a cyclone response exercise in November 2017

Broome International Airport –

- Carried out a Full Field Exercise & AEP Field Exercise & review in October 2017
- Busy with Offshore Oil & Gas

Kimberley Aboriginal Medical Services –

- Corporate building closed down from 15 December 2017 – 2 January 2018
- Cyclone clean-up being conducted

Broome Port Authority – new Operations Manager has commenced

Main Roads – Cape Leveque Road to be upgraded in 2018 (Beagle Bay end).

Norforce – closed over the Christmas period.

Broome Police – 3 fatal car accidents recently & 1 trailer detached incident

Director Development & Community, Shire of Broome – brief on the Cyclone Workshop run by the Shire on Wednesday 13 December 2017.

Chairperson.....Date.....

6. REPORTS OF OFFICERS

6.1 LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING DATES FOR 2018
--

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	EMS02
AUTHOR:	Executive Support Officer - Development
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development and Community
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	10 November 2017

SUMMARY: This report recommends that the Local Emergency Management Committee adopts proposed meeting dates to be held in 2018.
--

BACKGROUND

In accordance with the Local Emergency Management Committee Terms of Reference, the Committee is required to hold quarterly meetings (minimum 4 meetings per annum). The Chairperson may at any time convene a Special Meeting of the Committee.

COMMENT

It is proposed that in 2018 the Local Emergency Management Committee meetings are to be generally held in the Shire of Broome Function Room on the second Wednesday every 3 months commencing at 10:00am.

Please note the following 4 meeting dates are proposed for the Local Emergency Management Committee for 2018:

Wednesday 14 March 2018

Wednesday 13 June 2018

Wednesday 12 September 2018

Wednesday 12 December 2018

The general timing and frequency of meetings is consistent with past practice and ensures that Committee members are able to have a good level of awareness and response to emergency management matters in Broome.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Emergency Management Act 2005

36. *Functions of local government*

Chairperson.....Date.....

It is a function of a local government —

- (a) subject to this Act, to ensure that effective local emergency management arrangements are prepared and maintained for its district;*
- (b) to manage recovery following an emergency affecting the community in its district; and*
- (c) to perform other functions given to the local government under this Act.*

37. Local emergency coordinators

- (1) The State Emergency Coordinator is to appoint a local emergency coordinator for each local government district.*
- (2) Before appointing a local emergency coordinator for a local government district the State Emergency Coordinator is to consult the relevant local government.*
- (3) In making an appointment the State Emergency Coordinator is to have regard to any submissions of the local government.*
- (4) The local emergency coordinator for a local government district has the following functions —*
 - (a) to provide advice and support to the local emergency management committee for the district in the development and maintenance of emergency management arrangements for the district;*
 - (b) to assist hazard management agencies in the provision of a coordinated response during an emergency in the district;*
 - (c) to carry out other emergency management activities in accordance with the directions of the State Emergency Coordinator.*

38. Local emergency management committees

- (1) A local government is to establish one or more local emergency management committees for the local government's district.*
- (2) If more than one local emergency management committee is established, the local government is to specify the area in respect of which the committee is to exercise its functions.*
- (3) A local emergency management committee consists of —*
 - (a) a chairman and other members appointed by the relevant local government in accordance with subsection (4); and*
 - (b) if the local emergency coordinator is not appointed as chairman of the committee, the local emergency coordinator for the local government district.*
- (4) Subject to this section, the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.*

39. Functions of local emergency management committees

The functions of a local emergency management committee are, in relation to its district or the area for which it is established —

Chairperson.....Date.....

- (a) *to advise and assist the local government in ensuring that local emergency management arrangements are established for its district;*
 - (b) *to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and*
 - (c) *to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.*
40. *Annual report of local emergency management committee*
- (1) *After the end of each financial year each local emergency management committee is to prepare and submit to the district emergency management committee for the district an annual report on activities undertaken by it during the financial year.*
 - (2) *The annual report is to be prepared within such reasonable time, and in the manner, as is directed in writing by the SEMC.*

Division 2 — Emergency management arrangements for local governments

41. *Emergency management arrangements in local government district*
- (1) *A local government is to ensure that arrangements (local emergency management arrangements) for emergency management in the local government's district are prepared.*
 - (2) *The local emergency management arrangements are to set out —*
 - (a) *the local government's policies for emergency management;*
 - (b) *the roles and responsibilities of public authorities and other persons involved in emergency management in the local government district;*
 - (c) *provisions about the coordination of emergency operations and activities relating to emergency management performed by the persons mentioned in paragraph (b);*
 - (d) *a description of emergencies that are likely to occur in the local government district;*
 - (e) *strategies and priorities for emergency management in the local government district;*
 - (f) *other matters about emergency management in the local government district prescribed by the regulations; and*
 - (g) *other matters about emergency management in the local government district the local government considers appropriate.*
 - (3) *Local emergency management arrangements are to be consistent with the State emergency management policies and State emergency management plans.*
 - (4) *Local emergency management arrangements are to include a recovery plan and the nomination of a local recovery coordinator.*
 - (5) *A local government is to deliver a copy of its local emergency management arrangements, and any amendment to the arrangements, to the SEMC as soon as is practicable after they are prepared.*

Chairperson.....Date.....

42. *Reviewing and renewing local emergency management arrangements*
- (1) *A local government is to ensure that its local emergency management arrangements are reviewed in accordance with the procedures established by the SEMC.*
 - (2) *Local emergency management arrangements may be amended or replaced whenever the local government considers it appropriate.*
43. *Local emergency management arrangements to be available for inspection*
- (1) *A local government is to keep a copy of its local emergency management arrangements at the offices of the local government.*
 - (2) *The arrangements are to be available for inspection, free of charge, by members of the public during office hours.*
 - (3) *The arrangements may be made available in written or electronic form.*

Division 3 — Powers of local government during cyclone

44. *Meaning of “cyclone area”*

In this Division —

cyclone area means a cyclone area designated under section 16.

45. *Exercise of powers under this Division*

The powers given to a local government by this Division can only be exercised on behalf of the local government by a person expressly authorised by it to exercise those powers.

46. *Power of local government to destroy dangerous vegetation or premises in cyclone area*

If a local government is of the opinion that any vegetation or premises on land in a cyclone area in the district of the local government may, as a result of the cyclonic activity —

- (a) *cause loss of life, prejudice to the safety, or harm to the health, of persons or animals; or*
- (b) *destroy or damage property or any part of the environment, the local government may remove or destroy the vegetation or remove, dismantle or destroy the premises.*

47. *Local government may require owner or occupier of land to take action*

- (1) *If a local government is of the opinion that any vegetation or premises on land in a cyclone area in the district of the local government may, as a result of the cyclonic activity —*
 - (a) *cause loss of life, prejudice to the safety, or harm to the health, of persons or animals; or*
 - (b) *destroy or damage property or any part of the environment, the local government may give a person who is the owner or the occupier of the land a direction in writing requiring the person to take measures specified in the direction to prevent or minimise the loss, prejudice, harm, destruction or damage.*

Chairperson.....Date.....

- (2) *A person who is given a direction under subsection (1) is not prevented from complying with it because of the terms on which the land is held.*

48. *Additional powers when direction given*

- (1) *This section applies when a direction is given under section 47.*
- (2) *If the person who is given the direction (the **direction recipient**) fails to comply with it, the local government may do anything that it considers necessary to achieve, so far as is practicable, the purpose for which the direction was given.*
- (3) *The local government may recover the cost of anything it does under subsection (2) as a debt due from the person who failed to comply with the notice.*
- (4) *If a direction recipient —*
- (a) *incurs expense in complying with the direction; or*
- (b) *fails to comply with such a direction and, as a consequence, is convicted and fined or has to pay to a local government the cost it incurs in doing anything under subsection (2), the direction recipient may apply to a court for an order under subsection (6).*
- (5) *In subsection (4) —*
- court*** *means a court that would have jurisdiction to hear an action to recover a debt of the amount of the expense, fine or cost sought to be recovered by the direction recipient.*
- (6) *On an application under subsection (4) the court may order —*
- (a) *if the direction recipient is the owner, the occupier; or*
- (b) *if the direction recipient is the occupier, the owner,*
- to pay to the direction recipient so much of that expense, fine or cost as the court considers fair and reasonable in the circumstances.*
- (7) *In determining what is fair and reasonable the court is to have regard to —*
- (a) *the type of land involved;*
- (b) *the terms on which the occupier is occupying the land; and*
- (c) *any other matter the court considers to be relevant.*

49. *Provisions are in addition to other powers*

This Division is in addition to, and does not derogate from, the powers of a local government under the Local Government Act 1995 Part 3 Division 3.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

Chairperson.....Date.....

RISK

There is a significant risk of impact on the Broome community should a natural disaster or emergency situation occur. If not mitigated, this risk is potentially Extreme. One of the ways that the Shire can mitigate this risk is through having a functioning Local Emergency Management Committee that meets regularly.

STRATEGIC IMPLICATIONS

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

Effective communication

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

Effective community engagement

Improved systems, processes and compliance

VOTING REQUIREMENTS

Simple Majority

COMMITTEE RESOLUTION:
(REPORT RECOMMENDATION)

Moved: Ms J Lynch

Seconded: Mr T Fish

That the Local Emergency Management Committee adopts the following meeting dates for 2018 commencing at 10:00am in the Shire of Broome Function Room:

- *Wednesday 14 March 2018*
- *Wednesday 13 June 2018*
- *Wednesday 12 September 2018*
- *Wednesday 12 December 2018*

CARRIED UNANIMOUSLY 40/0

Attachments

There are no attachments for this report.

7. MEETING CLOSURE

The Chairman closed the meeting at 10:42am.

Chairperson.....Date.....

BROOME LEMC - RESOURCE SCHEDULE - ORGANISATIONS

		Agencies																	
		Aviation Fire and Rescue	Broome Police	Department of Child Protection	DFES	SES (Broome Unit)	Kimberley Ports Authority	Australian Customs	Fisheries	Sea Rescue Group	Shire of Broome	Parks and Wildlife (formaly DEC)	St John Ambulance	Surf Life Saving	Water Corporation	Horizon	Main Roads WA	Department of Transport	Broome Int Airport
VEHICLES																			
AMBULANCE																			
	Mercedes - diesel - single berth												2						
	Toyota 4WD - diesel - single berth												2						
	Toyota 4WD - petrol - single berth												0						
PASSENGER																			
	4WD ute - diesel	1	2			2	2		3	1	17	6			15	2			10
	4WD ute - petrol										5				0				
	2WD ute - diesel						2				2								
	2WD ute - petrol						4				4			1		1			
	4WD Wagon - Landcruiser, Prado, Forrester	1	4	6	5			3	3			4	1		3	5		4	
	4WD - Workmate																		
	Ute																		
	Troop carrier		3			1			3		2								
	Motor bike										1								
	Quad bike					1			4			1			1				
TRUCK																			
	4x2 tipper truck										4								3
	4x2 truck (tray?)										3								
	4x2 patching truck										1								
	4x4 truck										1				1				
	6x4 tipper truck										2								
	Truck, tray and Hiab crane											1			1				
	Truck (Horizon)																		
	BHB crane (Western Power)																		
	Cherry picker										1					2			
	Prime mover										1								
	Low loader / Supalift										2								
	Semi-trailer																		
PLANT																			
EARTHWORKS																			
	2WD loader										3								2
	4WD loader																		
	Tractor / loader 4WD									1	1	1			1				
	Tractor 2WD										1								
	D6 dozer										1								
	Scraper										1								
	Backhoe / loader										1				1				1
	Grader										2								
	Skid steer loader										1								1
	Roller - multi wheel										2								3
	Roller - vibrating										1								1
	mini excavator														1				
	Compactor - Waste										1								
MISCELLANEOUS																			
	Water truck and tank 14,000 litres										2								1
	Water tank slip on 14,000 litres										3								
	Mechanic's mobile unit 4x4																		
	Forklift	1					3								1				2
	Portable toilet (single unit)						2				1								
	Mobile toilet (multiple unit)										1								
VEGETATION CLEARING																			
	Slasher Procut (PTO driven)										2				1				2
	Woodchipper 450 dia capacity										1								
EQUIPMENT																			
COMMUNICATION																			
	Satellite phone	1	2	4	8	2		2	6	1		5	2		2			4	2
	UHF radio	16 ARFF	6	2	12	8	12	6	1	1	53	5						2	10
	HF radio		1		2	1			3	1									
	VHF radio	16 Aviation	1		4	2	7	1	2	1		5		6	18			1	10
	WEARN Radio												1						
	Hand Held radio (EM)												5						
	ICOM CB radio	3 Marine								1									
HAND TOOLS																			
	Cordless drill		1			3	2		1			3			4	6		2	3
	Reciprocal saw					1						1			1				
	Angle grinder		1			1	2					2			1				2
	Chainsaw					4			1			3			1	3			2
HEAVY PORTABLE																			

Item 10.1 - LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING MINUTES - 13 DECEMBER 2017

BROOME LEMC - RESOURCE SCHEDULE - ORGANISATIONS

		Agencies																	
		Aviation Fire and Rescue	Broome Police	Department of Child Protection	DFES	SES (Broome Unit)	Kimberley Ports Authority	Australian Customs	Fisheries	Sea Rescue Group	Shire of Broome	Parks and Wildlife (formerly DEC)	St John Ambulance	Surf Life Saving	Water Corporation	Horizon	Main Roads WA	Department of Transport	Broome International Airport
	Generator		2		4	2	1	2	1		4	1			3				1
	Compressor						2		1		2		1		1	1			1
	Welder						2		1		2	1			1	2			1
	Pump								1		3				3	1			
	Concrete cutter		1			1	1								1				
TRAILERS																			
	Trailer (Horizon)															2			
	Trailer - single axle 2 tonne				1	1					8								2
	Trailer - signs						1				1				1				
	Trailer - caravan / sleeping unit										3								
	Trailer - Beach Lifeguard										1			1					
	Trailer - gen set (5x8 tandem)										1				2				
	Trailer - skid steer loader										1								
	Trailer - mobile kitchen										1								
	Box trailer - 6x4			1				1	2			1			1				
	Rescue trailer					2													
	Tandem trailer		1				1		2			2			1				
MISCELLANEOUS																			
	Tent					2		2				5							
	Shade cover		2		2		2		1				4	3				1	
	Ladder					3	3	2								8			
	Larkin frame (?)					2							1						
	Laptop			4					8			4		1				5	
	Oxyviva	1			1		2					1	5	3					
	Stretchers - aluminium					2	1						8	2					
	Stretchers - cardboard												9						
	Tables - folding		4						6			2	4	20					1
COMMUNITY GROUP FACILITIES																			
	KPAC multi-unit toilet																		
MATERIALS																			
	Black plastic (roll?)				5	15													
	Tarp				20	18													
	Sandbags				1000	200									50				
	Bedding		12	yes															
	Clothing																		
	Medical supplies	yes					yes						Yes	Yes					Yes
	Sand, e.g. spills																		
	Bidom fabric (soil erosion)																		
	Body bags		12										8						
SPECIALIST SERVICES:																			
	Sweeper truck										1								1
	Fire?	3 Tenders																	
	EWV with generator															2			
	Meals																		
	Spill clearance (oil, chemicals)						Multiple												Yes
	EM Welfare Support Kits			Multiple															
	Mass Casualty Kit																		
	First Aid Kits												X						
	Boat / RIB / Rescue Vessel	1					1	1	6	2			Multiple	1				1* April 2014	
PERSONNEL:																			
	Paramedic												7						
	Volunteer Ambulance Officer												51						
	Vessel crew	15						5						3					
CONTRACTORS AND SUPPLIERS																			
	See schedule on separate sheet																		



MEDIA RELEASE

27 October 2017

Customers urged to prepare for cyclone season

Horizon Power is encouraging people living in the north of the State to prepare for the approaching cyclone season.

Although the cyclone season typically lasts from November to March, cyclones and severe storms can strike at any time, sometimes with little warning, causing substantial damage to properties and infrastructure.

Horizon Power's Retail and Community Manager for West Kimberley Jodie Lynch, said customers should make preparation a priority and ensure they have an emergency and relocation kit on hand.

"Spending a few hours in the coming weeks to prepare can really minimise the damage during a cyclone or storm and should be made a priority," Ms Lynch said.

Hiring a professional tree contractor to trim trees at least three metres from powerlines, cleaning up around the outside of the home, and making sure boats, caravans, and outdoor chairs and tables are secured or stored away will help prevent damage to properties.

"Having an emergency and relocation kit of essential items is vital. This should include batteries for radios and torches in the event that we are unable to restore power immediately," said Ms Lynch.

Customers who rely on life support equipment can register with Horizon Power as a life support customer by phoning 1800 267 926 to ensure priority restoration after any interruption.

Alternatively, application forms to register as a life support customer are available on Horizon Power's website or from your local Horizon Power office.

An advertising campaign focusing on the risks to members of the public from live electrical wires brought down by cyclonic winds will run State-wide from November.

To learn more about preparing for cyclones and severe storms, visit http://horizonpower.com.au/media/1403/hp_3_16345-cyclones-dl-update.pdf.

For more information, call the media line on 1800 799 745.

-ENDS-

Date	Details
01/06/2017	Car rollover - 1 fatality - Cape Leveque Road
04/08/2017	Car rollover - 1 fatality - Broome Rd (near Milliya Rumurra)
17/09/2017	Large bush fire burning towards Port Smith Caravan Park. Bidyadanga Police and Bidyadanga Bush Fire Bridage attended. No assistance was forethcoming from Broome after numerous requests.
14/10/2017	Car rollover - 1 fatality - Cape Leveque Road



Government of Western Australia
Department of Communities



Kimberley Integration

Questions and Answers

Why is the Department of Communities changing the way it delivers services?

The State's human services functions have been consolidated under the Department of Communities to ensure holistic and co-ordinated service delivery to families and communities.

As a collective the Department of Communities is rethinking what we do and how we do it to improve outcomes for the people we work with.

What is Kimberley Integration?

The Kimberley Integration is a staged process which aims to bring together functions from the former agencies, as well as harness and build on the expertise and commitment of staff, to ensure services better meet the needs of the community.

The combining of our Departmental functions will enable us to move from agency co-operation to actual service integration. This is not a new topic in the Kimberley as the challenges faced through siloed funding and service delivery are well documented and experienced.

The Kimberley Integration provides an opportunity to test new service delivery approaches in the region which better respond to local needs and regional priorities.

Why has the Kimberley region been designated as the first region for integration?


The Kimberley has been designated the first region to move to an integrated service delivery model due to its readiness and willingness to embrace change, alongside existing initiatives under the Regional Services Reform Unit and other Aboriginal organisations.

What will the Kimberley Integration mean for our clients?

Despite significant expenditure in the region, outcomes for individuals, families and communities in the Kimberley have remained poor. A shift in outcomes requires holistic change to the way services are delivered and people are supported and enabled.

The Kimberley Integration process will ultimately provide a streamlined response for clients and ensure services better meet the needs of people and regional priorities.

This holistic change should enable a new integrated service system that is:

- 
- **Person-centred**, to enable an easy to navigate and more connected service system, that is responsive to the needs of individuals and can integrate services to create a seamless service system for users
 - **Locally focussed**, to enable the delegation of some decision making responsibilities to the regions, allowing for flexible approaches that are relevant for local communities
 - **Balanced**, to ensure the best combination of:
 - prevention and crisis approaches
 - specialised services and integrated services
 - new approaches to service delivery and safeguarding quality
 - **Entrepreneurial**, to enable greater innovation and more powerful use of data and evidence to guide decision making
 - **Outcomes driven**, based on clear definition of the needs and outcomes required for key cohorts that enables tailored approaches to service delivery to meet these outcomes

How will staff be engaged throughout the Kimberley Integration process?

Meaningful and on-going engagement with staff at all levels is integral to the Kimberley Integration. This will ensure policy settings and decisions made have sufficient flexibility to address local issues.

What immediate projects are underway?

The Department is currently undertaking an analysis of the current Kimberley workforce and functional capability, statutory and specialist functions as well as our more generalist business functions. This analysis will present opportunities for some staff to broaden their skills, knowledge and expertise across the Department, with a priority placed on creating access for all staff to training and professional development opportunities across the divisions.

Further, this analysis will enable us to understand more fully the intersections of our current work across the divisions and create opportunities to develop more localised, client and outcome-focused service delivery models.

What immediate changes are underway?

The Kimberley workforce analysis has led to the anecdotal identification of differences in how some employee benefits and conditions are applied. In order to standardise employee benefits and conditions, the Department will undertake a review of the application of benefits and entitlements, including but not limited to:

- | | |
|-------------------------|------------------------------------|
| • GROH | • commuted time off in lieu (TOIL) |
| • access to flexi leave | • salary sacrificing |
| • travelling allowance | • annual leave travel concession |

If you have any questions regarding employee benefits and conditions, please email Michelle Nelson at michelle.nelson@communities.wa.gov.au. For general enquiries regarding the Kimberley Integration, please email kimberley@communities.wa.gov.au.

 any questions

Date	Training/Exercise
10/10/2017	AEP Field Exercise
14/10/2017	BIA Full Field Exercise 2017
18/10/2017	Desk top & field exercise EDL Gas & Direct Haul Transport (Road crash & LNG decantation from truck to truck)
21/11/2017	Successfully completed LandSAR - Acc; Bryce-Maurice & Williams (Carnot Bay)

SHIRE OF BROOME LOCAL EMERGENCY MANAGEMENT COMMITTEE
DISTRICT EMERGENCY MANAGEMENT ADVISOR REPORT
13 SEPTEMBER 2017

STATE NEWS

Emergency Management Assurance Function

In line with Recommendation 1 from the Ferguson Review, the newly established OEM was tasked with developing an EM Assurance Framework for WA.

To date the OEM's Assurance team have completed a draft concept paper including research of other jurisdictions, consultation with key stakeholders and strategy development.

The SEMC discussed the concept paper considering the roles of the OEM and the SEMC in relation to the requirements of the new assurance function.

The SEMC noted the EM Assurance Concept Paper and endorsed the continuation of work by the OEM to analyse and prepare a range of options to be considered at its next meeting.

Policy and Governance Review Project: Phase 4(B) Policy Content Review

The OEM has commenced undertaking activities for Phase 4(B), with priority given to projects related to possible enhancements to the State Emergency Management Framework.

The SEMC noted that the topics and projects for review represent a significant body of work and project delivery is dependent on the availability of resources. In the event of a major incident review or the government directing the OEM to undertake specific projects, completion of some of the lower priority projects identified in the report may not be attained by March 2018.

Proposed revocation of Westplan Dambreak

The Chair of the SEMC has written to relevant emergency management agencies requesting endorsement to revoke Westplan Dambreak.

Background

Prior to the introduction of the *Emergency Management Act* (the EM Act) in 2005, emergency management in Western Australia (WA) was guided by 'Policy Statement No. 7', which had no legislative basis. Westplan Dambreak was established under this policy statement, and responsibility for the management of dambreak was assigned to the Water Corporation. This arrangement was only in respect to public dams managed by the Water Corporation, and there were (and are) no specific arrangements in place for non-public dams within the State.

Following the introduction of the EM Act, hazards identified as posing a significant risk to the State were defined as a "hazard" and a Hazard Management Agency (HMA) was prescribed by regulations for emergency management for that hazard. As the Water Corporation designs, constructs and manages its dams in accordance with nationally accepted best practice in dam safety management¹, they did not support the inclusion of dambreak as a hazard or the organisation being prescribed as an HMA in EM legislation. As such, Westplan Dambreak exists as a narrowly focused legacy document outside the current EM legislative and planning framework.

State EM Preparedness Procedure 3 – *Revocation of an EM Plan, including Hazard Specific Plans (Westplans)* requires endorsement from relevant stakeholders such as yourself, and that a risk assessment and gap analysis be undertaken prior to a revocation report being submitted to SEMC for approval.

In 2015, the SEMC undertook an assessment of dambreak to ascertain the risk to the State. Six credible

¹ The Australian National Committee on Large Dams (ANCOLD) Guidelines on Risk Assessment

dambreak scenarios were used to undertake the risk assessment. These were divided into two groups, namely 'regulated' (self-regulated), such as public and tailing dams aligning with the ANCOLD Guidelines and 'non-regulated', for example private dams.

The resultant report, available on the Office of Emergency Management (OEM) website, assessed that there are no 'intolerable' or 'extreme' risks related to dambreak at a State level. This report informed the SEMC's position that there is no longer a need for Westplan Dambreak. The report did, however, identify 'opportunities for improvement', particularly in relation to the management of dam safety in WA and the management of private and 'gully' dams at the local and district levels. Because Westplan Dambreak is not considered a suitable mechanism to address these concerns, the Department of Water convened a 'Dam Safety: Officers Working Group' to consider these improvement opportunities.

Agencies have been asked to respond via policy@oem.wa.gov.au by COB on Friday 13 October 2017.

WA Police Recovery Communications Project

"The Recovery Communications Project hosted by the WA Police Media Unit on behalf of the Public Information Reference Group (PIRG) aims to develop a recovery communications framework and support structure for local and state government after large-scale emergency. The State Emergency Public Information Plan (SEPIP) discusses recovery communication support but does not detail prescriptive arrangements in recovery.

In Western Australia the responsibility for recovery communications rests with the relevant Local Government/s impacted by the emergency. This has placed and currently places, a significant onus on Local Governments, who typically have small or no communications team that deal with local issues, to manage state and national interest in post-emergency media management that is likely to have numerous stakeholders at a state level.

The State Emergency Public Information Plan outlines the media and public information support that a Hazard Management Agency may request during the response phase of an emergency. The plan does not provide specific guidance on whether Local Governments can access the same support during the recovery phase, which is a significant gap that will be addressed from this project.

The project will use a literature review, research and key stakeholder consultation to determine a state recovery communications framework for Western Australia".

Initial consultation with the Kimberley local governments took place in August 2017.

For more information about this project, please contact Sharna Sumpton, WA Police Strategic Project Officer: Sharna.SUMPTON@police.wa.gov.au

State Risk Project

State Level

- Gas fuel supply disruption workshop completed on 2 March 2017
- Rail Crash – Brookfield Rail hazard workshop was set for 22 February, but was delayed by the flooding. A new date has not yet been established, but will be in the next month or two.
- Nuclear Powered Warship/Space Debris Re-entry workshop held 18 July.

<https://oem.wa.gov.au/Documents/Resources/ReportsandReviews/WesternAustraliaNaturalHazardsRiskProfile2017.pdf>

District

All Kimberley risk assessments have been completed and the reports finalised. The Kimberley risk assessment report is now available on the OEM website along with the risk assessment reports for all emergency management districts.

<https://www.oem.wa.gov.au/Pages/DistrictReports.aspx>

Local

The local level component of the State Risk Project (SRP) aims to:

- Help local governments to understand their risk
- Assist local governments to complete the emergency risk management (ERM) process as required by existing policy by providing them with the knowledge and tools they need to undertake the ERM process themselves
- Allow the State to gain a comprehensive understanding of current risks at the local level
- Provide information to enable future mitigation at all levels which will reduce the future cost of disasters

Workshops with local governments have commenced in the Great Southern, South West and Wheatbelt districts. Local governments have formed groups based on similar risks and geographic proximity.

The District Emergency Management Advisor for the Kimberley has informed the Risk area within the Office of Emergency Management that the 'local government group' model may not be appropriate for the Kimberley region and is advocating for OEM to work 'one on one' with individual local governments or to develop another model which better suits this region.

The local level rollout of OEM's emergency risk assessment training workshops is scheduled to take place in the Kimberley in the 2017/2018 financial year. For more information access the Office of Emergency Management website:

<https://www.oem.wa.gov.au/Pages/Risk-Local.aspx>

or speak to the District Emergency Management Advisor for the Kimberley & Pilbara, Helen Kent.

The Office of Emergency Management (OEM) invites you to Perth for the 10th Australasian Natural Hazards Management Conference (ANHMC10)

Program released

The program has been released for the 10th Australasian Natural Hazards Management Conference -

<http://anhmc.org/program/>

Hosted by the OEM, ANHMC 10 will provide a forum for discussion of the integration of hazard information into effective emergency risk management.

By applying science and research information to best practice planning, warning, response and recovery capabilities lowers the impact of events on communities.

The conference will bring together expertise from Australasia to enable the sharing of knowledge and strengthen collaboration.

The key dates are:

Main conference:

Oct 31 - Nov 1

Workshops and field trip(s):

Oct 30, Nov 2 and Nov 3

Main venue:

The University Club of Western Australia Perth,
Western Australia

SEMC Strategic Plan Review and OEM Plan Development

The current SEMC Strategic Plan 2015-18 has effectively guided the former SEMC Secretariat's work and reporting.

The creation of the OEM, with the addition of assurance and recovery functions, has triggered a review of the plan to ensure it remains up to date.

The OEM has started drafting a vision and mission statement. During this process the current guiding principles and values will be reconsidered.

The SEMC has determined that further consideration was needed to produce a revised SEMC Strategic Plan and new OEM Plan.

FUNDING

All West Australians Reducing Emergencies

The Office of Emergency Management's signature grant round the *All West Australians Reducing Emergencies* (AWARE) program opened on 10 March 2017 and closed on 27 April 2017.

This grant program aims to enhance WA's Emergency Management (EM) arrangements by investing in planning and human capacity building at local or district level.

To be eligible, projects had to align with one of the following categories:

- Local Emergency Management Arrangements (LEMA) Including recovery planning and pre-evacuation planning

Funds not to be used for the hire of a consultant; process must be undertaken in-house (by existing employees, or through back-filling positions)

- Exercises
Includes both field and workshop settings
- Community education
To enhance the knowledge and awareness of community members or emergency services personnel
(Includes training)
- Research
To undertake assessments or research to better inform decision-making in the areas of:
 - Risk - excluding Bushfire Risk Management Planning (BRMP);
 - For ERM projects, compliance with State Emergency Management Policy, Section 3.2; and State Emergency Management Prevention Procedure no. 1 is required
 - Impact (must align with the Comprehensive Impact Assessment)
 - Capability (must align with the Capability Framework)

Successful Kimberley Applications:

Western Australian Natural Disaster Relief & Recovery Arrangements

A new Natural Disaster Relief and Recovery Arrangements (NDRRA) Determination has been issued for events that occur after the 1 July 2017. The changes are not significant, with small changes in some definitions. For a fuller description of these changes, these are shown on the WANDRRA page of the Office of Emergency Management website.

<https://www.oem.wa.gov.au/funding/wandrara>

While these changes do not directly affect Local Government Authorities, it was decided to update the WANDRRA Local Government Guide to reflect both the above changes and any alterations that have occurred as a result of the recent State Government re-organisation.

The NDRRA Guidelines (numbers 1 and 2) mentioned in the guide are also attached. The schedule showing each Local Government's contribution for 2017-18 is currently not available as the contribution is based on a formula that includes the State's thresholds and 'Total Rates Levied' which is taken from the Local Government Directory. When the 2017 edition is received, the schedule will be completed and sent to Council.

If you require clarification contact the WANDRRA section at the Office of Emergency Management on [wandrra@oem.wa.gov.au](mailto:wandrre@oem.wa.gov.au)

DEMC MEETING SCHEDULE

Kimberley DEMC meeting held on 2 August 2017.

Kimberley DEMC meetings for the 2017/2018 financial year are:

- 9 October 2017
- 17 January 2018
- 18 April 2018

SEMC MEETING SCHEDULE

SEMC Meetings – remainder of 2017

The remainder of the SEMC meetings for 2017 are:

- 3 October 2017 (Preparedness Report)
- 5 December 2017

Helen Kent
District Emergency Management Advisor Office
of Emergency Management

T +61 8 9158 3204
M 0409 415 256
E helen.kent@semc.wa.gov.au





WHY SHOULD TREES BE TRIMMED?



Trees or branches touching powerlines are one of the main causes of power interruptions and may cause fires and/or other serious accidents.

Horizon Power encourages the planting of the right tree in the right place. Unfortunately, many trees are planted, or have naturally grown, too close to powerlines and need to be trimmed.

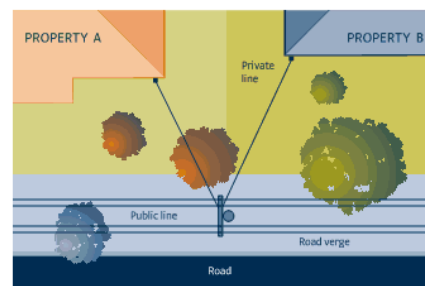
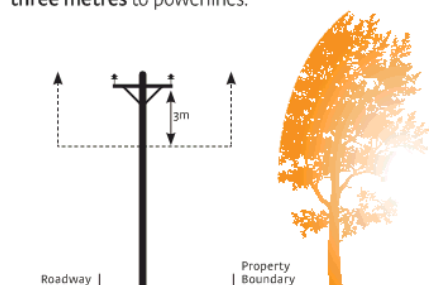
Failing to trim your trees can cause power failures, bush fires and serious accidents. In unusual circumstances, trees may even become 'live' when they come into contact with powerlines, posing a serious safety risk.

WHEN DO TREES NEED TO BE TRIMMED?

Trees must be trimmed if they are too close to powerlines. In the north of Western Australia, trees should also be trimmed before the summer cyclone season (November-April). Trees in the Mid West and southern parts of the State should be trimmed before winter.

Horizon Power regularly conducts inspections of powerlines to identify where vegetation is growing too close.

The following diagram shows the minimum clearance zone. As a general rule, trees should be no closer than **three metres** to powerlines.



WHICH TREES AM I RESPONSIBLE FOR?

It is the resident's responsibility to trim trees on private property, even if they are not the home owner. You may want to check if this is covered in your rental agreement.

Horizon Power works with local councils to carry out vegetation management programs on urban street verges and road reserves.

As a guide, the trees coloured orange in the diagram above are the responsibility of the occupier of Property A; those coloured green are the responsibility of the occupier of Property B.

The tree planted on the verge (blue coloured tree) is the responsibility of the local council.

WHO SHOULD TRIM TREES?

If the trees at your home need to be trimmed, Horizon Power strongly recommends you hire a professional tree contractor as they have the correct training and experience to carry out the work.

Check the Yellow Pages for local tree trimming contractors or visit www.treeguildwa.asn.au.

HORIZON
POWER
energy for life

Report any electrical incidents or faults immediately to Horizon Power by telephoning **13 23 51**.
Dial **000** in emergency situations.
www.horizonpower.com.au

Find us on

Document is available in alternative formats

**BE AWARE OF
ELECTRICITY**

10.2 BUSH FIRE ADVISORY COMMITTEE MEETING MINUTES - 13 DECEMBER 2017

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	EMM06
AUTHOR:	Executive Support Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development and Community
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	10 January 2018

SUMMARY: This report presents the minutes and associated recommendations of the Bush Fire Advisory Committee meeting held on 13 December 2017 for Council's consideration.

BACKGROUNDPrevious Considerations

Nil.

The Bush Fire Advisory Committee (**BFAC**) meets quarterly to provide advice to the Shire of Broome on:

1. All matters relating to the prevention, controlling and extinguishing of bushfires.
2. The planning and layout of fire breaks in the district.
3. Prosecutions for breaches of the *Bush Fires Act 1956*.
4. The formation of Bush Fire Brigades.
5. Coordination and cooperation between agencies within the district.

COMMENT

The minutes of the BFAC meeting held on 13 December 2017 are included as **Attachments 1 and 2** of this report.

At the meeting, the BFAC discussed the following items:

Item 5.1 Bush Fire Advisory Committee Contact List

The current contact list was reviewed with members to provide updates as applicable.

Item 5.2 Status Report

The status of actions from previous BFAC meetings were circulated and discussed.

Item 5.3 Notification of surrounding property owners before prescribed burn

The matter was discussed, and it was determined that whoever has the permit to burn is responsible for notifying neighbours.

Item 5.4 Bush Fire at Port Smith

The incident was discussed with advice offered by both DFES and Shire staff.

Item 5.5 Presentation on the Bush Fire Mitigation Program for 2017

Mark O'Connor, Shire of Broome Ranger Coordinator presented a PowerPoint Presentation with is a confidential attachment to the minutes.

Item 5. Updates from Committee members

A round table discussion was conducted allowing Committee members to give an update on their agencies, and any relevant matters.

CONSULTATION

As outlined in the Minutes attached.

STATUTORY ENVIRONMENT

Bush Fires Act 1956

Section 67 – Advisory committees

1. *A Local Government may at any time appoint such persons as it thinks fit as a Bush Fire Advisory Committee for the purpose of advising the Local Government regarding all matters relating to the prevention, controlling and extinguishing of bush fires, the planning of the layout of firebreaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind, as, or a different kind from, those specified in this subsection.*
2. *A committee appointed under this section shall include a member of the Council of the Local Government nominated by it for that purpose as a member of the committee, and the committee shall elect one of their number to be Chairman thereof.*
3. *In respect to a committee so appointed, the Local Government shall fix the quorum for the transaction of business at meetings of the committee and may:-*
 - (a) make rules for the guidance of the committee;*
 - (b) accept the resignation in writing of, or remove, any member of the committee, appoint a person to fill that vacancy.*
 - (c) where for any reason a vacancy occurs in the office of a member of the committee, appoint a person to fill that vacancy.*
4. *A committee appointed under this section:-*
 - (a) may from time to time meet and adjourn as the committee thinks fit;*
 - (b) shall not transact business at a meeting unless the quorum fixed by the Local Government is present;*
 - (c) is answerable to the Local Government and shall, as and when required by the Local Government, report fully on its activities.*

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

RISK

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

A healthy and safe environment

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

Sustainable and integrated strategic and operational plans

Responsible resource allocation

Effective community engagement

Improved systems, processes and compliance

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council receives the minutes of the Bush Fire Advisory Committee meeting held on 13 December 2017.

Attachments

1. Unconfirmed Minutes of the Bush Fire Advisory Committee Meeting - 13 December 2017
2. Associated Attachments (*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)(h) as it contains "such other matters as may be prescribed".



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."

**UNCONFIRMED
MINUTES**

OF THE

BUSH FIRE ADVISORY COMMITTEE

13 DECEMBER 2017

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.

SHIRE OF BROOME
BUSH FIRE ADVISORY COMMITTEE
WEDNESDAY 13 DECEMBER 2017
INDEX – MINUTES

1.	OFFICIAL OPENING.....	5
2.	ATTENDANCE AND APOLOGIES.....	5
3.	CONFIRMATION OF MINUTES.....	5
4.	CORRESPONDENCE IN / OUT	6
	4.1 INCOMING CORRESPONDENCE	6
5.	BUSINESS ARISING.....	6
	5.1 BUSH FIRE ADVISORY COMMITTEE CONTACT LIST.....	6
	5.2 STATUS REPORT.....	6
	5.3 NOTIFICATION OF SURROUNDING PROPERTY OWNERS BEFORE PRESCRIBED BURN.....	6
	5.4 BUSH FIRE AT PORT SMITH.....	6
	5.5 PRESENTATION ON THE BUSHFIRE MITIGATION PROGRAM FOR 2017	7
	5.6 UPDATES FROM MEMBERS	7
6.	REPORTS OF OFFICERS.....	7
	6.1 BUSH FIRE ADVISORY COMMITTEE MEETING DATES FOR 2018	7
7.	MEETING CLOSURE.....	11

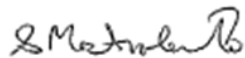
Chairperson.....Date.....

NOTICE OF MEETING

Dear Council Member,

The next Bush Fire Advisory Committee of the Shire of Broome will be held on Wednesday, 13 December 2017 in the Committee Room, Corner Weld and Haas Streets, Broome, commencing at 11:00.

Regards



S MASTROLEMBO
Chief Executive Officer

18/12/2017

Chairperson.....Date.....

**MINUTES OF THE BUSH FIRE ADVISORY COMMITTEE OF THE SHIRE OF BROOME,
HELD IN THE COMMITTEE ROOM, CORNER WELD AND HAAS STREETS, BROOME, ON
WEDNESDAY 13 DECEMBER 2017, COMMENCING AT 11:00.**

1. OFFICIAL OPENING

The Chairman welcomed Members and Officers and declared the meeting open at 11:00.

2. ATTENDANCE AND APOLOGIES

Attendance:	Cr Chris Mitchell	Chairperson
	Brendon Barwick	Broome Police
	Trevor Fish	12 Mile representative
	Derren Greenhill	Skuthorpe Representative
	Ben Dearing	Dampier Peninsula Police
	Todd Carrington	Dampier Peninsula Police
	Mat Morrissy	Broome Regional Volunteer Bush Fire Brigade
	Phil Leach	Broome Volunteer Fire & Rescue Service
	Pat Foley	Department of Parks & Wildlife
	Gary Bradshaw	Main Roads
	Rick Darlow	Department of Fire & Emergency Services
	Ingrid de Meillon	Shire of Broome
Apoloiges:	Tania Baxter	Bidyadanga Community Representative
	Ed Carroll	Coconut Wells Community Representative
	Chris Fox	Bidyadanga Police Station
	Kevin Tromp	Kimberley Land Council
	Julie Melbourne	Nyamba Buru Yawuru
Officers:	Aletta Nugent	Shire of Broome
	Ty Matson	Shire of Broome
	Mark O'Connor	Shire of Broome
	Naz Graue	Shire of Broome
	Ben Coles	Shire of Broome
	Bronwyn Jones	Shire of Broome

3. CONFIRMATION OF MINUTES

3.1 The minutes of the BFAC were distributed and taken as read.

COMMITTEE RESOLUTION:

Moved: Mr T Fish

Seconded: Mr B Barwick

That the Minutes of the Bush Fire Advisory Committee held on 13 September 2017, as published and circulated, be confirmed as a true and accurate record of that meeting.

CARRIED UNANIMOUSLY 15/0

Chairperson.....Date.....

4. CORRESPONDENCE IN / OUT

4.1 INCOMING CORRESPONDENCE

- Monthly DFES LG Report Package – 1 November 2017
- DFES – Total Fire Ban Breaches 2017/18

Attachments

1. DFES LG Report Package
2. Total Fire Ban Breaches

5. BUSINESS ARISING

5.1 BUSH FIRE ADVISORY COMMITTEE CONTACT LIST

An updated contact list of members and proxies is attached, the Committee were asked to provide any updates to the Committee Secretariat.

Attachments

1. Attachment 1

5.2 STATUS REPORT

The 2017 Status Report is attached, the Committee were asked to provide any updates to the Committee Secretariat.

Attachments

1. Attachment 1

5.3 NOTIFICATION OF SURROUNDING PROPERTY OWNERS BEFORE PRESCRIBED BURN

Whoever has the permit to burn is responsible for notifying neighbours.

5.4 BUSH FIRE AT PORT SMITH

- There was a large bush fire burning towards Port Smith Caravan Park on the 17 September 2017. The Bidyadanga Police and Bidyadanga Bush Fire Brigade attended; no assistance was forthcoming from Broome after numerous requests.
- DFES explained that firefighters are all volunteers in the Kimberley and that sometimes they cannot get anyone to attend; the Community rangers have the facilities and abilities to attend to such fires.
- Ty, Shire of Broome, explained that the Shire cannot activate the fire brigade and that calling 000 is the best option.

Chairperson.....Date.....

5.5 PRESENTATION ON THE BUSHFIRE MITIGATION PROGRAM FOR 2017**Attachments**

1. Attachment 1

5.6 UPDATES FROM MEMBERS

Manager Health, Emergency & Rangers, Shire of Broome – meeting with major land managers in the new year to coordinate fire mitigation activities for the best outcome for Broome.

DPaW – fire roster for the xmas period completed.

Dampier Peninsula Police – there has been a lot of deliberately lit bushfires up the Dampier Peninsula recently.

Broome Police – there have been a few deliberately lit fires around town recently.

Main Roads – recently released the Fire Mitigation Policy.

Skuthorpe Rep – Derren raised the issue of a cultural corridor that runs right through Skuthorpe and who is responsible for it. Ty Matson to work with the Shire's Land Tenure Officer to determine who owns the land.

DFES – Wayne Cooke, Area Officer for West Kimberley, has left and will be replaced by Ben Muller in the new year.

6. REPORTS OF OFFICERS**6.1 BUSH FIRE ADVISORY COMMITTEE MEETING DATES FOR 2018**

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	AFC05
AUTHOR:	Executive Support Officer - Development
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development and Community
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	10 November 2017

SUMMARY: This report recommends that the Bush Fire Advisory Committee adopts proposed meeting dates to be held in 2018.

BACKGROUND

In accordance with the Bush Fire Advisory Committee Terms of Reference, the Committee is required to meet bi-annually, before and after the fire season (1 April to 31 December) with no meetings being held during the “Wet Season” (1 January to 31 March). Extra meetings of the Committee may be convened:

Chairperson.....Date.....

- a) by the Chairperson;
- b) by written notice to all Committee members, such notice being signed by at least four members of the Committee, giving not less than 7 days notice and stating purpose of the meeting; or
- c) by the Council.

COMMENT

It is proposed that in 2018 the Bush Fire Advisory Committee meetings are to be generally held in the Shire of Broome Function Room commencing at 11:00am.

Please note the following 4 meeting dates are proposed for the Bush Fire Advisory Committee for 2018:

Wednesday 14 March 2018

Wednesday 13 June 2018

Wednesday 12 September 2018

Wednesday 12 December 2018

The general timing and frequency of meetings is consistent with past practice and ensures that Committee members are able to have a good level of awareness and response to bush fire matters in Broome.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Bush Fires Act 1954

Section 67 – Advisory committees

1. *A Local Government may at any time appoint such persons as it thinks fit as a Bush Fire Advisory Committee for the purpose of advising the Local Government regarding all matters relating to the prevention, controlling and extinguishing of bush fires, the planning of the layout of firebreaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind, as, or a different kind from, those specified in this subsection.*
2. *A committee appointed under this section shall include a member of the Council of the Local Government nominated by it for that purpose as a member of the committee, and the committee shall elect one of their number to be Chairman thereof.*
3. *In respect to a committee so appointed, the Local Government shall fix the quorum for the transaction of business at meetings of the committee and may:-*
 - a. *make rules for the guidance of the committee;*

Chairperson.....Date.....

- b. *accept the resignation in writing of, or remove, any member of the committee, appoint a person to fill that vacancy.*
 - c. *where for any reason a vacancy occurs in the office of a member of the committee, appoint a person to fill that vacancy.*
- 4. *A committee appointed under this section:-*
 - a. *may from time to time meet and adjourn as the committee thinks fit;*
 - b. *shall not transact business at a meeting unless the quorum fixed by the Local Government is present;*
 - c. *is answerable to the Local Government and shall, as and when required by the Local Government, report fully on its activities.*
- 38. *Local government may appoint bush fire control officer*
- (1) *A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.*
- (2)
 - (a) *The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.*
 - (b) *deleted]*
 - (c) *The local government shall fill any vacancy occurring in the office of Chief Bush Fire Control Officer or Deputy Chief Bush Fire Control Officer within one month after the vacancy occurs and if the local government fails or neglects to do so within that time, the Authority may by notice in writing require the local government to appoint a person to the vacant office within one month after service on it of such notice.*
 - (d) *Where a local government that has been served with a notice pursuant to paragraph (c) fails or neglects to comply with the requirements of that notice, the Authority may appoint a person to the vacant office.*
 - (e) *A bush fire control officer appointed under the provisions of this section shall be issued with a certificate of appointment by the local government or, if he is appointed by the Authority, by the Authority.*
- (3) *The local government may, in respect to bush fire control officers appointed under the provisions of this section, exercise so far as they can be made applicable the same powers as it may exercise in respect to its other officers, under the provisions of the Acts under which those other officers are appointed.*
- (4) *A bush fire control officer appointed under the provisions of this section shall, subject to such directions as may be given by the local government, and subject to this Act take such measures as appear to him to be necessary or expedient and practicable for —*

Chairperson.....Date.....

- (a) *carrying out normal brigade activities;*
- (b) *and*
- (c) *deleted]*
- (d) *exercising an authority or carrying out a duty conferred or imposed upon him by any of the provisions of Part III;*
- (e) *procuring the due observance by all persons of the provision of Part III.*
- (5) (a) *A local government may issue directions to a bush fire control officer appointed by the local government, or to an officer of a bush fire brigade registered by the local government to burn, subject to the provisions of this Act, bush on, or at the margins of, streets, roads, and ways, under the care, control and management of the local government.*
- (b) *The bush fire control officer, or officer of the bush fire brigade, may by authority of any directions so issued carry out the directions but subject to the provisions of this Act.*
- (c) *The provisions of this subsection are not in derogation of those of subsection (4).*
- (6) (a) *In this section —*
approved local government means a local government approved under paragraph (b) by the Authority.
- (b) *If it appears to the Authority that the standard of efficiency of a local government in fire prevention and control justifies the Authority doing so, the Authority, by notice published in the Government Gazette —*
 - (i) *may approve the local government as one to which this subsection applies; and*
 - (ii) *may from time to time cancel or vary any previous approval given under this paragraph.*

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

RISK

There is a significant risk of impact on the Broome community from bush fire impacts. If not mitigated, this risk is potentially Extreme. One of the ways that the Shire can mitigate this risk is through having a functioning Bush Fire Advisory Committee that meets regularly.

STRATEGIC IMPLICATIONS

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

Effective communication

Chairperson.....Date.....

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

Effective community engagement

Improved systems, processes and compliance

VOTING REQUIREMENTS

Simple Majority

COMMITTEE RESOLUTION:

(REPORT RECOMMENDATION)

Moved: Mr P Leach

Seconded: Mr Rick Darlow

That meetings are convened for the Bush Fire Advisory Committee on the following dates in 2018 commencing at 11:00am in the Shire of Broome Function Room:

- ***Wednesday 14 March 2018***
- ***Wednesday 13 June 2018***
- ***Wednesday 12 September 2018***
- ***Wednesday 12 December 2018***

CARRIED UNANIMOUSLY 15/0

Attachments

There are no attachments for this report.

7. MEETING CLOSURE

The Chairman closed the meeting at 11:50am.

Chairperson.....Date.....

10.3 YAWURU PARK COUNCIL MINUTES AND RECOMMENDATIONS OF MEETINGS HELD ON 17 OCTOBER, 15 NOVEMBER AND 20 DECEMBER 2017.

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	NAT55.1, NAT55.3
AUTHOR:	Land Tenure Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development and Community
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	12 January 2018

SUMMARY: This report presents Council with a progress report for the Yawuru Park Council (**YPC**), comprising the draft Minutes and associated recommendations of the YPC meeting held on 17 October, 15 November and 20 December 2017.

BACKGROUND

Previous Considerations

OMC 15 March 2012	Item 9.2.5
SMC 29 May 2013	Item 9.2.1
OMC 27 November 2014	Item 10.2
OMC 25 June 2015	Item 10.4
OMC 26 November 2015	Item 9.2.4
OMC 28 July 2016	Item 10.2
OMC 25 August 2016	Item 10.1
OMC 15 December 2016	Item 10.1
OMC 27 April 2017	Item 10.1
OMC 28 September 2017	Item 10.1

The Yawuru Park Council (**YPC**) has been formed in accordance with the two Yawuru Indigenous Land Use Agreements (**ILUAs**) and is comprised of Yawuru Registered Native Title Body Corporate/Nyamba Buru Yawuru Ltd Representatives (**Yawuru**), delegates from the Department of Biodiversity, Conservation and Attractions (**DBCA**) (previously DPaW) and Shire of Broome representatives. Through the YPC, these three organisations are responsible for jointly managing land within the Yawuru Conservation Estate in accordance with the ILUAs.

The following table outlines the four land/sea management areas within the Conservation Estate, including the bodies with direct management responsibility for each area:

Conservation Estate Area	Management responsibility
Minyirr Buru (Townsite Areas)	Yawuru and the Shire
Guniyan Binba (located approximately 600 metres north of the rocks at Cable Beach) (Cable Beach Intertidal Zone)	Yawuru, the Shire and DBCA
Birragun (Out of town Areas)	Yawuru and DBCA

Conservation Estate Area	Management responsibility
Nagulagun (Marine Park Areas)	Yawuru and DBCA

The following are the current representatives on the YPC:

Yawuru Representatives:	Debra Pigram (Chair), Maxine Charlie and Dean Mathews.
Yawuru Proxies:	Michael Corpus, Susan Edgar, Rosemary Coffin and Darren Puertollano.
Shire Representatives:	Cr Harold Tracey, Sam Mastrolembro and Aletta Nugent
Shire Proxies:	Cr Chris Mitchell.
DBCA Representatives:	Alan Byrne, Darren Stevens and Daniel Balint.
DBCA Proxies:	Anthony Richardson, Craig Olejnik and Luke Puertollano

The Joint Management Agreement and Assistant Agreement form part of the ILUAs. In accordance with section 9.3 of the Management Agreement, the Parties (Yawuru RNTBC, DBCA and Shire of Broome) must ensure their Representative Members and proxies are available and authorised to carry out their functions as set out in the Joint Management Agreement and the Terms of Reference, therefore, Minutes are for Council's noting.

YPC minutes were last presented to Council for endorsement at the Ordinary Meeting of Council (**OMC**) on 28 September 2017 which included minutes for the YPC meeting held on 25 August 2017. Since the OMC on 28 September 2017, the YPC met on 17 October, 15 November and 20 December 2017.

COMMENT

YPC Meeting on 17 October 2017

The agenda and minutes of the YPC meeting held on 17 October 2017 are attached (**Attachments 1 and 2**). At the meeting, the YPC considered the following items:

3. Matters across all tenure (Yawuru, Parks & Wildlife, Shire)

3.1 DEMCO – Asbestos Contamination, ongoing concern

REPORT RECOMMENDATION:

That Yawuru Park Council:

1. *Support the Shire and Yawuru writing to the Department of Premier and Cabinet (DPC), in anticipation of Yawuru meeting with the DPC in the week starting 23 October 2017, advising that Asbestos Containing Material (ACM) has been identified on Reserve 51304 (Yawuru Conservation Estate) and Lot 604 on Deposited Plan 76204 (to be transferred to Yawuru) presenting a current public health risk at the site and requesting:*
 - a. *that the State either fund or offer to reimburse the costs of licensed asbestos handling contractors conducting an emu bob pick of visible ACM on Reserve 51304 and a portion of Reserve 51001 (Simpsons Beach) by 31 October 2017;*
 - b. *commit to undertaking a full site remediation of Reserve 51304 and Lot 604*

on Deposited Plan 76204 by 30 September 2018;

2. *In the event DPC does not provide confirmation that it will either fund or reimburse the costs of the emu bob pick up in accordance with point 1.a. above, agrees for the emu bob pick up to be funded from YPC funds, to a maximum value of \$12,000.*
3. *Fund the installation of a gate, bollards, ropes, signage etc. to restrict vehicular access to Reserve 51304.*

Moved: Harold Tracey

Seconded: Aletta Nugent

In August 2016, Shire of Broome staff conducted a site inspection at DEMCO (Reserve 50978, 51304 and 43206) in response to a report of suspected asbestos containing material. Test results confirmed Asbestos Containing Material (**ACM**) was present at the site.

A licenced removalist was engaged to conduct surface hand picking (emu bob) of any visible or suspected ACM. Temporary fencing and signage was erected around the site to prevent access while the visible asbestos was removed and a plan developed to manage the asbestos.

In June 2017, Shire officers conducted a site inspection of the DEMCO Reserves. As a result of this inspection, more ACM was found to be present. There is a current public health risk present at the site. An emu bob has been recommended by the Shire's Health Officers to address this risk.

In August 2017, DBCA officers became aware of similar ACM contamination at the Simpsons Beach carpark.

The Department of Planning, Land and Heritage advised that it recommends there is no vehicular or pedestrian access to Lot 604 and will contribute to the construction of bollards and signs to restrict access. However, the undertaking of ongoing emu bobs was not supported.

This agenda item recommended that an emu bob and the installation of bollards and chain related to the joint managed estate be funded from YPC funds and the YPC write to the Department of Planning, Lands and Heritage requesting action to address the asbestos contamination at DEMCO.

YPC Meeting on 15 November 2017

The agenda and minutes of the YPC meeting held on 15 November 2017 are attached (**Attachments 3 and 4**). At the meeting, the YPC considered the following items:

3. Matters across all tenure (Yawuru, Parks & Wildlife, Shire)

3.1 Yawuru Cultural Immersion for Joint Management Partners

REPORT RECOMMENDATION:

That Yawuru Park Council resolves:

1. *That all Shire of Broome and Department of Biodiversity, Conservation and Attraction staff involved in Yawuru Joint Management take part in Yawuru's Cultural Immersion program at their own cost.*

Moved:

Seconded:

Noted: All agree that the Cultural Immersion Program is important for YPC members to undertake.

This agenda item was submitted by NBY, Manager of Native Title and Environmental Services on the basis that Joint Management representatives from the Shire of Broome and DBCA should have a strong understanding of Yawuru cultural and heritage values, connection to country and cultural protocols. Yawuru requested that the Joint Management representatives enrol in the Yawuru Cultural Immersion program.

It was noted that the Shire of Broome undertakes regular Cultural Immersion programs for staff and have recently emailed NBY seeking to arrange a session for Shire staff.

3.2 Confidential Matters

REPORT RECOMMENDATION:

That Yawuru Park Council resolves:

1. *When necessary, create an amended version of the Yawuru Park Council minutes to exclude confidential or culturally sensitive items.*

Moved: Harold Tracey

Seconded: Craig Olejnik

At the YPC meeting on 25 August 2017, YPC resolved to direct the YPC Working Group to develop guidelines in relation to identifying and presenting confidential items for YPC meetings. After consulting the Shire's Manager of Governance, it was agreed the matter could be resolved by amending the YPC minutes to exclude confidential or culturally sensitive items. These minutes would be identified as 'modified minutes to delete information that may be confidential or culturally sensitive'.

It was also agreed that confidential or culturally sensitive matters could be dealt with in a workshop environment, similar to the workshop sessions held with Council.

4. Town Site Areas (Yawuru, Shire)

4.1 Proposed Management Order and easement to Water Corporations Sewerage Facility at Dann Place

REPORT RECOMMENDATION:

That Yawuru Park Council notes the Yawuru PBC and Shire of Broome decision of 7th of September and 24th January 2017, respectively, resolves:

1. *To Consent to the grant of the proposed easement to Water Corporation with a Management Order for the purpose of 'Waste water Pump station and Pressure Main'.*

Moved: Harold Tracey

Seconded: Daniel Balint

This agenda item relates to the grant of an easement over a portion of Lot 561 on Deposited Plan 71526, Woods Drive, vested with the Water Corporation for the purpose of 'waster water pump station and pressure main'.

Council considered this matter at the Special Meeting of Council on 24 January 2017 and resolved to support the creation of the easement. Consent of the YPC was also required.

4.2 Update on Kavite Road

REPORT RECOMMENDATION:

That Yawuru Park Council notes the decision of the Yawuru PBC on 19th October 2017 and resolves:

1. *To write to Department of Planning, Lands and Heritage advising of the Yawuru PBC decision and seek funding to undertake a Heritage Survey – subject to an approved budget.*

Moved: Aletta Nugent

Seconded: Daniel Balint

The Department of Planning, Lands and Heritage, as part of the Yawuru ILUA implementation process, are trying to resolve the realignment of Gantheaume and Kavite Roads, which are currently located outside of the gazetted road reserve.

In June 2017, Shire of Broome officers provided the Joint Managers with a proposed realignment of Gantheaume and Kavite Roads for consideration. On 19 October 2017, the Yawuru Prescribed Body Corporate resolved to:

"Not agree to the Dedicated Road Reserve location until such time as a site visit or heritage survey can be undertaken to ascertain cultural sensitivities and heritage protection management plan'."

The Shire does not consider the realignment of the roads a priority and will address heritage matters when the need arises to reconstruct and realign the existing roads. However, the Shire's YPC representatives were happy to support the undertaking of a heritage survey sooner, as long as it was funded by the Department of Planning, Lands and Heritage.

4.3 Gantheaume Point 'Public Liability' mitigation works

REPORT RECOMMENDATION:

That Yawuru Park Council:

1. *Supports the use of Yawuru Park Council funds to undertake works identified as*

'high' in the LGIS Report for Gantheaume Point; and

2. *Agrees that the work required to rectify the exposed culverts are funded by the YPC and carried out either:*

- a) By the Shire of Broome on behalf of the YPC;*
- b) By the Department of Biodiversity, Conservation and Attractions; or*
- c) By a contractor engaged by the Department of Biodiversity, Conservation and Attractions.*

This item was deferred, pending DBCA providing project scope and quote from at least two sources.

Moved: Aletta Nugent

Seconded: Luke Puertollano

In October 2015, the Local Government Insurance Scheme (**LGIS**) undertook the Public Liability Site Risk Assessment – Coastal Access report (**LGIS Report**), to provide practical recommendations for the treatment of public liability risks identified at seven nominated sites of existing coastal access within the Shire of Broome. One of these sites was Gantheaume Point (Reserve 51106), which was identified as having a 'high' risk rating.

On 7 August 2017, the YPC Working Group, as part of the Recreational Master Plan review, undertook onsite inspections of various locations within the In-town Conservation Estate, including Gantheaume Point. During this inspection, it was noted, that the items identified in the 2015 LGIS Report had not been addressed. The Shire of Broome YPC WG representative offered to provide a quote for the Shire to undertake some of the 'high' priority treatment options.

This agenda item sought YPC support to undertake the 'high' priority works at Gantheaume Point identified in the LGIS Report. Further, it was proposed that either the Shire undertakes the works to rectify the exposed culverts and is reimbursed by the YPC, the DBCA undertakes the work or the DBCA engages a contractor to undertake the work.

Ultimately, the YPC decided that quotations for the work and a project scope were required before a decision was made in relation to the item.

4.4 DEMCO – Asbestos Contamination, ongoing concern

Verbal update of progress for obtaining quotes for emu bob, installation of signage, bollards and chains to restrict access. The Shire of Broome was tasked with actioning:

1. providing quotes for DEMCO / Simpson Beach:
 - install bollards / chain
 - signage
 - emu bob
2. contacting DBCA to arrange an onsite meeting to identify locations of bollards and gates.

A contractor has since been engaged to undertake the emu bob. At the time of writing this report, Shire officers were waiting on contact from DBCA to arrange additional site visit.

4.5 Joint Management Plan for Yawuru Minyirr Buru Conservation Park – YPC Endorsement

REPORT RECOMMENDATION:

That Yawuru Park Council endorse:

1. The 'Joint Management Plan for the Yawuru Minyirr Buru Conservation Park' for Ministerial approval.

Deferred, pending meeting with Kimberley Ports Authority

Moved: Harold Tracey

Seconded: Daniel Balint

At the Ordinary Meeting of Council of 28 July 2016, Council endorsed the Joint Management Plan for the Yawuru Minyirr Buru Conservation Park (Minyirr Buru Management Plan) for public consultation.

Following the public consultation period in May – June 2017, the Minyirr Buru Management Plan was tabled for final endorsement by the YPC. The endorsement of the Minyirr Buru Management Plan was deferred by the YPC to allow time for the Kimberley Ports Authority (KPA) concerns to be heard and addressed.

On 22 November 2017, a meeting was held with the YPC working group and KPA and minor amendments agreed. The Minyirr Buru Management Plan would be tabled at the next YPC meeting of 20 December 2017 for endorsement.

YPC Meeting on 20 December 2017

The agenda and draft minutes of the YPC meeting held on 20 December 2017 are attached (**Attachments 5 and 6**). At the meeting, the YPC considered the following items:

3. Matters across all tenure (Yawuru, Parks & Wildlife, Shire)

3.1 Recreation Master Plan

REPORT RECOMMENDATION:

That Yawuru Park Council:

1. Endorse the Yawuru Conservation Parks Recreation Masterplan.

This item was deferred.

Moved: Harold Tracey

Seconded: Daniel Balint

It was intended to present the Yawuru Conservation Estate Recreation Master Plan (**Master Plan**) to the YPC for endorsement, however, the Master Plan had not been finalised in time for the meeting.

4. Town Site Areas (Yawuru, Shire)

4.1 Prescribed Burning Planning in Minyirr Park Buru Conservation Park

REPORT RECOMMENDATION:

That Yawuru Park Council:

1. *Endorse the revised prescribed burning schedule of works within the Minyirr Buru Conservation Estate; and the revised schedule for inclusion in the Bush Fire Management Plan for the In-Town Conservation Estate for Shire of Broome consideration in accordance with the Bush Fires Act 1954.*
2. *Agree that the Department of Biodiversity, Conservation and Attractions will undertake prescribed burning in the Minyirr Buru Conservation Park.*
3. *Provide letter of support to the Department of Biodiversity, Conservation and Attractions.*

Moved: Harold Tracey

Seconded: Dean Mathews

On 6 December 2017, NBY, DBCA and Environs Kimberley (EK) representatives met to discuss the potential impact of prescribed burning on revegetation and rehabilitation works undertaken in the Minyirr Buru Conservation Park.

NBY and EK have ongoing projects to revegetate and rehabilitate various areas within Minyirr Buru Conservation Park. It was agreed that the rehabilitated areas need to be identified to the DBCA to ensure fire mitigation planning does not adversely affect the rehabilitated areas.

The current prescribed burning schedule was revised to ensure prescribed burning within the Minyirr Buru Conservation Estate does not impact on Monsoon Vine Thicket population and rehabilitated areas.

4.2 Minyirr Buru (In Town) Management Plan Endorsement

REPORT RECOMMENDATION:

That Yawuru Park Council:

1. *Endorse the version of the Minyirr Buru (In Town) Management Plan, distributed by Shire of Broome on 15 December 2017, incorporating Kimberley Ports Authority amendments, for Ministerial approval.*

Moved: Aletta Nugent

Seconded: Daniel Balint

On 28 July 2016, Council endorsed the draft Joint Management Plan for the Yawuru Minyirr Buru Conservation Park for public consultation.

At the YPC meeting on 15 November 2017, YPC deferred endorsement of the Minyirr Buru (In Town) Management Plan, pending a meeting with KPA to address submissions lodged during the public consultation period.

On 22 November 2017, a meeting was held with the YPC working group and KPA and minor amendments agreed. The final version of the Minyirr Buru (In Town) Management Plan was ready for endorsement, and therefore has now been endorsed by the YPC.

It is recommended that Council now also endorse the final version of the Minyirr Buru (In Town) Management Plan (**Attachment 7**).

4.3 Weed Management in Minyirr Buru Conservation Park

This item was a presentation and paper for noting only.

Yawuru's GIS Officer designed a mapping system for Minyirr Park based on weed distribution and species. This process involved the systematic mapping of weeds by Country Managers and Yawuru Rangers. Weed mapping data was used to complete a spatial analysis of weed distribution within Minyirr Park.

4.4 Environs Kimberley – Old Cable Beach Revegetation Project

REPORT RECOMMENDATION:

That Yawuru Park Council:

- 1. Supports Environs Kimberley's Project Plan within Minyirr Buru Conservation Park; and*
- 2. Shire of Broome to advise if the requested in-kind support from Environs Kimberley is supported by Council or not, for the next Yawuru Park Council.*

Moved: Aletta Nugent

Seconded: Daniel Balint

EK have secured funding under a '20 Million Trees' grant. The grant's focus is on the 'Revegetation of endangered Monsoon Vine Thickets on the Dampier Peninsula'. The grant funding has been split into four segments, with \$30,000 allocated to the Minyirr Park Project.

The first planting for the current Minyirr Park revegetation project occurred in February 2017 with 280 native plants planted and reticulated. Funding monies have been exhausted.

The next stage of the project proposes to include community engagement and planting events, further sourcing of plants and propagation, maintenance (mulching, weeding and watering) and monitoring and reporting. The report seeks in-kind contribution from NBY Country Managers, DBCA Yawuru Rangers and the Shire of Broome for road side slashing of grass and weeds along Gubinge Road, adjacent to Minyirr Park.

The requested in-kind contribution by the Shire of slashing is intended to take place at a time to be determined to have the most beneficial effect in relation to weed mitigation.

Currently, the Shire undertakes slashing to coincide with fire mitigation / fire break works. Unless the works can be coordinated, committing to the requested in-kind works, may result in additional slashing for the Shire.

It is recommended that Council supports the requested in-kind work of verge slashing along Gubinge Road (adjacent to Minyirr Park) as requested by Environs Kimberley.

7. Reports

7.1 November Financial Statement and 2017/2018 Budget Forecast Endorsement

REPORT RECOMMENDATION:

That Yawuru Park Council:

- 1. Endorses the 2017/2018 Budget.*

Moved: Harold Tracey

Seconded: Daniel Balint

A budget for the 2017/18 financial year was presented at the meeting. This budget is considered to contain sufficient detail over the management of activities in the Yawuru Conservation Estate to guide the YPC until the end of this financial year. The budget also provides a sound basis for decision making in relation to the 2018/2019 financial year. Therefore, this budget was endorsed by the YPC (**Attachment 8**).

CONSULTATION

The YPC comprises representatives from Yawuru, the Shire and DBCA, working collaboratively to manage the Yawuru Conservation Estate.

STATUTORY ENVIRONMENT

Local Government Act

5.23 Meetings generally open to public

- (1) Subject to subsection (2), the following are to be open to members of the public -
 - (a) all council meetings; and*
 - (b) all meetings of any committee to which a local government power or duty has been delegated.**
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
 - (a) a matter affecting an employee or employees; and*
 - (b) the personal affairs of any person; and*
 - (c) 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; and**

- (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and*
 - (e) *a matter that if disclosed, would reveal —*
 - (i) *a trade secret; or*
 - (ii) *information that has a commercial value to a person; or*
 - (iii) *information about the business, professional, commercial or financial affairs of a person,**where the trade secret or information is held by, or is about, a person other than the local government; and*
 - (f) *a matter that if disclosed, could be reasonably expected to —*
 - (i) *impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or*
 - (ii) *endanger the security of the local government's property; or*
 - (iii) *prejudice the maintenance or enforcement of a lawful measure for protecting public safety;**and*
 - (g) *information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and*
 - (h) *such other matters as may be prescribed.*
- (3) *A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

POLICY IMPLICATIONS

1.5.1 Yawuru Park Council Representation.

FINANCIAL IMPLICATIONS

Nil.

RISK

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

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

Retention and expansion of 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:

Sustainable and integrated strategic and operational plans

Responsible resource allocation

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council:

1. *Notes the minutes of the Yawuru Park Council meetings held on 17 October, 15 November and 20 December 2017;*
2. *Endorses the final version of the Minyirr Buru (In Town) Management Plan as shown in Attachment 7; and*
3. *Supports the requested in-kind work of verge slashing along Gubinge Road (adjacent to Minyirr Park) as requested by Environs Kimberley.*

Attachments

1. Agenda and Agenda Items 17 October 2017
2. Minutes 17 October 2017
3. Agenda and Agenda Items 15 November 2017
4. Minutes 15 November 2017
5. Agenda and Agenda Items 20 December 2017
6. Minutes 20 December 2017
7. Minyirr Buru Conservation Estate Management Plan
8. Works Budget 2017-18



Department of Biodiversity,
Conservation and Attractions



Yawuru Park Council Agenda

Meeting no: 35 Meeting location: Parks and Wildlife Service, Broome Meeting date: 05/10/17 Meeting time: 2:00pm – 4:00pm Apologies:				
	ITEM	YPC action:	Who:	Format:
1.0	Welcome and apologies			
1.1	Opening and welcome		Chairperson	
1.2	Apologies			
1.3	Role of persons present (YPC representative/ alternative/ proxy, associate member, observer, guest ect)			
2.0	Minutes of previous meeting			
2.1	Review and adoption of August 2017 YPC minutes.			Minutes
2.2	Actions arising			
3.0	Matter across all tenure (Yawuru, DPaW, Shire)			
3.1	DEMCO – Asbestos contamination, ongoing concern	For Decision	SOB	Briefing Note
4.0	Townsite Areas (Yawuru, Shire)			
5.0	Cable Beach intertidal zone (Yawuru, DPaW, Shire)	NIL		
6.0	Out of Town and Roebuck Bay areas (Yawuru, DPaw)	NIL		
7.0	Reports			



Department of Biodiversity,
Conservation and Attractions



			DBCA	Summary Report
8.0	Other matters and correspondence in			
9.0	Next Meeting			
10.0	Close of Meeting			

YAWURU PARK COUNCIL

Agenda Item 3.1	DEMCO – asbestos contamination, ongoing concern
Meeting Number	35
LOCATION:	Minyirr Buru (In-Town Conservation Estate) Reserve 51304 (Yawuru / Shire of Broome) Reserve 50978 (Shire of Broome) Reserve 45605 (Shire of Broome) Reserve 43206 (Shire of Broome) Lot 604 DP 76204 (State Of WA To Be Transferred To Yawuru)
AUTHOR and ORGANISATION	Land Tenure Officer Shire of Broome
CONTRIBUTOR/S and ORGANISATION	Nil
RESPONSIBLE OFFICER:	Director Development and Community
DATE OF REPORT:	27 September 2017
<p>SUMMARY: In August 2016, Shire of Broome staff conducted a site inspection at DEMCO (Reserve 50978, 51304 and 43206) in response to a report of suspected asbestos containing material. Test results confirmed Asbestos Containing Material (ACM) was present at the site.</p> <p>A licenced removalist was engaged to conduct surface hand picking (emu bob) of any visible or suspected asbestos containing material (ACM). Temporary fencing and signage was erected around the site to prevent access while the visible asbestos was removed and a plan developed to manage the asbestos.</p> <p>In June 2017, Shire officers conducted a site inspection of the DEMCO Reserves. As a result of this inspection, more ACM was found to be present. There is a current public health risk present at the site. An emu bob has been recommended by the Shire's Health Officers to address this risk.</p> <p>In August 2017, DBCA officers became aware of similar ACM contamination at Simpsons Beach carpark.</p> <p>The Department of Planning, Land and Heritage advised that it recommends there is no vehicular or pedestrian access to Lot 604 and will contribute to the construction of bollards and signs to restrict access. However, the undertaking of ongoing emu bobs was not supported.</p> <p>Therefore, it is recommended that an emu bob and the installation of bollards and chain related to the joint managed estate be funded from YPC funds and the YPC write to the Department of Planning, Lands and Heritage requesting action to address the asbestos contamination at DEMCO.</p>	

BACKGROUND

On Thursday 25 August 2016, Shire of Broome staff conducted a site inspection at DEMCO (Reserve 50978, 51304 and 43206) in response to a report of suspected asbestos containing material. The area has a high incidence of illegal dumping and camping in areas with vehicle access tracks. There are no permanent structures on the land. Preliminary and subsequent detailed site investigations were conducted.

The initial visual inspection suspected the fragments contained Asbestos. Samples were taken and submitted to a National Association of Testing Authorities, Australia (NATA) accredited Laboratory. The results confirmed Asbestos Containing Material (ACM) was present at the site.

A licenced removalist was engaged to conduct surface hand picking (emu bob) of any visible or suspected ACM on 29 -31 August 2016. Two cubic metres of asbestos and four large asbestos pipes were removed from the site. To test for further contamination, two targeted test pits were dug on 6 September 2016 to one metre in depth by the licenced contractor. No indication of buried material was found, however due to the limited scope of this work this should not be relied upon to confirm the area is totally free of ACM at depth, as two test pits do not provide sufficient statistical significance.

Temporary fencing and signage was erected around the site to prevent access while the visible asbestos was removed and a plan developed to manage the asbestos.

All the costs associated with the above works were borne by the Shire.

Due to the nature of the site and naturally occurring weather conditions, erosion is likely to uncover more ACM that is not currently visible. In addition to any naturally occurring events, any clearing, excavation, or scraping of topsoil or ground cover (vegetation) may uncover or disturb buried ACM.

In October 2016, the Shire developed an Asbestos Management Plan (AMP) for portion of the Minyirr Buru In-Town Conservation Estate (Part of Reserve 51304) and Shire Reserves 50978 and 43206. The plan was developed to assist the Shire of Broome and the Yawuru Registered Native Title Body Corporate to comply with government policy and legislative requirements in the management of asbestos containing materials at the site. Yawuru has agreed to the AMP.

Yawuru Park Council Meeting – November 2016

At the Yawuru Park Council Meeting of November 2016, Item 10.1, the Shire prepared a report to brief the Yawuru Park Council (YPC) in relation to ACM found at the DEMCO Reserves and work undertaken to address the ACM.

On 13 September 2016, a meeting was held between Shire officers, Yawuru representatives and DPLH officers, whereby DPLH officers advised they would not take part in remediation work or management of ACM found at the site. While they indicated their preference was that the site remain closed, they did not want to contribute to the ongoing management and believed Lot 604 was free of contaminants as a result of remedial works undertaken in 2012. It should be noted that ACM was removed from Lot 604 when the asbestos handling contractors undertook the emu bob (August 2016).

At the meeting of the 13 September 2016, Yawuru representatives and Shire officers agreed to work collaboratively in relation to the issue.

COMMENT

In June 2017, Shire officers conducted a site inspection of the DEMCO Reserves. As a result of this inspection, more ACM was found to be present.

On 23 June 2017, Shire officers, DPLH officers, DBCA officers and Yawuru representatives met to discuss the suspected ACM contamination. The Shire officers advised that more ACM had been located at the same location as previously found (and removed), and that the ACM appeared to rise or leach to the surface after periods of rain. It was agreed that a joint site inspection take place to ascertain the quantity of ACM.

In August 2017, DBCA officers became aware of similar ACM contamination at Simpsons Beach carpark.

On 7 September 2017, Shire officers, Yawuru representatives, a DBCA officer and DPLH officer undertook a further site inspection. From that inspection, and others undertaken by Shire officers and Yawuru representatives, it is apparent that there is now, again, a large amount of visible ACM present at the DEMCO Reserves.

It is the professional opinion of the Shire Health Officers that another emu bob should be undertaken and urgent steps taken to restrict vehicle access to the site by installing bollards and warning signs in accordance with the AMP.

On 13 September 2017, the Shire wrote to Yawuru representatives, DBCA officers and DPLH officers seeking a commitment to contribute towards the cost of an emu bob and works to install bollards, chains, signage etc. to prevent public access to the DEMCO Reserves in accordance with the AMP. The Shire indicated they are prepared to coordinate the works and invoice each organisation for works attributed to land under each organisation's control (proportioned according to land area).

On 18 September 2017, Nyamba Buru Yawuru Ltd (NBY) wrote to the Shire advising that whilst NBY are joint managers and jointly liable with the Shire for the Reserve 51304, they believe that the DPLH are responsible for costs associated with managing asbestos at the site. The letter states that the Reserve is not fit for its reserved purpose in its current state and recommends that Yawuru and the Shire of Broome make a concerted joint approach to the State requesting funding for a comprehensive investigation and decontamination of the area (if required). NBY also recommend that the State fund the cost of erection of bollards to block access to the area.

On 21 September 2017, the DPLH advised that it recommends there is no vehicular or pedestrian access to Lot 604 and will contribute to the construction of bollards and signs to restrict access. However, the undertaking of ongoing emu bobs was not supported.

There is a current public health risk present at the site. An emu bob has been recommended by the Shire's Health Officers to address this risk. While the DPLH arguably should be contributing to this or otherwise decontaminating the site, the process of negotiating this with the DPLH is likely to take an extended period of time. While the joint managers are aware that exposure of the public to the ACM is continuing, there is an obligation to take action in the immediate term.

The Shire is unwilling to bear the full financial impact of these works for a second time. Therefore, it is recommended that the emu bob and the installation of bollards and chain related to the joint managed estate be funded from YPC funds.

As stated above, ACM has also been identified at the Simpsons Beach car park. It would be most cost effective to arrange for an emu bob of this area at the same time that one is arranged for the DEMCO

Reserves. Therefore, it is recommended that the contractors engaged for the emu bob at DEMCO be asked to undertake an emu bob at the Simpsons Beach car park as well, with this additional work be funded from YPC funds.

CONSULTATION

Shire of Broome

Yawuru – Nyamba Buru Yawuru

Department of Biodiversity, Conservation and Attractions

Department of Planning, Lands and Heritage

YPC Meeting – 25 August 2017

VOTING REQUIREMENTS

MINYIRR BURU (IN-TOWN CONSERVATION ESTATE)

Absolute Majority Shire of Broome and Yawuru NBY

MINYIRR BURU (IN-TOWN CONSERVATION ESTATE)

REPORT RECOMMENDATION:

That Yawuru Park Council:

- 1. Fund the removal of visible asbestos containing material by licenced asbestos handling contractors on Reserve 51304 (DEMCO) and a portion of Reserve 51001 (Simpson Beach) car park.*
- 2. Fund the installation of bollards, ropes, signage etc. to restrict vehicular access to Reserve 51304 (DEMCO).*
- 3. Write to the Department of Planning, Lands and Heritage requesting action to address the asbestos contamination at DEMCO.*

Moved:

Seconded:

FOR:

AGAINST:

Attachment: Map showing R51304, 50978, 45605, 43205 and Lot 604



Yawuru Park Council Meeting Minutes

Meeting no: 35

Meeting location: Nyamba Buru Yawuru

Meeting date: 17-10-17

Meeting start: 8:45am

Meeting end: 11:00am

Attendees:

Yawuru: Ben Dolby and Dean Mathews

Shire of Broome: Aletta Nugent, Sam Mastrolembro, Harold Tracey

Parks & Wildlife Service: Daniel Balint and Craig Olejnik

Apologies: Deb Pigram

Guests / Observers: Julie Melbourne (NBY), Sam Legge (NBY) Jacky Jankowski (SOB), Melanie Edgar (DBCA)

1. Welcome and apologies

1.1. Opening and welcome

Meeting opened by Dean Mathews

1.2. Apologies

Deb Pigram

1.3. Role of persons present (YPC representative/ alternative/ proxy, associate member, observer etc)

Nyamba Buru Yawuru: Ben Dolby (representative), Dean Mathews (representative), Julie Melbourne (observer), Sam Legge (observer)

Shire of Broome: Sam Mastrolembro (representative), Aletta Nugent (representative), Harold Tracey (representative), Jacky Jankowski (observer)

Parks and Wildlife Service: Daniel Balint (repetitive), Craig Olejnik (representative), Melanie Edgar (observer)

2. Minutes of previous meeting

2.1. Review and adoption of previous minutes

JJ – found some minor mistakes to be amended by ME (DBCA)

Moved- SM

Seconded - HT

Actions arising – to be discussed at next meeting

3. Matters across all tenure (Yawuru, Parks & Wildlife, Shire)

3.1. DEMCO – asbestos contamination, ongoing concern

REPORT RECOMMENDATION:

That Yawuru Park Council:

1. ***Support the Shire and Yawuru writing to the Department of Premier and Cabinet (DPC), in anticipation of Yawuru meeting with the DPC in the week starting 23 October 2017, advising that Asbestos Containing Material (ACM) has been identified on Reserve 51304 (Yawuru Conservation Estate) and Lot 604 on Deposited Plan 76204 (to be transferred to Yawuru) presenting a current public health risk at the site and requesting:***
 - a. *that the State either fund or offer to reimburse the costs of licensed asbestos handling contractors conducting an emu bob pick of visible ACM on Reserve 51304 and a portion of Reserve 51001 (Simpsons Beach) by 31 October 2017;*
 - b. *commit to undertaking a full site remediation of Reserve 51304 and Lot 604 on Deposited Plan 76204 by 30 September 2018;*
2. ***In the event DPC does not provide confirmation that it will either fund or reimburse the costs of the emu bob pick up in accordance with point 1.a. above, agrees for the emu bob pick up to be funded from YPC funds, to a maximum value of \$12,000.***
3. ***Fund the installation of a gate, bollards, ropes, signage etc. to restrict vehicular access to Reserve 51304.***

Moved: HT

Seconded: AN

ACTION: JM to write the letter and have Yawuru, DBCA and SOB to sign it before presenting at the meeting with Premier in Cabinet.

ACTION: DB and SOB to meet on sight ASAP to determine where they will need to install bollards and signs.

ACTION: Emu bob to happen ASAP

4. Townsite areas (Yawuru, Shire)
5. Cable Beach intertidal zone (Yawuru, Parks & Wildlife, Shire)
6. Out of town and Roebuck Bay areas (Yawuru, Parks & Wildlife)
7. Reports
 - 7.1. Expenditure report summary
8. Other matters and correspondence

Next meeting

15/11/17

9. Close of meeting



Department of Biodiversity,
Conservation and Attractions



Yawuru Park Council Agenda

Meeting no: 36 Meeting location: Parks and Wildlife Service, Broome Meeting date: 15/11/17 Meeting time: 9:30am – 12:00pm Apologies:				
	ITEM	YPC action:	Who:	Format:
1.0	Welcome and apologies			
1.1	Opening and welcome		Chairperson	
1.2	Apologies			
1.3	Role of persons present (YPC representative/ alternative/ proxy, associate member, observer, guest ect)			
2.0	Minutes of previous meeting			
2.1	Review and adoption of October 2017 YPC minutes.			Minutes
2.2	Actions arising			
3.0	Matter across all tenure (Yawuru, DPaW, Shire)			
3.1	Yawuru Cultural Immersion	For Decision	NBY	Briefing Note
3.2	Confidential Matters	For Decision	DBCA	Briefing Note
4.0	Townsite Areas (Yawuru, Shire)			
4.1	Proposed Management Order and easement to Water Corporations Sewerage Facility at Dann Place	For Decision	NBY	Briefing Note
4.2	Update on Kavite Road	For Decision	NBY	Briefing Note
4.3	Gantheaume Point 'public liability' mitigation works	For Decision	SoB	Briefing Note



Department of Biodiversity,
Conservation and Attractions



**PARKS AND
WILDLIFE
SERVICE**



YAWURU



4.4	DEMCO Asbestos	For Discussion	NBY	Verbal update
5.0	Cable Beach intertidal zone (Yawuru, DPaW, Shire)	NIL		
6.0	Out of Town and Roebuck Bay areas (Yawuru, DPaw)	NIL		
6.1	353 & 354 update	For Discussion	NBY	Briefing Note
7.0	Reports			
7.1	Budget Forecast 2017/2018	For Discussion	DBCA	Summary Report
8.0	Other matters and correspondence in			
8.1	Fire Update – Pat Foley	For Discussion	DBCA	Verbal update
8.2	Gurlbinwila update		DBCA	Verbal update
9.0	Next Meeting			
10.0	Close of Meeting			

YAWURU PARK COUNCIL

Agenda Item 3.1	Yawuru Cultural Immersion for Joint Management Partners
Meeting Number	36
LOCATION:	Matters across all tenure (Conservation Estate)
AUTHOR and ORGANISATION	Julie Melbourne Manager of Native Title and Environmental Services
CONTRIBUTOR/S and ORGANISATION	Nil
RESPONSIBLE OFFICER:	Manager of Native Title and Environmental Services
DATE OF REPORT:	30/10/2017
SUMMARY:	
Joint Management representatives from the Shire of Broome and Department of Biodiversity, Conservation and Attractions should have a strong understanding of Yawuru cultural and heritage values, connection to country and cultural protocols. Yawuru request that the Joint Management representatives enrol in the Yawuru Cultural Immersion program.	

BACKGROUND

The Yawuru Cultural Immersion program is an outline of Yawuru cultural beliefs and values system. Since colonization the Yawuru tradition has been impacted by Government Acts and Policies, which has contributed to the struggle Yawuru people have endured through the years.

The program provides an insight into:

- Continuity of the Yawuru language within the Yawuru nation and introducing it to the community
- An overview of Yawuru cultural beliefs and values. Bugarrigarra, Liyan, Rayi, Buru etc.
- An understanding into the lives of Yawuru people through the language and the changes that have occurred.
- Use of the Yawuru skin group kinship system to increase the knowledge of how the family members relate to one another. Burungu, Banaga, Barrjarri, Garimba.
- Code switching with the diverse language groups in Broome, with the use of Yawuru language.

The training will be facilitated by Dianne Appleby who is currently employed as Yawuru Cultural Coordinator at Nyamba Buru Yawuru.

CONSULTATION

Department of Biodiversity, Conservation and Attractions

VOTING REQUIREMENTS

Matter across all tenure

Absolute Majority

Minyirr Buru (In-Town Conservation Estate)

REPORT RECOMMENDATION:

That Yawuru Park Council resolves:

- 1. That all Shire of Broome and Department of Biodiversity, Conservation and Attraction staff involved in Yawuru Joint Management take part in Yawuru's Cultural Immersion program at their own cost.*

Moved:

Seconded:

FOR:

AGAINST:

YAWURU PARK COUNCIL

Agenda Item 3.2	Update on 'Yawuru Park Council Closed Hearing Agenda'
Meeting Number	36
LOCATION:	Matters across all tenure (Conservation Estate)
AUTHOR and ORGANISATION	Daniel Balint Department of Biodiversity, Conservation and Attractions
CONTRIBUTOR/S and ORGANISATION	Nil
RESPONSIBLE OFFICER:	Yawuru Coastal Parks Coordinator
DATE OF REPORT:	23/10/2017
SUMMARY:	
On 25 August 2017, The Yawuru Park Council assessed Agenda item 3.2 'YPC Closed Hearing Agenda' directing the Yawuru Park Council Working Group to develop guidelines in relation to confidential items for YPC Meetings.	

BACKGROUND

Previously, when establishing the Marine Park, sensitive information discussed at the Yawuru Park Council was released to the public. This occurred as a result of no prohibitions on the use of sensitive information existing. Consequently, the need to establish protocols to conduct 'closed hearings' for the Yawuru Park Council was identified.

On 25 August 2017, the Yawuru Park Council made the following report recommendation

3.2 YPC Closed Hearing Agenda
That Yawuru Park Council:
1. Directs the Yawuru Park Council Working Group to develop guidelines in relation to confidential items for YPC Meetings

The Yawuru Park Council Working Group discussed the development of appropriate guidelines on 30th August and 13th September 2017.

On the afternoon of 13 September 2017, after the Yawuru Park Council Working Group Meeting, the Shire of Broome's Manager of Governance advised that the matter could be resolved by creating an amended version of the YPC minutes to exclude confidential or culturally sensitive items. These amended minutes could then be presented to Council as "Modified minutes to delete information that may be confidential or culturally sensitive".

The Yawuru Park Council Working Group proposes to adopt the Manager of Governance's advice on the matter.

CONSULTATION

Shire of Broome

Yawuru – Nyamba Buru Yawuru

Department of Biodiversity, Conservation and Attractions

YPC Meeting – 25 August & 13 September 2017

VOTING REQUIREMENTS

Matter across all tenure

Absolute Majority

Minyirr Buru (In-Town Conservation Estate)

REPORT RECOMMENDATION:

That Yawuru Park Council resolves:

- 1. When necessary, create an amended version of the Yawuru Park Council minutes to exclude confidential or culturally sensitive items.*

Moved:

Seconded:

FOR:

AGAINST:

YAWURU PARK COUNCIL

Agenda Item 3.2	Update on 'Yawuru Park Council Closed Hearing Agenda'
Meeting Number	36
LOCATION:	Matters across all tenure (Conservation Estate)
AUTHOR and ORGANISATION	Daniel Balint Department of Biodiversity, Conservation and Attractions
CONTRIBUTOR/S and ORGANISATION	Nil
RESPONSIBLE OFFICER:	Yawuru Coastal Parks Coordinator
DATE OF REPORT:	23/10/2017
SUMMARY:	
On 25 August 2017, The Yawuru Park Council assessed Agenda item 3.2 'YPC Closed Hearing Agenda' directing the Yawuru Park Council Working Group to develop guidelines in relation to confidential items for YPC Meetings.	

BACKGROUND

Previously, when establishing the Marine Park, sensitive information discussed at the Yawuru Park Council was released to the public. This occurred as a result of no prohibitions on the use of sensitive information existing. Consequently, the need to establish protocols to conduct 'closed hearings' for the Yawuru Park Council was identified.

On 25 August 2017, the Yawuru Park Council made the following report recommendation

3.2 YPC Closed Hearing Agenda
That Yawuru Park Council:
2. Directs the Yawuru Park Council Working Group to develop guidelines in relation to confidential items for YPC Meetings

The Yawuru Park Council Working Group discussed the development of appropriate guidelines on 30th August and 13th September 2017.

On the afternoon of 13 September 2017, after the Yawuru Park Council Working Group Meeting, the Shire of Broome's Manager of Governance advised that the matter could be resolved by creating an amended version of the YPC minutes to exclude confidential or culturally sensitive items. These amended minutes could then be presented to Council as "Modified minutes to delete information that may be confidential or culturally sensitive".

The Yawuru Park Council Working Group proposes to adopt the Manager of Governance's advice on the matter.

CONSULTATION

Shire of Broome

Yawuru – Nyamba Buru Yawuru

Department of Biodiversity, Conservation and Attractions

YPC Meeting – 25 August & 13 September 2017

VOTING REQUIREMENTS

Matter across all tenure

Absolute Majority

Minyirr Buru (In-Town Conservation Estate)

REPORT RECOMMENDATION:

That Yawuru Park Council resolves:

- 1. When necessary, create an amended version of the Yawuru Park Council minutes to exclude confidential or culturally sensitive items.*

Moved:

Seconded:

FOR:

AGAINST:



YAWURU PARK COUNCIL

Agenda Item 4.2	Update on 'Kavite Road'
Meeting Number	36
LOCATION:	Minyirr Buru (In – Town Conservation Estate)
AUTHOR and ORGANISATION	Julie Melbourne Manager – Native Title and Environmental Services
CONTRIBUTOR/S ORGANISATION	and Nil
DATE OF REPORT:	23/10/2017
SUMMARY:	
	Gantheaume Point Rd and Kavite Rd (near Lighthouse) do not currently sit on the road reserve.

BACKGROUND

On 7 July 2016, the Yawuru Park Council made the following report recommendation

<i>MINYIRR BURU (IN-TOWN CONSERVATION ESTATE)</i>
Report Recommendation:
3. S.O.B to provide advice on merging of road and reserve.
4. Yawuru to provide advice on location / proximity of cultural site.

The Yawuru Park Council resolved to refer the matter back to the Yawuru Park Working Group.

On the 22 June 2016, the Shire of Broome provided the Joint Managers with a proposal to realign Gantheaume Point Rd and Kavite Rd into the Road Reserve.

As Gantheaume Point is extremely culturally sensitive, with numerous sites existing within and in close proximity to the proposed dedicated road reserve, it is necessary to undertake a detailed heritage site inspection by Yawuru cultural monitors.

On the 19 October 2017, the Yawuru Prescribed Body Corporate (PBC) confirmed this position. The PBC passed the following resolution:

'Not to agree to the Dedicated Road Reserve location until such a time as a Site Visit or Heritage Survey can be undertaken to ascertain cultural sensitivities and Heritage protection management plan'.

CONSULTATION

Shire of Broome

Yawuru – Nyamba Buru Yawuru

Department of Biodiversity, Conservation and Attractions

VOTING REQUIREMENTS

Absolute Majority: Shire of Broome and Yawuru

Minyirr Buru (In-Town Conservation Estate)

REPORT RECOMMENDATION:

That Yawuru Park Council notes the decision of the Yawuru PBC on 19th October 2017 and resolves:

- 1. To write to Department of Lands advising of the Yawuru PBC decision and seek funding to undertake a Heritage Survey – subject to an approved budget.*
- 2. If Department of Lands do not agree to fund a Heritage Survey then the Yawuru Park Council approve the cost of the Heritage Survey to be funded from Joint Management funds.*

Moved:

Seconded:

FOR:

AGAINST:

YAWURU PARK COUNCIL

Agenda Item 4.2	Update on 'Kavite Road'
Meeting Number	36
LOCATION:	Minyirr Buru (In – Town Conservation Estate)
AUTHOR and ORGANISATION	Julie Melbourne Manager – Native Title and Environmental Services
CONTRIBUTOR/S ORGANISATION	and Nil
DATE OF REPORT:	23/10/2017
SUMMARY:	
	Gantheaume Point Rd and Kavite Rd (near Lighthouse) do not currently sit on the road reserve.

BACKGROUND

On 7 July 2016, the Yawuru Park Council made the following report recommendation

<i>MINYIRR BURU (IN-TOWN CONSERVATION ESTATE)</i>
Report Recommendation:
5. S.O.B to provide advice on merging of road and reserve.
6. Yawuru to provide advice on location / proximity of cultural site.

The Yawuru Park Council resolved to refer the matter back to the Yawuru Park Working Group.

On the 22 June 2016, the Shire of Broome provided the Joint Managers with a proposal to realign Gantheaume Point Rd and Kavite Rd into the Road Reserve.

As Gantheaume Point is extremely culturally sensitive, with numerous sites existing within and in close proximity to the proposed dedicated road reserve, it is necessary to undertake a detailed heritage site inspection by Yawuru cultural monitors.

On the 19 October 2017, the Yawuru Prescribed Body Corporate (PBC) confirmed this position. The PBC passed the following resolution:

'Not to agree to the Dedicated Road Reserve location until such a time as a Site Visit or Heritage Survey can be undertaken to ascertain cultural sensitivities and Heritage protection management plan'.

CONSULTATION

Shire of Broome

Yawuru – Nyamba Buru Yawuru

Department of Biodiversity, Conservation and Attractions

VOTING REQUIREMENTS

Absolute Majority: Shire of Broome and Yawuru

Minyirr Buru (In-Town Conservation Estate)

REPORT RECOMMENDATION:

That Yawuru Park Council notes the decision of the Yawuru PBC on 19th October 2017 and resolves:

- 1. To write to Department of Lands advising of the Yawuru PBC decision and seek funding to undertake a Heritage Survey – subject to an approved budget.*
- 2. If Department of Lands do not agree to fund a Heritage Survey then the Yawuru Park Council approve the cost of the Heritage Survey to be funded from Joint Management funds.*

Moved:

Seconded:

FOR:

AGAINST:

Yawuru Park Council Meeting Minutes

Meeting no: 36

Meeting location: DBCA Parks and Wildlife

Meeting date: 15th November 2017

Meeting start: 9:30am

Meeting end: 12:25

Attendees:

Yawuru: Dean Mathews, Ben Dolby

Shire of Broome: Harold Tracey, Aletta Nugent

Department of Biodiversity Conservation and Attractions Parks & Wildlife Service: Craig Olejnik, Daniel Balint, Luke Puertollano

Apologies: Deb Pigram, Sam Mastrolembro

Guests / Observers: Julie Melbourne (NBY), Sam Legge (NBY), Jacqui Jankowski (SOB), Melanie Edgar (DBCA), Jason Richardson (DBCA), Pat Foley (DBCA)

1. Welcome and apologies

1.1. Opening and welcome

Meeting opened by Chair Dean Mathews

1.2. Apologies

Deb Pigram, Sam Mastrolembro

1.3. Role of persons present (YPC representative/ alternative/ proxy, associate member, observer etc)

Nyamba Buru Yawuru: Dean Mathews (YPC representative), Ben Dolby (proxy)

Shire of Broome: Harold Tracey (YPC representative), Aletta Nugent (YPC representative), Jacqui Jankowski (observer)

Parks and Wildlife Service: Craig Olejnik (YPC representative), Daniel Balint (YPC representative), Luke Puertollano (YPC representative), Jason Richardson (observer), Melanie Edgar (observer), Patrick Foley (observer)

2. Minutes of previous meeting

2.1. Review and adoption of previous minutes

JJ- found some minor mistakes to be amended by ME (DBCA)

Moved- HT

Seconded- DB

Actions arising

DM- actions table to be available and attached to meeting minutes as previously done.

3. Matters across all tenure (Yawuru, Parks & Wildlife, Shire)

3.1. Yawuru Cultural Immersion for Joint Management Partners

Minyirr Buru (In-Town Conservation Estate)

REPORT RECOMMENDATION:

That Yawuru Park Council resolves:

- 1. That all Shire of Broome and Department of Biodiversity, Conservation and Attraction staff involved in Yawuru Joint Management take part in Yawuru's Cultural Immersion program at their own cost.*

Moved:

Seconded:

Noted all agree that the Cultural Immersion Program is important for YPC members to undertake.

AN- SOB has already inquired about this and already taking the steps to do the program with their staff

ACTION: Request for cultural Immersion for Shire Staff to be resent

ACTION: NBY to provide costs Per head for Cultural Immersion be sent to Joint Management Partners

3.2. Confidential Matters

Minyirr Buru (In-Town Conservation Estate)

REPORT RECOMMENDATION:

That Yawuru Park Council resolves:

- 1. When necessary, create an amended version of the Yawuru Park Council minutes to exclude confidential or culturally sensitive items.*

Moved: HT

Seconded: CO

AN – Suggests that all matters that are considered confidential agenda items are to be workshopped through the WG rather than bringing to the YPC.

4. Townsite areas (Yawuru, Shire)

4.1. Proposed Management Order and easement to Water Corporations Sewerage Facility at Dann Place

Minyirr Buru (In-Town Conservation Estate)

REPORT RECOMMENDATION:

That Yawuru Park Council notes the Yawuru PBC and Shire of Broome decision of and 7th of September and 24th January 2017, respectively, resolves:

- 1. To Consent to the grant of the proposed easement to Water Corporation with a Management Order for the purpose of 'Waste water Pump station and Pressure Main'.*

Moved: HT

Seconded: DB

4.2. Update on Kavite Road – agenda noted

Minyirr Buru (In-Town Conservation Estate)

REPORT RECOMMENDATION:

That Yawuru Park Council notes the decision of the Yawuru PBC on 19th October 2017 and resolves:

1. To write to Department of Planning, Lands and Heritage advising of the Yawuru PBC decision and seek funding to undertake a Heritage Survey – subject to an approved budget.

Moved: AN

Seconded: DB

2. HT- suggests if Department of Lands do not agree to fund a Heritage Survey then the Yawuru Park Council consider approving the cost of the Heritage Survey to be funded from Joint Management funds prior to commencement of construction.

ACTION: NBY / YPC to write to DPLH seeking funding to undertake heritage survey for proposed Gantheaume / Kavite Road realignment

4.3. Gantheaume Point 'Public Liability' mitigation works

JM – suggests that projects be written out with photos/ diagrams/ quotes/ costs

CO – has put forward that DBCA can provide quotes for signage, bollards and architect planning

Minyirr Buru (In-Town Conservation Estate)

REPORT RECOMMENDATION:

That Yawuru Park Council:

- 1. Supports the use of Yawuru Park Council funds to undertake works identified as 'high' in the LGIS Report for Gantheaume Point; and*
- 2. Agrees that the work required to rectify the exposed culverts are funded by the YPC and carried out either:*
 - a) By the Shire of Broome on behalf of the YPC;*
 - b) By the Department of Biodiversity, Conservation and Attractions; or*
 - c) By a contractor engaged by the Department of Biodiversity, Conservation and Attractions.*

This item was deferred, pending DBCA providing project scope and quote from at least two sources

Moved: AN

Seconded: LP

ACTION: Additional quotes on work sought (DBCA)

ACTION: DBCA to provide a photo/copy of the visitor risk sign to get approval from the YPC

4.4. DEMCO asbestos – Verbal update (agenda item noted)

ACTION: SoB to provide quotes for CE / Simpson Beach:

- Provide and install bollards / chain
- Signage
- Emu bob

ACTION: SOB to contact DBCA to arrange onsite meeting to identify locations of bollards and gates.

4.5. Joint Management Plan for the Yawuru Minyirr Buru Conservation Park – YPC Endorsement.

- Agenda item deferred

Minyirr Buru (In-Town Conservation Estate)

REPORT RECOMMENDATION:

That Yawuru Park Council endorse:

1. *The 'Joint Management Plan for the Yawuru Minyirr Buru Conservation Park' for Ministerial approval.*

Deferred, pending meeting with Kimberley Ports Authority

Moved: HT

Seconded: DB

ACTION: Invite Kimberley Ports Authority to YPC WG meeting to discuss submissions for the In-Town Management Plan

5. Cable Beach intertidal zone (Yawuru, Parks & Wildlife, Shire)

6. Out of town and Roebuck Bay areas (Yawuru, Parks & Wildlife)

- 6.1. 353 & 354 update (Verbal update)

ACTION: NBY to forward correspondence to SoB outlining proposal to restrict access to the west of the Shire's gravel Reserve 35493

7. Reports

- 7.1. Budget Forecast 2017/2018

ACTION: DBCA to forward budgets and review budget draft forecast

ACTION: DBCA to provide costs associated with the fire truck to NBY

8. Other matters and correspondence

- 8.1. Fire Update – Pat Foley

ACTION: Workshop with SOB, KPA, DBCA, NBY to be held on fire planning and re-veg work in Minyirr Park (+EK, -KPA)

- 8.2. Gurlbinwila update – Luke Puertollano

ACTION: Media release to go out to the public about what will be happening out at Gurlbinwila (facebook post on DBCA and NBY pages)

9. Next meeting

20th Dec 2017

10. Close of meeting

12:25PM



Department of Biodiversity,
Conservation and Attractions



Yawuru Park Council Agenda

Meeting no: 37 Meeting location: Parks and Wildlife Service, Broome Meeting date: 20/12/17 Meeting time: 10:00am – 12:00pm Apologies:				
	ITEM	YPC action:	Who:	Format:
1.0	Welcome and apologies			
1.1	Opening and welcome		Chairperson	
1.2	Apologies			
1.3	Role of persons present (YPC representative/ alternative/ proxy, associate member, observer, guest ect)			
2.0	Minutes of previous meeting			
2.1	Review and adoption of October 2017 YPC minutes.			Minutes
2.2	Actions arising			
3.0	Matter across all tenure (Yawuru, DPaW, Shire)			
3.1	Recreation Master Plan	For Endorsement	DBCA	Briefing Note
4.0	Townsite Areas (Yawuru, Shire)			
4.1	Minyirr Buru Fire Planning	For Decision	NBY	Briefing Note
4.2	Minyirr Buru Conservation Estate Management Plan	For Endorsement	DBCA	Briefing Note
4.3	Weed Management in Minyirr Buru Conservation Park	For Discussion / Presentation	NBY	Briefing Note
4.4	Minyirr Park Revegetation Works	For Decision	NBY	Briefing Note



Department of Biodiversity,
Conservation and Attractions



4.5		For Endorsement	DBCA	Briefing Note
5.0	Cable Beach intertidal zone (Yawuru, DPaW, Shire)	NIL		
6.0	Out of Town and Roebuck Bay areas (Yawuru, DPaw)	NIL		
7.0	Reports			
7.1	November Financial Statement / 17/18 Budget Forecast Endorsement	For Endorsement	DBCA	Summary Report
8.0	Other matters and correspondence in			
9.0	Next Meeting			
10.0	Close of Meeting			

YAWURU PARK COUNCIL

Agenda Item 3.1	Yawuru Conservation Parks Recreation Masterplan.
Meeting Number	37
LOCATION:	<i>Matter across all tenure</i>
AUTHOR and ORGANISATION	Julie Melbourne Nyamba Buru Yawuru
CONTRIBUTOR/S ORGANISATION	and Nil
RESPONSIBLE OFFICER:	Manager Native Title and Environmental Services
DATE OF REPORT:	13/12/2017
SUMMARY:	The Yawuru Park Council Working Group have finalised the Yawuru Conservation Parks Recreation Masterplan and seek Yawuru Park Council endorsement.

BACKGROUND

The Yawuru Park Council Working Group has been developing the Yawuru Conservation Parks Recreation Masterplan for a number of years. Most recently, the Yawuru Park Council Working Group have taken the following steps to finalise the Masterplan including:

- In August 2017 a Site Inspection was undertaken to assess the appropriateness and viability of the 'In – Town' component of the Masterplan;
- On 12 September 2017 a Site Inspection of the Willie Creek and surrounds was undertaken to assess the appropriateness and viability of the 'Intertidal' and 'Out of Town' components of the Masterplan;
- On 24 November 2017 Yawuru and Department of Biodiversity, Conservation and Attractions representatives met to discuss and assess the remaining 'Out of Town' areas of the Masterplan;
- On 12 December 2017 the Department of Biodiversity, Conservation and Attractions circulated the final draft of the Yawuru Conservation Parks Recreation Masterplan for Yawuru Park Council Working Group's consideration.

CONSULTATION

Shire of Broome

Yawuru – Nyamba Buru Yawuru
Department of Biodiversity, Conservation and Attractions

VOTING REQUIREMENTS

Matter across all tenure

Absolute Majority Shire of Broome, Yawuru NBY, Department of Biodiversity, Conservation and Attractions.

Matter across all tenure

REPORT RECOMMENDATION:

That Yawuru Park Council:

- 1. Endorse the Yawuru Conservation Parks Recreation Masterplan.*

Moved:

Seconded:

FOR:

AGAINST:

YAWURU PARK COUNCIL

Agenda Item 4.1	Prescribed Burning Planning in Minyirr Buru Conservation Park
Meeting Number	37
LOCATION:	<i>Minyirr Buru (In-Town Conservation Estate)</i>
AUTHOR and ORGANISATION	Julie Melbourne Nyamba Buru Yawuru
CONTRIBUTOR/S ORGANISATION	and Nil
RESPONSIBLE OFFICER:	Manager Native Title and Environmental Services
DATE OF REPORT:	13/12/2017
SUMMARY:	On 6 December 2017, Nyamba Buru Yawuru, Department of Biodiversity, Conservation and Attractions and Environs Kimberley representatives met to discuss the potential impact of prescribed burning regime on revegetation and rehabilitation works in Minyirr Park. Consequently, the prescribed burning regime in Minyirr Buru Conservation Park was revised.

BACKGROUND

Both Nyamba Buru Yawuru and Environs Kimberley have current or upcoming projects which aim to revegetate and rehabilitate various areas within Minyirr Buru Conservation Park. It was decided that the rehabilitation areas needed to be identified to the Department of Biodiversity, Conservation and Attractions (DBCA), West Kimberley District Fire Coordinator, Pat Foley, as the service provider of Minyirr Buru Conservation Park, to ensure fire mitigation could be aligned with the revegetation and rehabilitation programmes.

On 6 December, Pat Foley met with Nyamba Buru Yawuru and Environs Kimberley representatives to discuss the revegetation and rehabilitation projects in Minyirr Buru Conservation Park. Mr Foley presented the proposed prescribed burning regime in Minyirr Buru Conservation Park; discussion ensued around mitigating potential conflict. The impact of the proposed prescribed burning regime on the Environment Protection Biodiversity Conservation (EPBC) listed Monsoon Vine Thicket was also discussed.

The prescribed burning regime in Minyirr Buru Conservation Park was subsequently revised to accommodate Nyamba Buru Yawuru and Environs Kimberley respective projects as well as the Monsoon Vine Thicket population.

Attached is the revised prescribed burning regime.

CONSULTATION

Yawuru – Nyamba Buru Yawuru
Department of Biodiversity, Conservation and Attractions

VOTING REQUIREMENTS

Minyirr Buru (In-Town Conservation Estate)
Absolute Majority Shire of Broome, Yawuru NBY.

Minyirr Buru (In-Town Conservation Estate)

REPORT RECOMMENDATION:

That Yawuru Park Council:

- 1. Endorse the revised prescribed burning schedule of works within the Minyirr Buru Conservation Estate; and*
- 2. Agree that the Department of Biodiversity, Conservation and Attractions will undertake prescribed burning in the Minyirr Buru Conservation Park.*

Moved:

Seconded:

FOR:

AGAINST:

YAWURU PARK COUNCIL

Agenda Item 4.2	Minyirr Buru (In Town) Management Plan endorsement
Meeting Number	37
LOCATION:	Minyirr Buru (In Town Conservation Estate)
AUTHOR and ORGANISATION	Daniel Balint Department of Biodiversity, Conservation and Attractions
CONTRIBUTOR/S ORGANISATION	and Nil
RESPONSIBLE OFFICER:	Yawuru Coastal Parks Coordinator
DATE OF REPORT:	13/11/2017
SUMMARY:	The Yawuru Park Council Working Group have incorporated changes to the draft Minyirr Buru (In Town) Management Plan following the public comment period held during 2017 in preparation for its final endorsement.

BACKGROUND

On 15 November 2017 the Yawuru Park Council deferred Agenda Item 4.5 '*Minyirr Buru (In Town) Management Plan endorsement*' pending a meeting with Kimberley Port Authority to discuss the Minyirr Buru Management Plan.

On 22 November 2017 the Yawuru Park Council Working Group met with the Kimberley Port Authority to discuss the Minyirr Buru Management Plan. The Yawuru Park Council Working Group representatives provided more detailed responses to the Kimberley Port Authority's questions and made a number of minor alterations to the Minyirr Buru Management Plan.

After further consultation with the Kimberley Port Authority the Minyirr Buru Management Plan is ready for final endorsement.

CONSULTATION

Shire of Broome
Yawuru – Nyamba Buru Yawuru
Department of Biodiversity, Conservation and Attractions
3 month public comment period

VOTING REQUIREMENTS

Minyirr Buru (In Town Conservation Estate)
Absolute Majority Shire of Broome and Yawuru NBY

Minyirr Buru (In-Town Conservation Estate)

REPORT RECOMMENDATION:

That Yawuru Park Council:

- 1. Endorse the Minyirr Buru (In Town) Management Plan for Ministerial approval.*

Moved:

Seconded:

FOR:

AGAINST:

YAWURU PARK COUNCIL

Agenda Item 4.3	Weed Management in Minyirr Buru Conservation Park
Meeting Number	37
LOCATION:	Minyirr Buru (In – Town Conservation Estate)
AUTHOR and ORGANISATION	Christopher Parker Nyamba Buru Yawuru
CONTRIBUTOR/S and ORGANISATION	Nil
RESPONSIBLE OFFICER:	Manager Native Title and Environmental Services
DATE OF REPORT:	11/12/2017
SUMMARY:	Yawuru Geographic Information System (GIS) Officer, Chris Parker, has undertaken extensive research and analysis of the weed distribution in Minyirr Park. The Report is of instrumental importance to the Yawuru Park Council and should be utilised to achieve KPI's of the Minyirr Buru Management Plan. The Report is of particular importance for drainage management in the Minyirr Buru Conservation Park and surrounds as findings indicate weed dispersal is heavily concentrated around drainage areas; particularly those adjacent to residential areas.

BACKGROUND

Yawuru GIS Officer, Chris Parker, designed a mapping regime for Minyirr Park weeds distribution and species. This process involved the systematic mapping of weeds by Country Managers and Yawuru Rangers. Chris Parker as part of his Geospatial Science Masters Course has used this weed mapping data to complete an extensive spatial and statistical analysis on the factors influencing weed distribution in Minyirr Park.

NBY Country Managers and the Yawuru Rangers have been working with Environs Kimberley to develop a Draft Minyirr Park Weed Management Plan for consultation with the Joint Partners. The Draft Minyirr Park Weed Management Plan will be informed by the weed mapping data and the report by Chris Parker providing spatial and statistical analysis of the data.

Chris Parker's Report is attached and will be presented at the Yawuru Park Council Meeting (No 37) for YPC member's consideration.

CONSULTATION

Yawuru – Nyamba Buru Yawuru
Department of Biodiversity, Conservation and Attractions

VOTING REQUIREMENTS

For Noting.

YAWURU PARK COUNCIL

Agenda Item 4.4	Environs Kimberley – Old Cable Beach Revegetation Project
Meeting Number	37
LOCATION:	<i>Minyirr Buru (In-Town Conservation Estate)</i>
AUTHOR and ORGANISATION	Julie Melbourne Nyamba Buru Yawuru
CONTRIBUTOR/S ORGANISATION	and Nil
RESPONSIBLE OFFICER:	Manager Native Title and Environmental Services
DATE OF REPORT:	15/12/2017
SUMMARY:	<p>Environs Kimberley (EK) have been successful in securing funding under a '20 Million Trees' grant. The grants focus is on the 'Revegetation of endangered Monsoon Vine Thickets on the Dampier Peninsula'. The grant funding has been split into four segments, with \$30,000 allocated to the Minyirr Park Project.</p> <p>The first planting for the current Minyirr Park revegetation project occurred in February 2017 with 280 native plants planted and reticulated.</p> <p>The next stage of the project will include community engagement and planting events, further sourcing of plants and propagation, maintenance (mulching, weeding & watering) and monitoring and reporting. It is hoped that project partners and stakeholders assist with weeding, planting and watering leading up to project finalisation in June 2018.</p>

BACKGROUND

At the Minyirr Park project site Environs Kimberley aims to:

- Plant out bare and weed infested areas within the project site, with native species of sufficient density to enable effective native plant cover regeneration.
- Undertake effective weeding to enable ongoing success of native species
- Engage with community and project partners to:

- Improve community education and awareness around protection of Monsoon Vine Thickets,
- Build social capacity and
- Facilitate a collaborative approach to land management and conservation of the site.

The purpose of this proposal to the YPC is to request in-kind support for a number of weeding events at the Minyirr Park site. This work will assist in the completion of the Minyirr Park revegetation project. Specifically, the aim is to remove weeds throughout the revegetation site (NBY and DBCA) and slash the road verge before the weed grasses set seed (Shire of Broome officer).

More information about the project, including updates on our activities and future works is provided at [Attachment A - Minyirr Reveg Project 2017-18 Update and future works](#).

More information about the Budget is contained in [Attachment B – Minyirr Park Site Budget](#)

CONSULTATION

Yawuru – Nyamba Buru Yawuru
Department of Biodiversity, Conservation and Attractions
Shire of Broome

VOTING REQUIREMENTS

Minyirr Buru (In-Town Conservation Estate)
Absolute Majority Shire of Broome, Yawuru NBY.

Minyirr Buru (In-Town Conservation Estate)

REPORT RECOMMENDATION:

That Yawuru Park Council:

1. Note Environs Kimberley's Project Plan within Minyirr Buru Conservation Park; and
2. Calculate and assess the requested in-kind support from Environs Kimberley for endorsement at next Yawuru Park Council.

Moved:

Seconded:

FOR:

AGAINST:

**Yawuru Park Council
Meeting Minutes**

Meeting no: 37

Meeting location: Nyamba Buru Yawuru

Meeting date: 20th December 2017

Meeting start: 10:08am

Meeting end: 11:40am

Attendees:

Yawuru: Dean Matthews, Deb Pigram

Shire of Broome: Harold Tracey, Aletta Nugent

Department of Biodiversity Conservation and Attractions Parks & Wildlife Service: Daniel Balint, Luke Puertollano, David Woods.

Apologies: Ben Dolby, Sam Mastrolembro, Craig Olejnik.

Guests / Observers: Julie Melbourne (NBY), Sam Legge (NBY), Jacqui Jankowski (SOB).

1. Welcome and apologies

1.1. Opening and welcome

Meeting opened by Chair Deb Pigram

1.2. Apologies

Ben Dolby, Sam Mastrolembro, Craig Olejnik.

Role of persons present (YPC representative/ alternative/ proxy, associate member, observer etc)

Nyamba Buru Yawuru: Dean Matthews (YPC representative), Debra Pigram (Chair)

Shire of Broome: Harold Tracey (YPC representative), Aletta Nugent (YPC representative), Jacky Jankowski (observer)

Parks and Wildlife Service: Daniel Balint (YPC representative), Luke Puertollano (YPC representative), David Woods (YPC proxy).

2. Minutes of previous meeting

2.1. Review and adoption of previous minutes

Moved- AN

Seconded- DB

Actions arising

3. Matters across all tenure (Yawuru, Parks & Wildlife, Shire)

3.1. Yawuru Conservation Parks Recreation Master Plan

-

Matters across all tenure

REPORT RECOMMENDATION:

That Yawuru Park Council:

1. *Endorse the Yawuru Conservation Parks Recreation Master Plan.*

This item was deferred.

Moved: HT

Seconded: DB

S.O.B request Agenda Item Deferred

4. Townsite areas (Yawuru, Shire)

4.1. Prescribed Burning in Minyirr Buru Conservation Park

Minyirr Buru (In-Town Conservation Estate)

REPORT RECOMMENDATION:

That Yawuru Park Council:

- 1. Endorse the revised prescribed burning schedule of works within the Minyirr Buru Conservation Estate; and the revised schedule for inclusion in the Bush Fire Management Plan for the In-Town Conservation Estate for Shire of Broome consideration in accordance with the Bush Fires Act 1954*
- 2. Agree that the Department of Biodiversity, Conservation and Attractions will undertake prescribed burning in the Minyirr Buru Conservation Park.*
- 3. Provide letter of support to the Department of Biodiversity, Conservation and Attractions*

Moved: HT

Seconded: DM

4.2. Minyirr Buru (In Town) Management Plan Endorsement

Minyirr Buru (In-Town Conservation Estate)

REPORT RECOMMENDATION:

That Yawuru Park Council:

- ~~1. Endorse the Minyirr Buru (In Town) Management Plan for Ministerial approval~~
1. *Endorse the version of the Minyirr Buru (In Town) Management Plan, distributed by Shire of Broome on 15 December 2017, incorporating Kimberley Ports Authority amendments, for Ministerial approval.*

Moved: AN

Seconded: DB

(Version 9.2v2 endorsed)

4.3. Weed Management in Minyirr Buru Conservation Park (Agenda Item noted).

4.4. Environs Kimberley – Old Cable Beach Revegetation Project

Minyirr Buru (In-Town Conservation Estate)

REPORT RECOMMENDATION:

That Yawuru Park Council:

1. Support Environs Kimberley's Project Plan within Minyirr Buru Conservation Park and
2. *Shire of Broome to advise if the requested in-kind support from Environs Kimberley is supported by Council or not, for the next Yawuru Park Council.*

Moved: AN

Seconded: DB

5. Cable Beach intertidal zone (Yawuru, Parks & Wildlife, Shire)

6. Out of town and Roebuck Bay areas (Yawuru, Parks & Wildlife)

7. Reports

7.1. November Financial Statement 17/18 Budget Forecast Endorsement

Moved: HT

Seconded: DB

8. Other matters and correspondence

9. Next meeting

14th Feb 2018

10. Close of meeting

12:00PM

Action	Outcome / Recommendation	Lead	Group	Date	Completed
3.3 Fee Waiver (25 August 2017)	DBCA to provide YPC WG with data collected on rubbish and estimated cost of waste disposal	DBCA	YPC WG		
3.3 Fee Waiver (25 August 2017)	YPC WG to discuss and progress broader rubbish strategy in CE	YPC WG	YPC WG		
3.1 Cultural Immersion (15.11.17)	Per head cost for Cultural Immersion be sent to Joint Management Partners	NBY	YPCWG	Next YPCWG \$220 – 2017 cost to be confirmed for 2018	
4.2 (15.11.17)	NBY / YPC to write to DPLH seeking funding to undertake heritage survey for proposed Gantheaume / Kavite Road realignment	NBY			
4.3 Public Liability Works at GP (15.11.17)	Additional quotes on work sought Project Brief and plans to be presented	DBCA SOB	YPC	Next YPC (14.02.18) DBCA secured \$5K of non-YPC funds.	
4.4 DEMCO (15.11.17)	SoB to provide quotes for CE / Simpson Beach to DoL: <ul style="list-style-type: none"> • Provide and install bollards / chain • Signage • Emu bob 	SoB	YPC		

Action	Outcome / Recommendation	Lead	Group	Date	Completed
4.4 (20/12/2017)EK MVT Project	SoB to confirm in kind support for EK MVT Project	SoB	YPCWG		
4.1 (20/12/2017) Prescribed Burning in Minyirr Buru Conservation Park	Letter of support for DBCA prescribed burning on non-CALM land	NBY/SOB	YPCWG		
4.2 (20/12/2017) Endorsement of Minyirr Buru Management Plan	Finalise Minyirr Buru and commence public distribution / printing	DBCA / SoB	YPCWG		
20/12/2017 Crab Creek Road	HT requested Masterplan of Crab Creek area	DBCA			



NOTE: This document is in DRAFT form.

Further consultation with Yawuru RNTBC, the Shire of Broome and DBCA is required.

This draft currently has no formal status or approval.

Draft Joint Management Plan for the Yawuru Minyirr Buru Conservation Park.

Version 9.2

IN CONFIDENCE
Not for Distribution

Joint Management Plan for the Yawuru Minyirr Buru Conservation Park

Draft: V9.2 – November 2017

A Management Partnership
between the
YAWURU REGISTERED NATIVE TITLE BODY CORPORATE
and the
SHIRE of BROOME

Page 2

Version 9.2
13 November 2017

This page left blank intentionally

Version Control

Date	Year	Version	Comments
6-10 February	2012	Development	First Broome visit- workshops, field trip and meetings with Yawuru/ Shire/ DBCA.
26-30 March	2012	Development	Second Broome visit- workshops, field trips and meetings with Yawuru/ Shire/ DBCA
10 April	2012	Development	First draft of: a) enjoyment of country and customary practice; b) commercial tourism; c) fire; and d) drainage circulated to Yawuru/ Shire/ DBCA through Yawuru Park Council working group.
16-20 April	2012	Development	Third Broome visit. Workshops, field trips and meetings with Yawuru/ Shire/ DBCS.
26 April	2012	1	First draft circulated to Yawuru, Shire and DBCA through Yawuru Park Council Working Group
10 May	2012	1 A	Amendments from discussions with Yawuru and Sarah Yu.
24 May	2012	1 B	Amendments following DBCA review.
8 June	2012	2	Second draft circulated to Yawuru, Shire and DBCA through Yawuru Park Council Working Group.
12 June	2012		Workshop/ handover of draft scheduled for Yawuru/ Shire cancelled (to be rescheduled for August TBC).
19 July	2012	2 a	Update to document control section and removal of some incorrect referencing. Circulated to Yawuru/ Shire/ DBCA through Yawuru Park Council working group.
9 October	2012		Workshop/ presentation to Yawuru Board, Shire of Broome Councillors and staff.
13 March	2013		Received CCS strategic report from Shire of Broome for tabling at next YPC meeting.
15 May 2013	2013		Shire of Broome confirmed that the CCS strategic document is the position of the Shire (excluding the recommended next stages).
July	2013	3	Updated to align with CCS Strategic information and updated Out of Town / Marine and Intertidal plans.
20 March	2014	4	Update of V3 framework as developed by YPCWG (19 March 2014).
April	2014	5	Update as requested by YPC meeting (7 April 2014).
11 December	2014	6	Senior Officer Group (SoG) to confirm Version Control to progress plan from 12 December 2014.
October	2015	7	Updated draft for stakeholder group comment and review.
July	2016	7.1	Incorporation of comments from stakeholder group ahead of endorsement.
July	2016	8	Updated draft based on ongoing discussions with stakeholder group.
19 July	2016	8.1	Minor edits ahead of Yawuru Board and Shire of Broome Council meetings
July	2017	9	Suggested changes based on comments received during the community consultation process (11 May – 23 June)
02 November	2017	9.1	Incorporation of changes suggested during community consultation process, addition of maps, photos and other figures

13 November	2017	9.2	Additional photographs
Please note all Versions were progressed via the Yawuru Park Council Working Group (YPCWG). Representatives include Yawuru RNTBC, Shire of Broome and Parks and Wildlife.			

The Yawuru Minyirr Buru Conservation Park Joint Managers Senior Officer Group (SOG) comprising the Yawuru NBY General Manager, the SoB CEO and the West Kimberley Manager of the Department of Biodiversity, Conservation and Attractions declare that this is the correct version for the Joint Management Partners to progress and finalise.

	Peter Yu		Sam Mastrolembo		Craig Olejnik
	Chief Executive Officer		Chief Executive Officer		West Kimberley Manager
	Yawuru Nyamba Yawuru Pty Ltd		Shire of Broome		Department of Biodiversity, Conservation and Attractions
Signature of General Manager		Signature of Chief Executive Officer		Signature of West Kimberley Manager	
► Date					

Photographs © as indicated in the text.

Summary

The Yawuru Minyirr Buru Conservation Park incorporates a number of small coastal and inland reserves within the Broome Town site. These reserves are one important component of the Yawuru Conservation Estate which comprises intertidal, sub-tidal and adjacent terrestrial reserves in and around Broome and Roebuck Bay. While the land subject to this management plan is referred to as the Yawuru Minyirr Buru Conservation Park, the land is not a Conservation Park as defined in, or for the purposes of, the *Conservation and Land Management Act 1984* (WA).

The Minyirr Buru Conservation Park (Park) incorporates areas which are a living cultural landscape the Yawuru people value, use for customary practice and have a responsibility to manage. The responsibility for management of Country is of fundamental importance for the Yawuru people. The location of the reserves comprising the Park makes them of great significance for the local Broome community and visitors to Broome. In recognition of the importance to Yawuru and the Broome community, these reserves will be jointly 'owned' and managed by the Yawuru and the Shire of Broome.

With a population of approximately 15,000, and which rises to 35,000 – 40,000 or more in the high season (July – September), the coastal sites are heavily used for boat launching, swimming, fishing, sporting, sightseeing and other visitor and recreational activities. These areas are valued by the local community and contribute to the Broome lifestyle. The Park encompasses sites that are major attractions for visitors to Broome such as Cable Beach, Gantheaume Point and Minyirr Park which must be maintained to support the local tourism industry.

The close proximity of the reserves to an increasing resident population and a strong tourism industry will place increasing pressure on these sites from local people and visitors. Past use had an impact on these sites and careful and increased management is required to ensure the cultural, environmental, recreational and aesthetic values are maintained and managed for the future.

The reserves are adjacent to the Port of Broome. The Port is the only all tide port in the Kimberley and its ongoing operations and growth are essential to the local and regional economy as well as the future infrastructure capacity of the Kimberley.

This draft Management Plan has been prepared by Yawuru, the Shire of Broome and the Department of Biodiversity, Conservation and Attractions (DBCA; the Department) and outlines a range of proposed management actions for the next ten years to ensure these important areas are managed sustainably and for the use and benefit of Yawuru people, the broader Broome community and visitors to Broome.

This Plan is now released for consideration by the community and your comments on the management actions proposed for these important areas are sought. The Plan will be available for public comment for a period of three months. Following the close of the public consultation period, the Yawuru and Shire of Broome will consider issues raised in any submissions that are received and develop a final management plan.

Contents

Summary	6
1.0 Yawuru Minyirr Buru Conservation Park Management Context	10
1.1 Yawuru buru, Yawuru ngarrungunil – Yawuru Country, Yawuru People	12
1.2 The Broome Community	13
1.3 Native Title Determination and Indigenous Land Use Agreements	15
1.4 Holistic Management Across Yawuru Conservation Estate	16
1.5 Walyjala-jala buru jayida jarringgun buru nyamba Yawuru ngan-ga mirli mirli (Planning for the Future: Yawuru Cultural Management Plan) ..	18
1.6 Joint Management of Yawuru Minyirr Buru Conservation Park	18
1.7 Location and Tenure	20
2.0 Performance Assessment	23
3.0 Vision and Goals	24
4.0 Management of Yawuru Minyirr Buru Conservation Park	25
4.1 Yawuru Cultural Values	25
4.1.1 Living Cultural Landscape (KPI)	26
4.1.2 Traditional Ecological Knowledge (KPI)	28
4.1.3 Enjoyment of Country and Customary Practices (KPI)	30
4.1.4 Responsibility for Country (KPI)	32
4.2 Physical values	34
4.2.1 Geomorphology	34
4.2.2 Hydrology and Drainage	38
4.3 Ecological Values	43

4.3.1	Flora, Fauna and Ecological Communities (KPI)	<u>44</u>
4.3.2	Fire Management.....	<u>61</u>
4.4	Social and Economic Values	<u>65</u>
4.4.1	History and Heritage	<u>65</u>
4.4.2	Recreation	<u>67</u>
4.4.3	Access.....	<u>73</u>
4.4.4	Visual Amenity	<u>78</u>
4.4.5	Commercial Activities	<u>79</u>
4.5	General Management Measures	<u>83</u>
4.5.1	Asset Management.....	<u>83</u>
4.5.2	Waste Management.....	<u>85</u>
4.5.3	Information, Education and Interpretation	<u>85</u>
4.5.4	Public Participation	<u>87</u>
4.5.5	Research and Monitoring.....	<u>88</u>
4.5.6	Risk Management and Safety	<u>89</u>
5.0	Yawuru Language Glossary	<u>91</u>
6.0	References.....	<u>93</u>
7.0	Acronyms	<u>101</u>
	Appendix 1 – Tenure of Reserves within Yawuru Minyirr Buru Conservation Park	<u>103</u>

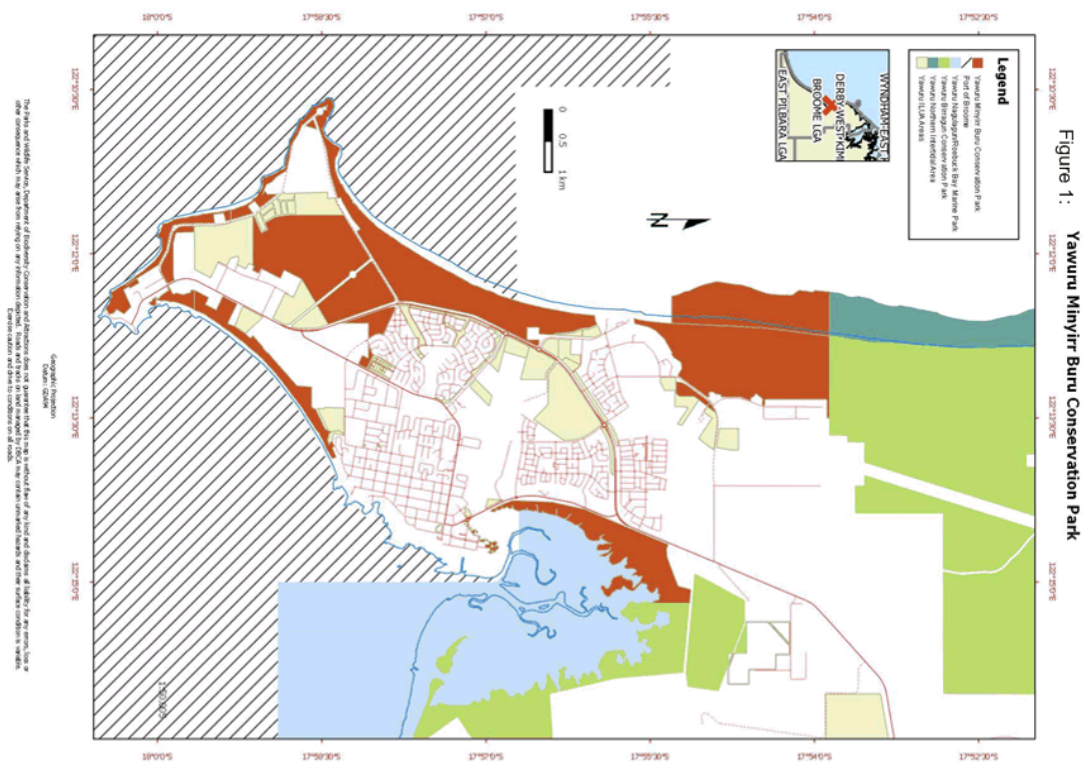
1.0 Yawuru Minyirr Buru Conservation Park Management Context

This draft Management Plan (Plan) describes the proposed management arrangements for the Yawuru Minyirr Buru Conservation Park (Park), one part of the Yawuru Conservation Estate recently established in and around Broome, Western Australia (Figure 1). This plan is proposed as one of a suite of management plans that will apply to the Yawuru Conservation Estate (Figure 5). The Yawuru Conservation Estate will be managed by the Yawuru Registered Native Title Body Corporate (YRNTBC) in partnership with a number of joint management partners. The entire Yawuru Buru Conservation Estate will be jointly managed, although the management parties and arrangements vary across the conservation estate.

This draft plan has been prepared in accordance with the Indigenous Land Use Agreements (ILUA) (2010). The Park includes a number of A-class reserves that will be jointly managed by the Yawuru RNTBC and the Shire of Broome (Shire).

The joint management principles for the Yawuru Minyirr Buru Conservation Park as documented in the ILUA are:

- i. preservation and promotion of Aboriginal cultural and heritage values of the Conservation Estate
- ii. preservation and promotion of the natural and environmental values
- iii. preservation and promotion of archaeological values
- iv. provision of recreational facilities and facilitation of recreational activities, particularly in the Townsite area
- v. regulation of public access to the freehold areas, Intertidal Reserves and Marine Park areas of the Conservation Estate
- vi. access to and use of the land by Yawuru people in accordance with their cultural and other objectives
- vii. access to, and occupation and use of, the Conservation Estate by the Yawuru people for purposes consistent with Yawuru culture and tradition, and to preserve and sustain native title rights and interests recognised in the Determination
- viii. employment, service provision and training opportunities for the Yawuru people in the administration, management and control of the Conservation Estate
- ix. commercial and economic opportunities are made available to the Yawuru community and the Yawuru RNTBC in preference to any other applicant, subject to activities being consistent with the management of the Conservation Estate
- x. implementation, monitoring, assessment and audit of the effectiveness of the Management Plan
- xi. provision, construction, repair, maintenance and replacement of buildings and infrastructure in the Coastal Park for any of the foregoing purposes, Yawuru people and the Yawuru corporations.



The Plan sets out the values within the Park, the threats, pressures and the associated management strategies. Different parts of the Yawuru Conservation Estate are subject to differing tenure and management arrangements, but the values of the terrestrial and marine areas are intrinsically linked to the values in this Plan. Planning and management will be integrated, complementary and as seamless as possible across the various components of the Conservation Estate.

Some Yawuru names (e.g. for places, plants and animals) are used throughout this Plan in italicised text. Map 3 shows some place names referred to in this Plan, and Yawuru names for places have been included as well as official names. The Yawuru place names are, however, not official or formally recognised. Note that Yawuru language can be spelt in alternative ways. A glossary of Yawuru language names used in this plan is provided in Section 5.0.

1.1 Yawuru buru, Yawuru ngarrungunil – Yawuru Country, Yawuru People

For thousands of years Yawuru people have lived along the foreshores of Roebuck Bay, across the pindan plains, as far inland as the Walan-garr (Edgar Ranges) and along the fringes of the Great Sandy Desert. Yawuru country is land and sea moulded by the cycle of seasonal change. It is a living cultural landscape with which Yawuru people have a dynamic and enduring relationship. In Yawuru law, everything comes from *Bugarrigarra*, the time when creative beings traversed the country, naming the landscape, defining the languages and setting down rules and customs. Created and given form by *Bugarrigarra*, country is the source of spirit, culture, language, and is where spirits return on death. From *Bugarrigarra* Yawuru people have responsibility to look after the country and to ensure that their traditions are passed on to future generations. Every time Yawuru people go out on country, hunting and fishing, they live culture – these activities are an expression of culture and enable Yawuru people to reconnect with country, spirit places, ancestors and *Bugarrigarra* (Yawuru Registered Native Title Body Corporate (RNTBC), 2011).

The relationship of Yawuru people to country is at the heart of their cultural responsibilities. This is expressed through *liyan* (well-being), which comes from Yawuru people's connection to country, ancestors and Yawuru way of life. It reflects a sense of belonging to Yawuru society, and represents the feeling people hold, individually and collectively, particularly when Yawuru people are on country.

Liyan is about relationships—with country, family, community. It is what gives meaning to people's lives. Yawuru people's connection to country and joy of celebrating our culture and society is fundamental to having good *liyan*.

Patrick Dodson

Mabu (good) *liyan* expresses Yawuru people's emotional strength, dignity and pride. The guiding principle for good management of Yawuru country is that Yawuru people have to maintain good, clear *liyan* with the country within the modern, ever-changing world. To ensure Yawuru people can keep *mabu liyan* they have to:

- visit country
- respect ancestors
- continue cultural traditions
- respect *Bugarrigarra*
- look after all the plants, animals and other resources that are part of country
- maintain and protect sacred places
- foster a relationship with country
- assume cultural responsibility as individuals and collectively for the future use and development of Yawuru country, and
- achieve balance between keeping things as they are and developing the country.

Yawuru people want to generate an understanding in the wider community of how Yawuru people feel about and relate to country, with respect for *Bugarrigarra* and cultural traditions and practices (Yawuru RNTBC, 2011).

For countless generations Yawuru people managed country in a sustainable way, relying on their intimate knowledge of the natural environment, and applying customary law and practices passed down from ancestors. As Yawuru people have always done, this knowledge is passed onto their children when they go hunting, fishing, gathering and camping. Understanding the subtle changes in country and following the seasons is part of Yawuru cultural heritage and provides Yawuru people with a guide to where and how to harvest and look after the resources of country. As Yawuru activities change in response to the annual cycle of the seasons, Yawuru people believe their way of living has minimal impact on the environment. They want to use this knowledge to guide and inform successful conservation and management of Yawuru land and sea (Yawuru RNTBC, 2011).

In recent times, Broome has undergone massive transformation as population, infrastructure, housing and industry have expanded. Yawuru people, the native title holders of their country, are well aware of the many challenges and opportunities such changes present for managing country and, in partnership with others, are well placed to meet them.

1.2 The Broome Community

Located at the southern gateway to the Kimberley, Broome has an extraordinary beauty, a unique cultural and natural history and is a favourite holiday destination for visitors from Australia and the world. The Shire of Broome has a resident population of approximately 15,000 and more than 35,000 –

40,000 visitors annually. Broome's major industries include cattle, pearling trade, tourism, fishing, aquaculture, agriculture, horticulture, mining and exploration, community and cultural arts. The Broome Peninsula provides the township of Broome with a coastal frontage in almost every direction.

Broome has a rich multicultural history, including Aboriginal people from across the Kimberley along with European explorers, and Malaccan (Malay), Arabian, Chinese and Indonesian fishermen. Contact with other cultures is believed to date back as far as the 1500s and Dutchman, Dirk Hartog, is credited with the first known European contact in 1616. Abel Tasman passed by in 1644.

The first Europeans known to have set foot in this region were from William Dampier's ship *Roebuck*, when he came ashore in La Grange Bay in search of water in 1700. Dampier had visited the coast on an earlier voyage in 1688, when he careened the *Cygnēt* in King Sound. Other visitors included the French explorer, Nicholas Baudin, who charted the coast in the *Geographe* and *Naturaliste* during his exploratory journey of 1801-1804, and the sailors from the *Beagle*, which lost an anchor while in Roebuck Bay in 1838 and were the first Europeans recorded as setting foot on the mangrove beaches of the Bay.

On 21 November 1883, when the town site of Broome was gazetted, the settlement at Roebuck Bay consisted of a few pearling camps along the foreshore near Dampier Creek. The camps were occupied by the Malay crews of the pearling luggers and by the European owners of small pearling boats. The first surveyed town lots formed an inverted L-shape along the peninsula and along the west-northwest alignment of the inland track, the latter giving Napier Terrace its characteristic bend. Lots 10, 12 and 13 were adjacent to the landing at the bottom of Napier Terrace and were gazetted as unnumbered reserves.

With the introduction of hard-hat diving technology, Chinese, Filipinos, Malays, Koepangers, and Japanese were recruited as divers and boat crew and Chinatown was originally known as 'Japtown' because of the large number of Japanese divers resident there, with former becoming more popular after World War 2. Many of the businesses in the area were run by Chinese, who were also cooks, gardeners and tailors.

Broome evolved as a segregated town, with wealthy pearlmen and Europeans living at one end in elegant bungalows surrounded by tropical gardens and tended by mostly Aboriginal servants. At the other end was Chinatown where the Asian and 'coloured' populations lived and played, and where much of the commercial and business activities took place. The pearling masters were distinguished by their white suits, an anachronism in a town of red dirt and bore water. With the proximity of rich pearl shell beds in Roebuck Bay and 80 Mile Beach, Broome soon became known as the pearling capital of the world.

Broome's pearling workforce was halved in 1914 with the commencement of World War 1 as men enlisted and European markets for mother-of-pearl collapsed. War returned to Broome in 1941 when the Japanese attacked Pearl Harbour and Japanese residents of Broome were interned in camps. In

March 1942, Japanese Zeros bombed aircraft in Roebuck Bay and at the aerodrome, destroying 16 Flying Boat planes. Over time, Broome recovered and the pearling industry evolved into a new market in cultured pearls in the 1950s, changing the way pearl shell was harvested as smaller live shell were collected for the pearl farms. These changes remain today.

Broome also developed as the administrative and service centre for the region. Oil exploration within the Kimberley region and offshore was headquartered at Broome, and a new deep water port and jetty were opened at Entrance Point in 1966 to cater to the growing beef export industry and larger ships. Air services expanded, a new meatworks was built in the town and Shire offices replaced the old Roads Board office in 1968. Improved services such as refrigeration and air-conditioning were available, and a new supply of fresh water, and modern sewerage and electricity facilities were installed.

Since the 1970s, tourism has expanded with increased flights to and from the town, along with improved roads making Broome more accessible. The growth of the tourism and other industries has brought great changes to the town, extending it westwards to Cable Beach as the population has expanded. Growth in population and general wealth have meant the expansion of facilities and services for residents, seen in the areas of administration, health, education, recreation, capital works, and specialist services, particularly noticeable in the area of services for the Aboriginal communities.

1.3 Native Title Determination and Indigenous Land Use Agreements

With the High Court decision in Mabo and Wik the Commonwealth Government introduced the *Native Title Act 1993* (Cwlth) (Native Title Act). Subsequently, the Yawuru people began a 12-year journey to seek recognition of their native title rights through the Federal Court of Australia and negotiations with the State Government. On 28 April 2006, the Federal Court determined that the Yawuru people are the recognised native title holders of the lands and waters in and around Broome.

History hasn't always been kind to Yawuru people. We had no say when our land, our home, was taken from us and we were pushed towards the edges. But we stayed strong and true to our culture. We can now take our rightful place in the Broome community.

Gajai Frank Sebastian (Yawuru RNTBC 2011)

In February 2010, the Yawuru RNTBC, the Government of Western Australia, the Shire and other relevant parties signed two ILUAs – the *Yawuru Prescribed Body Corporate Indigenous Land Use Agreement* and the *Yawuru Area Agreement Indigenous Land Use Agreement* (National Native Title Tribunal 2010a, 2010b). An ILUA is an agreement under the Native Title Act between a native title group and others about the use and management of

land and waters. These ILUAs resolved compensation issues and clarified that native title continued to exist for the Yawuru people. The ILUAs provide for the establishment and joint management of the Yawuru Conservation Estate.

More information on native title, the Yawuru people's journey for native title determination and the ILUAs can be found on the website for the National Native Title Tribunal (National Native Title Tribunal 2010c), on the Yawuru website (www.yawuru.com) and in the *Yawuru Cultural Management Plan*.

1.4 Holistic Management Across Yawuru Conservation Estate

While this Plan is proposed as one of a suite of joint management plans that will apply to the Yawuru Conservation Estate, the cultural, ecological, social and economic values of the Yawuru terrestrial and marine conservation reserves are implicitly linked. As such, a well-integrated management approach capable of protecting and managing the values in a culturally appropriate manner across the Yawuru Conservation Estate is required. Management objectives, strategies, performance measures and targets identified in this Plan will complement those for the other Yawuru Conservation Estate management plans.

The various components of the Yawuru Conservation Estate are subject to varying tenure arrangements and therefore a suite of management plans (Figure 2) will apply to Yawuru Conservation Estate:

- Yawuru Minyirr Buru Conservation Park Management Plan (this Plan)
- Yawuru Birragun Conservation Park Management Plan
- Northern Intertidal Area Management Plan
- Yawuru Nagulagun/Roebuck Bay Marine Park Management Plan.

These plans are all informed by the *Yawuru Cultural Management Plan*.

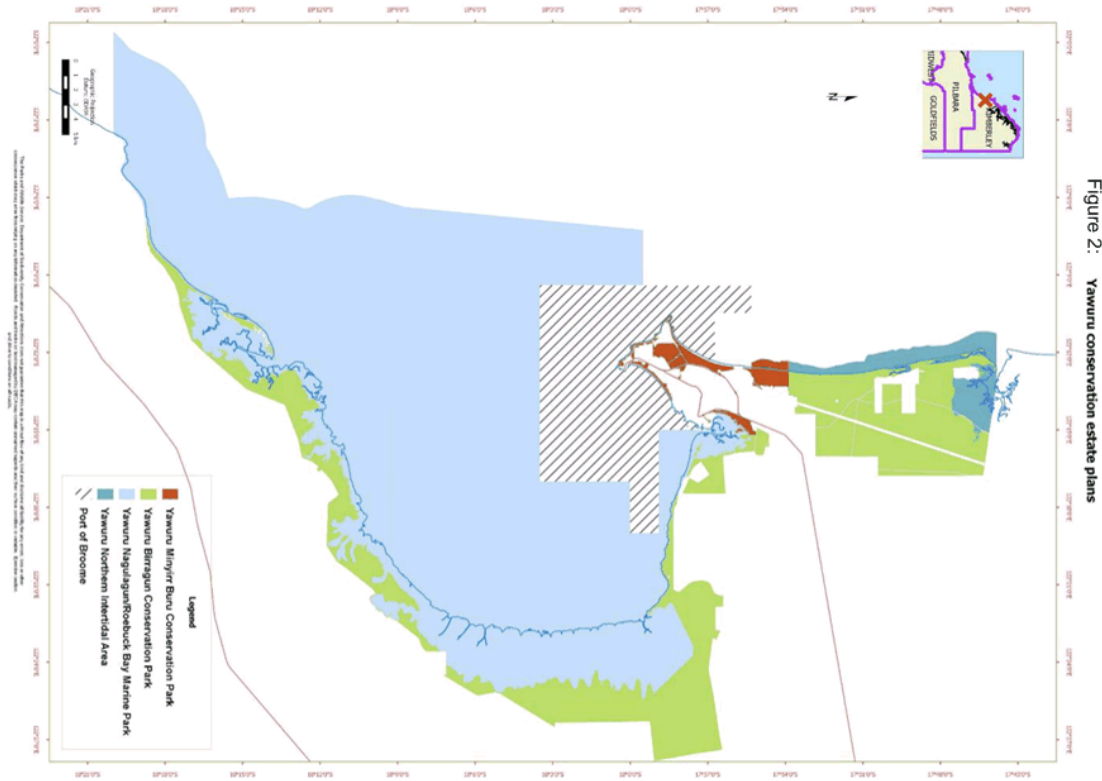


Figure 2: Yawuru conservation estate plans

Page 17

Version 9.2
13 November 2017

1.5 Walyjale-jala buru jayida jarringgun buru nyamba Yawuru ngan-ga mirli mirli (Planning for the Future: Yawuru Cultural Management Plan)

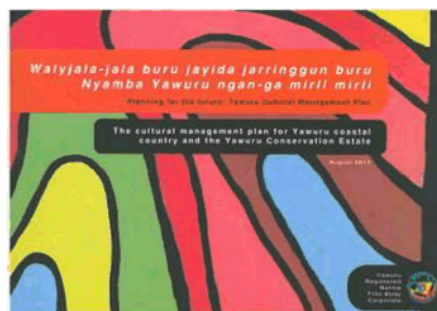


Figure 3: Yawuru Cultural Management Plan

The *Yawuru Cultural Management Plan* (Figure 3) was developed by the Yawuru RNTBC, as agreed in the ILUAs, to provide a foundation document to guide planning and management of the Yawuru Conservation Estate. The plan addresses Yawuru customs, practices and customary law, and provides detail on Yawuru policies, visions and requirements to be taken into account during the development of management plans for the Yawuru Conservation Estate.

As a comprehensive articulation of the aspirations and responsibilities of the Yawuru native title holders, the *Yawuru Cultural Management Plan* is an authoritative information source for the various joint management partners and the wider community. The development of the *Yawuru Cultural Management Plan* involved all facets of the Yawuru organisational system and it will remain a key document for the joint management of the Yawuru Conservation Estate.

The *Yawuru Cultural Management Plan* was a primary information source for many of the culturally based concepts and values outlined in the Plan. Copies of the *Yawuru Cultural Management Plan* may be obtained through Nyamba Buru Yawuru Ltd (contact details available at the end of this document).

1.6 Joint Management of Yawuru Minyirr Buru Conservation Park

In accordance with the ILUAs, the Park, comprises a number of reserves (Appendix 1), created in accordance with Section 42 of the *Land Administration Act 1997* (WA) (LA Act) to be managed for the purpose of 'conservation, recreation and traditional and customary Aboriginal use and enjoyment'. The Minister for Lands shall place the Townsite areas for care, control and management jointly with Yawuru RNTBC and the Shire of Broome under Section 46 of the *Land Administration Act 1997* (WA), with assistance to be provided by the Executive Body as per the Assistance Agreement under Section 33 (1)(f) of the *Conservation and Land Management Act 1984* (WA) (CALM Act).

In placing the care, control and management of the Park with Yawuru and the Shire through the LA Act, the local government may, as stipulated by Section 3.54 of the Act, do anything for the purposes of controlling and managing the land that it could do under Section 5 of the *Parks and Reserves Act 1895* (WA). The management of the Park will be pursuant to the *Yawuru Cultural Management Plan* and this Plan, which has been prepared in accordance with Section 49 of the LA Act and the Joint Management Agreement (JMA).

The JMA, a sub-agreement of the ILUAs, describes various management arrangements for the Yawuru Conservation Estate including management principles, roles and responsibilities for each party, decision-making processes and administrative functions. In accordance with the JMA, the Yawuru Park Council (YPC) has been established to jointly administer the management of the conservation estate. The YPC comprises representative members from the Yawuru RNTBC, the Department and the Shire, with administration of the Conservation Estate having regard to the differing joint management arrangements and associated responsibilities. The YPC's role includes:

- preparation of management plans for the jointly managed conservation estate, ensuring these are consistent with the vision and policies set out in the *Yawuru Cultural Management Plan*
- strategic monitoring of implementation of the joint management plans
- assessment of the effectiveness of joint management of the Yawuru Conservation Estate.

This Plan has been developed through the collaboration of the Yawuru RNTBC and the Shire with the assistance of Parks and Wildlife, as per the Assistance Agreement in the ILUA under Section 33 (1)(f) of the CALM Act. It will guide management of the Park for 10 years from the date of approval by Minister of Lands, until it is either replaced by a new plan, or as a result of a review initiated by either party.

Public Liability

Yawuru, the Shire and the Department acknowledge the indemnity provisions in Section 11.7 of the JMA and agree that each party is liable for its actions only and not the actions of the other parties in relation to the management of the Park.

Urgent Works

Both Yawuru and the Shire recognise the importance of protecting the Yawuru people's cultural values and culturally significant sites. However, both parties recognise and acknowledge that Shire employees may be required to undertake work in areas containing these values and/or sites in certain extenuating circumstances. Therefore, through this Plan the parties authorise Shire employees to enter such areas if required to conduct urgent works for public safety. The Shire undertakes that it will seek to contact Yawuru before these works have been undertaken to ensure there is understanding between the parties in relation to the need for and nature of the works undertaken, and to obtain advice on how the works are carried out.

1.7 Location and Tenure

The Park comprises twenty land parcels extending from the Dampier Creek Intertidal Zone, around the Broome Peninsula and north *Bilingurr* within the Broome town site boundary (Figure 4), and covers an area of 1384.6349 ha (Appendix 1); the Park includes land surrendered by the Kimberley Ports Authority.



Figure 4: Joint management (Source: DBCA)

The roles and responsibilities of the joint management partners and the YPC for the Park are described in Table 1 and Management Orders will necessitate the joint care, control and management by the Yawuru RNTBC and the Shire (Figure 4). The joint management parties may (by written agreement) add to, or subtract from the area of the Yawuru Conservation Estate. Opportunities may arise over the life of this plan to add areas of cultural or conservation value to the Yawuru Conservation Estate. These will be considered if, and as they arise.

Should land be added to the Park over the life of this plan, it will be managed consistently and in accordance with the Vision, Strategic Goals and Objectives of this Plan, until such time that more specific and detailed planning is done for the area when the Plan is reviewed.

The Assistance Agreement between the Yawuru RNTBC, the Shire and the Executive Body (Executive Director of the Department of Biodiversity, Conservation and Attractions) enables the Department to provide advice to and supply services to the Yawuru PBC and the Shire.

In addition to the Joint Managers, the Kimberley Ports Authority is a key stakeholder due to its proximity to Park lands. A formal mechanism for consultation with the Kimberley Ports Authority Park will be progressed by YPC members. The Port of Broome has played an important role in the development of Broome as the only all-tide port in the Kimberley; its ongoing operations and growth are essential to the local and regional economy.

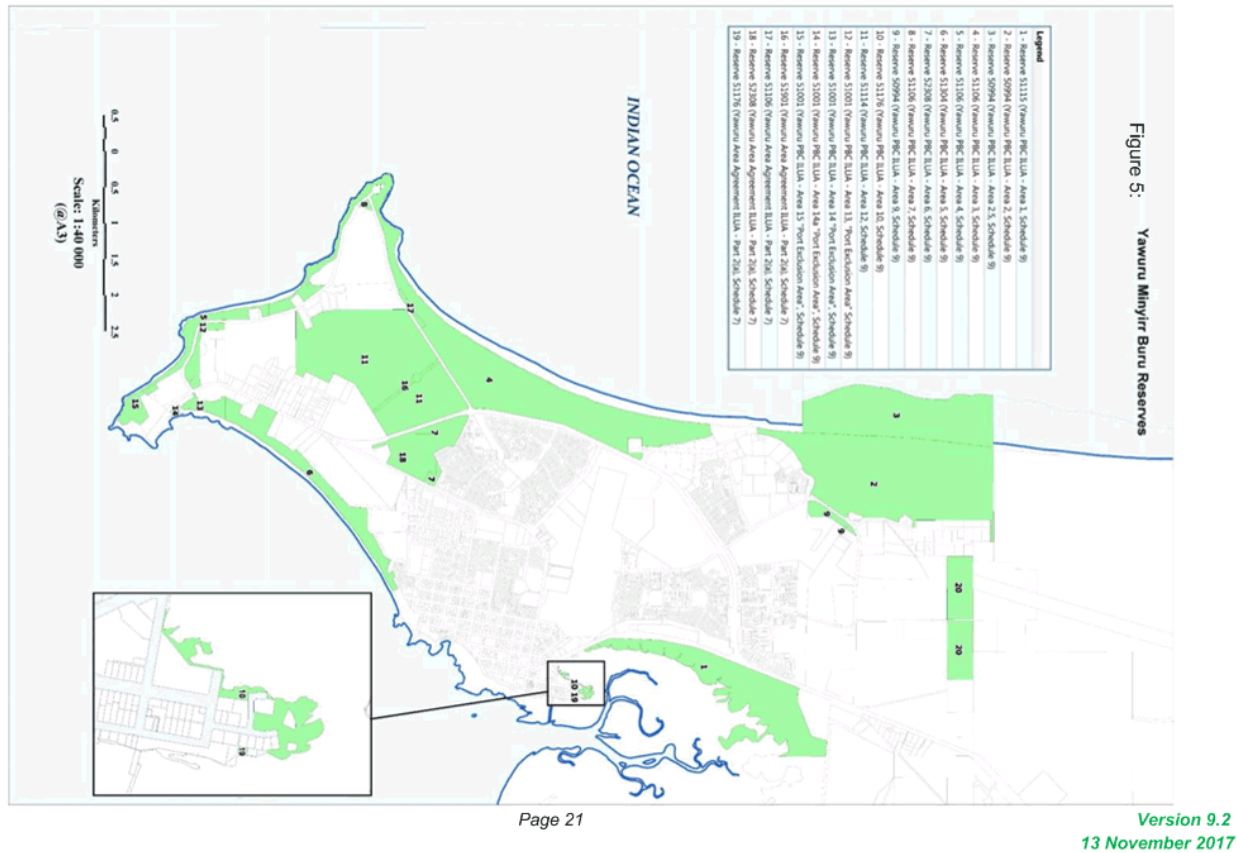


Table 1: Roles and Responsibilities

Organisation	Roles and Responsibilities
Yawuru Park Council	Established under the Yawuru ILUAs, comprises representatives from the Yawuru RNTBC, the Department and the Shire. The role of the YPC is to administer the management of the Yawuru Conservation Estate including the development, implementation, monitoring and review of the management plans for the Conservation Estate. Further detail regarding the role of the YPC is in the JMA (Clause 9.2).
Yawuru RNTBC	<ul style="list-style-type: none"> • Native title holders for lands and waters in and around Broome and Roebuck Bay; • Member of the YPC; • The ongoing protection of the cultural values identified in the <i>Yawuru Cultural Management Plan</i>; • Responsible jointly for the preparation of this Plan; and • Ongoing joint managers of the Yawuru Conservation Estate.
Shire of Broome	<ul style="list-style-type: none"> • Responsible for the local government area of Broome; • Member of the YPC; • Responsible jointly for the preparation of this Plan; • Powers and responsibilities to provide for the good governance of the district in accordance with the provisions of the <i>Local Government Act 1995</i> and its associated regulations, and other legislation; and • Responsible authority for the implementation and enforcement of Local Planning Scheme No. 6 in accordance with the <i>Planning and Development Act 2005</i>.
Parks and Wildlife	<p>Assisting in the development of this Plan and undertaking day-to-day management and implementation. The Department will provide the following support:</p> <ul style="list-style-type: none"> • Day to day management of the Park in accordance with the management plan; • Provision of qualified rangers to undertake the day to day management of the Park in accordance with the Plan; • Training and supervision of trainee rangers appointed pursuant to the program; and • Administrative support for the day to day management of the Park.

2.0 Performance Assessment

Mechanisms to assess the implementation and effectiveness of management are important components of an adaptive management framework and signal where management may need to be altered if it is not successfully meeting management objectives. The YPC will measure the success of this Plan by using key performance indicators (KPIs) and/or other surrogates as necessary.

A set of KPIs (comprising performance measures, targets and reporting requirements) have been identified for selected values and management issues – these are presented throughout the Plan in the sections where those values and issues are discussed. The KPIs chosen reflect management priorities as identified during the planning process.

As a newly established conservation area, there is generally a lack of adequately detailed information documented about the values of the area, and therefore the KPIs reflect that the description of baseline conditions is a high priority in this initial Plan. Consequently, this Plan includes KPIs that are focused on assessing achievement of management outputs (e.g. availability of baseline condition data and reports) as well as management outcomes (e.g. protection of a particular value and development of recreational infrastructure). Protocols for measuring and reporting on KPIs (e.g. details of the data required, calculation methods and data presentation) will need to be developed.

Annual reviews will occur to demonstrate the successful implementation this Plan, with a summary of information provided to the YPC annually. The following are examples of evidence of implementation of this Plan that may be used for assessment purposes:

- specific quantitative monitoring of significant assets such as special habitats and threatened ecological communities
- series of photographs, mapping or other imagery which show whether spatial and temporal changes have occurred
- checklists
- surveys
- incident investigation reports or records
- other written documents or forms.

3.0 Vision and Goals

Broome is the heart of Yawuru *birra* and *nagula buru*, land-side and sea-side country. Yawuru people have customary responsibility to look after their country (Figure 6), which is now recognised through their native title rights. The Broome area is recognised internationally for its unique ecological values, and provides social and commercial benefit to the local community and a growing number of national and international visitors.

The vision for the Yawuru Minyirr Buru Conservation Park is:

Yawuru people and their partners working together to restore, protect and maintain the cultural, natural and recreational values of the conservation estate for the enjoyment and benefit of present and future generations.



Figure 6: YPC vision for the future (Source: DBCA)

4.0 Management of Yawuru Minyirr Buru Conservation Park

Conservation and management of the key cultural, ecological, social and economic values of the Yawuru Conservation Estate is the primary purpose of this Plan, and is addressed under separate headings. This allows the development of clear management objectives and strategies for each. This section describes the main values associated with the Park, and the KPIs for those with the highest management priorities for the life of this Plan. Management strategies are prioritised as high (H), medium (M) and low (L). High priority management strategies are defined as those relating to high pressure threats and require action within 1 – 2 years, while medium priority management strategies require action within 3 – 7 years, and low priority management actions in 8 – 10 years. Some management actions will occur on an ongoing or as required basis, and have been designated as such.

A table outlining the management arrangements for each KPI is provided. Each table includes:

- a description of the management objective
- the management strategies that will be implemented, along with their nominated priority, the lead management agency amongst the joint partners (Yawuru, Shire or DBCA) or the YPC, and a reference to the *Yawuru Cultural Management Plan*
- the performance measures
- targets
- reporting requirements and the responsible lead agency.

The coastal nature of the Park means that their values and pressures occur across the wider Yawuru Conservation Estate, including the adjacent marine reserve (Yawuru Nagulagun/Roebuck Bay Marine Park) and the out-of-town areas (Yawuru Birragun Conservation Park), reemphasising the importance of integration between the four management plans for the Yawuru Conservation Estate and the need for cooperative management. Yawuru RNTBC, the Shire and The Department, as the joint management partners, have the primary responsibility for coordinating and implementing the management strategies outlined in the management summary tables under each value.

4.1 Yawuru Cultural Values

Yawuru cultural values stem from the relationships between Yawuru people and Yawuru country. Like the country itself, they arise from *Bugarrigarra*, which gave form to the landscape, determined law and gave Yawuru people the responsibility for caring for Yawuru country (YRNTBC, 2011). This section draws from the values described in Section 2.3 of the *Yawuru Cultural Management Plan* in the context of the proposed Park. Readers are strongly encouraged to refer to the *Yawuru Cultural Management Plan* to obtain a fuller understanding of these values.

Underpinning the management of each value for the Park and Yawuru Conservation Estate is the importance of the Yawuru seasonal cycle. Understanding the subtle changes within the Yawuru Conservation Estate and following the seasons is part of Yawuru cultural heritage and provides a guide as to how to look after the resources of the Yawuru Conservation Estate. This seasonal guide is fundamental in mapping, monitoring, education and the management strategies that will sustain the values of the Yawuru Conservation Estate.

4.1.1 Living Cultural Landscape (KPI)

According to Yawuru law everything comes from *Bugarrigarra*, the world-creating epoch. During this time, ancestral beings travelled through country naming places and creating the features of the land, waters and skies, introducing rules and rituals associated with particular areas, the regional languages, the seasons and their cycles. *Bugarrigarra* narratives form an intricate network of 'song lines' and 'dreaming' tracks, which traverse Yawuru country.

In this way *Yawuru buru*, or 'Yawuru country', means much more than just the physical land to which Yawuru belong. *Buru* is the physical expression of *Bugarrigarra*, in which the features of Yawuru country were formed. As *Bugarrigarra* beings created and named places they endowed them with significance. The associated narratives and rituals recount their activities and link Yawuru people to particular areas of country for all time. These narratives ascribe metaphysical meaning to all aspects of physical reality; the landscape, under the ground, the sky, the water, the diverse biota and ecosystems.

Like all living things Yawuru people are believed to arise from country. Certain places in Yawuru country have *rayi*, a life-giving essence that creates Yawuru spirit-children. This connection of a spirit-child to a specific place; its *bugarri*, is typically discovered through dreams or unusual events. Throughout life a Yawuru person remains connected to their *rayi* place, the place that gave them life.

"When we die our rayi return to that place in our country. When we visit places we know the rayi of our ancestors are there, guiding us and looking after country, watching the behaviour of our people."

(Yawuru RNTBC 2011)

Other metaphysical beings are known to be linked with certain places, but can also move around and be unpredictable. For example, *Jurru* are snake like beings associated with saltwater, fresh water and storms, that can protect or destroy Yawuru country.

Bugarrigarra is not detached from contemporary life. It continues to exist and is the spiritual force that shapes ongoing cultural values and practice, relationships, obligations and responsibilities. Life since colonial times has contributed to the continuing evolution of the living cultural landscape that is Yawuru country. The influence of the pearling industry was particularly strong, bringing Aboriginal and Asian people together as indentured labour,

living and working together and intermarrying. These events and other heritage areas including burial sites, archaeological sites of old living areas, resources sites, contemporary camping places, mission areas and places of work that shaped the lives of Yawuru people are the range of sites that make up the living cultural landscape and have become part of the Yawuru story.

Summary of Management Arrangements for Living Cultural Landscape				
Management objective	1. To ensure that activities within the Yawuru Minyirr Buru Conservation Park do not adversely affect sites and opportunities for Yawuru people to have ongoing cultural connection and expression. 2. To promote increased understanding of Yawuru values and concepts of living cultural landscape.			
Management strategies		Priority	Lead Agency	YCMP Reference
	1. Prepare a colour-coded 'Living Cultural Landscape' spatial map that indicates the significance and general location of culturally significant areas.	H	Yawuru	1.2
	2. Develop operational protocols and similar to enable the appropriate management of activities.	H	Shire	
	3. Ensure cultural heritage sites are protected, in particular highly significant and sensitive sites at immediate risk.	Ongoing	Yawuru	1.5, 3.2
	4. Assess human activities that may inhibit the protection of the living cultural landscape in accordance with the operational protocols.	Ongoing	Yawuru	3.4
	5. Develop and implement a cultural education and interpretation programme that considers appropriate communication actions including signage.	M	Yawuru	1.1
Performance measures	1. Preparation of the Living Cultural Landscape map and operational protocols. 2. Information, education and interpretation program for the Yawuru Minyirr Buru Conservation Park incorporates material about the values and concepts of living cultural landscape.			
Targets	1. No deterioration of important sites as a result of human activity. 2. No deterioration of opportunities for ongoing cultural connection to the Yawuru living landscape for Yawuru people. 3. Visitors have been provided with opportunities to increase their understanding about Yawuru values and concepts of living cultural landscape.			

Page 27

Version 9.2
13 November 2017

Summary of Management Arrangements for Living Cultural Landscape

Reporting requirements	Annually	DBCA
------------------------	----------	------

4.1.2 Traditional Ecological Knowledge (KPI)



Figure 7: Yawuru seasons

Like many Indigenous peoples across the globe, Yawuru have a deep understanding of the flora, fauna, landscape features, seasons (Figure 7) and cycles that make up their country, and changes that have occurred over time. Developed over millennia, this knowledge is deeply embedded within Yawuru culture and is often expressed through the stories and law that govern the relationships between people and country. Having used this knowledge to not only live off the land, but to sustain this lifestyle for thousands of years, there is much for modern conservation science to gain from traditional ecological knowledge.

Similar to other aspects of Yawuru life and resource harvesting, knowledge of resources is largely underpinned by the six Yawuru seasons and the life cycles of individual species. Cultural rules and responsibilities established from this knowledge provide guidance on the use of country, such as what and when particular species should be harvested, how to tell they are 'fat' or 'ready', who should not eat certain resources, and not wasting resources.

Broome Climate and weather

The climate experienced in Broome is tropical, with a wet (*Man-gala*) and dry season. The Bureau of Meteorology (2017) describes the climate at the Broome Airport (Station ID 003003) as:

- average rainfall is 609.3 mm pa, with the majority falling between December and March
- average maximum temperature ranges from 28.9 °C in the dry season to 34.3 °C in the wet season, with the highest recorded maximum being 44.8 °C
- average minimum temperatures range from 13.7 °C in the dry season to 26.5 °C in the wet season, with the lowest recorded minimum being 3.3 °C
- predominant wind directions include westerlies, easterlies and south-easterlies. The average wind speed is 18.2 km/h with gusts of more than 150 km/h possible during cyclones (*wangal jarrangu*).

In contrast, the Yawuru recognise six seasons (Figure 5):

- wet season, December to March (*Man-gala*)
- April to May (*Marrul*)
- May (*Wirralburu*)
- cold season, June to August (*Barrgana*)
- warming up season, September to October (*Wirralburu*)
- late October to November – December (*Laja*).

Summary of Management Arrangements for Traditional Ecological Knowledge				
Management Objective	To apply Yawuru traditional ecological knowledge and integrate it with modern conservation science and land management.			
Management Strategies	1. Develop processes and protocols for consulting and integrating Yawuru traditional ecological knowledge in the management of the Park. 2. Develop a database of the most important elements of Yawuru traditional ecological knowledge and investigate opportunities for integrating this with conservation science and land management.	Priority M H	Lead Agency Yawuru Yawuru	YCMP Reference 2.3, 3.4 2.3
Performance Measure	1. Protocols developed. 2. Database developed.			
Target(s)	1. Traditional ecological knowledge is incorporated into ongoing management activities.			
Reporting requirements	Annually	DBCA		

4.1.3 Enjoyment of Country and Customary Practices (KPI)

Although Yawuru country extends more than a hundred kilometres inland, Yawuru consider themselves to be saltwater people as they would travel and live along the coast, exploiting the resources of *nagulagun buru*—their sea country—according to seasons. Therefore, the ability to access to the coast and sea within Conservation Estate for customary practices is particularly important (Figure 8). As the recognised traditional owners of Yawuru country, Yawuru people have the right to enjoy Yawuru country and maintain their customary practices; however, it is noted that it is also important for traditional owners to consider the safety, security and environmental obligations of neighbours and partners, particularly those of the Kimberley Ports Authority.



Figure 8: Access to country (Source: Brand, 2015)

"We took the boys out to Kunin today. I had the best day. I feel so good. I been on country today and I will sleep good tonight."

Gajai Frank Sebastian
(Yawuru RNTBC 2011)

Summary of Management Arrangements for Enjoyment of Country and Customary Practices				
Management Objectives	To recognise and support the right of Yawuru people to continue customary practices and to benefit from their country consistent with the purpose for the Park.			
		Priority	Lead Agency	YCMP Reference
Management Strategies	1. Identify factors that may inhibit the Yawuru people to enjoy country or maintain customary practices.	H	Yawuru	4.4
	2. If required, develop special access arrangements needed for continuance of customary practices.	L	Yawuru	4.4
Performance Measures	1. Identification of factors.			
	2. Development of protocols, if required.			
Target	1. Factors identified.			
Reporting requirements	Annually		DBCA	

4.1.4 Responsibility for Country (KPI)

"The people, the land, and the Law are three aspects of the same thing. We have a duty to look after them all, and looking after one means looking after the other two as well".

Joseph Nipper Roe Ngulibardu
(cited in Yawuru RNTBC 2011)

Yawuru customary law and responsibility for country is derived from *Bugarrigarra*. Through this, Yawuru people maintain the right to 'speak for and look after' Yawuru country. The relationship of Yawuru people to their country is dynamic and the country is considered to be animated and often unpredictable. The country itself, and the forces that lie within, must be respected and it is the responsibility of the Yawuru people to use its resources sustainably and ensure the protection of the country and family and others who visit. This goes to the heart of maintaining good *liyan* with the country. If Yawuru people or others do the wrong thing there will be serious consequences for Yawuru people and their families.

Central to this responsibility is looking after sacred and significant areas. To Yawuru people, significance refers to cultural heritage in the broadest terms and includes the intangible values of country and heritage (Figure 9). Such areas include:

- cultural (*Bugarrigarra*) areas (sites, tracks, areas), which may have cultural access restrictions, including suitable buffers
- registered sites
- *rayi* sites (birth and origins; where child spirits arise from the country)
- burial sites
- seasonal hunting, fishing and harvest areas for specific species
- traditional camping areas
- water sites
- historical sites
- archaeological sites.

As part of responsibility for country, access to certain culturally sensitive areas must be restricted to persons who have special cultural authority. The need for special access restrictions to certain parts of the Conservation Estate is recognised in the ILUA and the JMA, and provisions have been incorporated into this Plan accordingly.



Figure 9: Cultural heritage (*Bugarrigarra*)
Source: DBCA

Summary of Management Arrangements for Responsibility for Country				
Management objective	To facilitate and maintain the opportunity for Yawuru to carry out their roles and responsibilities as protectors and managers of their country and culture.			
		Priority	Lead Agency	YCMP Reference
Management strategies	1. Ensure Yawuru has access to country for management purposes.	Ongoing	DBCA	3.1
	2. Continue to develop the Yawuru Ranger Program and investigate the authorisation of officers for enforcement activities such as vehicle usage in prohibited areas and camping.	H	DBCA	
	3. Develop operational protocols to enable the appropriate management of activities.	H	Shire	3.5
	4. Investigate opportunities to increase the number of Yawuru RNTBC members involved in management of the Park (including, for example, exploring opportunities for traditional owners as cultural rangers).	M	Yawuru	3.1
Performance Measure	1. Access to country maintained. 2. Yawuru Ranger program expands. 3. Operational protocols developed.			
Target	Yawuru continues to have access to country for management purposes.			
Reporting Requirements	Every two years		DBCA	

4.2 Physical values

4.2.1 Geomorphology

The Park comprise striking and richly diverse coastal and geomorphologic features. The Kimberley coast has an ancient geology and distinctive irregular topography of rugged red cliffs falling away to white and pink sandy beaches (Eliot and Eliot, 2008). The Dampier Peninsula lies in the northern part of the Canning Basin and is part of a sedimentary coast. The oldest outcropping rock in the area is the Broome Sandstone, a formation deposited approximately 145 million years ago (Semeniuk, 2008). Red sand plains cover much of the Broome Sandstone (Pepping *et al.* 1999) and were deposited through sheetwash during seasonal flood episodes and by wind (Vogwill, 2003). The Fitzroy Trough and Pindanland are the two sub-

regions that make up Dampierland (McKenzie *et al.*, 2002) with Broome lying on the coast of Pindanland. This sub region is mainly formed from sandstone which supports pindan vegetation on the plains and hummock grasslands on the hills (McKenzie *et al.*, 2002). The following description of some of the key geomorphology features of relevance to this Plan has been largely drawn from the work of Graham (2001) and Semeniuk (2008) unless otherwise indicated.

Sand Dominated Beaches and Dunes (*Niyamarri*)

In contrast to the adjacent tidal creeks and embayments, the shelly sand beaches and high dunes along Cable Beach have been created under contemporary high energy deposits. Seasonal reworking of sediment and landform change is a natural occurrence in this highly dynamic coastal environment. The sparsely vegetated beach sand dunes are susceptible to erosion, and high vehicle or pedestrian access across these landforms exacerbates the issue.



Figure 10: Reddell Beach (Source: DBCA)

Cliffs of Broome Sandstone and Semi-hardened Red Sand

Red cliffs of pindan sand over Broome Sandstone occur along the shores of Reddell Beach (Figure 10) and Simpson Beach. The weakly consolidated pindan soil is very prone to erosion once it is wet. Erosion of the cliffs by wave activity is a natural process. Similarly, natural erosion of pindan from the land surface occurs following heavy rain during the wet season. These natural processes are; however, exacerbated by increased water run-off from roads and sealed surfaces providing access in this area. Deep gully erosion is problematic at several sites along the coast, especially around access points to Reddell Beach and Simpson Beach.

Fossils

The Lower Cretaceous Broome Sandstone contains numerous fossils, including those of extinct plants and the greatest variety of dinosaur footprints of any area in the world (DSEWPC, 2011a; Kenneally *et al*, 1996). Dinosaur footprints are located along the Broome coastline, including the intertidal zone that abuts the Minyirr Buru conservation Estate. The fossils of the Dampier coast are one of the features contributing to the west Kimberley being recognised for its outstanding heritage value to the nation through its inclusion on the National Heritage List (DSEWPC, 2011a, DotE, 2015a). Fossils and subfossils of marine invertebrates were used to assist with characterising the coastal Holocene formations of the area (Semeniuk, 2008). The YPC WG acknowledges the significance of the dinosaur tracks in the intertidal zones abutting the conservation estate.

Existing and potential pressures on geomorphology values

The main pressures on the geomorphological values described above are either from activities or developments that cause direct physical damage to landforms or disturb the sedimentary and hydrological processes that maintain them. These include:

- access and physical disturbance by vehicles and pedestrians
- channelled runoff from roads and drainage culverts forming deep erosion gullies, leaving cliffs susceptible to collapse
- loss of vegetation, erosion, soil compaction and localised changes to water drainage as a result of camels and horses
- mineral exploration and mining activities, along with those associated with petroleum exploration
- urban development and associated infrastructure in coast areas, including dredging, dredge spoil and urban drainage networks.

The extraction of sand, gravel and other raw materials, along with continued development within the coastal sector has the potential to affect geomorphic features and processes within the Park. Planning and development proposals within the Park must be assessed for potential effects on the geomorphological values of the Conservation Estate. Activities and developments with the potential to indirectly affect geomorphology (e.g. changes to drainage networks, and modifications to coastal sediment transport processes) need to be considered in addition to those that would cause direct physical disturbance.

Summary of Management Arrangements for Geomorphology				
Management objective	The geomorphology and geomorphic processes that the maintain the cultural and ecological values of the Park are not adversely altered by human activity.			
		Priority	Lead Agency	YCMP Reference
Management strategies	1. Ensure that potential adverse effects on geomorphic features (e.g.: dinosaur tracks, fossils, rock formations), and processes from development and management activities are taken into account and mitigated.	Ongoing	DBCA	3.2
	2. Implement strategies to address adverse or potential effects on geomorphology from inappropriate vehicle and pedestrian access as required.	L	Shire	3.2
	3. Undertake research activities to characterise the geomorphic features and processes and their associated ecological function.	L	DBCA	3.4
	4. Ensure appropriate coastal setback distances are used when developing recreation and other infrastructure within the Park.	Ongoing	Shire	3.5
Performance Measures	1. Assessment of current levels of impact to geomorphic features and processes. 2. Potential adverse effects on geomorphic features and processes are mitigated.			
Targets	1. Impact assessment activities completed. 2. Integrity of geomorphic features and processes are maintained. 3. Consideration of geomorphic features and processes occurs early in the planning phase of management activities.			
Reporting Requirements	Every two years		DBCA	

4.2.2 Hydrology and Drainage

Water Resources

High water quality and the protection of natural water flows are essential in maintaining healthy ecological systems within the Park. Water flows within the Park and the Yawuru Conservation Estate as a whole are strongly influenced by tropical cyclones and monsoonal troughs around the *Man-gala* (wet) season. The cyclone season generally lasts from November to April and while these events can damage the ecology of the Park, the intense rain periods are important to the Kimberley ecosystems, replenishing water reserves in springs and the Broome sandstone aquifer (Water and Rivers Commission, 2001), as well as influencing oceanic tides, waves and currents.

Surface water flow to the coast is seasonal and reflective of heavy rainfall over *Man-gala*. Due to the largely flat landscape surrounding Broome, surface water generally flows in sheets rather than in well-defined channels. Some low-lying areas in the Yawuru Minyirr Buru Conservation Park, such as Minyirr Park between Gantheaume Point Road and the dune system, retain water for some time, pooling on the surface in the wetter months. Some small temporary streams become active over *Man-gala*, for example seasonal streams will flow into the Dampier Creek and into drainage channels on Roebuck Plains (Matthews, *et al.* 2011 and Oldmeadow, 2007). The occurrence of water in the springs, soaks and other *bilarra* (wetlands) of the Yawuru Conservation Estate vary throughout the year, reflecting the seasonal changes in surface and subsurface water levels and flows.

"Water is the life for us all. It is the main part. If we are gonna lose that water.... everything will die. That's the power of water. He connect with the land. Bugarrigarra put im all together. One life."

(John 'Dudu' Nangkiriny, pg. 188, YRNTBC, 2011)
KARIJARRI MAN

"There is water right back to the Pindan country – all our jila (permanent waterholes), from reef back to birra (inland) have got stories. The underground streams feed the jila"

(Jimmy Edgar, pg. 73, YRNTBC, 2011)

The Broome Sandstone Aquifer is the primary water supply for the Broome town site and for horticultural, pastoral and other land use in the Broome surrounds (Water and Rivers Commission, 2001). Groundwater flows generally to the south and the west due to the south-westerly dip of the Broome Sandstone (Vogwill, 2003). Near the coast and extending several kilometres inland, a wedge of salt water lies beneath the freshwater in the Broome Sandstone (Laws, 1991). Freshwater also occurs in the coastal limestone, coastal dunes and the Pleistocene red sand dunes. Depending on the local conditions such as the presence of tidal mud flat and variations in the topography of the sandstone, this water may be contiguous or separate from the Broome Sandstone groundwater (Semeniuk Research Group, 2011). A small local aquifer within the coastal dunes to the north of Broome has also been identified as providing a considerable source of recharge to the Broome Sandstone (Laws, 1991).

Maintaining high water quality while supporting the natural fluxes in water quantity and flow is of critical importance in protecting the key values of the Park. The interconnection of groundwater with landforms along the coast produces a unique array of important freshwater seepages and wetlands (Matthews *et al.*, 2011, Semeniuk Research Group, 2011). Many species inhabiting these areas have restricted distributions, occurring only in areas of surface or near surface freshwater. Freshwater also discharges to the low tidal and rocky shore zones in some areas, commonly creating brackish water microhabitats which support species such as the mangrove *Avicennia marina* (Matthews *et al.*, 2011).

The major management concerns for the hydrology values of the Yawuru Conservation Estate are the abstraction of groundwater and pollution. Water removal needs to be managed in a way which does not significantly affect the amount of water available for flora and fauna, cause saltwater intrusion into naturally low saline areas or change natural drainage and flow patterns (Matthews *et al.*, 2011). Unsustainable abstraction also has the potential to cause long term changes in the direction of groundwater flow, affecting species and ecosystems which rely on groundwater, particularly the mangroves and habitats in the intertidal zone (Vogwill, 2003).

There is limited knowledge about the parameters of acceptable change in water regimes. The *jila*, other *bilarra* and many ecological values associated with these are totally or significantly groundwater dependent, for example, the unique fringing linear *Melaleuca* thickets are found where the fresh water at the edge of the pindan terrain intersects with the muddy upper shore tidal flat zone, causing interaction of hinterland groundwater and tidal flat carbonate mud (Semeniuk Research Group, 2011). There is a need to improve and better quantify understanding of the water requirements and regimes that are needed to sustain groundwater dependent ecosystems and species. This knowledge will provide information needed for management, and assist in making sure that water abstraction is within ecologically sustainable parameters.

At present, a strategic water monitoring program has not been implemented within the Park. If implemented, such a program would aid in determining whether activities are or have the potential to significantly affect local hydrology and habitats within the Yawuru Conservation Estate.

Drainage

The town of Broome lies within an important wetland network with sensitive natural drainage systems (Semeniuk Research Group, 2011). Increased urban development has resulted in an increase in stormwater runoff from built up areas. Effective drainage is necessary to protect buildings from damage and facilitate access around the town site after heavy rainfall (Figure 11). The largely vegetated areas of the Park provide an important drainage sink for high rainfall events, however this has potential to impact on cultural and ecological values if not managed properly.

In Broome there are currently a number of drainage outlets along the Peninsula. Broome's location on a peninsula surrounded on three sides by receiving water bodies means that there will always be a need for stormwater drainage to flow through portions of the Park. Drainage from the Port will also need to flow through the Park. It will be necessary to manage this drainage in accordance with best practice principles, to reduce potential negative impacts on the Park.

When drainage design neglects to consider aspects of natural water flow and the environmental characteristics of the area, the possibility of negative impact to surrounding values is increased. Further research into the natural water flows in Broome and surrounds as well as investigation into best practice surface water drainage designs is fundamental in protecting the values of the Yawuru Conservation Estate and the town of Broome. The Shire is currently preparing a District Stormwater Management Strategy which will consider stormwater runoff patterns and investigate ways to improve the existing drainage network to reduce negative environmental impacts.



Figure 11: Drainage management
Source: DBCA

Potential Pressures on Hydrology and Drainage Values

Potential pressures include:

- over abstraction of groundwater
- knowledge gaps of the ecological water requirements of groundwater dependent species and communities
- pollution and/or contamination of surface, groundwater, embayments and wetland
- any activity or development that has the potential to significantly change the natural water regimes
- high and/or extended water inundation
- deposition of large amounts of sediment into the reserves
- erosion

- weed infestation
- direct and indirect effects on fauna and flora communities
- rubbish build up from storm water flows into the Yawuru Minyirr Buru Conservation Park.

To ensure that the values of the Park are not affected by abstraction of groundwater, water removal needs to be at a level that does not:

- significantly change the amount or quality of water available for flora and fauna, particularly for species that are fully or highly groundwater-dependent
- cause saltwater intrusion into naturally less saline areas
- change natural drainage flows and patterns.

At present, there is no need for abstracting groundwater from the Park for management purposes, and it is expected that this will continue to be the case over the life of this Plan. Many of the Park's values are groundwater-dependent and may therefore be vulnerable to changes in regional groundwater, a resource which is subject to increasing and competing demands. Over-abstraction of groundwater from the Broome Groundwater Area is the likely cause of an increase in groundwater salinity along the coast, and at depths of about 100 m below ground further inland (Searle, 2012). The Department of Water has initiated several measures to address this situation, including reduced levels of abstraction from some production bores within the town water supply reserve, bore field redesign, research and monitoring program amendments, and a review of the existing *Broome Groundwater Management Plan* (DoW 2010a; Searle, 2012).

There is a need to increase understanding of the water requirements and regimes that are needed to sustain groundwater-dependent ecosystems and species and to maintain *biljarra* in a healthy condition. Regional water resource management plans include several strategies aimed at addressing this situation (DoW 2010a, 2010b, 2012).

In the absence of appropriate risk avoidance and mitigation measures, certain activities on adjacent lands and waters and/or within the Park have the potential to adversely affect water quality in the Conservation Estate. Prevention of water pollution is an issue that requires collaborative and cross tenure management approaches and several government agencies have responsibilities in this area.

Summary of Management Arrangements for Hydrology				
Management objectives	1. Increase knowledge of the ecological water requirements of groundwater dependent species and ecosystems within the Park.			
	2. Work with agencies that have water resource protection and management roles and responsibilities to maintain the water regimes that sustain key cultural and ecological values of the Park.			
	3. Ensure that stormwater runoff from urban development does not significantly impact the Park.			
Management strategies		Priority	Lead Agency	YCMP Reference
	1. Implement or support a water monitoring program in conjunction with the relevant water resource management agencies that improves understanding of baseline water regime conditions (i.e. quality, quantity and flow patterns) and helps to identify limits of acceptable change and ecological water requirements for groundwater dependent ecosystems/species, including further research into hydrogeology of specific areas.	L	DBCA	3.4
	2. Identify, implement or assist management interventions as needed in response to matters of concern identified through the water monitoring program.	L	DBCA	3.5
	3. Groundwater abstraction from the Park requires consent of the YPC.	L	YPC	1.5
	4. Ensure that management operations within the Park do not negatively affect natural water regimes.	Ongoing	DBCA	1.5
	5. Identify drainage needs and assess potential impacts within the Park.	H	DBCA	3.5
	6. If required, develop and implement strategies to address drainage needs and impacts within the Park.	L	DBCA	3.7
Performance Measures	7. Implement a monitoring program (e.g. of vegetation, erosion, rubbish, sediment deposits etc.) which improves understanding of the impacts associated with changes to drainage practices and infrastructure on important ecological and cultural values of the Park.	M	DBCA	3.4
	1. Maintaining availability of water quality monitoring data.			
	2. Water quality and quantity measures (e.g. nutrients, toxicants, pathogens, water levels, as per ANZECC guidelines).			

Summary of Management Arrangements for Hydrology		
Targets	3. Level of understanding of the ecological water requirements of groundwater dependent species.	
	4. Identification of drainage needs.	
	5. Development and implementation of strategies if required.	
	6. Monitoring program outcomes.	
Targets	1. If required, a strategic water monitoring program is implemented, and baseline water monitoring data for selected high risk and/or high value sites.	
	2. Water quality and quantity parameters do not exceed defined limits of acceptable change as a result of management or other activities.	
	3. The ecological water requirements of groundwater dependent species and ecosystems are maintained.	
	4. Avoid impacts within the Park due to inappropriate drainage.	
Reporting Requirements	Every two years	DBCA

4.3 Ecological Values

Vegetation types in Broome are reasonably diverse as a reflection of the geology, variety of soil types and topography of the area. Vegetation studies have found a minimum of 117 native plant species from 50 families of flowering plants in the Broome area (WADPUD, 1990; and Department of Parks and Wildlife, 2015a). These species form the basis of the fauna species in a particular location, and thus the ecological communities present. Turpin and Bamford (2010) identified 385 fauna species potentially occurring in the Broome region, this comprised 11 frogs, 82 reptiles, 255 birds and 37 mammal species. A dominant vegetation type of the Park is that of the red sandplains; acacia shrubland over grassland with a sparse upper layer of eucalypts. This vegetation and the red soils on which it occurs are both commonly referred to as 'pindan'. Other vegetation types occurring in the Park include melaleuca thickets, samphire flats, saline grasslands, mangrove communities, *Acacia bivenosa* dominated communities on coastal limestone outcrops, and wetland vegetation communities in seasonal freshwater swamps and claypans. This diversity of habitats, and particularly the inclusion of a range of coastal elements, provides important biodiversity conservation values.

4.3.1 Flora, Fauna and Ecological Communities (KPI)



Figure 12: Fringed Keraudrenia
(Source: DBCA)

Threatened and priority flora

The only threatened flora species that has been recorded in the Park recently is the Fringed Keraudrenia (*Keraudrenia exastia*) (Figure 12), which was recorded adjacent to the Port lands. This species is specially protected under the Wildlife Conservation Act 1950 (WA) and listed as critically endangered under the Environment Protection and Biodiversity Conservation Act 1999 (Cwlth) (EPBC Act).

Four priority listed flora species have been recorded within the Park, namely:

- Pindan Glycine (*Glycine pindanica* – P3), which may be locally common but is endemic to the western side of the Dampier Peninsula
- Cable Beach Ghost Gum (*Corymbia paractia* – P1), which is endemic to Broome, often occurring in the transition between coastal beach dunes and pindan sand (Kenneally et al., 1996)
- *Lophostemon grandiflorus* subsp. *grandiflorus* (P3), which occupies damp habitats around swamps and seepages (Department of Parks and Wildlife, 2015a)
- *Pterocaulon intermedium* (P3), known from northern Australia (Atlas of Living Australia, 2015).

These species do not meet the criteria for listing as threatened, but which are of special conservation interest due to a lack of information to determine if they are common or threatened.

Fauna

There are many fauna species within Broome and the Park that have important ecological, cultural and social values (Figure 13). The high diversity of vegetation within the Broome town site provides a range of habitats that support a wide variety of local and migratory fauna species. The faunal assemblages of the Dampier Peninsula show components of both the arid zone to the south and the tropical Kimberley to the north-east, reflecting the transitional climate in the area (Turpin & Bamford, 2010). The diversity of habitats near the coast is an important factor contributing to the rich bird fauna that is found in the area (Johnstone 1983). Many habitats which are quite restricted in area, such as mangroves, melaleuca thickets and other wetland habitats, are particularly important for conservation of bird diversity (Johnstone 1983; Waples 2007). As a result of this transitional zone most of the fauna species expected to occur within the Broome town site are widespread; however, some are restricted to only the Dampier Peninsula.

Deleted: No
Deleted: have
Deleted: . Th
Deleted: which
Deleted: has been recorded in the Broome town site nearby.



Flatback Turtle



Tawny Frogmouth



Frill-neck Lizard

Figure 13: Park fauna (Source: DBCA)

Most species of reptiles and amphibians recorded on the Dampier Peninsula are widespread and extend from the Kimberley south to at least the Pilbara (Storr & Johnstone 1983). Storr and Johnstone (1983) identified more than a quarter of recorded species as being northern species occurring at or near their southern limit, and eight arid zone species close to their northern limit. Important invertebrate species within Broome include crabs, other crustaceans, molluscs, echinoderms (e.g.: starfish), marine worms and other burrowing organisms. Other invertebrate species that have been classified as short-range endemics tend to have common life history characteristics such as poor powers of dispersal or confinement to discontinuous habitats. Research into short-range endemic species within the Broome area would be beneficial for the management of this fauna group.

Many of the potential impacts of human interaction and proposed developments upon fauna can be related to ecological processes and these threats are often similar for many species. Potential impacts to fauna species within the Park includes:

- increased mortality (e.g. from land clearing and expansion of road network or road kill),
- loss of habitat affecting population survival,
- loss of connected habitat affecting population movements and gene flow,
- species interaction such as predators, competitors and feral animals including cane toads,
- fire, particularly uncontrolled fires, and
- light and noise disturbance.

The Yawuru native title determination recognised the Yawuru people's rights and interests as including the right to hunt and gather for personal, domestic or non-commercial communal purposes (including social, cultural, religious, spiritual and ceremonial purposes). Amendments to the CALM Act, the *Wildlife Conservation Act* (WA) and associated regulations include provisions for Aboriginal people to take flora and fauna for Aboriginal customary purposes. These provide the broad context for management of Yawuru hunting and gathering activities in the Park.

Threatened and Other Significant Fauna

A number of fauna species occurring or possibly occurring in the Park are specially protected under the *Wildlife Conservation Act 1950* (WA) and/or the EPBC Act because they are rare or likely to become extinct:

- Two species of mammal; the *wintarru* or Golden Bandicoot (*Isododon auratus auratus*) and the Bilby or *dalgyte* (*Macrotis lagotis*).
- Three species of reptile; the Airlie Island Ctenotus (skink) (*Ctenotus angusticeps*), the Flatback Turtle (*Natator depressus*) and the *gurlibil* or Green Turtle (*Chelonia mydas*).
- Ten species of bird; the Australian Painted Snipe (*Rostratula benghalensis australis*), Grey Falcon (*Falco hypoleucos*), Hutton's Shearwater (*Puffinus huttoni*), Curlew Sandpiper (*Calidris ferruginea*), Great Knot (*Calidris tenuirostris*), Greater Sand Plover (*Charadrius leschenaultii leschenaultii*), Lesser Sand Plover (*Charadrius mongolus*), Bar-tailed Godwit (*Limosa lapponica menzbieri*), Eastern Curlew (*Numenius madagascariensis*) and Red Knot (*Calidris canutus rogersi*). The latter seven are the subject of international migratory bird agreements.

Other species of the Park that are specially protected under the *Wildlife Conservation Act 1950* (WA) include the Estuarine Crocodile (*Crocodylus porosus*) and numerous migratory bird species which, in addition to those mentioned above, are the subject of international agreements such as the Japan–Australia Migratory Birds Agreement, the China–Australia Migratory Birds Agreement and the Republic of Korea – Australia Migratory Birds Agreement.



Figure 14: Turtle nest
(Source: DBCA)

Although five species of marine turtle are known to frequent the waters around Broome, only the Flatback Turtle is known to regularly nest on beaches at southern Roebuck Bay near Cape Villaret and on Cable Beach (Figure 14). The peak nesting period is from November to December and the peak hatching period is from February to March. Annual flatback turtle monitoring programs run by Conservation Volunteers Australia include the beach at the southern end of Roebuck Bay and parts of Cable Beach within the Park. Flatback turtles nest every one-to-five years so monitoring needs to occur over several years to determine population trends. Green turtles occasionally nest on the beaches in the area, but monitoring to date indicates this is rare (Conservation Volunteers Australia recorded one green turtle nest on Cable Beach during the 2006/07 monitoring period).

The Australian Painted Snipe generally inhabits shallow fresh or brackish water wetlands including temporary and permanent lakes, swamps and claypans (DSEWPC 2012b). Threats to the Australian Painted Snipe are loss and degradation of wetland habitats through grazing and trampling by stock, and weed invasion (DSEWPC 2012b).

The critical habitat for migratory shorebirds visiting the Broome area is focused on the Roebuck Bay intertidal areas within the Park, with roosts in the Yawuru Birragun Conservation Park also important. The salt pans and saltmarsh of Roebuck Plains become particularly important during spring high tides, when the intertidal roost areas contract and shorebirds are forced to find alternatives further inland.

Broome is at the southern extent of the distribution of estuarine crocodiles in Western Australia (Australian Museum 2010), although confirmed sightings are now regularly recorded from the Pilbara further south. Estuarine crocodiles occur in the mangroves and tidal creeks of the Yawuru Conservation Estate in very small numbers.

The Department maintains lists of fauna species that do not meet the criteria for listing as threatened but are nevertheless of special conservation interest. At the time of writing, there were no Priority 1 fauna species and two Priority 2 fauna species recorded in the Yawuru Conservation Estate; the Dampierland Plain Slider (*Lerista separanda*) and the Dampierland Burrowing Snake (*Simoselaps minimus*), which is endemic to Western Australia (Storr, Smith & Johnstone 2002), along with several Priority 3 and 4 species.

Threatened and Priority Ecological Communities

Two threatened ecological communities occur within the Park, namely:

- The 'monsoon vine thickets on coastal sand dunes of the Dampier Peninsula' (Figure 15), which is listed under the *Wildlife Conservation Act 1950* (WA) and the EPBC Act.
- The 'Roebuck Bay mudflats', described a species-rich faunal community of the intertidal mudflats of Roebuck Bay. According to the Roebuck Bay Working Group Inc. (undated), surveys carried out by international scientists and others during 1997, 2000, and 2002 identified 30,000 animals from at least 265 species; surveys during 2006 identified a further 26 taxa not previously encountered (Piersma *et al*, 2006).



Figure 15: Monsoonal Vine Thickets (Source: DBCA)



Three Priority 1 ecological communities within the Park are also listed:

1. The relict dune system dominated by extensive areas of *mangarr* (*Sersalisia sericea*) occurs on relict dune systems in the Broome Port extension areas and has the potential to also occur within the Park, north west of the intersection between Kavite Road and Port Drive. The *mangarr* community is believed to be a restricted plant community with a connection to the vine thickets (Beams, Docherty and Dureau 2011). The community appears to be unique within the Broome Peninsula and occurs on the crests and flanks of the relict red desert and sand dune systems that generally run in an east-west direction. The aged dune system on which the *mangarr* communities are found are geographically and potentially geologically distinct from the existing coastal dune systems. The significance of the plant community is due to the frequent incidences of mature (estimated at 100 years +) *mangarr* trees. The *mangarr* is also an important and renowned local bush food species for the Yawuru people and does not occur in such frequency and longevity in other locations (Beams, Docherty & Dureau 2011).
2. The dwarf pindan heath community of Broome coast occurs between the racecourse and Gantheaume Point lighthouse. There has not been sufficient surveying outside the Broome town site area to determine the full extent of this community (Department of Parks and Wildlife 2015b).
3. *Corymbia paractia* dominated community on dunes occurs behind dunes within the Broome township area in a transition zone where coastal dunes (with vine thickets) merge with pindan (desert) vegetation and in the port area to the north (Department of Parks and Wildlife 2015b).


Ecological Communities


Six ecological communities are recorded within the Park (Figure 16), with key features summarised in Table 2 and detailed descriptions included in the Yawuru Cultural Management Plan.

Table 2: Ecological Communities

Name	Description	Pressures	Photograph
<i>Niyamarri</i> (beaches and sand dune communities) (KPI)	<i>Niyamarri</i> is characterised by the exposed Holocene age white sand dunes running parallel to the coast along Cable Beach and northward. Older pink, Pleistocene dunes fringe Reddell Beach, Simpson Beach and eastward along Roebuck Bay (YRNTBC, 2011). The inland side of the sand dunes are often characterised by dense shrub thickets of Acacia and patches of wild grass and Spinifex. The more subdued sand dune systems in the area then often merge into sand plain surfaces with pindan via pockets of vine thicket (McKenzie, 1983). The larger dunes, such as those running along the coast within Minyirr Park provide conditions suitable for the persistence of larger vine thicket patches.	<ul style="list-style-type: none"> erosion weeds inappropriate access and recreation 	 <p>Source: Brand, 2015</p>
<i>Bundurr-bundurr</i> (Pindan)	Pindan vegetation comprises grassy woodland vegetation dominated by Eucalyptus and Acacia on the red sand plains surrounding Broome and the Dampier Peninsula (YRNTBC, 2011). The pindan communities in the Yawuru Conservation Estate are generally low open Acacia dominated woodlands, while further north on the Peninsula, there is a trend towards open eucalypt dominated forests reflecting differences in rainfall, soils and fire patterns (McKenzie, 1983).	<ul style="list-style-type: none"> fire clearing weeds altered drainage 	 <p>Source: Brand, 2015</p>

Name	Description	Pressures	Photograph
<i>Mayingan manja balu</i> (Vine thickets)	The vine thickets comprise some of the oldest and most important trees in the Broome area including the Banyan fig (<i>Ficus virens</i>) and Wild Apple (<i>Syzygium eucalyptoides</i> subsp. <i>bleeseri</i>), as well as the dominant Ebony Wood (<i>Diospyros humilis</i>), Bullet wood (<i>Mimusops elengi</i>), Ai Salo (<i>Celtis philippensis</i>) and the less dominant <i>mangarr</i> (<i>Sersalisia sericea</i>) (Kenneally <i>et al.</i> , 1996 and Black <i>et al.</i> , 2010). The semi-deciduous Currant bush (<i>Grewia Breviflora</i>) is an important smaller tree of the thickets. Throughout the thickets are many vine species such as <i>jinyjalguriny</i> Crab's Eye bean (<i>Abrus precatorius</i>), Harpoon Bud (<i>Gymnanthera oblonga</i>), <i>Jacquemontia paniculata</i> , <i>Passiflora foetida</i> (the noxious wild passionfruit weed), Snake vine (<i>Tinospora smilacina</i>), and Oyster-catcher Bill (<i>Tylophora cinerascens</i>) (Kenneally <i>et al.</i> , 1996).	<ul style="list-style-type: none"> • weeds • fire • clearing • inappropriate access and recreation • altered drainage • introduced fauna • pollution 	 <p>Source: DBCA</p>
<i>Gundurung</i> (Mangroves)	<i>Gundurung</i> White Mangrove (<i>Avicennia marina</i>) grows in a wide range of salinities and intertidal topographic positions, including in the mangal community around <i>Burgungun</i> (Semeniuk, 1983). At the seaward and creek margins it commonly occurs in conjunction with <i>biyal-biyal</i> Kapok mangrove (<i>Campostemon schultzei</i>). <i>Gundurung</i> and <i>biyal-biyal</i> also occur in the central zone of the mangal, mainly mixed with Spotted-leaved Red mangrove (<i>Rhizophora stylosa</i>) (Semeniuk, 1983). Other mangrove species recorded in the area include Club mangrove (<i>Aegialitis annulata</i>), <i>garl-garl</i> Milky mangrove (<i>Excoecaria agallocha</i>), White-flowered	<ul style="list-style-type: none"> • changes to water and sediment quality • altered drainage and hydrology • altered sedimentation • development • clearing 	 <p>Source: Brand, 2015</p>

Name	Description	Pressures	Photograph
	Black mangrove (<i>Lumnitzera racemosa</i>), River mangrove (<i>Aegiceras corniculatum</i>), Myrtle mangrove (<i>Osbornia octodonta</i>) and Ribbed mangrove (<i>Bruguiera exaristata</i>), although the latter species is uncommon (Semeniuk, 1983).		
Bundu (Saltmarsh and saline grassland)	The bundu or salt marsh tidal flats of the Yawuru Conservation Estate are generally located behind the mangroves above the high water mark. They are dominated by Marine Couch (<i>Sporobolus virginicus</i>) which is a hardy perennial grass with creeping rhizomes (Trudgen 2002), wim-gi samphire (<i>Tecticornia spp.</i>) and other low shrubs such as Speedy Weed (<i>Flaveria australasica</i>) and the mat-forming Frog Fruit (<i>Phyla nodiflora</i>) growing on the landward margins (Kenneally <i>et al</i> , 1996). The large expansive pastures of grasslands are found on Roebuck Plains; however, there are smaller bundu just inland of Dampier Creek and around Burrgungun (Morgan's camp) (YRNTBC, 2011).	<ul style="list-style-type: none"> erosion weeds development altered hydrology and drainage 	 <p>Source: Brand, 2015</p>

Name	Description	Pressures	Photograph
Murruga-yirr-garnburr (Melaleuca thickets)	There are small patches of Melaleuca around <i>Bilingurr</i> and Dampier Creek. The width and density of the paperbark communities can vary from a closed-canopy thicket to a discontinuous line of a few trees (more common within the Park). The paperbarks can reach 4 – 10 metres tall and climbers such as Mangrove Vine (<i>Cynanchum carnosum</i>), Harpoon Bud (<i>Gymnanthera oblonga</i>) and the semi-parasitic Devil's Twine (<i>Cassytha filiformis</i>) can be seen in the canopy (Kenneally <i>et al.</i> , 1996).	<ul style="list-style-type: none"> • fire • introduced fauna • weeds • altered hydrology and drainage 	 <p>Source: DBCA</p>

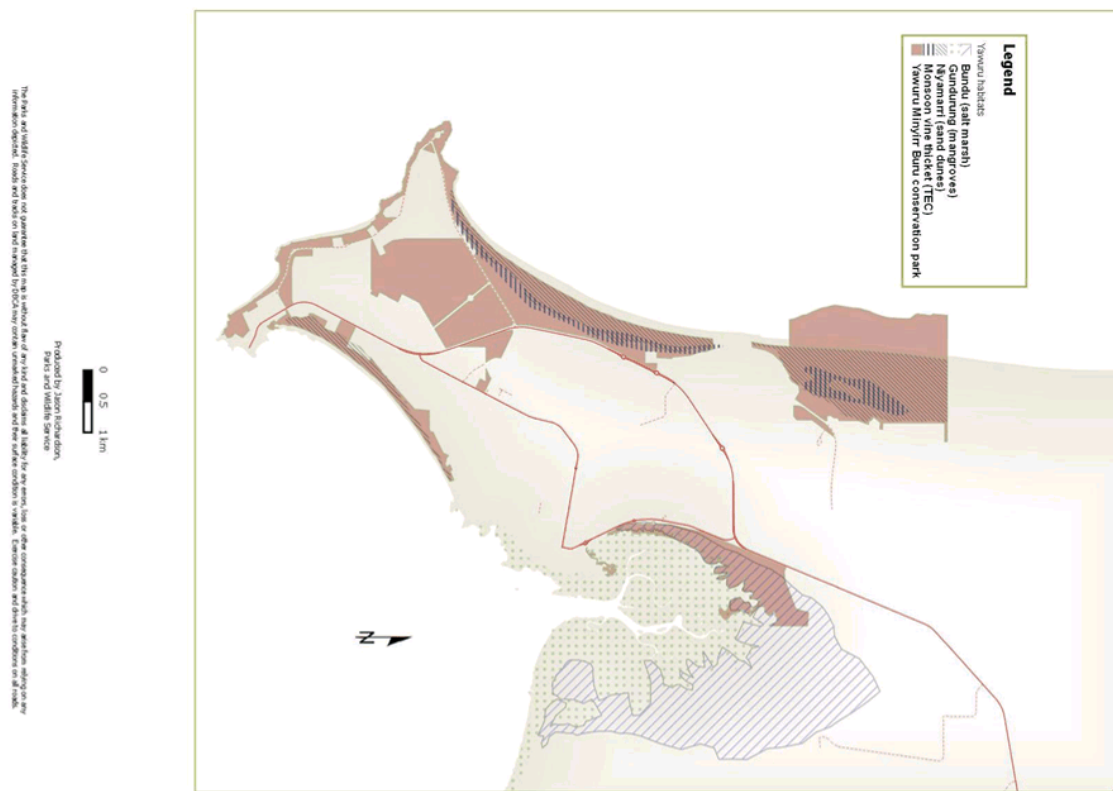


Figure 16 **Yawuru habitats**

Version 9.2
13 November 2017

Existing and Potential Pressures on Flora, Fauna and Ecological Community Values

The main existing or potential pressures on flora and fauna values of the Park are:

- habitat disturbance, degradation or loss
- weeds
- inappropriate fire regimes
- introduced fauna species that predate on or compete with native species
- recreational pressures on habitats used by specially protected species vulnerable to disturbance (e.g. migratory shorebird roosting areas)
- alterations to hydrological regimes
- pollution, including declines in water quality.

While influential in isolation, the combined effects of multiple, interacting threatening processes can leave native flora and fauna particularly vulnerable to environmental stressors. Preventing or reducing pressures is a vital facet of management needed to improve and promote the natural resilience and resistance of species and ecosystems.

Summary of Management Arrangements for Flora, Fauna and Ecological Communities				
Management objectives	1. To conserve the flora, fauna and ecological communities of the Park.			
	2. To increase understanding of the flora, fauna, and ecological community values of the Park and of the factors presenting a threat to those values.			
		Priority	Lead Agency	YCMP Reference
	1. Carry out research and monitoring to establish the baseline condition of the ecological communities within the Park and assist with identifying and managing significant threats.	H	DBCA	3.4
Management strategies	2. If required, implement strategies to minimise the effects of threatening processes on native flora, fauna and ecological communities.	L	DBCA	1.5
	3. Determine the need for access restrictions as necessary to protect flora, fauna and ecological communities, and implement as required.	L	DBCA	1.5, 3.4
		H	DBCA	3.4

Summary of Management Arrangements for Flora, Fauna and Ecological Communities		
	4. Implement research, monitoring and recovery actions for threatened and priority species and communities.	
Performance Measures	1. Survey outcomes. 2. Implementation of management strategies. 3. Outcomes of research programs.	
Targets	1. Implement key protection strategies. 2. Baseline flora, fauna, and ecological community research.	
Reporting Requirements	Every two years	DBCA

Introduced Flora Management

Environmental weeds are those plants that establish in natural ecosystems (marine, aquatic or terrestrial) and modify natural process, usually adversely and often resulting in the decline of the native communities they have invaded (Department of Conservation and Land Management, 1999). Weeds can originate from intra-state, inter-state and overseas and are declared under the *Biosecurity and Agriculture Management Act 2007* (WA). Many weeds, particularly grass species and vines grow quickly and have abundant seeds that spread widely. Weeds compete with native plants for space, nutrients, water and sunlight and may also hinder native plant regeneration and local nutrient recycling.

The invasion of weeds is a major threat to the ecological, cultural and socio-economic values of the Yawuru Minyirr Buru Conservation Park and the Yawuru Conservation Estate. It is fundamental that management strategies address the degradation processes caused by weed species. There are a number of factors that have contributed to the presence of weeds in the Yawuru Conservation Estate, including:

- land clearing, such as that for developments,
- soil disturbance from vehicles, e.g. in Minyirr Park area along Cable Beach,
- construction of paths, fire access tracks and other facilities,
- conventional fire regimes,
- dumping of garden refuse, such as the refuse found in the sand dunes area behind Simpson Beach,
- invasive species planted in Broome town road verges and gardens (Neem trees have historically been popular in Broome gardens and have become a significant pest within the Park and the Yawuru Birragun Conservation Park,

- transportation of seeds by birds, and
- grasses planted for amenity purposes in the Broome town site which can spread, invading bushland areas within the Park.

Key weed species within the Park are highlighted in Table 3, Figure 17. Both Bellyache Bush (*Jatropha gossypifolia*) and Mint Weed (*Hyptis suaveolens*) are declared weeds under the *Biosecurity and Agriculture Management Act 2007*(WA) (Department of Agriculture and Food WA, 2015) and Lantana (*Lantana camara*) is a declared weed (Department of Agriculture and Food WA, 2015) as well as being a Weed of National Significance (WoNS) (Department of the Environment, 2015b). Creepers such as the Passion Vine (*Passiflora foetida* var. *hispida*) and Siratro (*Macroptilium atropurpureum*) are prolific through the bush landscape and monsoonal vine thickets, threatening native vegetation communities. Neem Trees (*Azadirachta indica*), Bellyache Bush and Mint Weed are also fast spreading around the Broome town site and are particularly numerous around newly cleared areas and road verges.

Table 3: Key Weed Species in the Yawuru Minyirr Buru Conservation Park

Common Name	Scientific Name	Common Name	Scientific Name
Bellyache Bush	<i>Jatropha gossypifolia</i>	Khaki Weed	<i>Alternanthera pungens</i>
Bristly Foxtail	<i>Setaria verticillata</i>	Lantana	<i>Lantana camara</i>
Buffel Grass	<i>Cenchrus ciliaris</i>	Mint Weed	<i>Hyptis suaveolens</i>
Butterfly Pea	<i>Clitoria ternatea</i>	Morning Glory	<i>Ipomoea</i> sp.
Caltrop	<i>Tribulus terrestris</i>	Neem Tree	<i>Azadirachta indica</i>
Chinese Date	<i>Ziziphus mauritiana</i>	Passion vine	<i>Passiflora foetida</i> var. <i>hispida</i>
Coffee Bush	<i>Leucaena leucocephala</i>	Red Tassel Flower	<i>Emilia sonchifolia</i>
Flannel Weed	<i>Sida cordifolia</i>	Siratro	<i>Macroptilium atropurpureum</i>
Gallons Curse	<i>Cenchrus biflorus</i>	Tridax Daisy	<i>Tridax procumbens</i>
Grass sp.	<i>Chloris barbata</i>	White Convolvulus Creeper	
Horehound	<i>Hyptis suaveolens</i>	Yellow Poinciana	<i>Peltophorum pterocarpum</i>
Kapok Bush	<i>Aerva javanica</i>		



Bellyache Bush
(*Jatropha gossypifolia*)



Wild Passionfruit
(*Passiflora foetida*)



Coffee Bush
(*Leucaena leucocephala*)



Khaki Weed
(*Alternanthera pungens*)



Neem
(*Azadirachta indica*)



Mint Bush
(*Hyptis suaveolens*)



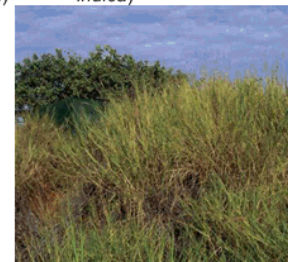
Caltrop
(*Tribulus terrestris*)



Siratro
(*Macroptilium atropurpureum*)



Gallon's Curse
(*Cenchrus biflorus*)



Buffel Grass (*Cenchrus ciliaris*)

Figure 17: Examples of key weed species (Source: Shire of Broome, 2016)

Currently the Shire's Parks section manages weeds on Shire owned or managed land and weed management (Figure 18) has been supported by a range of groups including Yawuru, the Shire, Ministry of Justice, Environs Kimberley, DBCA, Broome Bird Observatory, Coastwest (previously Coastcare), Broome Botanical Society, Conservation Volunteers Australia (CVA), the Society for Kimberley Indigenous Plants and Animals (SKIPA) and the Kimberley Training Institute. Weed mapping has been undertaken within the Minyirr Buru Conservation Estate by the Yawuru, The Department and others; outcomes will contribute to a weed management plan.



Figure 18: Neem removal (Source: DBCA)

Summary of Management Arrangements for Weeds				
Management objective	Ensure the impact of environmental weeds on the Park is minimised.			
		Priority	Lead Agency	YCMP Reference
Management strategies	1. Assess current extent and impact of weeds in the Park.	H	DBCA	3.4
	2. Develop a Weed Management Plan to be informed, where relevant, by the Shire's Weed Management Strategy.	H	DBCA	3.10
Performance Measures	1. Weed mapping outcomes.			
	2. Development of Weed Management Plan.			
Targets	3. Area and type of weed control completed.			
	1. No increase in the abundance, distribution or extent of priority environmental weeds from current levels.			
	2. No new populations of weed species established that are rated high in the Species-led Ranking Summary for the Kimberley Region.			
Reporting Requirements	Every two years		DBCA	

Introduced Fauna Management (KPI)

Feral animals are non-native species that have the potential to cause a serious impact on the natural systems through direct effects such as predation, habitat destruction/degradation, competition for food and territory and introduction of disease. The main problem feral animals present in the Yawuru Conservation Estate, including, the Park, are cats and dogs. There is also the potential for the cane toad to colonise the area within the next ten years (Turpin and Bamford, 2009), causing detrimental effects to a number of native species and the values of the reserves. Cats are also common within the Park and hunt and kill native birds, mammals, reptiles and insects and are a significant threat to the survival of vulnerable and threatened species (DSEWPC, 2012b). Foxes may also be present.

Management of feral animals will be the responsibility of Yawuru and the Shire with the assistance of The Department, Department of Agriculture and Food, and the community. The managing agencies will need to determine the extent and impacts of the problem animals and where appropriate implement control options.

Page 60

Version 9.2
13 November 2017

Summary of Management Arrangements for Introduced Fauna			
Management objective	To minimise the impact of feral animals on the cultural, ecological and social values of the Park		
		Priority	Lead Agency
Management strategies	1. Assess current extent and impact of feral and pest animals in the Park.	M	DBCA
	2. Consider options for feral and pest animal control in the Park that are appropriate and supported by the local community.	L	DBCA
Performance Measures	1. Assessment of outcomes.		
	2. Development and implementation of pest animal control options.		
	3. Development and availability of educational material.		
Targets	Minimal impact from feral animals to native fauna and flora within the Park.		
Reporting Requirements	Every two years	DBCA	

4.3.2 Fire Management

Fire was used by the Yawuru people and other indigenous groups for a variety of purposes including burning for vegetation regrowth (attracting kangaroos and wallabies), food gathering (judicious fire farming techniques increased supplies of important plant food), cooking, signalling, access and for cultural reasons (Kenneally *et al*, 1996, EPA, 2005, YRNBC, 2011). Traditional burning practices generally involved small fires, carefully lit in the appropriate season and in restricted areas. Care was taken to avoid burning in coastal vine thicket country like that found in Minyirr Park as these areas hold valuable food resources (Kenneally *et al*, 1996). Traditional burning promoted a patchwork mosaic of vegetation growth and also reduced the risk of lightning-ignited fires developing into intense bushfires. With the departure from traditional Aboriginal burning practices and the many irreversible modifications to the environment that have occurred since European colonisation, fire regimes have changed with large, high intensity, late dry season fires more common (YRNBC, 2011).

Contemporary fire regimes are believed to have led to impacts on biodiversity, including sensitive vegetation types and susceptible habitats, as well as associated fauna. Structural simplification of vegetation communities, decline in small mammals (such as the Golden Bandicoot and water rat),

granivorous bird species, weed infestation and the loss of fine grain habitat mosaics are a number of impacts associated with changed fire regimes in the Kimberley region (EPA, 2005).

Species and communities vary in their response to fire. While many species are resilient to a range of fire regimes, others may have very specific fire requirements (for example, flora that has relatively long germination periods and fauna that prefers medium to late successional stages of vegetation). Due to gaps in current knowledge, fire management for biodiversity conservation should focus on avoiding frequent, large, hot late dry season fires by creating and maintaining a spatial and temporal mosaic of functional habitats across the landscape. This will promote as much resilience as possible for ecosystems in the face of disturbance. As information from research and monitoring increases (e.g. on the vital attributes of species and their fire regime requirements), this knowledge will be incorporated into fire planning and operations.

While there is limited information currently available on fire regime requirements of species and communities within the Park, special consideration and further research should be given to number of key areas:

- fire regeneration cycles in pindan communities;
- effect of fire on mistletoe species; and
- response of threatened flora and fauna (such as *Keraudrenia exastia* and the Peregrine Falcon) to fire and fire management.

Within the Broome town site, the Shire and Department of Fire and Emergency Services (DFES) are responsible for bushfire prevention and control, and in establishing and running the bush fire brigades under the *Bush Fires Act 1954*. The Shire is also responsible for serving notices regarding fire breaks and fire prevention strategies. DFES is responsible for all unvested Crown Land within the town site. As the Park is now established and vested with Yawuru and the Shire, the joint managers are responsible for the land and strategic fire management and mitigation requirements. However, in accordance with the Assistance Agreement, The Department will undertake fire mitigation work on behalf of Yawuru and the Shire at the direction of the YPC.

As fire poses a significant risk to the safety of fire fighters, visitors, neighbours and local communities as well as a range of community assets, identifying fire vulnerable community assets within the Park, and determining the risk, likelihood and consequences of bushfire impact on those assets, will help in the management and prioritisation of risk mitigation strategies for bushfires. It is noted that the potential risk of fire in the Park is greatest within areas of high vegetation density and in areas where there is an understory of weed species that dry in the summer, such as at Minyirr Park, *Bilingurr* (Hidden Valley area), the northern bush blocks situated on the northern town boundary that form part of the Park and the bush areas inland of Gantheaume Point Road. Key elements of bushfire risk mitigation include:

- managing fuel levels to reduce the consequence of unplanned fire events and facilitate more effective fire response capability (Figure 19),

- maintaining a strategic system of protective fire breaks,
- maintaining access for fire management, including tracks suitable for emergency vehicles,
- maintaining fire response/fire suppression capability, and
- maintaining effective communication with fire management bodies (DFES, the Shire, DBCA) and the local community.



Figure 19: Fire fuel load maintenance (Source: DBCA)

Summary of Management Arrangements for Fire Management			
Management objective	1. To mitigate the risk of adverse impacts of bushfire on human life, property and community assets. 2. To promote the maintenance of habitat biodiversity and the persistence of 'fire regime specific' biota and habitats.		
		Priority	Lead Agency YCMP Reference
Management strategies	1. Carry out fire risk assessments in accordance with State Planning Policy 3.7, the State Bushfire Prone Areas Map and the <i>Bush Fires Act 1954</i> (WA) (Bush Fires Act).	H	DBCA 3.4
	2. Develop and implement a Bushfire Mitigation Strategy identifying strategies relating to fuel reduction burning, provision of access, establishment of strategic fire breaks and other relevant strategies in liaison with key stakeholders.	H	DBCA 1.5
	3. Maintain best available and up to date knowledge of fire management in accordance with the Bush Fires Act, Yawuru traditional knowledge and Shire policies and ensure the ecological and social values of the Park are included in response plans for fire management to assist in addressing any significant fire events.	H	DBCA 2.3
	4. Monitor and record the effects of fire on the most important and vulnerable values and assets, and on habitats or species which may require specific fire regimes (for example Monsoonal Vine Thickets, <i>Keraudrenia</i> species etc.).	Ongoing	DBCA 3.4
	5. Ensure that Yawuru Rangers are trained in fire management principles and practices.	M	DBCA 2.3
Performance Measures	1. Completion of fire risk assessment. 2. Preparation of a Bushfire Mitigation Strategy. 3. Implementation of Bushfire Mitigation Strategy. 4. Outcomes of monitoring activities. 5. Training of Yawuru rangers.		
Targets	Minimise impacts associated with fire in the Park.		
Reporting Requirements	Annually		DBCA

4.4 Social and Economic Values

4.4.1 History and Heritage

Broome and its surrounds, including the Yawuru Conservation Estate, are exceedingly rich with history and multilayered cultural heritage. Thousands of years of Aboriginal occupation and the arrival of pearlers, pastoralists and other settlers, which led to the evolution of the pearling and pastoral industries and the establishment of the town of Broome, are defining influences in the heritage of the region. There are numerous Aboriginal heritage sites registered under the *Aboriginal Heritage Act 1972* (WA). Parts of the Park are included within the boundary of the West Kimberley National Heritage Area (DSEWPaC, 2011b) (Figure 20).

Archaeology and Aboriginal Heritage

According to Akerman (1975), the coastal portions of Dampierland Peninsula shows evidence of use and occupation dominated by the presence of mollusc shells, tools and other artefacts that are evidence of early Aboriginal activity both before and after contact with non-Aboriginals. A review of the Aboriginal Heritage Inquiry System maintained by the Department of Aboriginal Affairs (2016) records a number of registered Aboriginal sites including along Cable Beach, near Gantheaume Point, and in the Reddell Beach area. A number of these sites are within or in close proximity to the Park. However, there are numerous sites that are currently unregistered.

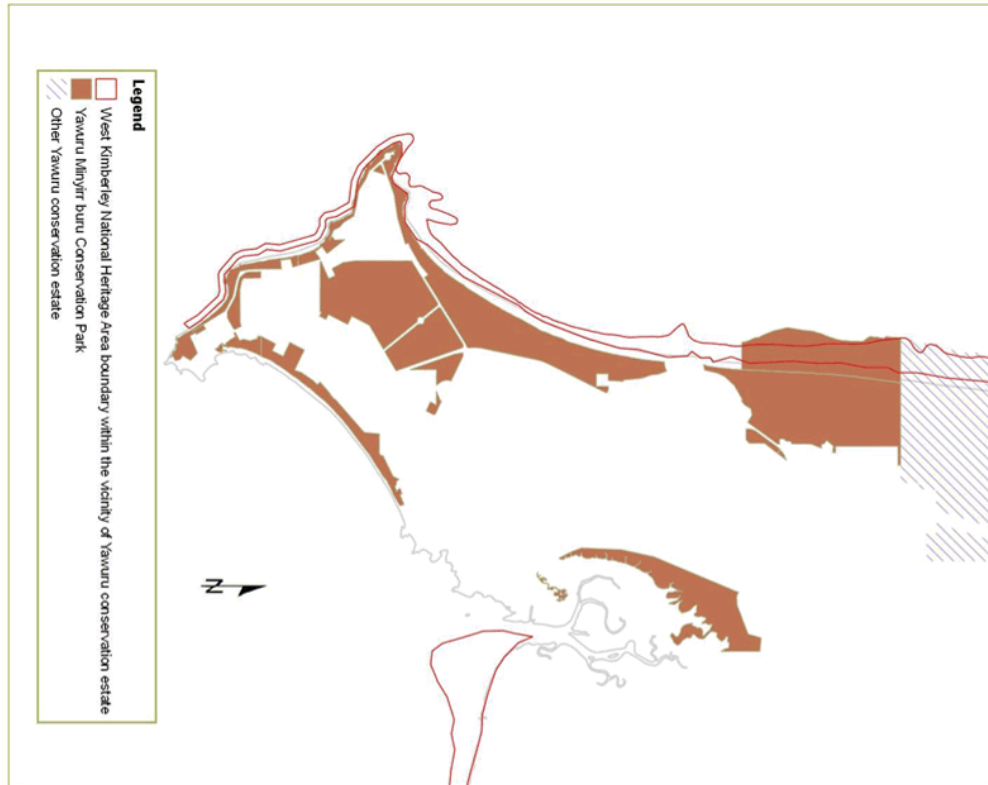
Early History

Broome has a rich non-indigenous heritage which commenced in 1699 when William Dampier named Roebuck Bay after his ship. Little further exploration occurred until late in 1801 when Nicholas Baudin travelled the north-west coast as captain of a French scientific expedition and named several points along the Kimberley coast including Gantheaume Point. In the 1870s pearlers travelled to Broome to explore for rich pearling beds and the Broome pearling industry was launched. This was a brutal time for the Aboriginal people trapped into pearling labour. As 'dress diving' became the practice, Aboriginal 'skin divers' slowly declined and the workforce increasingly comprised workers from the east and southeast Asia. By the late 1890s, approximately 80 percent of the world's supply of mother-of-pearl shell originated from Broome.

Heritage

The Broome town site holds a number of listed heritage sites including the Broome cemetery, Court House, Museum, Chinatown Conservation Area, a number of churches, Streeters jetty and several pearling buildings, however there are no listed heritage sites within the Park (Heritage Council, 2015). There are places which have local historical significance such as Morgan's Camp, Demco and Gantheaume Point, and these places would benefit from heritage protection and interpretation. It is important to maintain Broome's seaside heritage and identity with the coastal environment.

Figure 20: National heritage area boundaries



Produced by Jason Richardson,
Parks and Wildlife Services
Geographic Information
System (GIS)
The Parks and Wildlife Services does not guarantee the accuracy of the map or the data. The map is provided for information only and should not be used for any purpose other than that for which it was prepared. The Parks and Wildlife Services is not responsible for any errors or omissions in the map or the data. The Parks and Wildlife Services is not responsible for any damage or loss resulting from the use of the map or the data.

Summary of Management Arrangements for History and Heritage Values				
Management objective	Ensure consideration and the protection of cultural heritage sites and values within the Park.			
		Priority	Lead Agency	YCMP Reference
Management strategies	1. Identify important non-indigenous heritage sites.	M	Shire	1.1
	2. Identify key coastal Aboriginal heritage sites.	M	Yawuru	1.1
Performance Measures	1. Identification of non-indigenous heritage sites.			
	2. Assessment of key coastal Aboriginal heritage sites.			
Targets	1. Avoid impact to heritage sites.			
Reporting Requirements	Every two years		DBCA	

4.4.2 Recreation

Nature-based recreation and cultural tourism are key attractions within the Kimberley. Broome offers a variety of attractions for the local community and visitors, including secluded bays of turquoise waters, rocky shores, intertidal flats, mangroves, sand dunes and beaches with abundant wildlife. It is recognised that conservation reserves have the capacity to satisfy an important public demand for outdoor recreation and nature-based tourism, and in so doing contribute significantly to the social, psychological, physical and economic wellbeing of the community (DEC, 2006). Management of use and visitation in the Park will be guided by the management objectives, strategies and targets in Sections 4 and 5 of this Plan, any zoning implemented, as well as by the provisions of the LA Act, *Local Government Act 1995* (WA), the Shire's local laws, *Wildlife Conservation Act 1950* (WA) and other governing legislation relating to terrestrial management. Within this setting, a range of socio-economic values are recognised and will continue to be consistent with management targets set for cultural and ecological values in the Park.

There are a number of recreational areas within the Park (Figure 21) including Gantheaume Point, Minyirr Park and beach access points adjacent to Demco Beach, Simpsons Beach, Reddell Beach and Entrance Point. Recreation and tourism activities within the Park include wildlife viewing, walking, nature-based education tours (e.g. school excursions at Base Camp in Minyirr Park), and recreational fishing on beaches adjacent to the Park. The Park provides opportunities for sustainable recreational activities that are consistent with maintaining the cultural and ecological values of the area.



Minyirr Park
Figure 21: Recreational locations, Minyirr Buru Conservation Park (Source: Brand, 2015)

Wildlife Viewing and Walking

Wildlife viewing and walking are popular activities throughout Broome and the Park, particularly along the walk trails in Minyirr Park and the Lurujarri trail. Minyirr Park, also known as the coastal park, is of great cultural significance to Yawuru people and sits between Gubinge Road and the sea. The park offers unique walking and wildlife viewing opportunities with approximately 22 kilometres of walk trails meandering through the dunes, pindan and bushland.

Other popular sightseeing opportunities include the dinosaur foot prints, Anastasias Pool and the coastal views around Gantheaume Point. Given the Park's proximity to residential areas and use as an access to the beach, dog walking is also a common activity. This activity is discussed in more detail in further later in this Section.

Picnicking

Picnicking is an important recreational activity which brings family and friends together and often goes hand in hand with fishing and beach trips. Currently within the Park there are no designated picnic areas; however large shelters and tables are available at Gantheaume Point, Demco and less formally at Base Camp in Minyirr Park. There are a number of possible sites within the Park that would benefit from the establishment of picnic facilities such as the parking areas at Reddell Beach, Demco Beach, Entrance Point and the Gantheaume Point beach access area. The facilities may range from a basic table and chair to shelters, lookout platforms and toilets.

Recreational Fishing

Recreational fishing is a popular activity along the beaches and creeks adjacent to the Park, as well as in the Cable Beach intertidal zone reserve and is highly valued by the local community. Recreational fishing is experiencing significant growth in the region driven by an increase in resident population and tourists visiting during the dry season. The majority of recreational fishing within the Broome town site area occurs on coastal cliffs, beaches and creeks, such as Gantheaume Point, Reddell Beach, Simpson Beach and Dampier Creek, with fishers targeting bait fish, *birrala* Threadfin Salmon (*Polydactylus macrochir*), *walga walga* Bluenose Salmon (*Eleutheronema tetradactylum*), Barramundi (*Lates calcarifer*), Tripletail (*Lobotes surinamensis*) and Black Jewfish (*Protonibea diacanthus*) (Bennelongia, 2009) Bluebone (*Choerodon rubescens*) and other reef fish.

Pedestrian access for recreational fishing is available throughout the Park, while vehicle access is provided at several boat ramps within the town. The access to the section of the beach at Gantheaume Beach used as a boat launching site (south end of Cable Beach) is through the Park, while boat ramps are at Town Beach, Entrance Point and the Catalinas. The main pressures associated with recreational fishing for the adjacent Park are localised impacts associated with the effects of access on ecological values (i.e. from litter and disturbance of sensitive habitats).

Summary of Management Arrangements for Recreation Values				
Management objective	Ensure that recreational activities are supported and managed in a manner that is consistent with maintaining the ecological and socio-economic values of the Park.			
Management strategies		Priority	Lead Agency	YCMP Reference
	1. Maintain the Recreation Master Plan (RMP).	Ongoing	DBCA	3.11
	2. Develop and implement an Interpretation Plan.	H	Yawuru	1.1
	3. Monitor environmental impacts associated with recreation by developing a database to record this information on an ongoing basis.	Ongoing	DBCA	3.4
	4. Prioritise and cost infrastructure identified within the RMP.	H	DBCA	3.11
	5. Seek external funding opportunities for capital works for recreation sites.	Ongoing	DBCA	3.11
Performance Measures	6. Conduct a visitor survey programme to better understand visitor use, numbers and satisfaction of visitor experience.	H	DBCA	3.4
	1. Updates to the RMP.			
	2. Preparation of the Interpretation Plan.			
	3. Recording outcomes of monitoring and assessment processes.			

Summary of Management Arrangements for Recreation Values		
	<ul style="list-style-type: none"> 4. Setting infrastructure priorities. 5. Identification of suitable funding options. 6. Completion of visitor survey program. 	
Targets	Ensure a high quality recreation experience is provided.	
Reporting		DBCA
Requirements	Every two years	

Dogs

Dog walking and exercising is a common activity across the Yawuru Conservation Estate, and particularly within the Park due to its close proximity to the Broome town site and residential areas. The Shire is responsible for administering and enforcing the *Dog Act 1976* (WA) within the town site. The Act states that a dog shall not be in a public place unless it is:

- a) Held by a person who is capable of controlling the dog; or
- b) Securely tethered for a temporary purpose, by means of a chain, cord, leash or harness of sufficient strength and not exceeding the prescribed length.

The Shire has also specified 'dog exercise areas' as being the beach foreshore within the district with the exception of those areas specified in the prohibited areas. Within the 'dog exercising areas', dogs are permitted off-leash as long as the owner is within reasonable proximity to the dog. The owner is also required to carry and be capable of attaching a leash for the purposes of controlling the dog.

Summary of Management Arrangements for Dogs				
Management objective	Provide equitable access within the Park for dog owners			
Management strategies	1. Use appropriate signage to advise the community where dogs are allowed and where they are not permitted.	Priority	Lead Agency	YCMP Reference
Performance Measures	1. Development and installation of signage.	M	DBCA	3.5
Targets	Installation of signage in appropriate locations if not already present.			
Reporting Requirements	Every two years		DBCA	

Horses

Horse riding is also an important recreational activity enjoyed primarily by locals as well as being associated with the horse racing events at the racecourse inland of Gantheaume Point. Horse riders make use of the Gantheaume Point Beach utilising the exercise area described in the Shire's 'Horses on Cable Beach Policy'. The policy states that horses are required to cross Gantheaume Point Road at the signed horse crossing and use the 'horse only' access/egress point to and from the beach foreshore (Figure 22). Race horses are only permitted between 1st of April and the 31st of August. All horses must be granted approval from the Shire and approvals are granted for one year only. Horses entering the beach exercise area may impact on the values of the Park if their access is not managed effectively. If horses remain on designated paths and do not enter sensitive cultural and ecological areas such as those in the nearby Minyirr Park, then horse riding activities should not pose a threat to the values of the Park.

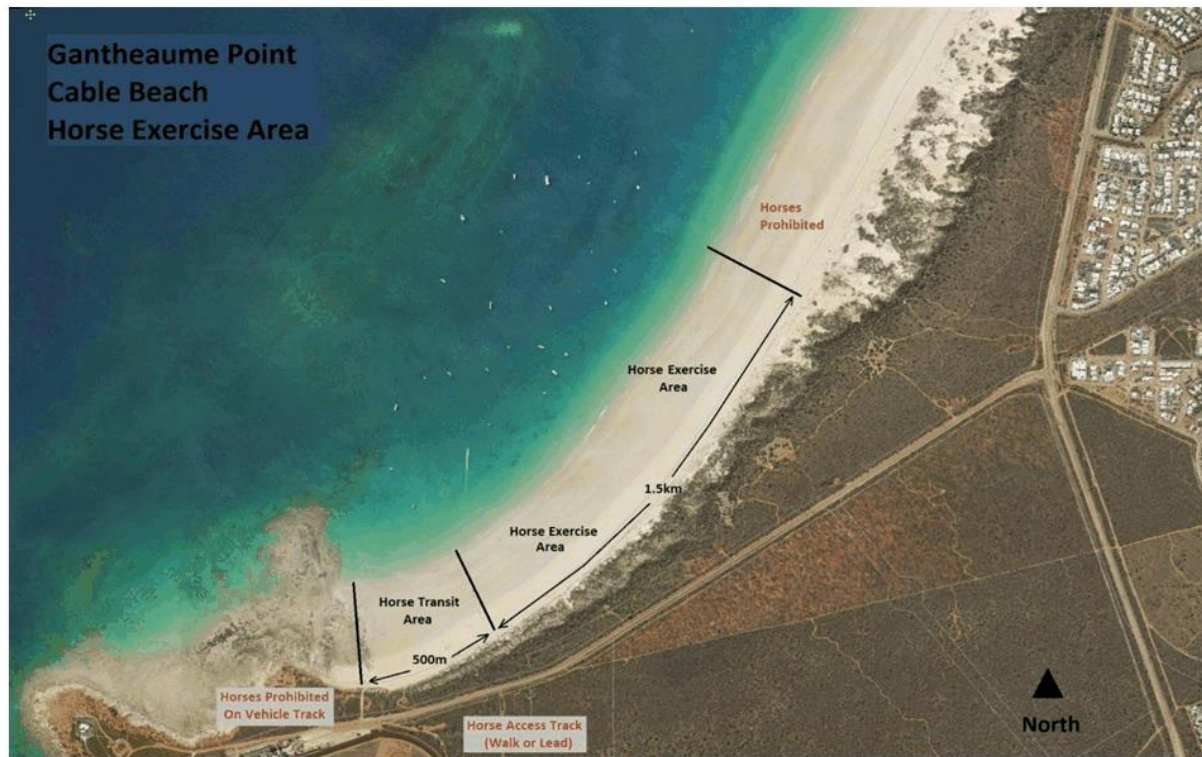


Figure 22: Horse access to Cable Beach (Source, Shire of Broome, 2016)

Page 72

Version 9.2
13 November 2017

4.4.3 Access

Access Restrictions

At present, no restricted access areas have been identified within the Park for Aboriginal cultural and customary purposes. The partners recognise that there may be areas of cultural heritage significance that require access restrictions and management in accordance with the *Yawuru Cultural Management Plan*. Any future restricted access zones must be agreed upon by all joint management parties.

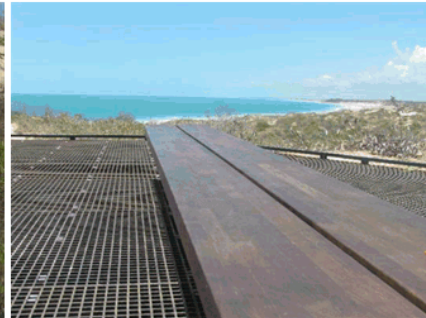
Pedestrian Access

Due to ongoing residential development and the associated increased use of walk trails such as those in Minyirr Park, many of the existing tracks and walkways, particularly *Nagula* trails traversing the sand dunes, as well as parking facilities need to be upgraded and stabilised (Figure 23). Particular access ways that require management include:

- beach access path over dunes opposite Murray Road,
- De Marchi Road and McMahon pathways (pathway from McMahon oval) and dune crossings;
- pathways, dune crossing and car parking facilities in the Base Camp area,
- the requirement for an established path way and dune crossing near the Cable Beach Road West roundabout when further development occurs,
- pathways around Gantheaume Point,
- access and car parking facilities for the use of Gantheaume Point Beach (south end of Cable Beach), and
- increased signage and interpretation in Minyirr Park and other recreational nodes.



Gurlibil trail



Minyirr Park staircase



Simpson Park stairs

Figure 23: Access upgrades (Source: DBCA)

Vehicle Access

Existing roads within the Park provide public vehicle access to recreational use areas. Vehicle access within recreation areas will be further defined through site-level design. Off road driving is also a popular activity in Broome particularly on Gantheaume Point Beach and in the Cable Beach Intertidal zone adjacent to the Park. Some off-road driving also occurs around the sand dunes of Reddell Beach and bollards and large rocks are used to restrict this activity in these sensitive dunes. Signs are used to depict where driving is prohibited on the beach and dune systems at Gantheaume Point Beach where vehicles are only allowed for 500 metres up the beach before signs display the prohibition of this activity.

All vehicles entering the Park must be licensed under the *Road Traffic Act 1974* (WA). There are no 'permitted areas' for off-road vehicles under the *Control of Vehicles (Off-road Areas) Act 1978* (WA). Vehicles such as unlicensed off-road motorbikes and dune buggies are not permitted in the Park. Illegal use of unlicensed off-road vehicles and indiscriminate use of licensed four-wheel drive vehicles have the potential to adversely impact the values of the Park. Four-wheel drive vehicles can potentially access a variety of existing tracks, whilst motor bikes and quad bikes have the capacity to access a far greater area, including walk trails and dune systems. Concerns from off road vehicle use include the possible impacts to beach flora and fauna such as turtles and shore crabs.

Flatback Turtles (*Natator depressus*) and Green Turtles (*Chelonia mydas*) are known to nest along Cable Beach, particularly in the northern areas inland of *Bilingurr* and within the intertidal zone. The section of Cable Beach with the most turtle activity has been the area from the steps of the surf club and 2.1 kilometres north, which is also the section of beach that receives the highest level of human activity (Conservation Volunteers Australia, 2010). Seasonal beach closures to off-road vehicles are already in place and enforced by the Shire.

Other off-road vehicle use such as quad bikes and motor bikes occurs in the sand dune system around Minyirr Park, *Bilingurr*, Dampier Creek and the northern bush blocks within the Park. The current use is unsustainable with significant potential for public safety issues, damage to vegetation and erosion of the dunes. Existing signage is not effective and an increased management effort is required to enforce these restrictions, which may include fencing, barriers, locked gates, public education and other management methods.

Access for Visitors with Disabilities

The joint management partners wish to improve access to services, information and facilities for people with disabilities. Disability access issues will be considered and addressed during detailed recreation site planning and development. There may be practical constraints in providing access for people with disabilities to some of the more natural recreation sites within the Park. However, it will generally be possible to provide universal access at larger modified sites.

Illegal Camping

Currently in the high season many campers illegally camp down dirt tracks and sand dunes in the Yawuru Minyirr Buru Conservation Park, primarily around Reddell and Simpson Beaches. This results in impacts such as vegetation disturbance and rubbish and requires ongoing management.

Patrol and Enforcement

Shire Rangers manage and enforce Broome local laws and local government legislation within the Broome town site. Within the Park, on ground management and enforcement will be effected by Shire Rangers and Yawuru Rangers employed by The Department; joint patrols carried out by The Department and the Shire of Broome have commenced.

This Plan details a range of strategies relating to the management of human activities within the Park. While users typically comply with management regulations when they understand why such controls have been implemented, there is always a need to monitor the level of compliance and take action to stop inappropriate or illegal behaviour. To achieve this, an appropriate level of field presence by correctly authorised Rangers (Figure 24) will be necessary to provide information and educational messages, and where appropriate undertake compliance activities. Users of the area (e.g. tourism operators and the general community) can also play a key role in self-regulation and peer surveillance.



Figure 24: Community education and interaction (Source: DBCA)

The Ranger program for Yawuru community members includes training towards participants becoming authorised officers under the *Local Government Act 2005* (WA), CALM Act and the *Wildlife Conservation Act 1950* (WA). This will allow Yawuru Rangers who gain authorisation to undertake patrol and enforcement duties throughout the Park, specifically in the areas of illegal vehicle use and illegal camping. Yawuru (trainee) Rangers will need to work with Shire Rangers, DBCA authorised officers and other agencies, such as Fisheries, to gain experience in patrol and enforcement activities.

Summary of Management Arrangements for Access Management			
Management objective	1. To maintain public access to the Park in a way that does not compromise the cultural, ecological or socio-economic values of the Park.		
	2. To maximise public compliance with regulations related to the ongoing management of the Park.		
Management strategies		Priority	Lead Agency YCMP Reference
	1. Map the locations of all formal and informal access locations in the Park.	H	DBCA 3.11
	2. Consolidate and formalise access locations, closing surplus access ways with agreement from YPC.	M	DBCA 3.11
	3. If required, implement access management arrangements to ensure access to culturally sensitive areas is managed appropriately, with all access restrictions to be agreed by YPC.	M	Yawuru 3.11
	4. Implement access restrictions as necessary to protect flora, fauna and ecological communities, with all restrictions to be agreed by YPC.	M	DBCA 3.11
	5. Implement strategies as necessary to prevent adverse impacts on the values of the Park from inappropriate vehicle or pedestrian access,	M	DBCA 3.11
	6. Educate, mentor and support trainee rangers through working with Shire Rangers, The Department authorised officers and other agencies to gain experience in patrol and enforcement activities, to the extent possible within the existing resources of the Shire and The Department.	Ongoing	DBCA 3.1
	7. Develop and implement a collaborative patrol and enforcement program to: (a) Ensure compliance with relevant regulations; and (b) Maximise efficiency and effectiveness of patrol and enforcement activities.	H	DBCA 3.5
	8. Apply culturally appropriate and sensitive management to illegal camping issues within the Yawuru Minyirr Buru Conservation Park.	Ongoing	DBCA 3.11
	9. Facilitate cross-authorisation of government enforcement officers as appropriate	L	DBCA
Performance Measures	10. Maintain a database of compliance statistics and issues.	L	DBCA 3.4
	1. Number of trained and trainee rangers.		
	2. Compliance statistics.		

Summary of Management Arrangements for Access Management		
Targets	3. Installation of signage and other management measures.	
	1. Decreasing trend of non-compliance within the Park.	
	2. Rangers are working throughout the Park.	
	3. Completion of regular and annual inspection and maintenance programs.	
Reporting Requirements	Every two years	DBCA

4.4.4 Visual Amenity

The Park has very high visual amenity values which are important for Yawuru people and local residents, and are a major part of the appeal of Broome for visitors. The Park affords panoramic vistas of unique environments including turquoise waters, beaches, rocky shores, intertidal flats, mangroves, sand dune systems and monsoonal vine thickets with abundant wildlife. These attributes can be enjoyed from the beach, higher vantage points along the coast and inland through dense thickets and bushland. They also provide commercial value to the tourism industry (such as charter, caravan and camping operators) as a drawcard for tourists. Due to the location of the Park being so central to the Broome town site and port facility, the visual values are not pristine. However, a significant proportion of the Park is quiet and secluded with limited infrastructure, subsequently having high visual and tranquillity values.

Management of landscape quality will focus on identifying areas that have high landscape value and ensuring that activities do not significantly degrade these values.

Structures along the coastline also have the potential to degrade the unique values of the Park. This can include signage, shelters, toilets, picnic areas, lighting, jetties and other infrastructure which may impede the cultural value, history and unique nature of the Park. Litter, pollution and the development of roads and facilities that promote visitation can be a threat to these values.

Summary of Management Arrangements for Visual Amenity Values				
Management objective	Ensure consideration and the protection of the visual amenity values within the Yawuru Minyirr Buru Conservation Park			
		Priority	Lead Agency	YCMP Reference
Management strategies	1. Identify the key characteristics and map the spatial extent of important landscapes.	H	DBCA	1.5
	2. Ensure recreation and commercial activities are consistent with maintaining the landscape.	M	DBCA	4.4
	3. Minimise visual impacts of structures through appropriate placement, design and colour of materials used.	M	DBCA	3.10
Performance Measures	1. Mapping outcomes.			
Targets	1. Visual amenity considered on an ongoing basis.			
Reporting Requirements	Every two years			

4.4.5 Commercial Activities

Tourism

The Park provides opportunities for commercial and tourism activities and development. Broome is an internationally renowned tourist destination and the gateway for tourists wanting to explore the wider Kimberley region. Tourism Research Australia statistics indicate the average annual number of over-night visitors to the Shire of Broome has been increasing over the last decade and the average annual figure for the year ended December 2014 was approximately 245,000 (Tourism WA, 2015). Growing numbers of tourists are also visiting during the wet season *Man-gala* to observe the vast flocks of migratory shorebirds.

Increasingly, international and national tourists want to experience an authentic Aboriginal experience and the indigenous tourism industry is developing at a rapid rate (WAITOC, 2014). The West Australian Indigenous Tourism Operators Council (WAITOC) had 78 full members, registered as Indigenous tourism businesses in 2013/14 (WAITOC, 2014). Indigenous tourism opportunities in the Kimberley and around Broome are significant, and the Park offers an insight into unique natural experiences of Yawuru culture within easily accessible areas and close to the Broome town site.

The Park offers a variety of natural and cultural attractions and opportunities for visitors to the area, with popular activities including site seeing, beach walking and wildlife appreciation. Management strategies for recreation and tourism in the Park will focus on major activities and proposed recreational sites.

Access tracks including those in Minyirr Park, Demco, Morgan's Camp, Simpsons Beach and Reddell Beach have also been identified as requiring different forms of infrastructure and support. Inappropriate paths and tracks can be closed and the focus will then be given to the maintaining and upgrading appropriate access ways.

Each identified recreational area identified within the RMP will have a site specific plan detailing the site location and specific facilities and infrastructure proposed. The priority, timing and funding arrangements will be detailed in each site plan. Base Camp, Youth Camp, Gantheaume Point Beach and Morgan's Camp have also been identified as possible commercial nodes.

Cultural Ecological Tourism

Cultural appreciation is an area of potential growth with both ecological and financial benefits. Commercial opportunities consistent with the purpose of the Park and Yawuru Conservation Estate is supported and promoted through the ILUAs and the JMA. The *Yawuru Cultural Management Plan* proposes the development of an Interpretation Plan that will apply across the Park.

The importance of maintaining Yawuru traditional ecological knowledge and culture as well as tourism demands for cultural tours and Aboriginal cultural appreciation has emphasised the benefits to further develop the existing cultural appreciation infrastructure as well as establishing new sites. The bush furniture and Yawuru season signage around Base Camp has been highlighted for upgrade. A boardwalk around *Burrungun* Morgan's Camp and interpretive signage to speak the history of the place and the importance of the Mangrove communities for the Yawuru people has also been proposed.

Nature-based recreation and tourism has the potential to make an important contribution to protecting the region's ecosystems by fostering a greater cultural and environmental understanding. However, unless carefully managed, visitation and tourism activities have the potential to cause environmental damage, particularly as the numbers of visitors continue to increase.

Commercial Activities

Yawuru have identified that the Park provides opportunities for developing commercial businesses such as cultural heritage and eco-tourism tours, training opportunities such as cultural awareness training, cultural workshops, excursions and field programs (YRNTBC, 2011). It is acknowledged under the JMA that the Yawuru RNTBC has the first right to take up business and commercial opportunities in the Conservation Estate. Other

operators may also be interested in developing commercial operations within the Park. All commercial activities will be assessed in accordance with the agreed protocols. If commercial opportunities are not progressed by Yawuru, then consideration may be given to commercial use of the Park by other persons in accordance with agreed protocols.

Events on the Conservation Estate

In addition to commercial tourism opportunities, the Park offers the opportunity for events to be held at various locations by Yawuru people and other persons. Event applications will be assessed and approved in accordance with agreed protocols.

Summary of Management Arrangements for Commercial Activities				
Management objectives	1.	To ensure that commercial activities are encouraged and managed in a manner that is consistent with maintaining the cultural, ecological and social-economic values of the Park.		
	2.	To maintain the ecological and socio-economic values of the Park that are important to commercial operators, through the appropriate management of human based activities that adversely impact upon these values.		
	3.	To provide opportunities for Yawuru community and Yawuru RNTBC to develop and operate commercial businesses consistent with maintaining the values of the Park.		
Management strategies		Priority	Lead Agency	YCMP Reference
	1.	Assist Yawuru people and others to identify areas of commercial opportunity within the Park.	Ongoing	Yawuru 4.4
	2.	Determine and develop appropriate management protocols for assessment, licencing and management of commercial activities and events.	H	Shire 4.4
	3.	Approvals issued for commercial activities and events with appropriate conditions.	Ongoing	Shire 4.4
Performance Measures	4.	Provide Yawuru people with new commercial opportunities in the Park.	Ongoing	Yawuru 4.1
	1.	Commercial operations visitor numbers.		
	2.	Identification of commercial opportunities and associated management frameworks.		
Targets	3.	Number of Licenses/Permits applied for and issued.		
Reporting Requirements	All commercial operators have the required approvals and abide by relevant conditions.		DBCA	
	Every two years			

Resource values

The region has identified (and prospective) mineral, oil and gas resources that are important to the regional economy. Two petroleum exploration permits apply to the Park (Landgate, 2015); however, no mining or extraction activities are presently being undertaken. A number of basic raw materials are located in proximity to the Park, and include the Broome South Sand, Red Hill Mesand, Beacon Hill and Broome South Sand.

In recognition of the natural and cultural values and the management purpose of the Park, it is preferable that all basic raw materials needed for construction within the Park (e.g. for the construction of roads and recreation developments) are obtained from outside the Park, or from areas that are already disturbed or of lower conservation value.

Summary of Management Arrangements for Resource Use				
Management objective	To protect the values of the Park from any adverse effects associated with resource use activities in or near to the Park.			
Management strategies		Priority	Lead Agency	YCMP Reference
	1. Obtain raw materials for use within the Park from outside the Park, unless any adverse effects on the natural and cultural values are demonstrated to be very low and there are no other practical, environmentally or culturally acceptable alternatives.	Ongoing	DBCA	3.11
	2. Ensure that rehabilitation has been effective by post-rehabilitation monitoring and evaluation, and implementation of any additional or alternative restorative works if required.	L	DBCA	3.11
Performance Measures	1. Decision making process relating to source of raw materials for use within the Park. 2. Development and implementation of completion criteria for areas disturbed due to extraction of raw materials.			
Targets	1. Avoid adverse effects within the Park. 2. Restoration to equivalent or better condition at the conclusion of raw material extraction activities.			
Reporting Requirements	Every two years		DBCA	

4.5 General Management Measures

4.5.1 Asset Management

Responsible asset management will be a key component of the successful management of the Park. As the day to day managers of the Park, The Department will be the owner of all assets located within the Park, and under the Assistance Agreement, will be responsible for ongoing maintenance of these assets.

To help achieve best practice asset management, an Asset Management Plan will be developed by The Department and endorsed by the YPC to provide a detailed understanding of the fixed assets located within the Park, with cultural and environmental assets described in-line with the *Yawuru Cultural Management Plan*. The Asset Management Plan will be configured to be fit for purpose to provide an overview of current assets, provide technical data and property details, as well as deliver performance and accountability measures (i.e. condition and maintenance information) which correspond with YPC agreed criterion. As a minimum, the Asset Management Plan will record the locations of:

- significant cultural and heritage sites,
- local roads (sealed and unsealed),
- beach access points, stairs, footpaths, tracks and trails,
- car parks (both developed and areas utilised for parking),
- culverts, drains, catchments (stormwater and sewerage),
- signage,
- open space, and
- buildings and other structures such as seats, sheds, and shaded areas.

Accordingly, the Asset Management Plan will assist with providing:

- recognition of cultural heritage values,
- asset locations;
- the current condition of assets;
- when/if assets need to be replaced;
- information/upgrades required to meet regulatory requirements;
- the level and frequency of asset maintenance programs; and
- life cycle costs by asset, program and business activity.

Agreed maintenance and capital programs may also be generated from the asset register for various activities including:

- new works;
- industry and community partnerships;
- asset replacement;
- routine maintenance; and
- reactive maintenance.

Summary of Management Arrangements for Asset Management				
Management objective	Ensure assets within the Park are managed appropriately.			
		Priority	Lead Agency	YCMP Reference
Management strategies	1. Develop an Asset Management Plan.	H	DBCA	
	2. Undertake annual inspections of infrastructure within the Park.	Ongoing	DBCA	3.11
	3. Prepare an annual Capital Works Program based on the Asset Management Plan, to be approved by the YPC.	H	DBCA	3.11
Performance Measures	1. Preparation and endorsement of Asset Management Plan.			
	2. Annual inspection program completed.			
	3. Preparation and endorsement of annual Capital Works Programs.			
Targets	1. Asset Management Plan endorsed by the YPC.			
	2. Annual Capital Works Programs endorsed by the YPC.			
	3. Annual inspection programs completed and results documented.			
Reporting Requirements	4. Asset maintenance and replacement undertaken in accordance with Asset Management Plan and Capital Works Programs.			
	Annually		DBCA	

4.5.2 Waste Management

The Department will undertake a Park waste management inspection program through routine patrols to determine the extent of illegal rubbish dumping and waste product dumping. These inspections will determine the location, quantity and type of waste that is deposited. The outcomes will contribute to the development of a Waste Management Plan for the Park, to be presented to the YPC for approval and implemented by The Department. The Waste Management Plan will also consider the arrangements for servicing rubbish and dog waste bins that are adjacent to the Park, which are currently serviced by the Shire.

Summary of Management Arrangements for Waste Management				
Management objective	To ensure waste is managed appropriately within the Park.			
		Priority	Lead Agency	YCMP Reference
Management strategies	1. Develop and implement a Waste Management Plan.	M	DBCA	3.11
Performance Measures	1. Development and implementation of the Waste Management Plan.			
Targets	1. Waste managed appropriately. 2. No illegal dumping of rubbish.			
Reporting Requirements	Every two years		DBCA	

4.5.3 Information, Education and Interpretation

The development of an education and interpretation program will increase public awareness and understanding of conservation, Yawuru people and culture, and management issues in the Park. This increased understanding will help to develop a sense of community stewardship which will subsequently lead to better protection of ecological and cultural values and the responsible management of social values. An important component of the education and interpretation program is to promote Yawuru culture and heritage values. This program will draw heavily on the outcomes and messages from the *Yawuru Cultural Management Plan* and other management plans for the Yawuru Conservation Estate. A linkage between the Leave No Trace (LNT) principals would be an effective way to consistently communicate values of the Park. The education and interpretation program needs to be flexible and applied in ways that maximise the effectiveness of the program for various sectors and target audiences as well as working

with stakeholders wherever possible.

Summary of Management Arrangements for Information, Education and Interpretation			
Management objective	To enhance community understanding of, and support for, the values of the Park through education and interpretation programs.		
		Priority	Lead Agency
			Yawuru
			YCMP Reference
	2. Develop and implement an Integrated Education and Interpretation Plan to ensure users of the Park understand:	H	1.1
	<ul style="list-style-type: none"> the importance of the key cultural, ecological and socio-economic values of the Park as set out in this Plan the integration of traditional ecological knowledge into the management of the Park the rights of Yawuru people, as the recognised traditional owners in and around Broome to enjoy Yawuru country and maintain their cultural practices areas of cultural and historical significance and culturally appropriate behaviour in these areas the flora and fauna that are sensitive to disturbance (e.g. roosting shorebirds) and appropriate behaviour to minimise impacts the effects of dumping rubbish and garden refuse and the threat invasive plants pose to the values of the Park appropriate behaviours to reduce illegal vehicle access and camping appropriate behaviours to reduce the risk of injury and ensure public safety. 		
Management strategies	3. Ensure the education and interpretation program for the Park is appropriately integrated with relevant outcomes and messages from the <i>Cultural Management Plan</i> and other management plans for the Conservation Estate.	M	5.1
	4. Ensure that Yawuru people have an active role in the education and interpretation programs.	H	Yawuru
	5. Install culturally appropriate signage for the Park for educational purposes where appropriate, and with approval from the YPC and consistent with the Interpretive Plan	H	DBCA 1.1

Summary of Management Arrangements for Information, Education and Interpretation				
	6. Encourage and assist the tourism industry to provide educational courses/materials to their staff and customers to foster community stewardship of the Park.	L	Yawuru	5.1
	7. Develop promotional and educational material.	Ongoing	Yawuru	
Performance Measures	1. Development and implementation of Education and interpretation Plan. 2. Visitor and industry surveys. 3. Promotional and educational materials produced.			
Targets	1. Fifty percent of visitors to the Park are aware of the existence of the Park, its values and the management requirement that apply within five years of the release of the Plan.			
Reporting Requirements	Every two years		DBCA	

4.5.4 Public Participation

Public participation can help to build and sustain community support that is critical for effective implementation of this Plan. This can be achieved in a number of ways including advisory committees, community forums, surveys, and information events. Given the unique circumstances (i.e. a number of individual management plans and a variety of vesting arrangements), it will be necessary to consider carefully how best to achieve public participation in management of all the Yawuru Conservation Estate, including the Park.

Groups and organisations including the Yawuru RNTBC, NBY, the Shire, Roebuck Bay Working Group (RBWG) Environs Kimberley, The Department, Broome Bird Observatory, Coastwest, Broome Botanical Society, Conservation Volunteers Australia, SKIPPA, Ministry of Justice, Kimberley Training Institute and local business, as well the wider community, have already established strong working partnerships which have been integral in previous conservation programs. There is also an opportunity to consider the role of cultural caretakers in areas of special significance such as Morgan's Camp and Minyirr Park.

Summary of Management Arrangements for Public Participation			
Management objective	To encourage and facilitate ongoing public participation in the management of the Park.		
Management strategies	1. Consider and establish appropriate structures and mechanisms to provide for community input and involvement in ongoing management of the Park.	Priority H	Lead Agency DBCA YCMP Reference 3.10
	2. Develop and implement a public participation program for the Park which encourages community involvement through a range of opportunities, including education and monitoring programs.	M	DBCA 3.6
	3. Maintain records of public participation.	L	DBCA 3.4
Performance Measures	1. Development of community involvement mechanisms. 2. Development and implementation of the public participation program. 3. Development of the public participation records database.		
Targets	To facilitate ongoing public participation in the management of the Park.		
Reporting Requirements	Every two Years	DBCA	

4.5.5 Research and Monitoring

The nature and diversity of habitats in the Park combined with the proximity to the Broome town site provide unique opportunities for ecological, cultural, archaeological, geomorphological and socio-economic research, with close community involvement and participation. A good understanding of the cultural values and ecology of the Park and knowledge about the cumulative long-term impact of recreational and commercial activities on these values are fundamental requirements for effective management. There has been a significant amount of research characterising the Broome wetlands, mangroves, intertidal flats and migratory shorebirds, however this large body of work remains to be collated and synthesised in a coherent and systematic manner to realise its full potential for long term management. Recent research initiatives have been developed through various community groups, academic institutions and environmental government and non-government organisations, focusing on research projects such as the monsoonal vine thickets, significant flora of the region, Snubfin Dolphins and Flatback Turtle nesting.

All research within the Park requires Yawuru and Shire approval and the appropriate research permit and/or approvals issued under the *Local Government Act 2005* (WA), *Wildlife Conservation Act 1950* (WA), *Fish Resources Management Act 1994* (WA), EPBC Act and/or the *Animal Welfare Act 2002* (WA), as relevant to the research proposal. Special access requirements may be necessary for research into areas with restricted access.

Summary of Management Arrangements for Research and Monitoring				
Management objectives	To provide access and opportunities for scientific research in the Park.			
		Priority	Lead Agency	YCMP Reference
Management strategies	1. Encourage and facilitate as far as practicable community and other involvement in research and monitoring programs, providing financial and logistical assistance where possible.	L	DBCA	5.1
Performance Measures	1. Involvement of various organisations in research projects.			
Targets	Increased knowledge of the various values within the Park.			
Reporting Requirements	Every two years, or in accordance with research project timetables.		DBCA	

4.5.6 Risk Management and Safety

Risks to public safety within the Park include:

- the possibility of sudden pindan cliff collapses should visitors stray from formal lookouts, recreation areas and walking trails
- weather events such as cyclones and severe storms
- some marine and coastal fauna (e.g. crocodiles, irukandji jellyfish)
- ongoing erosion caused by coastal processes.

Yawuru people view transgressions against the law as a cause of natural disasters and human tragedies and take seriously their cultural duty to ensure that Yawuru community members and 'strangers' do not place themselves and others at risk of harm. Yawuru cultural protocols include protocols that help Yawuru people fulfil their cultural responsibilities to look after anyone on Yawuru country e.g. protocols about access to culturally sensitive areas that Yawuru people believe are subject to powerful and dangerous forces (Yawuru RNTBC 2011).

A risk assessment and risk management plan will be developed by The Department for the Park, comprising identification, analysis and efficient control of exposure to public liability risks.

Summary of Management Arrangements for Risk Management and Safety				
Management objective	To minimise risks to visitors within the Yawuru Minyirr Buru Conservation Park from natural and other hazards.			
		Priority	Lead Agency	YCMP Reference
	1. Undertake a biannual risk assessment and develop a risk management plan to identify hazards/risks and proposed corrective/ mitigation actions.	H	DBCA	3.10
Management strategies	2. Identify the estimated costs associated with each proposed corrective action.	H	DBCA	3.10
	3. Consider the recommendations of the Broome Townsite Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) in undertaking the risk assessment and implementing the risk management plan.	H	DBCA	
Performance Measures	1. Identification and prioritisation of risks.			
	2. Implementation of management strategies.			
Targets	3. No serious injuries reported in the Park.			
Reporting Requirements	Annually		DBCA	

5.0 Yawuru Language Glossary

balyjarr	saltwater couch (<i>Sporobolus virginicus</i>)
Barrgana	Yawuru season: cold season, May
bilarra	wetland/spring
bilgin	Water chestnut (<i>Eleocharis dulcis</i>)
birra	bush; bush country, inland country
biyal-biyal	kapok mangrove (<i>Camptostemon schultzei</i>)
Bugarrigarra	the Dreaming; Dreamtime; history before time began; derived from bugarri = dream and garra = more than one
bundu	salt marsh (saline grasslands, samphire, mudflats)
Bundurr-bundurr	the red sandplains and vegetation known as 'pindan'
buru	one's country; traditional country; land/earth/dirt/ground; can also mean time/place/season
galji	the fine-grained soft carbonate mud that occurs around Broome
garl-garl	'blind your eye' mangrove or milky mangrove (<i>Excoecaria agallocha</i>), which has a blinding sap
girrbaju	bush honey; sugar bag
gudurrwarany	bolga (<i>Grus rubicunda</i>)
gundurung	Mangrove; and also in particular the light green leaf white mangrove (<i>Avicennia marina</i>)
gurlju buru	saline grassland/grassland
jarmirdany	corkscrew Pandanus (<i>Pandanus spiralis</i>)
jigily	Kimberley bauhinia (<i>Bauhinia cunninghamii</i>)
jila	'living water'; permanent freshwater sources
jurru	mystical being; serpent-like figure; snake
Laja	Yawuru season: late October/November-December
langurr	northern nail-tail wallaby (<i>Onychogalea unguifera</i>)
liyan	feelings that express emotional strength, dignity and pride
Man-gala	Yawuru season: December to March, wet season
Marrul	Yawuru season: April to May
mayi	bush foods; bush fruit
Murriga-yirr-gamburr	melaleuca thicket
nagula	ocean; sea country

nirliyangarr	dune wattle (<i>Acacia bivenosa</i>)
niyamarri	beaches and dunes
rarrga-rarrga	beach spinifex (<i>Spinifex longifolius</i>)
rayi	spiritual essence; spirit being; child-spirit
rirrwal	white dragon tree (<i>Sesbania formosa</i>)
Wirralburu	Yawuru season: warming up season; September to October
Wirn-gi	samphire; saltbush (<i>Frankenia ambita</i>)
Wirralburu	Yawuru season: May

Source: Yawuru cultural management plan (Yawuru RNTBC 2011)

6.0 References

Aboriginal Heritage Act 1972 (WA)

Aboriginal Heritage Inquiry System, 2016, *Registered Sites, Shire of Broome*, accessed July 2016 from <http://maps.dia.wa.gov.au/AHIS2/>.

Akerman, K., 1975, Aboriginal Camp Sites on the Western Coast of Dampierland, Western Australia, in *Occasional Papers in Anthropology No 4*, March 1975, pp 93 – 104, University of Queensland.

Animal Welfare Act 2002 (WA)

Atlas of Living Australia, 2015, *Pterocaulon intermedium*, viewed October 2015 <http://bie.ala.org.au/species/Pterocaulon+intermedium>.

Australian Museum 2010, *Online Information about the Estuarine Crocodile*, September 2010, Australian Museum 2012, viewed 14 February 2012, <http://australianmuseum.net.au/estuarine-crocodile>.

Beams, L., Docherty, P., and Dureau, D., 2011, *Preliminary Plant Community Description – Mangarr Community on Relict Dune Systems, Broome Peninsula. Broome*, Western Australia.

Bennelongia 2009, *Ecological character description for Roebuck Bay*, Report to the Department of Environment and Conservation, Bennelongia Pty Ltd, Jolimont, Western Australia.

Biosecurity and Agriculture Management Act 2007 (WA)

Black, SJ, Willing, T & Dureau, DM, 2010, *A Comprehensive Survey of the Flora, Extent and Condition of Vine Thickets on Coastal Sand Dunes of Dampier Peninsula, West Kimberley 2000–2002*, Broome Botanical Society (Inc.), Broome, Western Australia.

BOM – see Bureau of Meteorology

Bureau of Meteorology, 2015, *Climate Data Online – Broome Airport, Station ID 003003*, viewed October 2015
<http://www.bom.gov.au/climate/data/index.shtml?bookmark=200>.

Bush Fires Act 1954 (WA)

Conservation Volunteers Australia, 2010, *Cable Beach Community-based Monitoring Program – Report of 2009 – 10 Nesting Activity for the Flatback Turtle* (*Natator depressus*) at Cable Beach, Western Australia, Conservation Volunteers Australia, Broome, Western Australia.

Conservation and Land Management Act 1984 (WA)

Control of Vehicles (off-Road Areas) Act 1978 (WA)

DEC – see Department of Environment and Conservation

Department of Agriculture and Food WA 2015, *Western Australian Organism List (WAOL)*, viewed October 2015
<https://www.agric.wa.gov.au/bam/western-australian-organism-list-waol>.

Department of Conservation and Land Management, 1999, *Environmental Weed Strategy for Western Australia*, viewed October 2015,
http://www.dpaw.wa.gov.au/images/documents/plants-animals/plants/weeds/environmental_weed_strategy_wa.pdf.

Department of Environment and Conservation, 2006, *Policy Statement No. 18 – Recreation, Tourism and Visitor Services*, Perth, Western Australia.

Department of Parks and Wildlife, 2015a, *NatureMap: Mapping Western Australia's Biodiversity*, Department of Environment and Conservation, Perth, viewed August 2015, www.naturemap.dpaw.wa.gov.au/.

Department of Parks and Wildlife, 2015b, *Threatened and Priority Ecological Community Lists*, June 2015, viewed October 2015,
<http://www.dpaw.wa.gov.au/plants-and-animals/threatened-species-and-communities/wa-s-threatened-ecological-communities>.

Department of Sustainability, Environment, Water, Population and Communities 2011a, *National Heritage Places – West Kimberley*, Commonwealth of Australia, viewed 7 February 2011, <http://www.environment.gov.au/heritage/places/national/west-kimberley>.

Department of Sustainability, Environment, Water, Population and Communities 2011b, *West Kimberley Place Report – Description and History Prepared for the Australian Heritage Council's Final Assessment of National Heritage Values*, Commonwealth of Australia, viewed 1 June 2012, www.environment.gov.au/heritage/places/national/west-kimberley/index.html.

Department of Sustainability, Environment, Water, Population and Communities 2012a, *Ctenotus angusticeps*, in Species Profile and Threats Database, Commonwealth of Australia, viewed 5 June 2012, www.environment.gov.au/sprat.

Department of Sustainability, Environment, Water, Population and Communities 2012b, *Rostratula australis*, in Species Profile and Threats Database, Commonwealth of Australia, viewed 5 June 2012 from www.environment.gov.au/sprat.

Department of the Environment, 2015a, *The West Kimberley, Great Northern Hwy, Broome, WA, Australia*, viewed 20 August 2015, http://www.environment.gov.au/cgi-bin/ahdb/search.pl?mode=place_detail;place_id=106063.

Department of the Environment, 2015b, *Weeds of National Significance*, viewed October 2015, <https://www.environment.gov.au/biodiversity/invasive/weeds/weeds/lists/wons.html>.

Department of Water 2010a, *Kimberley Regional Water Plan 2010–2030: Strategic Directions and Actions – Draft for Public Comment*, Department of Water, Perth.

Department of Water 2010b, *La Grange Groundwater Allocation Plan*, Water Resource Allocation and Planning Series, Report no. 25 February 2010, Department Water, Perth.

Department of Water 2012, *Groundwater Resource Review, Dampier Peninsula*, Hydrogeological Record Series, Report no. HG57, Department of Water, Perth.

Dog Act 1976 (WA)

DotE – see Department of the Environment

DOW – see Department of Water

DSEWPC – see Department of Sustainability, Environment, Water, Population and Communities

Eliot, I., and Eliot, M. 2008. *Coastal Geomorphology: Proposed LNG Hub Locations in Kimberley Region of Western Australia. Report for Northern Development Taskforce: Environmental Experts Working Group*. Damara WA Pty Ltd. Innaloo. Western Australia.

Environment Protection and Biodiversity Conservation Act 1999 (Cwlth)

Environmental Protection Authority, 2005, *Fire in the Kimberley and Inland Regions of WA*, Environmental Protection Authority, Perth, Western Australia,

Fish Resources Management Act 1994 (WA)

Foster-Smith, J., Birchenough, A., Evans, S., and Prince, J., 2007, Human Impacts on Cable Beach, Broome Western Australia, in *Journal of Coastal Management*, 35:181 – 194.

Graham, G., (2001), Dampierland 2 (DL2 Pindanland Subregion), in May J. (Ed.), *A Biodiversity Audit of Western Australia's Biogeographical Subregions in 2002*. Department of Conservation and Land Management, Perth, Western Australia.

Heritage Council, 2015, *State Heritage Register*, viewed October 2015, <http://stateheritage.wa.gov.au/state-heritage-register>.

Johnstone, R., 1983, 'Birds', in McKenzie, N., (Ed), *Wildlife of the Dampier Peninsula, South-west Kimberley, Western Australia*, Wildlife Research Bulletin Western Australia, part V, no. 11, pp. 54–69, Department of Fisheries and Wildlife, Perth, Western Australia.

Kenneally, K., Edinger, D., & Willing, T., 1996, *Broome and Beyond—Plants and People of the Dampier Peninsula, Kimberley, Western Australia*, Department of Conservation and Land Management, Perth.

Land Administration Act 1997 (WA)

Landgate, 2015, *WA Atlas – Minedex and WA Petroleum Titles*, viewed October 2015 <https://www2.landgate.wa.gov.au/bmvf/app/waatlas/>.

Laws, A., 1991, 'Explanatory notes on the Broome 1:250 000 hydrogeological sheet', *Geological Survey of Western Australia Hydrogeological Series- Explanatory Notes*, Department of Mines Western Australia.

Local Government Act 2005 (WA)

Matthews, D., Semeniuk, V. and Semeniuk, C., 2011, Freshwater Seepage along the Coast of the Western Dampier Peninsula, Kimberley Region, Western Australia, in *Journal of the Royal Society of Western Australia*, Vol. 94, Pt 2, pp. 207 – 212.

McKenzie, N., (ed.) 1983, *Wildlife of the Dampier Peninsula, South-west Kimberley, Western Australia*, Wildlife Research Bulletin Western Australia, no. 11, pp. 1–83, Department of Fisheries and Wildlife, Perth.

McKenzie N & Burbidge, A., 2002, *Australian Mammal Audit*, in WATSNU – Newsletter for Threatened Species and Ecological Communities, Conservation, vol. 9 no. 1, pp.4–7, Department of Environment and Conservation, Perth.

National Native Title Tribunal 2010a, *Yawuru Area Agreement ILUA*, Register of Indigenous Land Use Agreements, Commonwealth of Australia 2008–2011, viewed 8 February 2012, www.nntt.gov.au.

National Native Title Tribunal 2010b, *Yawuru Prescribed Body Corporate ILUA - Broome*, Register of Indigenous Land Use Agreements, Commonwealth of Australia 2008–2011, viewed 8 February 2012, www.nntt.gov.au.

National Native Title Tribunal 2010c, *The Yawuru people's native title journey*, Talking Native Title online newsletter, Commonwealth of Australia 2008–2011, viewed 8 February 2012, www.nntt.gov.au.

Native Title Act 1993 (Cwlth)

NatureMap – see Parks and Wildlife

Oldmeadow, E., 2007, '*Geological and Hydrogeochemical Investigations into the Holocene Carbonate Dominated Wetlands, Roebuck Bay and Roebuck Plains, Western Australia*', PhD Dissertation (Applied Geology), Curtin University of Technology, Western Australia.

Parks and Reserves Act 1895 (WA)

PaW – see Department of Parks and Wildlife

Pepping, M., Piersma, T., Pearson, G., and Lavaleye, M. (1999). *Intertidal Sediments and Benthic Animals of Roebuck Bay, Western Australia*. Texel, The Netherlands: Netherlands Institute for Sea Research (NIOZ).

Piersma, T., Pearson, G.B., Hickey, R., Dittmann, S., Rogers, D.L., Folmer, E., Honkoop, P., Drent, J., de Goeij, P., and Marsh, L., 2006, *Research Report – Roebuck Bay Invertebrate and Bird Mapping 2006*, viewed October 2015, <http://www.rug.nl/research/animal-ecology/publications/pdf/2006/4piersma06.pdf>.

Road Traffic Act 1974 (WA)

Roebuck Bay Working Group Inc., (undated), *Creepy Crawlies and Mud*, viewed October 2015, <http://www.roebuckbay.org.au/our-bay/creepy-crawlies-and-mud/>.

Searle, J.A., 2012, *Groundwater Resource Review, Dampier Peninsula, Hydrogeological Record Series, Report no. HG57*, Department of Water, Perth.

Semeniuk Research Group, 2011, *The Wetlands of the Yawuru Coastal Country, Broome Regional Area: The Coastal Wetlands, Stratigraphy and Hydrology, Natural Maintenance, Environmental and Geoheritage Significance, and Recommendations for Management*, Report to Nyamba Buru Yawuru Ltd.

Semeniuk, V., 2008, 'Holocene Sedimentation, Stratigraphy, Biostratigraphy, and History of the Canning Coast, North-western Australia', *Journal of the Royal Society of Western Australia*, Supplement to vol. 91, Part 1, pp. 53–148, Royal Society of Western Australia, Perth.

Semeniuk, V., 1983, Regional and Local Mangrove Distribution in Northwestern Australia in Relationship to Freshwater Seepage, in *Vegetation* 53:11 – 31.

Shire of Broome, 2016, personal communication.

Storr, G., and Johnstone, R., 1983, 'Amphibians and Reptiles', in McKenzie, N., (ed.) *Wildlife of the Dampier Peninsula, South-west Kimberley, Western Australia*, Wildlife Research Bulletin Western Australia, Part VI, no. 11, pp. 70–74, Department of Fisheries and Wildlife, Perth.

Storr, G., Smith, L., and Johnstone, R., 2002, *Snakes of Western Australia*, Western Australian Museum, Perth.

Tourism Western Australia 2015, *Australia's North West – Overnight Visitor Fact Sheet Year Ending December 2014*, viewed October 2015, <http://www.tourism.wa.gov.au/Publications%20Library/Research%20and%20reports/Australia%27s%20North%20West%20YE%20Dec%202014%20Factsheet.pdf>.

Trudgen, M., 2002, *A Flora, Vegetation and Floristic Survey of the Burrup Peninsula, some Adjoining Areas and part of the Dampier Archipelago with Comparisons to the Florists of Areas on the Adjoining Mainland* (Volume 1), ME Trudgen and Associates, Consultant Botanists, unpublished report prepared for the Department of Mineral and Petroleum Resources, Perth Western Australia.

Turpin, J., and Bamford, M., 2010, *Fauna Assessment of the Broome Port Area*, report prepared for Coffey Natural Systems by M.J. and A.R. Bamford, Consulting Ecologists, Kingsley, Western Australia.

Vogwill, R., 2003, *Hydrogeology and Aspects of Environmental Geology of the Broome Area, Western Australia*, PhD Dissertation (Applied Geology), Curtin University of Technology, Western Australia.

WAITOC 2014, 2013 – 2014 WAITOC Annual Report, viewed October 2015, <http://www.waitoc.com/2014/waitoc-corporate-documents>.

Waples K, 2007, *Kimberley Biodiversity Review*, Department of Environment and Conservation, Perth.

Water and Rivers Commission (WRC), 2001, *Broome Water Reserve Water Source Protection Plan, Broome Town Water Supply, Waters and Rivers Commission Water Resource Protection Series Report No. WRP41*. Waters and Rivers Commission Policy and Planning Division, Perth. Western Australia.

Western Australian Department of Planning and Urban Development (WADPUD), 1990, *Cable Beach/Reddell Point Broome Development Concept Plan*, Western Australian Department of Planning and Urban Development, Perth, Western Australia.

Wildlife Conservation Act 1950 (WA)

Yawuru – www.yawuru.com, accessed October 2015

Yawuru Registered Native Title Body Corporate, 2011, *Walyjala-jala buru jayida jarringgun buru Nyamba Yawuru ngan-ga mirli mirli (Planning for the Future: Yawuru Cultural Management Plan)* – the cultural management plan for Yawuru coastal country and the Yawuru Conservation Estate, Pindan Printing Pty Ltd, Broome, Western Australia.

YRNTBC 2011-see Yawuru Registered Native Title Body Corporate, 2011

Copies of the Yawuru cultural management plan are available from:

Nyamba Buru Yawuru
PO Box 425, Broome, WA, 6725
yawuru@yawuru.org.au

7.0 Acronyms

ANZECC	Australia and New Zealand Environment and Conservation Council
BBO	Broome Bird Observatory
BF Act	<i>Bush Fires Act 1954 (WA)</i>
BPA	Broome Ports Authority
CALM Act	<i>Conservation and Land Management Act 1984 (WA)</i>
CAMBA	China-Australia Migratory Bird Agreement
CCWA	Conservation Commission of Western Australia
CVA	Conservation Volunteers Australia
DBCA	Department of Biodiversity, Conservation and Attractions; the Department (previously the Department of Parks and Wildlife)
DFES	Department of Fire and Emergency Services (formerly Fire and Emergency Services Authority)
DoF	Department of Fisheries
DMP	Department of Mines and Petroleum
DoT	Department of Transport
DoP	Department of Planning
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999 (Cwlth)</i>
EPA	Environmental Protection Authority
FRM	<i>Fish Resource Management Act 1994 (WA)</i>
H	High priority management strategy
H-KMS	High key management strategy
ILUA	Indigenous Land Use Agreement
IPA	Indigenous protected area
IUCN	International Union for the Conservation of Nature
JAMBA	Japan-Australia Migratory Bird Agreement
JMA	Joint Management Agreement
KPI	Key performance indicator
KTI	Kimberley Training Institute
LA Act	<i>Land Administration Act 1997 (WA)</i>

LG Act	<i>Local Government Act 1995 (WA)</i>
L-KMS	Low priority key management strategy
LNT	Leave no trace
M-KMS	Medium priority key management strategy
MOU	Memorandum of understanding
MPRA	Marine Parks and Reserves Authority
NT Act	<i>Native Title Act 1993 (Cwlth)</i>
PaW	Department of Parks and Wildlife (known as Parks and Wildlife; formerly Department of Environment and Conservation)
PEC	Priority ecological community
RNTBC	Registered Native Title Body Corporate
ROKAMBA	Republic of Korea-Australia Migratory Bird Agreement
SKIPPA	Society for Kimberley Indigenous Plants and Animals
SoB	Shire of Broome
TEC	Threatened ecological community
TEK	Traditional ecological knowledge
UCL	Unallocated crown land
WAM	Western Australian Museum
WADPUD	West Australian Department of Planning and Urban Development (now Department of Planning)
WC Act	<i>Wildlife Conservation Act 1950 (WA)</i>
WRC	Water and Rivers Commission
YCE	Yawuru Conservation Estate
YCMP	Yawuru Cultural Management Plan
YPC	Yawuru Park Council

Appendix 1 – Tenure of Reserves within Yawuru Minyirr Buru Conservation Park

Map No.	ILUA Area	Lot Details	Reserve No.	Class	Management Order	Purpose	Spatial Area (ha)
Town site Areas (Yawuru Prescribed Body Corporate ILUA)							
1	Area 1, Schedule 9	Lot 450 on DP 72928	51115	A	Care, control and management to Yawuru RNTBC and the Shire of Broome	Conservation, recreation, and traditional and customary Aboriginal use and enjoyment	144.1953
2	Area 2, Schedule 9	Lot 520 on DP 71094	50994	A	Care, control and management to Yawuru RNTBC and the Shire of Broome	Conservation, recreation, and traditional and customary Aboriginal use and enjoyment	294.83
3	Area 2.5, Schedule 9	Lot 301 on DP 71518	50994	A	Care, control and management to Yawuru RNTBC and the Shire of Broome	Conservation, recreation, and traditional and customary Aboriginal use and enjoyment	165.36
4	Area 3, Schedule 9	Lot 601 on DP 70309	51106	C	Care, control and management to Yawuru RNTBC and the Shire of Broome	Conservation, recreation, and traditional and customary Aboriginal use and enjoyment	268.48
5	Area 4, Schedule 9	Lot 400 on DP 70309	51106	C	Care, control and management to Yawuru RNTBC and the Shire of Broome	Conservation, recreation, and traditional and customary Aboriginal use and enjoyment	22.314
6	Area 5, Schedule 9	Lot 450 on DP 72936	51304	A	Care, control and management to Yawuru RNTBC and the Shire of Broome	Conservation, recreation, and traditional and customary Aboriginal use and enjoyment	63.519
7	Area 6, Schedule 9	Lots 560 and 562 on DP 71526	52308	C	Care, control and management to Yawuru RNTBC and the Shire of Broome	Conservation, recreation, and traditional and customary Aboriginal use and enjoyment	20.851

Map No.	ILUA Area	Lot Details	Reserve No.	Class	Management Order	Purpose	Spatial Area (ha)
8	Area 7, Schedule 9	Lot 602 on DP 70310	51106	C	Care, control and management to Yawuru RNTBC and the Shire of Broome	Conservation, recreation, and traditional and customary Aboriginal use and enjoyment	1.3650
9	Area 9, Schedule 9	Lots 521, 524 and 525 on DP 71095	50994	A	Care, control and management to Yawuru RNTBC and the Shire of Broome	Conservation, recreation, and traditional and customary Aboriginal use and enjoyment	8.7476
10	Area 10, Schedule 9	Lot 560 on DP 72599	51176	A	Care, control and management to Yawuru RNTBC and the Shire of Broome	Conservation, recreation, and traditional and customary Aboriginal use and enjoyment	3.3342
11	Area 12, Schedule 9	Lot 389 on DP 72932	51114	C	Care, control and management to Yawuru RNTBC and the Shire of Broome	Conservation, recreation, and traditional and customary Aboriginal use and enjoyment	247.916
12	Area 13 "Port Excision Area", Schedule 9	Lot 603 on DP 70311	51001	C	Care, control and management to Yawuru RNTBC and the Shire of Broome	Conservation, recreation, and traditional and customary Aboriginal use and enjoyment	12.886
13	Area 14 "Port Excision Area", Schedule 9	Lot 620 on DP 70861	51001	C	Care, control and management to Yawuru RNTBC and the Shire of Broome	Conservation, recreation, and traditional and customary Aboriginal use and enjoyment	10.406
14	Area 14a "Port Excision Area", Schedule 9	Lot 622 on DP 70861	51001	C	Care, control and management to Yawuru RNTBC and the Shire of Broome	Conservation, recreation, and traditional and customary Aboriginal use and enjoyment	1.0427
15	Area 15 "Port Excision Area", Schedule 9	Lot 623 on DP 70861	51001	C	Care, control and management to Yawuru RNTBC and the Shire of Broome	Conservation, recreation, and traditional and customary Aboriginal use and enjoyment	13.781

Map No.	ILUA Area	Lot Details	Reserve No.	Class	Management Order	Purpose	Spatial Area (ha)
Town site Areas (Yawuru Area Agreement ILUA)							
16	Part 2(a), Schedule 7	Lot 750 on DP 75607	51901	A	Care, control and management to Yawuru RNTBC and the Shire of Broome	Conservation, recreation, and traditional and customary Aboriginal use and enjoyment	5.3854
17	Part 2(a) Schedule 7	Lot 1195 on DP 181457	51106	C	Care, control and management to Yawuru RNTBC and the Shire of Broome	Conservation, recreation, and traditional and customary Aboriginal use and enjoyment	3.4317
18	Part 2(a) Schedule 7	Lot 561 on DP 71526	52308	C	Care, control and management to Yawuru RNTBC and the Shire of Broome	Conservation, recreation, and traditional and customary Aboriginal use and enjoyment	35.7125
19	Part 2(a) Schedule 7	Lot 447 on DP 116035	51176	A	Care, control and management to Yawuru RNTBC and the Shire of Broome	Conservation, recreation, and traditional and customary Aboriginal use and enjoyment	0.0685
20	Part 2(b) Schedule 7	Lots 614 and 615 on DP 70854	51123	C	Care, control and management to Yawuru RNTBC and the Shire of Broome	Conservation, recreation, and traditional and customary Aboriginal use and enjoyment	61.009

Proj/Job	Activity	Description	WORKS PLAN	PAYROLL - RFR	PAYROLL - SPA	STAFF COST - RFR	STAFF COST - SPA	LIGHT FLEET - RFR	LIGHT FLEET - SPA	HEAVY FLEET - RFR	HEAVY FLEET - SPA	CONSUMABLE/FIXED COST - RFR	CONSUMABLE/FIXED COST - SPA	CONTRACTS & SERVICES - RFR	CONTRACTS & SERVICES - SPA	MATERIALS - RFR	MATERIALS - SPA
Proj/Job	Activity	Description	WORKS PLAN														
Yawuru General - YW01/101	DR3	Incident response	Responding to incidents such as Crocodile management, Cetacean strandings and entanglement, visitor management issues.														
	EC1	Mon & eval community use impact	Monitor and evaluate human impacts on Conservation Estates.														
	GB4	Committees	Coordinating and attending YPC working group meetings.														
	GC2	Personal development training	Participation in training.			9,000	3,000										
	GE1	Finance & fleet management	Programme consumable costs, staff costs, staff time and general fleet running	534,741	184,151			22,058	22,058		20,000		45,000				9,000
						47,259	81,360										
Proj/Job	Activity	Description	WORKS PLAN														
In Town Reserves - YW02/102	CA4	Planning for vested reserves	Preparation of management plans for vested reserves, including Conservation reserves.			2,000	1,000										
	DA2	Conservation native flora	Fencing and gates, restricted vehicle access, closing vehicle tracks and signage					1,000	1,000								5,000
	DI2	Control of introduced plants	Weed management. Eradication of priority listed weeds eg. Neem and Coffee Bush					1,500	1,500		2,000						
	DJ4	Fire mgt hazard reduction	Mitigate fire risk in Conservation Estate area's.					1,000	1,000		2,500						
	DN1	Protecting indigenous cultural sites	Ensuring the protection of significant cultural sights in area's of Conservation Estate.					1,000	1,000								2,500
	DP3	Constructing buildings and other infrastructure	Constructing small buildings and infrastructure in the Conservation Estate.					1,000	1,000						15,000		8,000
	DP4	Maintaining buildings and other infrastructure	Maintaining and repairing buildings and other infrastructure in the Conservation Estate.					1,000	1,000								
	DP6	Maintaining roadwork	Maintaining roadworks and associated infrastructure.														1,750
	DQ1	Recreation activities and events															1,500
	DR1	Visitor risk	Mitigating potential risk to members of the public.														1,000
	DR5	Incident response	Responding to incidents such as Crocodile management, Cetacean strandings and entanglement, visitor management issues.														
	DS1	Park operations	Day to day Conservation Estate management.					2,092	2,092								7,000
	EB1	Mon & eval threat species & eco communities	Biodiversity survey's and flora and fauna monitoring.					3,000	3,000		2,000						3,000
	EC1	Mon & eval community use impact	Monitor and evaluate human impacts on Conservation Estates.					2,000	2,000								
	GB1	Communication education	Yawuru interps. Such as school holiday programs, and visitor education.					1,000	1,000								2,500
	GB3	Promotion & marketing	Promotion of Yawuru activities through different platforms, such as social media, brochures etc.					2,000	2,000								
	GB4	Committees	Coordinating and attending YPC working group meetings.														
	GC2	Personal development training	Participation in training.														
	GC5	Volunteer management	Managing volunteers in various Yawuru programs, such as Turtle monitoring, weed eradication etc.														
	GE1	Finance & fleet management	Programme consumable costs, staff costs, staff time and general fleet running														750
	GH1	Investigation of operations	Patrol and enforcement.					1,500	1,500								

Proj/Job	Activity	Description	WORKS PLAN																
Out of Town Reserves - YW03/103	CA4	Planning for vested reserves	Preparation of management plans for vested reserves, including Conservation reserves.			2,000	1,000												
	DA2	Conservation native flora	Fencing and gates, restricted vehicle access, closing vehicle tracks and signage					2,000	2,000										
	DI2	Control of introduced plants	Weed management. Eradication of priority listed weeds eg. Neem and Coffee Bush					1,000	1,000		2,000							5,000	
	DJ4	Fire mgt hazard reduction	Mitigate fire risk in Conservation Estate area's.					2,000	2,000		2,000								
	DN1	Protecting indigenous cultural sites	Ensuring the protection of significant cultural sights in area's of Conservation Estate.					1,000	1,000										
	DP3	Constructing buildings and other infrastructure	Constructing small buildings and infrastructure in the Conservation Estate					1,000	1,000						274,947			2,500	
	DP4	Maintaining buildings and other infrastructure	Maintaining and repairing buildings and other infrastructure in the Conservation Estate.					1,000	1,000									8,000	
	DP6	Maintaining roadwork	Maintaining roadworks and associated infrastructure.								1,000				12,000				
	DQ1	Recreation activities and events	Mitigating potential risk to members of the public.															1,750	
	DR1	Visitor risk	Responding to incidents such as Crocodile management, Cetacean strandings and entanglement, visitor management issues.															1,500	
	DR5	Incident response	Responding to incidents such as Crocodile management, Cetacean strandings and entanglement, visitor management issues.					1,350	1,350									1,000	
	DS1	Park operations	Day to day Conservation Estate management.					1,000	1,000		1,500							7,000	
	EB1	Mon & eval threat species & eco communities	Biodiversity survey's and flora and fauna monitoring.					1,000	1,000									3,000	
	EC1	Mon & eval community use impact	Monitor and evaluate human impacts on Conservation Estates.					1,000	1,000										
	GB1	Communication education	Yawuru Interps. Such as school holiday programs, and visitor education.					1,000	1,000									2,500	
	GB3	Promotion & marketing	Promotion of Yawuru activities through different platforms, such as social media, brochures etc.																
	GB4	Committees	Coordinating and attending YPC working group meetings.																
	GC2	Personal development training	Participation in training.																
	GC5	Volunteer management	Managing volunteers in various Yawuru programs, such as Turtle monitoring, weed eradication etc.																
	GE1	Finance & fleet management	Programme consumable costs, staff costs, staff time and general fleet running																
	GH1	Investigation of operations	Patrol and enforcement.					1,500	1,500									750	
Total				534,741	184,151	60,259	86,360	55,000	55,000	-	33,000	-	45,000	-	301,947	-	75,000		
																		Total	1,430,458
																		SPA	780,458
																		RFR	650,000

10.4 MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD 13 FEBRUARY 2018

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FRE02
AUTHOR:	Manager Financial Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	13 February 2018

SUMMARY: This report presents to Council the outcomes of the Audit and Risk Committee's meeting held 13 February 2018 and seeks consideration of adoption of the recommendations pertaining to the Compliance Audit Return 2017, the Audit Regulation 17 Improvement Plan Biannual Progress Report and the Quarter 2 Finance and Costing Review (FACR).

BACKGROUNDPrevious ConsiderationsCompliance Audit Return 2017

OMC 23 March 2004	Item 9.1.3
OMC 22 March 2005	Item 9.1.2
OMC 11 April 2006	Item 9.1.4
OMC 15 March 2007	Item 10.4
OMC 13 March 2008	Item 10.1
OMC 24 March 2009	Item 10.3
OMC 18 March 2010	Item 10.1
OMC 17 March 2011	Item 10.2
OMC 15 March 2012	Item 9.4.2
OMC 21 March 2013	Item 10.2
OMC 27 February 2014	Item 10.4
OMC 26 February 2015	Item 10.1
OMC 25 February 2016	Item 10.3
OMC 23 February 2017	Item 10.3

Audit Regulation 17 Improvement Plan Biannual Progress

SMC 27 June 2014	Item 9.4.6
OMC 28 August 2014	Item 10.2
OMC 27 November 2014	Item 10.3
OMC 2 June 2015	Item 10.1
OMC 26 May 2016	Item 10.3
OMC 23 February 2017	Item 10.3
OMC 25 May 2017	Item 10.1

2017/2018 Quarter 2 Finance and Costing Review

OMC 29 June 2017	Item 9.4.4
OMC 19 Oct 2017	Item 9.4.3

Compliance Audit Return 2017

Section 7.13(1)(i) of the *Local Government Act 1995* requires that each local government carry out a compliance audit for the period 1 January to 31 December each year. The Compliance Audit is an in-house self audit that is undertaken by staff.

In accordance with Regulation 14 of the *Local Government (Audit) Regulations 1996* the Audit and Risk Committee is to review the Compliance Audit Return (CAR), and is to report to Council the results of that review. The CAR is to be:

1. presented to an Ordinary Meeting of Council
2. adopted by Council; and
3. recorded in the minutes of the meeting at which it is adopted.

Following the adoption by Council of the CAR, a certified copy of the return, along with the relevant section of the minutes and any additional information detailing the contents of the return are to be submitted to the Department of Local Government Sport and Cultural Industries (DLGSC) by 31 March 2018.

The return requires the Shire President and the Chief Executive Officer (CEO) to certify that the statutory obligations of the Shire of Broome have been complied with.

Audit Regulation 17 Improvement Plan Biannual Progress

The *Local Government Audit Regulations 1996* (the Regulations) include reviewing the appropriateness and effectiveness of a local government's Risk management systems and procedures. Specifically, Audit Regulation 17 (Audit Reg. 17) requires the CEO to conduct a review and report the results to the Audit and Risk Committee on the effectiveness of risk management, internal control and legislative compliance. The *DLGSC Audit in Local Government Guideline No. 9* advises that the review can be undertaken either on an internal or external audit basis.

Initially the Shire of Broome appointed an external auditor to conduct a third party review of organisational practices in accordance with updated legislation contained within Audit Reg. 17. The Audit Reg. 17 Review Audit produced a comprehensive Improvement Plan separated into the three main compliance areas; Risk Management (RM), Legislative Compliance (LC) and Internal Controls (IC).

The Shire's Risk Technical Advisory Group (Risk TAG) effect the framework components identified in the Improvement Plan. The Risk TAG enables the Shire to fulfil its responsibilities in relation to reporting on risk management, internal control, and legislative compliance. The Improvement Plan action items contained within the Audit Reg. 17 Review Audit are allocated to members of the Risk TAG and prioritised in accordance with organisational need and capacity. The Risk TAG meets monthly to review and update specific actions contained in the Improvement Plan and report to the Executive Management Group (EMG) and Council.

The biannual report is to identify actioned items as detailed in the Improvement Plan. Actions are reported to the Audit and Risk Committee in May and November each year, followning endorsement by EMG. Due to the Ordinary Local Government election being held in October 2017 and appointments to Committees not being considered until the November OMC the presentation of the biannual report to the Audit and Risk Committee was delayed.

2017/2018 Quarter 2 Finance and Costing Review

The Shire of Broome has carried out its 2nd Quarter Finance and Costing Review (FACR) for the 2017/18 Financial Year. This Review of the 2017-2018 Annual Budget is based on actuals and commitments for the first three months of the year from 1 July 2017 to 31 December 2017, and forecasts for the remainder of the financial year.

This process aims to highlight over and under expenditure of funds for the benefit of Executive and Responsible Officers to ensure good fiscal management of their projects and programs.

Once this process is completed, a report is compiled identifying budgets requiring amendments to be adopted by Council. Additionally, a summary provides the financial impact of all proposed budget amendments to the Shire of Broome's adopted end-of-year forecast, in order to assist Council to make an informed decision.

It should be noted that the 2017/2018 annual budget was adopted at the Ordinary Meeting of Council on 29 June 2017 as a balanced budget. There have been further amendments adopted by Council as part of the Annual Financial Statements for the use of additional carried forward surplus and as part of 1st Quarter FACR. The result of all amendments prior to the 2nd Quarter FACR is \$43,601 deficit upon the Shire of Broome's forecast end of year position.

COMMENT

Compliance Audit Return 2017

The CAR for the period 1 January to 31 December 2017 continues in a reduced format introduced in 2011 with questions focused on high risk areas of compliance and statutory reporting as prescribed in Regulation 13 of the *Local Government (Audit) Regulations 1996*. This year the CAR has been extended to include 7 additional questions relating to Integrated Planning and Reporting. These questions are optional.

The 2017 CAR includes a total of 94 questions and focuses on the following areas of compliance:

- Commercial Enterprises by Local Governments
- Delegation of Power/Duty
- Disclosure of Interest
- Disposal of Property
- Elections
- Finance
- Integrated Planning and Reporting (optional)
- Local Government Employees
- Official Conduct
- Tenders for Providing Goods and Services.

The 2017 CAR has been completed in consultation with officers responsible for the various areas contained in the return, and reviewed by the Executive Management Group and the CEO.

The 2017 Compliance Audit reveals a compliance rating of 100%. This compares to:

2016 Compliance Audit – 1 area of non-compliance of the 87 areas audited (98.8%)
2015 Compliance Audit – 0 areas of non-compliance of the 87 areas audited (100%)
2014 Compliance Audit – 1 area of non-compliance of the 78 areas audited (98.7%)
2013 Compliance Audit – 0 areas of non-compliance of the 78 areas audited (100%)

2012 Compliance Audit – 8 areas of non-compliance of 78 areas audited (89.7%)
 2011 Compliance Audit – 1 area of non-compliance of 78 areas audited (98.7%)
 2010 Compliance Audit – 1 area of non-compliance of 283 areas audited (99.6%)
 2009 Compliance Audit – 4 areas of non-compliance of 347 areas audited (98.8%)
 2008 Compliance Audit – 2 areas of non-compliance of 311 areas audited (99.4%)
 2007 Compliance Audit – 13 areas of non-compliance of 271 areas audited (96.1%)
 2006 Compliance Audit – 21 areas of non-compliance of 271 areas audited (92.3%)
 2005 Compliance Audit – 23 areas of non-compliance of 306 areas audited (92.5%)
 2004 Audit – 18 areas of non-compliance and 147 areas audited (87.8%).

Audit Regulation 17 Improvement Plan Biannual Progress

There are a number of actions that are completed or in progress with full details contained in the attached Improvement Plan. The following items have been actioned from May 2017 to January 2018 in accordance with the Improvement Plan:

No.	Framework Components
RM1.1	Bi-Annual Risk Reporting <i>Officer Comment: Bi-annual reports to EMG and Council are provided through the Audit and Risk Committee as per Risk Management Policy 2.1.4</i>
RM3.3	Business Continuity Plan <i>Officer Comment: Draft document requires final review and amendments to ensure suitability and effectiveness. To be presented to the Audit and Risk Committee in May 2018.</i>
RM3.6	Local Emergency Management Plan 2014 Draft <i>Officers Comment: Following training provided on Managing Recovery Activities the Local Emergency Management Plan is being reviewed and will be tested once finalised.</i>
RM3.8	Workforce Plan <i>Officer Comment: The Workforce Plan is under review. Please note organisational risks have been identified in the external analysis section 2.1.1-2.1.15 and internal analysis section 3.3.1-3.3.14 and again in Workforce Planning 4.1.1 page 47. In order to satisfy the auditors, the risk section will itemise the known risks under 4.5.9 organisational risk management. An organisational survey was completed in late 2017 and will be used to form the basis of the review. Revised completion date of November 2018.</i>
RM3.9	Infrastructure Asset Management Plans <i>Officer Comments: Plans prepared in 2017 and received by Council at the December 2017 OMC.</i>
RM3.12	Emergency Response Procedures Shire Buildings <i>Officer Comment: Organisational responsibility for this action currently being reviewed. Procedures have been drafted for the Administration Building however require a review following the refurbishment.</i>
RM3.15	Volunteer and Contractor Inductions <i>Officer Comment: Volunteer inductions provided. Contractor Induction documentation has been reviewed by LGIS. Existing contractors required to attend induction in February 2018.</i>
RM4.1	Audit and Risk Committee <i>Officer Comment: Risk Profiles implemented. External Risk Audit to be undertaken by external auditor in December 2018.</i>
RM4.2	Monitoring Compliance <i>Officer Comment: This has been amended to an ongoing action.</i>
RM4.4	Risk Register <i>Officer Comment: Risk Profiles have been developed and implemented. Electronic systems are being investigated to further streamline the process and</i>

	<i>provide improved visibility and management of identified risks.</i>
RM4.5	EMG Minutes <i>Officer Comment: Process in place to ensure that EMG Minutes are recorded to Synergy Central Records System. All 2017 meeting minutes have been recorded to Synergy. EMG minutes will continue to be recorded to Synergy.</i>
RM5.2	Training <i>Officer Comment: Risk Management Training funds assigned through annual budget process for 17/18.</i>
LC1.1	Code of Conduct <i>Officer Comment: Revised Code of Conduct is being drafted and will include volunteers and contractors. To be presented to Council in April.</i>
LC 5.2	EMG Minutes <i>Officer Comment: Process in place to ensure that EMG Minutes are recorded to Synergy Central Records System. All 2017 meeting minutes have been recorded to Synergy. EMG minutes will continue to be recorded to Synergy</i>
LC5.3	Employee Complaints/Grievance Handling <i>Officer Comment: Employee complaints are addressed by the Manager of HR. This action will be reviewed as a priority on commencement of the Manager People and Culture.</i>
IC2.1	Management Policy – Internal Controls <i>Officers Comment: Internal Control Framework developed and in operation however leaving open until process is firmly established and embedded in across the organisation.</i>
IC2.2	Private and Community Works Policy <i>Officer Comment: The Finance Department have developed an internal finance procedure to ensure private works are only undertaken after an appropriate written agreement (signed letter or purchase order) has been received.</i>
IC2.3	Internal Audit <i>Officers Comment: The Senior Procurement, Risk and Governance Officer will coordinate an internal audit.</i>
IC3.2	Staff Training <i>Officers Comment: Inductions and specific on the job training for internal control areas i.e. cash handling, stock control as required. Training programmes to be developed for specific areas e.g. BRAC, Civic Centre and others as identified.</i> <i>Financial Services developed an induction pack that includes relevant information for each function in Finance.</i> <i>Governance, Records and IT inductions are undertaken with designated employees on their commencement. Other inductions are undertaken as requested. Information sessions on local government and the Local Government Act were held with internal and external staff in November 2017.</i>
IC3.3	Documented Procedures <i>Officers Comment: Standard operating procedures exist for selected, but not all, financial procedures. Procedure documentation is being developed by officers where it does not currently exist.</i>
IC3.7	Credit Card Procedures <i>Officer Comment: Only members of the BEST team may utilise the credit cards and the details of the card are not to be shared with others.</i>
IC3.8	Checklists <i>Officer Comment: Checklists exist and are in use by staff as part of endorsed procedures.</i>
IC4.1	Monitoring <i>Officers Comment: December 2016 review completed by external consultant. While internal review is recommended current staff resources do not permit</i>

	the development of an internal audit function. An external consultant will provide a biennial review as per the Audit Reg 17 regulations with ongoing risk management functions monitored by the Risk TAG. Next external audit review December 2018.
IC5.1	Ongoing Improvement Plan <i>Officers Comment: This improvement plan forms the basis of an all inclusive continual improvement process for all three areas.</i>
Other	Lone Worker Risk Management <i>Officer Comment: Lone Worker Risk Management consultation paper finalised. Procedure to follow.</i> CCTV <i>Officer Comment: BRAC and Depot CCTV systems implemented to eliminate identified staff safety risks</i>

This report recommends that Council receive the updated Improvement Plan, and adopts the reviewed actions, timelines and responsible officers contained within the document.

2017/2018 Quarter 2 Finance and Costing Review

The 2nd Quarter FACR commenced on 24 January 2018 and involved a rigorous review of all budget accounts. The FACR process has identified a deficit of \$70,296 and net organisational savings of \$nil. This is predominantly due to proposed drainage works in Short Street estimated to cost \$400,000 and Crab Creek Road upgrades totalling \$150,000. Savings have been identified to offset the majority of these additional costs.

The results from this process indicate a deficit forecast financial position to 30 June 2018 of \$113,897 should Council approve the proposed budget amendments. This will result in a deficit of \$113,897 being carried forward to the next FACR meetings to be held in April 2018, however senior staff are confident that the deficit forecast position can be balanced at the Quarter 3 FACR.

It should also be noted that this figure represents a budget forecast should all expenditure and income occur as expected. It does not represent the actual end-of-year position which can only be determined as part of the normal Annual Financial processes at the end of the financial year.

A comprehensive list of accounts is included for perusal by Council, summarised by Directorate, resulting in a FACR Q2 position as follows:

	BUDGET IMPACT					
	2017/18 Adopted Budget (Income) / Expense	FACR Q2 Overall (Income) / Expense (Org Savings not subtracted)	FACR Q2 Org Savings (by Dept.)	FACR Q2 Impact (Income) / Expense (Org Savings subtracted)	YTD Adopted Budget Amendments (Income) / Expense	YTD Impact (Org Savings Subtracted)
Executive - Total	0	50,000	0	50,000	0	0
Corporate Services - Total	0	(109,825)	(95,000)	(14,825)	0	(14,825)
Development & Community - Total	0	(71,748)	(34,000)	(37,748)	43,601	5,853
Infrastructure Services - Total	0	201,869	129,000	72,869	0	122,869
	0,000*	70,296	0	70,296	43,601†	113,897

CONSULTATION

Compliance Audit Return 2017

Nil

Audit Regulation 17 Improvement Plan Biannual Progress

Nil

2017/2018 Quarter 2 Finance and Costing Review

All amendments have been proposed after consultation with Executive and Responsible Officers at the Shire.

STATUTORY ENVIRONMENT

Local Government Act 1995

7.13 Regulations as to audits

- (1) Regulations may make provision –
- (i) requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are –
 - (i) of a financial nature or not; or
 - (ii) under this Act or another written law.

Local Government (Audit) Regulations 1996

13. Prescribed statutory requirements for which compliance audit needed (Act s. 7.13(1)(i))

For the purposes of section 7.13(1)(i) the statutory requirements set forth in the Table to this regulation are prescribed.

Table

Local Government Act 1995		
s. 3.57	s. 3.58(3) and (4)	s. 3.59(2), (4) and (5)
s. 5.16	s. 5.17	s. 5.18
s. 5.36(4)	s. 5.37(2) and (3)	s. 5.42
s. 5.43	s. 5.44(2)	s. 5.45(1)(b)
s. 5.46	s. 5.67	s. 5.68(2)
s. 5.70	s. 5.73	s. 5.75
s. 5.76	s. 5.77	s. 5.88
s. 5.103	s. 5.120	s. 5.121

s. 7.1A	s. 7.1B	s. 7.3
s. 7.6(3)	s. 7.9(1)	s. 7.12A
Local Government (Administration) Regulations 1996		
r. 18A	r. 18C	r. 18E
r. 18F	r. 18G	r. 19
r. 22	r. 23	r. 28
r. 34B	r. 34C	
Local Government (Audit) Regulations 1996		
r. 7	r. 10	
Local Government (Elections) Regulations 1997		
r. 30G		
Local Government (Functions and General) Regulations 1996		
r. 7	r. 9	r. 10
r. 11A	r. 11	r. 12
r. 14(1), (3) and (5)	r. 15	r. 16
r. 17	r. 18(1) and (4)	r. 19
r. 21	r. 22	r. 23
r. 24	r. 24AD(2), (4) and (6)	r. 24AE
r. 24AF	r. 24AG	r. 24AH(1) and (3)
r. 24AI	r. 24E	r. 24F
Local Government (Rules of Conduct) Regulations 2007		
r. 11		

[Regulation 13 inserted in Gazette 23 Apr 1999 p. 1722-4; amended in Gazette 1 Jun 2004 p. 1917; 31 Mar 2005 p. 1042-3; 30 Sep 2005 p. 4418-20; 21 Dec 2010 p. 6758-61; 30 Dec 2011 p. 5579-80; 18 Sep 2015 p. 3813.

14. Compliance audits by local governments

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.

- (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —
 - (a) presented to the council at a meeting of the council; and
 - (b) adopted by the council; and
 - (c) recorded in the minutes of the meeting at which it is adopted.

[Regulation 14 inserted in Gazette 23 Apr 1999 p. 1724-5; amended in Gazette 30 Dec 2011 p. 5580-1.]

15. Compliance audit return, certified copy of etc. to be given to Executive Director

- (1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —
 - (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and
 - (b) any additional information explaining or qualifying the compliance audit, is to be submitted to the Executive Director by 31 March next following the period to which the return relates.
- (2) In this regulation —
certified in relation to a compliance audit return means signed by —
 - (a) the mayor or president; and
 - (b) the CEO.

[Regulation 15 inserted in Gazette 23 Apr 1999 p. 1725.]

Local Government (Financial Management) Regulation 1996

r33A. Review of Budget

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must —
 - (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
 - (b) consider the local government's financial position as at the date of the review; and
 - (c) review the outcomes for the end of that financial year that are forecast in the budget.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

*Absolute majority required.

- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

- 1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

- a) is incurred in a financial year before the adoption of the annual budget by the local government;
- b) is authorised in advance by resolution*; or
- c) is authorised in advance by the mayor or president in an emergency.

(1a In subsection (1) —

“additional purpose” means a purpose for which no expenditure estimate is included in the local government's annual budget.

Local Government (Audit) Regulations 1996

16. Audit committee, functions of

An audit committee —

- (a) is to provide guidance and assistance to the local government —
 - (i) as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and
 - (ii) as to the development of a process to be used to select and appoint a person to be an auditor;and
- (b) may provide guidance and assistance to the local government as to —
 - (i) matters to be audited; and
 - (ii) the scope of audits; and
 - (iii) its functions under Part 6 of the Act; and
 - (iv) the carrying out of its functions relating to other audits and other matters related to financial management; and
- (c) is to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to —
 - (i) report to the council the results of that review; and
 - (ii) give a copy of the CEO's report to the council.

17. CEO to review certain systems and procedures

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —
 - (a) risk management; and
 - (b) internal control; and
 - (c) legislative compliance.
- (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.
- (3) The CEO is to report to the audit committee the results of that review.

Local Government (Financial Management) Regulation 1996

r33A. Review of Budget

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must —
 - (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
 - (b) consider the local government's financial position as at the date of the review; and
 - (c) review the outcomes for the end of that financial year that are forecast in the budget.

- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

*Absolute majority required.

- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

- 1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
 - (a) is incurred in a financial year before the adoption of the annual budget by the local government;
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.
- (1a) In subsection (1) —

“additional purpose” means a purpose for which no expenditure estimate is included in the local government's annual budget.

POLICY IMPLICATIONS

Compliance Audit Return 2017

Nil

Audit Regulation 17 Improvement Plan Biannual Progress

Nil

2017/2018 Quarter 2 Finance and Costing Review

2.1.1 Materiality in Financial Reporting

It should be noted that according to the materiality threshold set in Policy 2.1.1 Materiality in Financial Reporting, should a deficit achieve 1% of Shire's operating revenue (\$376,296) the Shire must formulate an action plan to remedy the over expenditure.

FINANCIAL IMPLICATIONS

Compliance Audit Return 2017

Nil

Audit Regulation 17 Improvement Plan Biannual Progress

The Shire has received membership funds from the Local Government Insurance Scheme (LGIS) which has been allocated as a genuine rollover to fund organisational Risk Initiatives.

The financial implications of actioning individual items contained in the Improvement Plan in Attachment 1 will be implemented using existing, internal resources. If any additional

resources are required they will be progressed via the quarterly Finance and Costing Review or presented to Council for consideration.

2017/2018 Quarter 2 Finance and Costing Review

The net result of the 2nd Quarter FACR estimates is a budget deficit position of \$113,897 to 30 June 2018 with organisational savings of \$nil.

RISK

Compliance Audit Return 2017

The *Local Government Act 1995* requires that each local government carry out a compliance audit for the period 1 January to 31 December each year. The Compliance Audit is an in-house self audit that is undertaken by staff and is to be submitted to the DLGSC by 31 March each year.

The risk is Extreme if this date is not met as it results in non-compliance with the legislative requirements of the *Local Government Act 1995* and *Local Government (Audit) Regulations 1996*, and loss of reputation with the DLGSC. The likelihood of this occurring is rare as the Compliance Audit Return has been prepared well in advance for presentation to Council on the 22 February 2018.

Audit Regulation 17 Improvement Plan Biannual Progress

Nil

2017/2018 Quarter 2 Finance and Costing Review

The Finance and Costing Review (FACR) seeks to provide a best estimate of the end-of-year position for the Shire of Broome at 30 June 2018. Contained within the report are recommendations of amendments to budgets which have financial implications on the estimate of the end-of-year position.

The review does not, however, seek to make amendments below the materiality threshold unless strictly necessary. The materiality thresholds are set at \$10,000 for operating budgets and \$20,000 for capital budgets. Should a number of accounts exceed their budget within these thresholds, it poses a risk that the predicted final end-of-year position may be understated.

In order to mitigate this risk, the CEO enacted the FACRs to run quarterly and executive examine each job and account to ensure compliance. In addition, the monthly report provides variance reporting highlighting any discrepancies against budget.

It should also be noted that should Council decide not to adopt the recommendations, it could lead to some initiatives being delayed or cancelled in order to offset the additional expenditure associated with running the Shire's operations.

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

Accessible and safe community spaces

A healthy and safe environment

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:

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

Absolute Majority

COMMITTEE RECOMMENDATION 1:

That Council:

1. *Receive the 2nd Quarter Finance and Costing Review Report for the period ended 31 December 2017;*
2. *Adopts the operating and capital budget amendment recommendations for the period ended 30 June 2018 as attached; and*
3. *Notes a forecast end-of-year position to 30 June 2018 of a \$113,897 deficit position.*

(ABSOLUTE MAJORITY REQUIRED)

VOTING REQUIREMENTS

Simply Majority

COMMITTEE RECOMMENDATION 2:

That Council:

1. *Adopts the attached 2017 Compliance Audit Return as the official return for the Shire of Broome; and*
2. *Following certification of this document by the Shire President and Chief Executive Officer, forwards the return and a copy of the minutes relative to this report to the Department of Local Government, Sport and Cultural Industries prior to 31 March 2018.*

COMMITTEE RECOMMENDATION 3:

That Council:

- 1. Receives the updated Audit Regulation 17 Improvement Plan; and*
- 2. Adopts the reviewed actions, timelines and responsible officers as detailed in the Audit Regulation 17 Improvement Plan.*

Attachments

1. Minutes - Audit and Risk Committee Meeting



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."

UNCONFIRMED MINUTES

OF THE

AUDIT AND RISK COMMITTEE MEETING

13 FEBRUARY 2018

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.

SHIRE OF BROOME
AUDIT AND RISK COMMITTEE MEETING
TUESDAY 13 FEBRUARY 2018
INDEX – MINUTES

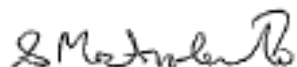
1.	OFFICIAL OPENING	5
2.	ATTENDANCE AND APOLOGIES	5
3.	DECLARATIONS OF FINANCIAL INTEREST / IMPARTIALITY	5
4.	CONFIRMATION OF MINUTES	5
5.	REPORTS OF OFFICERS	6
	5.1 COMPLIANCE AUDIT RETURN 2017	6
	5.2 AUDIT REGULATION 17 IMPROVEMENT PLAN BIENNIAL PROGRESS REPORT	23
	5.3 2ND QUARTER FINANCE AND COSTING REVIEW 2017-18	59
6.	MATTERS BEHIND CLOSED DOORS	72
7.	MEETING CLOSURE	72

NOTICE OF MEETING

Dear Council Member,

The next Audit and Risk Committee of the Shire of Broome will be held on Tuesday, 13 February 2018 in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 3.30pm.

Regards



S MASTROLEMBO
Chief Executive Officer

08/02/2018

**MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING OF THE SHIRE OF BROOME,
HELD IN THE COUNCIL CHAMBERS, CORNER WELD AND HAAS STREETS, BROOME,
ON TUESDAY 13 FEBRUARY 2018, COMMENCING AT 3.30PM.**

1. OFFICIAL OPENING

The Chairperson welcomed Councillors and Officers and declared the meeting open at 3.37pm.

2. ATTENDANCE AND APOLOGIES

Attendance: Cr D Male Chairperson
Cr H Tracey Shire President
Cr C Mitchell

Leave of Absence: Nil

Apologies: Nil

Officers: Mr S Mastrolembo Chief Executive Officer
Mr J Watt Director Corporate Services
Aletta Nugent Director Development and Community
Steven Harding Director Infrastructure
Alvin Santiago Manager Financial Services
Rochelle Piggitt Manager Governance

3. DECLARATIONS OF FINANCIAL INTEREST / IMPARTIALITY

Committee Member	Item No	Item	Nature of Interest
Nil.			

4. CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION:

Moved: Cr C Mitchell

Seconded: Cr H Tracey

That the Minutes of the Audit and Risk Committee held on 6 December 2017, as published and circulated, be confirmed as a true and accurate record of that meeting.

CARRIED UNANIMOUSLY 3/0

5. REPORTS OF OFFICERS

5.1 COMPLIANCE AUDIT RETURN 2017

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	LCR02
AUTHOR:	Manager Governance
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	1 February 2018

SUMMARY: The purpose of this report is to present to the Audit and Risk Committee the 2017 Compliance Audit Return for review, and for a recommendation to Council to adopt the 2017 Compliance Audit Return for submission to the Department of Local Government, Sport and Cultural Industries (DLGSC) by 31 March 2018.

BACKGROUND

Previous Considerations

OMC 23 March 2004	Item 9.1.3
OMC 22 March 2005	Item 9.1.2
OMC 11 April 2006	Item 9.1.4
OMC 15 March 2007	Item 10.4
OMC 13 March 2008	Item 10.1
OMC 24 March 2009	Item 10.3
OMC 18 March 2010	Item 10.1
OMC 17 March 2011	Item 10.2
OMC 15 March 2012	Item 9.4.2
OMC 21 March 2013	Item 10.2
OMC 27 February 2014	Item 10.4
OMC 26 February 2015	Item 10.1
OMC 25 February 2016	Item 10.3
OMC 23 February 2017	Item 10.3

Section 7.13(1)(i) of the *Local Government Act 1995* requires that each local government carry out a compliance audit for the period 1 January to 31 December each year. The Compliance Audit is an in-house self audit that is undertaken by staff.

In accordance with Regulation 14 of the *Local Government (Audit) Regulations 1996* the Audit and Risk Committee is to review the Compliance Audit Return (CAR), and is to report to Council the results of that review. The CAR is to be:

1. presented to an Ordinary Meeting of Council
2. adopted by Council; and
3. recorded in the minutes of the meeting at which it is adopted.

Following the adoption by Council of the CAR, a certified copy of the return, along with the relevant section of the minutes and any additional information detailing the contents of the return are to be submitted to the DLGSC by 31 March 2018.

The return requires the Shire President and the Chief Executive Officer to certify that the statutory obligations of the Shire of Broome have been complied with.

COMMENT

The Compliance Audit Return for the period 1 January to 31 December 2017 continues in a reduced format introduced in 2011 with questions focused on high risk areas of compliance and statutory reporting as prescribed in Regulation 13 of the *Local Government (Audit) Regulations 1996*. This year the CAR has been extended to include 7 additional questions relating to Integrated Planning and Reporting. These questions are optional.

The 2017 CAR includes a total of 94 questions and focuses on the following areas of compliance:

- Commercial Enterprises by Local Governments
- Delegation of Power/Duty
- Disclosure of Interest
- Disposal of Property
- Elections
- Finance
- Integrated Planning and Reporting (optional)
- Local Government Employees
- Official Conduct
- Tenders for Providing Goods and Services.

The 2017 CAR has been completed in consultation with officers responsible for the various areas contained in the return, and reviewed by the Executive Management Group and the Chief Executive Officer.

The 2017 Compliance Audit reveals a compliance rating of 100%. This compares to:

2016 Compliance Audit – 1 area of non-compliance of the 87 areas audited (98.8%)
2015 Compliance Audit – 0 areas of non-compliance of the 87 areas audited (100%)
2014 Compliance Audit – 1 area of non-compliance of the 78 areas audited (98.7%)
2013 Compliance Audit – 0 areas of non-compliance of the 78 areas audited (100%)
2012 Compliance Audit – 8 areas of non-compliance of 78 areas audited (89.7%)
2011 Compliance Audit – 1 area of non-compliance of 78 areas audited (98.7%)
2010 Compliance Audit – 1 area of non-compliance of 283 areas audited (99.6%)
2009 Compliance Audit – 4 areas of non-compliance of 347 areas audited (98.8%)
2008 Compliance Audit – 2 areas of non-compliance of 311 areas audited (99.4%)
2007 Compliance Audit – 13 areas of non-compliance of 271 areas audited (96.1%)
2006 Compliance Audit – 21 areas of non-compliance of 271 areas audited (92.3%)
2005 Compliance Audit – 23 areas of non-compliance of 306 areas audited (92.5%)
2004 Audit – 18 areas of non-compliance and 147 areas audited (87.8%).

CONSULTATION

Nil

STATUTORY ENVIRONMENT**Local Government Act 1995****7.13 Regulations as to audits**

- (1) Regulations may make provision –
- (i) requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are –
 - (i) of a financial nature or not; or
 - (ii) under this Act or another written law.

Local Government (Audit) Regulations 1996**13. Prescribed statutory requirements for which compliance audit needed (Act s. 7.13(1)(i))**

For the purposes of section 7.13(1)(i) the statutory requirements set forth in the Table to this regulation are prescribed.

Table

Local Government Act 1995		
s. 3.57	s. 3.58(3) and (4)	s. 3.59(2), (4) and (5)
s. 5.16	s. 5.17	s. 5.18
s. 5.36(4)	s. 5.37(2) and (3)	s. 5.42
s. 5.43	s. 5.44(2)	s. 5.45(1)(b)
s. 5.46	s. 5.67	s. 5.68(2)
s. 5.70	s. 5.73	s. 5.75
s. 5.76	s. 5.77	s. 5.88
s. 5.103	s. 5.120	s. 5.121
s. 7.1A	s. 7.1B	s. 7.3
s. 7.6(3)	s. 7.9(1)	s. 7.12A
Local Government (Administration) Regulations 1996		
r. 18A	r. 18C	r. 18E
r. 18F	r. 18G	r. 19
r. 22	r. 23	r. 28
r. 34B	r. 34C	
Local Government (Audit) Regulations 1996		
r. 7	r. 10	

Local Government (Elections) Regulations 1997		
r. 30G		
Local Government (Functions and General) Regulations 1996		
r. 7	r. 9	r. 10
r. 11A	r. 11	r. 12
r. 14(1), (3) and (5)	r. 15	r. 16
r. 17	r. 18(1) and (4)	r. 19
r. 21	r. 22	r. 23
r. 24	r. 24AD(2), (4) and (6)	r. 24AE
r. 24AF	r. 24AG	r. 24AH(1) and (3)
r. 24AI	r. 24E	r. 24F
Local Government (Rules of Conduct) Regulations 2007		
r. 11		

[Regulation 13 inserted in Gazette 23 Apr 1999 p. 1722-4; amended in Gazette 1 Jun 2004 p. 1917; 31 Mar 2005 p. 1042-3; 30 Sep 2005 p. 4418-20; 21 Dec 2010 p. 6758-61; 30 Dec 2011 p. 5579-80; 18 Sep 2015 p. 3813.

14. Compliance audits by local governments

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.
- (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —
 - (a) presented to the council at a meeting of the council; and
 - (b) adopted by the council; and
 - (c) recorded in the minutes of the meeting at which it is adopted.

[Regulation 14 inserted in Gazette 23 Apr 1999 p. 1724-5; amended in Gazette 30 Dec 2011 p. 5580-1.]

15. Compliance audit return, certified copy of etc. to be given to Executive Director

- (1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —
 - (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and
 - (b) any additional information explaining or qualifying the compliance audit,

is to be submitted to the Executive Director by 31 March next following the period to which the return relates.

(2) In this regulation —

certified in relation to a compliance audit return means signed by —

- (a) the mayor or president; and
- (b) the CEO.

[Regulation 15 inserted in Gazette 23 Apr 1999 p. 1725.]

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK

The *Local Government Act 1995* requires that each local government carry out a compliance audit for the period 1 January to 31 December each year. The Compliance Audit is an in-house self audit that is undertaken by staff and is to be submitted to the DLGSCI by 31 March each year.

The risk is Extreme if this date is not met as it results in non-compliance with the legislative requirements of the *Local Government Act 1995* and *Local Government (Audit) Regulations 1996*, and loss of reputation with the DLGSCI. The likelihood of this occurring is rare as the Compliance Audit Return has been prepared well in advance for presentation to Council on the 22 February 2018.

STRATEGIC IMPLICATIONS

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

Improved systems, processes and compliance

VOTING REQUIREMENTS

Simple Majority

COMMITTEE RESOLUTION: **(REPORT RECOMMENDATION)**

Moved: Cr H Tracey

Seconded: Cr C Mitchell

That the Audit and Risk Committee recommends Council:

- 1. Adopts the attached 2017 Compliance Audit Return as the official return for the Shire of Broome; and**
- 2. Following certification of this document by the Shire President and Chief Executive Officer, forwards the return and a copy of the minutes relative to this report to the Department of Local Government, Sport and Cultural Industries prior to 31 March 2018.**

CARRIED UNANIMOUSLY 3/0

Attachments

1. Compliance Audit Return 2017

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

Broome - Compliance Audit Return 2017

Certified Copy of Return

Please submit a signed copy to the Director General of the Department of Local Government, Sport and Cultural Industries together with a copy of section of relevant minutes.

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a)(b)(c) F&G Reg 7,9	Has the local government prepared a business plan for each major trading undertaking in 2017.	N/A	No major trading undertakings in 2017.	Chief Executive Officer
2	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2017.	N/A		Chief Executive Officer
3	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2017.	N/A		Chief Executive Officer
4	s3.59(4)	Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2017.	N/A		Chief Executive Officer
5	s3.59(5)	Did the Council, during 2017, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	N/A		Chief Executive Officer

Delegation of Power / Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	Yes	Only 1 Committee with delegated authority for the CEO Recruitment Advisory Committee - through Council's endorsement of the Terms of Reference. In accordance with DLGC Guideline #10 Appointing a CEO.	Senior Administration and Governance Officer
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	Yes		Senior Administration and Governance Officer
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	Yes		Senior Administration and Governance Officer
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	Yes		Senior Administration and Governance Officer

1 of 11

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

No	Reference	Question	Response	Comments	Respondent
5	s5.18	Has Council reviewed delegations to its committees in the 2016/2017 financial year.	N/A	No committees with delegated authority, with the exception of the CEO Recruitment Advisory Committee - last meeting held 25 January 2017.	Senior Administration and Governance Officer
6	s5.42(1),5.43 Admin Reg 18G	Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act.	Yes		Senior Administration and Governance Officer
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority.	Yes		Senior Administration and Governance Officer
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing.	Yes		Senior Administration and Governance Officer
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	Yes		Senior Administration and Governance Officer
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	Yes	OMC 23.2.2017 - Item 9.4.6 OMC 25.5.2017 - Item 9.2.2 OMC 7.9.2017 - Item 9.4.3 OMC 28.9.2017 - Item 9.4.3 OMC 14.12.2017 - Item 9.4.4	Senior Administration and Governance Officer
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes		Senior Administration and Governance Officer
12	s5.46(2)	Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2016/2017 financial year.	Yes	OMC 23.2.2017 - Item 9.4.6 OMC 14.12.2017 - Item 9.4.4	Senior Administration and Governance Officer
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.	Yes	As far as can be ascertained written records have been kept in accordance with the delegation	Senior Administration and Governance Officer

Disclosure of Interest

No	Reference	Question	Response	Comments	Respondent
1	s5.67	If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68).	Yes	OMC 27.4.17 - Item 9.1.4 Cr E Foy disclosed a financial interest after her arrival at the meeting at 5.04pm. The Item had already been considered by Council.	Senior Administration and Governance Officer

2 of 11

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
**Local Government, Sport
and Cultural Industries**

No	Reference	Question	Response	Comments	Respondent
2	s5.68(2)	Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings.	N/A	No member requested to remain present.	Senior Administration and Governance Officer
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made.	Yes		Senior Administration and Governance Officer
4	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day.	Yes		Senior Administration and Governance Officer
5	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day.	Yes		Senior Administration and Governance Officer
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2017.	Yes		Senior Administration and Governance Officer
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2017.	Yes		Senior Administration and Governance Officer
8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return.	Yes		Senior Administration and Governance Officer
9	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76	Yes		Senior Administration and Governance Officer
10	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.	Yes		Senior Administration and Governance Officer
11	s5.88 (3)	Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	Yes		Senior Administration and Governance Officer
12	s5.88(4)	Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.	Yes		Senior Administration and Governance Officer
13	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes.	Yes		Senior Administration and Governance Officer

3 of 11

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

No	Reference	Question	Response	Comments	Respondent
14	s5.70(2)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report.	N/A		Senior Administration and Governance Officer
15	s5.70(3)	Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee.	N/A		Senior Administration and Governance Officer
16	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	Yes		Senior Administration and Governance Officer

Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5)).	Yes	Yes	Property & Leasing Senior Officer
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property.	Yes	Two disposals in accordance with 3.58(3) public notices on: 19/10/2017 19/10/2017	Property & Leasing Senior Officer

Elections

No	Reference	Question	Response	Comments	Respondent
1	Elect Reg 30G (1)	Did the CEO establish and maintain an electoral gift register and ensure that all 'disclosure of gifts' forms completed by candidates and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the candidates.	Yes		Manager Governance

Finance

No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act.	Yes	OMC 23/11/2017 Item 9.4.4	Manager Financial Services
2	s7.1B	Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority.	N/A		Manager Financial Services

4 of 11

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
**Local Government, Sport
and Cultural Industries**

No	Reference	Question	Response	Comments	Respondent
3	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	Yes	OMC 27/08/2015 Item 12.1	Manager Financial Services
4	s7.3, 7.6(3)	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.	Yes	OMC 27/08/2015 Item 12.1	Manager Financial Services
5	Audit Reg 10	Was the Auditor's report for the financial year ended 30 June 2017 received by the local government within 30 days of completion of the audit.	Yes	Audit report dated 3/10/2017. Received by Council OMC 19/10/2017 - Item 12.1	Manager Financial Services
6	s7.9(1)	Was the Auditor's report for the financial year ended 30 June 2017 received by the local government by 31 December 2017.	Yes	Received by Council OMC 19/10/2017 - Item 12.1	Manager Financial Services
7	S7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken by the local government, was that action undertaken.	N/A	No matters raised.	Manager Financial Services
8	S7.12A (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	N/A	No matters raised.	Manager Financial Services
9	S7.12A (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time.	N/A	No matters raised.	Manager Financial Services
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	Yes	As specified in Tender Specifications accepted by Council OMC 27/08/2015 - Item 12.1	Manager Financial Services
11	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	Yes		Manager Financial Services
12	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	Yes		Manager Financial Services
13	Audit Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor.	Yes		Manager Financial Services
14	Audit Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor.	Yes		Manager Financial Services

5 of 11

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
**Local Government, Sport
and Cultural Industries**

Integrated Planning and Reporting					
No	Reference	Question	Response	Comments	Respondent
1	s5.56 Admin Reg 19DA (6)	Has the local government adopted a Corporate Business Plan. If Yes, please provide adoption date of the most recent Plan in Comments. This question is optional, answer N/A if you choose not to respond.	Yes	OMC 14/12/2017 Item 9.4.6	Director Corporate Services
2	s5.56 Admin Reg 19DA (6)	Has the local government adopted a modification to the most recent Corporate Business Plan. If Yes, please provide adoption date in Comments. This question is optional, answer N/A if you choose not to respond.	N/A		Director Corporate Services
3	s5.56 Admin Reg 19C (7)	Has the local government adopted a Strategic Community Plan. If Yes, please provide adoption date of the most recent Plan in Comments. This question is optional, answer N/A if you choose not to respond.	Yes	OMC 15/12/2016 Item 9.4.6	Director Corporate Services
4	s5.56 Admin Reg 19C (7)	Has the local government adopted a modification to the most recent Strategic Community Plan. If Yes, please provide adoption date in Comments. This question is optional, answer N/A if you choose not to respond.	N/A		Director Corporate Services
5	S5.56	Has the local government adopted an Asset Management Plan. If Yes, in Comments please provide date of the most recent Plan, plus if adopted or endorsed by Council the date of adoption or endorsement. This question is optional, answer N/A if you choose not to respond.	Yes	Asset Management Plan July 2017. Received OMC 14/12/2017 Item 9.4.7	Director Corporate Services
6	S5.56	Has the local government adopted a Long Term Financial Plan. If Yes, in Comments please provide date of the most recent Plan, plus if adopted or endorsed by Council the date of adoption or endorsement. This question is optional, answer N/A if you choose not to respond.	Yes	Noted OMC 15/12/2016 Item 9.4.6.	Director Corporate Services
7	S5.56	Has the local government adopted a Workforce Plan. If Yes, in Comments please provide date of the most recent Plan plus if adopted or endorsed by Council the date of adoption or endorsement. This question is optional, answer N/A if you choose not to respond.	N/A	Current document under review.	Director Corporate Services

6 of 11

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

Local Government Employees					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve the process to be used for the selection and appointment of the CEO before the position of CEO was advertised.	Yes	OMC 15/12/2016 Item 12.1	Director Corporate Services
2	s5.36(4) s5.37(3), Admin Reg 18A	Were all vacancies for the position of CEO and other designated senior employees advertised and did the advertising comply with s.5.36(4), 5.37(3) and Admin Reg 18A.	Yes	Council appointed WALGA as the recruitment consultant. WALGA undertook all advertising and compliance requirements.	Director Corporate Services
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4).	Yes	Yes as per Salary & Allowances Tribunal Determinations for Local Government CEOs	Director Corporate Services
4	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only).	Yes	Reference checks and sighting of original documents by WALGA	Director Corporate Services
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	N/A		Director Corporate Services

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
**Local Government, Sport
and Cultural Industries**

Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer.	N/A		Chief Executive Officer
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c).	Yes	No complaints were received that resulted in action under s5.110(6) (b) or (c).	Chief Executive Officer
3	s5.121(2)(a)	Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made.	Yes		Chief Executive Officer
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint.	Yes		Chief Executive Officer
5	s5.121(2)(c)	Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred.	Yes		Chief Executive Officer
6	s5.121(2)(d)	Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b) or (c).	Yes		Chief Executive Officer

Tenders for Providing Goods and Services					
No	Reference	Question	Response	Comments	Respondent
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).	Yes	Yes as far as can be ascertained with the exception of where goods and services with an expected value greater than the consideration under Reg 11(1) have been sourced in accordance with Reg 11(2)(b)	Senior Procurement, Risk & Governance Officer
2	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than inviting tenders for a single contract.	N/A		Senior Procurement, Risk & Governance Officer
3	F&G Reg 14(1) & (3)	Did the local government invite tenders via Statewide public notice.	Yes		Senior Procurement, Risk & Governance Officer

8 of 11

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
**Local Government, Sport
and Cultural Industries**

No	Reference	Question	Response	Comments	Respondent
4	F&G Reg 14 & 15	Did the local government's advertising and tender documentation comply with F&G Regs 14, 15 & 16.	Yes	All tenders were managed by WALGA.	Senior Procurement, Risk & Governance Officer
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation.	Yes		Senior Procurement, Risk & Governance Officer
6	F&G Reg 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Reg 16.	Yes	All tenders were managed by WALGA.	Senior Procurement, Risk & Governance Officer
7	F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender.	Yes		Senior Procurement, Risk & Governance Officer
8	F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria.	Yes		Senior Procurement, Risk & Governance Officer
9	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17.	Yes		Senior Procurement, Risk & Governance Officer
10	F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.	Yes	Two tenders currently being finalised through WALGA.	Senior Procurement, Risk & Governance Officer
11	F&G Reg 21 & 22	Did the local governments's advertising and expression of interest documentation comply with the requirements of F&G Regs 21 and 22.	N/A	No EOI's during 2017.	Senior Procurement, Risk & Governance Officer
12	F&G Reg 23(1)	Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice.	N/A		Senior Procurement, Risk & Governance Officer
13	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services.	N/A		Senior Procurement, Risk & Governance Officer
14	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	N/A		Senior Procurement, Risk & Governance Officer

9 of 11

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
**Local Government, Sport
and Cultural Industries**

No	Reference	Question	Response	Comments	Respondent
15	F&G Reg 24AD(2)	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice.	N/A	No applicants invited for a panel of pre-qualified suppliers during 2017.	Senior Procurement, Risk & Governance Officer
16	F&G Reg 24AD(4) & 24AE	Did the local government's advertising and panel documentation comply with F&G Regs 24AD(4) & 24AE.	N/A		Senior Procurement, Risk & Governance Officer
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16 as if the reference in that regulation to a tender were a reference to a panel application.	N/A		Senior Procurement, Risk & Governance Officer
18	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application, notice of the variation.	N/A		Senior Procurement, Risk & Governance Officer
19	F&G Reg 24AH(1)	Did the local government reject the applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time specified in the invitation for applications.	N/A		Senior Procurement, Risk & Governance Officer
20	F&G Reg 24AH(3)	In relation to the applications that were not rejected, did the local government assess which application(s) to accept and which application(s) were most advantageous to the local government to accept, by means of written evaluation criteria.	N/A		Senior Procurement, Risk & Governance Officer
21	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers, comply with the requirements of F&G Reg 24AG.	N/A		Senior Procurement, Risk & Governance Officer
22	F&G Reg 24AI	Did the local government send each person who submitted an application, written notice advising if the person's application was accepted and they are to be part of a panel of pre-qualified suppliers, or, that the application was not accepted.	N/A		Senior Procurement, Risk & Governance Officer
23	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government comply with the requirements of F&G Reg 24E in relation to the preparation of a regional price preference policy (only if a policy had not been previously adopted by Council).	N/A	Existing Policy 2.1.3	Senior Procurement, Risk & Governance Officer

10 of 11

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

No	Reference	Question	Response	Comments	Respondent
24	F&G Reg 24F	Did the local government comply with the requirements of F&G Reg 24F in relation to an adopted regional price preference policy.	Yes	Existing Policy 2.1.3	Senior Procurement, Risk & Governance Officer
25	F&G Reg 11A	Does the local government have a current purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$150,000 or less.	Yes	Policy 2.1.2	Senior Procurement, Risk & Governance Officer

I certify this Compliance Audit return has been adopted by Council at its meeting on _____

Signed Mayor / President, Broome

Signed CEO, Broome

5.2 AUDIT REGULATION 17 IMPROVEMENT PLAN BIENNIAL PROGRESS REPORT

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	COA01
AUTHOR:	Manager Governance
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	1 February 2018

SUMMARY: The Audit and Risk Committee is presented with a report for review on the progress of the Audit Regulation 17 Improvement Plan (Improvement Plan), which was adopted by Council at the Ordinary Meeting of Council held 23 February 2017. The Improvement Plan contains a list of items identified by the auditors as requiring action to improve the appropriateness and effectiveness of the Shire of Broome's systems and processes in regard to risk management, internal control and legislative compliance.

The Audit and Risk Committee is required to review the attached updated Risk Management Improvement Plan prepared by the Audit Regulation 17 Technical Advisory Group, then report to Council on the result of the Audit and Risk Committee's review.

BACKGROUNDPrevious Considerations

SMC	27 June 2014	Item 9.4.6
OMC	28 August 2014	Item 10.2
OMC	27 November 2014	Item 10.3
OMC	2 June 2015	Item 10.1
OMC	26 May 2016	Item 10.3
OMC	23 February 2017	Item 10.3
OMC	25 May 2017	Item 10.1

The *Local Government Audit Regulations 1996* (the Regulations) include reviewing the appropriateness and effectiveness of a local government's Risk management systems and procedures. Specifically, Audit Regulation 17 (Audit Reg. 17) requires the Chief Executive Officer (CEO) to conduct a review and report the results to the Audit and Risk Committee on the effectiveness of risk management, internal control and legislative compliance. The Department of Local Government and Communities *Audit in Local Government Guideline No. 9* advises that the review can be undertaken either on an internal or external audit basis.

Initially the Shire of Broome appointed an external auditor to conduct a third party review of organisational practices in accordance with updated legislation contained within Audit Reg. 17. The Audit Reg. 17 Review Audit produced a comprehensive Improvement Plan separated into the three main compliance areas; Risk Management (RM), Legislative Compliance (LC) and Internal Controls (IC).

The Shire's Technical Advisory Group (TAG) effect the framework components identified in the Improvement Plan. The TAG enables the Shire to fulfil its responsibilities in relation to reporting on risk management, internal control, and legislative compliance. The

Improvement Plan action items contained within the Regulation 17 Review are allocated to members within the TAG and prioritised in accordance with organisational need and capacity. The TAG meets monthly to review and update specific actions contained in the Improvement Plan and report to the Executive Management Group (EMG) and Council.

The biannual report is to identify actioned items as detailed in the Improvement Plan. All actions are reported to the Audit and Risk Committee in May and November each year, after endorsement by EMG. Due to the Ordinary Local Government election being held in October 2017 and appointments to Committees not being considered until the November OMC the presentation of the biannual report to the Audit and Risk Committee was delayed.

IMPROVEMENT PLAN

There are a number of actions that are completed or in progress with full details contained in the attached Improvement Plan.

The following action items have been completed in accordance with the Improvement Plan:

No	Framework Component Improvements
RM 1.1	Agenda template for Council agenda
RM 1.2	Adopted policy work safety health
RM 2.1	Risk matrix amended in accordance with ISO 31000 (international best practice standards)
RM 2.1	Risk management strategy and procedure
RM 2.1	Risk management strategy and procedure adopted by Council
RM 2.1	Risk management strategy and procedure uploaded to corporate Intranet
RM 2.3	Staff Housing Policy – Staff Housing Bonds procedures updated
RM 3.1	Risk management working group (Audit Reg 17 TAG) has been established and monthly meetings initiated
RM 3.1	Risk agenda topic included on fortnightly EMG agenda
RM 3.3	Records of inductions maintained on personnel files
RM 3.3	Completed organisational training and development in risk management principles
RM 3.4	OSH committee risk based assessment business operating procedure
RM 3.5	Draft Crisis Management and Business Continuity Response Plan
RM 3.6	Adopted local emergency management plan
RM 3.7	Adopted local recovery plan
RM 3.8	Completed records disaster management plan
RM 3.9	Hazard and accident reporting business operating procedure updated
RM 3.10	Draft contractor management system includes business operating Procedure, Toolkit and corporate Induction.
RM 3.10	Completed risk management strategy and procedure endorsed by Council
RM 3.11	Project Specific Risk Assessments endorsed by Council
RM 3.12	Developing Civic Centre Emergency Response and Evacuation Plan
RM 3.12	Reviewing BRAC Emergency Response and Evacuation Plan
RM 3.13	Asset Management Risk Assessment incorporated into Infrastructure Asset Management Plans
RM 3.14	Events risk assessment undertaken in risk management plan for large scale events
RM 3.14	Events Toolkit being reviewed by Local Government Insurance Services and developing online applications
RM 3.15	Volunteer inductions completed

RM 3.16	Workforce plan version 2.0 redeveloped to include Risk Management
RM 4.1	Audit and Risk Committee Risk Profiles developed and have replaced Improvement Plan. Next biannual report will utilise Risk Profiles
RM 4.3	Occupational Safety and Health Register captured in SynergySoft
RM 4.5	Minutes of Executive Management Group Meetings recorded to the Synergy Central Records system
RM 5.2	Media Training completed for Senior Staff. Councillor training scheduled.
LC 1.1	Completed legislative compliance policy
LC 1.2	Completed Council policy for records management
LC 2.1	Framework developed comprising Policy 1.1.11 – Legislative Compliance (Action LC1.1), the Legislative Compliance Register (Action LC5.1) and the Monitoring and Reporting Procedures for Legislative Compliance BOP (Action LC5.4)
LC 2.1	WALGA advice supports suitability of current Purchasing policy
LC 2.2	Procurement via Panels of Pre-Qualified Suppliers Policy developed
LC 2.4	Legislative compliance working group (Audit Reg 17 TAG) has been established and monthly meetings initiated
LC 4.1	Experienced Staff completed through review of procedure and management directive requirements
LC 5.1	Developed Legislative Compliance register to record known breaches
LC 5.1	Increased prominence of credit card payments in List of Payments
LC 5.4	Developed draft BOP 'Monitoring and Reporting Procedures for Legislative Compliance'
IC 1.1	Adopted policy internal control
IC 1.6	Council policy materiality in financial reporting adopted
IC 1.7	Council policy for Investment of surplus funds adopted
IC 2.1	Rate Exemption Charitable Use BOP developed
IC 2.1	Signatories Bank Transaction Processing BOP developed
IC 2.2	Internal controls working group (Audit Reg 17 TAG) has been established and monthly meetings initiated
IC 3.4	High risk Journals require approval and monitoring
IC 3.5	Trust Transfer procedures updated
IC 3.7	Links Training for BRAC and Civic Centre
IC 3.10	Completed review and update of End of Month checklist
IC 3.11	Debtors Reconciliation processes performed as part of end of month checklist
IC 6.1	BRAC receipting procedures documented
IC 6.2	Civic centre receipting included in staff manual for stock take
IC 6.2	Draft Cash Handling Business Operating Procedure
IC 6.3	Waste Facility banking procedures
IC 6.3	Developed Cash Handling BOP
IC 6.4	Developed BOP to control the authorised receipting points and establish processes to ensure appropriate controls at new, or ad hoc, points.
IC 6.5	Waste Facility debtor invoice captured in system
IC 6.6	Developed Bank Signatories BOP
IC 6.7	Separation of duties of debtors and creditors
Other	Reviewed the Technical Advisory Group Audit Regulation 17 Terms of Reference

The following items have been actioned from May 2017 to January 2018 in accordance with the Improvement Plan:

No.	Framework Components
RM1.1	Bi-Annual Risk Reporting <i>Officer Comment: Bi-annual reports to EMG and Council are provided through the Audit and Risk Committee as per Risk Management Policy 2.1.4</i>
RM3.3	Business Continuity Plan <i>Officer Comment: Draft document requires final review and amendments to ensure suitability and effectiveness. To be presented to the Audit and Risk Committee in May 2018.</i>
RM3.6	Local Emergency Management Plan 2014 Draft <i>Officers Comment: Following training provided on Managing Recovery Activities the Local Emergency Management Plan is being reviewed and will be tested once finalised.</i>
RM3.8	Workforce Plan <i>Officer Comment: The Workforce Plan is under review. Please note organisational risks have been identified in the external analysis section 2.1.1-2.1.15 and internal analysis section 3.3.1-3.3.14 and again in Workforce Planning 4.1.1 page 47. In order to satisfy the auditors, the risk section will itemise the known risks under 4.5.9 organisational risk management. An organisational survey was completed in late 2017 and will be used to form the basis of the review. Revised completion date of November 2018.</i>
RM3.9	Infrastructure Asset Management Plans <i>Officer Comments: Plans prepared in 2017 and received by Council at the December 2017 OMC.</i>
RM3.12	Emergency Response Procedures Shire Buildings <i>Officer Comment: Organisational responsibility for this action currently being reviewed. Procedures have been drafted for the Administration Building however require a review following the refurbishment.</i>
RM3.15	Volunteer and Contractor Inductions <i>Officer Comment: Volunteer inductions provided. Contractor Induction documentation has been reviewed by LGIS. Existing contractors required to attend induction in February 2018.</i>
RM4.1	Audit and Risk Committee <i>Officer Comment: Risk Profiles implemented. External Risk Audit to be undertaken by external auditor in December 2018.</i>
RM4.2	Monitoring Compliance <i>Officer Comment: This has been amended to an ongoing action.</i>
RM4.4	Risk Register <i>Officer Comment: Risk Profiles have been developed and implemented. Electronic systems are being investigated to further streamline the process and provide improved visibility and management of identified risks.</i>
RM4.5	EMG Minutes <i>Officer Comment: Process in place to ensure that EMG Minutes are recorded to Synergy Central Records System. All 2017 meeting minutes have been recorded to Synergy. EMG minutes will continue to be recorded to Synergy.</i>
RM5.2	Training <i>Officer Comment: Risk Management Training funds assigned through annual budget process for 17/18.</i>
LC1.1	Code of Conduct <i>Officer Comment: Revised Code of Conduct is being drafted and will include volunteers and contractors. To be presented to Council in April.</i>
LC 5.2	EMG Minutes <i>Officer Comment: Process in place to ensure that EMG Minutes are recorded to Synergy Central Records System. All 2017 meeting minutes have been</i>

	recorded to Synergy. EMG minutes will continue to be recorded to Synergy
LC5.3	Employee Complaints/Grievance Handling Officer Comment: Employee complaints are addressed by the Manager of HR. This action will be reviewed as a priority on commencement of the Manager People and Culture.
IC2.1	Management Policy – Internal Controls Officers Comment: Internal Control Framework developed and in operation however leaving open until process is firmly established and embedded in across the organisation.
IC2.2	Private and Community Works Policy Officer Comment: The Finance Department have developed an internal finance procedure to ensure private works are only undertaken after an appropriate written agreement (signed letter or purchase order) has been received.
IC2.3	Internal Audit Officers Comment: The Senior Procurement, Risk and Governance Officer will coordinate an internal audit.
IC3.2	Staff Training Officers Comment: Inductions and specific on the job training for internal control areas i.e. cash handling, stock control as required. Training programmes to be developed for specific areas e.g. BRAC, Civic Centre and others as identified. Financial Services developed an induction pack that includes relevant information for each function in Finance. Governance, Records and IT inductions are undertaken with designated employees on their commencement. Other inductions are undertaken as requested. Information sessions on local government and the Local Government Act were held with internal and external staff in November 2017.
IC3.3	Documented Procedures Officers Comment: Standard operating procedures exist for selected, but not all, financial procedures. Procedure documentation is being developed by officers where it does not currently exist.
IC3.7	Credit Card Procedures Officer Comment: Only members of the BEST team may utilise the credit cards and the details of the card are not to be shared with others.
IC3.8	Checklists Officer Comment: Checklists exist and are in use by staff as part of endorsed procedures.
IC4.1	Monitoring Officers Comment: December 2016 review completed by external consultant. While internal review is recommended current staff resources do not permit the development of an internal audit function. An external consultant will provide a biennial review as per the Audit Reg 17 regulations with ongoing risk management functions monitored by the Risk TAG. Next external audit review December 2018.
IC5.1	Ongoing Improvement Plan Officers Comment: This improvement plan forms the basis of an all inclusive continual improvement process for all three areas.
Other	Lone Worker Risk Management Officer Comment: Lone Worker Risk Management consultation paper finalised. Procedure to follow. CCTV Officer Comment: BRAC and Depot CCTV systems implemented to eliminate identified staff safety risks

This report recommends the Audit and Risk Committee receive the updated Improvement Plan, and adopts the reviewed actions, timelines and responsible officers contained within the document.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Audit) Regulations 1996

16. Audit committee, functions of

An audit committee —

- (a) is to provide guidance and assistance to the local government —
 - (i) as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and
 - (ii) as to the development of a process to be used to select and appoint a person to be an auditor;
- and
- (b) may provide guidance and assistance to the local government as to —
 - (i) matters to be audited; and
 - (ii) the scope of audits; and
 - (iii) its functions under Part 6 of the Act; and
 - (iv) the carrying out of its functions relating to other audits and other matters related to financial management; and
- (c) is to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to —
 - (i) report to the council the results of that review; and
 - (ii) give a copy of the CEO's report to the council.

17. CEO to review certain systems and procedures

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —
 - (a) risk management; and
 - (b) internal control; and
 - (c) legislative compliance.
- (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.
- (3) The CEO is to report to the audit committee the results of that review.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Shire has received membership funds from the Local Government Insurance Scheme (LGIS) which has been allocated as a genuine rollover to fund organisational Risk Initiatives.

The financial implications of actioning individual items contained in the Improvement Plan in Attachment 1 will be implemented using existing, internal resources. If any additional resources are required they will be progressed via the quarterly Finance and Costing Review or presented to Council for consideration.

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 needs

Accessible and safe community spaces

A healthy and safe environment

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:

An organisational culture that strives for service excellence

Sustainable and integrated strategic and operational plans

Responsible resource allocation

Effective community engagement

Improved systems, processes and compliance

VOTING REQUIREMENTS

Simple Majority

COMMITTEE RESOLUTION: **(REPORT RECOMMENDATION)**

Moved: Cr C Mitchell

Seconded: Cr H Tracey

That the Audit and Risk Committee recommends that Council:

- 1. Receives the updated Audit Regulation 17 Improvement Plan; and***
- 2. Adopts the reviewed actions, timelines and responsible officers as detailed in the Audit Regulation 17 Improvement Plan.***

CARRIED UNANIMOUSLY 3/0

Attachments

1. Improvement Plan January 2018

SHIRE OF BROOME 2016 AUDIT REGULATION 17 REVIEW

RISK MANAGEMENT IMPROVEMENT PLAN

***Note shaded rows indicate that an item has been carried forward from the previous iteration of the Improvement Plan.*

No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	IMPROVEMENTS	Officer	Timing	Comments	Est. Hours	Priority
RM 1.0 MANDATE AND COMMITMENT								
RM1.1	Council Policy 1.2.11 2.1.4 Risk Management Policy	To create an environment where Council, management and staff apply risk management, techniques through consistent and effective risk management practices. Policy to document the commitment and objectives regarding managing uncertainty that may impact the Shire's strategies, goals or objectives.	That the Audit and Risk Committee be provided with a risk report bi-annually.	Director Corporate Services	April and November Annually	Report to be presented to November 2016 bi-annually to the Audit and Risk Committee		
			Risk recording and reporting be undertaken in accordance with the Risk Management Policy.	Manager Human Resources Director Corporate Services	Ongoing	Risk Management Policy Requires six monthly reports to EMG, MCG and Council Bi-annual reports to EMG and Council are provided through the Audit and Risk Committee as per Risk Management Policy 2.1.4.		

No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	IMPROVEMENTS	Officer	Timing	Comments	Est. Hours	Priority
RM 2.0 FRAMEWORK DESIGN								
RM2.1	Enterprise-wide Risk Management Strategy and Framework	Defines and details the various practices to support Risk Management and establishes the risk management strategy and framework to be followed by all Shire staff.	That the Enterprise-wide Risk Management Strategy and Framework be made available to users of the Intranet.	Manager Human Resources Director Corporate Services	Complete	Documents uploaded to corporate intranet Complete	38	Extreme
RM2.2	Insurance Strategy or Policy	A policy to provide guidance to Officers as to the management of risk through insurance.	That an Insurance Strategy and Policy be developed to provide clarity on issues such as the level of self-insurance, the adequacy of cover and the basis of the valuation of the insured assets.	Director Corporate Services Manager Governance	November 2017 November 2018	Draft document to be developed for presentation to the Audit and Risk Committee November 2017-2018	16	Medium
RM2.3	2.2.2 1.3.4 Staff Housing Policy	Policy to provide direction on the provision of staff housing.	To help prevent damage to Shire properties we suggest housing bonds be paid in full prior to occupation of the house and lodged with the Bond Administrator.	Manager HR Director Corporate Services	Complete This is not complete – April 2018	The Policy allows for the deduction of a housing bond from an employee's payroll. Housing bonds are required to be lodged with the Bond Administrator. Housing bonds are now paid in advance to the Bond Administrator and Staff Housing BOP has been updated to reflect changes. Policy requires rework and will be reviewed and	6	High

presented to MCG, EMG and Council at the April OMC. BOP has been reviewed and issues surrounding Staff Housing Bonds have been addressed.

No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	IMPROVEMENTS	Officer	Timing	Comments	Est. Hours	Priority
RM 3.0 IMPLEMENTING RISK MANAGEMENT								
RM 3.1	Executive Management Group	An effective Executive Management Group charged with implementation of Council policies.	That risks are regularly documented and monitored by the EMG in line with the RM Strategy and Framework and risk treatments are identified for events classified as high risk.	EMG	Ongoing	Risk is a discussion on the weekly monthly EMG agenda (complete) .	Ongoing	Medium
RM 3.2	Insurance Strategy or Policy	A policy to provide guidance to Officers as to the management of risk through insurance.	That an Insurance Strategy and Policy be developed to provide clarity on issues such as the level of self-insurance, the adequacy of cover and the basis of the valuation of the insured assets.	Director Corporate Services Manager Governance	November 2017 2018	Draft document to be developed for presentation to the Audit and Risk Committee November 2017 2018 .	16	Medium
RM 3.3	Shire of Broome Business Continuity Plan	To plan for the prevention, response and recovery from events that may threaten the capacity of the Shire of Broome to	That, as high priority, an effective documented Business Continuity Plan be developed including relevant disaster recovery plans.	Director Corporate Services	April 2017 2018	Draft document still requires final review and amendment to ensure suitability and effectiveness. Presented to Audit and Risk	76	High

		continue to provide services and good governance to the District.	That, once adopted, the Plan's effectiveness be tested	Director Corporate Services	November 2017 2018	Committee May 2017 2018. Mock Exercise undertaken 16 June 2016. Further procedures required to ensure detailed operational testing is undertaken annually by responsible departments i.e. ICT, Health etc.	16	High
RM3.6	Local Emergency Management Plan 2014 Draft	A plan is prepared in accordance with the requirements of Emergency Management Act 2005 [s.41(4)] and State Emergency Management Policy 2.5	That the draft plan be finalised and once adopted, its effectiveness be tested in accordance with PART 5 of the plan.	Manager Environmental Health, Emergency and Rangers	November 2017 2018	Following training provided on Managing Recovery Activities the Local Emergency Management Plan is being reviewed and will be tested once finalised. The current plan is compliant with the legislation. It is however considered inadequate by officers. Grant funding requests have been made to obtain a fixed term officer to assist in this project.	76	Extreme
RM3.8	Workforce Plan	A plan to make sure the Shire has the right people, in the right place, at the right time, to meet the objectives set out in the Strategic Community Plan.	Future reviews of the Workforce Plan contain an assessment and treatment plan for key identified risks in relation to the workforce.	Manager HR People and Culture	November 2017 2018	The Workforce Plan is under review and will incorporate feedback. Please note organisational risks have been identified in the external analysis section 2.1.1-2.1.15 and internal	76	High

						analysis section 3.3.1 - 3.3.14 and again in Workforce Planning 4.1.1 page 47. In order to satisfy the auditors, the risk section will itemise the known risks under 4.5.9 organisational risk management. CBP adopted December 2017; Organisational survey completed and will be used to form the basis of the next review.		
RM3.9	Asset Management Plan	Plan prepared to assist the Shire to improve the way it delivers services from its infrastructure assets such as roads, drainage, footpaths, public open space and buildings.	Asset Management Plans be updated/ developed for all classes of assets and adopted by Council. Recording of risks identified within the plans in an appropriate risk register should help ensure follow up assessments of treated risks are undertaken.	Director Infrastructure	June 2017 Complete	Building and Transport Asset Management Plans were prepared in 2013 7 . The plans were not received by Council as an informing strategy for the Shire's Integrated Planning and Reporting Framework suite of documents. The Infrastructure Asset Management Plan will be continually updated based on works done. and are marked "final draft". The plans contain a risk assessment and treatment plan. although no follow up assessment of treated risks has been	152	High

						undertaken. No formal asset management plans were available for other asset classes for review.		
RM3.10	Risk Management Framework	A management framework to implement a risk management system throughout the Shire.	The development of consequence rating criteria based on the context of the risk assessment and inclusion of the criteria within the Risk Management Strategy and Procedures. This should assist in avoiding any need to redefine the risk assessment framework for each level of risk assessment.	Manager Human Resources Director Corporate Services	Complete	A Risk Management Strategy and Procedures was were adopted endorsed by Council in November 2015 2016 – Item 5.2. The strategy and procedures include a risk assessment matrix however, no criteria for rating the consequence of identified risk is provided. Consequence of risks (Risk Matrix) identified on Pages 14-16 item of the document.	38	Extreme
RM3.11	Project Specific Risk Assessments	A risk assessment undertaken as part of a major project.	Future assessments be undertaken in accordance with an entity wide Risk Management Framework (to be developed).	Director Corporate Services	Complete	This framework has been endorsed and the relevant risk assessments have been incorporated within Council reports, policy and project plan templates.	76	High
RM3.12	Emergency Response Procedures – Shire Buildings	To ensure uniformity in the handling of building related emergency situations.	That emergency response procedures for all Shire buildings be developed and implemented.	Manager Health, Rangers/ Manager Community Development	December 2016 November 2018	Update required for procedures at the Admin Centre, Depot and Waste Management Facility. and Barker St Office. Procedures have been	3	High

				Organisational responsibility for this action currently being reviewed.		drafted for Admin building however require reviewing following administration office refurbishment Civic Centre – emergency response and evacuation plan in existence – to be updated to reflect cyclone procedures.	5	High
					December 2016 November 2018			
RM3.13	Asset Management Risk Assessment	Inclusion of a risk assessment undertaken as part of development and maintenance of the Shire of Broome Asset Management Plans (AMP)	That treatment plans be monitored to ensure risks are reduced to a medium level.	Asset Coordinator	July 2017 Complete	A risk assessment has been incorporated into the Infrastructure Asset Management Plan. to be included when reviewing existing Asset Management Plans and developing new Asset Management Plans.	76	Medium
RM3.14	Information Systems Plans	Plans to ensure the secure provision of information systems in the event of a disaster.	IT Disaster Recovery Plan and IT Security Plan be developed and tested on a regular basis to gauge their effectiveness.	Manager Information Services	April 2017 November 2018	No IT Disaster Recovery Plan or IT Security Plan are in place. Interim protection by relocating a replica of our current system to the civic centre. The backup is then copied offsite on a continuous basis. The replica is working and we also now have a GenSet to maintain power. This has been tested and passed	76	High

RM3.15	Volunteer and Contractor Inductions	Inductions of contractors and volunteers, to ensure they have an understanding of their roles and responsibilities when undertaking works on Shire property.	All contractors and volunteers undertake a basic induction of their roles and responsibilities prior to commencing work.	Manager HR Manager People and Culture	April 2017 - June 2018 - Ongoing	Induction of Volunteers are provided. Inductions of Contractors identified as risk and budget allocation to provide a free corporate induction service is being put through RFQ. Onsite induction paperwork has been updated. Roll out expected by commencement of new financial year. Volunteer inductions provided. Contractor Induction documentation has been reviewed by LGIS. Existing contractors required to attend induction in February 2018.	38	High
--------	-------------------------------------	--	--	--	----------------------------------	---	----	------

No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	IMPROVEMENTS	Officer	Timing	Comments	Est. Hours	Priority
RM 4.0 MONITORING AND REVIEW								
RM4.1	Audit and Risk Committee	An Audit Committee is required by the Local Government (Audit) Regulations 1996, and its composition and role is prescribed.	That the Committee receive bi-annual reports containing information on extreme and high risk ratings in accordance with the Enterprise-wide Risk Management Strategy and Framework.	Manager Human Resources Director Corporate Services	April/November Annually	Working with LGIS to develop organisational profiles. Workshops by Directorate to capture corporate knowledge and use existing risk resources such as risk register to develop. Risk Register will	6	High

RM4.2	Monitoring Compliance	To ensure policies relating to risk management are adhered to by the organisation and their effectiveness is monitored.	That recording and reporting mechanisms to monitor risks be implemented in accordance with policy.	Manager Human Resources Director Corporate Services	Pending Ongoing	be defunct when Profiles are fully operational. Risk Profiles implemented. External Risk Audit to be undertaken by external auditor in December 2018. Ongoing
RM4.3	Occupational Safety and Health (OSH) Register	To maintain a hazard based register of OSH matters.	That the current outstanding OSH list be augmented by an OSH register capable of provide regular reports and identifying OSH trends.	Manager Human Resources Manager People and Culture	Ongoing	Ongoing OSH reporting has been included through electronic means and now captured in Synergy central records. In addition, a register is being developed to collate all outstanding items through the OSH Committee secretariat. OSH Register remains a concern having been raised at the previous 2 OSH meetings. Apparent that Synergy solution is not working in its current form.
RM4.4	Risk Register	Provide for the ongoing monitoring and treatment of identified risks.	Identified risks documented within Council Meeting Minutes and other risk assessments are recorded within the risk register. As a central register of	Manager Human Resources Manager People and Culture	Ongoing	Development of Risk Profiles underway to replace defunct Risk Register. Risk Profiles have been developed and implemented. Electronic systems are being

			identified risks, we suggest the risk register be available for all senior staff to update and review.			investigated to further streamline the process and provide improved visibility and management of identified risks.		
RM4.5	Minutes of Executive Management Group Meetings	To formally document identified risks, internal control and legislative compliance weaknesses raised by the Executive Management Group.	Minutes of the Executive Management Group meetings be maintained with risks, internal control and legislative compliance weaknesses identified in the minutes.	CEO-PA Executive Assistant to the CEO	April 2017 – Ongoing (Complete)	<p>No minutes of the Executive Management Group meetings were available for inspection during the review.</p> <p><i>Minutes are taken at each meeting however, it is accepted that there has been a lack of effective record keeping in this area.</i></p> <p>Process in place to ensure that EMG Minutes are recorded to Synergy Central Records System. All 2017 meeting minutes have been recorded to Synergy. EMG minutes will continue to be recorded to Synergy.</p>	6	High
No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	IMPROVEMENTS	Officer	Timing	Comments	Est. Hours	Priority
RM 5.0 CONTINUAL IMPROVEMENT OF THE FRAMEWORK								
RM5.1	Ongoing Improvement Program	A program developed to plan and implement improvements in risk management practices and to guide the process of	That a risk management improvement plan be maintained into the future to support the process of continual improvement.	Audit Reg 17 TAG	Ongoing	This improvement plan forms the basis of an all inclusive continual improvement process for all three areas.		

RM5.2	Training	implementation. Structured risk management training be available for elected members and senior staff.	That risk management training be available to elected members and all senior staff undergo relevant risk management training.	Manager Human Resources Director Corporate Services	November – Annually	Media Training has been identified as a key priority and Councillors will be notified in May 2017. Risk Management Training funds assigned through annual budget process for 17/18 however may be deferred due to vacancies in HR department.	38	High
-------	----------	---	---	---	---------------------	--	----	------

LEGISLATIVE COMPLIANCE IMPROVEMENT PLAN

***Note shaded rows indicate an item has been carried forward from the previous iteration of the Improvement Plan.*

No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	IMPROVEMENTS	Officer	Timing	Comments	Est. Hours	Priority
LC1.0 MANDATE AND COMMITMENT LEGISLATIVE COMPLIANCE								
LC1.1	Code of Conduct	To provide a documented expectation for the behaviour of elected members, staff, contractors and volunteers when performing their duties.	An expansion of the scope of the Code of Conduct to include actions by volunteers and contractors. Alternatively, a separate Code of Conduct be developed for volunteers and contractors.	Manager HR Director Corporate Services	April 2017-2018	Volunteers and contractors are not bound by a Code of Conduct when performing functions on behalf of the Shire. Revised Code of Conduct is being drafted and will include volunteers and contractors. To be presented to Council by April.	36	High
No.	FRAMEWORK	PURPOSE/GOAL	IMPROVEMENTS	Officer	Timing	Comments	Est.	Priority

COMPONENTS							Hours	
LC2.0 FRAMEWORK DESIGN FOR LEGISLATIVE COMPLIANCE								
LC2.1	2.3.7 2.1.2 Purchasing Policy	Policy required by legislation to provide guidelines for a consistent approach for obtaining quotations and tenders for the provision of materials, services and consultants.	We suggest the Policy be amended to require each purchasing event to be considered independently when determining the thresholds, legislation prohibits the splitting of any contract for the purpose of avoiding the relevant purchasing threshold.	Manager Governance	Complete	No action required based on WALGA email advice dated 2 May 2017, however policy under review in line with release of revised WALGA Purchasing Policy Template.	6	High
LC2.2	1.1.12 2.1.7 Procurement via Panels of Pre-Qualified Suppliers Policy	A Policy required by legislation to make provision in respect of the matters set out in paragraph 24AC (2) of the <i>Local Government (Functions and General) Regulations 1996</i> .	The existing Panel of Suppliers should be cancelled and tenders called to establish a new compliant Panel of Suppliers. Pending appointment of a Panel of Suppliers standard contracts should be awarded in accordance with the Procurement Policy.	Manager Governance	Complete	A Pre-Qualified Supplier Policy was adopted in December 2016, following the change in the regulations in September 2015. Contracts with a Panel of Suppliers established prior to the change in the Regulations were extended subsequent to the introduction of the requirement to have a Policy in place when utilising a Panel of Suppliers. Previous Panel contracts have expired. No further action required.	38	High
No.	FRAMEWORK	PURPOSE/GOAL	IMPROVEMENTS	Officer	Timing	Comments	Est.	Priority

COMPONENTS

Hours

LC3.0 SENIOR MANAGEMENT COMMITMENT TO LEGISLATIVE COMPLIANCE

LC3.1	Communications	To ensure staff, contractors and regular volunteers are aware of their obligation to report breaches of legislation to the appropriate Officer.	That the obligation to report compliance breaches be communicated to contractors and volunteers.	Manager HR Manager People and Culture	May 2017	The Shires current process is undertaken through OSH reporting and the onsite induction process. Further works to be Included in the Shires corporate contractor induction process pending finalisation.	16	High
-------	----------------	---	--	---	----------	--	----	------

No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	IMPROVEMENTS	Officer	Timing	Comments	Est. Hours	Priority
-----	----------------------	--------------	--------------	---------	--------	----------	------------	----------

LC4.0 STAFF EXPERIENCE AND TRAINING

LC4.1	Experienced Staff	To ensure staff engaged at a senior level and on technical roles have an understanding of the legislative requirements relevant to their role.	Experienced senior staff are expected to have a sound understanding of the requirements of their roles. Given the level of staff turnover, it is important new senior and technical staff possess the required experience or quickly acquire a sound understanding of their role.	CEO/Manager Human Resources Manager People and Culture	Ongoing Complete	HR practices include a merit based recruitment process based on experience, skills and qualification relevant to the position. This has been formalised through a review of the Recruitment BOP and HR Directive.		
-------	-------------------	--	---	--	--------------------------------	---	--	--

No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	IMPROVEMENTS	Officer	Timing	Comments	Est. Hours	Priority
-----	----------------------	--------------	--------------	---------	--------	----------	------------	----------

LC5.0 MONITORING AND REVIEW OF LEGISLATIVE COMPLIANCE

LC5.1	List of Payments	List of payments presented to Council monthly.	To ensure transparency of payments made all payments made utilising credit cards are presented to Council along with the list of payments.	Manager Financial Services	Complete	Details of credit card payments have always been presented together with direct debit transactions on the Monthly Payment Listing presented to the Council. Credit card payment details will be given increased prominence in the report.	6	High
LC5.2	Minutes of Executive Management Group Meetings	To formally document identified risks, internal control and legislative compliance weaknesses raised by the Executive Management Group.	Minutes of the Executive Management Group meetings be maintained with risks, internal control and legislative compliance weaknesses identified in the minutes.	CEO-PA Executive Assistant to the CEO	April 2017 – Ongoing Complete	**Refer RM4.5 & IC4.3 Process in place to ensure that EMG Minutes are recorded to Synergy Central Records system. All 2017 meeting minutes have been recorded to Synergy. EMG minutes will continue to be recorded to Synergy.	6	High
LC5.3	Employee Complaints/Grievance Handling	Procedures for the handling of employee complaints and grievances.	Staff Complaints Register to be established and maintained.	Manager HR Manager People and Culture	April 2017 – November 2018	Employee complaints are addressed by the Manager of HR. A Staff Complaints Register was not available for review. This action will be reviewed as a priority on the commencement of the Manager People and Culture.	6	High

No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	IMPROVEMENTS	Officer	Timing	Comments	Est. Hours	Priority
LC6.0 CONTINUAL IMPROVEMENT OF LEGISLATIVE COMPLIANCE								
LC6.1	Ongoing Improvement Program	A program developed to plan and implement improvements in legislative compliance practices and to guide implementation.	That the improvement program contained within this report be used as an initial improvement program.	Audit Reg 17 TAG	Ongoing	This improvement plan forms the basis of an all inclusive continual improvement process for all three areas.		

INTERNAL CONTROLS IMPROVEMENT PLAN

***Note shaded rows indicate an item has been carried forward from the previous iteration of the Improvement Plan.*

No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	IMPROVEMENTS	Officer	Timing	Comments	Est. Hours	Priority
IC1.0 MANDATE AND COMMITMENT								
IC1.1	2.1.1 2.2.2 Materiality in Financial Reporting Policy	Policy to clarify the Council's view on the tolerable threshold of material variances and to limit the volume of variance reporting to significant information.	To avoid confusion all risks be rated using one context based risk level matrix and assessment criteria.	Manager Financial Services	April 2017 Complete	The Policy contains risk ratings for material variances which differ from those contained within the Risk Matrix attached as an Appendix to the Policy. The Risk Rating for Material Variances as per policy 2.1.1 2.2.2 is intended in assessing the nature and magnitude of the material variance and	6	High

the associated explanations. This threshold considers only financial factors.

The Risk Matrix on the other hand is intended for overall risk assessment of projects to be undertaken. This matrix considers financial and non-financial factors.

These two thresholds are therefore not designed to be the same.

IC2.0 INTERNAL CONTROL FRAMEWORK DESIGN

IC2.1	Management Policy - Internal Controls	To establish a risk based Internal Control Framework, Systems and practices to support the internal control environment.	That an internal control framework be developed reflecting a risk based approach to internal controls and providing the monitoring and reporting systems.	TAG	October 2017 November 2018	Internal Control Framework developed and in operation however leaving open until process is firmly established and embedded in across organisation.	10	Medium
IC2.2	3.1.5 4.2.1 Private and Community Works Policy	Policy to set out the requirements for undertaking private works.	To ensure appropriate control and minimise potential liability, we suggest private works only be undertaken after an appropriate written agreement has been signed with the landowner.	Manager Infrastructure	April 2017 Complete	The Policy provides for works to be undertaken on private land with no requirement for a signed agreement detailing the scope of works and responsibilities to be in place or any other controls to be in place. The Finance Department have developed an	6	High

IC2.3	Internal Audit	Internal audit monitors the level of compliance with internal procedures and process along with assessing the appropriateness of these procedures.	As the level of documented procedures increases, an expanded internal audit function to confirm adherence to documented policies and procedures may be required.	Director Corporate Services	November 2017 December 2018	internal-finance procedure to ensure private works are only undertaken after an appropriate written agreement (signed letter or purchase order) has been received. Currently, no internal auditors have been appointed, and limited internal audit functions have been undertaken. The Senior Procurement, Risk and Governance Officer will coordinate an internal audit.	76	High
-------	----------------	--	--	-----------------------------	---	--	----	------

No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	IMPROVEMENTS	Officer	Timing	Comments	Est. Hours	Priority
IC3.0 IMPLEMENTATION OF INTERNAL CONTROLS								
IC3.1	Experienced Staff	To ensure all senior staff have an understanding of the inherent risks internal controls are addressing associated with, and relevant to, their role.	Refer to LC4.1	Manager Financial Services	November 2014 – Ongoing Complete	Implemented as part of the Internal Control Policy & BOP through all employees. In addition to Internal Control Policy and BOPs, we take advantage of relevant training activities available.	7	High
IC3.2	Staff Training	To ensure the staff have access to ongoing training in internal controls and attend appropriate training sessions.	Refer to LC 5.2	Manager Governance/ Manager Financial Services	Ongoing	Inductions and specific on the job training for internal control areas ie cash handling, stock control as required.	22	High

						<p>Training programmes to be developed for specific areas eg BRAC, Civic Centre and others as identified.</p> <p>Financial Services developed an induction pack that includes relevant information for each function in Finance. Governance, Records and IT inductions are undertaken with designated employees on their commencement. Other inductions are undertaken as requested. Information sessions on the local government and the Local Government Act were held with internal and external staff in November 2017.</p>		
IC3.3	Documented Procedures	Use of documented procedures by officers helps establish a standard methodology and identifies key controls for processes undertaken by officers.	Opportunity exists to improve and document standard operating procedures with key controls clearly identified. Once these procedures are developed and implemented, they require constant monitoring for adherence and	Director Corporate Services	November 2017 - Ongoing	Standard operating procedures exist for selected, but not all, financial procedures. Procedure documentation is being developed by officers where it does not currently exist.	152	High

IC3.4	Journals	Controls around the passing of journals between accounts.	<p>efficiency.</p> <p>Given the high level of risk associated with journals we suggest documented controls be developed to ensure the monitoring and approval of journals processed within the accounting system.</p>	Manager Financial Services	Complete	<p>It would be impracticable to document the authorisation and approval of all journals processed within the accounting system. and this will create inefficiency particularly on journal entries that are considered as mere "housekeeping" journal entries (e.g. reclassification entries among accounts). In our view, the independent review of the period-end account balances, regardless of any accruals, reversals, minor correction and reclassification entries that occurred in between, would remain to be is the most efficient and effective control to prevent misstatements either due to fraud or error.</p> <p>Finance staff will however continue to utilise the Account Memos prepared in documenting journal entries involving account balance write-offs which</p>	6	Medium
-------	----------	---	---	----------------------------------	----------	--	---	--------

						<p>affect the P&L, debtor balances, creditor balances and property balances such as:</p> <ul style="list-style-type: none"> — Reversal of rates penalty charges raised in error — Credits applied to sundry debtors for identification of previously unallocated collections. — Write-off of assets disposed. <p>We agree that journals should be monitored and approved but this should be directed towards high-risk areas and not to every single all journals.</p>		
IC3.5	Trust Transfers	Controls in relation to the transfer of funds between the Municipal and Trust Funds.	Unidentified deposits in the Municipal Fund remain within the Fund and are listed on the debtors' reconciliation until such time as they are identified and allocated to the appropriate debtor.	Manager Financeial Services	Complete	<p>We acknowledge that the aforementioned practice of temporarily transferring unidentified deposits to trust had occurred in the past but this practice has long been discontinued. Subsequent to the discontinuance of such practice, we have since cleared off significant amount unallocated deposits temporarily transferred to the Trust account with only a few</p>	6	Medium

					ageing and legacy items which we are continually investigating and following up with sundry debtors.		
					Controls implemented to prevent unidentified funds from being deposited in the Municipal Fund		
IC3.6	Payroll System	A system for the recording and processing of employee timesheets and effecting payments to employees.	Processing of payroll should be undertaken in accordance with documented procedures and controls with system errors/issues reported. Systems or documented procedures should be in place for the pre- authorisation of all staff absentee time. In the circumstances where staff are not able to obtain pre-authorisation (sick leave) documented procedures should be developed to ensure staff acknowledge their absence as soon as practicable.	Manager Financial Services	November 2017 Complete and continuously monitored	In relation to leave procedures, a draft A Leave Management Business Operating Procedure (Leave BOP) has since been drafted which addresses: <ul style="list-style-type: none"> • OSH and work life balance • Manage and control leave balance and associated costs • Define excessive leave • Ensure any leave taken is recorded • Provide guidance for employees and managers The next step is to have the BOP reviewed by MFS and HR for recommendation for EMG review and approval. In relation to incorrect account numbers being	76 High

						charged by the online timesheet program, a Service Request (SR) has been raised to the software service provider (IT Vision) to resolve the issue with entities 00 and 62 being charged. For reference, the related SR is number SR161996. This has been prioritised with IT Vision.		
IC3.7	BOP 1.4.0 2.1.6 Credit Card Procedures	To outline the approval process to be undertaken for use of the Corporate Credit Card and to ensure the appropriate handling and application of the card details	As credit cards are issued in the name of the signatory, we suggest credit cards purchases are only utilised by the Officers to whom they are issued.	Manager Financial Services	November 2017 Complete	BOP 1.4.0 2.1.6 has since been developed to outline the approval process in the use of Corporate Credit Cards. Only members of the BEST team may utilise the credit cards and the details of the card are not to be shared with others.	6	High
IC3.8	Checklists	Checklists document the completion of multiple steps within an overall process.	Creation of standard checklists may assist in evidencing key points of control.	Director Corporate Services	November 2017 Complete	Whilst some checklists are utilised by various staff, formal checklists for key functions are not always maintained. Checklists exist and are in use by staff as part of endorsed procedures.	152	High
IC3.9	Workflow Diagrams	Workflow diagrams create a visual representation of a process, clearly identifying key points of control and responsibility.	In conjunction with the development of documented procedures and checklists, development of workflow process	Director Corporate Services	November 2017 April 2019	Workflow diagrams have not been compiled.	228	High

			diagrams may assist in clearly identifying controls and processes to be followed.					
IC3.10	Procedures for the preparation of Monthly Reports	Documented procedures and checks for the preparation of the Monthly Statement of Financial Activity for presentation to Council.	All primary reconciliations be completed signed and reviewed prior to finalisation of the Monthly Statement of Financial Activity for presentation to Council.	Manager Financial Services	Complete	We developed an End of Month Checklist setting out the activities to be completed to achieve fully reconciled Balance Sheet GL accounts and cut-off procedures for Income Statement GL accounts. This checklist is continually developed for any new steps introduced or modified. This checklist and any resulting reconciliations is reviewed and approved by the Manager Financial Services prior to preparation of the Monthly Financial Reports.		
IC3.11	Debtors Reconciliation	Reconciliation of outstanding debtors listing to the debtors' ledger.	Credit amounts should be fully investigated and resolved to help ensure individual debtor balances are accurately reflected.	Manager Financial Services	Complete	As part of the End of Month Checklist, reconciliations of general ledger with the subsidiary ledgers, identification and investigation of unusual balances such as credit balances in debtors are now performed on a regular basis.	76	High

No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	IMPROVEMENTS	Officer	Timing	Comments	Est. Hours	Priority
IC4.0 MONITORING AND REVIEW OF INTERNAL CONTROLS								
IC4.1	Monitoring	To ensure policies and other controls relating to internal controls are adhered to within the organisation and their effectiveness is monitored.	That an internal audit function be developed to monitor the appropriateness and effectiveness of financial and non-financial internal controls.	Audit Reg 17 TAG	November - Annually Biennially	December 2016 review completed by external consultant. While internal review is recommended current staff resources do not permit the development of an internal audit function. An external consultant will provide a biennial review as per the Audit Reg 17 regulations with ongoing risk management functions monitored by the Risk TAG. Next external audit review December 2018.		
IC4.2	Breach monitoring	To ensure a process exists to track breaches of internal controls and effectiveness of changes to internal controls.	That a process to track control breaches be developed as part of the wider risk management process.	Audit Reg 17 TAG	Ongoing	Monitoring processes to be developed.		
IC4.3	Minutes of Executive Management Group Meetings	To formally document identified risks, internal control and legislative compliance weaknesses raised by the Executive Management Group.	Minutes of the Executive Management Group meetings be maintained with risks, internal control and legislative compliance weaknesses identified in the minutes.	CEO-PA Executive Assistant to the CEO	April 2017 Ongoing Complete	**Refer RM4.5 & LC5.2 Process in place to ensure that EMG Minutes are recorded to Synergy Central Records system. All 2017 meeting minutes have been recorded to Synergy. EMG minutes will		High

continue to be recorded
to Synergy.

IC5.0 CONTINUAL IMPROVEMENT OF INTERNAL CONTROLS

IC5.1	Ongoing Improvement Program	A program developed to plan and implement improvements in internal controls practices and to guide the process of implementation.	That a documented program to implement improvements to internal controls be established as part of the wider risk management process.	Audit Reg 17 TAG	Ongoing	This improvement plan forms the basis of an all inclusive continual improvement process for all three areas.
-------	-----------------------------	---	---	------------------	---------	--

No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	IMPROVEMENTS	Officer	Timing	Comments	Est. Hours	Priority
-----	----------------------	--------------	--------------	---------	--------	----------	------------	----------

IC6.0 INTERNAL CONTROLS IMPROVEMENT PLAN

IC6.1	BRAC Receipting	To ensure that all funds received at the BRAC are receipted to the correct account in a timely manner.	That documented control procedures be developed and compliance with these procedures monitored.	Manager Financial Services/ Manager Community Development Manager Sport and Recreation, BRAC	Ongoing Complete Ongoing Complete	Procedures documented and monitored by BRAC Manager. BOP accepted in July 2016. Financial Services working with BRAC regarding continuing receipting and balancing issues. The Revenue Officer monitors BRAC activities after each month-end closing activities in order ensure completeness of	22	High
-------	-----------------	--	---	--	--	---	----	------

IC6.2	Accounting Control Procedures	To ensure all financial transactions are appropriately recorded/ reported and the risk of fraud or error is minimised.	That the accounting procedures be expanded to more fully describe the task and its associated consequences and lines of authority.	Financial Services Team	December 2017 Complete and continuously monitored	revenue. Detailed tasks lists have been developed which identify activities that are performed on a daily, weekly, fortnightly, monthly, quarterly and annual basis. Related procedures are being developed. Detailed procedures are however continually produced and developed.
-------	-------------------------------	--	--	-------------------------	---	--

APPENDIX 1: RISK MATRIX

Shire of Broome Measures of Consequence							
Rating	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant 1	Near miss / minor injuries	Less than \$10,000	No material service interruption	Minor regulatory or statutory impact	Unsubstantiated, localised low impact on community / stakeholder trust, low profile or no media item	Inconsequential damage	Contained, reversible impact managed by on site response
Minor 2	First aid injuries/ Lost time injury <30 Days	\$10,001 - \$250,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, localised impact on community / stakeholder trust or low media item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate 3	Medical type injuries/ Lost time injury >30 Days	\$250,001 - \$2,000,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact on community/stakeholder trust or moderate media profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major 4	Long-term disability / multiple injuries	\$2,000,001 - \$4,000,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, widespread high impact on community / stakeholder trust, high media profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Extreme 5	Fatality, permanent disability	More than \$4,000,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, widespread loss of community/stakeholder trust, high widespread multiple media profile, third party actions	Extensive damage requiring prolonged period of restitution	Uncontained, irreversible impact

Measures of Likelihood			
Rating	Definition	Frequency	Chance of Occurrence
Almost Certain (5)	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely (4)	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible (3)	The event should occur at some time	At least once in 5 years	40% - 60% chance of occurring
Unlikely (2)	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare (1)	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence					
	Insignificant	Minor	Moderate	Major	Extreme
	1	2	3	4	5
Almost Certain	5 Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4 Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3 Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2 Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1 Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

5.3 2ND QUARTER FINANCE AND COSTING REVIEW 2017-18

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FRE02
AUTHOR:	Manager Financial Services
CONTRIBUTOR/S:	Senior Finance Officer
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	29 January 2018

SUMMARY: The Audit Committee is requested to consider results of the 2nd Quarter Finance and Costing Review (FACR) of the Shire's budget for the period ended 31 December 2017, including forecast estimates and budget recommendations to 30 June 2018.

BACKGROUND

Previous Considerations

OMC 29 June 2017	Item 9.4.4
OMC 19 Oct 2017	Item 9.4.3

Quarter 2 Finance and Costing Review

The Shire of Broome has carried out its 2nd Quarter Finance and Costing Review (FACR) for the 2017/18 Financial Year. This Review of the 2017-2018 Annual Budget is based on actuals and commitments for the first three months of the year from 1 July 2017 to 31 December 2017, and forecasts for the remainder of the financial year.

This process aims to highlight over and under expenditure of funds for the benefit of Executive and Responsible Officers to ensure good fiscal management of their projects and programs.

Once this process is completed, a report is compiled identifying budgets requiring amendments to be adopted by Council. Additionally, a summary provides the financial impact of all proposed budget amendments to the Shire of Broome's adopted end-of-year forecast, in order to assist Council to make an informed decision.

It should be noted that the 2017/2018 annual budget was adopted at the Ordinary Meeting of Council on 29 June 2017 as a balanced budget. There have been further amendments adopted by Council as part of the Annual Financial Statements for the use of additional carried forward surplus and as part of 1st Quarter FACR. The result of all amendments prior to the 2nd Quarter FACR is \$43,601 deficit upon the Shire of Broome's forecast end of year position.

COMMENT

The 2nd Quarter FACR commenced on 24 January 2018. The FACR process has identified a **deficit of \$70,296** and net organisational **savings of \$nil**.

The results from this process indicate a **deficit** forecast financial position to 30 June 2018 of **\$113,897** should Council approve the proposed budget amendments. This deficit is predominantly associated with the aforementioned drainage works estimated to cost \$400,000.

It is recommended that any surplus funds identified throughout the FACR process be quarantined to reserve which is \$nil for the quarter ended December 2017. This will carry a **deficit of \$113,897** forward to the next FACR meetings to be held in April 2018.

It should also be noted that this figure represents a budget forecast should all expenditure and income occur as expected. It does not represent the actual end-of-year position which can only be determined as part of the normal Annual Financial processes at the end of the financial year.

A comprehensive list of accounts (refer to Attachment 1) has been included for perusal by the committee and summarised by Directorate.

A summary of the results follows:

	BUDGET IMPACT					
	2017/18 Adopted Budget (Income) / Expense	FACR Q2 Overall (Income) / Expense (Org Savings not subtracted)	FACR Q2 Org Savings (by Dept.)	FACR Q2 Impact (Income) / Expense (Org Savings subtracted)	YTD Adopted Budget Amendments (Income) / Expense	YTD Impact (Org Savings Subtracted)
Executive - Total	0	50,000	0	50,000	0	0
Corporate Services - Total	0	(109,825)	(95,000)	(14,825)	0	(14,825)
Development & Community - Total	0	(71,748)	(34,000)	(37,748)	43,601	5,853
Infrastructure Services - Total	0	201,869	129,000	72,869	0	122,869
	0,000*	70,296	0	70,296	43,601†	113,897

CONSULTATION

All amendments have been proposed after consultation with Executive and Responsible Officers at the Shire.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulation 1996

r33A. Review of Budget

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must —
 - (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
 - (b) consider the local government's financial position as at the date of the review; and

(c) review the outcomes for the end of that financial year that are forecast in the budget.

(2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.

(3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

*Absolute majority required.

(4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

(a) is incurred in a financial year before the adoption of the annual budget by the local government;

(b) is authorised in advance by resolution*; or

(c) is authorised in advance by the mayor or president in an emergency.

(1a) In subsection (1) —

"additional purpose" means a purpose for which no expenditure estimate is included in the local government's annual budget.

POLICY IMPLICATIONS

2.1.1 Materiality in Financial Reporting

It should be noted that according to the materiality threshold set in Policy 2.1.1 Materiality in Financial Reporting, should a deficit achieve 1% of Shire's operating revenue (\$376,296) the Shire must formulate an action plan to remedy the over expenditure.

FINANCIAL IMPLICATIONS

The **net result** of the 2nd Quarter FACR estimates is a **budget deficit position of \$113,897** to 30 June 2018 with organisational **savings of \$nil**.

RISK

The Finance and Costing Review (FACR) seeks to provide a best estimate of the end-of-year position for the Shire of Broome at 30 June 2018. Contained within the report are recommendations of amendments to budgets which have financial implications on the estimate of the end-of-year position.

The review does not, however, seek to make amendments below the materiality threshold unless strictly necessary. The materiality thresholds are set at \$10,000 for operating budgets and \$20,000 for capital budgets. Should a number of accounts exceed their budget within these thresholds, it poses a risk that the predicted final end-of-year position may be understated.

In order to mitigate this risk, the CEO enacted the FACRs to run quarterly and executive examine each job and account to ensure compliance. In addition, the monthly report provides variance reporting highlighting any discrepancies against budget.

It should also be noted that should Council decide not to adopt the recommendations, it could lead to some initiatives being delayed or cancelled in order to offset the additional expenditure associated with running the Shire's operations.

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

Key economic development strategies for the Shire which are aligned to regional outcomes working through recognised planning and development groups/committees

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

Improved systems, processes and compliance

VOTING REQUIREMENTS

Absolute Majority

COMMITTEE RESOLUTION: **(REPORT RECOMMENDATION)**

Moved: Cr D Male

Seconded: Cr C Mitchell

That the Audit and Risk Committee recommends that Council:

- 1. Receive the 2nd Quarter Finance and Costing Review Report for the period ended 31 December 2017;**
- 2. Adopts the operating and capital budget amendment recommendations for the period ended 30 June 2018 as attached; and**
- 3. Notes a forecast end-of-year position to 30 June 2018 of a \$113,897 deficit position.**

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 3/0

Attachments

1. QUARTER 2 FINANCE AND COSTINGS REVIEW REPORT 2017-18

SHIRE OF BROOME SUMMARY REPORT						
BUDGET IMPACT						
	2017/18 Adopted Budget (Income) / Expense	FACR Q2 Overall (Income) / Expense (Org Savings not subtracted)	FACR Q2 Org. Savings (by Department)	FACR Q2 Impact (Income) / Expense (Org Savings subtracted)	YTD Adopted Budget Amendments (Income) / Expense	YTD Impact (Organisational Savings Subtracted)
Executive - Total	0	50,000	50,000	0	0	0
Corporate Services - Total	0	(109,825)	(95,000)	(14,825)	0	(14,825)
Economic & Development - Total	0	(71,748)	(34,000)	(37,748)	43,601	5,853
Infrastructure Services - Total	0	201,869	79,000	122,869	0	122,869
Impact of Council approved budget amendments	0	0	0	0	0	0
Net impact of Organisation Savings/Expenditure	0	0	0	0	0	0
	0,000*	70,296	0	70,296	43,601†	113,897

*Council adopted the annual budget with a predicted end-of-year balanced budget, which included previous year carried forward surplus

**Please note that should the Forecast budget predict a deficit greater than 1% of budgeted operating revenue excluding grants and contributions for assets, and profit on sale of assets (\$348,358), an action plan to remedy the situation will be prepared in accordance with Finance Policy 2.1.1

† Includes all additional Council adopted budget amendments year-to-date, including any previous FACRs

IMPACT ON RESERVES				
	Accumulated Reserve Balance (excluding Restricted Cash Reserve, Refuse Reserve & RRRP Reserve)	Accumulated Reserve Balance (Refuse & RRRP Reserve only)	Accumulated Reserve Balance (Restricted Cash)	Total
Opening Balance	16,179,852	13,169,010	2,033,575	31,382,437
Amended Budget Movements	1,546,313	(1,041,349)	1,241,914	1,746,878
FACR Amendments	155,478	-	-	-
Closing Balance	17,881,643	12,127,661	3,275,489	33,129,315

SHIRE OF BROOME FINANCE & COSTING REVIEW QUARTER 2

Account	Job	Description	2017/18 Current Budget	2017/18 YTD Actuals	Proposed Budget Amendment	Proposed Budget	Reserve Movement	Amendment Description	Org. Savings / Expense	
EXECUTIVE										
ADMIN1 - Chief Executive Officer - S Mastrolembo										
1367206		Salary - Op Exp - Economic Services Special Projects	111,874	51,147	31,063	142,937		Three months employment cost of Senior Project Engineer - Chinatown Revitalisation as per PRA 1807.		
1367207		Superannuation Employee Exp - Op Exp - Economic Services Special Projects	17,186	7,903	2,950	20,136		Three months employment cost of Senior Project Engineer - Chinatown Revitalisation as per PRA 1807.		
					1,500					
1367211		Chinatown Revitalisation Consultant and Other Expense - Op Exp - Economic Services Special Projects	3,044,328	112,079	(35,513)	3,008,815		RO: ES7 - Special Projects Coordinator - T Graffen - Three months employment cost of Senior Project Engineer - Chinatown Revitalisation as per PRA 1807 resulting in reduction in consultancy costs.		
23029		Community Communication Plan - Other Gov	-	-	50,000	50,000		Proposed to undertake community survey by end of the financial year to enable data to be analysed for SCP review in first half of 18/19 financial year.	50,000	
					50,000		0		50,000	
OVERALL EXECUTIVE - DEPT. SAVINGS/EXPENSE					50,000	EXECUTIVE - ORG. SAVINGS/EXPENSE				50,000
RESERVE MOVEMENT - EXECUTIVE						0				
EXECUTIVE - NET IMPACT (EXC. ORG.SAVINGS/EXPENSE)						0				
CORPORATE SERVICES										
CS1 - Director Corporate Services - J Watt										
23451		Staff EBA Review Provision - Op Exp - Other Gov	20,000	25,718	15,000	35,000		Additional \$15K required due to continued negotiations and associated IR and HR advice (\$35K). Currently \$28K	15,000	
142012		Relieving Staff Exp - DCS - Gen Admin	98,000	45,843	(30,502)	67,498		MG LSL previously recorded to 142010 Salary - Op Exp - Gen Admin MUN was recognised in this account and the budget previously in IE 34 reclassified to IE 61. Double journal in Synergy. \$39,678 adjustment for MG LSL relief which was incorrectly charged to 142010 Salary - Op Exp - Gen Admin MUN. \$19,852 saving to be transferred back to Leave Reserve. \$21,300 assigned for rates relief - can halve to \$10,650		
141997		Transfer to Leave Reserve - Cap Exp - Corp Gov & Support	34,700	1,477	19,852	54,552	19,852	RO: BA - Coordinator Financial Services - L Dodds - Adjustment for MG LSL relief charged to 142010 Salary - Op Exp - Gen Admin MUN. \$19,852 saving to be transferred back to Leave Reserve.		
					4,350		19,852		15,000	

Account	Job	Description	2017/18 Current Budget	2017/18 YTD Actuals	Proposed Budget Amendment	Proposed Budget	Reserve Movement	Amendment Description	Org. Savings / Expense
CS2 - Manager Financial Services - A Santiago									
30149		Legal & Rates Consulting Exp - Op Exp - Rates	175,000	44,795	(110,000)	65,000		\$155K budgeted for SAT legal fees however matter settled. Only \$45K actuals.	(110,000)
32481		Rates Other Fees for Service (ex GST)- Op Inc - Rates	(2,200)	(6,375)	(4,175)	(6,375)		Higher than expected number of rates payment arrangements resulting in increased Payment Arrangement fees. Increased revenue from charges for reprint of rates notices.	
					(114,175)		0		(110,000)
CS6 - Manager Information Services - P Smith									
146122		Software >\$5000 Cap Exp - IT	346,244	91,687	(50,000)	296,244		Funds allocated to implementation of Board Intelligence Reporting Software to be transferred to reserve. Project planning identified issues with suitability of product.	
148008		Transfer to Furniture & Equipment Reserve - Cap Exp	0	0	50,000	50,000	50,000	RO: BA - Coordinator Financial Services - L Dodds: Funds allocated to implementation of Board Intelligence Reporting Software to be transferred to reserve. Project planning identified issues with suitability of product.	
					0		50,000		0
OVERALL CORPORATE SERVICES - DEPT. SAVINGS/EXPENSE					(109,825)	CORPORATE SERVICES - ORG. SAVINGS/EXPENSE			(95,000)
RESERVE MOVEMENT - CORPORATE SERVICES							69,852		
CORPORATE SERVICES - NET IMPACT (EXC. ORG.SAVINGS/EXPENSE)							(14,825)		
DEVELOPMENT & COMMUNITY									
BS1 - Manager Planning & Building Services - K Wood									
133015		Consultants - Op Exp - Building Control	10,000	345	(5,000)	5,000		Expenditure less than anticipated.	
					(5,000)		0		0
BRAC1 - Manager Sport & Recreation - C Zepnick									
113704		Consultants - Op Exp - Rec Services	30,000	10,000	15,000	45,000		Operational review charged to account 117017 and therefore need to align the budget. Funds committed for both operational review (carry over) and Review of Sport and Recreation Plan.	
117017		Consultants - Op Exp - BRAC - General	16,000	0	(15,000)	1,000		Budget for operational review originally budgeted in this account was charged to 113704 and therefore need to align the budget. Final payment to be made in February 2018.	
117003		Relieving Staff Exp - Op Ex - BRAC Aquatic	6,200	14,203	15,000	21,200		To cover secondment of YCDO and short term positions while HR vacancies affected recruitment (see 117057 and 117171).	
117004	117057	Salary & Related Customer Service Officer Expense	116,673	44,879	(10,000)	106,673		\$10k reallocated to 117003 for labour hire staff to cover YCDO secondment	
117171		Salary - Op Exp - Holiday Prog Exps - BRAC Dry	23,310	5,797	(5,000)	18,310		See account 117003 - Labour hire staff for short term placement for January program.	
113001	113002	Haynes Oval Pavilion General Maint - Op Exp	4,000	3,785	3,000	7,000		Additional funds required to undertake repairs to plumbing works. Additional expenditure relating to vandalism at the facility.	
113391		Haynes Oval & Pavilion Income - Op Inc	(96,078)	(4,946)	(5,000)	(101,078)		Broome Senior High School user fees have not yet been paid/invoiced. 16/17 financial year was \$100k.	
117081	117082	General Building & Facility Maint - BRAC Dry - Op Exp	20,000	20,831	10,000	30,000		Lighting works expected to be done for the indoor courts. Unexpected repairs have expended budget prematurely.	
117282		Swimming Lessons by BRAC Inc	(100,000)	(61,172)	(20,000)	(120,000)		Will exceed budget based on term 4 performance and capacity of term 1 lessons.	
					(12,000)		0		0

Account	Job	Description	2017/18 Current Budget	2017/18 YTD Actuals	Proposed Budget Amendment	Proposed Budget	Reserve Movement	Amendment Description	Org. Savings / Expense
CMS2 - Manager Community & Economic Development - M Davis									
23040		Youth Development Programme & Working Group - Op Exp - Other Governance	42,543	1,918	(15,000)	27,543		Position has been vacant. Project plan for Q3 and Q4 suggests decreased budget and deliverables. Budget adjustment (reduction of \$15,000) to reflect revised project delivery post recruitment.	
23050		Grant Op - Youth Coordinating Committee Op Inc. - Other Governance	(16,000)	(1,545)	8,700	(7,300)		Budget adjustment to reflect revised project delivery as per 23040.	
82600		Salary - Op Exp - Community Services	365,167	122,344	(5,297)	359,870		Reduce by \$10594 - \$5149 savings from vacant position used for relief staff in GL 82610, \$148 to IE 000, \$5297 to IE 62 (wages allocated to incorrect IE code).	
82610		Relief Staff - Op Exp - Community Services	2,866	8,014	5,149	8,015		Match budget to actual for relief staff coverage. Total adjustment to be transferred from vacancy savings in 82600.	
					(6,448)		0		0
CMS3 - Events and Economic Development Coordinator - R Chappell									
113417		Event Application Fee (No GST) Male Oval & Concourse - Op Inc - Other Rec & Sport	(5,000)	(9,941)	(5,000)	(10,000)		Increased event revenue across various reserves.	
116071		Festival & Events Sundry Inc - Op Inc - Other Culture	0	(300)	(300)	(300)		Reimbursement for placing ad for Sun Pictures 100th Anniversary Event	
116184	116199	Christmas Deco and Street Party Works - Op Exp	21,174	24,770	5,000	26,174		Shire's final contribution confirmed after the event.	
116483		Broome Civic Centre Operational Grants & Contributions - Op Inc - Broome Civic Centre	(40,000)	(51,904)	(12,000)	(52,000)		RO: CMS4 - Civic Centre Venue Supervisor - S Dobson Received more from Audience Development Grant than expected. Grant needs to be spent and acquitted.	
					(12,300)		0		0
HS1 - Manager Health & Ranger Services - T Matson									
51410		User Charges - Fire - Slashing Etc - Op Inc - Fire Prevention	(45,000)	(32,290)	10,000	(35,000)		Income was estimate only. Total contractor costs were less than anticipated due to some properties being completed by owners.	
52400		Animal Fines & Penalties - Op Inc - Animal Control	(10,000)	(10,843)	(5,000)	(15,000)		Account has been topped up by bulk FER referral and subsequent payments received. Rangers have also taken a stricter line in impounding wandering dogs.	
53060		Impounding of Vehicles Expense - Op Exp - Other Law Order & Public Safety	10,000	8,660	5,000	15,000		Increased number of cars impounded	
53400		Sundry (ORV Etc) Fines & Penalties - Op Inc - Other Law Order & Public Safety	(10,000)	(11,273)	(5,000)	(15,000)		Account has been topped up by bulk FER referral and subsequent payments received. Focus of 2018 camping season will be within this financial year.	
103480		Septic Tank Fees - Op Inc - Sewerage	(3,000)	(5,074)	(2,000)	(5,000)		Increase in septic tank applications - influx from one of the Aboriginal Communities	
124910		Parking Fines - Op Inc - Parking Facilities	(25,000)	(14,806)	(5,000)	(30,000)		Increased FER returns due to bulk referral. FER process will now result in increased level of payments.	
508216		Bush Fire Mitigation - Op Exp - Fire Prevention	66,135	33,030	(20,000)	46,135		Total contractor costs were less than anticipated due to some properties being completed by owners.	(20,000)
					(22,000)		0		(20,000)
LS1 - Library Coordinator - S Eaton									
115286		SLWA Travel & Accommodation Op Exp - Library	24,580	2,853	(14,000)	10,580		Amount includes wages of Library Coordinator. Posted to other expenses due to lapse in relieving grant money from SLWA	(14,000)
					(14,000)		0		(14,000)
OVERALL DEVELOPMENT & COMMUNITY - DEPT. SAVINGS/EXPENSE					(71,748)			DEVELOPMENT & COMMUNITY - ORG. SAVINGS/EXPENSE	(34,000)
RESERVE MOVEMENT - DEVELOPMENT & COMMUNITY							0		
DEVELOPMENT & COMMUNITY - NET IMPACT (EXC. ORG.SAVINGS/EXPENSE)							(37,748)		

Account	Job	Description	2017/18 Current Budget	2017/18 YTD Actuals	Proposed Budget Amendment	Proposed Budget	Reserve Movement	Amendment Description	Org. Savings / Expense
INFRASTRUCTURE SERVICES									
ES1 - Director Infrastructure - S Harding									
23094		Proceeds On Sale Of Assets - Cap Inc - Other Governance	0	(33,982)	(33,982)	(33,982)		DCEO Vehicle trade in - to be transferred to Plant Reserve.	
142988		Transfer to Plant Reserve - Cap Exp - Engineering Office	39,600	1,532	33,982	73,582	33,982	RO: BA - Coordinator Financial Services - L Dodds: DCEO vehicle trade in value	
122204		Street Lighting - Mnthly Elect Accts & Insurance - Op Exp - Road Operating Exp	500,000	179,797	(70,199)	429,801		Reduced street lighting costs to date.	(70,199)
143010		Salary - Op Exp - Engineering Office	599,137	160,485	24,196	623,333		3 months salary - Project Engineer and Senior Project Engineer in excess of the remuneration package of previous Senior Project Engineer	
143013		Superannuation Employee Expense - Engineering	70,933	35,689	366	71,299		3 months superannuation - Project Engineer and Senior Project Engineer in excess of the remuneration package of former Senior Project Engineer	
143029		Other Employment Costs - Engineering	30,230	17,036	3,000	33,230		3 months work of vehicle hire for Project Engineer and Senior Project engineer estimated at \$500 per month	
143395		Transfer From - Leave Reserve - Eng Office	-	-	(22,555)	(22,555)	(22,555)	RO: BA - Coordinator Financial Services - L Dodds: 345 hours of LSL cash out of former Senior Project Engineer now to be paid out from reserves rather than municipal funds.	
143038		Consultants Engineering Office	156,634	45,687	(100,000)	56,634		Boat Harbour Feasibility Study funds not required due to State government funding commitment.	(100,000)
					(165,192)		11,427		(170,199)
ES3 - Manager Infrastructure Operations - B Edwards									
117455	117456	BRAC Ovals Renewal Infra Works - Cap Exp - BRAC Ovals	15,996	27,561	3,862	19,858		Additional expenditure for mainline irrigation work.	
148100	148295	Depot Build & Grounds - Works Maint	56,504	33,215	(10,000)	46,504		Cost savings to date not likely to be spent.	
148060		Relief Staff Op Exp - Depot Ops	57,200	24,228	37,000	94,200		Apprentice mechanic continuing until 30 June 2018 and to be reviewed during the budgeting period.	
					30,862		0		0
ES5 - Works Coordinator - D Greaves									
122000	121026	Sector 3 Old Broome - Works Maint	344,641	137,515	(25,000)	319,641		Amount not likely to be spent on traffic control, line marking and removal of old footpath.	
122000	121025	Sector 2 Cable Beach - Works Maint	239,080	96,511	(20,000)	219,080		Amount not likely to be spent on traffic control, line marking and removal of old footpath.	
122000	121028	Sector 5 Roebuck Est - Works Maint	207,421	60,472	(10,000)	197,421		Amount not likely to be spent on traffic control, line marking and removal of old footpath.	
104270	104299	Short St-Paspaley Camarvon Street New Drainage Const - Cap Exp	0	-	400,000	400,000		Cost of drainage upgrade needed on Short Street - Camarvon Street prior to construction related to Chinatown Revitalisation Project.	249,199
104480		Transfer From Drainage Reserve - Urban Stormwater Drainage - Cap Inc	(0)	-	(100,801)	(100,801)	(100,801)	RO: BA - Coordinator Financial Services - L Dodds: Reserve funding to be used for cost of drainage upgrade needed on Short Street - Camarvon Street prior to construction related to Chinatown Revitalisation Project.	

Account	Job	Description	2017/18 Current Budget	2017/18 YTD Actuals	Proposed Budget Amendment	Proposed Budget	Reserve Movement	Amendment Description	Org. Savings / Expense
148281	148281	Works Staff Training - Op Exp	50,663	27,138	(12,000)	38,663		Amount previously budgeted for miscellaneous subcontractor no longer likely to be spent.	
					232,199		(100,801)		249,199
ES6 - Senior Project Engineer - M Renwick									
121501	RU12	Crab Creek Road - SLK 1.53 to 2.13 - New alignment from BR Ind. - Cap Ex - Upgrade	665,125	523,019	150,000	815,125		Cost overrun to be Muni funded. Additional cost required for additional 200mm topsoil which is now three times greater than normally encountered. Associated costs including plant hire, cultural monitoring and extra pindan constructions. Potential to claim part funds from WANNDRA.	
					150,000		0		0
ES8 - Waste Coordinator - VACANT									
101550	101552	Other Infra Renewal Rubbish Services - Cap Exp - San Gen Refuse	295,723	0	(150,000)	145,723		Savings from reactive replacement of bins rather than automatic renewal. To be put into SANITATION RESERVE.	
101515		Transfer to Refuse Reserve - Cap Exp - Sanitation Gen Refuse	83,400	3,745	150,000	233,400	150,000	RO: BA - Coordinator Financial Services - L Dodds: Savings from reactive replacement of bins rather than automatic renewal.	
					0		150,000		0
PK3 - Parks Coordinator - C Hankinson									
113000	113543	Town Beach Water Park - P&G Maint	130,742	68,334	(10,000)	120,742		Reduction in maintenance activities to be performed in view of capital works and Town Beach Masterplan works.	
113000	113032	Male Oval - P&G Maint	144,750	97,797	(10,000)	134,750		Savings on power consumption.	
113000	PR36B	Magabala Park - P&G Maint	26,468	23,967	10,000	36,468		To cover increased requirement for water for the remainder of the year (Botanical Society)	
113000	113583	Herbert St Park - P&G Maint	84,051	28,288	10,000	94,051		Capital items misallocated to operational account. Capital budget exists for equipment renewal	
113000	113043	Town Beach - P&G Maint	200,015	53,677	(25,000)	175,015		Power and water savings.	
117210	117211	BRAC Ovals - P&G Maint	226,009	182,891	5,000	231,009		Frequency of mowing increased and extra attachments costs.	
126000	126015	Gubinge Road - P&G Maint	85,060	30,288	(10,000)	75,060		Water issue experienced in 16/17 resolved resulting in savings.	
					(30,000)		0.0		0.0
PM2 - Asset and Building Coordinator - S Clark									
103101	103102	Town Beach Sewerage - Reactive Maint - Op Exp	6,500	3,538	(2,000)	4,500		Maintenance works completed under budget.	
132310	132310	Roebuck Bay CP - Planned Maint & Minor Works - Op Exp	10,000	0	16,000	26,000		Additional cost associated with tree pruning safety works following TC Hilda.	
142000	142000	Haas St Office - Operating Expense - Op Exp	381,361	191,841	(20,000)	361,361		Power and other cost savings to date.	
142000	142058	Haas St Office - Planned Maint & Minor Works - Op Exp	36,000	2,982	(10,000)	26,000		Power and other cost savings to date.	
147100		Building Capital > \$5k - Cap Exp - Unclassified General	100,000	31,612	(10,000)	90,000		Reduction in reactive aircon maintenance. Savings to be put into building reserves.	
147372		Shire Office Barker St - Building Renewal - Cap Exp - Corp Gov Support	15,000	0	(15,000)	0		Roofing costs originally budgeted as capex to be recognised as minor repairs. Minor repairs account has sufficient budget for the works.	
141790		Transfer to Building Reserve - Cap Exp - General Administration O'Heads	94,400	4,481	25,000	119,400	25,000	RO: BA - Coordinator Financial Services - L Dodds: Reduction in reactive aircon maintenance. Roofing costs originally budgeted as capex to be recognised as minor repairs. Minor repairs account has sufficient budget for the works.	
					(16,000)		25,000		0
PM3 - Property and Leasing Senior Officer - P McBride									
107071	107077	Gantheume Point Ablutions - Operating Expense - Op Exp	15,563	3,524	(5,000)	10,563		Cost savings to be used for Cable Beach.	
107071	107073	Cable Beach Ablutions - Operating Expense - Op Exp	46,244	26,460	5,000	51,244		Expected cost overrun to be funded by cost savings from Gantheume Point ablutions.	
116175		Community Storage Shed Expenditure	4,264	16,623	10,000	14,264		Costs associated with end of lease.	
142050	142051	Barker St Offices - Operating Expense - Op Exp	95,723	43,409	(10,000)	85,723		Power cost savings to date.	
					0		0		0

Account	Job	Description	2017/18 Current Budget	2017/18 YTD Actuals	Proposed Budget Amendment	Proposed Budget	Reserve Movement	Amendment Description	Org. Savings / Expense
OVERALL INFRASTRUCTURE SERVICES - DEPT. SAVINGS/EXPENSE					201,869			INFRASTRUCTURE SERVICES - ORG. SAVINGS/EXPENSE	79,000
RESERVE MOVEMENT - INFRASTRUCTURE SERVICES							85,626		
INFRASTRUCTURE SERVICES - NET IMPACT (EXC. ORG.SAVINGS/EXPENSE)							122,869		

6. MATTERS BEHIND CLOSED DOORS

Nil

7. MEETING CLOSURE

There being no further business the Chairperson declared the meeting closed at 4.35pm.

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
