



CONFIRMED MINUTES

OF THE

ORDINARY COUNCIL MEETING

28 APRIL 2022

These minutes were confirmed at a meeting held 26 May 2022 and signed below by the Presiding Person, at the meeting these minutes were confirmed.

Signed:

A handwritten signature in black ink, appearing to be 'AJ', is written over a horizontal line.

SHIRE OF BROOME

ORDINARY COUNCIL MEETING

THURSDAY 28 APRIL 2022

INDEX – MINUTES

1.	OFFICIAL OPENING.....	4
2.	ATTENDANCE AND APOLOGIES	4
3.	ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION	5
4.	DECLARATIONS OF INTEREST	5
5.	PUBLIC QUESTION TIME	5
6.	APPLICATIONS FOR LEAVE OF ABSENCE.....	6
7.	CONFIRMATION OF MINUTES	6
8.	PRESENTATIONS / PETITIONS / DEPUTATIONS	6
9.	REPORTS FROM OFFICERS.....	7
9.1	PEOPLE.....	7
9.1.1	STATUTORY REVIEW OF THE FOOD ACT 2008.....	7
9.2	PLACE	13
9.2.1	DEVELOPMENT APPLICATION - DEMOLITION AND RECONSTRUCTION OF EXISTING WAREHOUSE, NEW WAREHOUSE AND PARKING WITHIN THE VERGE - 14 HAYNES STREET.....	13
9.2.2	AMENDMENT TO DA2021/22 LIONS EYE INSTITUTE STAGE 2 - FENCING, 45 FREDERICK STREET.....	26
9.2.3	HEALTH AND WELLBEING LOCAL DEVELOPMENT PLAN - 78 DORA STREET AND 20 DICKSON STREET	50
9.2.4	ENDORSEMENT OF SPORT AND RECREATION PLAN 2021 - 2031	72
9.2.5	TRADING IN PUBLIC PLACES POLICY REVIEW	207
9.3	PROSPERITY	236
9.3.1	EXPRESSIONS OF INTEREST FOR LEASE - RESERVE 37003, 7 ORR STREET, BROOME (PREVIOUSLY KNOWN AS SCOUTS HALL)	236
9.3.2	EVENTS DEVELOPMENT FUNDING 2022-2023	246
9.4	PERFORMANCE	255
9.4.1	ANNUAL REVIEW OF DELEGATIONS OF AUTHORITY REGISTER.....	255
9.4.2	GENERAL COMPLAINTS POLICY	441
9.4.3	TRANSACTION CARD POLICY	453
9.4.4	MONTHLY PAYMENT LISTING - MARCH 2022.....	462

9.4.5	MONTHLY STATEMENT OF FINANCIAL ACTIVITY REPORT - MARCH 2022.....	474
10.	REPORTS OF COMMITTEES	513
10.1	MINUTES AND RECOMMENDATIONS FROM KIMBERLEY REGIONAL GROUP MEETING HELD ON 15 FEBRUARY 2022.....	513
11.	NOTICES OF MOTION WITH NOTICE	683
12.	NOTICE OF MOTION WITHOUT NOTICE.....	683
13.	BUSINESS OF AN URGENT NATURE	684
13.1	MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING 27 APRIL 2022	684
14.	MEETING CLOSED TO PUBLIC	709
15.	MEETING CLOSURE	709

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE SHIRE OF BROOME,
HELD IN THE COUNCIL CHAMBERS, CORNER WELD AND HAAS STREETS, BROOME,
ON THURSDAY 28 APRIL 2022, COMMENCING AT 5:00PM.**

1. OFFICIAL OPENING

The Chairperson welcomed Councillors, officers and members of the public and declared the meeting open at 5.00pm.

2. ATTENDANCE AND APOLOGIES

ATTENDANCE

Councillors:	Cr H Tracey Cr D Male Cr P Matsumoto Cr C Mitchell Cr B Rudeforth Cr P Taylor Cr N Wevers	Shire President Deputy Shire President
Apologies:	Cr E Foy	
Leave of Absence:	Nil	
Officers:	Mr J Watt Mr J Hall Mr K Williams Mr D Kennedy Mr G McKnight Miss K Cookson	Acting Chief Executive Officer (via e-Meeting) Director Infrastructure Director Development Services Acting Director Corporate Services Marketing & Communications Coordinator Senior Administration & Governance Officer
Media:	Sam Jones	Broome Advertiser
Public Gallery:	E Smith C Leahy P Lowe P Docherty A Paice D Oliver C McDowell K Weatherall R O'Rourke K Martin R Donovan L Milne E Pendlebury	

3. ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION

Nil

4. DECLARATIONS OF INTEREST

FINANCIAL INTERESTS (s5.60A)			
Councillor	Item No	Item	Nature of Interest
Cr H Tracey	9.2.2	Amendment to DA2021/22 Lions Eye institute Stage 2 – Fencing, 45 Frederick Street	Owner of building company that is completing this project
Cr H Tracey	9.2.3	Health and Wellbeing Local Development Plan – 78 Dora Street and 20 Dickson Street	Director and major shareholder of company in a joint venture company with the proponent
Cr B Rudeforth	9.2.3	Health and Wellbeing Local Development Plan – 78 Dora Street and 20 Dickson Street	Director of Narli Walami Pty Ltd, Subsidiary of NBY. Employed by Buru Energy who is closely associated with NBY.
Cr H Tracey	9.3.2	Events Development Funding 2022-2023	Director and owner of company who sponsors applicant for funding
Cr D Male	9.3.2	Events Development Funding 2022-2023	An applicant is a client of my business

IMPARTIALITY			
Councillor	Item No	Item	Nature of Interest
Cr C Mitchell	9.2.2	Amendment to DA2021/22 Lions Eye institute Stage 2 – Fencing, 45 Frederick Street	Member of Broome Lions International Club
Cr P Taylor	9.3.2	Events Development Funding 2022-2023	A member of the Broome Chamber of Commerce and Industry Board

5. PUBLIC QUESTION TIME

The following question was received by Phil Docherty prior to the meeting:

Question One (1) - 9.3.1 Expressions of Interest for Lease – Reserve 37003, 7 Orr Street Broome

SKIPA is currently running out of volunteers' back yards. In the event our EOI does not secure the lease at 7 Orr St could the Shire help our organisation find a place to set up a native plant nursery and run our community projects?

Answer provided by Director Infrastructure

The Shire has a limited number of premises available for Lease to community groups. At this point the Shire do not have alternate premises available to Lease to SKIPA for a Native Plant Nursey or project space.

Additionally the Shire do not have plans to identify and make available further spaces for Community Leases. We would encourage you to liaise with some of the other Community groups who have leases or larger land holders in Broome to ascertain if they have space available for SKIPPA. We would also encourage you to continue to submit Expressions of Interest on the Shire's community leases as they are advertised.

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

7. CONFIRMATION OF MINUTES

COUNCIL RESOLUTION:

Minute No. C/0422/002

Moved: Cr C Mitchell

Seconded: Cr P Matsumoto

That the Minutes of the Ordinary Meeting of Council held on 31 March 2022, as published and circulated, be confirmed as a true and accurate record of that meeting.

CARRIED UNANIMOUSLY 7/0

8. PRESENTATIONS / PETITIONS / DEPUTATIONS

A deputation was provided to Council by Ryan O'Rourke in relation to 9.2.5 Trading in Public Places Policy Review.

9. REPORTS FROM OFFICERS

9.1 PEOPLE

9.1.1 STATUTORY REVIEW OF THE FOOD ACT 2008

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	ACT15
AUTHOR:	Environmental Health Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

The Department of Health has written to all local governments requesting Council endorsed submissions from authorised officers about the effectiveness of the *Food Act 2008* in meeting its objectives (**Attachment 1**). The recommendations provided by the Shire's Environmental Health team may strengthen and support the objectives of the Act being met.

BACKGROUND

On 1 December 2021 the WA Minister for Health Honourable Roger Cook MLA announced the statutory review of the *Food Act 2008* (the Act). The Act is predominantly administered by the Local Government Environmental Health Officers (EHO's) who are authorised to register food businesses, conduct food business inspections, investigate complaints, conduct routine food sampling, and ensure food businesses are compliant with the Act, *Food Regulations 2009* (the Regulations) and *Australia New Zealand Food Standards Code*.

The review, through analysis of stakeholders' submissions, aims to identify any issues with the effectiveness and operation of the Act and make recommendations to strengthen and support the objectives of the Act and its regulatory effectiveness. The primary objectives of the Act are to ensure food for sale is both safe and suitable for human consumption and to prevent misleading conduct in connection with the sale of food. The Department of Health has requested that submissions through the online survey from Local Government be endorsed by Council. The submission period runs from 1 December 2021 to 5 May 2022.

COMMENT

Overall, the Act is an effective piece of legislation for managing the safe operation of food businesses within Western Australia. The Act provides enforcement officers with a clear set of tools and frameworks for escalating offences under the Act and/or the Regulations. The Shire's Environmental Health team offers the following submission points in relation to the statutory review online survey:

1. Food Business Registration & Renewal Process

Under Part 9 of the Act, food business registration is a once off process and a food business is legally registered once they submit a registration form and pay a registration fee. This presents the following challenges when administering food business registrations:

a) A food business is not legally required to undergo an inspection by an authorised officer prior to being able to commence trade. This presents an obvious risk to public health as the premises where food is sold and prepared from has not been verified to be safe. It also presents a challenge for EHO's to request a business to make alterations to the fit-out after trade has already commenced from the premises.

Recommended change:

A satisfactory inspection of a food business and associated premises must be completed prior to certificate of registration being issued.

b) There is no mechanism for a local government to compel a food business to provide updated information such as changes in management, contact information or type of food being sold. There is no mechanism to ensure food business registrations are not used to mislead customers and authorised officers about the currency/validity of the certificate without contacting the local government where the certificate was issued.

Recommended change:

Food business registrations are subject to annual renewal so that a Certificate can have an expiry date, to ensure that local government has accurate business details and to protect the integrity of food business registration certificates. Certificates must be displayed in a conspicuous position in the main entry of the food premises so that it is easily legible to a member of the public.

c) There is no minimum standard for information to be on a registration certificate. Food businesses can often significantly change the type of food that they sell without notifying the local government and the premises where they prepare the food may not be suitable the change.

Recommended change:

A registration certificate should state the type of food that the business sells and the locations of any premises in connection to the business i.e. all food trucks and premises where food is prepared or sold from as often a business operates from more than one location.

2. Food Business Inspection Frequency

The Act does not specify a minimum frequency for inspections of food businesses to be undertaken by authorised officers. Other health legislation administered by EHOs, such as the *Health (Aquatic Facilities) Regulations 2007*, specifies a minimum water sampling frequency (monthly) to be undertaken by authorised officers, to meet public health risk. Currently, this means many local governments undertake food inspections primarily as a result of enquiries of food complaints, rather than routine inspections being a normal priority in the workload. This can result in many food businesses 'flying under the radar' and not being inspected at a reasonable frequency.

There has previously been guidance from the WA Department of Health that high-risk food business are to be inspected every 3 months, medium risk food businesses are to be inspected every 6 months, and low risk food business are to be inspected every year, however this is not a formalised procedure and inspection frequencies are at the discretion of local government. The public has a reasonable expectation that food premises are regularly inspected by Local Governments and are therefore safe.

Recommended Change:

Minimum inspection frequencies be introduced under Part 5 Division 1 of the Act. The following inspection frequencies are suggested:

- a) Medium and high-risk food businesses: minimum of once yearly; and
- b) Low risk food businesses: minimum once every 18 months.

3. New category of food businesses to be referred to Department of Health

Environmental Health Officers are authorised under a broad range of legislation requiring a thorough technical knowledge in a high number of diverse fields such as wastewater, drinking water, aquatic safety, mosquitos, event safety, caravan parks and camping grounds, public buildings, lodging houses, noise and asbestos. The challenge is that EHOs have broad generalist skills in environmental health matters but not specialised and in-depth knowledge.

It is not in the public interest for EHOs to assess complex food businesses proposals requiring specialised food science training. For comparison, the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*, requires that all wastewater applications over 540L/day or where the wastewater system is to be installed on a premises other than a single dwelling be referred to the Department of Health for assessment and approval. The intent of this is that EHO's do not have the specialist skills to be able to adequately assess and approve more complex wastewater systems where the risk to public health is greater.

Recommended change:

A new category of food business be introduced into the Act whereby complex food business registrations such as those processing fermented foods or foods where mandatory warning statements are required, are to be referred to the Department of Health Food Unit for assessment and approval.

CONSULTATION

Consultation was undertaken with the West Australian Local Government Association, the City of Vincent, the City of Subiaco and the Shire of Serpentine-Jarrahdale in the process of preparing this report.

STATUTORY ENVIRONMENT

Food Act 2008

Food Regulations 2009

Australia New Zealand Food Standards Code

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

There are no anticipated financial implications if the recommendations provided are adopted under a new Act. Additional resourcing is not expected to be required to meet the proposed minimum inspection frequency. All registered food businesses already pay an annual registration fee to the Shire which is not recommended to be increased as the suggested annual renewal process will not be an onerous additional task to what is already undertaken each year.

RISK

Nil.

STRATEGIC ASPIRATIONS

Performance – We will deliver excellent governance, service and value, for everyone.

Outcome Eleven – Effective leadership, advocacy and governance:

11.2 Deliver best practice governance and risk management.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0422/003

Moved: Cr C Mitchell

Seconded: Cr P Taylor

That Council endorse the submission, contained in the comments of this report, to the statutory review of the Food Act 2008.

CARRIED UNANIMOUSLY 7/0

Attachments

1. STATUTORY REVIEW OF THE FOOD ACT 2008



Government of Western Australia
Department of Health

Contact: (08) 9222 2000

Mr Sam Mastrolembro
Chief Executive Officer
Shire of Broome
PO Box 44
BROOME WA 6725

Dear Mr Mastrolembro

STATUTORY REVIEW OF THE FOOD ACT 2008

On 1 December 2021, the Minister for Health Hon Roger Cook MLA announced the statutory review of the Food Act 2008 (the Act). The Review will examine the operation and effectiveness of the Act in meeting its objects to ensure food for sale is both safe and suitable for human consumption and prevent misleading conduct in connection with the sale of food.

The statutory review shall:

1. Examine the operation and effectiveness of the Act in meeting its objects to:
 - a) ensure food for sale is both safe and suitable for human consumption;
 - b) prevent misleading conduct in connection with the sale of food; and
 - c) provide for the application in this State of the Food Standards Code.
2. Identify, including through analysis of stakeholder submissions, any issues with the operation and effectiveness of the Act, including:
 - Interpretation;
 - offences related to food;
 - emergency powers;
 - powers of entry;
 - inspection and seizure;
 - improvement notices and prohibition orders;
 - taking and analysing samples;
 - auditing;
 - registration of food businesses;
 - administration;
 - procedural and evidentiary provisions; and
 - any other relevant matter.

189 Royal Street East Perth Western Australia 6004
Telephone (08) 9222 2000 TTY 133 677
PO Box 8172 Perth Business Centre Western Australia 6849
ABN 28 684 750 332
www.health.wa.gov.au

3. Make recommendations that will strengthen and support the objects of the Act being met; and promote greater regulatory effectiveness.

A consultation summary is available at: <http://www.health.wa.gov.au/reviewfoodact>
You can view the video on the review here: <https://youtu.be/zGr-0YfgX7c>

Your views will help us to identify issues relating to the operation and effectiveness of the Act and make recommendations that will strengthen and support the objects of the Act being met and promote greater regulatory effectiveness.

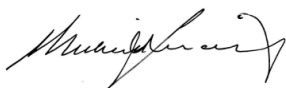
Written submissions are invited from any Western Australian with an interest in the Act, particularly those who work in the sale, distribution and serving of food for human consumption and those who regularly apply the requirements of the Act. For those working in local government, please ensure that your submission is Council endorsed. If you are responding on behalf of an organisation, please ensure that the submission has your organisation's endorsement and authorisation. Please allow time for the approval process of your organisation before the submission deadline. Any relevant evidence-based research or studies that informs your submission are welcomed.

Submissions can be made from 1 December 2021 and close on 14 March 2022, and should be addressed to:

The Review of the Food Act
Science and Policy Unit
Environmental Health Directorate
Department of Health WA
PO Box 8172
PERTH BUSINESS CENTRE WA 6849

Or by email to – ReviewFoodAct@health.wa.gov.au

Yours sincerely



Dr Michael Lindsay
EXECUTIVE DIRECTOR
ENVIRONMENTAL HEALTH DIRECTORATE
3 December 2021

9.2 PLACE

9.2.1 DEVELOPMENT APPLICATION - DEMOLITION AND RECONSTRUCTION OF EXISTING WAREHOUSE, NEW WAREHOUSE AND PARKING WITHIN THE VERGE - 14 HAYNES STREET

LOCATION/ADDRESS:	14 Haynes Street Broome
APPLICANT:	Ken Rockley
FILE:	HAY-1/14
AUTHOR:	Planning Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

The Shire has received an application for development approval for the demolition and reconstruction of an existing warehouse, a new warehouse and parking within the verge.

The application has been assessed against the Shire's Local Planning Scheme No 6 (LPS6) and Local Planning Policy 5.6 – Parking (LPP 5.6). The application is being referred to Council for determination as LPP5.6 outlines it is at Council's discretion whether parking can be installed within the abutting road reserve.

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

BACKGROUND

Previous Considerations

N/A

Site and Surrounds

The subject site is a 2,669m² property, which is developed with an existing warehouse, caretakers dwelling and office. The subject site is zoned 'Light and Service Industry' under Local Planning Scheme No 6 (LPS6). Development approval was issued on 20 September 2019 for the construction of a warehouse on the northern portion of the property, which is currently under construction.

The property is adjoining a vacant block to the east, Blackman Street to the west and Haynes Street to the South. Please refer to the image below for the location of the subject site.



Proposed Development

The application is seeking approval to demolish and reconstruct a new warehouse (shown as Shed 2 on the site plan), positioned centrally on the lot, measuring 11.3mx22.3m (total floor area of 251m²). A 12.4x16m (198m²) warehouse is also proposed on the southern portion of the site, which is currently vacant. To support the new development on site, the applicant is also seeking approval to construct parking within the adjacent road verge along Blackman Street.

It is noted that the application is being presented to Council as it proposes parking in the road verge, which under Local Planning Policy 5.6 is to be referred to Council for determination. All other development proposed meets the development requirements of schedule 8 of LPS 6.

COMMENT

An assessment of the application against the Shire's Local Planning Framework is set out below.

Local Planning Scheme No.6

The application is seeking to construct two (2) warehouses and the construction of eight (8) car parking bays to be within the Shire's Road reserve along Blackman Street. A copy of the site plan is included as **Attachment 1**.

Schedule 9 of LPS 6 establishes the parking standards for all use classes within the Shire of Broome. For the existing and proposed uses on site the following is required:

- 'Light and Service Industry' - One bay per 50m² of net lettable area.

- Caretakers dwelling- Two bays required.
- Office - One bay per 30m² gross leasable area.

As per schedule 9, overall, seventeen (17) bays are required to be provided, the applicant is proposing to construct eighteen (18) bays, ten (10) are located within the lot boundaries and eight (8) are located within the road verge.

Local Planning Policy 5.6 – Parking

Local Planning Policy 5.6 - Parking, seeks to establish minimum parking standards, ensure parking is provided which is safe, convenient and practical for the operation of the site and the community, while also outlining criteria for onsite parking and within the adjacent road reserve. Please refer to the Table below for an overview of this application against the Policy.

The following table outlines the different provisions and minimum parking criteria within the LPP 5.6, and its assessment against the proposed development.

Clause No.	Clause	Development Assessment
Clause 2.2	All parking areas must be landscaped. As a minimum landscaping of parking areas is to include shade trees at the rate of 1 tree every 4 consecutive bays or 12 metres, which ever is the lesser.	The proposed parking facilitates landscaping within all parking areas on site and the verge, the plan outlines 1 tree for every four consecutive bays achieving compliance with the Policy.
Clause 2.3	The location of parking areas is not to detract from the visual amenity of the proposed development, adjoining lots or streetscape of the locality. Parking areas must facilitate safe, easy and convenient vehicular (including motorcycle) bicycle and pedestrian movements.	The location of all parking areas does not detract from the visual amenity of the existing and proposed development, adjoining lots, streetscape or locality. All parking facilitates safe and convenient parking and vehicular movements. There is a proposed pedestrian path along the Blackman Street verge that continues into the site allowing for safe and convenient movement for pedestrians parking within the road verge to access the site

<p>Clause 3.2</p>	<p>Off-site parking can be considered in the following circumstances:</p> <ul style="list-style-type: none"> a) The parking for the land use cannot be accommodated on-site. b) The location of off-site parking is to be in the immediate road verge directly adjoining the subject property and will not in any way obstruct pedestrian movements on an existing or proposed footpath. c) The proposed marking must meet minimum parking bay size, be hard-sealed standard and shall not be detrimental to the visual amenity of the streetscape or impact upon traffic safety. 	<p>The development meets clause 3.2, in that:</p> <ul style="list-style-type: none"> a) All required parking for the development cannot be accommodated on-site, as parking on site is at capacity. b) The location of off-site parking is in the immediate road verge along Blackman Street, directly adjoining the subject property and will not obstruct pedestrian movements for any future footpaths. c) The proposed parking meets the minimum parking bay size and will be conditioned to be hard-sealed standard and shall not be detrimental to the visual amenity of the streetscape or impact upon traffic safety.
<p>Clause 3.3</p>	<p>When considering car parking bays within the road reserve, up to 50 per cent of bays can be provided for within the adjacent road verge.</p>	<p>The development provides for a total of eighteen (18) bays, ten (10) within the property boundary and eight (8) within the road verge, complies with the Policy.</p>
<p>Clause 3.4</p>	<p>Any parking bays which are required as a condition of development approval and cannot be provided for on-site may, at Council's discretion, be developed in a portion of the abutting road verge or a nearby property. It further notes that it is an applicant's responsibility to design and construct the parking bays in accordance with the Shire's standards.</p>	<p>A condition will be placed on the approval outlining all bays must be constructed to the specified standards and be maintained by the owner.</p>

<p>Clause 3.5</p>	<p>In order for Council to consider exercising its discretion to allow off-site parking, the application will be required to prove that:</p> <ul style="list-style-type: none"> a) The location of the off-site parking is conveniently located to the subject development; b) b) A safe and well-lit pedestrian access can be provided between the off-site parking and the development; 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 and items set out under clause 2.3 have been addressed. 	<p>The proposed development meets clause 3.5 as outlined below:</p> <ul style="list-style-type: none"> a) The verge parking is within proximity to the development on site. b) Safe pedestrian access is provided though a footpath between the off-site parking and the development. c) The customers and patrons of the site can be reasonably expected to use the off-site parking. d) All matters set out in clause 2.3 have been addressed above.
--------------------------	---	--

Ordinarily, there is typically informal verge parking along Blackman Street and thus, the formalisation of parking would be seen to be a positive outcome. Furthermore, a 3m landscaping strip is proposed along the front boundary of the site, meeting with the intent of Clause 2.2 of LPP 5.6, reducing the visual impact of hardscaping as a result of the installation of bays, and contributing towards the visual amenity of the locality.

The verge parking will not be out of character for the area as nearby properties have approval for parking within the verge, including the Shires Depot at 15 Farrell Street, Broome and 2 Hunter Street, Broome.

Given the above, the application is considered to meet the relevant provisions of Local Planning Scheme No.6 and Local Planning Policy 5.6 – Parking. As such, it is recommended Council issue development approval for the off-site parking.

CONSULTATION

In accordance with Local Planning Policy 5.14 – Public Consultation, the application does not require wider public consultation as the structures proposed as part of the application are deemed to be Level A under the policy, which establishes that no consultation is required.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Local Planning Scheme No.6

POLICY IMPLICATIONS

LPP 5.6 – Parking applies to the assessment of this application. The proposal is consistent with the Policy provisions.

FINANCIAL IMPLICATIONS

Nil.

RISK

Nil.

People – We will continue to enjoy Broome-time, our special way of life. It's laid-back but bursting with energy, inclusive, safe and healthy, for everyone.

Outcome One - A safe community:

1.2 Modify the physical environment to improve community safety.

Place – We will grow and develop responsibly, caring for our natural, cultural and built heritage, for everyone.

Outcome Seven – Safe, well connected, affordable transport options:

7.1 Provide safe and efficient roads and parking.

Prosperity – Together, we will build a strong, diversified and growing economy with work opportunities for everyone.

Outcome Nine – A strong, diverse and inclusive economy where all can participate:

9.4 Support business growth, innovation and entrepreneurship.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0422/004

Moved: Cr C Mitchell

Seconded: Cr P Taylor

That Council:

- 1. Approve the application for development approval 2022/24 for 'the demolition and reconstruction a new warehouse, construction of a new warehouse and to construct parking within the adjacent road verge' at 14 Haynes Street Broome, subject to the following conditions.**
 - (a) The development plans, as date marked and stamped 'Approved', together with any requirements and annotations detailed thereon by the Shire of Broome, are the plans approved as part of this application and shall form part of the development approval issued, except where amended by other condition of this approval.**
 - (b) As the development is of a minor nature or an addition to an existing development, a stormwater drainage system is to be provided that drains to an existing system or Shire roadway/drain to the satisfaction of the Shire. No stormwater is to be discharged onto other private property.**
 - (c) Prior to the occupation of the development, areas set aside for parked vehicles and access lanes, as shown on the approved plans, must be:**

- i. ***Finished to a sealed standard (either asphalt, two-coat bitumen seal or concrete), drained and kerbed in accordance with the approved plan***
 - ii. ***Fully drained in accordance with the Shire of Broome's guidelines and specifications.***
 - iii. ***Line marked and signed in accordance with AS 2890 (off street parking) and disabled bays to be in accordance with AS/NZS2890.6:2009.***
 - iv. ***Maintained by the owner and kept available for these purposes.***
- (d) ***All works (footpaths, parking and crossovers) within the adjacent road reserve must be detailed in an engineering plan prepared in accordance with the Guidelines for the Construction of Carparking within the Shire of Broome Road Reserve and approved by the Shire of Broome. These works once approved shall be constructed and installed by the owner to the satisfaction of the Shire of Broome prior to the occupation of the development. The owner must maintain the works to the satisfaction of the Shire at all times.***
- (e) ***A deed of agreement is to be prepared and executed at the owners cost between the owner and the Shire prior to the commencement of site works, under which the owner agrees and acknowledges the following:***
 - i. ***The owner agrees to maintain the car parking, landscaping and any construction within the road verge; and***
 - ii. ***The owner agrees to indemnify 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;***

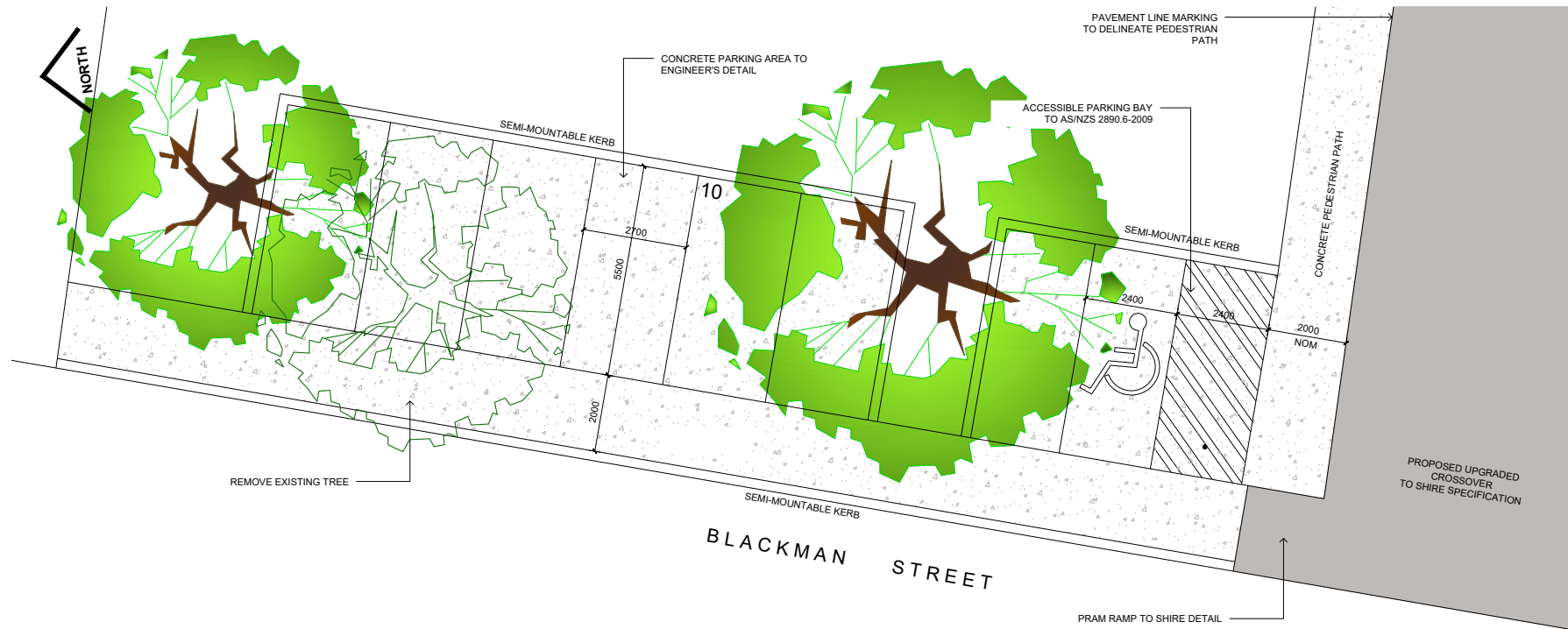
The deed of agreement is to permit the Shire to lodge a caveat against the Certificate of Title to the land to secure the performance of the obligations of the Deed.

CARRIED UNANIMOUSLY 7/0

Attachments

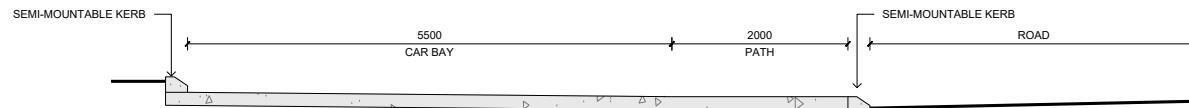
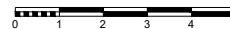
- 1. Site Plan
- 2. Warehouse Elevations
- 3. Landscaping Plan





PROPOSED VERGE PARKING PLAN

SCALE 1:100 @ A2



TYPICAL SECTION

SCALE 1:50 @ A2

BUILDING CLASSIFICATION
CLASS 7B IN ACCORDANCE WITH NCC
VOLUME 1 PART A3.2

NATHAN MANNING
DESIGNER
remote design & drafting

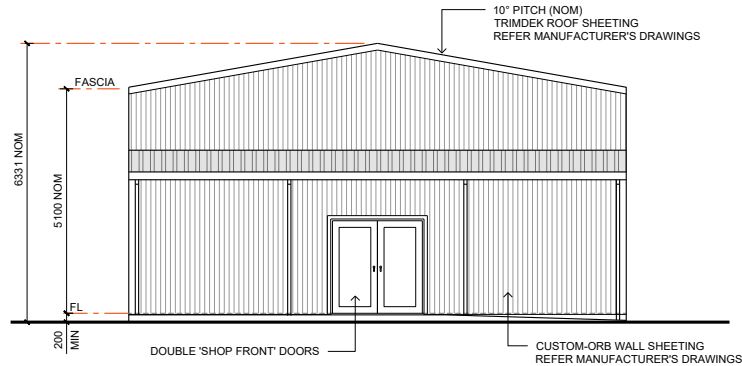
BASED IN BROOME
WESTERN AUSTRALIA
T. 0409945959
E. nathanmanning@gmail.com
ABN 14 337 535 517

• CHECK ALL DIMENSIONS PRIOR TO CONSTRUCTION
• ALL WORK TO THE BCA & RELEVANT AUSTRALIAN
STANDARDS & LOCAL AUTHORITY REGULATIONS
• CONSULT THE LOCAL AUTHORITY FOR
MANUFACTURER'S SPECIFICATIONS & DETAILS
• THIS PLAN IS COPYRIGHT © IT MUST NOT BE REPRODUCED OR
COPIED WITHOUT PERMISSION. COPYRIGHT ©

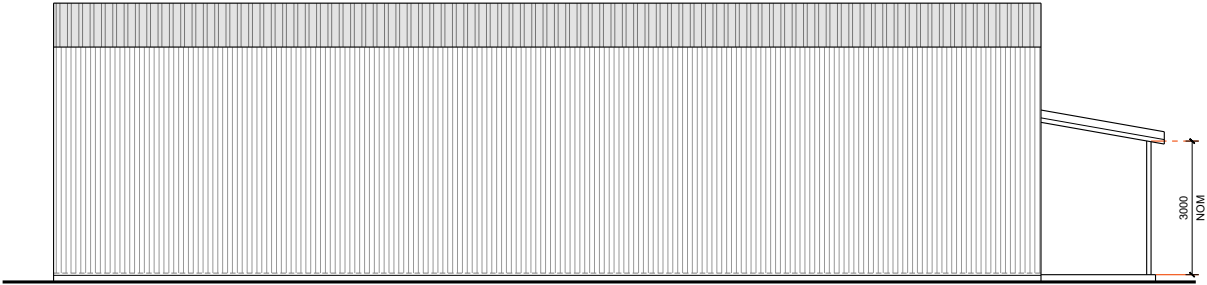
04/04/22 FOR APPROVAL

KEN ROCKLEY
PROPOSED DEVELOPMENT
LOT 22 (#14) HAYNES ST, BROOME WA

PS980
SHEET No
A1.1



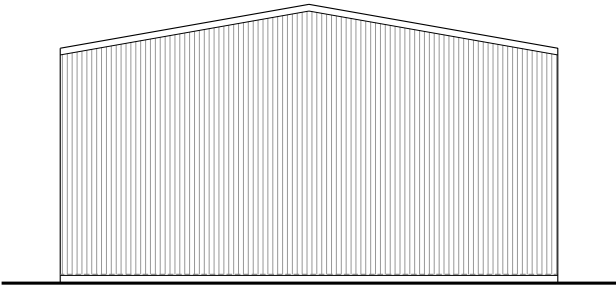
FRONT / WEST ELEVATION
SCALE 1:100 @ A3



SIDE / NORTH ELEVATION
SCALE 1:100 @ A3

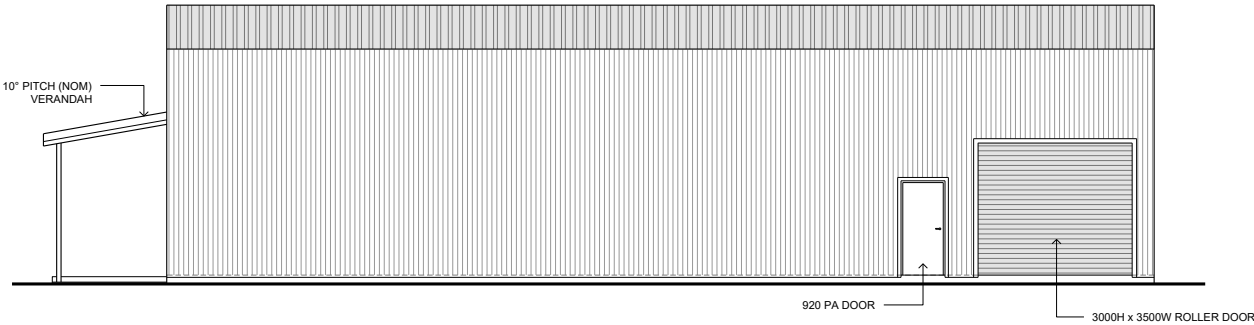
SHED '2'

NATHAN MANNING DESIGNER remote design & drafting	BASED IN BROOME WESTERN AUSTRALIA T. 0409945959 E. nathanmanning@gmail.com ABN 14 337 535 517	• CHECK: ALL DIMENSIONS PRIOR TO CONSTRUCTION • ALL WORK TO THE BCA & RELEVANT AUSTRALIAN STANDARDS & LOCAL AUTHORITY REGULATIONS • ALL WORK MUST BE IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS & DETAILS • THIS PLAN IS COPYRIGHT © IT MUST NOT BE REPRODUCED OR COPIED WITHOUT PERMISSION. COPYRIGHT ©	04/04/22 FOR APPROVAL	KEN ROCKLEY PROPOSED DEVELOPMENT LOT 22 (#14) HAYNES ST, BROOME WA	PS9980 SHEET No. A2.2



REAR / EAST ELEVATION

SCALE 1:100 @ A3



SIDE / SOUTH ELEVATION

SCALE 1:100 @ A3

SHED '2'

NATHAN MANNING
DESIGNER
remote design & drafting

BASED IN BROOME
WESTERN AUSTRALIA
T. 0409945959
E. nathanmanning@gmail.com
ABN 14 337 535 517

• CHECK ALL DIMENSIONS PRIOR TO CONSTRUCTION
• ALL WORK TO THE BCA & RELEVANT AUSTRALIAN
STANDARDS & LOCAL AUTHORITY REGULATIONS
• ALL WORK MUST BE IN ACCORDANCE WITH
MANUFACTURERS SPECIFICATIONS & DETAILS
• THIS PLAN IS COPYRIGHT © IT MUST NOT BE LOANED OR
COPIED WITHOUT PERMISSION

COPYRIGHT ©

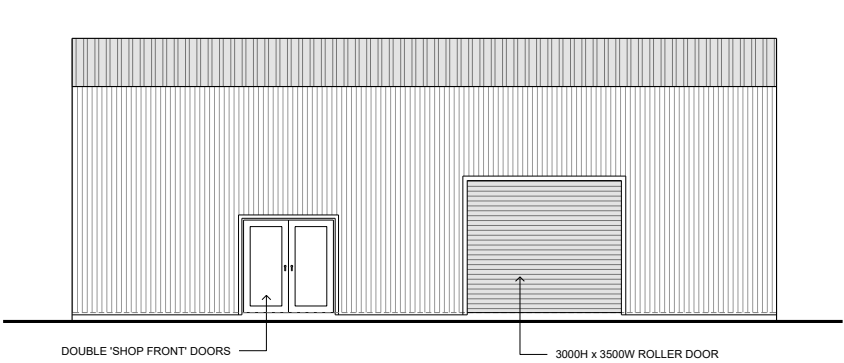
04/04/22

FOR APPROVAL

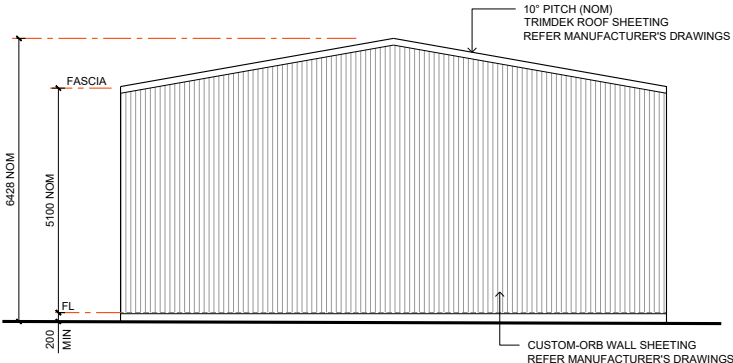
KEN ROCKLEY
PROPOSED DEVELOPMENT
LOT 22 (#14) HAYNES ST, BROOME WA

DS980

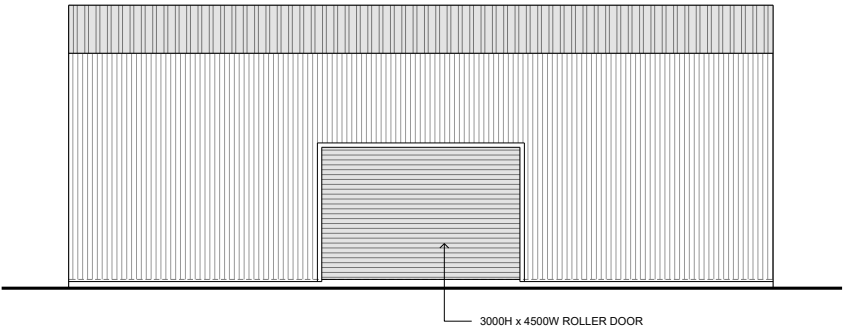
SHEET No
A2.3



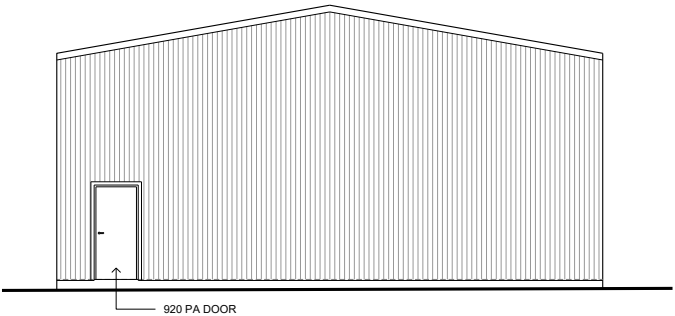
FRONT / SOUTH ELEVATION
SCALE 1:100 @ A3



SIDE / WEST ELEVATION
SCALE 1:100 @ A3



REAR / NORTH ELEVATION
SCALE 1:100 @ A3



SIDE / EAST ELEVATION
SCALE 1:100 @ A3

SHED '3'

NATHAN MANNING
DESIGNER
remote design & drafting

BASED IN BROOME
WESTERN AUSTRALIA
T. 0409945959
E. nathandraft@gmail.com
ABN 14 337 535 517





• CHECK ALL DIMENSIONS PRIOR TO CONSTRUCTION
• ALL WORK TO THE BCA & RELEVANT AUSTRALIAN
STANDARDS & LOCAL AUTHORITY REGULATIONS
• ALL CONSTRUCTION MUST BE ACCORDING TO
MANUFACTURER'S SPECIFICATIONS & DETAILS
• THIS PLAN IS COPYRIGHT © IT MUST NOT BE REPRODUCED OR
COPIED WITHOUT PERMISSION

04/04/22 FOR APPROVAL

KEN ROCKLEY
PROPOSED DEVELOPMENT
LOT 22 (#14) HAYNES ST, BROOME WA

PS980
SHEET No.
A3.2

- LANDSCAPING NOTES
1. 100MM THICK SELECT MULCH TO ALL GARDEN BEDS
 2. AUTOMATIC RETICULATION (EXISTING) TO ALL GARDEN BEDS

LANDSCAPING LEGEND			
SYMBOL	BOTANICAL NAME	COMMON NAME	TYPE
	DYSPIS LUTESCENS	GOLDEN CANE	PALM
	CALYTRIX EXSTIPULATA	TURKEY BUSH	LARGE SHRUB
	GREVILLEA	VARIOUS SPECIES	SMALL SHRUB
	COCOS NUCIFERA	COCONUT TREE	LARGE PALM



LANDSCAPING PLAN

SCALE 1:250 @ A3



NATHAN MANNING
DESIGNER
remote design & drafting

BASED IN BROOME
WESTERN AUSTRALIA
T. 0409945959
E. nathandm@gmail.com
ABN 14 337 535 517

• CHECK ALL DIMENSIONS PRIOR TO CONSTRUCTION
• ALL WORK TO THE BCA & RELEVANT AUSTRALIAN
STANDARDS & LOCAL AUTHORITY REGULATIONS
• MANUFACTURERS SPECIFICATIONS & DETAILS
• THIS PLAN IS COPYRIGHT © IT MUST NOT BE REPRODUCED OR
COPIED WITHOUT PERMISSION

04/04/22 FOR APPROVAL

KEN ROCKLEY
PROPOSED DEVELOPMENT
LOT 22 (#14) HAYNES ST, BROOME WA

ps980
SHEET No
L1.1

Cr H Tracey declared a Financial Interest in Item 9.2.2, the reason being “Owner of the building company that is completing this project”

Cr C Mitchell declared an impartiality Interest in Item 9.2.2, the reason being “Member of Broome Lions International”. Cr C Mitchell has made written declaration that he will consider the matter on its merits and vote accordingly.

Cr H Tracey left the Chambers at 5:18 pm.

Cr D Male Deputy President assumed the chair.

9.2.2 AMENDMENT TO DA2021/22 LIONS EYE INSTITUTE STAGE 2 - FENCING, 45 FREDERICK STREET

LOCATION/ADDRESS:	45 Fredrick Street, Broome
APPLICANT:	Laird Tran Studio
FILE:	FRE-1/45
AUTHOR:	Planning Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

The Shire has received an application to remove a condition from the approval issued for the Lions Eye Institute Stage 2 development, which was approved by Council at the Ordinary Meeting held in May 2021.

The applicant would like to remove condition 9 from the approval, the condition reads as follows:

No fencing is to be constructed on the Frederick Street boundary or within the Frederick Street building setback area.

The applicant has requested that the condition is removed so a 1.8m high ‘garrison’ fence along the sites Fredrick Street frontage can be constructed. The amendments are shown on the plans included as **Attachment 1**. All other aspects the development approval would remain the same as previously approved at the Ordinary Meeting Council May 2021 as shown on the existing approved plans and notice in **Attachment 2**.

The report recommends the application to amend development approval 2021/22 is approved.

BACKGROUND

Previous Considerations

OMC May 2021 Item 9.2.2

At the May 2021 Council Meeting, an application for stage 2 of the Lions Eye Institute development was approved. Stage 2 involved the demolition of the existing building (facing Fredrick Street), 1.8m Garrison fencing along Fredrick Street (which was not approved due to inclusion of condition no 9) and the construction of a new building in place of the demolished building. The new building included the following facilities:

- Administration offices;
- Ad-hoc meeting area for health-related uses;
- Optometrist and consulting rooms; and
- Lunch Kiosk that will service the staff and patrons to the health facilities on site. The lunch kiosk will be open to the public attending the medical centre.

Site and Surrounds

The Lions Eye Institute is located at 45 Fredrick Street, Broome which is a 3,227m² property fronting Fredrick Street to the north and Walcott Street to the east. The subject site is zoned 'Mixed Use' under the Shire's Local Planning Scheme No 6 (LPS6), refer to image below.



Proposal

The applicant seeks to remove condition 9 of the approval for Development Application 2021/22. The condition is as follows:

- i. *No fencing is to be constructed on the Frederick Street boundary or within the Frederick Street building setback area.*

The applicant has requested that the condition is removed to allow for the construction of a 1.8m high garrison fence along Fredrick Street. The fencing will include a pedestrian gate from the Fredrick Street footpath as well as sliding driveway gates.

The proposed fence will continue the existing 1.8m garrison fence along Walcott Street and the southern and western boundaries of the lot. This proposal will allow for fencing surrounding the entire subject site.

COMMENT

The applicant has requested that the approval issued is amended to enable the construction of a fence to secure the site following recent break-ins. The applicant has supplied justification for the amendment request, which is included as **Attachment No 3**, which includes details of recent security breaches on site and also damage that has been experienced. The application has also supplied an artist impression of the fencing.

In the report presented to the Council Meeting in May 2021, the fencing along Frederick Street was not recommended for approval by officers, as it was deemed a prominent change to the existing Frederick Street streetscape. It was also noted in the May 2021 assessment that Part 2 of the Old Broome Development Strategy, states:

'Front fencing is seldom provided, and when it is provided it is typically of a low height and does not appear visually dominant, enhancing a sense of openness.'

It was concluded in the officer's assessment in May 2021, that the proposed fencing on the boundary may be considered to detract from the 'openness' of the site and discourage street activation. Subsequently, it was recommended that a condition be imposed that prevents fencing on the boundary or in the street setback area, which was incorporated into the determination for the Stage 2 redevelopment.

As outlined in Attachment No 1, the security breaches that have occurred on site to date have resulted from intruders entering the site from Frederick Street. While the site currently is under construction, the Stage 2 building, once completed will have large, glazed windows facing Frederick Street, without any security treatment. The buildings were designed in this manner by the architect to maintain a visual transparent connection between the street and the building, which is a design response encouraged and consistent with the Old Broome Development Strategy. To secure the building and site, in lieu of a fence, the applicant has advised that security screens would need to be placed on the windows which would restrict this visual connection. Below in Figure 1 is two examples of the security screens that would be installed in lieu of fencing on site:

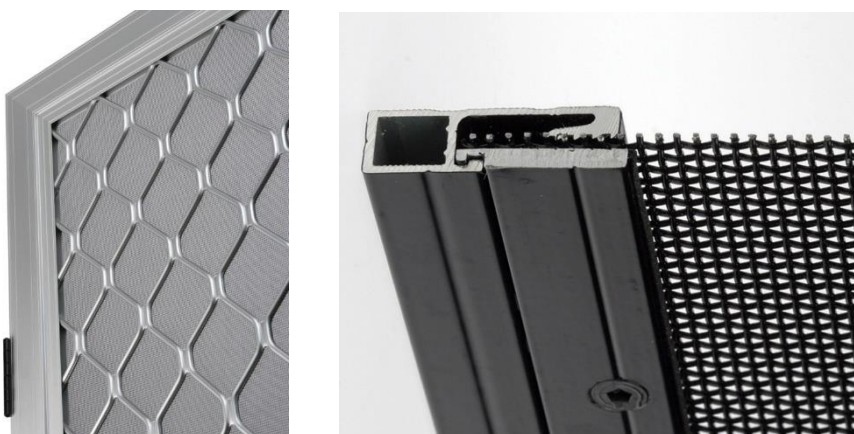


Figure 1 – Security Screens

The applicant is proposing to install garrison fencing, as detailed in **Attachment No 1**, which is visually permeable and as shown in the artist impressions, will still enable for active and passive surveillance from within the building and the street.

Based on the above, it is recommended that development approval 2021/22 is amended to remove condition No 9. It is recommended that a condition be included in its place

establishing that the pedestrian and vehicle access gates are to remain open at all times while the business is open, this is to ensure that users of the facility can access the parking.

CONSULTATION

In accordance with Local Planning Policy 5.14 – Public Consultation, no public consultation is required, as the proposed land uses is a 'D' use under LPS6.

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 5.16 – Old Broome Development Strategy

Refer to officer's comments.

Local Planning Policy 5.9 – Development Approvals – Amendments/Extensions to Terms of Approval and Request for Further Information

The application for the amendment to the development approval is consistent with LPP 5.9. As set out in the Policy, where a request to amend a development approval is approved, a letter will be issued advising the applicant of this. The original development approval (including the terms and conditions) will remain operative, subject to any amendments approved. The officers recommendation below is consistent with the Policy.

FINANCIAL IMPLICATIONS

Nil

RISK

Nil

STRATEGIC ASPIRATIONS

Place – We will grow and develop responsibly, caring for our natural, cultural and built heritage, for everyone.

Outcome Five - Responsible management of natural resources:

5.2 Manage and conserve the natural environment, lands and water.

Outcome Six - Responsible growth and development with respect for Broome's natural and built heritage:

6.1 Promote sensible and sustainable growth and development.

Outcome Seven – Safe, well connected, affordable transport options:

7.2 Provide safe, well-connected paths and trails to encourage greater use of active transport.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0422/005

Moved: Cr N Wevers

Seconded: Cr C Mitchell

That Council approves the amendment to Development Application 2021/22 for the Lions Eye Institute Medical Centre at 45 Frederick Street, to delete condition No 9 and insert the following condition in its place

- ***At all times the development on site is open for business, the vehicle and pedestrian access gates are to remain open.***

CARRIED UNANIMOUSLY 6/0

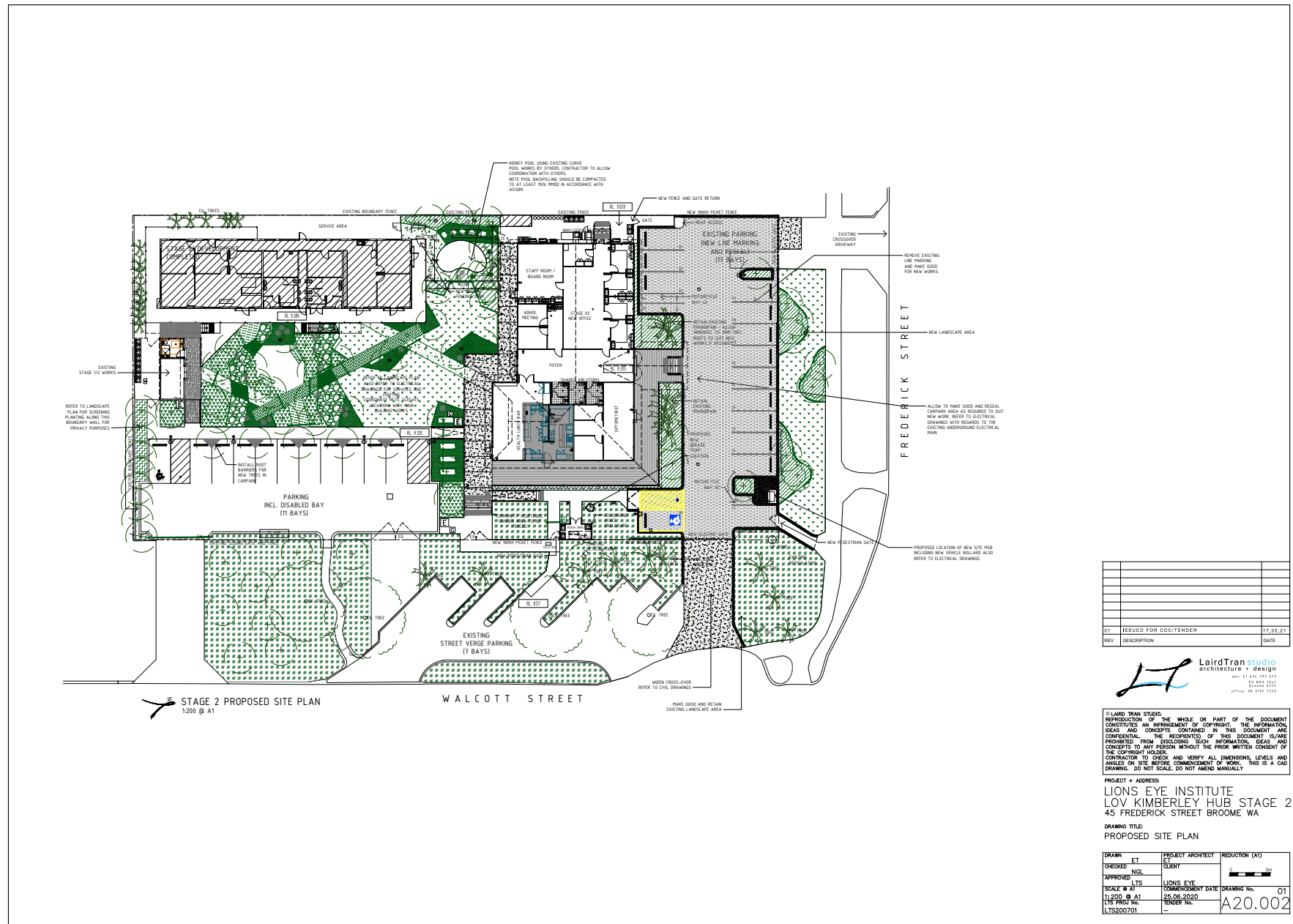
Attachments

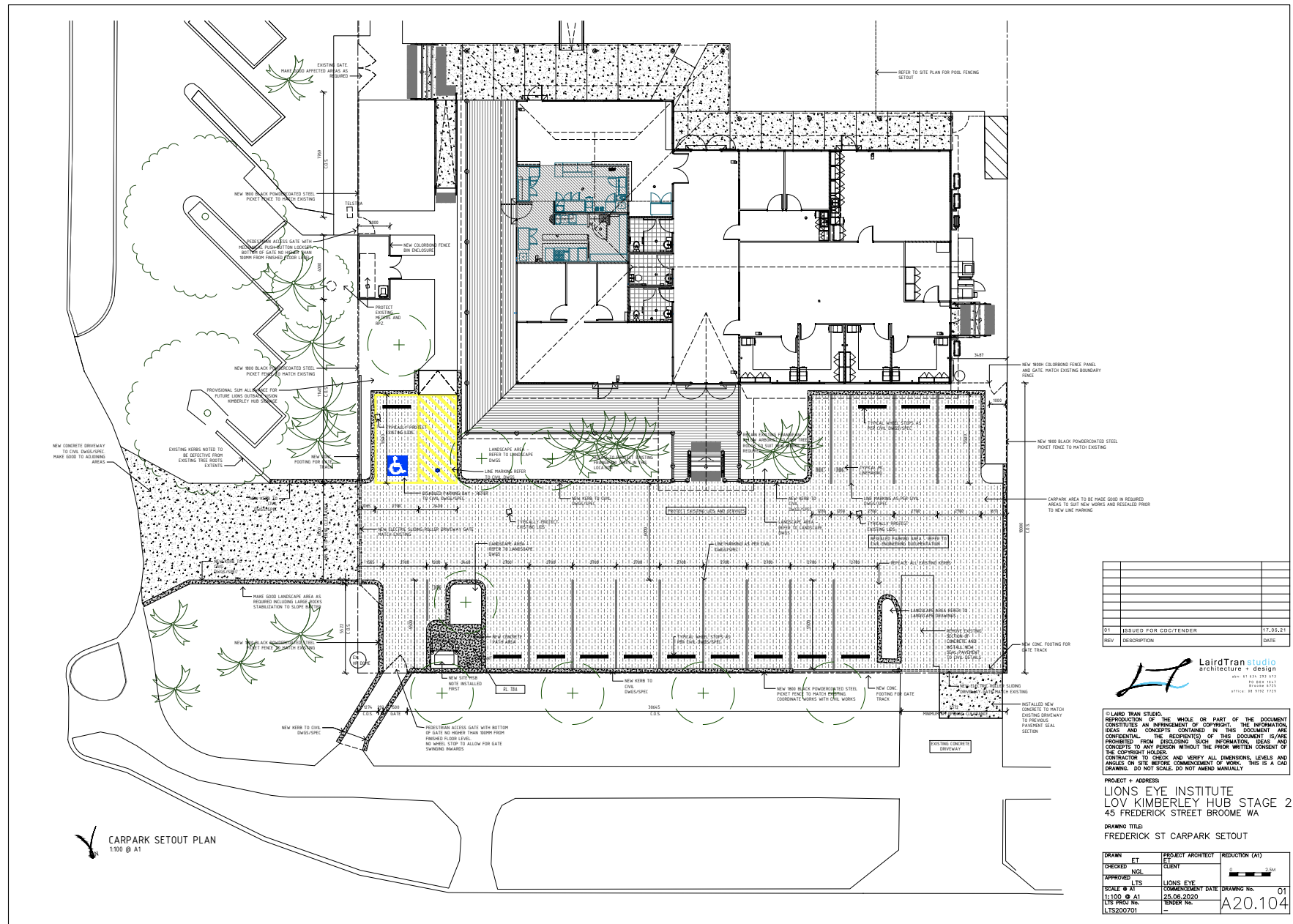
1. Plans of fencing
2. Applicants Additional Information
3. Original Approval

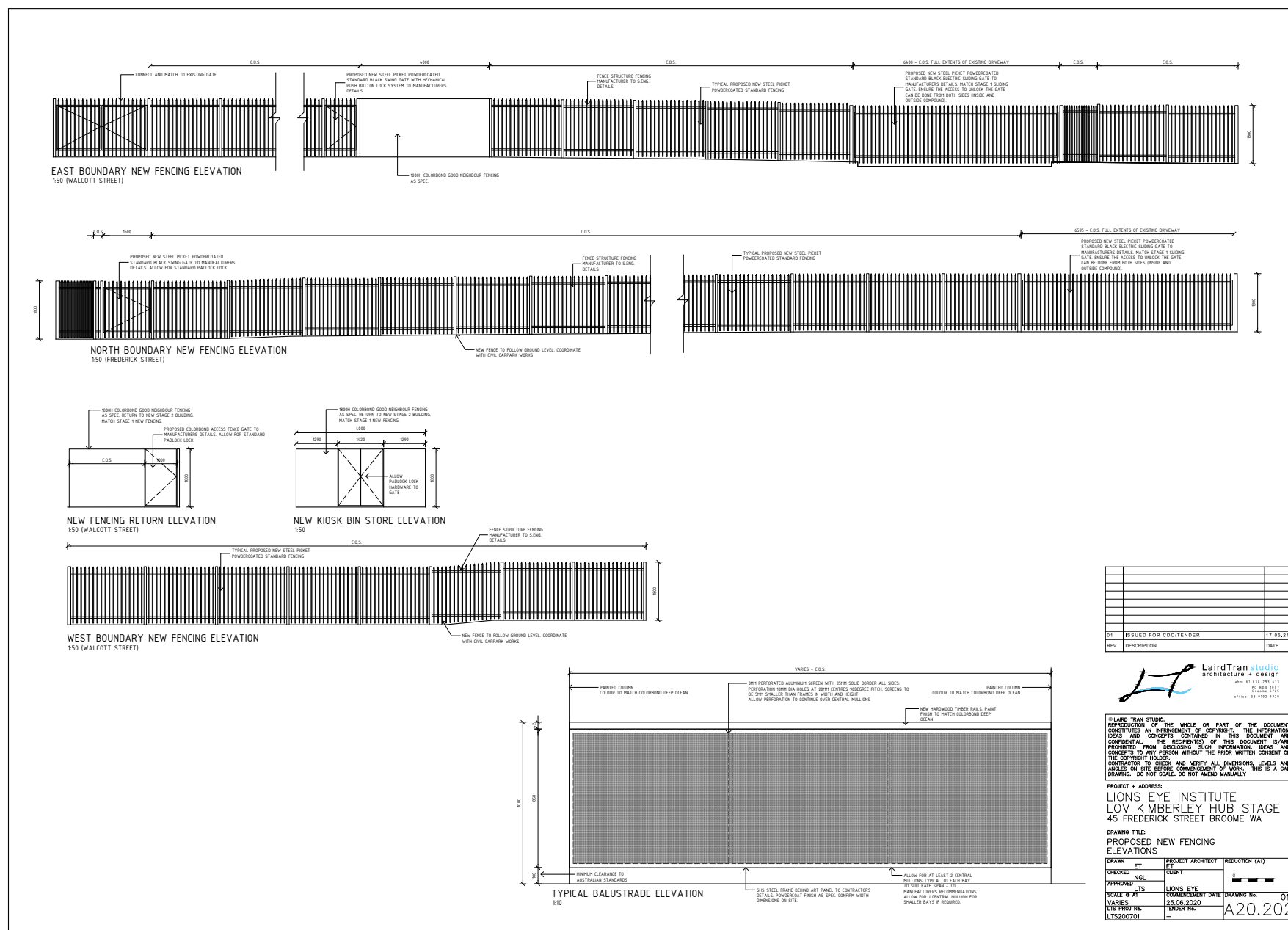
Lions Outback Vision Eye Hub Broome Stage 02

45 Frederick Street (cnr. Walcott Street) BROOME WA
REQUEST AMENDMENT TO DEVELOPMENT APPROVAL 2021/22 FENCING









30th March 2022

Shire of Broome
PO Box 44
Broome WA, 6725



Attention: Shire of Broome Planning Department

**RE: Request for Amendment to Development Approval 2021/22 –
Proposed Front Boundary Fencing at Lions Eye Institute (Lions Outback Vision Eye Hub) Stage 2 Works**

I would like to please refer your attention to Development Approval REF: 2021/22 FRE-1/45 for the Lions Outback Vision Eye Hub Stage 2 at 45 Frederick Street Broome WA. Condition Item 9 of this approval noted the following:

"No fencing is to be constructed on the Frederick Street boundary or within the Frederick Street building setback area."

Stage 2 works are currently under construction within Building Permit No. 13349. As per the current Development Approval, the building contract works with H&M Tracey excludes fencing along the front boundary. However, due to some break ins that have occurred to this site, and the general spike in crime experienced in Broome earlier this year, Lions Eye Institute have concerns over the security of the site if it is to remain unfenced.

We request that the Shire of Broome please reconsider its position with condition 9 of DA REF:2021/22 FRE-1/45. We request that fencing be permitted along Frederick Street as an amendment to the Development Approval.

To support our request for amendment to development approval 2021/22 FRE-1/45 we would like to provide the following summary notes and attached documentation:

- Completed Signed Standard DA form noted "amendment to development approval 2021/22 Fencing"
- Stage 2 Architectural Drawings including:
 - o A20.002: Proposed Site Plan
 - o A20.104 Carpark Set Out Plan
 - o A20.202: Fencing Elevations
- Landscape Design Drawings (5 pages)
- We note the Fencing variations cost is \$53,153 excl GST.
- As per email received from Kirsten Wood on 29.02.2022 we note the amendment fee is \$295.00.

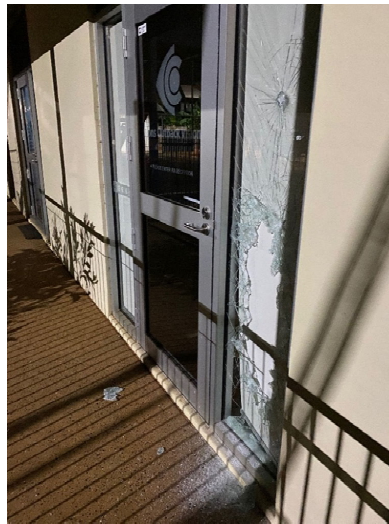
The following detailed information has also been provided to assist with your assessment of this re-application.

Arch Reg.: 2331 + 2426 PO Box 1047 Broome WA 6725 P: 08 9192 7729 E: admin@lairdtran.com.au ABN: 29 961 672 995

Police reported break in dates occurred during the early hours of 4th February 2022 and again on 8th February 2022. The break in on the 4th of February involved the intruders ramming the fencing along Walcott Street from within the site, they then continued on to ram a police vehicle. CCTV footage captured on the 8th of February identified that the intruders had broke a window to enter the premises. The intruders did not seem to be concerned with the CCTV cameras, Flood Lights and/or Carpark Lights on site.



Image 1. Crime committed 04.02.2022. The intruders rammed the Walcott Street fencing from within the site. The intruders later rammed a police vehicle with this stolen vehicle.



*Image 2. Crime committed 08.02.2022
The intruders were observed on CCTV smashing the window in attempt to break in.*

The CCTV footage captured the intruders entering the site via Frederick Street which is a main pedestrian accessway. The Stage 2 new building that faces Frederick Street includes Offices, Lunch Kiosk and Optometrist. The Stage 2 building has large, glazed windows facing Frederick Street, without any security screening treatment. Laird Tran designed the building this way to maintain a visual transparent connection between the street and the building. Any security screening placed on the window glazing will restrict this visual connection. We anticipate that the front of the Stage 2 Frederick Street buildings will have a greater risk of break ins without fencing or security screening.

Lions Eye have also noted on the 30th of March 2022 (today) the Office 1 Alarm was activated on the 29th of March at 9.50pm. This is under investigation.

Instead of security screening, we had originally proposed, and again propose that a 1.8m high steel black powdercoated picket fence be installed. This is the same fencing type as currently installed to the Walcott Street site. The fencing will include a pedestrian gate from the Frederick Street footpath, as well as sliding driveway gates that will be kept open during operation times. The same management and treatment of the driveway gate opening along Walcott Street will apply to the Frederick Street gate. We don't believe fencing along Frederick Street is intrusive as per the below artist imagery.



*Image 3. Artist impression view of the proposed Frederick Street Fencing.
The type of fencing maintains a visual connection to the site.*

There is a large, landscaped verge area along Frederick Street. Lions Eye have committed to a contract with Boab Design Landscaping to enhance the entire site landscape including this front verge area. This landscape has been designed by Vanessa Margetts from Mud Map Studio, a local landscape architect. Her Landscape drawings are attached for your reference. Broome SHS also has similar fencing and a landscaped verge that extends along Frederick Street as a precedence reference.



Image 4. Broome SHS Fencing and Landscape along Frederick Street

We would like to note there are numerous other precedence of fencing along the same side of Frederick Street. The residential units directly next door to Lions Eye has solid full fencing along Frederick Street.



Image 5 and 6

Precedence photos above of other sites along Frederick Street that have front boundary fencing. Some of these fencings are solid fencing. Vandalism still occurs as per graffiti on these fences.

We would also like to note that the Shire of Broome has full fencing around Shire assets in the Chinatown tourist precinct including the Broome Visitor Centre and Magabala Books. The fencing to the Visitor Centre, Broome Senior High School and Magabala Books is the same as what we are proposing. As per other fenced sites in Broome, fencing has been erected to deter potential crime to that site, as well as provide safety to its occupants.



Image 7

Precedence photos of Broome Visitor Centre within the Chinatown Tourist Precinct.



Image 8

Precedence photos of Magabala Books within the Chinatown Tourist Precinct.

We understand most of the crime in Broome may be opportunistic, and that fencing along Frederick Street may reduce the opportunity for future break ins or damages to the site. We propose the picket type fencing as this makes it difficult for intruders to climb over. The reduction in crime opportunities will relieve pressures of insurance premium price increases and the negativity experiences amongst the community.

Lions Outback Vision provide essential eye health care services to the Broome and Kimberley Community. This site development in Broome is an important growth in providing essential care throughout the Kimberley. The safety and wellbeing of the building occupants as well as the protection of equipment is also a priority for Lions Outback Vision. We are seeking to reduce the risks associated with crime related incidents through the installation of permeable vernacular fencing.

Based on the information presented and on behalf of our clients, Lions Eye Health, we please request an amendment to remove condition 9 from the current development approval.

Should you have any queries or require any further information, please do not hesitate to contact me.

Kind Regards



Edward Tran
Architect Reg.: 2426

Our Ref: 2021/22 FRE-1/45
Enquiries: Jacinda Perkins Planning Officer
Jacinda.Perkins@broome.wa.gov.au



Shire of Broome
ABN 94 526 654 007

27 Weld Street
PO Box 44
Broome, WA, 6725
Phone: (08) 9191 3456
Fax: (08) 9191 3455
shire@broome.wa.gov.au
www.broome.wa.gov.au

28 May 2021

LAIRD TRAN STUDIO - ARCHITECTURE & DESIGN
PO BOX 1047
BROOME WA 6725

Dear Sir/Madam

**APPLICATION FOR DEVELOPMENT APPROVAL -LIONS EYE STAGE 2
45 FREDERICK STREET BROOME 6725**

I refer to your application for development approval received on 17/3/2021. The application was considered at the Ordinary Meeting of Council on the 27 May 2021.

Enclosed is the Notice of Determination on Application for Development Approval, which includes conditions that must be complied with. Some of which may require you to liaise with the Shire of Broome and submit additional information.

Should any of these conditions be unacceptable, you have a right to apply to the State Administrative Tribunal for a review of this decision and your attention is drawn to the need to make such an application within 28 days of the date on which this decision is given to you. The State Administrative Tribunal may be contacted for more information on phone 08 9219 3111.

If you wish to discuss any aspects of the Notice of Determination, please contact Jacinda Perkins Planning Officer on 9191 3456.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Luke Cervi'.

Luke Cervi
Coordinator Planning Services

Planning and Development Act 2005

SHIRE OF BROOME

**NOTICE OF DETERMINATION ON APPLICATION FOR DEVELOPMENT
APPROVAL NO: 2021/22**

PROPERTY: Lot 1, No. 45 FREDERICK STREET BROOME 6725

OWNERS	LIONS EYE INSTITUTE	OWNERS	PO BOX 576
NAME:	LIMITED	ADDRESS:	BROOME WA 6725

APPLICATION RECEIVED ON:

DESCRIPTION OF PROPOSED DEVELOPMENT: LIONS EYE STAGE 2

That the application for development approval for LIONS EYE STAGE 2 at Lot 1, No. 45 FREDERICK STREET BROOME 6725 is APPROVED, subject to compliance with the following conditions:

CONDITIONS

1. The development plans, as date marked and stamped 'Approved', together with any requirements and annotations detailed thereon by the Shire of Broome, are the plans approved as part of this application and shall form part of the development approval issued, except where amended by other condition of this approval.
2. Prior to the commencement of site works a stormwater drainage system is to be provided in accordance with the Shire of Broome's guidelines and specification for design and construction of stormwater drainage systems. The system shall be designed and documented by a practicing Civil Engineer to the satisfaction of the Shire. Drainage and any filling of the site must be carried out in accordance with the approved stormwater drainage system prior to the occupation of the development and then maintained at the owner's costs to the satisfaction of the Shire.
3. The finished floor level of the proposed building must be set at a minimum height of 200mm above the surface level of the edge of seal or face of kerb.
4. Prior to the occupation of the development, all vehicle crossovers must be designed and constructed (sealed, brick paving, bitumen, concrete) to the Shire's standard cross-over specification.
5. A deed of agreement is to be prepared and executed at the owners cost between the owner and the Shire prior to the commencement of site works, under which the owner agrees and acknowledge the following:
 - i. The owner agrees to maintain the car parking, landscaping and any construction within the road verge; and
 - ii. The owner agrees to indemnify 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;
- iii. 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
6. Prior to the occupation of the development, areas set aside for parked vehicles and access lanes, as shown on the approved plans, must be:
- i. Finished to a sealed standard (either asphalt, two-coat bitumen seal or concrete), drained and kerbed in accordance with the approved plan.
 - ii. Fully drained in accordance with the Shire of Broome's guidelines and specifications.
 - iii. Line marked and signed in accordance with AS 2890 (off street parking) and disabled bays to be in accordance with AS/NZS2890.6:2009.
 - iv. Maintained by the owner and kept available for these purposes.
7. Prior to any construction or works starting onsite, a Landscaping Plan must be submitted to and approved by the Shire. It is highly desirable that mature trees already on site are incorporated into the development if feasible and practicable. For the purpose of this condition, a detailed Landscaping Plan must be drawn to an appropriate scale and show the following:
- i. The location and type of existing trees including girth sizes (to be measured around the width circumference); and how they interact with the proposed development.
 - ii. The location and type of new trees and shrubs including an estimate of ultimate girth sizes that are proposed to be installed as part of the landscaping.
 - iii. Any lawns to be established.
 - iv. Any natural landscape areas to be retained.
 - v. Those areas to be reticulated or irrigated.
 - vi. Please note, to allow establishment of landscaping a minimum area of landscaping 1 metre wide shall be installed and a minimum area of 1sqm minimum, should be kept clear of all impervious materials around existing and proposed tree trunks.
8. The lunch bar / kiosk is to operate incidental to the predominant consulting rooms land use.
9. No fencing is to be constructed on the Frederick Street boundary or within the Frederick Street building setback area.

ADVICE NOTES

- Note 1 This is a Development Approval of the Shire under Local Planning Scheme No 6. It is not a Building Permit or an approval to commence or carry out development under any other law. It is the responsibility of the owner to obtain any other necessary approvals, consents and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.

- Note 2 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.
- Note 3 If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.
- Note 4 An owner of land in respect of which development approval has been granted by the local government may make an application to the local government requesting the local government to do any or all the following:
- (a) to amend the approval to extend the period within which any development approved must be substantially commenced;
 - (b) to amend or delete any condition to which the approval is subject;
 - (c) to amend an aspect of the development approved which, if amended, would not substantially change the development approved;
 - (d) to cancel the approval.
- The application is to be made in accordance with the requirements in Part 8 of the Planning and Development (Local Planning Schemes) Regulations 2015 and dealt with under this Part as if it were an application for development approval; and may be made during or after the period within which the development approved must be substantially commenced.
- Note 5 The granting of this Development Approval is not a clearance there are no Aboriginal Heritage Sites on the land, nor is it an approval under Section 18 of the Aboriginal Heritage Act 1972. The owner will need to make enquiry and application to the Department of Planning, Lands and Heritage in order to ensure compliance with the Aboriginal Heritage Act 1972.
- Note 6 The proposed development is required to comply in all respects with the Building Code of Australia and Health (Public Buildings) Regulations 1992. Plans and specifications which reflect these requirements are required to be submitted with the Building Permit application.

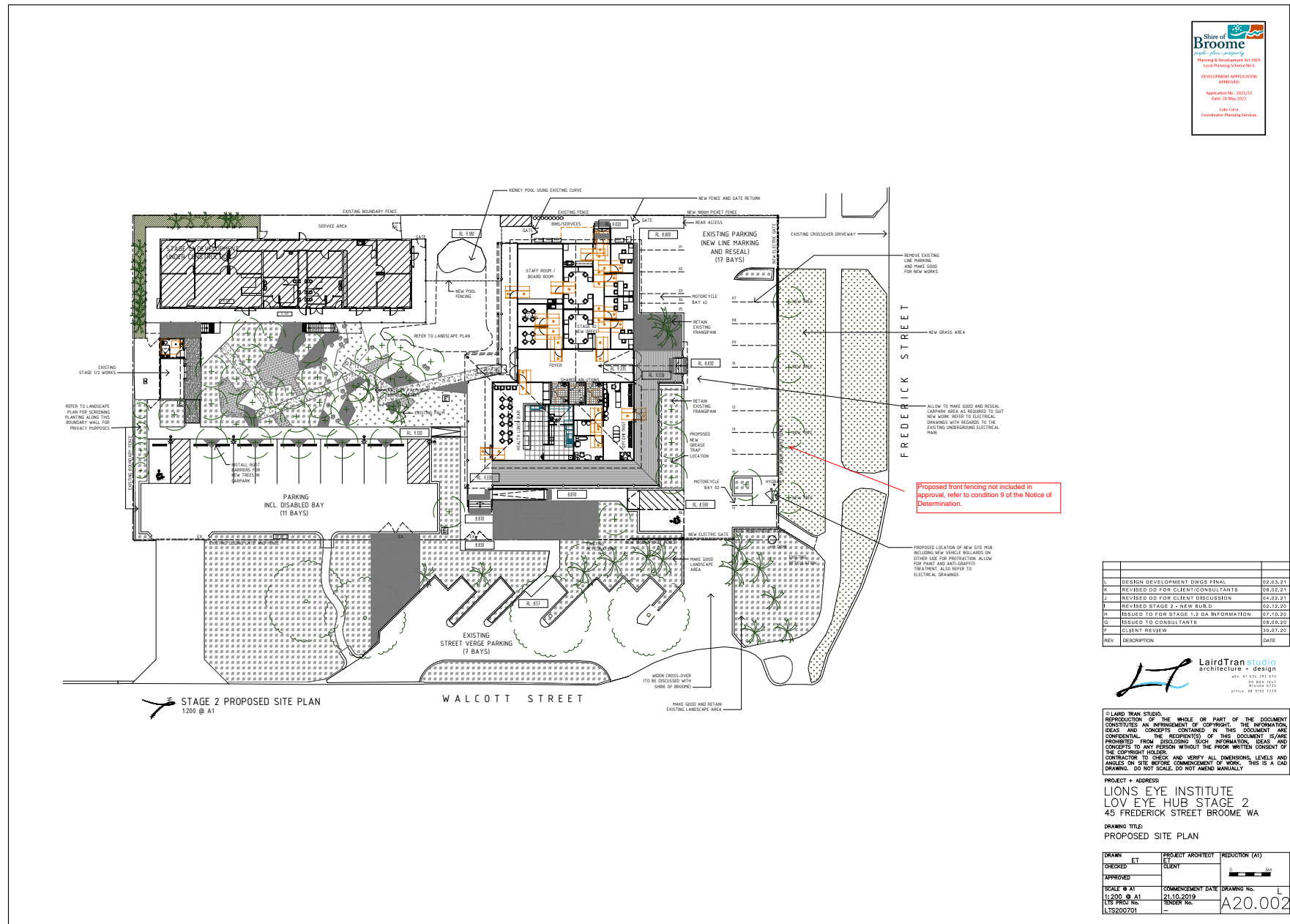
Signed:

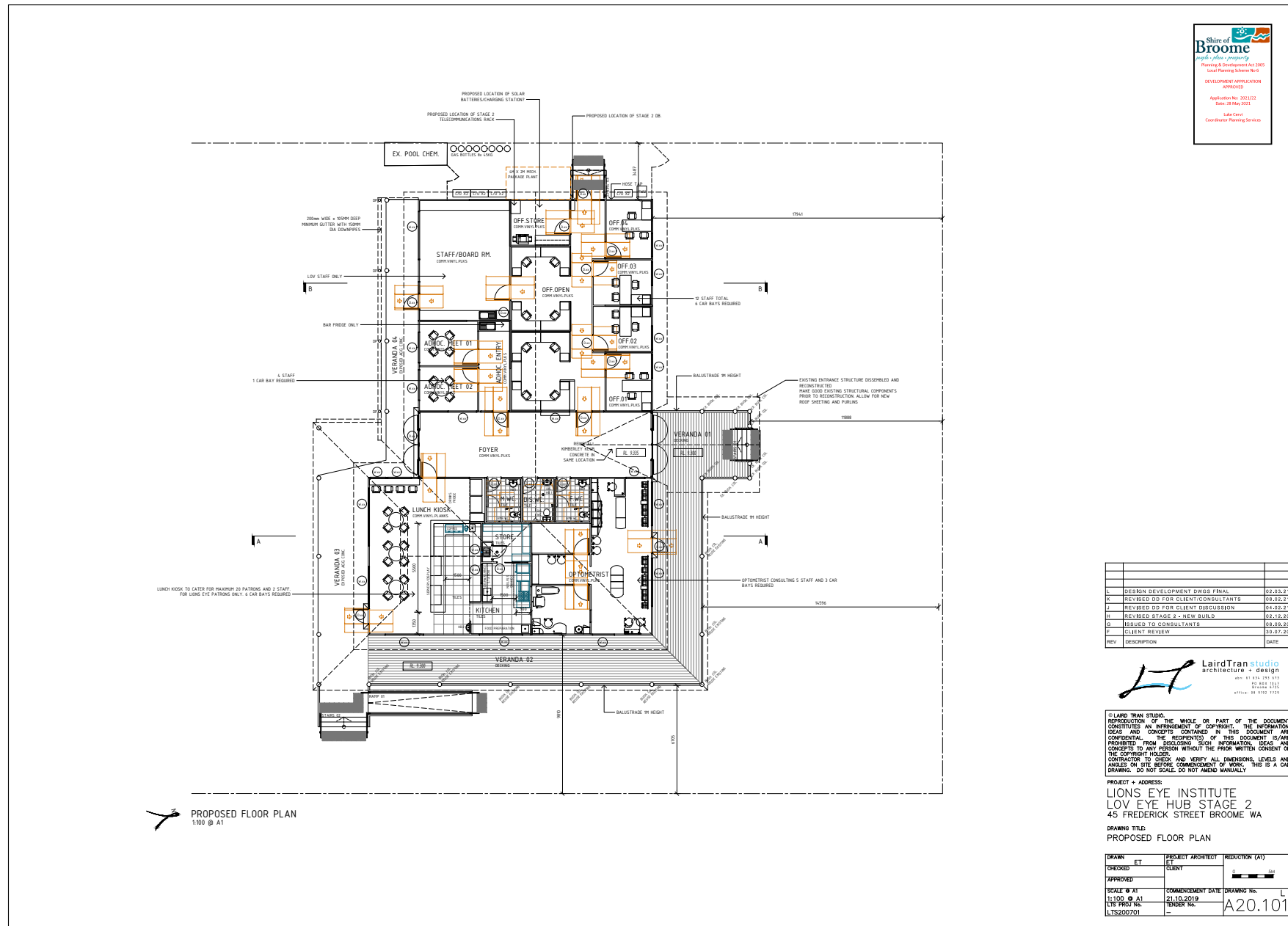


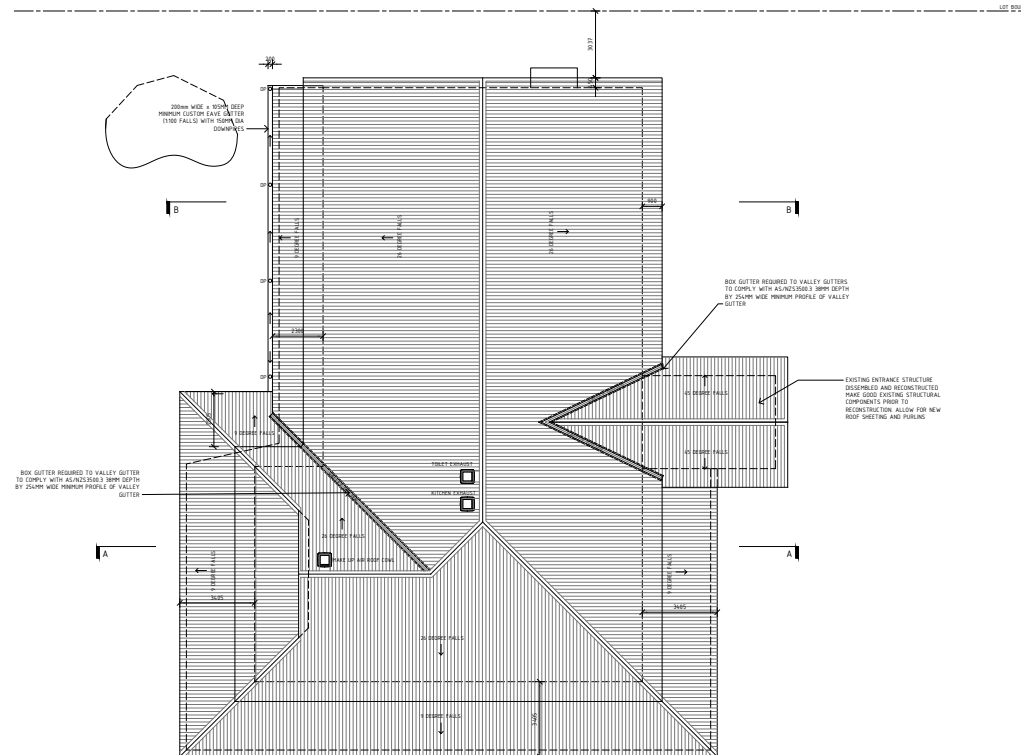
Luke Cervi
Coordinator Planning Services

Dated: 28/05/2021

For and on behalf of the Shire of Broome







PROPOSED ROOF PLAN
1:100 @ A1

ROOFING SCHEDULE:

- **THREE-DANG-MAN-ROOF** TRUSS BY SPECIALIST CONTRACTOR - INSTALL AS PER MANUFACTURER'S REQUIREMENTS REFER TO TRUSS CERTIFICATION.
- **COORDINATE** TRUSS DESIGN WITH **STRUCTURAL** ENGINEERING CONSULTANT AND **MECHANICAL** ENGINEER FOR PLANT LOCATIONS.
- **REFER** TO **STRUCTURAL** ENGINEERING DESIGN CRITERIA FOR DESIGN WIND LOADS, WIND SPEEDS, AND THERMAL CATEGORY
- **DESIGN** RAINFALL INTENSITY TO AS/NZS4563.3
- **ROOF** SLOPING IN ACCORDANCE WITH AS2662
- **ROOF** CLADDING METAL COATING IN ACCORDANCE WITH AS3559
- **REFER** TO **HYDRAULIC** DRAWINGS/SPECIFICATIONS FOR LOCATION OF ALL PLUMBING VENTS THROUGH ROOF
- **REFER** TO **MECHANICAL** DRAWINGS/SPECIFICATIONS OF ALL PEDESTAL VENTS THROUGH ROOF
- **TYPICALLY** ALLOW FOR ADDITIONAL ROOF SAILING WIND OF ROOF INSULATION THROUGHOUT ENTIRE ROOF AREA
- **ALLOW** FOR COMPLETE ROOF SAFETY ACCESS SYSTEM THROUGHOUT NEW ROOF MAINTENANCE

L	DESIGN DEVELOPMENT DWGS FINAL	02.03.21
K	REVISED DD FOR CLIENT/CONSULTANTS	08.02.21
H	REVISED STAGE 2 - NEW BUILD	02.12.20
G	ISSUED TO CONSULTANTS	08.09.20
F	CLIENT REVIEW	30.07.20
REV	DESCRIPTION	DATE

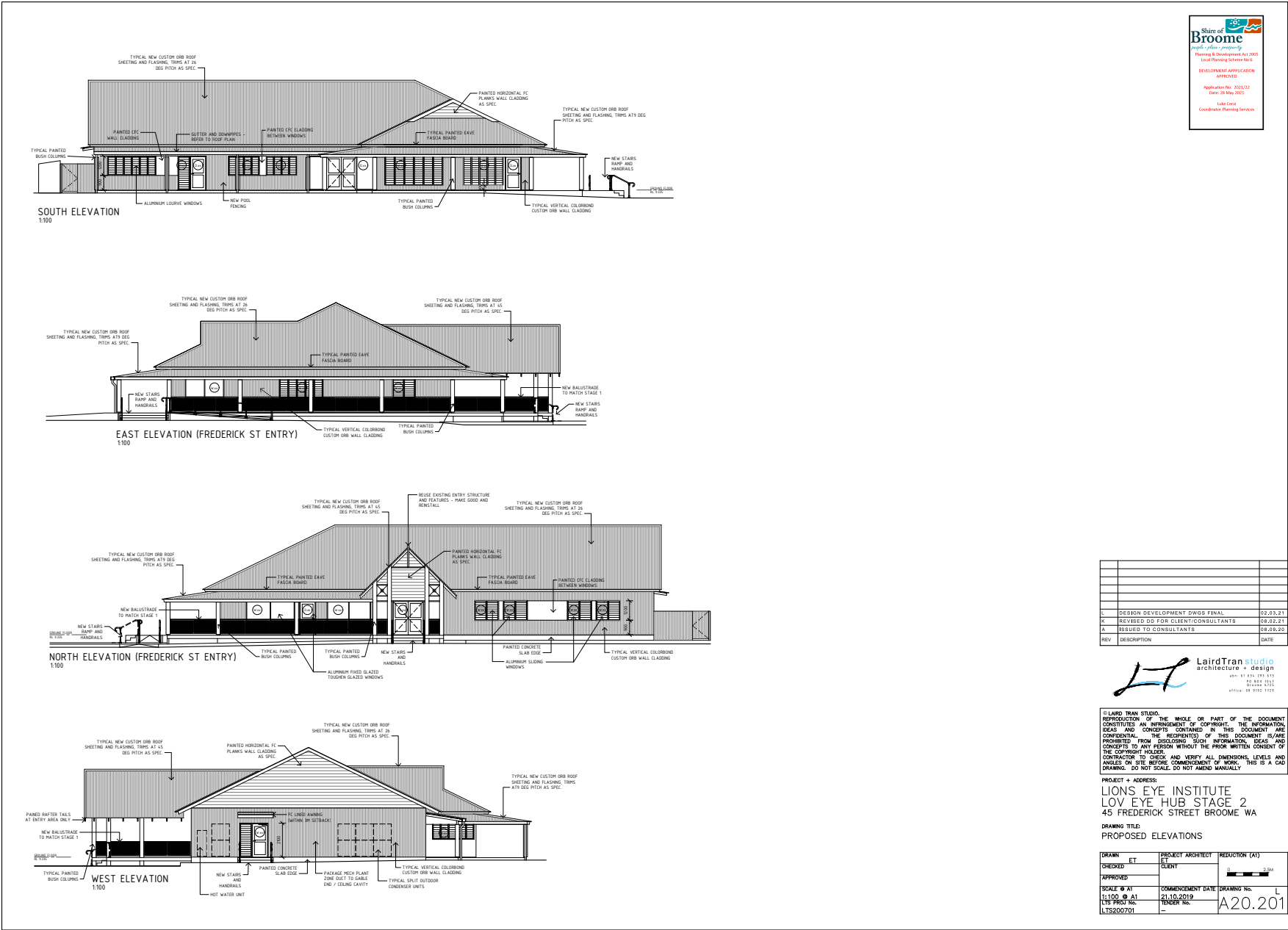


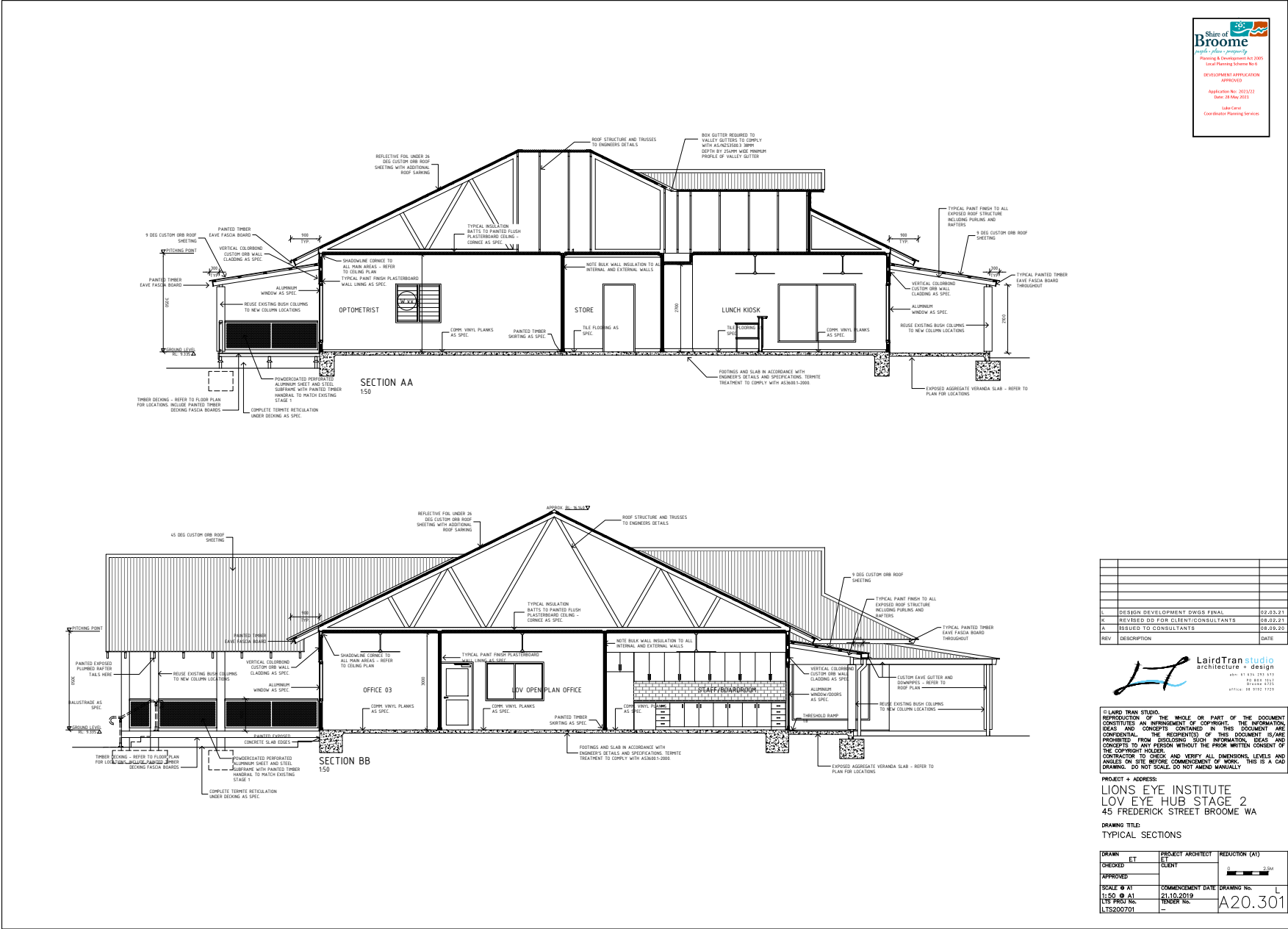
© LAIRD TRAN STUDIO.
REPRODUCTION OF THE WHOLE OR PART OF THE DOCUMENT
CONSTITUTES AN INFRINGEMENT OF COPYRIGHT. THE INFORMATION,
IDEAS, AND CONCEPTS CONTAINED IN THIS DOCUMENT ARE
CONFIDENTIAL. THE RECIPIENT(S) OF THIS DOCUMENT IS/ARE
PROHIBITED FROM DISCLOSING SUCH INFORMATION, IDEAS AND
CONCEPTS TO ANY PERSON WITHOUT THE PRIOR WRITTEN CONSENT OF
THE COPYRIGHT HOLDER.
CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS, LEVELS AND
ANGLES ON SITE BEFORE COMMENCEMENT OF WORK. THIS IS A CAD
DRAWING. DO NOT SCALE. DO NOT AMEND MANUALLY

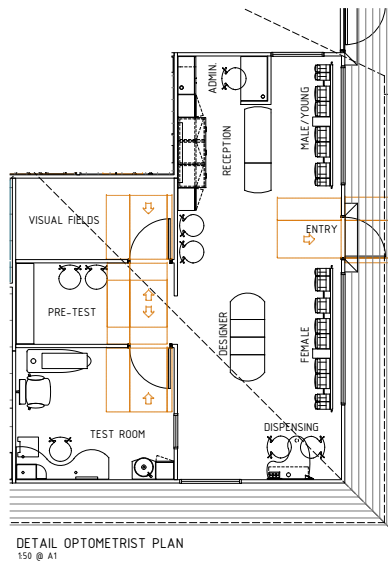
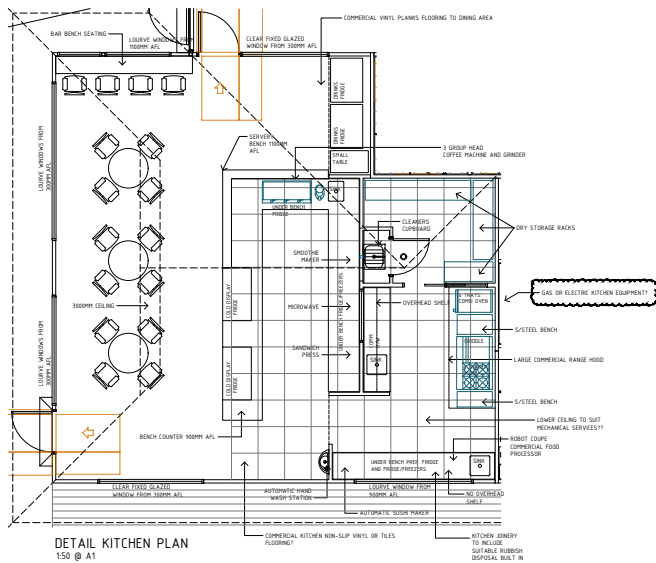
PROJECT + ADDRESS:
LIONS EYE INSTITUTE
LOV EYE HUB STAGE 2
45 FREDERICK STREET BROOME WA

DRAWING TITLE:
PROPOSED ROOF PLAN

DRAWN	ET	PROJECT ARCHITECT	REDUCTION (A1)
CHECKED		CLIENT	
APPROVED			
SCALE	1:100	COMMENCEMENT DATE	DRAWING No.
	1:100 @ A1	21.10.2019	L A20.102
	LTS PROJ No.	TENDER No.	
	LTS200701	-	








REV	DESCRIPTION	DATE
L	DESIGN DEVELOPMENT DWG FINAL	02.03.21
K	REVISED DD FOR CLIENT/CONSULTANTS	08.02.21
A	ISSUED TO CONSULTANTS	08.09.20



© LAIRD TRAN STUDIO. REPRODUCTION OF THE WHOLE OR PART OF THE DOCUMENT CONSTITUTES AN INFRINGEMENT OF COPYRIGHT. THE INFORMATION, IDEAS AND CONCEPTS CONTAINED IN THIS DOCUMENT ARE CONFIDENTIAL. THE RECIPIENT(S) OF THIS DOCUMENT IS/ARE PROHIBITED FROM DISCLOSING SUCH INFORMATION, IDEAS AND CONCEPTS TO ANY PERSON WITHOUT THE PRIOR WRITTEN CONSENT OF THE COPYRIGHT HOLDER. CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS, LEVELS AND ANGLES ON SITE BEFORE COMMENCEMENT OF WORK. THIS IS A CAD DRAWING. DO NOT SCALE. DO NOT AMEND MANUALLY.

PROJECT + ADDRESS:
LIONS EYE INSTITUTE
LOV EYE HUB STAGE 2
45 FREDERICK STREET BROOME, WA

DRAWING TITLE:
DETAIL FLOOR PLANS

DRAWN	ET	PROJECT ARCHITECT	REDUCTION (A1)
CHECKED		CLIENT	
APPROVED			
SCALE ● A1		COMMENCEMENT DATE	DRAWING No.
1:50 ● A1		21.10.2019	L
LIS PROJ No.		TENDER No.	A20.701
LTS200701		—	

Cr H Tracey declared a Financial Interest in Item 9.2.3, the reason being “Director and major shareholder of company in a joint venture company with the proponent”.

Cr B Rudeforth declared a Financial Interest in Item 9.2.3, the reason being “Director of Narli Walami Pty Ltd, Subsidiary of NBY. Employed by Buru Energy who is closely associated with NBY”.

Cr B Rudeforth left the Chambers at 5:19 pm.

9.2.3 HEALTH AND WELLBEING LOCAL DEVELOPMENT PLAN - 78 DORA STREET AND 20 DICKSON STREET

LOCATION/ADDRESS:	78 Dora Street, Broome and 20 Dickson Drive, Broome
APPLICANT:	Urbis (on behalf of Nyamba Buru Yawuru)
FILE:	DIC-1/8 DOR-1/78
AUTHOR:	Planning Officer
CONTRIBUTOR/S:	Manager Planning and Building Services
RESPONSIBLE OFFICER:	Director Development Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

The Shire has received an application for a Local Development Plan to facilitate the Health and Wellbeing development at 78 Dora Street and 20 Dickson Drive, Broome. The Local Development Plan has been prepared to guide the future land use and built form for the site. The plan extends over two properties, 78 Dora Street and 20 Dickson Drive, both of which are adjacent to each other.

The Local Development Plan has been advertised for public comment as required under the *Planning and Development (Local Planning Schemes) Regulations 2015*. The submissions and the Local Development Plan are now presented to Council for consideration.

The report recommends that Council approve the Local Development Plan, subject to conditions.

BACKGROUND

Previous Considerations

OMC 26 May 2016	Item 9.2.4
OMC 27 May 2021	Item 9.2.3

At the Ordinary Meeting of Council on the 26 May 2016, a Public Works proposal for the Broome Aboriginal Short Stay Accommodation (BASSA) Facility on 20 Dickson Drive was supported by Council. The BASSA has since been built and is now in operation over the north-western portion of the subject site.

At the Ordinary Meeting of Council on the 27 May 2021, a subdivision application for the site to create 3 lots and an 18m wide road reserve (WAPC reference 160435) was

considered by Council. This subdivision application was submitted for the purpose of facilitating the development of the 'Health and Wellbeing' facilities including a proposed 'Step Up Step Down' facility and a renal care facility. The Western Australian Planning Commission (**WAPC**) approved the subdivision on 19 July 2021.

In accordance with Clause 3.44 – Development in the Development Zone, of Local Planning Scheme No 6, a structure plan is required prior to Development or Subdivision unless the local government is satisfied the proposed development, land use or subdivision is a minor extension to an existing land use, minor additional land use or minor land use change.

Subdivision prior to a Structure Plan was considered a feasible approach by the Shire and the Department of Planning, Land and Heritage (**DPLH**) which resulted in the subdivision application being submitted and approved. DPLH officers have since specified that the Structure Plan process being bypassed is considered acceptable in this instance, with the understanding that a LDP can provide the land use direction normally provided by a Structure Plan.

Proposal

The application proposes a Health and Wellbeing Local Development Plan (**LDP**) which is included in **Attachment 1**. The LDP has been prepared in lieu of a Structure Plan and has been designed to establish guidance on the land use and built form for the site. A LDP is required as the site is zoned Development and in the absence of a Structure Plan or LDP there is no guidance provided under LPS6 on development controls (built form and land use) for the site. The built form controls included in the LDP relate to building setbacks, site coverage, building appearance, car parking standards and fencing requirements for the site. The LDP also provides direction on land uses for the site and will be used in the assessment of future development applications submitted for the site.

The LDP includes the retention of significant vegetation throughout the site, Asset Protection Zones along all three boundaries to address the Bushfire Management Plan prepared and a drainage easement along Clementson Street. The proposal includes a road that will run through the LDP area allowing for access from Dora Street through to Clementson Street, this was approved previously by the Western Australian Planning Commission on 19 July 2021.

The LDP outlines specific land uses that are either permitted, discretionary or incidental, the table that is on the LDP is outlined below in **Figure 1.1**.

PERMITTED USES	DISCRETIONARY USES	INCIDENTAL USES
Aged or Dependant Person's Accommodation Hospital Medical Centre	Child Care Centre Civic Use Club Premises Community Purpose Consulting Room Educational Establishment Family Day Care Lunch Bar Office	Caretaker's Dwelling Restaurant Shop Staff Accommodation

It should be noted that all discretionary uses listed in figure 1 will require further development approval from the Shire; for any uses that are not outlined in the table development applications are required to be submitted and assessed by the Shire.

Site and Surrounds

The lot is surrounded by Dickson Drive to the north, Dora Street to the east, Clementson Street to the south and Pembroke Street to the West. The total area covered by the LDP is 12,904m² and incorporates the existing Southern Cross Aged Care facility and, Aboriginal Short Stay Accommodation. There is a parkland on the north-western portion of the site, commonly known as Farrell Park, this is not a public open space reserve.

The site was granted to the Yawuru Native Title Holders Aboriginal Corporation RNTBC through the Indigenous Land Use Agreement (ILUA).



COMMENT

The *Planning and Development (Local Planning Schemes) Regulations 2015*, (**the Regulations**) and the Western Australian Planning Commissions (**WAPC**) Framework for Local Development Plans (August 2015), (**the WAPC Framework**) provide direction on the preparation and content of an LDP and the process for adopting a LDP. Upon receipt of a LDP the Shire is to advertise the LDP as set out in the Regulations and then consider the submissions received and make a decision to either approve, require modifications or refuse the LDP. The provisions of the LDP must also be consistent with the local planning framework.

The comments below will provide an assessment of the submissions received and an assessment of the LDP against the planning framework and the Regulations and WAPC Framework.

Submissions Received

The LDP was advertised for 21 days from the 10 March 2022 and a total of 31 submissions were received (note one of the submissions was endorsed by 25 residents), with a total of 7 individual submissions. The submissions received and officer's comments in relation to them is outlined in the Schedule of Submissions in **Attachment No 2**. The submissions generally objected to the LDP and one submission of support was received.

The key concerns raised in the submissions are outlined below:

- Lack of information and detail on the LDP;

A number of submissions raised concern with the lack of information and detail in the LDP, including that size and location of buildings to be erected were not detailed, areas of land to be cleared not outlined, street design and parking location not shown and so on. The information required to be supplied in an LDP is set out in the WAPC framework (review provided below), LDP's do not typically include elevation and location of building and the other details raised in the submission, these details come at the development application stage.

The LDP is considered to be consistent with the WAPC Framework and therefore no amendments are deemed necessary in this regard.

- Concerns regarding the removal of native vegetation and impact on Threatened Ecologic Communities (TEC);

Concerns were raised with the amount of vegetation being removed and the protection of the ecological community on site. A vegetation assessment was undertaken in July 2021, for the site, by RPS Australia West Pty Ltd (**RPS**). The assessment identified the following:

1. No threatened flora (TF) species listed under the *Biodiversity Conservation Act 2016* (State) or *Environmental Protection Biodiversity Conservation Act 1999* (Federal) were recorded within the site.
2. No priority flora (PF) species listed by the DBCA were recorded within the site.
3. No state or commonwealth listed TEC's were recorded within the site during the field of survey.

- Request to keep and maintain Farrell Park

Submissions received have requested to keep and maintain Farrell Park which is located on the corner of Dickson Drive and Dora Street. It has been identified as 'Future Investigation Area/ Drainage' on the LDP. The applicant has advised that keeping part of the site 'Future Investigation Area', it can be used as a mechanism to later determine whether this space is needed as a Public Open Space (**POS**). The report recommends that 'Future Investigation Area' be removed from the Local Development Plan as this does not provide adequate direction on land use for the area, it creates confusion and uncertainty for the future land use of the area.

Local Planning Framework

Local Planning Strategy

The site has been identified under the Local Planning Strategy as part of Precinct 3 and as Future Development Area (FDA) 5. The Strategy outlines the following:

Precinct 3 consists of the post-war residential subdivisions of Broome located west of Herbert Street and south of Frederick Street to the boundary of the Light Industrial Area, including the Broome Cemetery reserves on Port Drive.

FDA 5 provides a total of around 13 hectares and is partially occupied by the Bran Nu Dae aged persons' accommodation. The vacant portions of the site could be developed for residential purposes, with consideration of the Water Corporation's odour buffer which constrains development in the southwestern corner.

The Strategy acknowledges under the objectives and guidelines for the precinct to allow for urban renewal and infill subdivision and also that the precinct can provide for facilities which 'benefit from the close proximity to medical and hospital facilities. Council has previously considered the proposed 'Step-Up, Step-Down' facility in 2017 (proposed at 57 Robinson Street) and resolved to request the Shire President and Chief Executive Officer to continue discussions with the Mental Health Commission and Department of Housing to identify other suitable sites. During those discussion the Clementson Street site was identified as a potential location and Shire Officers have, when approached about similar type land uses, encouraged proponents to discuss potential opportunities at this location.

Under the draft Local Planning Strategy, the subject area is identified as Planning Area D – Health and Wellness Precinct. The proposed LDP therefore aligns with the strategic direction provided for in the current and draft Local Planning Strategy.

Local Planning Scheme No.6

The subject site is zoned 'Development' under LPS6. The objectives of the Development zone, as outlined in LPS6, is to provide for a range of mixed land uses and subdivision in accordance with an adopted Structure Plan. The Development zone essentially identifies future growth areas but the actual detailed planning for roads, lot layout, open space, heritage and cultural areas, etc are not yet be fully determined until a Structure Plan is proposed and adopted. In this instance a Structure Plan has not been adopted for the site, therefore the Local Development Plan will be the planning instrument to guide the future built form and land use on site.

The proposed development controls incorporated into the LDP and considered appropriate to guide future development applications for the site. The controls include requirements for landscaping (which are consistent with the LPS6 requirements for commercial development in other zones) setbacks and site coverage controls which are deemed adequate for the location and would result in a built form generally consistent with that already developed on the site and in the surrounding area. Furthermore, the applicant has included controls to address appearance of future buildings and carparking areas to deliver a future built form that is consistent with the Crime Prevention through Environmental Design principals and to achieve an attractive facade and streetscape.

The nomination of a 'future investigation area' on the LDP is unclear and does not provide adequate direction for development assessment. It is recommended that this is modified.

Planning and Development (Local Planning Schemes) Regulations 2015 Framework for Local Development Plans

The WAPC Framework has been prepared by the WAPC to guide the manner and form in which an LDP is to be prepared under the Regulations. The WAPC Framework establishes that an LDP is a mechanism used to coordinate and assist in achieving better built form outcomes by linking lot design to future development. The Framework establishes the level

of information required to be supplied, format and content. The LDP prepared is deemed consistent with the WAPC Framework as it addresses the following matters:

- Lot Details
- Vehicle access
- Fencing
- Private open space
- Landscaping

It is considered that the LDP provides acceptable provisions to guide the future development for the site, subject to the modification regarding the nomination of 'future development area'.

Given the above, it is recommended that Council adopts the Health and Wellbeing Local Development Plan, subject to modification.

CONSULTATION

The application was advertised on three different platforms, these are outlined below:

- Website Advertising – a notice was included on the Shires Website under the 'Have Your Say' section, from the 10 March 2022 until 31 March 2022.
- Advertising Letters – letters were sent to adjoining landowners within 100m radius of the site. The letter outlined the advertising commenced on 10 March 2022 until 31 March 2022.
- Newspaper – the application was advertised in the Broome Advertiser from 10 March 2022 until 31 March 2022, there was an error made by the Broome Advertiser in the final print outlining the advertising closed on 7 April 2022.

Advertising closed on 31 March 2022 and upon review a total of thirty-one (31) submissions have been received, with one submission signed by 25 residents. There were seven (7) individual submissions, these can be seen in **Attachment No 2** Schedule of Submissions.

STATUTORY ENVIRONMENT

Planning and Development (Local Planning Schemes) Regulations 2015

Planning and Development Act 2005

Local Planning Scheme No.6

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil.

RISK

Should council refuse the application, the applicant may appeal councils' decision to the State Administrative Tribunal

STRATEGIC ASPIRATIONS

People – We will continue to enjoy Broome-time, our special way of life. It's laid-back but bursting with energy, inclusive, safe and healthy, for everyone.

Outcome One - A safe community:

1.2 Modify the physical environment to improve community safety.

Outcome Two - Everyone has a place to call home:

2.1 Promote access to safe, affordable accommodation to meet all needs, including itinerants, homeless people, those at risk, youth and the elderly.

Outcome Three - A healthy, active community:

3.1 Improve access to health facilities, services and programs to achieve good general and mental health in the community.

Outcome Four - An inclusive community that celebrates culture, equality and diversity:

4.2 Align services to meet diverse community needs.

Place – We will grow and develop responsibly, caring for our natural, cultural and built heritage, for everyone.

Outcome Six - Responsible growth and development with respect for Broome's natural and built heritage:

6.1 Promote sensible and sustainable growth and development.

Prosperity – Together, we will build a strong, diversified and growing economy with work opportunities for everyone.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0422/006

Moved: Cr C Mitchell

Seconded: Cr P Taylor

That Council approves the Health and Wellbeing Local Development Plan at 78 Dora Street and 20 Dickson Drive, Broome as outlined in Attachment 1, subject to modification:

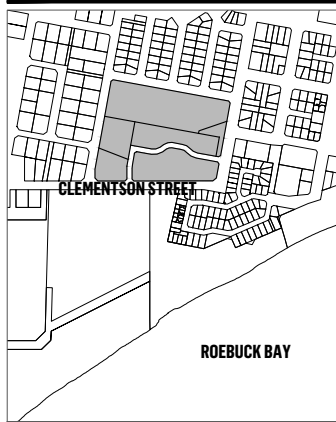
a. The 'future investigation area' is removed from the LDP.

CARRIED UNANIMOUSLY 5/0

Attachments

1. Health and Wellbeing Local Development Plan
2. Schedule of Submissions

LOCATION PLAN



LEGEND

- SUBJECT SITE
- SIGNIFICANT TREES TO BE RETAINED
- INDICATIVE BUILDING EXCLUSION AREA (MIN. 1m FROM TREE CANOPY)
- EXISTING BUILDINGS AND STRUCTURES TO BE RETAINED
- PROPOSED DRAINAGE EASEMENT WITHIN LOT
- WASTE WATER TREATMENT BUFFER
- 13M WIDE ASSET PROTECTION ZONE (APZ)
- 19M WIDE ASSET PROTECTION ZONE (APZ)

NOTE

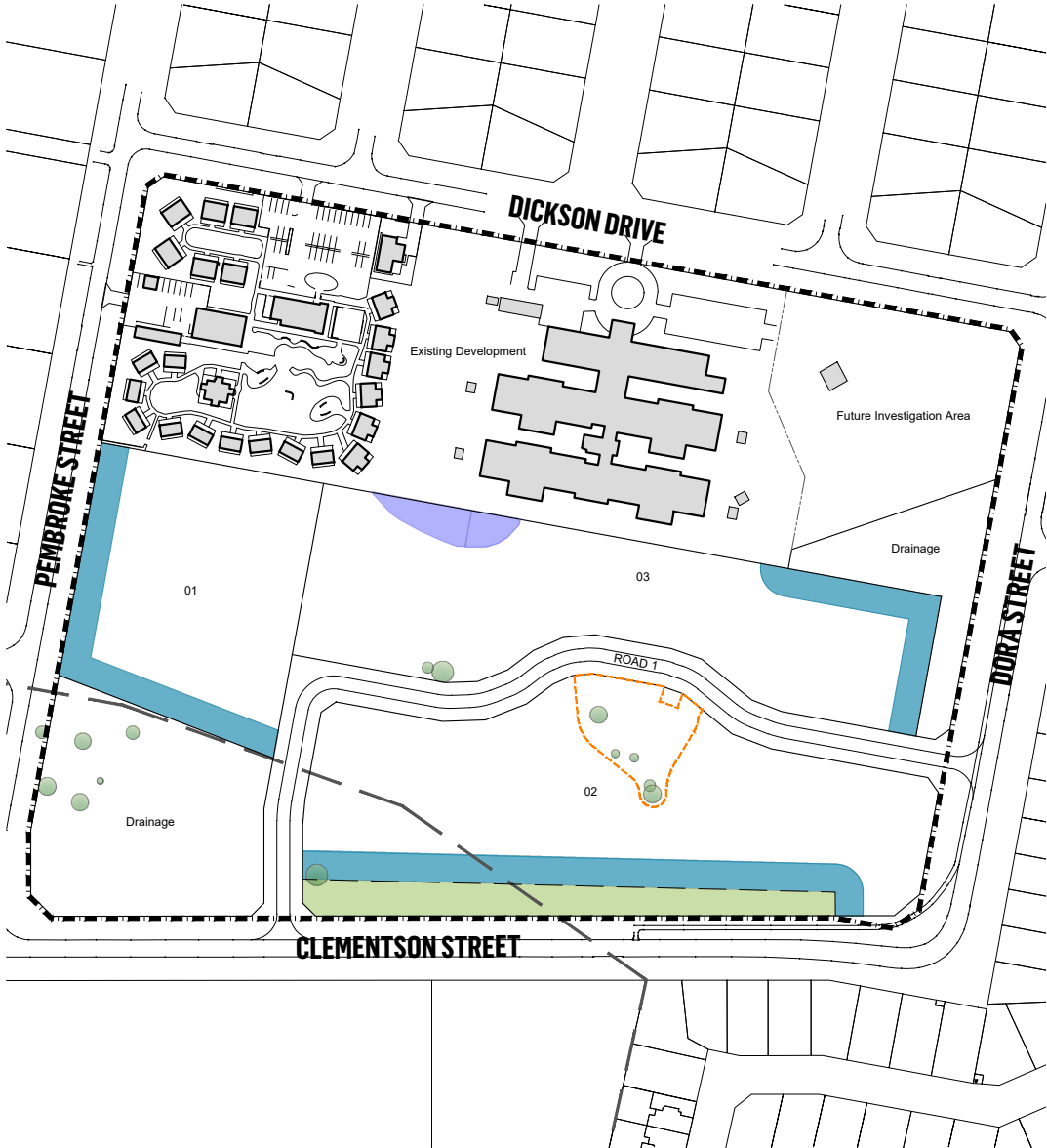
The land is zoned Development under the Shire of Broome Local Planning Scheme No. 6. This LDP has been prepared in lieu of a Structure Plan. As well as built form controls, this LDP also controls land use in the absence of an alternate Scheme zone.

ENDORSEMENT TABLE

This Local Development Plan has been adopted by Council and signed by the Principle Planner

Principle Planner

Date



LDP PROVISIONS

This Local Development Plan (LDP) has been prepared pursuant to Part 6 of Schedule 2 - Deemed Provisions for Local Planning Schemes, of the Planning and Development (Local Planning Schemes) Regulations 2015.

OBJECTIVE

- Land use and development to support improved health and well-being outcomes for the community.

SETBACKS AND SITE COVER

- A minimum setback of 3m applies to the primary and secondary streets.
- A 50% site cover applies.

BUILDING APPEARANCE & CAR PARKING

- Buildings should be designed to reflect Clause 4.12 (Broome Style Architecture) of the Scheme.
- Developments should be designed to present an attractive facade and contribute to the streetscape by incorporating the following:
 - The main entrance of the building is to be clearly visible and easily recognisable from the street;
 - Where possible visual surveillance of and interaction with the street is to be provided;
 - Where practical based on the lot orientation, major openings are to be located to take advantage of Broome's prevailing winds and maximise cross flow ventilation. Broome's prevailing winds are characterized by afternoon sea breezes from the north-west to south-west during the warmer months;
 - Windows should be provided with shading and protection from direct sun as much as possible through the consideration of shade structures / awnings and landscaping to reduce solar heat gain;
 - Buildings should respond to the tropical environment through building elements such as louvers, timber lattice, awnings, breezeways, projections, overhangs, canopies or verandas;
 - Light coloured roof and wall finishes should be utilised to reduce solar heat gain;
 - External fixtures and equipment such as roof ventilation, exhaust towers, air conditioning units and plumbing pipes should be effectively screened from view using architectural elements or be designed as an integral part of the building aesthetics;
 - Service areas, including refuse and storage areas and loading docks, should not front or face the street or public spaces unless these areas are fully integrated with the design of the building, and/or adequately screened from view of the public realm.
- Fencing that abuts public road is to be visually permeable, the acceptable materials (take guidance from Council's fencing Policy) and maximum height of 1.8m.

PARKING

- Car parking to be provided in accordance with the Scheme.

LANDSCAPE

- Landscaping shall be provided and maintained abutting the boundary of all street frontages to a minimum depth of 3 metres from the boundary.
- Significant trees to be retained within streetbacks, courtyard or private open space areas.
- The batters of the swales within the drainage easement should be stabilised with topsoil and mulch, and landscaped with local vegetation in order to prevent erosion.

WASTE WATER TREATMENT BUFFER

- Residential uses and overnight patient care is not permitted within buffer area. Upon the cessation of the WWTP and the associated buffer this provision no longer applies.

BUSHFIRE

- Land use and development to comply with the Bushfire Management Plan prepared for the site dated 22 December 2020 (RO2Rev0) and endorsed as part of the subdivision approval for the land, or any subsequently endorsed Plan.

LAND USE

- The following land use permissibility applies to the land. Other uses may be approved at the discretion of the Shire.

PERMITTED USES	DISCRETIONARY USES	INCIDENTAL USES
Aged or Dependent Person's Accommodation Hospital Medical Centre	Child Care Centre Civic Use Club Premises Community Purpose Consulting Room Educational Establishment Family Day Care Lunch Bar Office	Caretaker's Dwelling Restaurant Shop Staff Accommodation



Local Development Plan
Lots, 3143 & 3144 Dora Street, Broome

Level 14, The Quadrant, 1 William Street | Perth WA 6000 Australia | +61 8 9346 0500 | URBIS Pty Ltd | ABN 50 105 256 228

DATA SOURCE
MNG
PROJECTION
BRO94

DISCLAIMER

Copyright by URBIS Pty Ltd. This drawing or parts thereof may not be reproduced for any purpose or used for another project without the consent of URBIS. This plan must not be used for ordering, supply or installation and no reliance should be placed on this plan for any financial decision or the law. This plan is prepared and is for the development purposes only and subject to further detail only. Council approval, engineering input, and surveying and related to further detail only. Council approval, engineering input, and surveying and related to further detail only. Council approval, engineering input, and surveying and related to further detail only. Council approval, engineering input, and surveying and related to further detail only.

CLIENT

DevelopmentWA



PROJECT NO.
P002385
DRAWING NO.
08

DATE
21.01.2022
REVISION
L

1:2000 @ A3
Scale bar

ATTACHMENT 2: SCHEDULE OF PUBLIC SUBMISSIONS
LOCAL DEVELOPMENT PLAN – 78 DORA STREET AND 20 DICKSON DRIVE

#	Name/ Organisation	Submission	Summary of Submission	Officer Comment	Recommendations
1.	Rosa & Brett Duthie	<p>1. We are unable to comment due to the lack of detail provided. The Local Development Plan for Lots 3143 & 3144 Dora Street contains no information regarding;</p> <ul style="list-style-type: none"> • Area of land to be cleared • Size or location of buildings erected • Utilities infrastructure • Street design and parking location • Details for preservation of endangered or indigenous flora and fauna. <p>We find the Development plan to be lacking in information intended for the layperson, for whom the document is intended in this case. The map is divided into 3 sections - with no detail provided what these sections refer to. This is confusing and unclear.</p> <p>With the information made available at this time we cannot endorse the current development plan.</p>	Lack of detail from the plan provided. The submitter does not endorse the current plan.	<p>1. The information required to be supplied in an LDP is set out in the WAPC framework. At this stage in the planning process, the size and location of buildings is unknown and details on area of land to be cleared is not known.</p> <p>The LDP establishes guidance for the future development on site and is deemed adequate when assessed against the WAPC framework and the Regulations.</p> <p>Future applications for development approval will be required to detail the information referenced in the submission.</p>	Noted.
2.	Phil Telfer	<p>1. Recent rain in Broome and the drain off Livingstone Street was unable to cope with the water being directed to this runoff into an existing drain.</p> <p>The roads during the rain act as collection sources and send the water from around the area all towards the one spot to the runoff drain at Livingstone</p>	The development will add to drainage problems in the area.	1. As part of the subdivision approval for the site, the applicant is required to prepare for the approval from the Shire, civil drawings for implementation of a drainage network which meets with the Shire's LPP – 5.22 – Shire of Broome Structure Plan and Subdivision Standards. This	Noted.

ATTACHMENT 2: SCHEDULE OF PUBLIC SUBMISSIONS
LOCAL DEVELOPMENT PLAN – 78 DORA STREET AND 20 DICKSON DRIVE

#	Name/ Organisation	Submission	Summary of Submission	Officer Comment	Recommendations
		<p>Street. However the excessive water could not be controlled by the current design. The roads were awash up to 1 metre whilst water flowed towards the bottom point in Livingstone street.</p> <p>At this point in Livingstone Street drain runoff the water exceeded the containment walls and the water and eroded the areas on the 2 adjacent block corners and banks of the drain. This has exposed wiring which still is exposed as the washouts have not been repaired. Therefore there should not be any development on the Dora Street Development which will add to the drainage problems. The Dora Street development is directly adjacent to the Livingstone Street Road drainage system.</p> <p>That the water runoff from the proposed roofs and car parks of the real Development will be heading to a overwhelmed drainage system in Livingstone Street. I.e. 3 blocks down to a drainage system that overflowed and damaged my property in recent rains.</p>		<p>includes modelling to demonstrate that the drainage swales to be installed on site are sized adequately to cater for the difference between pre and post development flows. With the implementation of this stormwater drainage system, the development should not impact on existing drainage on Livingston Street.</p> <p>The concerns raised in relation to the exposed wiring and damage from storms have been referred through the Shire's Works Department for review.</p>	

ATTACHMENT 2: SCHEDULE OF PUBLIC SUBMISSIONS
LOCAL DEVELOPMENT PLAN – 78 DORA STREET AND 20 DICKSON DRIVE

#	Name/ Organisation	Submission	Summary of Submission	Officer Comment	Recommendations
		What will happen to ratepayers properties when the extra catchments increase and the drain cannot handle it?			
		<p>2. I object to the proposed proposal for local development as the proposal is too vague. It shows a simplified diagram of nothing but has the list of proposed uses as many.</p> <p>There is no explanation of the intended use to the extent it is dishonest and deceitful.</p> <p>The Demco housing estate nearby has not been advised except by a notice of Proposed Local Plan that is basically a coverup of the intended use. The Proposal is oversimplified as a park land where there are plans already to build under a Step-by-Step Development. This is deceitful and the proposal for use should be declared.</p> <p>Disgusted that this is deceitful.</p>	<p>The proposal is too vague, no explanation of the intended use which is dishonest and deceitful.</p> <p>The Demco housing estate has not been adequately advertised.</p>	<p>2. The proposed permitted, discretionary and incidental uses have been outlined on the plan.</p> <p>The information required to be supplied in an LDP is set out in the WAPC framework. At this stage in the planning process, the size and location of buildings is unknown and details on area of land to be cleared is not known.</p> <p>The LDP establishes guidance for the future development on site and is deemed adequate when assessed against the WAPC framework.</p> <p>Future applications for development approval will be required to detail the information referenced in the submission.</p> <p>The reference to the Step-by-Step development is likely to the Mental Health Commission's (MHC) proposed Step Up Step</p>	Noted.

ATTACHMENT 2: SCHEDULE OF PUBLIC SUBMISSIONS
LOCAL DEVELOPMENT PLAN – 78 DORA STREET AND 20 DICKSON DRIVE

#	Name/ Organisation	Submission	Summary of Submission	Officer Comment	Recommendations
				<p>Down development, which is planned to proceed on the south-east portion of the site. This is a public works proposal which the MHC has undertake its own community engagement. The MHC undertook engagement between 9 December 2022 and 10 January 2022. This was extended as letters to landowners in proximity to the site were originally sent to residential addresses not PO boxes. The MHC is in the process of finalising consideration of the submissions that have been received.</p> <p>Any owner of land within a radius of 100m of the Local Development Plan site were directly notified of the proposal, which does extend to some residents in the Demco housing estate.</p>	
		3. The submissions for the proposed local development Dora Street have the lodgement date: in a letter to nearby residents as 31 March 22. In Local Newspaper 'Broome Advertiser' dated 17 March 2022 as 7 April 22. Not sure how many other dates are about but I would	The proposal outlined different closing dates for advertising.	3. The letters sent to homeowners stated advertising closes 31 March, the Website also stated 31 March. The newspaper advertising stated 7 April. This was an error by the newspaper. When the Shire was made aware of this error, the submitter was provided with an	Noted.

ATTACHMENT 2: SCHEDULE OF PUBLIC SUBMISSIONS
LOCAL DEVELOPMENT PLAN – 78 DORA STREET AND 20 DICKSON DRIVE

#	Name/ Organisation	Submission	Summary of Submission	Officer Comment	Recommendations
		expect the 7 April as the correct one as is the latter advice.		extension to 12 April to raise any concerns.	
		4. The copy of the LDP was NOT available at the shire office. The receptionists at the Shire Office were not aware of this Proposal. They contacted the responsible officer to come forward (who was now available) to explain and find the advised Proposal on the Shire Web on the front office desk.	A copy of the LDP was not available on the Shire reception.	4. A copy of the LDP was made available for inspection at the Shire reception in addition to being made available online and a copy was sent to all landowners within 100m radius of the site.	
		5. My Livingstone Street property is the third block away. I would consider this as in the vicinity but not inside your interpretation. You have used "within 100 m of the site" but should be "within a radius of at least 100m" LPP 5.14 Level C 1:11 iv 'letter to all landowners within a radius of at least 100m of the application site for land'. Small point in wording but has a difference in meaning. I would consider myself as in the vicinity.	Concern raised that was not sent a letter for a property owned on Livingston Street.	5. A radius of 100m from the Local Development Plan boundaries was applied and all landowners within the 100m radius were sent a letter inviting comment on the proposed LDP. This meets with the Shire's consultation policy.	Noted.
		6. The sign is not on Dora Street which is the area advised for the Proposal of the Development. This sign is in an obscure position and not even in the street of the proposal. It is put in a position where it will not be seen and certainly not	Concern raised about the sign notice place on site.	6. The applicant installed a notice of the development proposal on a sign on the property consistent with the requirements of LPP 5.14. The sign was not large in size but	

ATTACHMENT 2: SCHEDULE OF PUBLIC SUBMISSIONS
LOCAL DEVELOPMENT PLAN – 78 DORA STREET AND 20 DICKSON DRIVE

#	Name/ Organisation	Submission	Summary of Submission	Officer Comment	Recommendations
		prominent. Have you seen where this sign is positioned and at 90 degrees to the road? Yes a 100mm edge is difficult to see when it is behind bushes from the road.		was visible from the road and also the footpath on Dora Street.	
3.	Jacob Loughridge	<p>1. I received some information about the proposed Health and Wellbeing Local Development plan and have a few questions.</p> <ul style="list-style-type: none"> ○ What is actually going where and when (timeframe)? ○ What does future investigation area mean? ○ What is asset protection zone? ○ What timeframe is the building development i.e. is it in stages or all going up together? ○ Are you clearing land now but not building till later? 	More information required on the timeframe, asset protection zone and land clearing.	<p>1. All questions answered via email response to the submitter.</p> <p>The LDP provides design controls for future development on the property, as currently the site is zoned Development and there are no development standards prescribed for the land under LPS6. The staging and timeframes for development of each site is unknown at this point.</p> <p>The information required to be supplied in an LDP is set out in the WAPC framework. At this stage in the planning process, the size and location of buildings is unknown and details on area of land to be cleared is not known.</p> <p>The LDP establishes guidance for the future development on site and is deemed adequate when assessed against the WAPC framework.</p>	<p>Noted.</p> <p>Recommended that the reference to 'future investigation area' is removed from the LDP.</p>

ATTACHMENT 2: SCHEDULE OF PUBLIC SUBMISSIONS
LOCAL DEVELOPMENT PLAN – 78 DORA STREET AND 20 DICKSON DRIVE

#	Name/ Organisation	Submission	Summary of Submission	Officer Comment	Recommendations
				Note comment about interpretation of 'future investigation area' and this is requested to be clarified.	
4.	Jodie Lynch	1. Pleasing news to see the Health and Wellbeing Precinct. The proximity to the hospital, Bowls Club, PCYC, RSL, Town Beach and more...all augur well for good outcomes.	Support overall development.	1. Noted.	Noted
		2. Reducing fire risks through mitigation of the bushland is welcomed. This will further protect life, property and critical infrastructure assets like power poles for streetlighting, measuring power consumption through advanced metering infrastructure and the regulator box at the back of the Demco property.	The reduction of fire risk through mitigation of bushland welcomed.	2. Noted.	Noted.
		3. Opportunities to reduce crime would also be welcomed through eliminating bush, enhanced lighting and potentially a security presence.	Support opportunities to reduce crime.	3. Noted.	Noted.
		4. Scope to reduce the dumping of cattle bones, fishing carcasses, rubbish etc would be welcomed if possible. I clean the area around twice a year but at times the smell is putrid and represents a genuine health risk. The Shire of Brome crew do their best here but just thought I would mention it.	Reduction of rubbish dumping in the current bush area.	4. Noted.	Noted.

ATTACHMENT 2: SCHEDULE OF PUBLIC SUBMISSIONS
LOCAL DEVELOPMENT PLAN – 78 DORA STREET AND 20 DICKSON DRIVE

		<p>5. Several years ago the Shire installed a barrier to allay my concerns about cars swerving around that bend. At the time I had my two young sons in those back rooms but now a lovely local doctor is renting and her baby is in those rooms. It would be simply brilliant if there was any scope to further slow the traffic around that corner. The tradies are the worst, with large 4wds and often trucks unfortunately.</p>	<p>Slow the speed limit and traffic around the proposal.</p>	<p>5. The speed limit is not a planning consideration. However, concerns raised have been referred to the Shire Infrastructure section for consideration.</p>	<p>Noted.</p>
--	--	--	--	---	---------------

ATTACHMENT 2: SCHEDULE OF PUBLIC SUBMISSIONS
LOCAL DEVELOPMENT PLAN – 78 DORA STREET AND 20 DICKSON DRIVE

#	Name/ Organisation	Submission	Summary of Submission	Officer Comment	Recommendations
5.	Phil Docherty; Martine Docherty; Pat Lowe; Kate Golson; Anna Moulton; Glenice Allan; Rosa Duthie; Robyn Wells; Christine Elsasser; Shane Hughes; Alison Paice; Wil Bennett; George Swann; Bec Youdale; Hamsini Bijlani; John Ockerby; Joel Randall; Jane Lawton; Max Lawton; Lexi Harper; Tim Williams; Sudha Coutinho; Tessa Mossop; Malcolm Lindsay; and Acacia Lindsay.	1. The people who have collaborated on this submission are long-term residents who live in the area close to the proposed developments. We are familiar with this park and patch of native bush (Lots 3143 and 3144) and have long used the place for recreation, health and wellbeing. We know a good deal about the plants and other wildlife in there, which may now include a Priority Ecological Community (PEC). Over the years, we have voluntarily maintained the area to the best of our ability. Environs Kimberley conducted two big clean-ups of the area, and three volunteers cleaned up an old dump of asbestos, under supervision. Since then, individual people from the neighbourhood have picked up rubbish and ensured that the park bin is emptied as required. Mamabulanjin is charged with looking after the park — mowing the grass and disposing of rubbish — but carries out the work erratically and not always effectively. Meanwhile, the bore has broken down and the grass been allowed to die; there was grass there until the recent mowing, along with prickly weeds, as a result of this year's rain. Mowing does not rid the site of khaki-bush prickles.	Background into the site. Including use of the site and vegetation on site.	1. Community connection to area is noted. Is not a matter for consideration in the planning merit assessment of the LDP.	Noted.

ATTACHMENT 2: SCHEDULE OF PUBLIC SUBMISSIONS
LOCAL DEVELOPMENT PLAN – 78 DORA STREET AND 20 DICKSON DRIVE

#	Name/ Organisation	Submission	Summary of Submission	Officer Comment	Recommendations
		While we would love to keep the whole area, including the bush, as a local amenity, we accept that developments are going to take place within it. Given local people's attachments to the area, these big changes should be made in a sensitive manner.			
		2. Ideally, locals would have been engaged in planning from the start, able to make suggestions about the best sites for the new buildings, and ways to protect the remaining bush. Such genuine community engagement would have left everyone satisfied that their ideas had been heard and had influenced the development for the better. As it is, so-called 'community engagement' has been perfunctory at best, an exercise in box-ticking. In reality, we are being offered a fait accompli.	Locals have not been properly engaged in the advertising of the proposal.	2. The advertising of this LDP was undertaken in accordance with Local Planning Policy 5.14 – Public Consultation Planning Matters and the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	Noted.
		3. The area was once a dumping-ground for the former meatworks. It is still contaminated with asbestos, despite at least two past attempts by contractors to clear it. Recent rains have brought out more broken pieces, as can be seen along the foot track between the park and Clementson Street. Incidentally, old maps	To minimise the impact of the development on the natural environment by maintaining as many native trees and bushes as possible and	3. A flora and vegetation assessment was undertaken in July 2021, for the site, by RPS Australia. The assessment identified the following: <ul style="list-style-type: none"> No threatened flora (TF) species listed under the Biodiversity Conservation Act 2016 (State) or Environmental 	Noted.

ATTACHMENT 2: SCHEDULE OF PUBLIC SUBMISSIONS
LOCAL DEVELOPMENT PLAN – 78 DORA STREET AND 20 DICKSON DRIVE

#	Name/ Organisation	Submission	Summary of Submission	Officer Comment	Recommendations
		show that the foot track, which has now been largely spoilt by vehicles, was a traditional access track through the area. Across Clementson Street from the proposed Step Up, Step Down facility is the bush buffer zone for the sewage ponds — a notorious place for drug users. Walkers frequently find used syringes and other drug paraphernalia through there. The sharp corner from Dora Street into Clementson Street is dangerous for traffic, which is expected to increase substantially when the various facilities are in use. We think that this facility would be better sited away from that corner.	reducing the width of the proposed road through the area.	<p>Protection Biodiversity Conservation Act 1999 (Federal) were recorded within the site.</p> <ul style="list-style-type: none"> • No priority flora (PF) species listed by the DBCA were recorded within the site. • No state or commonwealth listed TEC's were recorded within the site during the field of survey. <p>Progressive development and occupation of the site, should assist to alleviate occurrences of illegal dumping and drug usage.</p>	
		4. There may be a Priority Ecological Community (PEC), in the north-western section of the bushland, which has not been accounted for in the planning process. When it was being cared for properly, Farrell Park was a much-visited amenity, with a children's playground, a metal table and two benches. Even after the table, benches and playground were removed by NBY, locals held birthday and Christmas parties there, children played football and other locals brought and	Concerns over the maintenance of Farrell Park.	<p>4. See comment above in relation to vegetation assessment performed in July 2021.</p> <p>Farrell Park was historically maintained by the Shire. When it was evident that the park did not exist on a reserve, Council resolved to discontinue maintenance of the park in December 2010. The Park exists on freehold land and there is not a requirement under the planning</p>	Noted.

ATTACHMENT 2: SCHEDULE OF PUBLIC SUBMISSIONS
LOCAL DEVELOPMENT PLAN – 78 DORA STREET AND 20 DICKSON DRIVE

#	Name/ Organisation	Submission	Summary of Submission	Officer Comment	Recommendations
		<p>exercised their dogs. Now that it has been neglected and is full of prickly weeds, it is no longer used by local people except as a thoroughfare. It is a safe park, overlooked by houses on two sides, including houses belonging to or rented by Yawuru people. The residential area around the park has increased in density in recent years, and the need for green space is growing while amenities are shrinking. Both the park and the PCYC oval have been neglected in recent years.</p> <p>On a previous occasion, when the park was being neglected by Southern Cross (the leaseholders of the Bran Nue Dae land), Friends of Farrell Park was formed, a petition prepared and signed, and a public meeting held in the park. As a result of this action, NBY again took over control of the park, and its condition improved. In the petition we offered to undertake works in the park and surrounds, such as clearing rubbish, maintaining the trees, slashing grass and carrying out regular inspections. That offer still stands.</p>		<p>framework to require the landowner to cede this Park as public open space.</p> <p>Comments raised that Friends of Farrell Park offer to undertake works has been forwarded to the applicant. Enquiries should be directly pursued with the landowner in this regard.</p>	

ATTACHMENT 2: SCHEDULE OF PUBLIC SUBMISSIONS
LOCAL DEVELOPMENT PLAN – 78 DORA STREET AND 20 DICKSON DRIVE

#	Name/ Organisation	Submission	Summary of Submission	Officer Comment	Recommendations
		5. Our first principle is to minimise the impact of the development on the natural environment, This means: Maintain as many native trees and bushes as possible.	Maintain as many native trees and bushes as possible.	5. The protection of significant tree's, as identified by the landowners, has been incorporated into the LDP.	Noted.
		6. Reduce the width of the proposed road through the area.	Reduction of the road located within the LDP.	6. The road reserve widths are consistent with the Shire's LPP 5.22. The reduction of the road width cannot be considered as this has been approved by WAPC through the subdivision approval.	Noted.
		7. Keep and maintain the existing park. The Park has been earmarked 'for future investigation' as part of the whole area designated for projects to do with 'health and wellbeing'. We argue that having and using a well-maintained public park is of greater benefit to the health and wellbeing of local people than any building is likely to be. It would also be valuable green space for Step-up, Step-down clients.	Keep and maintain the existing Farrell Park.	7. See comments in point 4. above in relation to Farrell Park. Note comment that 'future investigation area' is ambiguous and therefore recommend that this is removed from the Local Development Plan.	Noted. Recommended that the reference to 'future investigation area' is removed from the LDP.
6.	Martin Prichard Environs Kimberly	1. We object to the wholesale destruction of the ecosystems on this block. A Priority Ecological Community has been identified on the site and should be protected. While we are not opposed to some development on this site, its complete	Objection due to destruction of ecosystem, a Priority Ecological Community has been identified on	1. The applicant has advised that a flora and vegetation assessment was undertaken in July 2021, by RPS Australia. The assessment concluded that there was no PEC's	Noted.

ATTACHMENT 2: SCHEDULE OF PUBLIC SUBMISSIONS
LOCAL DEVELOPMENT PLAN – 78 DORA STREET AND 20 DICKSON DRIVE

#	Name/ Organisation	Submission	Summary of Submission	Officer Comment	Recommendations
		destruction is unacceptable. We call on the Shire to retain as much of the bushland on this site as possible.	the site and should be protected.	or TEC's were on site at time of site visit.	
7.	Sonja Gobel and Richard Healey	1. We wish to advise that we are objecting to the development of site at 78 Dora Street. No information has been given as to what the proposal is other than a Health and Wellbeing Local Development Plan.	Not enough information has been provided for.	1. The information required to be supplied in an LDP is set out in the WAPC framework.	Noted.
		2. This could be a host of things some which may have a negative impact on surrounding areas. What is the proposal in terms of services to be provided, who is it for, is it a clinic, a new sobering up shelter, does it allow accommodation on site etc. This to allow consideration and knowledge to agree or object to said development. As it stands currently there is very scant information on the proposal, and we request further information.	What services are being provided, who is it for, does it allow for accommodation on site. Further information is requested.	2. The permitted, discretionary and incidental uses have been outlined on the plan. The intended land use activities for the site will be clarified at the Development Application stage, which proceeds the Local Development Plan.	Noted.

Cr B Rudeforth returned to the Chambers at 5:24 pm.

Cr H Tracey returned to the Chambers at 5:25 pm.

Cr D Male advised returning Councillors that report recommendations for Items 9.2.2 and 9.2.3 had been passed unanimously.

Cr H Tracey resumed the Chair at 5.26pm.

9.2.4 ENDORSEMENT OF SPORT AND RECREATION PLAN 2021 - 2031

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	RCS15
AUTHOR:	Manager Community Engagement & Projects
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

The draft Sport and Recreation Plan 2021 – 2031 details the vision for sport and recreation in the Shire of Broome for the next 10 years. Extensive consultation was completed to inform the priorities identified in the draft plan. The draft plan was presented to the Ordinary Council Meeting on 24 February 2022 to advertise for a 4-week public comment period.

20 submissions were received. This report presents the final Sport and Recreation Plan 2021 – 2031 report for consideration of adoption.

BACKGROUND

Previous Considerations

OMC 25 September 2014	Item 9.1.2
OMC 26 February 2015	Item 9.1.1
OMC 25 October 2018	Item 9.1.2
OMC 28 February 2019	Item 9.1.1
OMC 24 February 2022	Item 9.2.5

The Shire of Broome adopted the Sport and Recreation Plan 2019 – 2029 (Jill Powell and Associates) at the Ordinary Meeting of Council (OMC) 28 February 2019. The plan identified high, medium and low priority projects. Since the plan was adopted the Shire has been successful in implementing and securing funding for several of the priority projects including:

- Outdoor netball/basketball court cover
- Storage Space at BRAC
- BRAC indoor court refurbishment
- Floodlighting to Joseph 'Nipper' Roe Field

- Redevelopment of Surf Life Saving Club (2021)
- Redevelopment of Golf Club

In 2021 the Shire sought to review sport and recreation usage trends and priorities in the existing Sport and Recreation Plan to guide the development of key infrastructure projects for the next 10 years.

Following a Request for Quotation process in 2021 Paatsch Group were engaged to review and update the Sport and Recreation Plan 2019 – 2029, including the Broome Recreation and Aquatic Centre (BRAC) Master Plan.

At the OMC on 24 February 2022, Council endorsed to advertise the Draft Sport and Recreation Plan for a 4-week public comment period.

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0222/018

Moved: Cr B Rudeforth

Seconded: Cr P Taylor

That Council:

- 1. Note the draft Sport and Recreation Plan 2021 – 2031 (Attachment 1), Broome Recreation and Aquatic Centre Masterplan (Attachment 2) and Consultation Report (Attachment 3);**
- 2. Requests the Chief Executive Officer to advertise the draft Sport and Recreation Plan 2021 – 2031 (Attachment 1) and Broome Recreation and Aquatic Centre Masterplan (Attachment 2) for a 4-week public comment period; and**
- 3. Request all public comments are collated and presented with the final Sport and Recreation Plan for consideration of adoption at the April 2022 Ordinary Meeting of Council.**

CARRIED UNANIMOUSLY 6/0

A 4-week public comment period was advertised from 25 February – 25 March 2022. 20 submissions were received and are included in **Attachment 1** with responses and comments from Shire officers and Paatsch Group Consulting.

COMMENT

Overview

Sport and recreation play an important role in the fabric of the Broome community. Local Governments in Australia are the largest providers of sport and recreation infrastructure.

The Sport and Recreation Plan 2021 - 2031 was developed following extensive work including:

- Literature review of Shire of Broome strategy and planning documents, Sport Facility Guidelines / Strategies and Parks Leisure Australia Guidelines for Community Infrastructure
- Review local, state and national sport and recreation trends

- Extensive consultation with local sport and recreation clubs and associations, State Sporting Associations and the broader Broome community

This plan describes:

- The future vision for sport and recreation facilities in the Shire of Broome.
- The priority projects for new and upgraded facilities.
- How the priority projects will be funded.
- How success will be measured and reported.

The draft Sport and Recreation Plan 2021 - 2031 identifies a number of actions based on the results of community engagement and feedback, industry trends, population demographics, growth projections, Federal and State Government policy objectives in relation to sport, physical activity, health and wellbeing.

These have been grouped into four key priority areas:

- **Priority Area 1 – Clubs and Associations** – the focus of this priority is to build capacity within Broome Associations and Clubs who are volunteer based and provide a vital role in the delivery of sport in Broome.
- **Priority Area 2 – Shire Facilities** – the focus of this priority is upgrades and additions to the Shire owned and operated facilities such as BRAC.
- **Priority Area 3 – Club Facilities** – the focus of this priority is upgrades and additions to Shire owned and Club operated facilities.
- **Priority Area 4 – Events and Carnivals** – the focus of this priority is attracting sporting events and carnivals to Broome.

The table below provides a definition of high, medium and low priorities as identified in the Sport and Recreation Plan 2021 – 2031.

Priority	Description
High	Considered a very important strategic or operational priority to be delivered in the period FY 22/23 to FY 24/25.
Medium	Considered an important strategic or operational priority to be delivered in the period FY 25/26 to FY 27/28.
Low	Considered a strategic or operational priority to be delivered in the period FY 28/29 to FY 30/31.

Each of the Priority areas are arranged to identify the actions required, responsibilities for delivery, estimated costs and support for the action.

The table below provides an overview of key priorities identified in the Sport and Recreation Plan 2021 – 2031. If adopted this plan will become an Informing Strategy under the Shire's Integrated Planning and Reporting Framework. Recommendations included within the plan will therefore be included for consideration in the next review of the Shire's Corporate

Business Plan (CBP) and Long-Term Financial Plan (LTFP), subject to financial and human resources constraints.

Priority	Item	Cost Estimate	CBP Period
	Clubs and Associations		
High	Support to Clubs and Associations	\$22,000	Annually
High	Public Open Space Strategy	\$80,000	FY 22/23 to FY 24/25
	Optimisation of Facilities and Planning		
Medium	Review of Sport and Recreation Plan	\$50,000	FY 25/26 to FY 27/28
Medium	Review of BRAC Master Plan	\$30,000	FY 25/26 to FY 27/28
Medium	Feasibility Study – additional water space	\$50,000	FY 25/26 to FY 27/28
Medium	Feasibility Study – Sports House	\$20,000	FY 25/26 to FY 27/28
	BRAC Dry Side Facilities		
High	Gym and Fitness Facilities, Squash Courts, Creche, Indoor Children's Playground, Meeting / Training Room, Multipurpose Space, Reception and Staff Facilities	\$13,000,000	FY 22/23 to FY 24/25
Low	Two additional indoor courts	\$12,000,000	FY 28/29 to FY 30/31
	BRAC Aquatic Facilities		
High	Swim Club Storage	\$40,000	FY 22/23 to FY 24/25
Medium	Playground	\$100,000	FY 25/26 to FY 27/28
Low	Barracudas Club Space	\$825,000	FY 28/29 to FY 30/31
	BRAC Outdoor Courts		
High	Tennis Courts upgrade	\$400,000	FY 22/23 to FY 24/25
Medium	Two covered multi-purpose courts	\$2,000,000	FY 25/26 to FY 27/28
Medium	Move Tennis Courts north	\$1,000,000	FY 25/26 to FY 27/28
Low	Volleyball Courts	\$180,000	FY 28/29 to FY 30/31
	BRAC Playing Fields		
High	Nipper Roe Lights	\$1,400,000	2021/22
High	Father McMahon Cricket Pitch	\$35,000	FY 22/23 to FY 24/25
High	Central shade for playing fields	\$200,000	FY 22/23 to FY 24/25
Medium	Feasibility for Central Pavilion	\$50,000	FY 25/26 to FY 27/28
Medium	Central Pavilion	\$5,000,000	FY 25/26 to FY 27/28
Medium	Medlend Pavilion (minor upgrades)	\$50,000	FY 25/26 to FY 27/28
	BRAC Support Amenities		
High	Parking – Father McMahon	\$620,000	2021/22
High	Skate Park	\$1,200,000	2021/22
High	Club Storage	\$140,000	FY 22/23 to FY 24/25
Medium	Shaded Playground	\$150,000	FY 25/26 to FY 27/28
High	Parking – Nipper Roe Field	\$1,100,000	FY 22/23 to FY 24/25
Medium	Parking – Medlend Pavilion	\$330,000	FY 25/26 to FY 27/28
	Youth Precinct		
Medium	Master Plan Implementation	\$625,000	FY 25/26 to FY 27/28
	Haynes Oval Upgrades		
High	Master Plan	\$30,000	FY 22/23 to FY 24/25
High	Change Rooms	\$70,000	FY 22/23 to FY 24/25
High	Lighting Upgrade	\$130,000	FY 22/23 to FY 24/25
Low	Male Oval - Toilet Amenities	\$283,000	FY 28/29 to FY 30/31

Priority	Item	Cost Estimate	CBP Period
High	Broome Bowling Club – Master Plan	\$30,000	FY 22/23 to FY 24/25
Low	Broome Bowling Club – Second Green	\$30,000	FY 28/29 to FY 30/31
Low	Broome Rodeo Grounds – Master Plan	\$30,000	FY 28/29 to FY 30/31
High	Broome Surf Lifesaving Club - New Clubhouse	\$4,060,000	2021/22, 22/23

It is important to note that the delivery of each of the actions identified in the Sport and Recreation Plan 2021 – 2031 is subject to funding from external sources e.g., grant opportunities.

Submissions from 4-week Public Comment Period

20 submissions were received during the 4-week public comment period and these are detailed with responses from Shire officers and Paatsch Group Consulting in **Attachment 1**.

Key Themes from the public comment period are summarised in the table below:

Theme	Comment / Response	Recommended Changes to Sport and Recreation Plan
Inclusion of a dedicated athletics track in Broome	<p>Recommendations made within the Sport and Recreation Plan are based on Parks Leisure Australia benchmarking standards.</p> <p>Dedicated athletics facilities are not common across Western Australia and currently there is only one regional facility located in Bunbury.</p> <p>The construction of an athletics track in the metropolitan area is estimated at \$2.4 million. This does not include ancillary facilities.</p>	No recommended changes.
Support for a 50-metre pool at BRAC	<p>There have been high levels of support provided for the addition of a 50-metre pool at BRAC.</p> <p>Paatsch Group noted that BRAC aquatic attendance has increased significantly over the past few years. Visitation statistics show an increase of 50.7% in aquatic visitations from 2014/15 – 2020/21.</p> <p>Paatsch Group worked with the Shire of Broome to conduct a community survey in the development of the Sport and Recreation Plan and high levels of support were shown for the addition of a 50-metre pool at BRAC.</p> <p>In recognition of this support Paatsch Group have made several recommendations within the plan to</p>	No recommended changes.

	<p>reflect community support for a 50-metre pool including:</p> <ul style="list-style-type: none"> Item 1.2 – Undertake an operational review of the aquatics usage at BRAC to optimise usage (Medium) Item 1.6 - Undertake a Feasibility Study of the addition of a water space at BRAC (Medium) <p>The aquatic facilities at BRAC underwent a significant redevelopment in 2017 at the value of \$3 million.</p> <p>The Sport and Recreation Plan recommends undertaking a feasibility study for the addition of aquatic facilities in the first instance and a space for a future expansion has been included in the BRAC Master Plan. This work will allow the Shire to understand the construction and operational costs associated with an expansion of the aquatic facilities.</p>	
Recognition of Sandfly Circus within the Sport and Recreation Plan and the important service they provide to the community.	Following submissions from Theatre Kimberley and follow up conversations wording in the Sport and Recreation Plan has been amended to address the items raised. Sandfly Circus BRAC attendance figures and photos have also been added to the plan.	The Sport and Recreation Plan (Attachment 2) includes several tracked changes to address items raised by Theatre Kimberley and its members.
Central Sports Pavilion / Learning and Leadership Centre	The final location and designs for the future Sports Pavilion and Leadership Centre will be explored during the Feasibility Study Process. This process will explore co-location of these facilities.	No recommended changes. Ensure the Western Australian Football Commission and other BRAC users are engaged during the future Feasibility Study work for this infrastructure.
Additional future squash courts	<p>Paatsch Group completed an extensive benchmarking / usage and financial assessment in drafting recommendations for the Sport and Recreation Plan.</p> <p>Data provided by the Shire indicates that the current courts get used on average 5 hours per day across the two courts which generates limited revenue and would indicate that there is more capacity that could be gained out of the existing courts. Beacon, Bunbury, Esperance, Geraldton, Kalgoorlie, Manjimup and Northam are</p>	No recommended changes to the Sport and Recreation Plan. Ensure the Broome Squash Association are engaged during the development of the detailed designs for the squash area.

	<p>the regional centres to have four or more courts.</p> <p>Comments made in this submission are noted including:</p> <ul style="list-style-type: none"> • Growth of squash in the Broome community since its commencement • Location of the future squash facility and consideration given for noise • Safe storage areas for players personal belongings • Design of future squash courts and opportunities for spectator seating • Access to the squash courts out of BRAC opening hours • Support for 3 squash courts in the short term, with a design that allows an expansion to 5 courts as the population grows <p>The Shire of Broome will commence work on the detailed designs for squash courts / creche / gym / multipurpose room / indoor children's playground / reception / meeting rooms as a high priority project. The Broome Squash Club and other key user groups will be consulted and involved in the design process. Comments raised above will be explored during this detailed design phase and where possible accommodated.</p> <p>The Sport and Recreation Plan 2021 – 2031 currently includes a low priority recommendation for an additional 2 squash courts in 28/29 – 30/31. This would total 5 courts.</p>	
Possible relocation of the Broome Bowling Club	<p>The Shire continues to work closely with the Broome Bowling Club and the Sport and Recreation Plan recommends a master plan of the site.</p> <p>It is recommended that the comments made in this submission are forwarded to the Broome Bowling Club and alternate sites considered during the master plan process.</p> <p>It is unlikely that there will be appropriate land available for a bowling facility at the Broome Golf Club.</p>	No recommended changes to the Sport and Recreation Plan.
Condition of the existing tennis courts at BRAC	The Shire of Broome has applied for funding to the State Government Country Night Lights Program and CSRFF for separate projects to address both the	No recommended changes to the Sport and Recreation Plan.

	condition of the court surface, and the standard of the court lighting. If successful in receiving funding and budget, the works would take place in the 2022/23 financial year.	
Footpath around the perimeter of Father McMahon and Nipper Roe	This would add to the amenity of the fields for sporting groups and general community members.	It is recommended this is included in the master plan.

A full copy of the Draft Sport and Recreation Plan 2021 – 2031 can be found in **Attachment 2** and the Broome Recreation Aquatic Centre Master Plan in **Attachment 3**. This includes detail on each of the priorities and actions.

CONSULTATION

Extensive consultation was completed by Paatsch Group and Shire officers in the development of this plan. Please see attached Community Engagement Plan **Attachment 4**.

A full copy of the Consultation Report can be found in **Appendix C, Attachment 2**.

Consultation was undertaken with key stakeholders including:

- Local Sport and Recreation Clubs and Associations
- Users of the Shire of Broome's sport and recreation facilities
- State Government Departments
- State Sporting Association

This included community workshops, online surveys and individual one on one meetings.

Workshops were held with Councillors on the following dates:

- 13 July 2021 (Councillors in attendance Cr Tracey, Cr Male, Cr Matsumoto, Cr Mitchell, Cr Taylor)
- 9 August 2021 (Councillors in attendance Cr Tracey, Cr Male, Cr Rudeforth, Cr Wevers)
- 19 November 2021 (Councillors in attendance Cr Tracey, Cr Male, Cr Taylor, Cr Wevers)
- 30 November 2021 (Councillors in attendance Cr Taylor, Cr Wevers)
- 16 December 2021 (Councillors in attendance Cr Tracey, Cr Male, Cr Matsumoto, Cr Mitchell, Cr Taylor, Cr Wevers)
- 8 February 2022 (Councillors in attendance Cr Tracey, Cr Foy, Cr Matsumoto, Cr Wevers, Cr Rudeforth, Cr Mitchell, Cr Taylor)

A 4-week period public comment was advertised from 25 February – 25 March 2022. A total of 20 submissions were received during this period. A number of one on one meetings were held with sporting groups and interested community members during this submission period.

STATUTORY ENVIRONMENT

Section 3.18 Performing executive functions

- (3) A local government is to satisfy itself that services and facilities that it provides –
- (a) integrate and coordinate, so far as practicable, with any provided by the Commonwealth, the State or any public-body; and
 - (b) do not duplicate, to an extent that the local government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private; and
 - (c) are managed efficiently and effectively.

POLICY IMPLICATIONS

Community Engagement Framework

FINANCIAL IMPLICATIONS

Financial implications have been considered in the development of the Sport and Recreation Plan 2021 – 2031. Many of the recommendations included in the plan are subject to external funding sourced being secured e.g., grant opportunities.

Quantity Surveyors estimates were completed in the development of the strategy and have helped to inform the cost estimates included in the document. These are shown in Table 2 of this agenda item.

Should Council see fit to adopt the Sport and Recreation Plan 2021 – 2031 will become an Informing Strategy under the Shire's Integrated Planning and Reporting Framework. Recommendation included within the plan will therefore be included for consideration in the next review of the Shire's Corporate Business Plan (CBP) and Long-Term Financial Plan (LTFP), subject to financial and human resources constraints.

RISK

The following risks have been considered in the development of the Sport and Recreation Plan 2021 – 2031:

Risk	Type (Health, Financial Impact, Service Interruption, Compliance, Reputational, Property Environment)	Rank (based on measures of consequence and likelihood)	Mitigation
Final Sport and Recreation Plan 2021 – 2031 not endorsed by Council	Reputational	Medium	Extensive consultation has been completed in the development of the draft plan with Council

			and the community. This work builds on recommendations in the previous plan. Community expectations have now been raised and once endorsed this document will allow the CBP and LTFP to be updated and external funding to be sourced.
Recommendations in the Sport and Recreation Plan 2021 – 2031 not supported by the community	Reputational	Medium	Extensive consultation and benchmarking have been completed in the development of this plan to help ensure support of the final document.
Funding for projects identified in the Sport and Recreation Plan 2021 – 2031 not secured	Financial Reputational	Medium	Once the final document is endorsed by Council external funding will be able to be sourced. Changes in State and Federal Government priorities can impact funding opportunities; however completion of this document will enable the Shire to be ready to apply for grants where possible.

STRATEGIC ASPIRATIONS

People – We will continue to enjoy Broome-time, our special way of life. It's laid-back but bursting with energy, inclusive, safe and healthy, for everyone.

Outcome Three - A healthy, active community:

3.2 Improve access to sport, leisure and recreation facilities, services and programs

Outcome Four - An inclusive community that celebrates culture, equality and diversity:

4.2 Align services to meet diverse community needs.

Place – We will grow and develop responsibly, caring for our natural, cultural and built heritage, for everyone.

Outcome Seven – Safe, well connected, affordable transport options:

7.1 Provide safe and efficient roads and parking.

Outcome Eight – Cost effective management of community infrastructure:

8.1 Deliver defined levels of service to provide and maintain Shire assets in the most cost effective way.

Prosperity – Together, we will build a strong, diversified and growing economy with work opportunities for everyone.

Outcome Twelve – A well informed and engaged community:

12.1 Provide the community with relevant, timely information and effective engagement.

Outcome Fourteen – Excellence in organisational performance and service delivery:

14.2 Deliver fit for purpose facilities and equipment.

Outcome Fifteen – An engaged and effective workforce that strives for service excellence:

15.1 Support employee wellness and foster a positive workplace culture.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0422/007

Moved: Cr C Mitchell

Seconded: Cr P Matsumoto

That Council:

- 1. Notes the feedback received from the public in relation to the Shire of Broome Sport and Recreation Plan 2021 – 2031; and**
- 2. Endorses the Shire of Broome Sport and Recreation Plan 2021 – 2031 as an informing document under the Shire's Integrated Planning and Reporting Framework.**

CARRIED UNANIMOUSLY 7/0

Attachments

1. Attachment 1 - Submissions and Responses Sport and Recreation Plan
2. Attachment 2 - Sport and Recreation Plan 2021 - 2031
3. Attachment 3 - Broome Recreation and Aquatic Centre Master Plan
4. Attachment 4 - Sport and Recreation Plan Community Engagement Plan

Attachment 1 - Sport and Recreation Plan Submissions and Responses**Theme – Athletics**

Name	Submission	Shire of Broome Response
1. Broome Little Athletics (Helen Ockerby)	<p>With over 200 + athletes competing in a regular season in Broome, the Broome Little Athletics Centre and the broader community deserve to be considered in the future sport and recreation plan. The Kimberley has a long history with Athletics and as a national sport it is one of the highest of participation.</p> <p>I propose a 400m circular athletics track be part of the plan inclusive of 1 throws cage, 1 javelin run up track, 1 high jump square on the inner section of the track, 1 x storage shed for safe keeping of equipment.</p> <p>After viewing your master plan the proposed "Potential Future Field" area would be a perfect venue for track and field.</p> <p>Pro's:</p> <ul style="list-style-type: none"> - Track can be used by all sporting codes - local athletics club would have a home ground, participate on safe surfaces - International, national and state athletes could use the facility - International, national and state events can be hosted at the facility, BLA has hosted the past 2 regional athletics championships, 2022 will be the third. - The track could be made out of recyclable materials - Promotes growth of the sport and supports the development of our Athletes at home all year round without having to leave their hometown. - Local school carnivals can use the facility eliminating heavy traffic on their local ovals. 	<p>The Shire of Broome recognises the importance of athletics within Broome and would like to thank Broome Little Athletics for their submission.</p> <p>Paatsch Group met with Broome Little Athletics during the development of the plan.</p> <p>Recommendations made within the Sport and Recreation Plan are based on Parks Leisure Australia benchmarking standards.</p> <p>Dedicated athletics facilities are not common across Western Australia and currently there is only one regional facility located in Bunbury.</p> <p>The construction of an athletics track in the metropolitan area is estimated at \$2.4 million. This does not include ancillary facilities.</p> <p>The Sport and Recreation Plan / BRAC Master Plan currently includes a proposal for storage in the new Pavilion Facility located between Nipper Roe and Father McMahon.</p> <p>The proposed BRAC Master Plan includes the provision of jump pits. There may be opportunities to also explore a dedicated throwing area.</p>

	<p>Con's:</p> <ul style="list-style-type: none"> - currently no facility specifically dedicated to the sport of athletics in Broome 	<p>Item 1.1 under Priority 2 of the SRP includes a review to optimize sports ground utilisation. The consultant's recommendation contained in the SRP at 11.5 is for Athletics to remain at Nipper Roe. Pending the outcome of the review, the Shire is open to exploring the addition of additional athletics infrastructure.</p> <p>Broome Little Athletics have been successful in hosting the North West Championships in Broome for the past 3 years, using existing infrastructure.</p> <p>Shire Officers would like to continue to work closely with Broome Little Athletics during the development of the Haynes Oval Master Plan, to explore further opportunities for athletics at this site.</p>
--	--	---

Theme – 50 metre Pool at BRAC

Name	Submission	Shire of Broome Response
2. Sara Hennessy	<ul style="list-style-type: none"> • I 100% support the need for the installation of a 50-metre pool and believe it should be moved to a high priority – not only so that barracuda swimmers can train effectively but also to alleviate the cramped usage of the current pool which cannot accommodate everyone's usage on numerous occasions • I think the shire needs to really get a move on with the safe launching facility – all the boxes have been ticked now – it needs to be done!!! Fishing/boating is the largest recreation sport/pastime in the world and I reckon in Broome it would be as well over all age groups so this should be the shires #1 priority. 	<p>There have been high levels of support provided for the addition of a 50-metre pool at BRAC.</p> <p>Paatsch Group noted that BRAC aquatic attendance has increased significantly over the past few years. Visitation statistics show and increase of 50.7% in aquatic visitations from 2014/15 – 2020/21.</p>

	<ul style="list-style-type: none"> I also support the redevelopment plan for the BRAC with additional meeting & multipurpose areas – not sure we really need a gym though. 	<p>Paatsch Group worked with the Shire of Broome to conduct a community survey in the development of the Sport and Recreation Plan and high levels of support were shown for the addition of a 50-metre pool at BRAC.</p> <p>In recognition of this support Paatsch Group have made several recommendations within the plan to reflect community support for a 50-metre pool including:</p> <ul style="list-style-type: none"> Item 1.2 – Undertake an operational review of the aquatics usage at BRAC to optimise usage (Medium) Item 1.6 - Undertake a Feasibility Study of the addition of a water space at BRAC (Medium) <p>The aquatic facilities at BRAC underwent a significant redevelopment in 2017 at the value of \$3 million.</p> <p>The Sport and Recreation Plan recommends undertaking a feasibility study for the addition of aquatic facilities in the first instance and a space for a future expansion has been included in the BRAC Master Plan. This work will allow the Shire to understand the construction and operational costs associated with an expansion of the aquatic facilities.</p>
3. Alberto Oscar Onofrio	A 50-metre pool would be great!! Lots people compete here and everyone uses the pool for swim lesson, aerobic, companions and its always hot in Broome so it will always be used	
4. Richard Moyle	<p>Thanks for putting together the Sport and Rec Plan and the BRAC Masterplan.</p> <p>I'd like to register my support / commentary in the plan and to prioritise the extension of the current swimming pool to a 50m pool.</p> <p>Swimming is a major part of life in Broome, as is represented by the amazing efforts by the Barracudas and use of the pool by the general public as a means of staying fit and healthy.</p> <p>If the extension of the pool to a 50m pool could be a high priority / Priority 1 activity, that would be greatly appreciated!</p>	
5. Jen Ward	My son is part of the Barracudas swim club and as a family we have been coming along to swim lessons and participating in the Dash and Splash, Beach to Bay and BRAC to Beach programs for the last 6 years. We plan to remain in the Broome community for many more years to come. It would be very nice to see a 50m swimming pool included in the BRAC sport and rec plan. For our family, it would be top of the list of priorities in the improvements.	
6. Vanessa Romano	<p>I would really like to see our aquatic facilities expanded to include a 50m swimming pool. This would benefit the whole community for the following reasons:</p> <ol style="list-style-type: none"> Free up space in the 25m pool and lagoon pool for more fitness activities such as: <ol style="list-style-type: none"> water aerobics swimming lessons 	

	<ul style="list-style-type: none"> c. water therapy for rehabilitation d. activities for children that suit our hot climate e. programs to encourage children to take up swimming for fitness, physical and mental health <p>2. 50m Swimming Pool for:</p> <ul style="list-style-type: none"> a. Competitive swimming for all age groups from Amateur to Masters b. Swim training space for cross training for many different sporting codes, c. Water Polo d. Triathlon or Biathlon e. Water Aerobics 	
7. Gerrad Meiers	<p>We are a local family of 10 years and have been a keen user of the BRAC facilities. What we would like to see completed as a priority is the proposed 50m swimming pool. Currently the 25m pool is heavily used for multiple purposes and is often crowded. We really need a 50m pool which is standard across all major town pool complexes especially for competitive swimming competitions.</p> <p>This is a great vision for the future of Broome and we really look forward to using it.</p>	
8. Tracey Evans	<p>Tracey Evans Hi - after reading the sports proposal, I would like to advocate for a 50 metre pool at BRAC. I believe to continue to offer the swim and health and well being programmes currently on offer at the BRAC pool space we will require further space and length to our current 25m pool.</p> <p>As our region grows, so will our population and number of people requiring a recreational and competitive pool space.</p>	
9. Carolyn Hutton	<p>Thanks for the time and effort that has gone into considering the Brome Sport and Recreation Plan. As a parent of active children approaching teenage years it is comforting to know my children will have wonderful modern facilities to continue to follow their sporting pursuits now and</p>	

	<p>into the future and chase their sporting dreams without leaving the Broome lifestyle that our family treasures.</p> <p>I would like to put forward a suggestion in regard to the plan and that is raising the priority level for a 50m swimming pool to be constructed in Broome.</p> <p>It is a key facility that Broome lacks to bring it up to par with what is available in the metro areas around Perth. It seems ludicrous to think there is no 50metre pool in the Kimberley. A 50metre pool would be a great community asset, used widely by many members of the community. Not only is it supporting residents to engage in healthy activity, but it would also have the potential to have economic benefits. I imagine many competitive swimming clubs would love to escape to beautiful Broome for a winter training camp or competitive swimming meet. I'm sure the local Broome Barracudas club would appreciate being able to drive 5 minutes to a swimming competition rather than over 500kms just to experience swimming in a 50metre pool!</p> <p>Given that our beautiful beaches are off limits to swimming for a significant period of time over the stinger season it makes sense that a 50metre pool be available.</p>	
--	--	--

Theme – Theatre Kimberley / Sandfly Circus

Name	Submission	Shire of Broome Response
10. Theatre Kimberley	<p>Thank you for the opportunity to comment on the DRAFT Shire of Broome Sport and Recreation Plan 2021-2031.</p> <p>I write to you in my role as the Artistic Director of Theatre Kimberley; in this role, I am also the Coordinator and a Lead Trainer for the Sandfly Circus, one of our most popular and longest running programs. I have worked with the Sandfly Circus since 2008, which includes all the years that this program has run classes, workshops and performances from the BRAC indoor stadium (since 2010). We were part of the</p>	<p>The Shire of Broome would like to thank Theatre Kimberley for their submission and involvement in the development of the Sport and Recreation Plan.</p> <p>Noting that several conversations have occurred since this submission to help address items raised.</p>

	<p>consultation process for this review of the plan in 2021, as is noted in Paatsch Group's portion of the referenced document.</p> <p>My concerns for the document are as follows:</p> <p>1) In no place is there a listing of the impact that the Sandfly Circus has in the BRAC space in terms of hours of attendance or number of visits to the space over time.</p> <p>I note in Table 6 on page 18, uses of BRAC facilities listed including the indoor stadium (which we use many times per week, the majority of weeks every year). It isn't noted that these are only Shire led uses, but if this is the case, it is worth noting elsewhere that the Sandfly Circus uses exceed all other uses listed over almost every year listed. We provide approx. 38 weeks of regular programming with an average of 100 student visitors (this varies slightly annually) and 20 trainer visits per week. Excluding additional periodic workshops and our major annual show which in itself invites another 900 visitors as well as many more training/rehearsal visits into the stadium, that exceeds 4500 visits to the venue per year.</p> <p>I request the entry of some inclusion of that impact on the space, and Theatre Kimberley would be happy to provide this given some notice to gather our archived class lists for the last 8 years.</p> <p>2) Language used in the document seems negative towards Sandfly Circus's use of the space, especially with respect to any occurrences where more than one user would like to use the venue.</p> <p>We are regularly compromising with Shire staff to accommodate other users, and have an ongoing positive and respectful relationship with BRAC staff and other related shire staff, so I'm not sure why this should be the case.</p>	<p>Theatre Kimberley have additionally provided the Shire with BRAC attendance figures from 2015 – 2022, noting that Sandfly Circus classes have been run every school term during this period. Attendance figures have been added into the Sport and Recreation Plan document.</p> <p>In responses to items raised in the submission these are responded to below:</p> <ul style="list-style-type: none"> • Item 1 – Sport and Recreation Plan has been amended to capture this data. • Item 2 – Language has been amended in the Sport and Recreation Plan to address this concern. • Item 3 – Sport and Recreation Plan has been amended to address this comment. <p>The Shire of Broome would also like to note that the Arts and Culture Plan is about to commence, and the Shire is keen to work closely with Theatre Kimberley to capture some of the points raised.</p>
--	--	--

	<p>Please refer to comments in 2.4 on page 37 and two comments in 2.6 on page 37/38. Notes such as “use... by the Sandfly Circus creates programming issues for the shire” and “potentially limits programming for other users” seem to indicate that no other users’ needs (besides the Sandfly Circus’s needs) would inconvenience any other user, which is of course, by the nature of this ‘multi-purpose’ space, rather ludicrous. There are many of us, and we all impact each other.</p> <p>Demand for the multipurpose room (2.4) indicates that this will provide relief for the Sandfly Circus only in the sense that it will ‘alleviate the requirement to use the indoor court space.’ While this is true, additional factors of reducing the risks of heat exhaustion for our participants (as our allotted use occurs during hot afternoon hours) and minimising risk and fatigue due to noise pollution in a large shared space are also major factors. They are not outlined strongly in anything I have read in this document.</p> <p>3) Another major concern that I have is that there is a great focus in Priority 4 – “Events and Carnivals” (see Exec Summary page 5) seemingly being for “attracting <i>sporting</i> events and carnivals to Broome.” In a Sport and Recreation Plan, that shows a lack of consideration for what non-sporting elements can contribute as iconic events for this town and region. Non-competitive activity areas such as Circus and Dance are significant and popular recreational activities that are worthy of having their iconic event or supported by this plan.</p> <p>Thank you for your consideration of our points of view and our positive impact on the Shire of Broome. I look forward to hearing from you directly regarding what further contributions we can have.</p>	
--	--	--

	<p>This is Crystal Stacey, a Broome Resident of 27 years, a local Artist and a Community engagement advocate.</p> <p>I would like to address a concern with the language used in reference to Theatre Kimberley's Sandfly Circus, one of BRAC's successful and beneficial programs, has been prioritised or lack thereof in the 'Draft Sport and Recreation Plan 2021-2031. The mentioning's of the Sandfly Circus activities held in the Indoor courts of BRAC have neglected to highlight the value of approximately 4,000 people a year enjoying and using the BRAC facilities as a result of their Circus programs and the annual Circus show.</p> <p>From Pages 34-38 of the Sport and Recreation Plan says that the Shire "...competes with Sandfly circus who currently use the indoor courts for training as well as their annual performance for court space for Shire programs." and "The use of the multipurpose courts by the Sandfly Circus creates programming issues for the Shire during peak afternoon usage times ". This is a shire facility that has the capacity to discuss programming and scheduling, you cannot be in competition with an activity that you administer as a venue for an activity, To use this language is divisive, deductive and not aligned with the diverse and inclusive community engagement that is well expressed in pages 10 -11, in reference to outcome 9 and the mentioned core pillars of' People - Place - Performance -Prosperity'.</p> <p>To collaborate and support these valuable programs offers such a niche activity that has immense research into the merits they provide for the community in terms of its therapeutic nature, cognitive support for all learning types, inclusivity for all backgrounds and ages. This community is currently in demand for youth engagement, to highlight the true value of these activities, 'Collaboration' is a better use of language that</p>	<p>The Shire of Broome would like to thank Crystal Stacey for her submission and highlighting the many benefits Sandfly Circus brings to the Broome community and BRAC.</p> <p>Please see comments above.</p>
--	--	---

	<p>would be the most constructive pathway toward investing in the future of Sport and Recreation for 2031.</p> <p>Theatre Kimberley's Sandfly Circus has been thriving for over 10 years, accolades of their local, and outreach programs connecting people through the performing arts, throughout the Kimberley and across the world. Their achievements in producing some of Australia's leading Circus Professionals, Rowan Thomas of Splash Test dummies, Louis Biggs of Briefs Factory, Georgia Deguara of Yuck Circus. These professionals return to the Broome and to alongside Sandfly Circus, to provide, skill developments, performances, and mentorships with the community.</p> <p>I am more than happy to discuss further the statistics that prove a need for this programming if it is needed for the shire to see the necessity to maintain, appreciate and sustain the facilities Sandfly Circus call 'Home'. There is a plethora of positive impacts The Sandfly Circus has achieved and continues to offer. A true treasure among the gems found here in the Kimberley.</p> <p>Re-consider the language used to define the Sandfly Circus for these future plans. Re-asses the value and priority these activities hold in the BRAC programming. Collaborate with the community and make an educated investment aligned with BRAC's core pillars of 'People -Place -Performance -Prosperity'.</p>	
11. Gwen Knox	<p>Thank you for the opportunity to submit comment to the Draft Sport and Recreation Plan</p> <p>Sandfly circus has enjoyed a long and happy relationship with the staff and the facilities of the Broome Recreation and Aquatic Centre. It is wonderful that BRAC has been so supportive of this extremely important youth focused group. As the instigator of this wonderful</p>	<p>The Shire of Broome would like to thank Gwen Knox for her submission</p> <p>The Shire looks forward to continuing a strong and positive relationship with Theatre Kimberley and Sandfly Circus into the future.</p>

	<p>group of young people who are WA's premier regional youth circus, I feel immensely proud of what they have achieved.</p> <p>I have only today been made aware of the opportunity to be able to make public comment on the Draft Sport and Recreation Plan.</p> <p>Please see my comments below:</p> <ul style="list-style-type: none"> • Unlike sports, Sandfly Circus has a broader membership that includes young people who are living with a wide range of abilities and disabilities, who work across physical and creative disciplines. Through a varied delivery of its program, Theatre Kimberley tries to accommodate individual needs of their young people on very limited resources. • Several young people who attend are considered to be on the autism spectrum and some have considerable disabilities like hearing and limb abnormalities. The cultural makeup of the Sandfly Circus is broad including a significant number of people with Indigenous heritage attending and teaching. Sandfly Circus is a place for all young and older people to shine. • The Sandfly Circus has produced a number of highly successful professional performers who travel the world performing to thousands of people annually in pre covid times. The Sandfly Circus never perform to anything but full houses when they produce their annual show in BRAC. • The lack of recognition of the importance of this inspiring group of young people is reflected in the Draft Sport and Recreation Plan. They are significant group who use the Broome Recreation and Aquatic centre with over 4000 people in attendance every year. While the Sandfly Circus has used BRAC for over 12 years they are still treated as the poor cousins of the sport and recreation world, who must constantly apologize for taking up space with their safety gear, must work around sports groups whose needs are considered greater. 	<p>Please see comments regarding items raised below:</p> <ul style="list-style-type: none"> • All comments are noted. • The floor on the multi purpose / basketball courts was replaced in the 2019-2020 financial year • The Shire is working with Theatre Kimberley to investigate use of the Shire's elevated work platform for rigging requirements. • The Sport and Recreation Plan recommends provision of a multipurpose room, which could be used by Sandfly Circus. Theatre Kimberley will be engaged during the detailed design phase for this project. • Other comments raised are addressed above.
--	---	---

	<ul style="list-style-type: none"> • The circus trainers have the sometimes almost impossible task of trying to run classes when a basketball game is in progress on the next court with its ear piercingly loud siren. All gear like large mats mini tramps unicycles etc must be packed away after each day in storage space that is not secure, as in anyone can access the gear, the space is not big enough, nor weather tight. The storage space must be cleared annually pre cyclone season to allow for the venue to be used as a cyclone shelter. • Sandfly Circus hold a performance over two nights that attracts up to 400 people in the audience at a time, making it a significant activity. This is not mentioned in the priority areas of the executive summary. <p>It is important that significant changes are made to the venue in order to make the venue safe for growing young bodies to practice their passion in.</p> <ul style="list-style-type: none"> • Work needs to be done to the floor. Currently the young circus people must continue to perform on concrete covered by a thin layer of vinyl type covering. When they are executing high impact activities like running jumping, vaulting etc they are in danger of creating lifetime injuries. • While a gantry will alleviate some of the safety issues of rigging gear. There needs to be a safer way developed to care for the aerial gear left hanging in the venue. As we do not have a resident rigger who can rig gear before each lesson, the Sandfly Circus must hang their aerial apparatus such as silks (long lengths of material used for aerial dance and acrobatics) where they are in danger of interference from other venue users, including birds who rest and defecate on them. (This is extremely dangerous as bird droppings will cause severe decay of the cloth.) Sandfly circus must pay for regular checks by circus riggers, who usually must be flown from Perth, to regularly check the gear for safety. 	
--	--	--

	<ul style="list-style-type: none"> The Sandfly Circus will continue to be overlooked in any development of facilities if there is a continued failure to recognise their importance, especially in key documents such as the Shire of Broome Strategic and Recreation plans. <p>Sandfly Circus are significant users of BRAC and have used the venue long enough to deserve more recognition and understanding of their specific needs.</p>	
12. Georgia Degurara	<p>I'm Georgia Degurara, local performing artist, and associate of Theatre Kimberley.</p> <p>I've just read over the draft Sport and Recreation Plan for the Shire of Broome, and ask that these notes are taken into consideration;</p> <ul style="list-style-type: none"> The use of language around the Sandfly Circus's involvement at BRAC is concerning- there is no indication of the positive involvement of the program, and the scale of community the program engages Though seen as an artform, circus is a cross-disciplinary genre that involves both youth and adults- sports, theatre, dance, art, performance, physical and mental wellbeing, community involvement, and individual development I'd like to add the benefit of this program to the town of Broome, as it's existence is recognised National and Internationally. There are a number of students, like myself, who have grown up through the program and now tour around the world and represent Broome across International Arts Festivals and Spaces. These students are multi-award winning, and highly acclaimed, and in the same vein proudly state they are from Broome, and the Sandfly Circus. This global representation is something overall I don't believe the Shire of Broome recognises. 	<p>The Shire of Broome would like to thank Georgia Degurara for her submission</p> <p>The Shire looks forward to continuing a strong and positive relationship with Theatre Kimberley and Sandfly Circus into the future.</p> <p>Please see comments above regarding items raised.</p>

	<ul style="list-style-type: none"> Those students who do not follow in an arts path use their skills with their new careers, learning from the program to think and act creatively, to push boundaries, and think outside the box. The development and use of the space through the Sandfly program activates many other events and facilities across Broome, the Kimberley, and Western Australia. The work produced by the students has been used in Shire Events and other local events such as Taste of Broome, The Broome Races, The Courthouse Markets, Shinju Matsuri, Civic Centre, White Elephant Convention Centre, Broome Senior, and Kimberley Girl. The students and work produced in the space tours to multiple remote communities each year, and also represents the Shire and the BRAC facility across WA. 	
--	---	--

Theme – AFL Football

Name	Submission	Shire of Broome Response
13. West Australian Football Commission (Eamon Rice)	<p><u>WAFC Broome Shire feedback BROOME SPORT & RECREATION PLAN – BRAC MASTERPLAN</u></p> <ul style="list-style-type: none"> ○ Priority Area 2 – Shire Facilities, 1.7 Medium \$20,000 <i>Undertake a Feasibility Study for the inclusion of a Sports House and/or AFL Learning and Leadership Centre at BRAC. Community Engagement and Projects</i> <p>Feedback from SSA representatives and DLGSC indicated a desire for the potential inclusion of a Sports House at BRAC to allow staff to be located at the facility. Separately, the WAFC have made initial enquiries in relation to the development of a Learning and Leadership Centre at BRAC similar in style to the current Michael Long Centre located in Darwin. The purpose of the feasibility study would be to examine this proposal in detail in conjunction with the stakeholders to understand if</p>	<p>The Shire of Broome would like to thank the West Australian Football Commission for their extensive submission for the Sport and Recreation Plan / BRAC Master Plan and participating in the consultation during its development.</p> <p>Responses to each of the points raised are itemised below: Priority Area 2</p> <ul style="list-style-type: none"> (1.7) Comment noted regarding the Pavilion and Sports House. This will be explored further during the Feasibility Study process and opportunities for co-location explored. (2.1) Comment regarding the location of the gym noted. The Shire is working to ensure the

	<p>it is viable and, in the Shire's, and Broome communities' interest to develop these facilities.</p> <ul style="list-style-type: none"> • WAFC would support a Sports house facility at the BRAC precinct. It makes sense for us to work from there, to be seen, support our volunteers and clubs better. • Depending on the final setup rent would then go to Broome Shire opposed to the Airport which were rent currently goes. Potential for SSA's/DLGSC rent then to be used for BRAC facility upkeep and future development, or contribute towards staff at facility <p>○ 2.1 High \$13.0M Provide a gym and fitness facility at Broome Recreation and Aquatic Centre.</p> <ul style="list-style-type: none"> • Is there opportunity for Gymnasium, Centre of Excellence (MLLS model) Pavilion-Social club to be integrated into 1 or 2 facilities opposed to 3 separate facilities. Value for \$, integrate sports user groups together • Gymnasium run by Shire, or leased to a Life & Soul/F45 (Opportunity for Garnduwa to have Trainee roles in this model) • Gym enables Sport user groups to utilise at the site of their sport which is convenient • Gym enable BSA and SSA talent academies to evolve and provide equal opportunities for participants in talent programs through respective SSAs <p>○ 5.1 High \$1,400,000 Install lighting to 150 lux on Nipper Roe Oval. This project was identified in the Sport and Recreation Plan (2019). The lighting of Joseph 'Nipper' Roe Sports Field will provide alternative night training and competition space which will ease the load on Father McMahon Sports Field. The AFL Facility Guidelines for a Local Facility – recommend a lighting level of 150 lux for a night football</p>	<p>gym and fitness facility benefits the entire operation of the facility and has undertaken an extensive Business Case. Further consultation will be carried out with all user groups during the development of the detailed designs for this element of the facility.</p> <ul style="list-style-type: none"> • (5.1) Comment noted. The Shire will work with WAFC regarding the alignment of the oval once the lighting has been installed to meet WAFL guidelines. • (5.2) Comment noted. BRAC Master Plan has been updated to remove the cricket pitch from Nipper Roe and install on Father McMahon. • (5.3) Comment noted. WAFC and all BRAC user groups will be involved in the development of designs for the Pavilion. • (5.5) Comment noted. The Shire is keen to ensure all fields are multipurpose and provide opportunities for a range of sport and recreation activities into the future. WAFC and all BRAC user groups will be consulted during the design and development of the 'potential future field'. • (6.2) Comment noted. • (8.1) Comment noted. WAFC and all current and future users of Haynes Oval will be engaged through the master planning process. • (8.2) Comment noted. • (8.3) Comment noted.
--	---	---

	<p>venue to ensure contemporary spectator viewing expectations are met.</p> <ul style="list-style-type: none"> • Competed by June 2022 • Adjustment to goal posts to centre to the lights • If goal posts are moved a few metres, then recommend swapping the goal posts between Father McMahon and Nipper Roe as then Nipper Roe will have the State Level standard goal posts on it. • WAFC to confirm to BRAC that for any WAFL level games that Nipper Roe would be the field of choice. <p>○ 5.2 High \$35,000 Provide a cricket pitch to Father McMahon Sports Field to allow cricket to be played at night.</p> <ul style="list-style-type: none"> • As has been a up to standard pitch cover on Nipper Roe Oval for past two football seasons, having a pitch on Father Mac Mahon as well or swapping from Nipper Roe will have minimal impact on local footy. • It may affect any WAFL or higher-level matches. However, if are installing on Father McMahon doing costings around installation and removal of the pitch for Regional or State level events would be good. Then costings can be put in the budget when engaged for BRAC to host these events. • Potential to look at portable pitch options <p>○ 5.3 High Medium \$200,000 (Shade) \$50,000 (Feasibility) \$5M (Pavilion) Provide a Pavilion between Nipper Roe & Father McMahon Sports Fields.</p> <p><i>This project was identified in the Sport and Recreation Plan (2019). Referenced Community Facility Guideline including AFL and Cricket Australia both provide for pavilions on the western side of field and provide guidance on the type and size of facilities that should be</i></p>	<p>Priority Area 3</p> <ul style="list-style-type: none"> • (3.1) Comment noted. <p>Priority Area 4</p> <ul style="list-style-type: none"> • Comment noted. <p>Other</p> <ul style="list-style-type: none"> • Sports Tourism. Comments notes. WAFC will continue to be engaged through feasibility and detailed design processes. <p>BRAC Master Plan comments</p> <ul style="list-style-type: none"> • Pavilion – comments noted and addressed above. • Rectangular field – comments noted and addressed above. • Oval footpath – This will be incorporated into the BRAC Master Plan. • Oval perimeter fence - The Shire needs to ensure the design of any fencing to the perimeter of Father McMahon and Nipper Roe meets the needs of all sporting code. • Claremont Tigers facility comment noted. This model will be explored during the feasibility process. • Comments regarding operations of a future sports house model noted. Addressed in comments above. • Comments in regards to shade noted.
--	--	--

	<p><i>included. Noting the existing Medlend provides for change room, canteen and meeting room facilities, the functional components required of this Pavilion should be further developed in consultation with stakeholders. Recommended key components for inclusion are:</i></p> <ul style="list-style-type: none"> ▪ <i>Storage for users including athletics, soccer, touch, AFL, rugby league and cricket.</i> ▪ <i>A minimum of two change rooms.</i> ▪ <i>Spectator amenity including shade, viewing areas, toilets and food and beverage facilities.</i> ▪ <i>Social club amenities.</i> <ul style="list-style-type: none"> • Support this. However, if consider Centre of Excellence potential and new Gym at BRAC then option for all to be in the one facility. • WAFC would be interested in partaking in any design concepts • Two changerooms – Preference would be for 2 large changerooms that can be converted to 4 changerooms or 4 changerooms included in the design. Football, Senior and Junior would utilise both Ovals at the same time frequently hence the changeroom request <p>○ 5.5 Low Investigate the addition of a playing field at BRAC.</p> <ul style="list-style-type: none"> • For Aussie Rules it would be great if there was a dedicated rectangle field at BRAC. Or Haynes Oval was to become rectangular field spaces <p>○ 6.2 High \$140,000 Provide additional sports storage capacity at Broome Recreation and Aquatic Centre.</p> <ul style="list-style-type: none"> • All Sports require storage due to not having a home base. Football Club/League storage to be incorporated in Pavilion/Centre Of Excellence facility 	
--	--	--

	<ul style="list-style-type: none"> ○ 8.1 High \$30,000 Undertake a Master Plan for Haynes Oval. <i>Haynes Oval is a shared facility between the Shire and Broome Senior High School. The Oval is well used by the WKFL and WKJFL and has cricket nets as well as disused basketball courts on site. A Master Plan of the Oval is recommended to ensure any upgrades undertaken and well planned with due consideration to the future use of the site.</i> <ul style="list-style-type: none"> • Haynes is still viewed as the Cultural home of football for some of the WKFL members • WKJFL will be using BRAC for all its future football. Unless overflow of games. • With the WKFL now having 16 teams across the Men's and Women's competitions, playing more games at BRAC is a necessity. • Having Haynes available for football though when there are Regional/Inter Regional/State champs across sports is handy ○ 8.2 High \$70,000 Upgrade the change rooms at Haynes Oval to be gender inclusive. <i>The change room facilities at Haynes Oval are in an average condition. WAFC Facility Strategy Priorities include:</i> <ul style="list-style-type: none"> ▪ <i>Provide inclusive change rooms and amenities where all female football is played.</i> ▪ <i>Increase the size of player change rooms and provide compliant amenities for all gender use. Ensure basic club and player amenities such as pavilions and change rooms are provided</i> <ul style="list-style-type: none"> • Small project already funded, awaiting contractor ○ 8.3 High \$130,000 Provide a lighting upgrade at Haynes Oval. <i>Conversion of lighting to LED and upgrade to 100 lux.</i> 	
--	---	--

	<p><i>This project was identified in the Sport and Recreation Plan (2019). Minimum standard for AFL playing venue is 100 lux</i></p> <ul style="list-style-type: none"> • Once lights upgrade WKFL will likely play some Friday night games at this facility with Juniors using BRAC on Fridays. <p>○ Priority Area 3 – Club Facilities 3.1 High <i>Advocate for funding to improve sporting infrastructure in Aboriginal Communities within the Shire.</i> <i>Shire President/Councillors This has been identified as a priority for the Shire within the Corporate Business Plan 3.2.1.</i></p> <ul style="list-style-type: none"> • Great to hear. Happy to be involved. <p>○ Priority Area 4 – Events and Carnivals High <i>Encourage and support clubs to include hosting regional or state level competitions where appropriate Manager Community Engagement and Facilities Nil Facilitate the growth and development of iconic festivals, community events and sporting events is identified as a key action in the CBP.</i></p> <ul style="list-style-type: none"> • Having BRAC with Centre of Excellence/Pavilion etc. would encourage events to be held in Broome at BRAC. <p>PAATSCH Consultants information: <i>The Shire’s provision of facilities such as the sporting fields at BRAC is a different model to other “traditional” local government models where clubs will often have a lease or license over the facility either for a period of years or for the season. (note: this arrangement does exist for facilities such as the Bowls and Golf Clubs). Clubs hire the grounds or courts as well as the Pavilions that, perhaps means, there is less “ownership” of the facility. The responsibilities of the Shire as the owner of the BRAC and the Clubs as hirers and the responsibilities</i></p>	
--	---	--

	<p><i>each of the parties have particularly when compared to other clubs and associations that have their own facilities requires some further clarity e.g. maintenance and repair of sports equipment</i></p> <ul style="list-style-type: none"> • <i>Opportunities for the promotion of Broome through sports tourism.</i> <p><i>Opportunities through sport and recreation facilities for the provision of safe spaces and potentially short-stay accommodation</i></p> <ul style="list-style-type: none"> • Centre Of Excellence could incorporate “donga” module style accommodation. • AFL has a partnership with Ausco which is a potential to look at for modular prefab units. Facilities like this can be moved around on site quite easily if the BRAC facility plans were to change for growth in the future <p><i>The Shire has an existing arrangement for the shared use of Haynes Oval with the Department of Education</i></p> <p><i>Opportunity for the inclusion of a Sports House to provide linkages between sports officers and court/field space with potential for this to be incorporated into the above. The WAFC have had initial discussions with the Shire in relation to a facility similar to the Michael Long Learning and Leadership Centre in Darwin as the potential benchmark. This style of facility would be developed as a partnership between the WAFC (and potentially other sports), the Shire and other corporate partners. The facility could include short term accommodation</i></p> <ul style="list-style-type: none"> • Would want any facility to have Office space for SSA’s training and education space, training facilities for Sports and talent academies. This could also serve as a great transition phase for participants from Remote Communities who may transition through Broome for schooling and their sports talent, with a higher success rate of participants transitioning and to Perth or 	
--	--	--

	<p>other Major Cities as have had a season in Broome with support and then any transition not as daunting</p> <p><i>Support for the inclusion of club facilities inclusive of social spaces. This includes, but is not limited to, a facility located in-between the BRAC sporting fields.</i></p> <ul style="list-style-type: none"> • The Pavilion could be in a position that could be a greater benefit to all user groups of outdoor sports. <p><i>Storage for all users was an issue except for netball who have recently had a facility provided as part of the outdoor court redevelopment. The lack of storage means that equipment is often being stored at volunteers' houses and transported to BRAC for usage.</i></p> <ul style="list-style-type: none"> ▪ <i>The provision of multi-use spaces such as meeting rooms that can be shared across all users.</i> ▪ <i>Sporting fields get heavily utilised across the multiple sports located at BRAC. The lighting of Nipper Roe Oval will assist in easing some of this pressure.</i> <p><i>Noting the opportunity raised in relation to scheduling, the addition of a dedicated rectangular field may assist in resolving scheduling and capacity issues</i></p> <ul style="list-style-type: none"> • Agree with Shire looking into a rectangular field • Football storage incorporated in any new design <p>BRAC Master Plan Key Element</p> <p><i>Playing Fields</i></p> <ul style="list-style-type: none"> ▪ <i>Spectator amenity including viewing areas, shade, toilets and canteen between the two playing fields. Note: the scope of this facility needs further development in relation to the provision of such items as team change rooms and a</i> 	
--	--	--

	<p><i>bar/social space as there are mixed views as to the usage of these facilities. o Movement of the cricket pitch from Nipper Roe to Father Mac Oval to make usage of the higher standard of lighting suitable for small ball sports. Future consideration of the movement of the cricket nets or lighting of the nets in the existing location.</i></p> <p><i>The following are considered options that could be included to provide broader benefit to either the facility or the precinct.</i></p> <ul style="list-style-type: none"> ▪ <i>Café and/or restaurant.</i> ▪ <i>Outdoor adventure playground.</i> ▪ <i>Allied health tenancies.</i> ▪ <i>Walking track around the facility.</i> <ul style="list-style-type: none"> • As an example the Claremont Tigers facility incorporates a leased out Gym and Café. Having the facility in a place where all sports users can have easy access may be needed to ensure facility could operate <p>BRAC Business Review 2018</p> <p><i>Financial details included indicate that the facility operates at a loss with part of this attributable to the Shire policy of providing facilities at zero cost for junior sporting teams.</i></p> <ul style="list-style-type: none"> • Sportshouse at Facility pays Rent to BRAC, contribute towards upkeep etc • Social Club – small percentage of sales goes to club and BRAC for upkeep and future facility plans • Café and Gym as options for revenues <p>Key themes that emerged from the consultation were:</p> <p><i>BRAC is a well-used facility that is at the centre of a majority of sporting activity in Broome. It has the potential to be the sporting hub for the North-</i></p>	
--	--	--

	<p><i>West region if it is not already. Several of the issues raised are operations related but there are some key issues to be resolved through the master plan process.</i></p> <ul style="list-style-type: none"> Football would look to this facility being the centre for the Pilbara and Kimberley. Broome is halfway in between. Would look to more events with the Pilbara at BRAC <p><i>The desire for increased “sociability” at the BRAC through the provision of family friendly space or spaces that allows clubs and associations to meet and gather during and after activities. This includes elements such as social spaces, BBQs, playground and creche facilities.</i></p> <ul style="list-style-type: none"> Having club members have a facility, shade to watch games is a must for clubs being able to engage and retain volunteers. <p><i>Centrally located spectator facilities particularly shade, viewing areas and amenities for the playing fields.</i> <i>Better support amenities to service the outdoor court areas including toilet and spectator amenities such as canteen/kiosk facilities</i></p> <ul style="list-style-type: none"> Any facility for BRAC playing fields could be incorporated for easy access and “a base” for these other sports would go a long way to increasing participation membership across BRAC and all Sports. Would get the most out of a shared facility then <p><i>Noting the above and other commentary provided during the workshop, the following are the implications for the BRAC Master Plan:</i></p> <ul style="list-style-type: none"> <i>The BRAC Master Plan must consider the following as key inclusions across all users.</i> <i>Spectator amenity including viewing areas, shade, toilets and canteen between the two playing fields. Note: the</i> 	
--	--	--

	<p><i>scope of this facility needs further development in relation to the provision of such items as team change rooms and a bar/social space as there are mixed views as to the usage of these facilities. Outside of the sporting fields, there is also an opportunity to increase amenity through the inclusion of spaces such as children's playgrounds.</i></p> <ul style="list-style-type: none"> ▪ <i>The provision of appropriately sized and located storage for all BRAC user groups.</i> ▪ <i>The provision of multi-use spaces such as meeting rooms that can be shared across all users. o Inclusion of social space/spaces that can be shared and used by the various sports, their members, and families. o Resolution of traffic and access issues including formalised parking areas.</i> ▪ <i>The potential incorporation of sports such as Beach Volleyball.</i> <ul style="list-style-type: none"> • WAFC and the Broome Shire to engage further regarding Centre of Excellence • Could marry some of the feasibility studies together • OVAL Perimeter fence BRAC fields currently don't allow Wheelchair access to their fields. Footpath around the fields would resolve Football would like a dedicated "boutique" football oval that has perimeter fencing of oval with interchange benches incorporated in the fencing. Many new facilities have a fence around the oval and a concrete path around that, eliminating any extra time for Parks and Gardens staff to maintain. Footpath around an Oval may increase recreation use of the footpath Any fencing around the Oval does not necessarily have to be with the football boundary line, but could be offset or straight to still allow other sports to utilise the facility 	
--	--	--

	<p>Fence around the facility greatly increasing revenue opportunities for the Shire and its Sports user groups. Provides a safe environment for football matches separating the players and officials from the spectators. Eliminate excessive cost for football in hiring fencing each year for finals.</p> <p>Couple ideas below:</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;">  <p>Any Pavilion/Centre of Excellence/Gym could be offset from middle of Oval or be to the left of Nipper Row where current cricket nets are to have facility usage of more sports</p> </div> <div style="text-align: center;">  <p>Rectangular field, soccer, hockey, tennis with a 200 metre athletics track incorporated</p> </div> </div>	
--	--	--

Theme – Broome Squash Club

Name	Submission	Shire of Broome Response
14. Broome Squash Club (Andrew Waters)	<p>Thank you for creating the opportunity to meet with you, Casey and Mike last Thursday, 17 March in relation to the above plans as relevant to Broome Squash Club (BSC). We appreciate the generous time and information shared with us, and the opportunity to provide feedback, which is the purpose of this correspondence. I also take the opportunity to compliment the Shire's continuing commitment to promoting, developing and supporting sport, recreation and leisure and acknowledge the competing interests it must balance, and lobbying it receives from clubs and interest groups.</p>	<p>The Shire of Broome would like to thank the Broome Squash Club for their submission and participation in the development of the Sport and Recreation Plan.</p> <p>Paatsch Group completed an extensive benchmarking / usage and financial assessment in drafting recommendations for the Sport and Recreation Plan.</p>

	<p>I started playing squash as an adult and have played competitively now for 40 years including 12 in Broome. I was involved with the formation of BSC in 2001 and drafted and registered its first constitution in that year. The oldest competitive player in our club is 70 years old, the youngest squash-playing juniors are not yet teenagers.</p> <p>Back in 2000-2001, BRAC Master Planning of that time did not include squash courts as the absence of a (formalised) club, precluded their consideration by the Shire's advisory committee. Evidence of community interest and the formation of the club, driven by two Shire employees, supported by the Shire's CEO of that time, provided impetus for the courts to be added to the plan and build in 2001. The layout by which the courts' viewing area is part of the emergency egress arrangements for the main stadium is evidence of this late inclusion.</p> <p>In the Club's first season of competition in Autumn 2002 when the courts opened, there were over 70 players listed on the fixture. The current season has 72 players in the fixture and around 10 reserves. With only two courts there are significant impediments to expanding the competition further. As a result, keen players can find themselves on a reserve list and as a result many are lost to the Club. Likewise, promotion and growth of juniors squash, for which there has been sustained interest and participation over many years is seriously compromised. There is now a number of Broome juniors rising through the competition fixture including some 'second generation' players. The availability of only two courts has limited adult competition and junior development for many years now.</p>	<p>Data provided by the Shire indicates that the current courts get used on average 5 hours per day across the two courts which generates limited revenue and would indicate that there is more capacity that could be gained out of the existing courts. Beacon, Bunbury, Esperance, Geraldton, Kalgoorlie, Manjimup and Northam are the regional centres to have four or more courts.</p> <p>Comments made in this submission are noted including:</p> <ul style="list-style-type: none"> • Growth of squash in the Broome community since its commencement • Location of the future squash facility and consideration given for noise • Safe storage areas for players personal belongings • Design of future squash courts and opportunities for spectator seating • Access to the squash courts out of BRAC opening hours • Support for 3 squash courts in the short term, with a design that allows an expansion to 5 courts as the population grows <p>The Shire of Broome will commence work on the detailed designs for squash courts / creche / gym / multipurpose room / indoor children's playground / reception / meeting rooms as a high priority project. The Broome Squash Club and other key user groups will be consulted and involved in the design process. Comments raised above will be</p>
--	--	---

	<p>When we met last Thursday, you invited a succinct bullet point style response to the plans as they currently appear. These are provided below.</p> <ul style="list-style-type: none"> • There are currently two squash courts – poorly situated (and of questionable compliance under public buildings regulations). • Support for additional courts has been evident for nearly ten years. For example, the 2014 CCS Strategic Report¹ proposed five squash courts ‘using a flexible court system that also provides alternative sport activity space’. The current draft plan has provision for three courts. Although detail is not finalised, it appears that the current draft has these situated such that additional courts in future cannot be located contiguously with the three in the current (draft) layout. This needs to be reconsidered. A total of at least three courts has been supported by previous plans and our position in 2022 is that three courts is the minimum required and must be positioned such that additional courts can be added in future without dislocation of club, squash playing areas and the facility as a whole, and with minimal capital outlay. • Squash is noisy and so consideration of proximity of other facilities and user groups needs to be considered. Furthermore, the social fabric of the Club is significantly dependent on supper arrangements on competition nights including consumption of food. If the final design prevents or limits these arrangements through being unable to supply and/or consume food in the spectator area this will be detrimental to the prosperity of the Club. 	<p>explored during this detailed design phase and where possible accommodated.</p>
--	--	--

	<ul style="list-style-type: none"> • Facilitation of spectating through provision of glass back courts needs to be recognised and that people movement at the back of the courts should the area be used as a thoroughfare is potentially distracting and a safety issue. • If an upstairs viewing area is to be incorporated, it risks being poorly utilised if it is not terraced to enable more than one row of people to be afforded good viewing. • Provision for patrons' bags as well as the required utilities for competition functions needs to be provided. • Use of the squash courts outside the Centre's hours of operation has been discussed on a number of occasions over the years. Secure out of hours egress would have cost benefits for the Club and Centre. • Junior squash including school usage will not thrive with only 3 courts. (The 2021-31 plan quotes the Shire President as saying "We want to do what we can to ensure local clubs and the Broome sporting community are not constrained by a lack of facilities and can grow naturally as our population expands." Emphasis added.) • Broome's population, currently² 16,916 continues to grow. Common reference to the Broome community as having a 'transient population' is not valuable – a growing population means more people come than go (or die). <p>A pennant style club singles competition is not the only format for competition – other forms of competition exist and could be developed by the club with sufficient courts. Doubles squash is also growing (noting that this would ideally require flexible court configuration). (see also: https://www.abc.net.au/news/2022-02-25/younger-generations-</p>	
--	---	--

	<p>embrace-squash/100844212). Such arrangements would increase utilisation and likely draw more people to the sport.</p> <ul style="list-style-type: none"> • Kununurra Squash Club with three squash courts well utilised by a population significantly less than Broome is referenced in the 2021-2031 plan only in relation to tennis and not squash. (SWEK population: 7,343). • Karratha, population of 22,731 with 3 courts is referenced but this takes no account of the fact that Dampier only 16kms distant also has 3 courts supported by a vibrant club. • Port Hedland is noted as having 3 + 2 courts available. It's population is 15,153. (Having spent three years in Port Hedland I have direct experience of the challenges faced by the sport there at that time.) Ultimately, town by town comparisons must be critically regarded. • There is an argument that basketball courts can be used for other sports when not used for basketball. This is evident in practice. A squash court area intelligently laid out for multipurpose use at least has the potential to offer similar efficiencies. • Within the sport, there is optimism for developing a northern tournament circuit, possibly semi-professional, including Broome. However the viability of Broome as part of that circuit could be limited by having only three courts. <p>In short, the Club believes that the time for three courts is in the past and that there is justification for up to five courts looking to build for the future. We would ask that there is further dialogue with the consultant and the Shire to consider the points put forward here, recognising that, as history attests, once plans for such public funded capital expenditures are finalised, the structures stand for long periods of time, even outliving their useful service life. We would note particularly the desire to revisit the number, location and</p>	
--	---	--

	configuration of a squash court node, including ancillary amenities such as food service and sale of (limited) merchandise.	
--	---	--

Theme – Broome Bowling Club

Name	Submission	Shire of Broome Response
15. Sean Cooper	<p>Thank you for affording me the opportunity to provide a submission.</p> <p>I do not represent any sporting body in Broome. I have a passion for sport, am and have been involved in many sports throughout my career, have volunteered for many sporting organisations, sat on various committees, and also lobbied successfully for funding for many sporting projects, which has greatly assisted these organisations.</p> <p>As a resident of Broome, I am also passionate about the development of many sports in Broome. My current focus is on Broome Bowls Club (BBC). I make the following observations and considerations of BBC.</p> <ul style="list-style-type: none"> • BBC is subject to heritage Listing. • BBC has had recent upgrades to the green and lighting (circa 2018). • BBC requires further upgrades to toilets and facilities. • BBC is on a large allotment of land in a prime real estate area in Old Broome. • There are no other sporting facilities in close proximity to BBC. <p>Recently, BBC suffered extensive damage through:</p> <p>A series of burglaries and thefts.</p> <p>Electrical faults.</p>	<p>The Shire would like to thank Sean Cooper for his submission.</p> <p>All comments have been noted.</p> <p>The Shire continues to work closely with the Broome Bowling Club and the Sport and Recreation Plan recommends a master plan of the site.</p> <p>It is recommended that the comments made in this submission are forwarded to the Broome Bowling Club and alternate sites considered during the master plan process.</p> <p>It is unlikely that there will be appropriate land available for a bowling facility at the Broome Golf Club.</p>

	<p>The recent monsoonal low which caused significant damage to the bowling green.</p> <p>As party of the Shire of Broome's Draft Sport and Recreation Plan, the Shire comments on "Council priorities" 1 – 4, specifically in terms of building capacity, upgrades and additions. For BBC the Shire recognises volunteer contributions and that the BBC is looking for "Greater Support".</p> <p>This is where I wish to put forward a different set of thinking, where the Shire can actually benefit financially by undertaking my proposal, and where the BBC could be modern, unique, and co joined with another facility creating what the Shire seeks to do which is create sporting precincts.</p> <p>My submission is:</p> <ol style="list-style-type: none"> 1. The Shire of Broome establishes a new Broome Bowling Club, at Broome Golf Club, creating a Golf and Bowls sporting precinct. 2. Considerate of its heritage listing, the Shire sells the land the BBC is currently on, making the Shire significant profit. 3. The Shire establishes a new bowling green and bowls club at the Golf Club. The Golf and Bowls Club share the new excellent amenities and facilities. 4. The Shire builds not only a bowling green, but a roof over the bowling green as many clubs across the country are now undertaking. This roof then protects the surface and eliminates damage from seasonal rains and floods. <p>I am well aware of the cost of building a bowling green and also well aware of the cost of a roof over a bowling green. I am extremely</p>	
--	---	--

	<p>confident that these costs would be absorbed easily in the sale of the current site and that considerable profit to the Shire would remain from the sale and re build of the green and roof. I am happy to provide insight into these costs if required.</p> <p>Under my proposal:</p> <p>The Shire creates a financial advantage from the sale and relocation.</p> <p>The Shire creates further financial advantage through less ongoing costs with a new facility built.</p> <p>The Broome Bowling Club benefits through the new green and roof affording greater participation levels in sport and the ability to provide more competitions.</p> <p>The Broome Golf Club benefits through greater use of a sporting precinct.</p> <p>I am happy to assist the Shire in any way to make this concept happen.</p> <p>The Shire should note I do not represent the BBC.</p>	
--	--	--

Theme – Broome Tennis Club

Name	Submission	Shire of Broome Response
16. Broome Tennis Club (Maurice O'Connor)	<p>In particular, the following notes are directed to the plans relating to tennis.</p> <p>Interesting to note that tennis is holding its own in the statistics relating to juniors. The participation of seniors has been harder to keep up. This has been noticeable in Broome where our Thursday night competition succumbed some years ago in large part it appears due to other popular</p>	<p>The Shire of Broome would like to thank the Broome Tennis Club and Maurice O'Conner for their submission.</p> <p>Noting that several meetings have been held with Shire Officers and the Broome Tennis Club since this submission was received.</p>

	<p>sports. Touch footy was a very popular option a few years back along with more women's options such as woman's soccer.</p> <p>. With the strong junior number numbers plus the increased profile nationally on the back of Australian success in the professional sphere it would be fair to speculate that tennis should again have a surge in popularity over coming years.</p> <p>Broome Tennis Infrastructure</p> <p>Lighting - existing lighting has now been repaired earlier this month which was great to see. However, the indication was that the outages were due to recent storm damage when in fact at least one third of the lights have not been working on a very regular basis over the past 10 or so years. Until they are replaced they need regular upkeep.</p> <ul style="list-style-type: none"> - As has also been well known the lighting quality has been very poor at these courts and has suffered from day one from poor design. - Large spotlight over pool area needs to be redirected away from shining into player's eyes causing an OCHS issue. - Newish lighting on the outside of the BRAC building undercover wall area poorly conceived and designed as they also shine into players' eyes. <p>Courts</p> <ul style="list-style-type: none"> - I note consideration/planning for a couple of mixed use undercover courts which would include tennis and believe this would be a great addition. - Existing courts are in very poor condition and some becoming unplayable so early action is necessary. - I note some discussion on court numbers and feel any reduction would be very short sighted. It seems to me that 8 is a very sensible number and borne out by the number of centres in WA with 8 or more courts. 	<p>Further to this, the Shire of Broome has applied for funding to the State Government CNLP and CSRFF for separate projects to address both the condition of the court surface, and the standard of the court lighting.</p> <p>If successful in receiving funding and budget, the works would take place in the 2022/23 financial year.</p>
--	---	--

	<p>- Proposed 'hit up wall' would be most welcome.</p> <p>Access Access to courts need to be extended on the weekends for early players trying to avoid the heat/sun. At least 8.00am opening and maybe 7.00am. I noticed that when playing at the Bassendean Club earlier this summer for a few weeks, the social midweek tennis started as early as 7.30am and the Saturday afternoon games moved to 8.00am when the temperature was expected to exceed 30 degrees.</p> <p>Thank you for the opportunity to submit my thoughts. There are lots of great things about BRAC and Broome Sport and rec. generally. For a small town, there are an amazing number of sports played on a regular basis and over all I think as a ratepayer we have very good facilities. Seeing the busy activity at the new undercover area is a great example and a great facility.</p>	
--	--	--

Theme – General

Name	Submission	Shire of Broome Response
17. Vanessa Mills	<p>BRAC master plan – map:</p> <ul style="list-style-type: none"> Storage and/or club room for Tennis has not been included on the new plan adjacent to new courts I'd like to continue to play tennis but it's too difficult to get the key, or pay, or book at BRAC. I just want to go and have a hit, for free, outside club times Glad to see a hit up wall has also been included in the new plan. Storage for netball - looks like the new plan will see the new red shed moved but there is not a new location marked on the plan? Overall the expansion plan looks great. 	<p>The Shire of Broome would like to thank Vanessa Mills for her submission and all comments have been noted.</p> <p>Please see responses to comments raised below:</p> <ul style="list-style-type: none"> After hours access to tennis courts - BRAC staff and Tennis Club committee members have commenced a out of hours use process that allows access to courts and storage, but not other facilities outside of BRAC operating hours.

	<ul style="list-style-type: none"> At the moment fences create blockage and barriers to other community spaces in this precinct – like lotteries house and the future pump track – make sure that there’s flow between all these community areas, bounded basically by the Boulevard fence, to the TAFE, and airport fence. <p>Pavilion on Haynes oval:</p> <ul style="list-style-type: none"> Doesn’t meet the needs of footy clubs in its design or structure – but has potential to be improved and expanded Women’s changing and bathroom facilities required (noted in the Plan) Better access to water – filling up for teams and for public drinking bubblers Secure Storage for Footy clubs required Team meeting room A multi-use club room large enough to incorporate Club memorabilia in display cabinets, the WKFL Cup etc. Haynes Oval has always been known as ‘the home of football’ so lets make it so. Thank you for planting some shade trees – please continue Better lighting for sport, and around the pavilion and carpark The sand and erosion and ad-hoc nature of the carpark is problematic and sand spills onto footpath all the time Traffic flow on game days affects residents nearby and clogs quickly A lot of the entire Haynes precinct is under utilised and could be re-worked/improved The refurbished canteen is a great space now. The gates surrounding the pavilion make it an unpleasant area visually and to use Better management of dog waste left by owners on sports fields – yuck. And glass/rubbish/antisocial behaviour still a concern. 	<ul style="list-style-type: none"> Netball storage – will be relocated in the longer term. The Shire will work with Broome Netball Association in future years when this work is undertaken. Pedestrian access across the BRAC site was a key consideration in the development of the BRAC Master Plan. The plan currently recommends pedestrian movement corridors to help address current barriers across the site. Comments regarding Haynes Oval are noted and will be considered during the master planning process for this site. BRAC Youth Precinct - Stage 2 works are programmed to occur using internal Shire resources following several unsuccessful procurement processes. Lights are currently being installed at the Pump Track to allow nighttime use. BRAC Main Sports Hall. Comments are noted regarding shade on the western side. There has been a significant improvement with the recent upgrade to the flooring. The BRAC Master Plan currently includes a future aquatic space in this area, which would offer shade. Medlend Pavilion. Sport and Recreation Plan recommends some minor upgrades to the meeting room to improve acoustics.
--	--	---

	<p>BRAC “youth precinct” as it’s called on the map? – the bike pump track between boulevard and McMahon Oval:</p> <ul style="list-style-type: none"> • Please get stage 2 finished more quickly, it could be a fantastic space and a great asset for exercise!! • It’s not just for youth. All ages cycle, jog, walk the dog and will do so here. This map is the first time I’ve seen it called Youth Precinct. • Crossing Fredrick Street (especially for kids) is the biggest concern – please consider a traffic island when the entrance to this precinct is being planned. <p>BRAC main sports hall:</p> <ul style="list-style-type: none"> • What shade can be provided on the western side that will allow airflow and sport security: the design was meant to have all doors open... except balls fly out, kids run off and the sun beats down. Or does it need to be air conditioned? • As noted in plan, there’s no spectator seating or places to put your gear while playing <p>Medland Pavilion:</p> <ul style="list-style-type: none"> • The meeting room’s acoustics are so bad it’s too awful to hold a meeting in there. • The pavilion has potential – but it just doesn’t seem to work at the moment. <p>Finally, Sport and exercise also occurs in parks, tracks, footpaths, cycle ways: we need more shade especially trees, water bubblers, bike racks, footpaths that connect, more lawn in old Broome parks to throw frisbee or kick ball with kids, more usable outdoor space everywhere</p>	
--	---	--

	that encourages people to walk/cycle to shops, school, playground or the sports facility.	
18. Daniel O'Connell	<p>I would like to start by commending the Shire for the exemplary work they do in assisting the sport within the community. Sporting groups within town are grass-root community organisations that require a assistance in delivering their programs. Sport is a cornerstone of Australian life that binds this beautiful multicultural country together, and nowhere is this more obvious than in the town of Broome.</p> <p>The sport and recreation masterplan is a overwhelmingly positive document. From the start with the presidents message, it is clear that the Shire understands the importance of sport for the town, and the shire's role within it. The runs the shire has put on the board in this space are considerable, however now is the time to push on that momentum, and not rest on laurels.</p> <p>I would like to knuckle down on a key point that I think should form more of a guiding principle in the development of the plan:</p> <p><i>"the State Government earmarking our town as becoming a regional city in the future, the Shire of Broome is acutely aware of the need to provide the necessary infrastructure"</i></p> <p>This is a position that Broome needs to understand, embrace, and plan around. We are the regional centre for north west Australia, and we need to solidify our town as the fulcrum around which sport revolves north of Geraldton to ensure we maintain this position and don't lose it to the mining centres of Karratha or Port Hedland. This means shouldering additional load in the development of sport not just for the town of Broome, but for all the Kimberley and the Pilbara also.</p> <p>The bones of a strong path forward are already contained within the plan, however I think the priorities could be reviewed through the prism of Broome as a regional centre.</p>	<p>The Shire would like to thank Daniel O'Connell for this submission and notes the items raised.</p> <p>Please see responses to each of the items raised below:</p> <ul style="list-style-type: none"> • Pavilion. Comments noted and will be considered in the feasibility and detailed design phase. • Parking facilities. Comments noted and will be considered during the design phase of future carparking areas. • Youth Precinct. Comments noted. Works are soon to commence on Stage 2 through the use of internal Shire resources following several unsuccessful procurement processes. Lights are currently being installed at the Pump Track to allow nighttime use. • Athletics Track. Comments noted and addressed above. • Gym facilities. Comments noted. The Shire has completed a detailed business case on this proposal to understand operational and financial implications.

	<p>The following project have specific comments</p> <ul style="list-style-type: none"> - Pavilion between Nipper Roe and Father McMahon Ovals. <p>With the installation of lights on the Nipper Roe, these two ovals become the key focal point of all oval based ball sports in the NW. This requires an appropriately sized pavilion that can service 2 concurrent games on each oval, and also make use of the opportunity to realise commercial outcomes and host large events. A 2-story building with wrap around balconies and top bar, with change rooms and a canteen and storage facilities on the ground level should be constructed to suitably activate both ovals. This construction would be the key point on the playing field area of BRAC and should be built on a relatively grand (regional centre) scale.</p> <ul style="list-style-type: none"> - Parking facilities <p>The parking facilities shown in the masterplan are ad-hoc that have been made to fit the existing infrastructure. However the masterplan should show the parking as an optimised and coherent layout. The existing Medland pavilion would be removed and the parking extended in its location following construction of the new pavilion. Appropriate parking can then be designed with suitable lighting, shade and parking numbers.</p> <ul style="list-style-type: none"> - Youth bike precinct <p>This project area forms approx. a quarter of the masterplan area, yet it is not being given appropriate emphasis (medium rating) in planning documentation or funding commitments. A gravel BMX/mountain bike track and jogging path is a low-cost outcome in this area that will allow for the activation of 80,000m² of space. The tracks need to be finished, and the area planted in a suitable way to allow this space to become productive land that realises benefit to the community.</p>	
--	--	--

	<p>Completion of this element would create entirely new possibilities in the sporting space, with mountain bikes and trail running catered for.</p> <ul style="list-style-type: none"> - Athletics track <p>State government PLA documents note tartan athletics tracks are installed as regional centres. Though Broome does not meet the parameters from a population perspective, our position as a regional centre is such that we should invest in a tartan athletics track as our third oval (west of Nipper Roe). This would have a central rectangular oval that would service rugby and soccer show-court requirements, while cementing Broome as the key regional centre for athletics in NW WA.</p> <p>Athletics is one of the most accessible sports for participation, and investment in this area will see great uptake by all subsets of the community. Given the benefits of this, it is expected that considerable grant funding would be available to support construction.</p> <ul style="list-style-type: none"> - Gym Facilities <p>The Masterplan notes the provision of a gym. There are gym facilities already provided for in Broome. This should only be a priority if it is envisaged that a gym could be a cash positive investment. Otherwise, people can access existing gym facilities that do not require shire subsidisation.</p> <p>I have no doubt the Shire will continue to perform exemplary works with the sporting communities of Broome, and I look forward to watching these spaces, and the town develop.</p>	
19. Melita Grant	<p>I'd like to put my thoughts in as a parent of 4 kids involved in sport and Broome and a committee member on several different clubs. Since we arrived in Broome 9 years ago and since my children have been</p>	<p>The Shire would like to thank Melita Grant for this submission and notes the items raised.</p>

	<p>involved in sport in Broome I have seen massive growth in all of the sports.</p> <p>Netball has grown significantly and the new courts last year were welcomed. I do foresee we will outgrow those in time also and will need to plan for more courts in the future.</p> <p>Swimming has seen great success in Broome over the years and Broome has a strong club. However being one of the only large clubs without a 50m pool it is difficult to attract competitions and to gain qualifying times for long course competitions such as State Championships. The swimming club is now pressed for lane space and as such cannot expand what it offers any further. We also are unable to run club events on weekends due to swimming lessons and the inflatable bookings. A 50m pool would be such a draw card for the town and would expand swimming so much more.</p> <p>Athletics has doubled in size in only a matter of a few years and the competition team has seen so much success at country and state level. Again it is challenging holding competitions and attracting people from around the state to attend without a proper athletics track and a permanent home with storage for equipment. Athletics is a transferable skill across all sports and is inclusive of all children. Broome could really put itself on the map with a proper track.</p> <p>Gymnastics has also seen great growth and numbers are well over 200 now. However it rents space of the High School which is dependent on them ageing to it each year. The local dance/acro school has just had to decrease it's numbers due to facility space and there is now no where that the acro for little kids can be run. A purpose built shared Gymnastics/Acro/Dance facility would be amazing for our town and ensure the continuation of the sport.</p>	<p>Please see responses to each of the items raised below:</p> <ul style="list-style-type: none"> • Netball. Comments noted and Sport and Recreation Plan recommends increasing court numbers to allow for growth. • 50m swimming pool. Please see comments above. • Athletics track. Please see comments above. • Gymnastics. The Shire is keen to facilitate and explore future shared opportunities for community group usage with the Department of Education. These partnerships are seen to bring several benefits to local communities and provide for good use of facilities outside of school hours.
--	--	---

	<p>Of all of these sports my family is involved in storage is an issue. They all need permanent shed space for equipment and a home to run out of to take the burden off volunteers having to store equipment in their own sheds and trailers.</p> <p>I would love to see these things implemented - Broome could be so much more and attract kids to stay through high school and families to stay in town if we keep making sport awesome.</p>	
20. Tim Brooker	<p>I just wanted to put in a few ideas regarding the masterplan.</p> <p>NB – this are my ideas, although I am tied to sporting groups in Broome, these are personal ideas.</p> <ul style="list-style-type: none"> • I believe you need more parking than you have planned – Even with the current improvements, and proposed new, I still think you are way off • I believe the pool needs to be a 50m pool for NW comps and true comparisons/ uniformity to the rest of competition swimmers • 3rd footy oval is great – needs to happen sooner rather than later • BRAC over sees the Haynes oval as well, but I don't see nay improvements there? Needs lighting, better carpark, better facilities • BRAC seems to have NO plan for rectangle sports – why can't these be over at Haynes so ALL Sports have more access to oval space?? Build soccer and rugby a shed at Haynes and base rectangle there? Although this plan has room for shade structures on FM and NR ovals, I think we need more • The central pavilion between the ovals, is this a tiered style grandstand? Does it have kiosk facilities underneath? Future Bar? 	<p>The Shire would like to thank Tim Brooker for this submission and notes the items raised.</p> <p>Please see responses to each of the items raised below:</p> <ul style="list-style-type: none"> • Parking. Comments noted. The current BRAC Master Plan shows a significant increase in carparking from the current arrangement. The Shire has recently sealed a larger section of the carpark and it is hoped that this will alleviate some of the current pressures across the site. • 50m swimming pool. Please see comments above. • Haynes Oval and Rectangular Field. Please see comments above. • Pavilion. The Shire will be working closely with all user groups during the design phase. • Plan beyond 2031. The Sport and Recreation Plan currently recommends a review of the plan as a medium priority. This will ensure any changes is current usage is captured and priorities changed accordingly.

	<ul style="list-style-type: none">• I don't believe with all of the improvements, that the facility will cope with short term or medium-term growth. What is the plan beyond 2031? <p>Happy to discuss thoughts and ideas if anyone wants to get in touch.</p>	
--	--	--



Shire of Broome
Sport and Recreation Plan
2021 - 2031



Contents

1. Acknowledgment of Country	3
2. Shire President's Message	3
3. Executive Summary.....	4
4. Introduction	6
5. Regional Context.....	7
6. Demographic Analysis.....	8
7. Document Review and Trends.....	9
8. Benefits of Sport and Recreation.....	12
9. Sport and Recreation Trends	13
10. Participation Trends.....	15
11. Sport and Recreation Facilities	20
12. Consultation.....	27
13. Sport and Recreation Plan - Priority Areas	30
Priority Area 1 – Clubs and Associations.....	31
Priority Area 2 – Shire Facilities	34
Priority Area 3 – Club Facilities	47
Priority Area 4 – Events and Carnivals.....	54
14. Sources of Funding.....	55
15. Financial Summary.....	56
16. Plan Improvement and Monitoring	57
Appendices:.....	58
A. Shire of Broome Facility Summary	58
B. Shire of Broome Facility Details.....	58
C. Consultation Report.....	58
Appendix A – Facility Summary	59
Appendix B – Broome Sports Facilities	65
Appendix C – Consultation Report.....	77

1. Acknowledgment of Country

The Shire of Broome acknowledges the Yawuru people as the Native Title Holders of the lands and waters in and around Rubibi (the town of Broome) together with all Native Title Holders throughout the Shire.

We pay respect to the Elders, past, present and emerging, of the Yawuru people and extend that respect to all Aboriginal Australians living within the Shire of Broome.

Wirriya ngangaran liyan nyamba buru Yawuru

We hope you are feeling good in our Yawuru country

2. Shire President's Message

In any regional community, sport and recreation plays a massively important role in bringing people together, helping to form friendships and creating community spirit.

This certainly rings true in Broome, with our community sports-mad and participation levels increasing dramatically in recent years.

Our most-recent club survey shows that sporting club membership in Broome increased by an incredible 45 per cent in just two years, with female participation growing by 57 per cent in the same time.

With the State Government earmarking our town as becoming a regional city in the future, the Shire of Broome is acutely aware of the need to provide the necessary infrastructure to ensure Broome is a desirable place to live, work and visit.

We have invested heavily in sport in recent years and this trend is set to continue.

This Sport and Recreation Plan is paramount to establish priorities and address the needs of the community.

The Plan provides a blueprint and a direction for the future of Broome sport to prevent ad hoc planning and to guide decision making.

The priority areas in this document link back to the Shire's long-term visionary documents, the Strategic Community Plan 2021-31 and Corporate Business Plan 2021-25, to provide consistency across the board.

We understand the importance of sport in Broome, with this plan highlighting the current opportunities and priorities for community sporting groups.

It makes me happy to see Broome sport thrive and ensuring current and future Broome residents have access to excellent sporting facilities is a priority for the Shire.

We want to do what we can to ensure local clubs and the Broome sporting community are not constrained by a lack of facilities and can grow naturally as our population expands.

I look forward to what the future of Broome sport has in store, with this plan acting as a blueprint for progression.

Harold Tracey
Shire of Broome President

3. Executive Summary

Broome is a unique place. Sport and recreation play an important role in the fabric of the town that, in some ways, is unique for a regional town. Like many regional and remote towns, children play multiple sports. The scheduling of sports is often done around providing opportunities for children (and even adults) to assist in facilitating this.

Unlike many other regional towns high heat levels and extreme weather conditions particularly during the wet season make playing sport during the day challenging. Many play at night to avoid the heat which makes the provision of lights at outdoor venues important.

The Broome Recreation & Aquatic Centre (BRAC) is the sporting hub of Broome and the Kimberley. In many other regional and metropolitan areas, high participation sports such as netball and AFL, the Associations or Clubs operate their own facilities or club rooms through a lease or license arrangement. In Broome, most team sports are played at BRAC with Associations and Clubs hiring and sharing the Shire provided facilities with other sports.

The Shire's Strategic Community Plan 2021-2031 (SCP) identifies the Shire's purpose being to:

"...provide, facilitate and advocate for services and facilities to improve the quality of life for everyone in Broome."

This includes a role, relevant to this Plan, to provide a range of services such as place activation, festivals and events, sport and recreation facilities, youth services, roads, paths and trails.

The Sport and Recreation Plan 2021-2031 (SRP) is a strategy linked to the SCP, Corporate Business Plan (CBP) and is an important connector to guide the allocation of Shire funding and resources toward the achievement of key community objectives through sport and recreation.

The objective of the SRP is to provide guidance to the Shire of Broome for the development of sport and recreation over the next ten years.

With a number of the high priority items identified in the SRP 2019-2029 delivered, the Shire undertook a review and update of the SRP. A community and stakeholder engagement process was undertaken in reviewing and updating the SRP to understand the needs and desires of a range of users including sporting associations, clubs, volunteers and the broader community and to inform the Plan and prioritisation of elements contained within.

The SRP provides a realistic and achievable schedule of prioritised sport and recreation projects that informs the Long-Term Financial Plan.

The Plan identifies four key Priority areas:

- **Priority Area 1 – Clubs and Associations** – the focus of this priority is to build capacity within Broome Associations and Clubs who are volunteer based and provide a vital role in the delivery of sport in Broome. Key priority project include:
 - Volunteer recognition events
 - Supporting Clubs and Associations to develop strategic plan and sustainable governance practices

- Building partnerships with key agencies and State Sports Associations
- **Priority Area 2 – Shire Facilities** – the focus of this priority is upgrades and additions to the Shire owned and operated facilities such as BRAC. Key priority projects include:
 - Reviews to optimize usage of sporting fields, aquatic facilities and indoor and outdoor court usage.
 - Upgrades at BRAC including
 - Provision of sports lighting at Joseph ‘Nipper’ Roe Sports Field.
 - Additional recreation facilities including gym and squash courts.
 - The upgrading of the tennis courts and the addition of a further two covered multipurpose courts.
 - Development of a pavilion between Joseph ‘Nipper’ Roe and Father McMahon Sports Fields.
- **Priority Area 3 – Club Facilities** – the focus of this priority is upgrades and additions to Shire owned and Club operated facilities. Key priority projects include:
 - Provision of support to Clubs for upgrades to their facilities.
 - Upgrades to basic amenities at the Bowls Club and Rodeo Grounds.
 - Delivery of the Broome Boating Facility.
- **Priority Area 4 – Events and Carnivals** – the focus of this priority is attracting sporting events and carnivals to Broome.

The Plan recommends that approximately \$38 million of sport and recreation infrastructure projects are undertaken over the next 10 years.

The SRP aligns with the 10-year timeframe of the SCP (2021-2031) and will be subject to periodic review to ensure it remain current and reflects the needs of the Broome community.



Image 1 – Photo Credit: Stanley Francis

4. Introduction

The Shire of Broome, located in Western Australia's remote Kimberley region, is the gateway for tourists and visitors to the Kimberley, including international visitors by cruise ship and aircraft. Founded as a pearling port over a hundred years ago, Broome boasts a multicultural population with Koepanger, Malay, Chinese, Japanese, European and Aboriginal cultures all blended to create Broome's captivatingly friendly and flamboyant character.

The Shire covers an area of approximately 56,000 square kilometres with 900 kilometres of coastline. The town of Broome is situated on the end of a peninsula, surrounded by ocean, and land-locked by distance, some 2,200 kilometres north of Perth. White sandy beaches are framed on one side by blue ocean waters and on the other by red pindan soils, providing a stunning backdrop for recreational, cultural and tourist activities.

Broome also serves as the service and trade hub of the region, servicing agricultural, pastoral, mining, oil and gas production, and conservation jobs across the Kimberley.

In 2019, the Shire endorsed the Sport and Recreation Plan 2019-2029 (Jill Powell & Associates). Since this plan was adopted, the Shire has been successful in implementing and securing funding for several of the key infrastructure priorities including:

- Outdoor netball/basketball court cover.
- Storage space at BRAC.
- BRAC indoor court floor refurbishment.
- Floodlighting to Joseph 'Nipper' Roe Field.
- Redevelopment of the Surf Life Saving Club (2021).
- Redevelopment of the Golf Club.

The Shire commissioned a review and update of the Sport and Recreation Plan to identify priorities for key infrastructure projects moving forward and to provide guidance for investment into the future.

This Plan has been updated through the review of the previous plans, relevant and related Shire strategies and plans, reviewing sport and recreation trends and developing an understanding of "Broome-time" and the influence it has on sport and recreation activities. Importantly, the process of review and update has included consultation with sport and recreation clubs and associations as well as input from the broader community.

This plan describes:

- The future vision for sport and recreation facilities in the Shire of Broome.
- The priority projects for new and upgraded facilities.
- How the priority projects will be funded.
- How success will be measured and reported.

5. Regional Context

Broome is located some 2,200 kilometres from Perth. It is one of the main regional towns in the Kimberley and serviced by a regional airport.

By road, Broome is located approximately 220km or 2.5 hours from Derby, 610km or 6.5 hours from Port Hedland and 835km or 8.5 hours from Karratha.

The sporting facilities in Broome serve mainly the residents of the Shire and surrounding communities. However, they do play a role in hosting events and carnival such as northwest championships for a variety of sports with teams and supporters travelling significant distances to be able to compete.

BRAC is the main regional sporting facility providing multi-purpose sporting fields, indoor and outdoor courts, tennis and squash courts and aquatic facilities including an 8-lane 25m pool with an integrated lagoon/leisure pool. BRAC also serves as the Shire's emergency welfare center.

Broome provides for several single-use sports club facilities including bowls, motocross, speedway, surf lifesaving, fishing, equestrian, golf and pistol. These facilities are all operated by the respective clubs under lease arrangements with the Shire. These facilities, as well as providing for Broome residents, also service visitors to Broome and attract events and competitions to Broome.

The size and population of Broome means that access to facilities for residents is relatively easy if residents have access to transportation.

Broome's location provides for extremes in climatic conditions. During the dry season which runs from late April through to early December, the climate is ideal and contributes significantly to the attractiveness of Broome as a tourist destination particularly for retirees or 'the grey nomads'. In 2019, Broome recorded 446,181¹ visitors. However, being the southern hemisphere winter, the sun sets relatively early, limiting the ability to access sporting facilities after school and work unless they are lit.

Conversely, in the wet season that runs from early December to late April, Broome experiences high average minimum and maximum temperatures², high humidity and rainfall. This makes participation in sport and recreation activities during the day challenging, again placing a demand on accessing facilities in the relative cool of night or accessing air-conditioned facilities.

Broome is situated in the northwestern sub-region³ of the Australian tropical cyclone regions meaning that all facilities must be designed to cater for this.

¹ Shire of Broome, Strategic Community Plan 2021-2031, p.8

² <https://www.timeanddate.com/weather/australia/broome/climate>

³ https://en.wikipedia.org/wiki/Australian_region_tropical_cyclone

6. Demographic Analysis

The Shire of Broome was home to 16,907 people in 2019 and current projections indicate the population will reach 18,591 by 2031. However, the seasonal population of Broome can at times far exceed its residential population. Accounting for tourism visitors, short-stay workers and business travellers and other workers and people from around the Kimberley and North West using Broome as a base, the population of Broome can fluctuate as high as 30,000 people on any given day.

The residential population of the Shire is younger than the rest of Western Australia, with 0-14 years accounting for almost one in four residents in 2018. In contrast, Broome has a significantly lower share of residents aged 65 and over and has a below average share of people aged 15-24. This is linked to a trend in regional towns of sending older school age students to Perth and other locations for secondary and tertiary education.

The socio-economic attributes of the Broome population are marginally below national averages, primarily owing to the Shire's relative remoteness and lower access by households to economic resources. Despite this, personal wage and salary incomes are generally higher than the rest of Western Australia, with a median personal income of \$54,247 in 2016/17; 5.4% higher than the State average.

In 2016, the Shire of Broome was home to almost 7,400 jobs, up from 7,050 in 2011 and 5,965 in 2006. Jobs growth has slowed between the last Census periods, which corresponds with the slowing of population growth during this time. Being highly reliant on dry seasonal tourism, the Shire has been deeply impacted by the COVID-19 pandemic, experiencing an estimated loss of 250 jobs or around 3.2% of all jobs⁴.

The COVID-19 pandemic which has limited overseas and interstate travel with border closures has increased Broome's attractiveness to intra-state and domestic tourists placing pressure on accommodation supply.



Image 2 – Phot Credit: Abby Murray

⁴ Shire of Broome, Strategic Community Plan 2021-2031, p.7

7. Document Review and Trends

The Sport and Recreation Plan and BRAC Master Plan are sub-plans of the Shire's Strategic Community Plan 2021-2031 and the Corporate Business Plan 2021-2025. Previous work completed by the Shire specifically related to sport and recreation planning include:

- In 2014, the Shire undertook a planning process for the development of a Sport and Recreation Plan. The Plan was not adopted by the Shire at the time.
- In 2016, the Shire developed a Framework for the development of Sport and Recreation Facilities that was based on the above report.
- In 2019, the Shire completed the Sport and Recreation Plan 2019-2029 inclusive of the BRAC Master Plan.

A summary of the key relevant planning documents follows.

7.1 Shire of Broome – Strategic Community Plan – 2021 - 2031

The Strategic Community Plan (SCP) is the Shire's highest level strategic planning document that details the long-term vision for the town.⁵ The strategy is a result of extensive community consultation with over 1,000 members of the community and key partners providing input.

The Sport and Recreation Plan is considered an informing Strategy to the SCP.

The plan details the vision for the Shire – “Broome – a future, for everyone”. The vision is supported by four aspirations which align with the core pillars of the Plan:

- **People** - We will continue to enjoy Broome-time, our special way of life. It's laid-back but bursting with energy, inclusive, safe and healthy, for everyone.
- **Place** - We will grow and develop responsibly, caring for our natural, cultural and built heritage, for everyone.
- **Performance** - We will deliver excellent governance, service and value, for everyone.
- **Prosperity** - Together, we will build a strong, diversified and growing economy with work opportunities for everyone.

The development of the Plan included extensive research undertaken using the MARKYT Community Scorecard with the top priorities identified in the local community being community safety, marine facilities, economic development and youth services. Sport and recreation score relatively highly in terms of performance and opportunity to optimise.

The Plan provides for 15 outcomes across the four core pillars with linked objectives and strategies with further details of these provided in the Corporate Business Plan. The Plan is reviewed and adopted every four years.

7.2 Shire of Broome – Corporate Business Plan – 2021 - 2025

The Corporate Business Plan (CBP) flows directly out of the Strategic Community Plan and provides details of how each of the objectives identified in the SCP will be delivered, the link to Shire strategies, the responsible party for delivery and the timing of implementation over the four-year duration of the Plan.

⁵ Shire of Broome, Strategic Community Plan 2021-2031, p.2.

The CBP also provides details of:

- How the plan will be resourced.
- Financial summary including additional operating expenditure and capital expenditure as a result of the Plan.
- How risk will be managed.
- Development and reporting responsibilities.

The CBP is reviewed and adopted annually by Council by an absolute majority.

The following are directly linked to the Sport and Recreation Plan or the BRAC Masterplan. Specific actions for each Objective that relate to the Sport and Recreation Plan have been included in Chapter 13 under the relevant Priority area.

- **People** - Outcome 3 – A healthy, active community.
 - Objective 3.2 - Improve access to sport, leisure and recreation facilities, services and programs.
- **Place** - Outcome 7 – Safe, well connected, affordable transport options.
 - Objective 7.1 - Provide safe and efficient roads and parking.
- **Prosperity** - Outcome 9 – a strong, diverse and inclusive economy where all can participate.
 - Action 9.1.5. – facilitate the growth and development of iconic festivals, community events and sporting events.
- **Performance** - Outcome 12 – a well informed and engaged community & Outcome 13 – value for money from rates and long-term financial sustainability.

7.3 Shire of Broome – Framework for the Development of Sport and Recreation Facilities – 2016 - 2025

The Framework was developed by CCS Strategic using the Draft Sport, Recreation and Leisure Plan (December 2013 – May 2014) but takes into account the Shire's revised Corporate Business Plan, Long Term Financial Plan and Strategic Community Plan.

The first part of the framework provides a philosophy and rationale for sport, recreation and leisure facility provision. The second part of the framework provides a classification for prioritisation of works. The Framework and the addition to it added in the Sport and Recreation Plan 2019 is included at Section 11.3.

7.4 BRAC Business Review 2018

The BRAC Business Review was completed by SGL Consulting Group in 2018. The key objectives of the review were to:

- Improve business operating procedures to meet challenges in a changing environment
- Determine strategies to promote and achieve long term financial sustainability, and
- Provide a basis for decision making by the Shire in regard to development of potential facilities at BRAC.

Key elements of the Business Review as they relate to the Sport and Recreation Plan included:

- Inclusion of high level of detail on the operations of BRAC at the time.
- Outcomes of stakeholder and community consultation undertaken that are relevant to this process.

7.5 Shire of Broome – Club Development Club Survey Report – January 2020

The Club Development Survey has been conducted biennially since 2009 (except for 2011) and is due to be completed again in the second half of 2021. The survey was developed to provide baseline information against which the Shire could measure and direct the performance of the Club Development Officer (CDO) program.

The Survey provides data to the Shire on key areas of Association and Club operations including:

- Membership and participation numbers and trends
- Events
- Governance
- Communications
- Partnerships with SSA's
- Planning

Key elements of the Club Survey Report as they relate to the Sport and Recreation Plan included:

- The growth and membership and participation since 2009 and particularly the growth in female participation noted from 2017 to 2019.
- Opportunities for Clubs to improve their planning and compliance (particularly in relation to Constitutions and Working With Children).
- Opportunities identified in relation to events and the economic benefit for Broome of delivery these events.

7.6 Other Documents Reviewed

Several other relevant key Shire of Broome strategies and documents were reviewed including:

- | | |
|---|---|
| • Asset Management Policy. | • Identifying Opportunities for Events in Broome. |
| • Asset Management Plan. | • Youth Plan 2021-2025. |
| • Broome Youth Precinct Master Plan 2017. | • Broome Boating Facility. |
| • Recreation Trails Master Plan. | • Local Planning Strategy. |
| | • Three Year COVID 19 Recovery Plan. |

8. Benefits of Sport and Recreation

Sport and recreation provide for a number of benefits that are important to recognize in the review and update of the SRP.

In 2018, Sports Australia launched Sport 2030, Australia's national sports plan focused on creating a platform for sporting success through to 2030 and beyond. Notably, the success of the plan is not measured purely by "gold medal". The five target outcomes of Sports 2030 are:

- **Improve the physical health of Australians** — through the benefits of sport and physical activity, including reduced risk of chronic conditions.
- **Improve the mental health of Australians** — through the recognised mental health benefits of sport and physical activity, including the improved management of mental illness and greater social connectedness.
- **Grow personal development** — from taking up a new challenge, to setting a new personal goal or striving for the podium, being active can help everyone endeavour to be their best self.
- **Strengthen our communities** — by harnessing the social benefits of sport including through improved cohesion and reduced isolation; and
- **Grow Australia's economy** — building on the already significant contribution of sport to the Australian economy.⁶



Image 3 – Photo Credit: Abby Murray

The outcomes capture succinctly the benefits provided by sport and recreation. Local Governments in Australia are the largest providers of sport and recreation infrastructure and therefore, have an important role to play in promoting the outcomes sought by Sport 2030.

In 2017, Sports Australia commissioned KPMG to undertake a study into the value of community sport facilities to Australia. In 2018, *The Value of Community Sport Infrastructure* report was released. The report identified the annual value supported by community sport infrastructure was at least \$16.2b⁷ which is comprised of \$6.3 billion worth of economic benefit, \$4.9 billion worth of health benefit and \$5.1 billion worth of social benefit and this benefit is not realized without that infrastructure being in place.

⁶ Sport 2030, p.13

⁷ *The Value of Community Sport Infrastructure*, p.8

9. Sport and Recreation Trends

Trends in sport and recreation are important to understand for the development of the Sport and Recreation Plan. Responses to trends can have impact on program provision and have impact on facility provision in both positive and negative ways.

Increase in female participation – “non-traditional” female sports such as football, soccer and cricket have placed an increase focus on female participation with the creation of professional leagues and the broadcasting of these competitions having a flow on affect to increasing participation at the grass roots level. Whilst there has been a large focus on the lack of “female friendly” changerooms and pavilions, the real challenge for these sports is suitable “grass space” for the increased number of teams to train and play. Broome has experienced this particularly with the introduction of female teams to the WKFL.

Seasonal creep – this relates to sports now wanting to extend out seasons with traditional winter sports now starting preseason training pre-Xmas or running longer seasons. The overlap of seasons reduces the amount of time Local Governments have to conduct maintenance and repair work on ovals and field leading to wear and tear on the grass. In Broome, with the limited number of lit playing fields, play during the dry season and the multi-use across several sports, this is already an issue potentially exacerbated by the climate.

Provision of facilities for sporting clubs by LGA's – Local Governments are the provider of a significant proportion of sporting facilities. In the past, many facilities were originally developed as single or dual use with the Club/s having a lease arrangement in place for the facility. Ongoing maintenance of the facility was often left to the Club with no requirement to reinvest in the facility. As these facilities age, and as NSOs introduce facility standards for community sporting infrastructure, the Clubs look to the Local Government for assistance, mainly financial, to replace or upgrade the facility.

For LGAs with multiple facilities in a similar position, this creates a challenge in relation to prioritising and funding upgrades. More recently, there has been a shift from provision of single use facilities to multi-use facilities and to Clubs having access to facilities in some LGAs on a license rather than a lease basis with the Local Government provisioning for the life cycle maintenance and replacement of facilities. The Shire of Broome has a similar challenge with facilities such as the Bowling Club that are in urgent need of upgrading with the Club not having the ability singularly to do so.

Government funding and planning requirements for sinking funds – to avoid the issue noted above, the State government have introduced measures into grant funding sources such as the Community Sports and Recreation Facilities Fund (CSRFF) to ensure that planning incorporates life cycle costs and the establishment of a sinking fund for asset replacement at the end of life⁸.

Shift away from formal sport to informal sports – structured team or individual sport is starting to give way to less structured activities. As noted in Sport 2030, where once people planned their weeks around sporting and physical activity, today many Australians now look for sporting and physical activities that work around their week. Sport is more fragmented.

⁸ https://www.dlgsc.wa.gov.au/funding/sport-and-recreation-funding/community-sporting-and-recreation-facilities-fund/csrff-guidelines#Life_cycle_cost_guidelines

Traditional sports now compete with less organised physical activities such as yoga, bushwalking, cycling, gym, and park runs for the physical activity demands of Australians⁹. Consultation undertaken to inform the review and update of the SRP indicated this is also the case in Broome particularly during the dry season where families and individuals take advantage of the climate and go fishing and camping at weekends, the “traditional” timing for team sports.

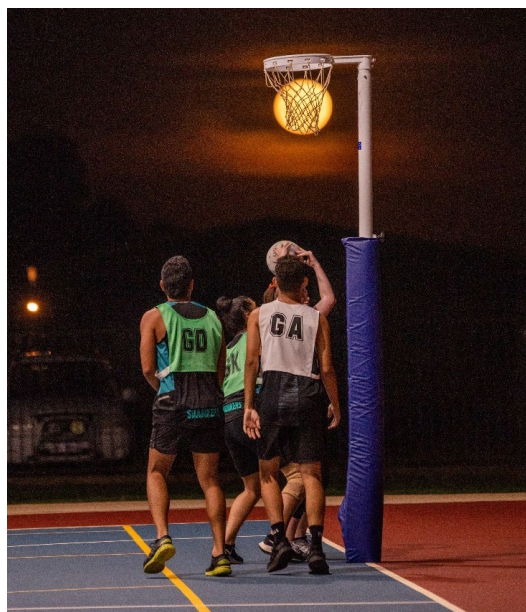


Image 4 – Photo Credit: Abby Murray

Compliance requirements on volunteers – sporting clubs and competitions are heavily reliant on volunteers and, as noted in the *The Value of Community Sport Infrastructure*, provide significant value. Requirements on volunteer administrators have increased with compliance with requirements such as Club Constitution updates and Working With Children Checks, both important compliance requirements, increasing the time and responsibility burden on volunteers. Initiatives such as the Club Development Officer through the Shire and SSA support, are important to ensure expert support is available to Club and volunteers to ensure compliance.

Carrying Capacity Initiatives¹⁰ - Carrying capacity initiatives lead to an increased use of an existing space. Benefits of such initiatives include, more players being able to be active in an existing sports space, the sports space being accessible for a longer duration (especially in winter), and an increased level of competition being played at the facility. Initiatives can include the reconfiguration of a sports space, implementing dedicated seasonal field maintenance periods, installation of new or upgrade of existing irrigation systems, sports surface resilience and water saving initiatives, installation of new or upgrade of existing sports field floodlighting, or construction of changerooms.

⁹ Sport 2030, p.7

¹⁰ City of Busselton, Sport and Recreation Strategy, 2020-2030, p.15

10. Participation Trends

10.1 National and State Level Trends

Sports Australia's AusPlay Survey (AusPlay) provides national, state and territory data on almost 400 different sports and activities in Australia and who is participating in them. Surveys are conducted twice a year with results for the calendar year 2020 released in April 2021¹¹.

It is relevant to understand this data as a guide for the provision of facilities and programs by the Shire of Broome, but the data does need to be interpreted relevant to Broome's circumstances.

At a national and state level, the most popular participation sports are captured in Table 1.

Rank	Adult (>15 years)		Juniors (<15 years)	
	Australia	WA	Australia	WA
1	Walking (Recreational)	Walking (Recreational)	Swimming	Swimming
2	Fitness/Gym	Fitness/Gym	Football/soccer	Football/soccer
3	Running/Athletics	Running/Athletics	Gymnastics	Australian football
4	Swimming	Swimming	Dancing (recreational)	Basketball
5	Cycling	Cycling	Australian football	Dancing (recreational)
6	Bush walking	Yoga	Basketball	Gymnastics
7	Football/soccer	Football/soccer	Netball	Netball
8	Yoga	Bush walking	Tennis	Tennis
9	Golf	Golf	Running/Athletics	Cricket
10	Tennis	Basketball	Cricket	Running/Athletics

Table 1 – AusPlay Top Activities

In comparative data tracked over the last 20 years, participation in non-sport recreational activities such as walking, and fitness/gym have increased the most. Of the Top 10 sports, golf and tennis have seen declines over the same period.¹²

Sports Australia has also tracked the impact that the COVID-19 pandemic has had on participation in sports with the latest findings released in June 2021. Key findings¹³ of this research included:

- Adults became more physically active on purpose during COVID-19, resulting in a significant increase in the frequency of their participation. This appears to have been driven by women.
- The pandemic caused a significant decrease in children's participation in organised sport. This was largely due to the restrictions placed on community gatherings.

¹¹ <https://www.clearinghouseforsport.gov.au/research/news/feed/smi/release-of-2020-ausplay-data>

¹² AusPlay, [Participation Trends in Australia since 2001](#)

¹³ https://www.clearinghouseforsport.gov.au/_data/assets/pdf_file/0012/1013241/AusPlay-COVID-19-update-June-2021-Key-findings.pdf

- The following activities experienced significant increases in overall participation from 2019 to 2020 – walking, running/jogging/athletics, cycling, bush walking, swimming, yoga, golf, tennis, fishing (recreational) and mountain biking. All of these were either accessible in a COVID-19 environment or able to be performed socially distanced.

10.2 Local Trends

The Shire of Broome capture participation rates through the biennial *Club Development Club Survey Report* with the next report due in late 2021.

Key points to note in relation to participation from the survey completed in 2019:

- Membership of Broome's Sport and Recreation Clubs has increased by 97% since 2009 and 45% since 2017 (noting many residents are members of multiple clubs).
- Since 2017:
 - Female participation has increased by 57 per cent compared to 20 per cent for males, however the male demographic still has more total participants.
 - The increase in female sport is significant. Seniors increased by 64 per cent, youth (13 to 18 years old) by 46 per cent and juniors (5 to 12 years old) by 52 per cent.
 - Junior male sport is the only category showing evidence of slowing down, experiencing just 2 per cent growth, dropping from 4 per cent in 2017. Senior male sport increased by 34 per cent and youth by 20 per cent.
 - When genders are combined, senior sport recorded a 45 per cent participation increase since 2017. Youth sport grew by 30 per cent and junior sport by 20 per cent.
- Australian Rules Football is the most popular sport by way of total participation across all segments with significant growth achieved in female senior participation.
- Growth of participation and participation numbers of junior soccer and specifically female participation.
- The numbers in Tables 2 to 5 do not reflect current participation which may have been impacted by COVID 19.

Membership Numbers Across All Categories							
Year	Active Participation						Total
	Senior		Youth		Junior		
	M	F	M	F	M	F	
2009	1146	563	339	247	901	515	3711
2013	1150	890	493	341	990	616	4480
2015	1216	894	480	358	1075	736	4759
2017	1542	880	550	394	1120	600	5086
2019	2063	1445	654	574	1144	915	7327

Table 2 – Broome Participation Numbers

Rank	Seniors		Youth		Juniors	
	2017	2019	2017	2019	2017	2019
1	WKFL (546)	WKFL(603)	WKJFL (200)	WKJFL (197)	Auskick (300)	Soccer (300)
2	Fishing Club (498)	Fishing Club (386)	Netball (175)	Netball (151)	Soccer (275)	WKJFL (254)
3	Golf (245)	Golf (205)	Soccer (120)	WKFL (104)	Gymnastics (209)	Gymnastics (250)

Table 3 – Broome Sports Participation - Overall

Rank	Seniors		Youth		Juniors	
	2017	2019	2017	2019	2017	2019
1	WKFL (411)	WKFL (368)	WKJFL (195)	WKJFL (188)	Auskick (270)	WKJFL (245)
2	Golf (220)	Golf (180)	Soccer (80)	Soccer (70)	Soccer (200)	Auskick (161)
3	Touch (117)	Cricket (120)	Basketball (69)	Cable Beach FC (60)	WKJFL (185)	Cricket (121)

Table 4 – Broome Sports Participation - Male

Rank	Seniors		Youth		Juniors	
	2017	2019	2017	2019	2017	2019
1	Netball (193)	WKFL (235)	Netball (96)	Netball (175)	Gymnastics (166)	Soccer (200)
2	WKFL (135)	Netball (186)	Basketball (85)	Soccer (40)	Soccer (75)	Gymnastics (200)
3	Touch (119)	SLSC (118)	Soccer (50)	WKFL (30)	Basketball (51)	Netball (130)

Table 5 – Broome Sports Participation - Female

From the consultation conducted with the Broome Associations and Clubs, the following points are noted in relation to participation and trends:

- The growth of female participation in the WKFL with the female competition now being comprised of 8 teams which is the same as the male competition.
- Associations and Clubs reporting a limited capacity to grow due to facility limitations including Volleyball and Squash.
- Focus by State Sports Associations on entry level programs such as Net-Set-Go (Netball) and Aussie Hoops (Basketball) to introduce children to sports.

10.3 BRAC Usage

Visitation data from BRAC for the period 2014/15 to 2020/21 is provided as Table 6. To note, this data is Shire of Broome tracked data and does not include visits to the BRAC for activities such as Sandfly Circus, local sporting competitions such as netball, soccer and football or carnival-based activity. Theatre Kimberley have provided the following in relation to their visitation to BRAC.

	2016	2017	2018	2019	2020	2021
Classes	3332	3159	3304	3787	3369	2876
Annual Show	2069	1803	1971	2097	261	1888
Total	5401	4962	5275	5884	3630	4764

Table 6 – Broome Sports Participation - Overall

The data includes a period where BRAC was shut down from March to May 2020 due to COVID-19.

Key points to note from the visitation data are:

- The significant increase in usage across all areas of aquatics (50.7%).
- The decline in participation in Mixed Netball in 18/19 and the subsequent return of participation post COVID-19.
- The increase in usage for Shootarounds (70.9%).
- The increase in School Holiday Program usage noting in January 2021 BRAC changed to an activity-based program which has seen an increase in numbers. However, at this stage it is unclear if this is because of the change to program or families not being able to travel internationally.
- The increase in usage of Squash Courts (62.0%).
- The decline in usage of tennis courts for casual tennis (-49.5%), noting this may be reflective of the current poor conditions of the tennis courts with a number of courts unusable.
- The overall increase in visitation of 45.5%.

	14/15	15/16	16/17	17/18	18/19	19/20	20/21	Percentage Change
Aquatic Centre								
Pool General Entry	35888	38822	16826	39407	43,758	45692	54,107	50.8%
Swim School	4979	5094	2337	6333	7081	5670	6814	36.9%
Group Fitness Aquatic	5048	5114	4582	5852	6511	5796	7443	47.4%
Inflatable Hire	40	36	9	67	54	112	167	317.5%
Public inflatable	298	111	186	499	563	468	954	220.1%
Dash & Splash	162	125	189	305	457	182	434	167.9%
Beach2 Bay Virtual Swim					78 N/A - Covid		14	
Sub total	46415	49302	24129	52463	58502	57920	69933	50.7%
Stadium								
Mixed Netball	3280	2940	3260	4180	2,380	1547	3076	-6.2%
Mixed Floorball	0	0	0	247	705	1055	1231	398.4%
Badminton	268	439	725	466	510	286	577	115.3%
Volleyball	0	0	22	2				
Shoot-a-round	930	1230	1368	2096	1630	1336	1589	70.9%
Sub total	4478	4609	5375	6991	5225	4224	6473	44.6%
Other Spaces								
School Holiday Program	603	784	438	621	676	686	1604	166.0%
Creche'	364	408	180	402	335	203	188	-48.4%
Group Fitness Dry	1232	693	527	405	488	733	1464	18.8%
BRAC 2 Beach	131	102	80	106	108 N/A - Covid		N/A	
Squash Courts	1024	906	1323	1520	1589	1958	1659	62.0%
Casual Tennis (hrs)	2504	1589	1917	1765	1339.5	971	1265.5	-49.5%
Sub total	5858	4482	4465	4819	4535.5	4551	6180.5	5.5%
Total	56751	58393	33969	64273	68262.5	66695	82586.5	45.5%

Table 7 – BRAC Usage

10.4 Summary

Participation in sport and recreation activities in Broome is increasing. Sports such as football and soccer have seen relatively significant growth in female participation. Simultaneously, the use of BRAC and particularly the aquatic facilities has increased significantly over the last seven years, and it is important that facilities respond to that.



Image 5 – Photo Credit: Abby Murray

11. Sport and Recreation Facilities

11.1 Benchmarks for Community Infrastructure

11.1.1 Parks and Leisure WA Guidelines for Community Infrastructure

Parks and Leisure WA (PLAWA) produced a guidelines document in 2012 which has subsequently been updated and rereleased in July 2020. The publication is one of several documents collectively referred to as the Community Facility Guidelines (CFG) project initiated by PLAWA in 2010. Whilst the guidelines have been developed to be applied in the Perth and Peel regions based on population, the Guidelines application in regional areas can be as a checklist for establishing the appropriate mix of community facilities and considering the needs of the area¹⁴.

Whilst there are reservations about the application of set standards in the provision of recreation and sport open spaces, they do provide a measuring tool to ascertain the necessary level of provision along with local sensitivity and acceptance by the community.

Ideally community need and opportunities should be the premise that underpins the justification for facilities falling within the broad population catchments identified. It must therefore be stressed that to comply with the requirements of State Planning Policy 3.6 (Developer Contributions) a hierarchical approach to community infrastructure provision cannot be solely based on arbitrary population projections, but must be informed by analysis of current use, trends, future demographics and an analysis of projected use. In Broome, it is also important to consider factors such as the climatic conditions, remote location and competing recreational activities.

The consideration of benchmarks in such circumstances should be used as an indicator and inform the overall assessment process. Appendix A provides a summary of relevant guideline provisions and the provision of facilities in Broome.

11.1.2 Sport Facility Guidelines

National sporting bodies have invested over recent years in the development of facility Guidelines for the provision of sporting infrastructure through a variety of levels from local clubs through to State level facilities. The Guidelines have been developed to provide guidance to Clubs and LGA's in understanding the on-field and off-field requirements for individual sports. These Guidelines are then able to be used to inform the development of new facilities or the redevelopment or refurbishment of existing facilities.

Guidelines developed include:

- AFL Preferred Facility Guidelines 2019 – State, Regional, Local, School and Remote Facilities (2019)
- Cricket Australia Community Facility Guidelines 2015
- Netball Australia – Netball Facilities Policy - 2016
- NRL Preferred Facility Guidelines – for grassroots Rugby League 2014

¹⁴ PLAWA, Guidelines for Western Australia Community Infrastructure 2020, p.4-5

- Tennis 2020 – Facility Development and Management Framework for Australian Tennis
- Tennis Infrastructure Planning – Planning, Design & Delivery Resource - 2018

Commentary has been provided in Appendix A in relation to Broome facilities and alignment with these facility Guidelines.



Image 6 – Photo Credit: Abby Murray

11.1.3 State Sport Facilities Strategies

Following on from the development of Facility Guidelines, the National sporting bodies through their State Sports Associations have undertaken a process to develop State based Facility Strategies to assist sports, working in collaboration with Clubs and LGAs to prioritise facility improvements and developments and to plan for future infrastructure requirements.

The development of facility strategies for AFL, Cricket and Tennis have been informed by the conduct of a Facility Audit and participation numbers.

Relevant State Facility Strategies are:

- Netball WA Strategic Facilities Plan 2015
- Tennis West Strategic Facilities Plan – A Roadmap for the Future of Tennis Facilities – 2018 and Beyond
- WAFC Strategic Facilities Plan 2020-2030
- Western Australian Cricket Infrastructure Strategy – 2019-2028

Commentary has been provided in Appendix A in relation to these strategies and the strategies relevant to Broome.

11.2 Framework for the Development of Sport and Recreation Facilities

The Shire adopted in February 2015 a *Framework for the Development of Sport and Recreation Facilities 2016 - 2025*.

The framework provides a philosophy and rationale and guiding principles to guide decision-making regarding the development of sport and recreation facilities in the Shire of Broome for the ten-year period 2016 – 2025.

The key Philosophy determinants and rationale are as follows:

Philosophy	Rationale
Broadest opportunity	To provide as comprehensive an array of sport, recreation and leisure opportunities as possible in response to demonstrated demand and environmental, climatic, social and cultural influences.
Multi-purpose and multi-faceted	To develop facilities that allow for maximum flexibility and use for as wide a variety of purposes as possible.
Diversity over sophistication	To prioritise broad spectrum participation over elite provision (from a Shire perspective).
Broome as a regional hub	To recognise that Broome is a regional centre and should be able to host regional scale and size events.
Basic facility provision by the Shire	To provide a basic amenity of playing arena, toilet, shower and change areas, canteen/kiosk, first aid room and officials and spectator accommodations. Additional and more sophisticated development driven by clubs.
Club delivery and club development	To encourage the provision of sport, recreation and leisure experiences through community based clubs and organisations and to enable clubs to establish a home base.
Improvements by Clubs	To support clubs and community based organisations wishing to improve the standard scope and level of sophistication of facilities, e.g. competition lighting, specialist equipment, social amenities.
Playing surface priority	To prioritise playing amenity provision over social and spectator amenity.
Shared social amenities	To encourage shared use and flexible access to social and spectator amenity.
Design for flexibility and senior participation	To prioritise development that allows for senior participation.

The second component of the framework is a classification system for prioritisation of works.

Priority 1 - Shire Facilities	Upgrade and optimise the performance of existing facilities - Key in this category are facilities provided and maintained by the Shire.
Priority 2 - Club Facilities	Independent club development under lease or license arrangements - the Shire's responsibility in this regard falls mostly to planning assistance, offering support to funding applications and in some instances, and where resources permit a financial contribution to facility improvements.
Priority 3 - Leisure Opportunities	Leisure opportunities and community amenity - this category addresses the general level of community amenity for non-sporting leisure pursuits. The principal focus is on providing within the local landscape an attractive and active series of interconnected nodes.
Priority 4 - New Activities	Accommodate new activities - this category relates to those facilities and amenities that will be needed as population grows and becomes more diverse in its requirements.
Priority 5 - Expansion and Specialisation	Expansion and specialisation - this category comprises those facilities that will be needed to accommodate a much larger population. In essence this category includes a duplication of basic provision or an increase in size and complexity or sophistication of existing provision. It also includes the provision of facilities that are currently provide for in one way, but population is likely to demand an alternative provision solution.

The last component of the framework is the categorisation system that was added in 2019. Given the Shire is responsible for the majority of works, funded predominantly by public monies, the belief was that some additional funding statements of philosophy need to be added to this framework to ensure public understanding of how the council will determine priority projects.

Whilst the following “hierarchy of funding” is used as the determinant of projects, it should be noted that this does not preclude a project progressing if and when outside funding is acquired.

Category 1 (Highest Level of Support) - Community	All facilities that are available to the community for the majority of the time and have free access Examples include parks, BBQ's. fitness equipment, playgrounds, skate park, youth precinct etc. The Shire will prioritise development of these facilities in recognition of its role as a provider of facilities for its community
Category 2 - Sporting Clubs	General sporting clubs who utilise shared facilities such as reserves, clubrooms, courts etc Facilities used are generally available for the community outside of booked club time.
Category 3 - Sport Specific Clubs	Those clubs which have a specific requirement for facilities, such as, golf course, bowling green's motor sports, shooting, equestrian etc. are traditionally operating from leased premises and restrict the general community from use unless they become members of the club. In situations where the clubs can demonstrate an economic potential for the Shire, from any new development, shall be considered for support from the Shire.
Category 4 - Commercial Entities	Any persons or groups conducting a business from council facilities shall be responsible for all costs associated with their use.

11.4 Facility Inventory

The Shire of Broome has a variety of sporting facilities with the BRAC being the main regional facility.

Additional to BRAC the facilities are as follows:

- BRAC (Broome Recreation and Aquatic Centre)
- Male Oval
- Haynes Oval and Donnelly McKenzie Pavilion
- Broome Surf Life Saving Club
- Broome Pistol Club
- Broome Bowling Club
- Broome Speedway
- Broome Motocross
- Broome Golf Club
- Broome Horse Riders Association
- Broome Turf Club

A summary of Broome facilities is provided Appendix A. This summary includes identifying the users of each of the facilities, provision of facilities against guidance provided by PLAWA Guidelines, relevant Sporting Guidelines and Strategies and commentary against the provision.

Appendix B provides a high-level facility audit with a more detailed description of each facility and photos provided.

Broome's sporting facilities include several single purpose sporting facilities and clubs that are operated by the Club on a lease arrangement from the Shire.

Where the facility is leased and operated by a Club, provisions for lifecycle costs and sinking funds are a requirement of the lease. This requirement has been established for redeveloped facilities such as the Golf Club and for Motocross and will also be put in place at the Turf Club. The implications for the Shire are that if a Club folds or a lease ends and is not renewed, the infrastructure becomes the property of the Shire. The Shire enforces these provisions to ensure the appropriate upgrades, servicing and renewal has taken place during the leased period.

To note, the Pistol Club has access to revenues outside of its sporting activities through its role as overflow caravan parking. This assists the club in being financially sustainable by providing an alternate revenue source.

BRAC is the focus of sporting facilities in Broome across the aquatic facilities, indoor and outdoor courts (including squash, tennis, and multipurpose hardcourts) and the playing fields. Father McMahon Sports Field which, along with Haynes Oval, has sports lights, carries a significant load in relation to training and competition for most field sports played in Broome with the lighting of Joseph 'Nipper' Roe Sports Field (due to be completed in 2021/22) providing an opportunity for the Shire of Broome to review the programming of each of its fields.

Redeveloped facilities including the Golf Club and Motocross facility have provided those Clubs with excellent facilities and it is anticipated that the Surf Club facilities when completed will result in the same outcome. Facilities such as the Bowls Club, the Speedway and the Rodeo Grounds need upgrades and are a consideration of this Plan.

In terms of volume of facilities, the Shire of Broome is reasonably serviced, in that most sports wishing to participate have a facility. It should be noted that not all sports are active in the area and, whilst it could be that there is no demand, the lack of facilities could limit people's choices. However, the quality and location of most facilities are of a high standard.

Elements identified for improvement across the breadth of Broome facilities include basic provision such as toilets, shade, storage, parking, playgrounds, and social facilities as well as change room facility provision and upgrades.

11.5 Proposed Sports Facility Allocation

As noted above in Section 11.4, BRAC is the focus of sporting activity in Broome and this approach should be consolidated and built on in order for the Shire to deliver the required facilities and to assist the Shire in prioritising spending.

Father McMahon Sports Field is heavily utilised particularly during the dry season due to the presence of the sports lighting (and, to a lesser extent, the Medlind Pavilion) and the lighting of Joseph 'Nipper' Roe Sports Field provides the opportunity for the Shire and the clubs and associations who use the fields to review the current usage and look at the allocation into the future. Aligned to this is a review of the overall sporting calendar which is identified as a key priority of this Plan.

In considering current usage, individual sport facility requirements and current facilities, the following table provides details for each sport's current usage and the future recommended location.

Sport	Current	Future
Father McMahon Sports Fields	<ul style="list-style-type: none"> • WKFL and Senior Clubs <ul style="list-style-type: none"> ◦ Limited Training ◦ Friday Night and Saturday Games • WKJFL <ul style="list-style-type: none"> ◦ Friday Night and Saturday Games • Rugby League <ul style="list-style-type: none"> ◦ Training and games • Soccer <ul style="list-style-type: none"> ◦ Training and games ◦ Currently Sunday to Thursday • Touch Football <ul style="list-style-type: none"> ◦ Thursday night competition 	<ul style="list-style-type: none"> • Competition: <ul style="list-style-type: none"> ◦ As current plus cricket. ◦ Addition of cricket pitch. The lighting levels on Father McMahon meet the requirement for Senior Community cricket. Reduces need for the addition of amenities at Male Oval. • Training: <ul style="list-style-type: none"> ◦ Load to be balanced across Father McMahon and Nipper Roe once lights are installed.
Joseph 'Nipper' Roe Sports Field	<ul style="list-style-type: none"> • Cricket <ul style="list-style-type: none"> ◦ Sundays ◦ Training – Mon to Fri • Little Athletics <ul style="list-style-type: none"> ◦ Monday afternoons • WKFL <ul style="list-style-type: none"> ◦ Limited Training • WKJFL <ul style="list-style-type: none"> ◦ Training – Tues, Wed, Thurs • Auskick <ul style="list-style-type: none"> ◦ Saturday Morning • Soccer <ul style="list-style-type: none"> ◦ Training – Weds, Fri 	<ul style="list-style-type: none"> • Competition: <ul style="list-style-type: none"> ◦ As current plus option for AFL and soccer to play night fixtures. • Training <ul style="list-style-type: none"> ◦ Load to be balanced across Father McMahon and Nipper Roe once lights are installed. ◦ AFL training can be reviewed to balance timeslots with Haynes Oval.
Haynes Oval	<ul style="list-style-type: none"> • WKFL <ul style="list-style-type: none"> ◦ Training – Mon to Thurs ◦ Saturday games – alternate weeks • WKJFL <ul style="list-style-type: none"> ◦ Training – Mon to Thurs ◦ Friday night games • Cricket <ul style="list-style-type: none"> ◦ Training only at nets • Broome SHS <ul style="list-style-type: none"> ◦ Use during school hours 	<ul style="list-style-type: none"> • Competition and training <ul style="list-style-type: none"> ◦ As current. ◦ Option to allocate AFL Clubs to specific venues for training and games. ◦ Option to use by other sports as required to undertake maintenance at BRAC. ◦ Shared use with Broome SHS provides for good level of usage.
Male Oval	<ul style="list-style-type: none"> • Cricket <ul style="list-style-type: none"> ◦ Sunday games – juniors and seniors 	<ul style="list-style-type: none"> • Retain as third venue for cricket. • Addition of pitch on Father McMahon will allow for alternate scheduling and night games increasing the capacity to play.

11.6 Summary

Broome is relatively well serviced by a range of sporting facilities. PLAWA Guidelines provide a reference point for the potential facilities required for which Broome is well positioned. The advent of facility guidelines and community infrastructure strategies by various sporting bodies provides additional guidance for the Shire in relation to the provision of facilities. The Shire is then able to prioritise potential additional facility improvements or additions based on their framework.



Image 7 – Photo Credit: Stanley Francis

12. Consultation

Consultation was undertaken with key stakeholders including users of the Shire's sport and recreation facilities, the broader Broome community, Shire officers, relevant State Government Departments, and State Sports Associations.

The consultation conducted utilised several methodologies inclusive of an online survey, one-on-one meetings and workshops.

The full Consultation Report is included at Appendix C.

12.1 Consultation Summary – Sport and Recreation Plan

Key themes that emerged from the consultation in relation to the Sport and Recreation Plan (SRP) included:

- Sport and recreation facilities are considered highly important by the respondents.
- Support facilities such as parking, lighting, shade, and other spectator facilities are important as is the consideration of Broome's climatic conditions for all facilities with these conditions having a direct impact on facility design and usage.
- Provision of facilities and programs for children is important for all ages and particularly youth. High level of support in the community for the continued development of the youth precinct. In addition to the formal sporting facilities such as BRAC, there is a need for informal facilities throughout Broome that are easily accessible to home/where people live.
- BRAC is the focus of a large component of sporting activity in Broome. Understanding what that means in relation to the provision of facilities and prioritisation for spending needs to be an important consideration of the SRP.
- High level of cross over in participation across sport by residents so there is an opportunity to formalise scheduling of sporting seasons to assist management of conflicts for participants and facility usage. Linked to this is a requirement for the Shire to examine the booking system and resourcing for facilities. Programming of spaces and priority of usage is important for all users.
- The Shire's provision of facilities such as the sporting fields at BRAC is a different model to other "traditional" local government models where clubs will often have a lease or license over the facility for the full year or a season for a period of years. (note: this arrangement does exist for facilities such as the Bowls and Golf Clubs). Clubs hire the grounds or courts as well as the Pavilions that, perhaps means, there is less "ownership" of the facility. The responsibilities of the Shire as the owner of the BRAC and the Clubs as hirers and the responsibilities each of the parties have, particularly when compared to other clubs and associations that have their own facilities requires some further clarity (e.g. maintenance and repair of sports equipment).
- Sports such as Soccer and Volleyball are not provided in a traditional club-based scenario, rather the Association forms teams and is the "club". Netball have just moved to a "club" based model. None of these Clubs or Associations have a "home"/clubroom.
- Lighting, safety, and security are key elements of design of any facilities. Support for opportunities to explore the use of renewable energy sources.

- A dedicated and well organised core of volunteers exist within most sports and the success or otherwise of sports can be linked back to this group of volunteers. This base is supported by the Shire through the provision of the Place Activation and Community Engagement Officer (Community and Sporting) formerly the Club Development Officer.
- Opportunities for the promotion of Broome through sports tourism (i.e. Regional Sporting Events).
- Opportunities through sport and recreation facilities for the provision of safe spaces and potentially short-stay accommodation.
- The Clubs that have undergone a redevelopment or relocation in motocross's case are happy with the new facilities and arrangements that are in place. Those that have not, are looking for greater assistance from the Shire for the redevelopment of their facilities and the provision of increased essential amenity such as toilets and shade. The Club's and the Shire will occasionally compete for funding through programs such as the Building Better Regions Fund, so there is an opportunity to examine the best approach to facility developments.
- The Shire has an existing arrangement for the shared use of Haynes Oval with the Department of Education. Opportunities exist to further develop this relationship and sharing of facilities particularly in Broome North. Similarly, there is an opportunity to work with the PCYC on facility provision that meets the needs of the organisation and the broader Broome community.

12.2 Consultation Summary – BRAC Master Plan

Key themes that emerged from the consultation in relation to the BRAC Master Plan included:

- BRAC is a well-used facility that is at the centre of a majority of sporting activity in Broome. It has the potential to be the sporting hub for the North-West region if it is not already. Several of the issues throughout the consultation were "operations" related, but there are some key issues to be resolved through the master plan process.
- Parking and traffic and access are important issues to be considered in the master plan.
- Support for the addition of club/spectator facilities in between the sporting fields at BRAC, including shade and seating.
- Opportunity for the inclusion of a Sports House to provide linkages between sports officers and court/field space with potential for this to be incorporated into the above. The WAFC have had initial discussions with the Shire in relation to a facility similar to the Michael Long Learning and Leadership Centre in Darwin as the potential benchmark. This style of facility would be developed as a partnership between the WAFC (and potentially other sports), the Shire and other corporate partners. The facility could include short term accommodation options.
- Support for additional multipurpose court space inclusive of squash courts at BRAC and inclusive of air conditioning.
- Support for the addition of water space at BRAC most notably a 50m pool but also aquatic play elements.

- Support for the inclusion of club facilities inclusive of social spaces. This includes, but is not limited to, a facility located in-between the BRAC sporting fields.
- Storage for all users was an issue except for netball who have recently had a facility provided as part of the outdoor court redevelopment. The lack of storage means that equipment is often being stored at volunteers' houses and transported to BRAC for usage.
- The provision of multi-use spaces such as meeting rooms that can be shared across all users.
- Sporting fields get heavily utilised across the multiple sports located at BRAC. The lighting of Joseph 'Nipper' Roe Sports Field will assist in easing some of this pressure. Noting the opportunity raised in relation to scheduling, the addition of a dedicated rectangular field may assist in resolving scheduling and capacity issues.

12.3 Consultation Summary – Other Venues

Key themes that emerged from the consultation in relation to the other sporting facilities in Broome included:

- The Bowls Club and Horse Riders Club are looking for greater support from the Shire for potential facility development as the Clubs are largely run by volunteers and do not necessarily have the skill set or the resources to be able to deliver the planning requirements themselves.
- The Clubs that have undergone a redevelopment or relocation in motocross's case are happy with the new facilities and arrangements that are in place. Those that have not, are looking for greater assistance from the Shire for the redevelopment of their facilities and the provision of increased essential amenity such as toilets and shade.
- The Pistol Club currently benefits from having a revenue stream outside of core club activities to assist with maintenance and upgrade of their facility. The Golf Club and Surf Club should also benefit similarly with their new facilities.

Noting the above, the following are the implications for the Sport and Recreation Plan:

- Examination of the role that the Shire plays with the redevelopment or development of Club based facilities is required. The Shire does provide assistance to Clubs via self-funded loans and project management of the build.
- Opportunities for the integration of revenue generation opportunities into club facilities to be further explored to assist with the sustainability of those facilities.
- Understanding the priority for the redevelopment of facilities such as the Bowling Club and Rodeo Ground.

13. Sport and Recreation Plan - Priority Areas

The Shire's Strategic Community Plan 2021-2031 (SCP) identifies the Shire's purpose being to:

"...provide, facilitate and advocate for services and facilities to improve the quality of life for everyone in Broome."

The actions identified are based on the results of community engagement and feedback, industry trends, population demographics, growth projections, Federal and State Government policy objectives in relation to sport, physical activity, health and wellbeing.

The priorities have been arranged in four key priority areas:

- **Priority Area 1 – Clubs and Associations** – the focus of this priority is to build capacity within Broome Associations and Clubs who are volunteer based and provide a vital role in the delivery of sport in Broome.
- **Priority Area 2 – Shire Facilities** – the focus of this priority is upgrades and additions to the Shire owned and operated facilities such as BRAC.
- **Priority Area 3 – Club Facilities** – the focus of this priority is upgrades and additions to Shire owned and Club operated facilities.
- **Priority Area 4 – Events and Carnivals** – the focus of this priority is attracting sporting events and carnivals to Broome.

Each of the Priority areas are arranged to identify the actions required, responsibilities for delivery, estimated costs and support for the action.

Each action is also prioritised on the following basis:

Priority	Description
High	<ul style="list-style-type: none"> • Considered a very important strategic or operational priority to be delivered in the period FY 22/23 to FY 24/25.
Medium	<ul style="list-style-type: none"> • Considered an important strategic or operational priority to be delivered in the period FY 25/26 to FY 27/28.
Low	<ul style="list-style-type: none"> • Considered a strategic or operational priority to be delivered in the period FY 28/29 to FY 30/31.

Priority Area 1 – Clubs and Associations

- Link to Strategic Community Plan and Corporate Business Plan
 - Priority – People
 - Outcome 3 – A healthy active community.
 - Objectives:
 - SCP/CBP 3.2. - Improve access to sport, leisure and recreation facilities, services and programs.
 - SCP/CBP 3.3. - Grow community capacity through volunteer support and recognition (CBP 3.3).

Volunteers are at the core of all Broome sport and recreation activities including, in some instances, the management and operation of facilities as well as the association or club and sport. The volunteer community is a strength for sport and recreation activities in Broome with the opportunity to build on this strength.

The Shire has employed a Club Development Officer since 2009. In 2021, the role has been expanded. The newly formed Place Activation and Community Engagement role now services volunteer organisations outside of purely sport and recreation associations and clubs. SSOs have increased their presence in Broome (servicing the Kimberley) so opportunities exist to partner with these organisations as well as the Department of Local Government, Sport and Cultural Industries (DLGSC) to deliver programs aimed at the governance and administration as well as coaching and sport development to continue to improve the delivery of sport in Broome.

Item	Priority	Actions	Responsible	Estimated \$	Requirement and Community Demand/Support
1.1	High	Provide an event to recognise the value of volunteers and volunteer organisations in the community. (CBP 3.3.1).	Community Projects Officer Place Activation & Engagement Officer (Community & Sporting)	\$5,000 (Annually)	The Shire's Corporate Business Plan identifies this as a key action to deliver against the objective of growing community capacity through volunteer support and recognition. Note: the Shire should consider incorporating this event into the Broome Sports Awards conducted annually by the Broome Sports Association. These awards recognise sporting talent that represent the Shire at regional, state, national and international competitions and could also be used to recognise the sporting volunteers who provide vital support to all participants.
1.2	High	Support sports, associations and clubs to develop strategic plans and sustainable governance practices	Place Activation & Engagement Officer (Community & Sporting)	\$2000 (Annually)	Broome Clubs and Associations play a vital role in the delivery of sport in the Shire. The requirements placed on volunteers and volunteer organisations has increased over recent years with a strong focus on important issues such as Governance and Policy development (e.g. Child Protection). The success of sports is often reliant on one or two individual and if these individuals move on, the performance of the Club or Association can often be impacted. The sustainability of Clubs and Associations is important to maintain and grow participation in sports.

Item	Priority	Actions	Responsible	Estimated \$	Requirement and Community Demand/Support
1.3	High	Partner with DLGSC and State Sports Associations to deliver workshops and training to Clubs and Associations related to improving governance and management.	Place Activation & Engagement Officer (Community & Sporting)	\$10,000 (Annually)	As above, the role of volunteers in sport in Broome is vital for the ongoing sustainability of the various sports. Several SSA's including Basketball WA, Football West, Netball WA and the WAFC have staff permanently located in Broome. Other SSA's such as the WACA and Tennis West have staff that service the region. Working in partnership with DLGSC and the SSA's, there is an opportunity to leverage of this to deliver training and programs for multiple sports rather than individual ones, which also improves efficiencies.
1.4	High	Advocate for more recreational opportunities for children and youth in shaded, outdoor spaces or air-conditioned, indoor venues.	Manager Community Facilities	Nil	Broome's climate means that shaded and indoor activities are important for children and youth to be able to participate in recreational activities (outside of formal organised sport). Feedback from the community identified shade (along with other basic amenities) as an important consideration in the design of facilities. The provision of an air-conditioned indoor play space at BRAC is subject to a Business Case to be completed as a priority once this Sport and Recreation Plan is completed. This project is identified as a key action item in the Shire's CBP 3.2.13
1.5	High	Facilitate the development of a Public Open Space Strategy with ranked priorities in parks, playgrounds and reserves (to provide more shade, etc.)	Parks and Gardens Coordinator	\$40,000	The Shire of Broome has identified the requirement to develop the Public Opens Space Strategy that will provide a strategy for the development of recreation opportunities within the Shires parks, playgrounds and reserves. Feedback from the community identified the need to provide informal opportunities particularly close to where people live to reduce the requirement to travel. This project is identified as a key action item in the Shire's CBP 3.2.14
1.6	Medium	Undertake a review and update (where required) of Shire of Broome policies and operational practices that have a direct impact on sport and recreation.	Manager Community Facilities	Nil	The Shire has a number of policies and operational practices in relation to sport and recreation including facilities. These include: <ul style="list-style-type: none"> Leasing of buildings Booking/hire of Shire facilities Provision of free of charge access for children's sport to Shire operated facilities. Each of the policies and practices should be reviewed to ensure consistency of approach by the Shire and equitable access.
1.7	Medium	Deliver in-kind support to Clubs, Associations and other groups to facilitate low-cost access to facilities and	Manager Community Facilities	In-kind (Annually)	The demography of Broome includes a lower socio economic and high indigenous population profile. Removing barriers to participation including cost is important to the Shire particularly for children and youth to be able to participate in formal or informal activities. This approach has broad support from the community. However, sports such as Boxing and Gymnastics are unable to access Shire facilities so are required to lease or hire facilities raising a question of equity. Linked to the above action, this approach should be reviewed to establish

Item	Priority	Actions	Responsible	Estimated \$	Requirement and Community Demand/Support
		programs for junior/children's sport.			<p>if an alternative option of the provision of a subsidy to sports associations would achieve the same or an improved outcome.</p> <p>The Shire also delivers in partnership with the Department of Local Government, Sport and Cultural Industries KidSport. KidSport enables Western Australian children to participate in community sport and recreation, no matter their financial circumstances. Eligible youth aged 5–18 years can apply for a maximum of \$150 per child to contribute towards club fees annually. The fees go directly to the registered KidSport clubs through the Shire of Broome.</p>
1.8	Medium	Support Broome Sports Association delivery of local programs for sporting talent within the region.	Place Activation & Engagement Officer (Community & Sporting)	\$5,000 (Annually)	BSA assists talented athletes stay at home in Broome and reducing the need to travel or relocate to Perth.
1.9	Medium	Partner with the Department of Education for the provision of facilities.	Manager Community Facilities	Nil.	<p>The Shire of Broome currently has a shared use agreement with the Department of Education for the Broome SHS to use Haynes Oval. The Broome Cricket Association currently utilises Roebuck Primary School for junior fixtures.</p> <p>This may also be an option for the delivery of additional and supplementary sporting facilities</p>

Priority Area 2 – Shire Facilities

- Link to Strategic Community Plan
 - Priority – Place
 - Outcome 3 – A healthy active community.
 - Objectives:
 - SCP/CBP 3.2. - Improve access to sport, leisure and recreation facilities, services and programs.

The Shire of Broome provides a number of sport and recreation facilities.

BRAC is the most significant of these facilities providing for a range of sport and recreation activities. The process of developing this Sport and Recreation Plan including facility provision reviews, demand analysis, benchmarking and extensive stakeholder consultation. This information along with existing Shire of Broome plans has been used to develop short- and long-term requirements for Shire owned and operated facilities to meet current and future demands.

Item	Priority	Actions	Estimated \$	Responsible	Identified Requirement	Community Demand/Support
1. Optimisation of facilities and planning						
1.1	High	Undertake a review to optimise sports ground utilisation to ensure that all sports are able to best use the sporting facilities provided by the Shire. This may include recommendations for clubs to review and change their existing locations.	Nil.	Manager Community Facilities	Father McMahon and Haynes Oval are currently the only two fields with sports lighting. Father McMahon Field lights are to a level that exceeds most community sporting requirements (approximately 500 lux). This means that Father McMahon Field carries a significant amount of both the training and competition load for the field sports. Funding has been secured for the lighting of Nipper Roe Field and upgrades to the lighting at Haynes Oval has been identified as a priority item. Shire of Broome grounds staff have also identified a challenge with undertaking the required maintenance work on Father McMahon Field due to bookings. The lighting of Joseph 'Nipper' Roe Sports Field provides the Shire with an opportunity to develop in partnership with the relevant Associations and	Consultation with Associations and Clubs raised issues with the current booking system and competition between sports (and within sports) to be able to book fields for training and competitions. Sports were supportive of developing a calendar to assist with the scheduling of training and competition. Recommendations on sports ground usage is provided at Section 11.4 of this plan.

Item	Priority	Actions	Estimated \$	Responsible	Identified Requirement	Community Demand/Support
					Clubs and allocation of fields to match requirements for sports for training, competition and event requirements.	
1.2	Medium	Undertake an operational review of aquatics usage at the BRAC to optimise usage.	Nil	Manager Community Facilities	<p>The BRAC pool space currently has several users including the Barracudas Swim Club, the Tri Club, the Shire for the delivery of programmes and the public for recreational usage.</p> <p>Usage statistics of BRAC indicate a significant increase in aquatics usage over the 2020/21 FY period.</p> <p>Swim school programs traditionally provide aquatic facilities with good revenues streams. BRAC is currently restricted in the programs they can offer in the after-school window as the Swim Club has four lanes booked which are provided free of charge under Shire policy and two lanes must be available for public usage.</p> <p>A review conducted in conjunction with users will allow the Shire to identify opportunities and efficiencies around utilisation of the existing space.</p>	Community consultation conducted to inform this Plan indicated a strong level of support for additional water space and in particular a 50-metre pool. Whilst acknowledging this demand and the increased usage, it is important for the Shire to optimise the use of the existing facility before the addition of facilities due to the operational costs associated with addition water space.
1.3	Medium	Undertake and operational review of indoor and outdoor court usage at the BRAC to optimise usage.	Nil	Manager Community Facilities	<p>The completion of the project to resurface and cover the outdoor multipurpose courts has provided BRAC with an excellent outdoor court facility.</p> <p>The indoor courts have recently been upgraded with the provision of new sporting infrastructure, the replacement of the floors and the installation of ceiling fans to improve ventilation.</p> <p>Sandfly Circus use the indoor courts for training as well as for their annual performance</p> <p>A review conducted in conjunction with users will allow the Shire to identify opportunities and efficiencies around utilisation of the existing space.</p>	

Item	Priority	Actions	Estimated \$	Responsible	Identified Requirement	Community Demand/Support
1.4	Medium	Facilitate a review of the Sport and Recreation Plan.	\$50,000	Manager Community Engagement and Projects	In line with review periods for Shire of Broome, the Shire should undertake a review and update of the Sport and Recreation Plan to ensure it remains current.	
1.5	Medium	Facilitate a review of the BRAC Master Plan.	\$30,000	Manager Community Engagement and Projects	In line with review periods for Shire of Broome, the Shire should undertake a review and update of the Sport and Recreation Plan to ensure it remains current.	
1.6	Medium	Undertake a Feasibility Study for the addition of water space at BRAC.	\$50,000	Manager Community Engagement and Projects	Linked to the above, community consultation and usage of the Aquatic Facilities has indicated the potential requirement for additional water space at the BRAC. The Master Plan of BRAC has included a provision of space for additional pool space. The Feasibility Study is required to identify the specific requirements and demand for additional space considering: <ul style="list-style-type: none"> • Lap swimming (recreational and club based) • Program space (learn to swim, water aerobics) • Contemporary leisure space (Slides etc) 	Community consultation conducted to inform this Plan indicated a strong level of support for additional water space and specifically, a 50-metre pool. Visitation statistics tracked by the Shire also support this work being undertaken with an increase in annual visitations to the aquatic facilities growing 50.7% in the period from 2014/15 to 2020/21 from 46 415 to 69 933.
1.7	Medium	Undertake a Feasibility Study for the inclusion of a Sports House and/or AFL Learning and Leadership Centre at BRAC.	\$20,000	Manager Community Engagement and Projects	Feedback from SSA representatives and DLGSC indicated a desire for the potential inclusion of a Sports House at BRAC to allow staff to be located at the facility. Separately, the WAFC have made initial enquiries in relation to the development of a Learning and Leadership Centre at BRAC similar in style to the current Michael Long Centre located in Darwin. The purpose of the feasibility study would be to examine this proposal in detail in conjunction with the stakeholders to understand if it is viable and, in the Shire's, and Broome communities' interest to develop these facilities.	
2.	Redevelop BRAC Dry Side Facilities					

Item	Priority	Actions	Estimated \$	Responsible	Identified Requirement	Community Demand/Support
2.1	High	Provide a gym and fitness facility at Broome Recreation and Aquatic Centre.	\$13.0M	Manager Community Engagement and Projects	PLA Guidelines indicate that gym and fitness facilities are generally provided within leisure facilities provided by LGAs or by commercial operators which is currently the case in Broome. Benchmarking of BRAC against other comparative regional facilities would support the provision of these facilities. As well as providing general fitness opportunities (which has seen a growth due to COVID 19), gym memberships provide a further revenue stream for the facility and assist ensuring sustainability of the facility.	There is support for this provision of these facilities by the community. Organisation such as the BSA are supportive of the inclusion of these facilities for the opportunities provided to talented athletes to access the gym facilities. This project is identified as a key action item in the Shire's CBP – item 3.2.8.
2.2	High	Provide additional squash courts.	Included at 2.1	Manager Community Engagement and Projects	PLA Guidelines - 2019 data did not provide base population triggers for community provision. Guidelines note the following: Where a specific business case demonstrates local demand, facilities may be included in a district or regional level multiple use indoor sport and recreational facility. 2019 Master Plan identifies possible upgrade and addition of three courts for a total of five courts. Information provided by WA Squash details the number of squash courts in regional areas in WA. Beacon, Bunbury, Esperance, Geraldton, Kalgoorlie, Manjimup and Northam are the only regional centres to have four or more courts. The usage of the squash courts has increased recently with a well organised club driving usage.	The addition of three squash courts was identified in the Sport & Recreation Plan (2019). The Squash Club is well organised and is very supportive of the additional courts. Some support exists within the community. The opportunity exists for the additional squash courts to be a multipurpose space to make use of the indoor air-conditioned space when not required or in use for squash. BRAC staff currently use the courts as an alternative for the creche if the multipurpose room is required for meetings. The additional provision i.e. the number of courts will be informed by a Business Case process to be undertaken once this Plan is finalised.
2.3	High	Provide an indoor air-conditioned children's play space.	Included at 2.1	Manager Community Engagement and Projects	Broome's climatic conditions particularly during the wet season make outdoor play difficult and uncomfortable. The provision of an indoor air-conditioned playground will provide a play alternative for Broome families, provide safe, indoor play opportunities for children whilst older	Community consultation conducted to inform this Plan indicated a level of support for this facility.

Item	Priority	Actions	Estimated \$	Responsible	Identified Requirement	Community Demand/Support
					siblings or parents train or compete as well as assisting the Shire in ensuring the financial sustainability of BRAC.	
2.4	High	Provide a multi-purpose space/room.	Included at 2.1	Manager Community Engagement and Projects	BRAC's current multi-purpose room is well used by the community and staff as a meeting room, training room, group fitness space as well as serving as the creche. Demand exists for this space to be used for group fitness as part of a gym development with other potential uses including as a training area for Sandfly circus .	
2.5	High	Upgrade existing BRAC facilities including entry and reception, staff offices and amenities and kiosk facilities to meet the demands of the addition of gym and supports facilities.	Included at 2.1	Manager Community Engagement and Projects	As part of the addition of gym and other facilities.	In support of proposed upgrades and to be able to manage anticipated increased visitation.
2.6	Low	Provide two additional indoor multi-purpose courts inclusive of one show court. Note: the implementation of this priority will require the relocation of the tennis courts as described at Priority 4.1.	\$12M	Manager Community Engagement and Projects	Appendix A provides further details of guidance provided by PLA WA Guidelines and Basketball WA in relation to facility provision. PLA Guidelines – Basketball Courts (Indoor and outdoor) – 1:3000 – 4,000 - Guidelines provide for 1-4 dedicated courts for a neighbourhood level provision within a 5km catchment. Basketball WA Guidance – Indoor Courts – 1:6250 Local Basketball Centre – 2 Indoor courts – Basketball scheduled 50% of time – seating for 100 spectators. Feedback provided by BWA is that alignment with the Karratha model where there is a mix of indoor and covered outdoor courts works particularly	Some demand for the inclusion of a show court with seating that provides for flexible usage – performance as well as sport.

Item	Priority	Actions	Estimated \$	Responsible	Identified Requirement	Community Demand/Support
					<p>where basketball is more seasonal and not year-round as in Perth and the South West. The Karratha Association has grown from 50 to 1200 with the outdoor covered courts.</p> <p>These guidelines are based on basketball scheduling and don't consider multi-sport usage. The use by Sandfly Circus four afternoons per week provides for good alternative usage of the indoor courts..</p> <p>BRAC is building social sports programs with Mixed Netball rebuilding and Floorball achieving good growth.</p>	
3.	Improve existing aquatic associated facilities.					
3.1	Medium	Provide a playground for the aquatic area.	\$100,000	Project Engineer	BRAC currently does not have any playground equipment in support of playing fields or outdoor courts. Contemporary facility guidelines for sporting facilities include the recommendation for the inclusion of these facilities to provide safe play opportunities for children whilst older siblings or parents train or compete.	Community consultation was very supportive of this provision. This project is identified as a key action item in the Shire's CBP.
3.2	Low	Provide club space for the Broome Barracudas Swimming Club.	\$820,000	Project Engineer	<p>The project was identified in the Sport and Recreation Plan 2019 to provide additional training/meeting room space at the BRAC, a break room for BRAC staff as well as the facility for the Swim Club with functionality included for the operation of swimming carnivals/events at BRAC as well as providing storage for swimming equipment.</p> <p>With the proposed upgrades to BRAC referenced at Priority 2.5, the inclusions for this facility will be reviewed as part of the Business Case process.</p>	There is strong support for this provision of facilities by the swimming club and BRAC staff. This project is identified as a key action item in the Shire's SCP (Action Item 3.2.7).

Item	Priority	Actions	Estimated \$	Responsible	Identified Requirement	Community Demand/Support
4.	Upgrade and provide additional outdoor court facilities.					
4.1	High	Provide upgrade to tennis courts at Broome Recreation and Aquatic Centre including sports lighting and a hit up wall.	\$400,000	Manager Community Facilities	<p>PLA WA and Tennis West Guidelines suggest that Broome requires between 4 and 8 courts as a District (8+ Courts) or Local (4+ Courts) facility. Population guidelines for both are a population of greater than 5,000 people in a 30km radius. Tennis West Facility Strategy recommendations include exploring shared use facility opportunities with other sports and community groups. Two of the existing courts are currently unserviceable due to cracking with the 2019 Master Plan includes repurposing of 4 courts to multi use synthetic and addition of hit up wall. Lights are currently reported to be in a less than optimal condition.</p> <p>Regional Facilities with 8 or more courts (reference Tennis West Strategic Facility Plan 2018: Mandurah Tennis Club, South Mandurah, Australind, Boyup Brook, Bunbury, Busselton, Donnybrook, Margaret River, Denmark, Karratha, Beverley, Merredin, Northam, York, Narrogin, Wagin, Kununurra, Goldfields, Corrigin, Hyden, Kulin, Narembeen, Gingin, Wongan Hills, Geraldton, Spalding Park, Tarcoola, Katanning, Kojonup, Esperance, Carnarvon.</p> <p>The upgrade to the courts would be inclusive of the provision of new lighting as the current lights are of a poor standard.</p>	<p>Consultation with sports was supportive of upgrades to the tennis facilities. Usage of the courts has declined since 2014/15 when the courts were originally resurfaced but has seen a recent increase in usage as the Club has undergone a reorganisation.</p> <p>It is unknown whether the decline in usage can be attributed to the decline in standard of lights and courts over the corresponding time period or a decline in popularity for the sport.</p> <p>This project is identified as a key action item in the Shire's CBP 3.2.12</p>
4.2	Medium	Provide two additional covered multi-purpose outdoor courts.	\$2M	Manager Community Engagement and Projects	The four outdoor courts were resurfaced with a roof cover provided in 2020. The facility is of a high standard and provides a more comfortable environment for netball and junior basketball. PLA Guidelines indicate between 1-6 courts is an	<p>Netball is fully supportive of the addition of two further courts which may reduce their usage of the indoor facility.</p> <p>Basketball WA have indicated support and identified growth of the junior basketball</p>

Item	Priority	Actions	Estimated \$	Responsible	Identified Requirement	Community Demand/Support
					appropriate level for the Broome population catchment. The two additional courts provide an opportunity for further multi-purpose usage if tennis markings are included.	competition in Karratha being positively impacted by the addition of outdoor covered courts when the facility was developed in 2013.
4.3	Low	Provide three outdoor beach volleyball courts including sports lighting.	\$180,000	Manager Community Facilities	Beach volleyball currently utilise courts at Victory Life Church and are limited by access to the facility. Guidance provided by PLA is that these facilities should be integrated with compatible indoor/outdoor court recreation centres.	The Volleyball Club are keen to relocate from the existing facilities to be able to increase growth and provide opportunities to develop juniors which is limited at the current location.
5.	Upgrade and provide additional facilities in support of the playing fields.					
5.1	High	Install lighting to 150 lux on Nipper Roe Oval.	\$1,400,000	Manager Community Facilities	This project was identified in the Sport and Recreation Plan (2019). The lighting of Joseph 'Nipper' Roe Sports Field will provide alternative night training and competition space which will ease the load on Father McMahon Sports Field. The AFL Facility Guidelines for a Local Facility – recommend a lighting level of 150 lux for a night football venue to ensure contemporary spectator viewing expectations are met.	
5.2	High	Provide a cricket pitch to Father McMahon Sports Field to allow cricket to be played at night.	\$35,000	Manager Community Facilities	The WA Cricket Infrastructure Strategy identifies the introduction of floodlighting to increase cricket scheduling participation opportunities as a key priority for the Kimberley region. AS 2560.2 has recently been published by Standards Australia as the lighting standard for cricket. For the level of cricket played in Broome (Senior Community), the standard requires 300lux at the square and 200lux in the outfield.	Broome Cricket and the WACA have indicated a need for an additional pitch to assist with scheduling. The lights at Father McMahon Sports Field will provide an opportunity for cricket to look at alternate scheduling including games at night for both senior and junior cricket.

Item	Priority	Actions	Estimated \$	Responsible	Identified Requirement	Community Demand/Support
5.3	High Medium Medium	Provide a Pavilion between Nipper Roe & Father McMahon Sports Fields.	\$200,000 (Shade) \$50,000 (Feasibility) \$5M (Pavilion)	Manager Community Engagement and Projects	<p>This project was identified in the Sport and Recreation Plan (2019). Referenced Community Facility Guideline including AFL and Cricket Australia both provide for pavilions on the western side of field and provide guidance on the type and size of facilities that should be included.</p> <p>Noting the existing Medlend provides for change room, canteen and meeting room facilities, the functional components required of this Pavilion should be further developed in consultation with stakeholders. Recommended key components for inclusion are:</p> <ul style="list-style-type: none"> Storage for users including athletics, soccer, touch, AFL, rugby league and cricket; A minimum of two change rooms; Spectator amenity including shade, viewing areas, toilets and food and beverage facilities; and Social club amenities. 	<p>Stakeholder feedback through the consultation process provided high levels of support for the provision of basic spectator amenities such as shade, toilets as well as provisions for sports such as storage. The provision of social amenity was also highlighted by all stakeholders.</p> <p>This project is identified as a key action item in the Shire's CBP (3.2.9)</p>
5.4	Medium	<p>Activation of Medlend Pavilion including:</p> <ul style="list-style-type: none"> investigating the formation of a Sports Association to operate and activate the facility in conjunction with the Shire; and undertake minor building works to upgrade the existing meeting room including the 	<p>Nil</p> <p>\$50,000</p>	Manager Community Facilities	<p>The Medlend Pavilion is located adjacent to Joseph 'Nipper' Roe Sports Field. Feedback from consultation is that it is underutilised and "in the wrong position". The Pavilion has all the requirements expected in a community sporting pavilion including change rooms, canteen and meeting room.</p> <p>With multiple sports utilising the facility and a requirement to "bump in and out" stock, an alternative may be to form an association that operates the canteen and bar with proceeds being returned to sports.</p>	

Item	Priority	Actions	Estimated \$	Responsible	Identified Requirement	Community Demand/Support
		installation of a ceiling and floor covering to improve acoustics.				
5.5	Low	Investigate the addition of a playing field at BRAC.	Nil	Manager Community Facilities	<p>The lighting of Joseph 'Nipper' Roe Sports Field and the sports ground optimisation review will assist in the issues currently being experienced with programming and carrying capacity on fields. Following on from this and if participation continues to grow, consideration of an additional playing field at BRAC may be required. However, in undertaking this action, the Shire needs to consider alternative location including:</p> <ul style="list-style-type: none"> • District Park areas identified in the structure plan for Broome North which would assist in providing sporting facilities near where residents live. • Partnership development with the Department of Education for the shared use of sports grounds with schools having access during school hours and associations or clubs being able to access after-hours. This includes having appropriate infrastructure such as shade, toilet amenities and lights (if required) in place. • Increasing usage of other existing Shire of Broome facilities such as Male Oval that only currently has limited usage by cricket predominantly for sporting purposes. <p>This item should be addressed as part of the review of the Sport and Recreation Plan and BRAC Master Plan in 2025/26.</p>	

Item	Priority	Actions	Estimated \$	Responsible	Identified Requirement	Community Demand/Support
6.	Upgrade support amenities and facilities and BRAC.					
6.1	High	Provide a new regional level skate park at Broome Recreation and Aquatic Centre.	\$1,200,000	Project Engineer	The Skate Park at BRAC no longer meets contemporary skate park requirements. Funding has been secured through Lotterywest in August 2021 for the delivery of this project which will be delivered in 2022.	This project was identified by the Shire of Broome as priority project in consultation with the Community in the Shire's SCP (Action Item 3.2.3).
6.2	High	Provide additional sports storage capacity at Broome Recreation and Aquatic Centre.	\$140,000	Project Engineer	BRAC is the home for multiple Broome Associations and Clubs. Few have storage on site and some that do such as Sand Fly Circus are required to relocate equipment in the wet season due to BRAC's role as the Emergency Evacuation Centre. Equipment such as portable soccer goals are exposed to the elements and damage with other sports storing equipment at volunteers' homes and having to transport it to BRAC when required to be used.	The provision of storage at BRAC for sports was very strongly supported by Clubs and Associations throughout the consultation. This project is identified as a key action item in the Shire's CBP 3.2.5.
6.3	Medium	Provide a shaded and gated playground for 0–5-year-olds.	\$150,000	Project Engineer	BRAC currently does not have any playground equipment in support of playing fields or outdoor courts. Contemporary facility guidelines for sporting facilities include the recommendation for the inclusion of these facilities to provide safe play opportunities for children whilst older siblings or parents train or compete.	Community consultation was very supportive of this provision. This project is identified as a key action item in the Shire's CBP 3.2.7.
6.4	High/ Medium	Provide sealed and formal parking.	\$1.1M \$330,000	Project Engineer	The parking provision at BRAC is currently not formalised. The Shire is currently undertaking a to formalise the parking area to the east of the indoor courts and south of Father McMahon Sports Field. With the addition of a further two covered outdoor courts and the long term move of the tennis courts north of their existing, current car parking adjacent to Nipper Roe Field will need to be replaced.	Community consultation identified traffic and access as a key issue at BRAC particularly from a safety perspective. Two projects are identified in the Shire's CBP 7.1.5 and 7.1.6.

Item	Priority	Actions	Estimated \$	Responsible	Identified Requirement	Community Demand/Support
7.	Youth Precinct Master Plan					
7.1	Medium	Implement the Youth Precinct Master Plan.	\$625,000	Manager Community Facilities	The Youth Precinct Master Plan was developed by the Shire to develop the area adjacent to the BRAC playing fields. The master plan was developed after extensive community consultation.	Consultation conducted in the development of this Sport and Recreation Plan supported the ongoing development of the Youth Precinct.
8.	Upgrades to Haynes Oval					
8.1	High	Undertake a Master Plan for Haynes Oval.	\$30,000	Manager Community Engagement and Projects	Haynes Oval is a shared facility between the Shire and Broome Senior High School. The Oval is well used by the WKFL and WKJFL and has cricket nets as well as disused basketball courts on site. A Master Plan of the Oval is recommended to ensure any upgrades undertaken and well planned with due consideration to the future use of the site.	
8.2	High	Upgrade the change rooms at Haynes Oval to be gender inclusive.	\$70,000	Manager Community Facilities	The change room facilities at Haynes Oval are in an average condition. <ul style="list-style-type: none"> • WAFC Facility Strategy Priorities include: <ul style="list-style-type: none"> • Provide inclusive change rooms and amenities where all female football is played. • Increase the size of player change rooms and provide compliant amenities for all gender use. Ensure basic club and player amenities such as pavilions and change rooms are provided.	The growth in female participation in sport and in football has increased the demand and support for more appropriate facilities.
8.3	High	Provide a lighting upgrade at Haynes Oval. Conversion of lighting to LED and upgrade to 100 lux.	\$130,000	Manager Community Facilities	This project was identified in the Sport and Recreation Plan (2019). Minimum standard for AFL playing venue is 100 lux.	Some concerns expressed by the level of lighting currently in place at Haynes Oval. The project was originally scheduled to occur in 23/24 but has been brought forward to 22/23.

Item	Priority	Actions	Estimated \$	Responsible	Identified Requirement	Community Demand/Support
9	Upgrades to Male Oval					
9.1	Low	Provide basic toilet amenities at Male Oval.	\$283,000	Manager Community Facilities	Cricket Australia Community Facility Guidelines would identify Male Oval as a Club (Satellite) Facility which provide recommendations on the provision of basic player amenities such as shade and toilets. WA Cricket Infrastructure Strategy Priorities include the increase off-field infrastructure provision – basic amenity. Previously facilities used by cricket at the Tourist Centre are no longer accessible. The Master Plan for China Town redevelopment includes playground and tourist rest facilities and these requirements could be integrated.	Cricket are supportive of the provision of these facilities. The use of Male Oval by the Shire for events also suggests that the provision of basic toilet facilities would provide benefits to the broader community.

Priority Area 3 – Club Facilities

- Link to Strategic Community Plan
 - Priority – Place
 - Outcome 3 – A healthy active community.
 - Objectives:
 - SCP/CBP 3.2. - Improve access to sport, leisure and recreation facilities, services and programs.

The Shire of Broome owns and leases to Clubs several sport and recreation facilities which are largely single use facilities.

The Club facilities are in various levels of condition from brand new facilities such as the Golf Club and Motocross Club, about to be constructed such as the Surf Life Saving Club or in need of repair and upgrade such as the Bowls Club, Rodeo Grounds and Speedway. As with BRAC the process of developing this Sport and Recreation Plan has included facility provision reviews, demand analysis, benchmarking and extensive stakeholder consultation to develop short- and long-term requirements for Shire owned and operated facilities to meet current and future demands.

Item	Priority	Actions	Estimated \$	Responsible	Identified Requirement	Community Demand/Support
3.1	High	Advocate for funding to improve sporting infrastructure in Aboriginal Communities within the Shire.	Nil	Shire President/Councillors	This has been identified as a priority for the Shire within the Corporate Business Plan 3.2.1.	
3.2	Medium	Undertake a review of all Lease arrangements with Clubs to ensure equitable conditions.	Nil	Shire of Broome Asset Management	This issue was identified during the consultation with Clubs and Associations. The responsibilities of the Shire as the owner of the BRAC and the Clubs as hirers and the responsibilities each of the parties have particularly - when compared to other clubs and associations that have their own facilities - required some further clarity e.g. maintenance and repair of sports equipment.	

Item	Priority	Actions	Estimated \$	Responsible	Identified Requirement	Community Demand/Support
3.3	High	Undertake a review of the role that the Shire plays with the redevelopment or development of Club based facilities. This review should also identify opportunities to make single use club facilities more sustainable through the incorporation of complementary facilities that provide revenue generation opportunities outside of the sport. E.g. use of the Pistol Club as overflow caravan park, restaurant facilities incorporated at the Golf Club.	Nil	Manager Community Engagement and Projects	The Bowls Club and Horse Riders Club in particular are looking for greater support from the Shire for potential facility development as the Clubs are largely run by volunteers and do not necessarily have the skill set or the resources to be able to deliver the planning requirements themselves. Clubs are required to produce a Master Plan for the facility and then proceed to a Business Case. The Shire contributes towards the cost of the development of the Master Plan. The Shire also provides assistance to Clubs via self-funded loans and project management of the build. Club developments completed separately can create some issues when both the Shire and Clubs apply for funding through sources such as the Building Better Regions Fund with separate, competing applications as has recently occurred.	This issue was identified during stakeholder consultation.
3.4	High	Broome Bowling Club Support the Broome Bowling Club to upgrade toilet facilities, the heritage listed building and provide shade to the Green through the development of a Master Plan.	\$30,000	Manager Community Engagement and Projects	The Bowls Club is located in a heritage listed building (the original Telegraph Station) and is in need of an upgrade. The green has recently been replaced as have the lights. The Club has installed an outdoor patio area which has improved the amenity of the facility but the building itself is in urgent need of an upgrade. The feasibility of including a caretaker residence on site is also an issue for the Club that requires resolution. The responsibility for the upgrade on the Club and the challenge of delivering this by a volunteer run organisation is seen as being great. The Club is very popular with tourists particularly during the dry season. The Club has	Community survey indicated a neutral level of support to upgrades to the facility although it should be noted that respondents may not necessarily be familiar with the Bowls Club. The community did identify priorities for basic amenities such as toilets and shade at facilities in general requiring addressing.

Item	Priority	Actions	Estimated \$	Responsible	Identified Requirement	Community Demand/Support
					limited capacity and appropriate skill set to deliver this work without the support of the Shire.	
3.5	Low	Undertake a feasibility study to investigate the viability of a second green.	\$30,000	Manager Community Engagement and Projects	This potential requirement was identified in the 2019 Sport and Recreation Plan. Consultation with the Bowls Club indicated that the above issues were the current priority for the Club. PLA WA Guidelines 1-2 grass/synthetic greens within a 5km catchment for a neighbourhood facility with a population ratio of 1:35,000 to 50,000. The synthetic green provides must greater usage than a traditional natural grass green so there is no requirement to "rest" the green.	
3.6	High	Broome Fishing Club Delivery of the Broome Boating Facility.	\$70M	Manager Community Engagement and Projects	The development of a new boating facility in Broome has long been considered as essential to address critical safety and access difficulties particularly associated with boat launching and retrieval and passenger transfer between vessels and shore. Large tides, strong currents, wind and waves can at times create hazardous conditions at the existing exposed beaches and boat ramps where conditions can change very quickly. A Business Case has been developed for the delivery of this project with \$30M secured from the State Government for funding support.	Extensive Community consultation has been undertaken by the Shire to ensure the facility meets the demands of the Community.
3.7	High	Broome Golf Club Support Broome Golf Club to identify an operator for the restaurant facility.	Nil	Manager Community Facilities	Broome Golf Club completed the development of a new clubhouse facility in 2021. Included in the development was a restaurant facility. The positioning of the club house with views to the ocean makes the venue attractive not just for golfers but for tourists.	Similar to the Bowls Club, the Golf Club has a role to play in servicing the tourism market in Broome.

Item	Priority	Actions	Estimated \$	Responsible	Identified Requirement	Community Demand/Support
					The operation of the restaurant will provide the Club with important alternate revenue streams to ensure that lifecycle costs and sinking fund provisions for the new facility are able to be met. It will also allow for investment into upgrade as detailed further.	
3.8	Medium	Support Broome Golf Club to upgrade the reticulation system.	Nil	Manager Community Facilities	Advice from the Golf Club is that the reticulation system at the Golf Club is coming to the end of life. The system is important in maintaining the course to a high level which impacts on its attractiveness for residents and tourists.	As above.
3.9	Low	Support Broome Golf Club with the financial impost of the transition from recycled water to bore water.	Nil	Manager Community Facilities	The Golf Club has had access to recycled/reclaimed water for several years. (Note: the Shire has similar access for their facilities). This is due to end in a couple of years with the potential cost impost for the Club significant. This item is linked to both the issues above in that the restaurant may assist in covering cost and a new reticulation system may assist with efficiency of watering.	As above.
3.10	Low	Broome Rodeo Grounds/Horse Riders Club Support the Horse Rider Club with the provision of shade and spectator areas, upgrades to toilets and weed management.	\$30,000	Manager Community Engagement and Projects	The Horse Riders Club is located out at the Rodeo Ground. The facility is quite run down and requires an upgrade with key issues being the toilet facilities, lack of shade, drainage and weed control. The facility is used year-round with agistments available onsite. The annual rodeo is the major event hosted at the facility which attracts visitors to Broome.	The community identified priorities for basic amenities such as toilets and shade at facilities in general requiring addressing.
3.11	Low	Broome Motocross Club Support the Broome Motocross Club with the provision of lighting for	Nil	Manager Community Engagement and Projects	The Motocross Club have recently relocated to a new facility located away from future residential areas. The currently onsite are excellent. Motocross is well organised with the	

Item	Priority	Actions	Estimated \$	Responsible	Identified Requirement	Community Demand/Support
		the track, upgrading the facility amenity through the planting of trees and extension of pit area.			key priorities for the Club being to light the track to assist in being able to operate at night. When the track was developed, conduits were installed to future proof for lighting and the Club has secured poles for usage through car park poles no longer required at a local shopping centre. The Club delivers a number of race meets that attract visitors to Broome.	
3.12	Low	Broome Pistol Club Consider support to the Pistol Club for the extension of range area through assistance with acquisition of adjacent land.	Nil.	Manager Community Engagement and Projects	The Pistol Club has a good facility that is well used providing support to police, customs and fisheries with their firearms training. Membership is transient but have been at one stage the third largest club in the state. The Club operates as an overflow caravan park for the Shire which subsequently provides them with an income stream that allows them to largely self-fund the maintenance and upgrades to the facility. The Club is looking at the addition of a new range which would require the acquisition of a small parcel of adjacent land.	
3.13	High	Broome Speedway Resolution of lease.	Nil	Property and Leasing	The Speedway Club currently deliver 8 to 9 events per year with competitors travelling from both intra and interstate to compete. The Club receives a lot of support both in cash and in-kind to support operations. The key issue for the Club currently is resolving their lease arrangements. The Club was identified for a move to a new facility at the Broome Motorplex as part of the residential development of Broome North but this has not occurred as yet	Community survey indicated a neutral level of support to upgrades to the facility although it should be noted that respondents may not necessarily be familiar with the Speedway.

Item	Priority	Actions	Estimated \$	Responsible	Identified Requirement	Community Demand/Support
					and is unlikely to occur in the period of this Sport and Recreation Plan due to the significant cost involved and the reduced pressure to relocate due to the slower than anticipated residential growth in Broome North.	
3.14	High	Broome Surf Life Saving Club Partner with Broome Surf Life Saving Club to project manage the new Surf Life Saving Club building	\$4.06M	Project Engineer	Funding for the redevelopment of the Surf Club has been secured through sources including Lotterywest and the Shire. The Shire will project manage the delivery of the building with the Club operating the new facility under lease. The existing Club Rooms are at the end of their useful life.	Located at the iconic Cable Beach, as well as the community service role played by the Club, the facility services (through the bar and food truck providers) tourists who visit the beach for sunsets.
3.15	Medium	PCYC Support PCYC with facility and program provision that meets the needs of the organisation and the broader Broome community.	Nil.	Place Activation & Engagement Officer (Community & Sporting)	PCYC is currently undergoing a \$1.3M upgrade to the indoor court space and the resurfacing of the outdoor courts. The PCYC has secured Federal funding to operate a safe space program for the next three years. PCYC runs some programs at BRAC and also operates a basketball club that plays in competitions run out of BRAC. The PCYC provides an alternative location for kids that are not comfortable going to BRAC.	
3.16	Low	Broome Turf Club Support Broome Turf Club to implement the Master Plan.	Nil.	Manager Community Engagement and Projects	The Shire of Broome in collaboration with the Broome Turf Club (BTC), has facilitated the preparation of a Masterplan for the existing BTC lease area. The purpose of the Masterplan is to explore land use, built form, movement and public realm opportunities to guide future growth and development of the Site over the next 21 year lease period. Acknowledging the changing nature of the racing industry, the	The Turf Club currently offer nine race meets from May to August with the season culminating with the Broome Cup meeting which is a major tourist attraction for Broome.

Item	Priority	Actions	Estimated \$	Responsible	Identified Requirement	Community Demand/Support
					<p>Masterplan explores strategic opportunities for economic diversification whilst ensuring the predominant function of the site is maintained, and industry and community needs are met. The Masterplan reflects the aspirational long-term vision for the site, and will be subject to ongoing review, particularly in terms of infrastructure upgrades and economic parameters that have not yet been tested. As a result, this high-level Masterplan will be delivered based on a staged approach to the development to ensure that enhancements to the site can be realised in the short-term. Whilst the future stages are aspirational, an appropriate urban structure and redevelopment opportunities have been explored to guide future decision making for the site.</p>	

Priority Area 4 – Events and Carnivals

- Link to Strategic Community Plan
 - Priority – Prosperity
 - Outcome 9 – A strong, diverse and inclusive economy where all can participate.
 - Objective - Facilitate the growth and development of iconic festivals, community events and sporting events.(CBP 9.1.5)

The Shire of Broome is the major regional centre for the Kimberley region and already attracts a number of regional events. With standalone facilities such as the Motocross and Speedway attracting intra and interstate visitors. Coordinating the schedule of events and integrating sport and recreation events into the broader events schedule for Broome provides opportunities to attract sporting tourism to the Shire as well as promoting Broome as a destination through sport.

Priority	Actions	Responsible	Estimated \$	Requirement and Community Demand/Support
High	Develop a calendar of carnivals and events that complement not compete with existing Broome festivals and events.	Manager Community Engagement and Facilities	Nil	Facilitate the growth and development of iconic festivals, community events and sporting events is identified as a key action in the CBP.
High	Encourage and support clubs and groups to include hosting regional or state level competitions where appropriate	Manager Community Engagement and Facilities	Nil	Facilitate the growth and development of iconic festivals, community events and sporting events is identified as a key action in the CBP.



Image 8 – Photo Credit: Stanley Francis

14. Sources of Funding

The Shire current services, facilities and special projects are funded through various revenue sources including:

- State and Commonwealth government grants
- Funding grants from Lotterywest and others
- Property developer contribution
- Rates, fees and charges
- Cash reserves

With a relatively small rate payer base and the Shire committed to providing the community with value for money with rates.

Potential sources of funding outside of Shire resources for the delivery of this Sport and Recreation Plan include:

Funding Partner	Source
Federal Government	<ul style="list-style-type: none"> • Election commitment • Budget Commitment • Building Better Regions Fund
State Government	<ul style="list-style-type: none"> • Election commitment • Budget Commitment • Community Sport and Recreation Facilities Fund • Lotterywest Grant • Low cost Treasury loans
Developer Contributions	<ul style="list-style-type: none"> • North Broome
Sports Grant Programs	<ul style="list-style-type: none"> • AFL - Australian Football Facility Fund • Cricket Australia - Australian Cricket Infrastructure Fund

The Shire of Broome will be able to target specific sources of funding for each project identified in this Plan as part of the detailed planning for the Project.

15. Financial Summary

The table below provides a summary of the Shire's financial commitment to the delivery of the priorities identified with the Sport and Recreation Plan.

Priority	Item	Cost Estimate	CBP Period
	Clubs and Associations		
High	Support to Clubs and Associations	\$22,000	Annually
High	POS Strategy	\$80,000	FY 22/23 to FY 24/25
	Optimisation of Facilities and Planning		
Medium	Review of Sport and Recreation Plan	\$50,000	FY 25/26 to FY 27/28
Medium	Review of BRAC Master Plan	\$30,000	FY 25/26 to FY 27/28
Medium	Feasibility Study – additional water space	\$50,000	FY 25/26 to FY 27/28
Medium	Feasibility Study – Sports House	\$20,000	FY 25/26 to FY 27/28
	BRAC Dry Side Facilities		
High	BRAC Redevelopment	\$13,250,000	FY 22/23 to FY 24/25
Low	Two additional indoor courts	\$12,000,000	FY 28/29 to FY 30/31
	BRAC Aquatic Facilities		
High	Swim Club Storage	\$40,000	FY 22/23 to FY 24/25
Medium	Playground	\$100,000	FY 25/26 to FY 27/28
Low	Barracudas Club Space	\$825,000	FY 28/29 to FY 30/31
	BRAC Outdoor Courts		
High	Tennis Courts upgrade	\$400,000	FY 22/23 to FY 24/25
Medium	Two covered multi-purpose courts	\$2,000,000	FY 25/26 to FY 27/28
Medium	Move tennis courts north	\$1,000,000	FY 25/26 to FY 27/28
Low	Volleyball Courts	\$180,000	FY 28/29 to FY 30/31
	BRAC Playing Fields		
High	Nipper Roe Lights	\$1,400,000	2021/22
High	Father McMahon Cricket Pitch	\$35,000	FY 22/23 to FY 24/25
High	Central shade for playing fields	\$200,000	FY 22/23 to FY 24/25
Medium	Feasibility for Central Pavilion	\$50,000	FY 25/26 to FY 27/28
Medium	Central Pavilion	\$5,000,000	FY 25/26 to FY 27/28
Medium	Medlend Pavilion	\$50,000	FY 25/26 to FY 27/28
	BRAC Support Amenities		
High	Skate Park	\$1,200,000	2021/22
High	Club Storage	\$140,000	FY 22/23 to FY 24/25
Medium	Shaded Play Ground	\$150,000	FY 25/26 to FY 27/28
High	Parking – Nipper Roe Field	\$1,100,000	FY 22/23 to FY 24/25
Medium	Parking – Medlend Pavilion	\$330,000	FY 25/26 to FY 27/28
	Youth Precinct		
Medium	Master Plan Implementation	\$625,000	FY 25/26 to FY 27/28
	Haynes Oval Upgrades		
High	Master Plan	\$30,000	FY 22/23 to FY 24/25
High	Change Rooms	\$70,000	FY 22/23 to FY 24/25
High	Lighting Upgrade	\$130,000	FY 22/23 to FY 24/25
Low	Male Oval - Toilet Amenities	\$283,000	FY 28/29 to FY 30/31
High	Broome Bowling Club – Master Plan	\$30,000	FY 22/23 to FY 24/25
Low	Broome Bowling Club – Second Green	\$30,000	FY 28/29 to FY 30/31
Low	Broome Rodeo Grounds – Master Plan	\$30,000	FY 28/29 to FY 30/31
High	Broome Surf Lifesaving Club - New Clubhouse	\$4,060,000	2021/22, 22/23

16. Plan Improvement and Monitoring

In line with the requirements of review and update of the Shire of Broome's Strategic Community Plan and Corporate Business Plan, it is recommended that this plan is reviewed annually by the Shire with a major review and update undertaken every four years.



Image 9 – Photo Credit: Abby Murray

Appendices:

A. Shire of Broome Facility Summary

B. Shire of Broome Facility Details

C. Consultation Report

Appendix A – Facility Summary

Name	Major Components	Users	PLA Guidelines Sport Guidelines Sport Strategy	Comments
Broome Recreation and Aquatic Centre Owner – Shire of Broome Operator – Shire of Broome	General	<ul style="list-style-type: none"> Broome Community/All Sports 	<ul style="list-style-type: none"> PLA Guidelines – Regional Facility – 1:250,000 PLA Guidelines – Indoor Sport and Recreation Centre (Dry) – 1:50,000-100,000 Aerobics/Fitness/Gym (Local Government - Private or public facility providing general fitness opportunities. Generally provided within a leisure centre or through a variety of commercial operators. 	<ul style="list-style-type: none"> BRAC currently services this role and is a combination of this facility and the Regional Sports Facility. To note, the Guidelines suggest a minimum of 3 court facility and the inclusion of gym and fitness facilities. Gym Facilities - Four commercial centres currently in Broome.
	Multipurpose Room (Meetings and Creche)	<ul style="list-style-type: none"> Public/clubs and associations Group Fitness Classes Workshops/training 		<ul style="list-style-type: none"> Well utilised by clubs and associations and other stakeholders
	8 lane 25m pool Lagoon pool	<ul style="list-style-type: none"> Public BRAC Members Broome Tri Club Barracuda's Swim Club 	<ul style="list-style-type: none"> PLA Guidelines - 1:30,000 for Neighbourhood 	<ul style="list-style-type: none"> Multi-purpose clubrooms designed for aquatic area with project budget on hold due to cost estimate being above budget allowance.
	Two Squash Courts	<ul style="list-style-type: none"> Broome Squash Club Public – casual hire 	<ul style="list-style-type: none"> PLA Guidelines - 2019 data did not provide base population triggers for community provision. Guidelines note the following: Where a specific business case demonstrates local demand, facilities may be included in a district or regional level multiple use indoor sport and recreational facility. 	<ul style="list-style-type: none"> 2019 Master Plan identifies possible upgrade and addition of three courts. Benchmarks: Karratha Leisureplex – 3 courts Kalgoorlie – 6 courts as part of Ray Finlayson Reserve Pavilion Port Hedland – 2 Courts plus 3 courts at other facilities
	Two Indoor Courts	<ul style="list-style-type: none"> BRAC – Casual Sport Competitions – Netball and Floorball Broome Basketball Assn - Seniors Basketball Kimberley Sandfly Circus 	<ul style="list-style-type: none"> PLA Guidelines – Basketball Courts (Indoor and outdoor) – 1:3000 – 4,000 - Guidelines provide for 1-4 dedicated courts for a neighbourhood level provision within a 5km catchment. Basketball WA Guidance – Indoor Courts – 1:6250 	<ul style="list-style-type: none"> Replacement of floor surfaces completed in July 2021.

Name	Major Components	Users	PLA Guidelines Sport Guidelines Sport Strategy	Comments
		<ul style="list-style-type: none"> Broome Netball Assn Broome Bullets Netball Club 	<ul style="list-style-type: none"> Local Basketball Centre – 2 Indoor courts – Basketball scheduled 50% of time – seating for 100 spectators. 	
Broome Recreation and Aquatic Centre Owner – Shire of Broome Operator – Shire of Broome	4 covered multipurpose hard courts	<ul style="list-style-type: none"> Broome Netball Assn Broome Bullets Netball Club Broome Basketball Assn - Juniors 	<ul style="list-style-type: none"> PLA Guidelines – Netball Courts – 1:5,000 – 8,000 - Guidelines provide for 1-6 courts within a 5km population catchment for neighbourhood facilities and 7+ courts within 5km population catchment for district facilities. 	<ul style="list-style-type: none"> Project recently completed to cover the outdoor courts.
	8 Outdoor Tennis Courts	<ul style="list-style-type: none"> Broome Tennis Club Public – casual hire 	<ul style="list-style-type: none"> PLA Guideline - 1;15,000 to 30,000 – District facility – within a 5km catchment. 8 court minimum club/district facility. Tennis Australia Guidelines would suggest that Broome sits between a District (8+ Courts) or Local (4+ Courts) facility. Tennis West Facility Strategy Recommendations: <ul style="list-style-type: none"> Complete Facility Audits Develop a Regional Tennis Strategy Explore shared use facility opportunities with other sports and community groups. 	<ul style="list-style-type: none"> Two courts currently unserviceable due to cracking. Master Plan includes repurposing of 4 courts to multi use synthetic and addition of hit up wall. Lights currently in a poor condition Regional Facilities with 8 or more courts: Mandurah Tennis Club, South Mandurah, Australind, Boyup Brook, Bunbury, Busselton, Donnybrook, Margaret River, Denmark, Karratha, Beverley, Merredin, Northam, York, Narrogin, Wagin, Kununurra, Goldfields, Corrigin, Hyden, Kulin, Narembeen, Gingin, Wongan Hills, Geraldton, Spalding Park, Tarcoola, Katanning, Kojonup, Esperance, Carnarvon.
	Medlind Sports Pavilion <ul style="list-style-type: none"> Undercover outdoor area Change rooms Kitchen First aid and umpires 	<ul style="list-style-type: none"> WKFL and WKJFL Broome Soccer Assn Broome Touch Football 	<ul style="list-style-type: none"> AFL Facility Guidelines – Local Facility - advice on off field infrastructure requirements recommend additional change rooms facilities where multiple teams are using playing fields as is the case in Broome. Placement on western side of field. CA Community Facility Guidelines – Club (Home) Facility - provide advice on off field 	<ul style="list-style-type: none"> Good facility currently underutilized by clubs and associations.

Name	Major Components	Users	PLA Guidelines Sport Guidelines Sport Strategy	Comments
			infrastructure including nets and club rooms. Recommended location of Club room on Western side of field. Lack of or location of basic player amenities at Nipper Roe Oval.	
Broome Recreation and Aquatic Centre Owner – Shire of Broome Operator – Shire of Broome	Father McMahon Field <ul style="list-style-type: none"> 500 lux lighting 	<ul style="list-style-type: none"> WAFC WKFL/WKJFL Broome Soccer Assn – Seniors and Juniors Broome Touch Football Broome Jets Rugby League 	<ul style="list-style-type: none"> PLA Guidelines - General Multi Use Sports Space - 1:4,000-5,000 (1=3.5 ha minimum) PLA Guidelines – AFL - 1:6,000 to 1:8,000 for senior sized Ovals PLA Guidelines – Cricket - 1:5,000 – 1:8,000 PLA Guidelines – Rugby League/Union - 1:20,000 and 1:50,000 Area and location specific to be determined by local circumstances and demographic mix PLA Guidelines – Soccer - 1:4,800 - 1:6,600 AFL Facility Guidelines – Local Facility - Recommended lighting level of 150 lux for a night football venue to ensure contemporary spectator viewing expectations are met. 	<ul style="list-style-type: none"> Heavily utilized due to sports lighting.
	Joseph “Nipper” Roe Field <ul style="list-style-type: none"> 4 lane cricket nets Athletics Jump Pits 	<ul style="list-style-type: none"> WKFL/WKJFL Broome Soccer Assn - Juniors Broome Cricket Assn Little Athletics 	<ul style="list-style-type: none"> CA Community Facility Guidelines – Club (Home) Facility - provide advice on off field infrastructure including nets and club rooms. Recommended location of Club room on Western side of field. Lack of or location of basic player amenities at Nipper Roe Oval. CA Cricket Lighting Guidance Note. AS 2560.2 released in August 2021. Community Senior cricket is able to be played on fields that have lighting of 300 lux in the square, 250 lux in the infield and 200 lux in the outfield. WAFC Facility Strategy Priorities <ul style="list-style-type: none"> Provide inclusive change rooms and amenities where all female football is played. 	<ul style="list-style-type: none"> Funding secured to install sports lighting in 21/22 which will assist in programming of sports. 150 lux sports lights to be installed.

Name	Major Components	Users	PLA Guidelines Sport Guidelines Sport Strategy	Comments
			<ul style="list-style-type: none"> ○ Increase the size of player change rooms and provide compliant amenities for all gender use. ○ Ensure basic club and player amenities such as pavilions and change rooms are provided. • WA Cricket Infrastructure Strategy Priorities <ul style="list-style-type: none"> ○ Upgrade and renewal of centre wickets ○ Upgrade and renewal of nets ○ Introduction of floodlighting to increase cricket scheduling and participation opportunities. ○ Increase off-field infrastructure provision – basic amenity. 	
Male Oval Owner – Shire of Broome Operator – Shire of Broome	Oval	<ul style="list-style-type: none"> • Broome Cricket Assn 	<ul style="list-style-type: none"> • See above for PLA Guidelines. • CA Community Facility Guidelines – Club (Satellite) Facility Of note is the lack of nets at Male Oval (nets at Haynes Oval but not pitch) and the lack of or location of basic player amenities at both Male Oval and Nipper Roe Oval. • WA Cricket Infrastructure Strategy Priorities <ul style="list-style-type: none"> ○ Upgrade and renewal of centre wickets ○ Increase off-field infrastructure provision – basic amenity. 	<ul style="list-style-type: none"> • Located in town with some challenges with anti-social behavior. • No cricket nets. • Access to toilet amenities limited.
Haynes Oval Owner – Shire of Broome Operator – Shire of Broome	Oval Donnelly Pavilion 6 lane cricket nets	<ul style="list-style-type: none"> • WAFC/WKFL • Broome Cricket Assn (Nets Only) • Broome Senior High School 	<ul style="list-style-type: none"> • See above for PLA Guidelines. • See above for AFL Venue Guidelines – 150 lux recommendation for lights. • WAFC Facility Strategy Priorities <ul style="list-style-type: none"> ○ Provide inclusive change rooms and amenities where all female football is played. 	<ul style="list-style-type: none"> • Shared use agreement in place for Broome Senior HS to use Oval. • Sports lighting approx. 100 lux.

Name	Major Components	Users	PLA Guidelines Sport Guidelines Sport Strategy	Comments
			<ul style="list-style-type: none"> ○ Increase the size of player change rooms and provide compliant amenities for all gender use. ○ Ensure basic club and player amenities such as pavilions and change rooms are provided. 	
Broome Bowling Club Owner – Shire of Broome Operator – Broome Bowling Club	Club rooms 1 x Artificial Green' Flood lit	<ul style="list-style-type: none"> • Broome Bowling Club • Public 	<ul style="list-style-type: none"> • PLA Guidelines - 1:35,000 to 50,000 - 1-2 grass/synthetic greens within a 5km catchment for a neighbourhood facility 	<ul style="list-style-type: none"> • Synthetic Green recently replaces through insurance claim on damage. • Consultation with the Bowling Club identified the upgrade of the toilets, building and shade to the green as priority items.
Broome Fishing Club Owner – Kimberley Ports Operator – Broome Fishing Club	Clubhouse	<ul style="list-style-type: none"> • Broome Fishing Club 	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • Lease from Kimberley Ports. • Located close to Entrance Point Boat Ramp. • Major project under development to resolve boat launching issue
Broome Golf Club Owner – Shire of Broome Operator – Broome Golf Club	18 Hole Course Club rooms	<ul style="list-style-type: none"> • Members • Public 	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • Council land – managed by Club under lease • \$5.5M redevelopment of Club Rooms completed in 2021.
Broome Surf Life Saving Club Owner – Shire of Broome Operator – Broome Surf Life Saving Club	Club rooms and storage	<ul style="list-style-type: none"> • Broome SLSC 	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • Council land – managed by Club under lease • Funding secured for redevelopment of club room facilities
Broome Pistol Club Owner – Shire of Broome Operator – Broome Pistol Club	Air Pistol Range Two 25m ranges 50m range Action Falling Plate and Mover ranges Steel Challenge Range Overflow Caravan Park	<ul style="list-style-type: none"> • Pistol Club Members 	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • Have a revenue stream through providing over flow Caravan Park capacity to the Shire.

Name	Major Components	Users	PLA Guidelines Sport Guidelines Sport Strategy	Comments
Broome Speedway Owner – Shire of Broome Operator – Broome Speedway	Bar and canteen, full professional kitchen 2 lots of ablutions Old tower Pit box Lighting almost 10 years old PA	<ul style="list-style-type: none"> Speedway Club 	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Operates approximately 9 race days a year To relocate to the proposed Motoplex site at some stage in the future when funding is available.
Broome Motocross Owner – Shire of Broome Operator – Broome Motocross Club	Track Viewing Area Toilets/Showers	<ul style="list-style-type: none"> Broome Motocross Public 	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Asset Management Plan through the lease. 21-year lease – have relocated to the new Motoplex site.
Broome Horse Riders Association Owner – Shire of Broome Operator - Broome Horse Riders Association	31 agistment yards 2 round yards Main arena Campdraft arena 2 large grazing paddocks trails to access Cable Beach, Crab Creek & Buckley's Plain;	<ul style="list-style-type: none"> Broome Horse Riders Association Public 	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Nil.
St Mary's College Owner – St Mary's Operator – St Mary's	Oval	<ul style="list-style-type: none"> Broome Cricket Assn 	<ul style="list-style-type: none"> CA Community Facility Guidelines – Club (Satellite) Facility WA Cricket Infrastructure Strategy Priorities Upgrade and renewal of centre wickets Increase off-field infrastructure provision – basic amenity. 	<ul style="list-style-type: none"> School land.
Victory Life Church	Outdoor sand courts	<ul style="list-style-type: none"> Broome Beach Volleyball 	<ul style="list-style-type: none"> PLA Guidelines - No guideline on population - To be integrated with compatible indoor/outdoor court recreation centres. 	<ul style="list-style-type: none"> BRAC indoor courts not used for formal or social competition. Challenges at Victory Life facility is limited access for Association. Opportunity to integrate into BRAC.

Appendix B – Broome Sports Facilities

Broome Recreation and Aquatic Centre

Broome Recreation and Aquatic Centre (BRAC) is located on Cable Beach Road East the focus of sporting activity in Broome and a summary of the main components is as follows:

Main Sports Hall

- Description
 - Two multi sports courts.
 - The hall has roller doors/shutter walls and provides for air circulation. Four large fans have recently been installed in to assist in improving air circulation.
 - Floor were upgraded and replaced in July 2021.
 - New basketball infrastructure (backboards etc) was installed in 2020.
- Key Users
 - Basketball, Netball, Theatre Kimberley Sandfly Circus
 - BRAC Social Sports – Floorball, Netball
 - Shire’s Emergency Welfare Centre
- Key Issues
 - Climate / lack of air conditioning.
 - Lack of spectator seating.
 - Programming between users.
 - Storage for key users
 - Shire’s Emergency Welfare Centre



Squash courts

- Description
 - Two courts.
 - Limited viewing area for spectators.
 - Courts are air conditioned and in good condition.
- Key Users
 - Broome Squash Club
- Key Issues
 - The Squash club are keen to add a further three courts and whilst this may meet the existing participation figures it would be important to identify alternative use, such as small activities, crèche use and meetings, should the participation in the sport decline.



Squash court and viewing foyer



Squash Court

Multipurpose room

- Description
 - Air conditioned and has AV and crèche facilities with access to an enclosed outdoor play area.
 - Operable wall included allowing the space to be divided in two.
- Key Users
 - The area is regularly used for Group Fitness classes, workshops and training seminars.
 - Various Sporting Groups and external hirers for meetings and training.
- Key Issues
 - The area is well used and an additional area of similar size would assist in bookings and avoiding conflicts. It is not unusual for the regular crèche program to be relocated to a squash court to ensure bookings can be retained.



Multi purpose room



Outdoor enclosed playground

Tennis courts

- Description
 - Located to the rear of the main stadium.
 - A total of 8 courts (7 x pave finished courts, 1 x cushion).
- Key Users
 - Broome Tennis Club
 - Casual Users through BRAC
- Key Issues
 - Lighting level have diminished.
 - Courts were resurfaced in 2014 but the condition has deteriorated over the last two years with two courts currently unsafe.
 - Usage has declined as the condition has declined.
 - Four courts identified for conversion to multi purpose surface in 2019 SRP.



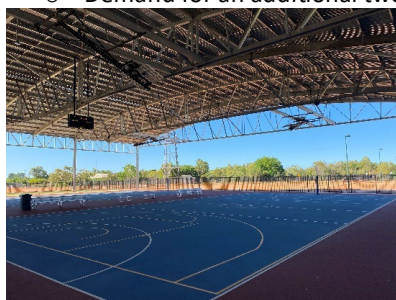
Tennis courts from Eastern corner



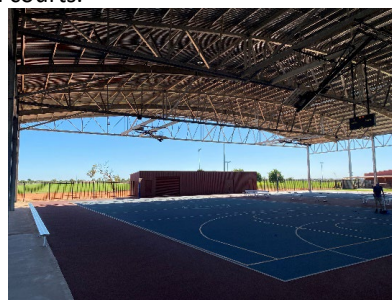
Tennis courts and paved concourse

Multipurpose basketball/netball courts

- Description
 - Located to the east of the tennis courts.
 - Courts were resurfaced in 2018/19 and have subsequently been covered.
 - Excellent facility.
 - Storage for sports located at northern end of courts.
- Key Users
 - Broome Netball Association
 - Broome Basketball Associations.
- Key Issues
 - Demand for an additional two covered courts.



Basketball/netball courts



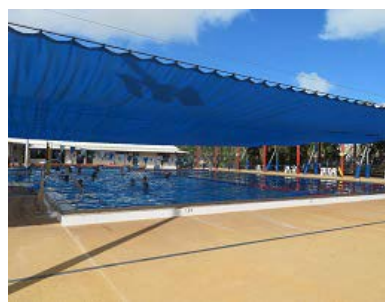
Storage

Aquatic Centre

- Description
 - Eight lane 25 metre swimming pool, covered by a fully retractable shade sail, a shallow lagoon pool, spa area and water spray features. The pool is surrounded by landscaped gardens with access to stadium seating.
 - The facility was recently refurbished (pre-2019) and a new plant room and filtration completed.
- Key Users
 - Broome Barracudas Swim Club, Broome SLSC, Broome Tri Club
 - BRAC Swim School
 - Broome Community
- Key Issues
 - Programming of water space between Swim Club, Swim School and general public.
 - The addition of a playground and outdoor gym equipment would provide additional activities for the club members and general community.
 - Swim Club has plans approved for the addition of a small multipurpose room (approx 124m²) that has not proceeded due to budget issues (i.e. QS cost pre-tender estimate was significantly over allowed budget).
 - Lack of storage for swim club equipment.



Lagoon Pool



25m Pool

Father McMahon Field

- Description
 - Multipurpose natural grass sports field.
 - Sports lighting to 500 lux with dimmer controls recently installed to allow lights to operate at reduced levels.
 - Medlend Pavilion located in the southwest corner. Pavilion contains:
 - Undercover outdoor area
 - Meeting room
 - Change rooms
 - Kitchen facilities
 - First aid and umpires' room
- Key Users
 - WKFL/WKJFL and Clubs
 - Touch Football and Rugby League
 - Broome Soccer Association
- Key Issues
 - Heavy usage for training and competition due to lights. Can lead to maintenance issues.
 - Programming issues across sports.
 - Location of club rooms.
 - Lack of storage for sports.
 - Lack of shade and spectator amenity.
 - Medlend Pavilion is underutilised.



Father McMahon Field



Medlend Pavilion undercover outdoor area

Joseph 'Nipper' Roe Field

- Description
 - Multipurpose natural grass sports field.
 - Sports lighting to 150 lux with to be installed in 21/22.
 - Synthetic turf cricket pitch and four cricket nets
 - Athletics jump pits
- Key Users
 - Broome Cricket Associations
 - Broome Athletics
 - WKFL/WKJFL and Clubs
- Key Issues
 - Lack of club rooms – Medlend Pavilion services both.
 - Lack of storage for sports.
 - Lack of shade and spectator amenity.



Bank between both fields and 500 lux floodlight



Joseph 'Nipper' Roe Field

Male Oval

- Description
 - Male Oval is located at the juncture of Napier Terrace and the Broome Highway.
 - Multipurpose natural grass sports field.
 - Synthetic turf cricket pitch.
 - The oval is at the end of the airport runway and as such is restricted in its use of floodlights and thus is predominantly a day time use space for sports.
- Key Users
 - Broome Cricket Associations.
 - Community events due to location in close to proximity to Chinatown.
- Key Issues
 - Lack of toilet/basic amenity.
 - Anti-social behaviour at the oval.



Male Oval



Cricket Pitch

Haynes Oval

- Description
 - Haynes Oval is located on the corner of Frederick and Lyons Street adjacent to Broome Senior High School.
 - Multipurpose natural grass sports field.
 - Shared use agreement with Broome Senior High School in place for school usage during the school day.
 - Sports lighting to approximately 100 lux.
 - Six lane cricket nets
 - McKenzie Donnelly Pavilion
 - Undercover area
 - Change rooms
 - Canteen/kitchen facilities
 - First aid and umpires' room
- Key Users
 - WKFL/WKJFL and Clubs
 - Broome Cricket Associations - training
- Key Issues
 - Lighting standard has deteriorated, and lights are in need of upgrade to ensure they meet recommended standard of 150 lux.
 - Pavilion has suffered from anti-social behaviour with security grating added to provide security that impact on aesthetics. Change rooms and particularly the wet areas require an upgrade particularly with the increase in female football participation.
 - Lack of storage for sports.

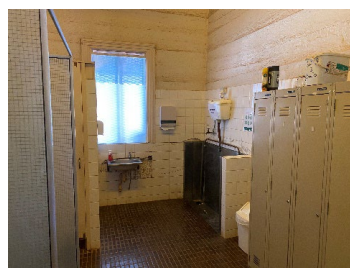


Broome Bowling Club

- Description
 - Broome Bowling Club is located in the Old Cable Station.
 - One synthetic green recently replaced due to damage.
 - Lights.
 - Club room facility with external covered area adjacent to green.
- Key Users
 - Broome Bowling Club.
- Key Issues
 - Development complicated by Heritage rules.
 - Toilet and club room facilities require upgrading.
 - Lack of shade cover for green for day time usage.



Bowling Club Green



Male Toilets

Broome Pistol Club

- Description
 - The Broome Pistol Club is located off Port Drive and consists of club house and a 5 shooting ranges, (2 x 25 ranges, 50m range, air pistol and moving target).
 - Used as overflow for the Shire's caravan parks.
- Key Users
 - Broome Pistol Club.
 - Emergency Services groups for firearms training
- Key Issues
 - The area is leased to the club on a 21 year lease and the facilities are in good condition. No changes or developments are proposed for the immediate future.



Pistol Club Entry



Shooting range

Broome Speedway

- Description
 - Broome Speedway is located on the corner of Wattle Drive & Broome Hwy. The facility includes:
 - Track
 - Bar and canteen, full professional kitchen
 - 2 lots of ablutions
 - Old tower
 - Pit box
 - Lighting almost 10 years ago
 - PA
- Key Users
 - Broome Speedway Club.
- Key Issues
 - The group are expected to relocate to the proposed Motoplex site currently being negotiated with the Department of Lands.
 - The club currently has no lease but would like security of tenure with a 5 plus 5yrs lease.
 - The facility need a new control tower (which can be relocated when they move) and improved spectator facilities with enclosed clubhouse and elevated seating.
 - Machinery and storage shed require improved security system.



Speedway club house



Speedway track

Broome Golf Club

- Description
 - The Broome Golf Club is located off Port Drive and consists of an elevated club house and grassed 18 hole golf course.
 - Club house facility recently redeveloped with funding received through Building Better Regions Fund.
- Key Users
 - Members.
 - Tourists.
- Key Issues
 - With the recent upgrade of facilities, the current issue for the Club is securing an Operator for the restaurant facilities in the Club, replacement of the irrigation system and transfer from reclaimed water to bore water and the cost associated.



Broome Golf Club Bar



Elevated Club house

Broome Rodeo Grounds

- Description
 - Broome Rodeo Grounds are located on the corner on Broome Hwy. The facility includes:
 - 31 agistment yards
 - 2 round yards
 - Main arena
 - Campdraft arena
 - 2 large grazing paddocks
 - Trails to access Cable Beach, Crab Creek & Buckley's Plain.
- Key Users
 - Broome Horse Riders Associations.
- Key Issues
 - Lack of shade and spectator amenity.
 - Toilet facilities require upgrading.
 - Management of weeds.



Rodeo Grounds



Rodeo Grounds

Broome Surf Lifesaving Club

- Description
 - Located on Cable Beach.
 - Facility includes club rooms and equipment storage.
- Key Users
 - Broome SLSC.
 - Public
- Key Issues
 - Current facility has reached end of life and is to be replaced with new facility.



Broome SLSC – Old Club Rooms



Sunset Crowd

Broome Motocross Club

- Description
 - Located on Cape Leveque Road with the Club relocating to the new facility in 2020.
 - New track with support facilities including spectator facilities.
- Key Users
 - Broome Motocross Club.
- Key Issues
 - New facility and of a high standard.
 - Key projects for the Club including lighting the track, increasing amenity through tree plantings and extending the pit area.



Motocross Track



Pit Area

Philip Matsumoto Courts

- The Philip Matsumoto Courts are adjacent to the Broome Senior High School and are in a poor state of repair. The education department currently have a lease for use for school hours.
- No bookings are taken for these courts and as can be seen by the participation rates and benchmarks standards are surplus to requirements.
- Further discussion should be undertaken with the Department of Education with a view to passing the courts over to them for their use as they see fit. It could well be the area is used for car parking thus alleviating vehicle conflicts on Frederick Street at school times or be retained as basketball courts but would require substantial remediation works to ensure the safe use.



Basketball Courts



Poor condition surface

Appendix C – Consultation Report



BRAC Masterplan

OVERALL PROPOSED MASTERPLAN

April 2022

C O X

Community Engagement Plan

Project name:	Sport and Recreation Plan
Project owner:	Sam Mastrolembro, Chief Executive Officer
Project manager:	Nicole Roukens, Manager Community Engagement and Projects

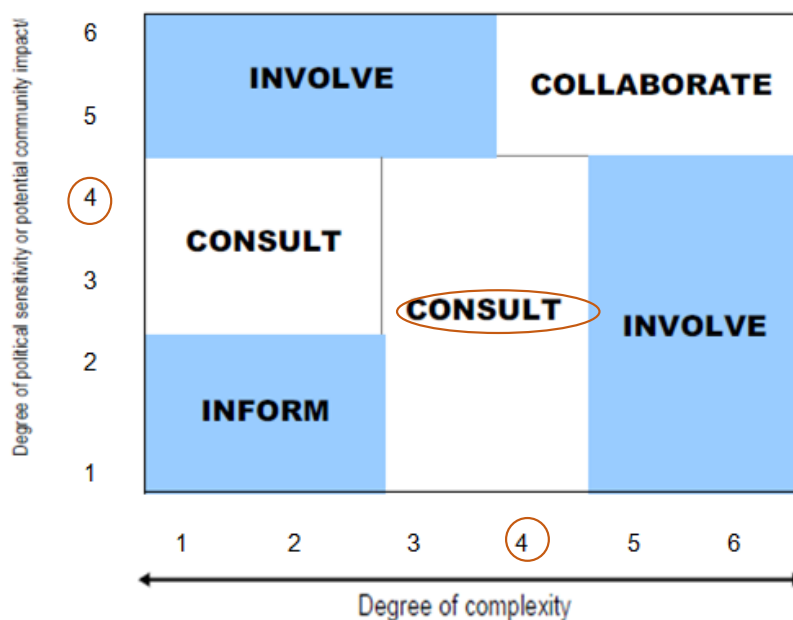
Identify Target Stakeholders

Primary Stakeholders
<ul style="list-style-type: none"> • Shire of Broome Council and Staff • Broome Sporting Clubs and Associations including: <ul style="list-style-type: none"> ○ Broome Cricket Association ○ Broome Sports Association ○ Broome Pearlers Sports Club ○ Broome Tennis Club ○ West Kimberley Football League ○ Broome Barracudas Swimming Club ○ Broome Little Athletics ○ Broome Tennis Club ○ Broome Squash Club ○ West Kimberley Junior Football League ○ Broome Netball Association ○ Broome Soccer Association ○ Theatre Kimberley ○ Broome Volleyball Association ○ Broome Boxing Club ○ Broome Bowling Club ○ Broome Horse Riders Club ○ Broome Motorcross Club ○ Broome Speedway ○ Broome Surf Life Saving Club ○ Broome Golf Club ○ Broome Pistol Club ○ Broome Bullets ○ Broome Sailing Club ○ Broome Tri Club ○ Pearl Coast Gymnastics Club ○ Broome Basketball ○ Broome Floorball ○ Broome Jets Rugby League ○ Broome Junior Cricket Club ○ Broome Little Athletics Centre ○ Broome Touch Association ○ West Kimberley Junior Football League • Department of Local Government Sport and Cultural Industries • PCYC • Garnduwa • Department of Education • State Sporting Associations • Broome Recreation and Aquatic Centre (BRAC) members and users

<ul style="list-style-type: none"> Wider Broome Community
Secondary stakeholders
<ul style="list-style-type: none"> Peak Bodies including Parks Leisure Australia
Tertiary stakeholders
<ul style="list-style-type: none"> Other State and Federal agencies Potential funding bodies Media agencies such as West Australian, GWN, Broome Advertiser, ABC Kimberley, Triple M Broome and Goolarri Media.

DETERMINE LEVEL OF ENGAGEMENT

Community Engagement Matrix:



	SCORE 1 – 2	SCORE 3 – 4	SCORE 5 – 6	This Project
Degree of complexity	There is one clear issue and or problem that needs to be addressed.	There are more than one or two issues/problems that can be resolved.	There are multiple issues/problems and it is unclear how to resolve them.	4

	SCORE 1 – 2	SCORE 3 – 4	SCORE 5 – 6	This Project
Degree of potential community impact and	The project will have little effect on communities and they will	The project will fix a problem that will benefit communities and the change will	The project will create a change that will have an impact on communities and the living environment and the	

political sensitivity	hardly notice any changes.	cause minor inconvenience.	degree of impact/outrage and acceptance will vary.	4
	The project has acceptance throughout the community.	There are groups in communities who may see potential in raising the profile of a project to gain attention for their cause.	Community expectations about the project are different to those of the decision makers and there is high potential for individuals and groups to use the uncertainty to gain attention.	

Project score for Degree of Complexity: **Four**

The Sport and Recreation Plan looks to set priorities for investment in sport and recreation in the Shire of Broome for the next 10 years. There are several local and state groups that have an interest and requirements in this space.

Your project score for Degree of Community Impact/Political Sensitivity: **Four**

There are several different sport and recreation groups in Broome each with different needs and aspirations. It is important that priorities set out in the Sport and Recreation Plan capture the needs of all current and future users, in line with funding opportunities and constraints.

Engagement Level for the Project

According to the Community Engagement Matrix the level of community engagement for Sport and Recreation project is **CONSULT**.

INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
Public Participation Goal:				
To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	<i>To place final decision-making in the hands of the public.</i>
Promise to the Public:				
We will keep you informed	We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	<i>We will implement what you decide.</i>

ENGAGEMENT TOOLS AND ACTIVITIES

Based on the Shire's endorsed Community Engagement Framework and successful methods used in recent engagement processes for other Shire projects, the following engagement tools are relevant.

One on One Meetings

- Individual meetings will be booked with Broome Sporting Clubs and Associations
- Individual meetings will be booked with other required primary stakeholders e.g., Department of Local Government Sport and Cultural Industries

Workshops

- Workshops will be held with Broome Sporting Clubs and Associations and other Primary Stakeholders
- Workshops will be held with the broader Broome Community

Online Survey

- Survey will be created for completion by Broome Clubs and Associations
- Survey will be created for completion by BRAC users and the broader Broome community

Media releases and media engagement

- To be issued on a regular basis to help foster media interest in the project and to provide updates on project milestones.
- Shire to be proactive in engaging the media, with a project spokesperson available for interviews for print, radio, and television.

Social media strategy

- With a growing number of people getting their news/information from social media, the Shire's Facebook, Twitter and Instagram channels will be used.
- A consistent approach to the provision of posts/information will keep the project in people's minds.
- Social media is another way to answer questions related to the project.
- 'Boost' Facebook posts to a targeted local audience.

Electronic and printed newsletters

- Printed newsletters to provide project updates and to be placed at Shire facilities and prominent locations around town. Also provided to primary stakeholders.
- E-newsletters can be compiled and provided to the Shire's database.

Advertising – print and radio

- Broome Advertiser – inclusion in bi-weekly Shire News page, use of public notices and ad-hoc advertising as required.
- Radio – inclusion of advertising on local radio stations to promote the project and provide information.

Bulletin/Noticeboards

- Information sessions/events and community feedback periods to be advertised on bulletin boards and noticeboards around Broome

Stakeholder Consultation Report

- Stakeholder Consultation Report included in as an attachment in the Sport and Recreation Plan 2021 - 2031

ENGAGEMENT ACTION PLAN

Tool/ Activity	Stakeholders involved	Purpose	Communication/ message	Feedback/ Follow up
One on One Meetings	Primary	Consult	Creation of group to bring together primary stakeholders and meet on a regular basis to garner feedback and provide information.	Meeting minutes and notes included in consultation report
Workshops	All	Consult	Seek feedback from stakeholders and the community on the Sport and Recreation Plan in the development phase and again with draft recommendations. Workshops held with consultants.	Feedback considered in development of the plan.
Online Surveys	All	Consult	Information captured from all stakeholders in the development of the plan and final outcomes.	Feedback considered in the development of the plan.
Media releases	All	Inform	Provision of information and promotion of project through the media.	All feedback captured in the final consultation report.
Social media strategy	All	Inform	Provision of information and promotion of project through social media. Avenue for public inquiries.	All feedback captured in the final consultation report.
Newsletters	All	Inform	Provision of information and promotion of project through Shire mailing list. Quarterly.	All feedback captured in the final consultation report.
Advertising	All	Inform	Provision of information and promotion of project through various advertising channels.	All feedback captured in the final consultation report.
Bulletin / Noticeboards	All	Inform	Provision of information and promotion of project events through use of public noticeboards.	Ensure latest relevant information displayed at public locations.
Stakeholder Consultation Report	All	Information	All feedback captured during the development of the plan documented in the final strategy.	Information captured clearly documented.

9.2.5 TRADING IN PUBLIC PLACES POLICY REVIEW

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	HEA001
AUTHOR:	Environmental Health Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

The Trading in Public Places Policy (**Policy**) facilitates the assessment and approval of Trading Licences in accordance with the *Trading, Outdoor Dining and Street Entertainment Local Law 2003*. The revised policy (Attachment 1) will reduce the administrative burden on Shire officers and will provide better guidance and flexibility to traders. The policy will encourage the use of parks and reserves for appropriate trading activities as a means of enhancing community activity and recreation.

BACKGROUNDPrevious Considerations

OMC 28 July 2016	Item 9.1.2
OMC 15 December 2016	Item 9.3.2
OMC 14 December 2017	Item 9.3.2
OMC 31 May 2018	Item 9.3.1

At the 31 May 2018 Ordinary Council Meeting (**OMC**), Council adopted a revised Trading in Public Places Policy, which included the provision of five Council endorsed trading 'nodes'. Nodes are locations where trading licences may be issued by delegated officers even though the trading activity is within 300m of a permanent business that it would be directly competing with. Up to three trading activities are allowed to occur at any one time within a node, except Chinatown. The Council report stated that additional nodes could be added or removed through future amendments to the Policy. However, the nodes that were identified were considered appropriate and desirable for public trading to occur at that time.

There has been a growing interest in the establishment of mobile traders in Broome. Shire officers responded to a high number of trading enquiries in 2021. Shire officers have often either been unable or unwilling to approve trading licences where they occur outside trading nodes. This can deter applicants or causes a delay in the handling of applications and requests, resulting in poor customers service responses and potential place activation and economic activity being prevented.

Mobile traders have the potential to add diversity to the commercial offering in an area, create vibrancy and activate public places, be used to bring more people into an area and/or facilitate persons staying longer in an area. In residential parks, mobile traders have the potential to foster neighbourly relations, leading to reduced isolation and improved civic pride and community cohesion. While the inequity between mobile traders and permanent traders is often raised as an issue, public trading can be a way for a person to generate income and build a business, facilitating the transition to a permanent

establishment. Generating greater economic activity in an area and bringing more vibrancy and people to an area benefits permanent businesses as well as mobile traders.

It is proposed that the Policy be amended to establish a larger number of Council endorsed nodes within which mobile traders can be approved by delegated officers. Additional provisions to streamline the application process and regulate trading activities have also been proposed.

COMMENT

The proposed amendments to the Policy are as follows:

Increase Trading Nodes

The intent of the revised Policy is to use trading activities as a means of enhancing community activity and recreation within the Shire's Park and Reserves. The revised policy will increase the number of trading nodes from five to twelve locations and will provide specific guidance on locations where a trader may set up. The proposed Trading nodes are:

a) *Cable Beach Foreshore and adjacent Road Reserve*

This is an existing node which applies to the entire of the Cable Beach Foreshore Reserve (Reserve 36477) and the adjacent Cable Beach Road West Road Reserve. The currently policy limits a maximum of three traders at any one time. The undertaking of trading activities in this area is consistent with the Cable Beach Foreshore Master Plan and could service both locals and tourists. Traders are expected to be predominantly mobile food vehicles and picnic businesses or the like. There is no maximum number of traders at any one time proposed. Competing food businesses within 300 metres of this Reserve that may be affected in accordance with the Policy are:

- Cable Beach Club Resort and Spa;
- Zanders;
- Sydney Cove Oyster Bar;
- Divers Tavern;
- The Wharf; and
- Cable Beach General Store.

b) *Tanami Park and adjacent road reserve*

This existing node applies to Tanami Park (Reserve 51243). Traders in this location are likely to be mobile food vehicles or family focused activities providing a service for locals utilising the Park. The Park is a focal point for many Broome North residents. No permanent businesses are likely to be affected in accordance with the Policy. The current policy limits a maximum of three traders at any one time. The proposed policy will not limit a maximum number of traders and it is proposed that trading be limited to between 7am and 7pm.

c) *Chinatown*

This node is existing and covers Chinatown, Broome's town centre. The establishment of mobile traders was previously discussed as a way to activate Chinatown as part of the Chinatown Revitalisation Project. Their use has also been discussed as an attraction for cruise ship visitors. Traders in Chinatown can only occur through an expressions of interest process. There are many permanent businesses that may be impacted by the inclusion of this node in the Policy, but the potential benefits to these permanent businesses is considered to outweigh any negative impacts. It is proposed that the conditions to trade in this node remain unchanged.

d) *Town Beach Reserve*

This existing node applies to the entire Town Beach Reserve (Reserve 31340) from the edge of the Roebuck Bay Caravan Park through to the land adjacent to the Museum. The undertaking of trading activities in this area is consistent with the Town Beach Masterplan, and the current use of this area for markets and events. Traders in this location could service locals and tourists. The policy currently limits a maximum of 3 traders at any one time. The revised policy does not limit a maximum number of traders at any one time and proposes specific locations where trading may occur. Traders are likely to be predominately mobile food vehicles. Permanent food businesses within 300 metres of this Reserve that may be affected in accordance with the Policy are:

- Town Beach Café;
- The Food Lab WA;
- Wildflower Restaurant;
- Broome Pantry;
- Oaks Broome Resort Restaurant; and
- Liquorland.

e) *Broome Recreation and Aquatic Centre*

This existing node applies to the Reserve upon which the Broome Recreation and Aquatic Centre (**BRAC**) is located (Reserve 42502). The revised policy provides specific guidance for traders be located adjacent the skate park, pump track, Glenn and Pat Medlend Pavillion and the undercover outdoor courts. Traders in this location are likely to only be mobile food vehicles. The current policy limits a maximum of three vendors at any one time. The revised policy does not limit number of traders and may assist with activation of this area when sporting activities are occurring. Competing food businesses within 300 metres that may be affected in accordance with the Policy are:

- BRAC Canteen;
- Clubs operating from the Glenn & Pat Medlend Pavillion Canteen; and
- Food businesses located within the Broome Boulevard Shopping Centre.

f) *Cygnet Park*

This newly proposed node would apply to Cygnet Park (Reserve 45667). Traders in this location are likely to be mobile food vehicles or family focused activities providing a service for locals utilising the Park. The park is a focal point for many nearby residents. No permanent businesses are likely to be affected in accordance with the Policy. There is no maximum number of traders proposed at any one time however hours will be limited to between 7am and 7pm.

g) *Demco Beach Carpark*

This proposed node is the carpark located at Lot 605 Clementson Street. Traders in this location are likely to be mobile food vehicles only. Many local families access the beach from this location. There are no competing businesses within 300m and this location may service local and tourists. There is no maximum number of traders proposed at any one time however hours will be limited to between 7am and 7pm.

h) *Peter Haynes Reserve*

This proposed node would apply to the Peter Haynes Oval (Reserve 41309). Traders in this location are likely to be mobile food vehicles only. The revised policy will not limit a maximum number of traders at any one time and activities in this area may service locals and visitors involved with sporting events. Competing food businesses within 300 metres that may be affected in accordance with the Policy are:

- Clubs operating from the Pavillion Canteen; and
- Food businesses located at the Broome Boulevard Shopping Centre.

i) *Solway Park*

This proposed node would apply to Solway Park (Reserve 41279). Traders in this location are likely to be mobile food vehicles but may also be recreational or family focused activities providing a service to locals utilising the park. The park is a focal point for many nearby residents. A maximum number of traders at any one time has not been proposed however operating hours have been limited to 7am to 7pm. No permanent businesses are likely to be affected in accordance with the Policy.

j) *Babagarraburu Park*

This node would apply to Babagarraburu Park (Reserve 43928). Traders in this location are likely to be mobile food vehicles or family focused activities providing a service for locals utilising the Park. The Park is a focal point for many nearby residents. A maximum number of traders at any one time has not been proposed however operating hours have been limited to 7am to 7pm. No permanent businesses are within 300m.

k) *Turf Club Carpark*

This node would apply to the carpark located at Lot 1848, Kavite Road, Minyirr. This node is primarily used by mobile food vehicles. Trading activities at this location may create a 'hub' and service locals and tourists who are visiting Gantheaume point. A maximum number of traders at any one time has not been proposed however operating hours have been limited to 6am to 9pm. There are no competing businesses within 300m. Following consultation with the Broome Turf Club, it is proposed that trading cannot occur when events are taking place at the Turf Club.

l) *Woods Park Reserve*

This proposed node would apply to Woods Park (Reserve 41819). Traders in this location are likely to be mobile food vehicles or family focused activities providing a service for locals utilising the Park. The Park is a focal point for many nearby residents. A maximum number of traders at any one time has not been proposed however operating hours have been limited to 7am to 7pm. No permanent businesses are likely to be affected in accordance with the Policy.

j) *Trading on Cable Beach*

Trading on Cable Beach is not currently a node and is not proposed to become a node. A schedule relating to trading on Cable Beach in the policy is proposed to remain unchanged except that applications for this location must be approved by Council. The schedule states that a maximum of six trading licences will be granted for Cable Beach and trading activities must be directly related to the recreational use and enjoyment of Cable Beach and it's waters.

Itinerant Vendors

Itinerant vendors are traders who move from place to place and only stop when there is a customer (e.g. Mr Whippy and Jiffy Vans). These traders have been included in the revised policy with specific conditions relating to stopping times and safe stopping locations. Itinerant vendors are not permitted to stop within 300m of a directly competing businesses.

Activities not operating from a vehicle or trailer

There has been an interest in activities such as picnic businesses that do not operate from a vehicle or trailer. It is proposed that these businesses may operate from several parks and reserves listed in the policy. These activities cannot operate for more than 4 hours, may not involve more than 20 customers at any one time and must book the space via the Shire's SpacetoCo website, to avoid clashes with events and private bookings.

Group Fitness Classes and the like

It is proposed that group fitness classes be specifically exempted from requiring a trading in public places permit. It is acknowledged that these activities directly benefit the health and

wellbeing of the community, they contribute to the public enjoyment of parks and reserves and generally operate outside of peak usage times.

Walking Tours

It is proposed that walking tours be specifically exempted from requiring a trading in public places permit. It is acknowledged that these tours have a very low impact and move from place to place, not operating from any specific location.

Application Procedure in trading zones

Currently, an applicant is required to submit an occupational health and safety plan, a risk management plan and an operational/business plan. This assists officers to assess the trading location as being safe and appropriate. The applicant must also provide provision of three referees who can be contacted by the Shire about previous experience in conducting the activity subject to the application, or other similar operations. The current application process is onerous and the revised policy will allow the fast tracking of applications for trading licences in the nodes because the locations have been preapproved and the permits will be able to be issued by officers under delegation. This will not prevent public trading occurring in other locations that are consistent with the Policy, however locations outside of trading nodes, including Cable Beach, will be required to be approved by Council.

Historical Permit holders, outside of trading zones

There are currently 20 trading in public places permit holders. Four of these permit holders will not fall within proposed trading nodes:

- Mollie Bean;
- RAWSON;
- Pilbara Fish Truck; and
- Swelter Mobile Food Vehicle.

These four traders generally do not comply with the intent of the revised policy, in that they do not facilitate activation of a public park or reserve. It is proposed that their permits be honoured until the expiry date. The trader may apply to operate within a node or may apply to Council to renew their location.

Trading Zones

It is proposed that the word 'node' be changed to 'zone'. Shire officers have found that the word 'node' has caused confusion with some traders and the word zone is more consistent with trading policies of other Local Governments.

Operational Condition Changes

The following amendments are proposed following complaints received or issued encountered since the last policy review:

- a) Permits within approved zones are to be approved by the Shire's Development Control Unit. Permits falling outside of these zones are to be approved by Council.
- b) An approved trading permit must be displayed in a conspicuous position while the trading activity is occurring so that it is easily legible to any person or authorised officer at all times.
- b) A trading permit is not a lease over the land and the trader and patrons do not have exclusive occupancy or possession of the area. Trading Zones remain

public space. A trader cannot move members of the public on from the trading zone.

- c) The Shire is unable to be involved in disputes between traders.
- d) If the trader is to operate within a bookable space advertised on the Shire's website (as amended), the trader may not trade unless they have booked the applicable space.
- e) The trader must display respectful and reasonable behaviour towards members of the public, other traders and authorised officers at all times.
- f) Background music may only be played if the noise levels comply with the assigned levels prescribed in the Environmental Protection (Noise) Regulations 1997. Should justified complaints be received regarding amplified music from the trading activity, the Shire reserves the right to prohibit the emission of music at the site.
- g) No waste or litter to be disposed of in public rubbish or recycling bins. Traders must supply their own bins. Traders must ensure that they have sufficient bins available for collection and storage of waste generated by their business. Traders must ensure that the area around their position is kept clear of rubbish and refuse at all times and all waste generated/collected by the trader is removed from site by the trader.
- h) The trading activity must not obstruct, cover, remove, relocate or modify trees, public art, bins, bus shelters or other Shire owned infrastructure.
- i) Permanent fixtures and elements are not permitted. Following trade, all related equipment and fixtures must be removed completely from the site.
- j) Parking for towing vehicles is not permitted at the same site as the trader. The trailer or equipment must be dropped off at the location and a legitimate carpark found for the towing vehicle.
- k) A towing vehicle may only enter a reserve for the purpose of dropping off or picking up a trailer or the like. Towing vehicles may therefore not enter or exit a beach, park or reserve on more than two occasions on any day, unless a case of emergency or otherwise approved.
- l) Traders must not remain on site for more than one hour before trading commences or for more than one hour after trading ceases.
- m) The Shire may impose additional operational conditions on a traders permit as required.

Trading Intensity Matrix

The fees and charges currently categorise traders into low, medium or high intensity with regards to annual fees. There is nothing written into the policy to guide how to categorise traders by intensity. A matrix has been developed and attached as a schedule to categorise traders by location, activity, customer base to guide the annual fees.

CONSULTATION

Consultation has been undertaken with internal staff and the Broome Turf Club.

STATUTORY ENVIRONMENT

Local Government Act 1995;
Trading, Outdoor Dining and Street Entertainment Local law 2003;
Shire of Broome Health Local Law 2008;
Environmental Protection (Noise) Regulations 1997.

POLICY IMPLICATIONS

Nil, outside those directly discussed in this report.

FINANCIAL IMPLICATIONS

The Shire charges a fee for trading applications and annual licences. If increased applications are received and licences are issued, this will generate additional income for the Shire. The application and licence fees represent cost recovery, and therefore any additional income received will be required to process the applications, administer the licences and maintain the public areas subject to the licences.

RISK

The key risk involved in introducing further trading nodes is reputational, based on negative publicity generated from permanent businesses concerned about the impact on their business. Overall, the consequence of this risk is considered 'Minor' and the likelihood considered 'Likely', giving rise to an overall risk rating of 'Moderate'. There is no real way to mitigate this risk, however the potential benefits in terms of place activation and increased economic activity is considered to outweigh the risk.

STRATEGIC ASPIRATIONS

Prosperity – Together, we will build a strong, diversified and growing economy with work opportunities for everyone.

Outcome Nine – A strong, diverse and inclusive economy where all can participate:

9.2 Activate the precincts of Broome.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council endorses the amended Trading in Public Places Policy as shown in Attachment 1 for the purpose of a 2 year trial review period.

Cr Taylor moved the following motion.

COUNCIL RESOLUTION:

Moved: Cr P Taylor

Minute No. C/0422/009

Seconded: Cr N Wevers

That Council defer consideration of this item to May/June and review the consultation process with impacted businesses during the review.

CARRIED UNANIMOUSLY 7/0

Reason: Council sought additional consideration regarding the item and to review the consultation process.

Attachments

1. REVISED TRADING IN PUBLIC PLACES POLICY APRIL 2022

TRADING IN PUBLIC PLACES POLICY

POLICY OBJECTIVE

1. To facilitate the assessment and approval of Trading Licences in accordance with the Trading, Outdoor Dining and Street Entertainment Local Law 2003 (**Local Law**).
2. To provide guidance and direction on the location and management of traders in the district.
3. To encourage the use of parks and reserves for appropriate trading activities as a means of enhancing community activity and recreation, in such a manner that they do not conflict with amenity, usability and public safety.
4. To protect Cable Beach and other parks and reserves within the Shire as highly valued environmental, cultural and social assets enjoyed by visitors and residents alike.

POLICY DEFINITIONS

Cable Beach means the section of beach as defined in Schedule 2, Part 3, subclause 3.2 of this policy.

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.

Council means the Council of the Shire of Broome

directly competing with means that both the proposed trading activity and the permanent business offer a type or category of good or service that is directly comparable, for example:

- an ice cream van would be directly competing with an ice cream parlour;
- a mobile food van selling coffee, cake and sandwiches would be directly competing with a café which sells coffee, cake and sandwiches;
- a mobile food van selling pizza would be directly competing with a pizza or Italian take away store, restaurant or cafe;
- a stall offering massages would be directly competing with a massage parlour.

Event has the definition given in the Shire of Broome Events Policy (as amended)

Itinerant Vendor means a person who travels along a road looking for customers and who sells, hires or provides a product or service from a vehicle which is parked temporarily to customers who stop the vendor or come to the vendor while the vehicle is so parked.

permanent business means a business that operates from private property.

private property means any real property, parcel of land or lot that has a separate certificate of title, which is in private ownership or the subject of a lease or agreement with a person or the local government enabling its use for private purposes and includes any building or structure thereon.

'public place' means any thoroughfare or place which the public are allowed to use, whether the thoroughfare or place is or is not on private property and includes parklands, squares,

reserves, beaches and other lands set apart for the use and enjoyment of the public, including all land which belongs to or of which the local government is the management body under the Land Administration Act 1997 or which is an “otherwise unvested facility” within section 3.53 of the Local Government Act 1995;

Related Entity Interest is defined in Schedule 1 of this Policy.

Shire means the Shire of Broome.

‘trading zone’ means an area where trading activities can be undertaken in accordance with clause 5 and Schedule 4, Part 1 of this Policy.

All other words and expressions used in this Policy have the meaning as defined in the Local Law.

POLICY STATEMENT

1. The Local Law allows a person to apply for a licence to undertake a range of activities to trade to the public in a public place. This Policy is made under the Local Law and provides additional information not outlined in the Local Law that applies specifically to trading licences.

2. A person is exempt from being required to hold a valid trading licence when carrying out trading in a public place if:

- 2.1 The trading is undertaken as part of an event or function approved in accordance with the *Local Government Property and Public Places Local Law 2016*;
- 2.2 The trading is in accordance with an approval granted by the Shire under another written law;
- 2.3 The activity is the training or instruction of fitness classes or the like; or
- 2.4 The activity is a group walking tour.

POLICY APPLICATION

1. Approval of Applications

1.1 A trading licence may be issued by the Shire for a trading activity where the following criteria are met:

- 1.1.1 The proposed trading activity occurs within an approved trading zone;
- 1.1.2 The trading activity will not have an unreasonable impact on safety, other traders, traffic flow, pedestrians or the public’s use of a public place;
- 1.1.3 The trading activity is well presented and does not detract from the visual or general amenity of the area;
- 1.1.4 The trading activity will support the vibrancy and/or enhance the use of an area by persons visiting the trading zone;

- 1.1.5 A complete application has been submitted in the approved form and applicable fee has been paid;
 - 1.1.6 A statement has been prepared detailing management measures to ensure safe entry and exit from the trading zones;
 - 1.1.7 The trader has other statutory approvals and accreditations applicable to the operation of the commercial activity, where required;
 - 1.1.8 The trading activity does not incorporate or comprise a bar or the sale of alcohol.
- 1.2 Where the land is not under the care, control and management of the local government, the written consent of the Crown via the Department of Lands or vesting Authority or Management Authority is required prior to processing the application.
- 1.3 Additional information may be sought from an applicant for a trading licence to facilitate the assessment of an application for a trading licence.
- 1.4 Applications which do not meet the criteria specified in 1.1 may be considered by Council. Council may seek to engage with the community and seek public comment in relation to an application for a Trading Licence if Council considers that it is desirable to do so in the circumstances. Any submissions received by Council during the public comment period may be taken into account by Council in deciding whether to grant the trading licence applied for.

2. Permit Approval

- 2.1 Permits are to be approved by the Shire's Development Control Unit.
- 2.2 An approved trading permit must be displayed in a conspicuous position while the trading activity is occurring so that it is easily legible to any person or authorised officer at all times.
- 2.3 A trading permit is not a lease over the land and the trader and patrons to not have exclusive occupancy or possession of the area. Trading Zones remain public space. A trader cannot move members of the public on from the trading zone.
- 2.4 The Shire reserves the right to vary licence conditions at any time as required, or to cancel the licence.
- 2.5 The failure of a permit holder to undertake an activity approved by a trading licence in a trading zone for a period of 3 months is considered a ground upon which a trading licence may be cancelled.
- 2.5 The Shire is unable to be involved in disputes between traders.
- 2.6 If the trader is to operate within a bookable space advertised on the Shire's website (as amended), the trader may not trade unless they have booked the applicable space.
- 2.7 The trader must display respectful and reasonable behaviour towards members of the public, other traders and authorised officers at all times.
- 2.8 Background music may only be played if the noise levels comply with the Assigned Levels prescribed in the *Environmental Protection (Noise) Regulations 1997*. Should

- justified complaints be received regarding amplified music from the trading activity, the Shire reserves the right to prohibit the emission of music at the site;
- 2.9 The trading activity will not generate noise or disturbance that is likely to cause a nuisance to any person in the vicinity of the trader.
- 2.10 No waste or litter may be disposed of in public space rubbish or recycling bins. Traders must ensure that they have sufficient bins available for collection and storage of waste generated by their business. Traders must ensure that the area around their position is kept clear of rubbish and refuse at all times and all waste generated/collected by the trader is removed from site by the trader.
- 2.11 The licence holder is to take full responsibility for the care, appearance, maintenance and operation of their activity area and the effect on other street life.
- 2.12 The trading activity must not obstruct, cover, remove, relocate or modify trees, public art, benches, bins, bus shelters or other Shire owned infrastructure.
- 2.13 Permanent fixtures and elements are not permitted. Following trade, all related equipment and fixtures must be removed completely from the site.
- 2.14 The licensee must at the conclusion of each day the trading activity occurs, remove all and any refuse and litter associated with the operation of the trading activity and ensure the area in which the trading is undertaken is left in a clean and safe condition.
- 2.15 A trader must have a valid vehicle access permit issued by the Shire's Chief Executive Officer in accordance with the *Control of Vehicles (Off Road Areas) Act 1960*. The licensee must at all times comply with the requirements of that Act.
- 2.16 Parking for towing vehicles is not permitted at the same site as the trader. The trailer or equipment must be dropped off at the location and a legitimate carpark found for the towing vehicle.
- 2.17 A towing vehicle may only enter a reserve for the purpose of dropping off or picking up a trailer or the like. Towing vehicles may therefore not enter or exit a beach, park or reserve on more than two occasions on any day, unless a case of emergency.
- 2.18 Traders must not arrive to the trading site more than one hour before trading commences and must not remain on site for more than one hour after trading ceases.
- 2.19 When a community event approved by the Shire is being held within the Trading Area (for example, Town Beach Night Markets, Shinju Events), any Licence Holders allocated to that area will be rendered void for the duration of that Event.
- 2.20 The licensee is responsible for the repair, restoration or reinstatement of any damage to Shire property arising from the trading activity or caused by the customers of the trading activity. Such repair, restoration or reinstatement of damage must be carried out as directed by the Shire and to the Shire's satisfaction.
- 2.21 The licensee obtains public liability insurance in accordance with subclause 8.6.1 of the Local Law, except that the value of the public liability insurance must be \$10,000,000.
- 2.22 The placing of signs occurs only within the area approved for the trading activity and consistent with the requirements of Part 9 of the *Local Government Property and Public Places Local Law 2016*, unless otherwise approved by Council.

- 2.23 A trading activity must not involve the sale of offensive, illegal, prohibited, counterfeit or unauthorised goods, including goods bearing trademarks for which the person does not have a licence to sell.
 - 2.24 The trading activity must not prevent access to a footpath or adversely impact on traffic movement, traffic safety, traffic flow, or cause a traffic hazard.
 - 2.25 The trading activity must not involve the connection to or utilisation of any Shire utilities without prior approval, unless otherwise approved as a condition of the trading licence.
 - 2.26 An authorised person may direct the holder of a trading licence to stop doing anything which is contrary to the Local Laws or a condition of the trading licence. A person who is given such a direction by an authorised person must comply with that direction.
 - 2.27 The trader must allow Shire officers to, upon request, inspect and verify that the plans, procedures, policies, licences and accreditation are current and are being complied with.
 - 2.28 Additional provisions that apply to itinerant traders, trading activities undertaken on Cable Beach, camel operators and activities not conducted from a vehicle or trailer are listed in Schedules 1, 2, 3, & 4 respectively.
 - 2.29 The trading activity will be categorized by intensity, in accordance with Schedule 6 of this policy. Schedule 6 is a guide only.
 - 2.30 A person must not hold more than one trading licence for a trading activity under this Policy.
 - 2.31 The Shire may impose additional operational conditions on a traders permit as required.
 - 2.32 All applicants for Trading Licences are advised of their right to object a decision made by the Shire. In accordance with section 9.4 of the Local Government Act 1995, an affected person may object to a decision of local government and lodge an appeal to the decision by lodging an objection to the Shire within 28 days of the decision.
- 3. Permit Renewal**
- 1. All trading in public places licences expire at the end of the financial year, unless otherwise approved.
 - 2. All trading in public places licences are to be renewed before 30 June. There is to be no expectation of continuation of a licence.
 - 3. The licence renewals are to be processed by authorised officers and approved by the Development Control Unit.
 - 4. Payment of the annual licensing fee prescribed under the financial budget of that year must be paid prior to a new licence being issued.
- 4. Permit monitoring and cancellation**
- 1. The Shire's Authorised Officers may conduct unannounced inspections to check compliance with the conditions of the trading permit, *Local Government Act 1995*,

Trading in Public Places Local Law 2008; Shire of Broome Health Local Law 2006, Environmental Protection (Noise) Regulations 1997, Environmental Protection (Unauthorised Discharge) Regulations 2004, Food Act 2008 and FSANZ Food Safety Standards.

2. A trading permit may be cancelled or amended at any time, in accordance with Part 2, 2.7 of the Local Law, however the following procedure is to apply following justified complaints or non-compliances:
 - 2.1 A verbal warning will be issued, indicating the nature of the non-compliance. The date, time and nature of the warning and reasons given should be documented;
 - 2.2 A written warning will be issued, setting out reasons for the warning being issued and any actions required to comply; and
 - 2.3 The licence will be revoked, or proceedings initiated, in accordance with Part 2, Section 2.7 of the Local Law. Reasonable opportunities must be provided between each step in the process, to permit the trader(s) to comply.
 - 2.4 Following three non-compliances, the permit will be revoked. The trader may apply for a new trading licence in next financial year.

5. Trading Zones

Trading activities may be established within the following trading zones and subject to the site specific conditions listed. Trading zones are outlined in blue. Yellow arrows indicate points of access and egress:

1. Broome Recreation & Aquatic Centre (Reserve 42502)

1.2 Skate Park

THIS LOCATION CAN ONLY BE USED BETWEEN 6AM AND 9PM



1.3 Glenn & Pat Medlend Pavilion

THIS LOCATION CAN ONLY BE USED BETWEEN 6AM AND 9PM



1.3 BRAC Outdoor Basketball Courts

THIS LOCATION CAN ONLY BE USED BETWEEN 6AM AND 9PM



1.4 Pump Track

THIS LOCATION CAN ONLY BE USED BETWEEN 6AM AND 9PM



2. Cable Beach Foreshore (Reserve 36477 and adjacent Cable Beach Road West Road Reserve)

2.1 Surf Life Saving Club

THIS LOCATION CAN ONLY BE USED BETWEEN 6AM AND 9PM

MAXIMUM OF THREE TRADERS AT ANY ONE TIME



2.2 Corner Cable Beach Road West & Sanctuary Road Carpark

THIS LOCATION CAN ONLY BE USED BETWEEN 6AM AND 9PM

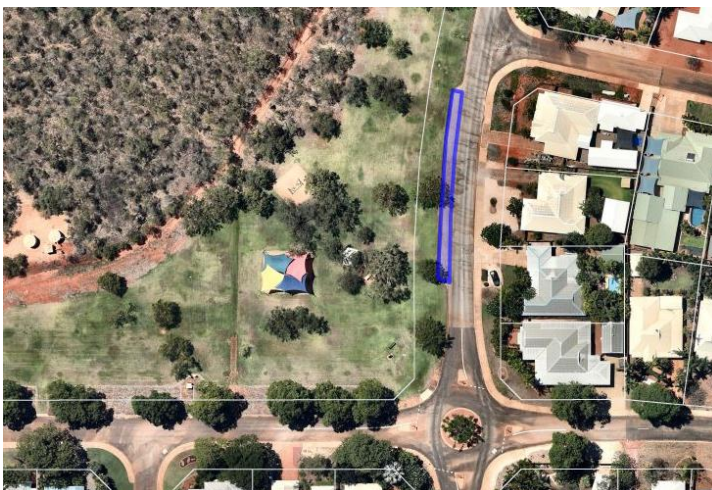


3. Chinatown

TRADING LICENCES WILL ONLY BE ISSUED FOR TRADING ACTIVITIES IN CHINATOWN FOLLOWING AN EXPRESSIONS OF INTEREST PROCESS, WHEREBY COUNCIL INVITES APPLICATIONS FOR TRADING ACTIVITIES IN CHINATOWN.

4. Cygnet Park

THIS LOCATION CAN ONLY BE USED BETWEEN 7AM AND 7PM



5. Demco Beach Carpark

THIS LOCATION CAN ONLY BE USED BETWEEN 6AM AND 9PM



6. Peter Haynes Reserve

6.1 Car Park

THIS LOCATION CAN ONLY BE USED BETWEEN 6AM AND 9PM



6.2 Oval Unsealed Carpark

THIS LOCATION CAN ONLY BE USED AFTER 6PM WEEKDAYS AND BETWEEN 6AM AND 9PM ON WEEKENDS.



7. Tanami Park (Reserve 51243 and adjacent road reserve)

THIS LOCATION CAN ONLY BE USED BETWEEN 7AM AND 7PM



8. Solway Park.

THIS LOCATION CAN ONLY BE USED BETWEEN 7AM AND 7PM



9. Six Seasons Park

THIS LOCATION CAN ONLY BE USED BETWEEN 7AM AND 7PM



10. Turf Club Carpark;

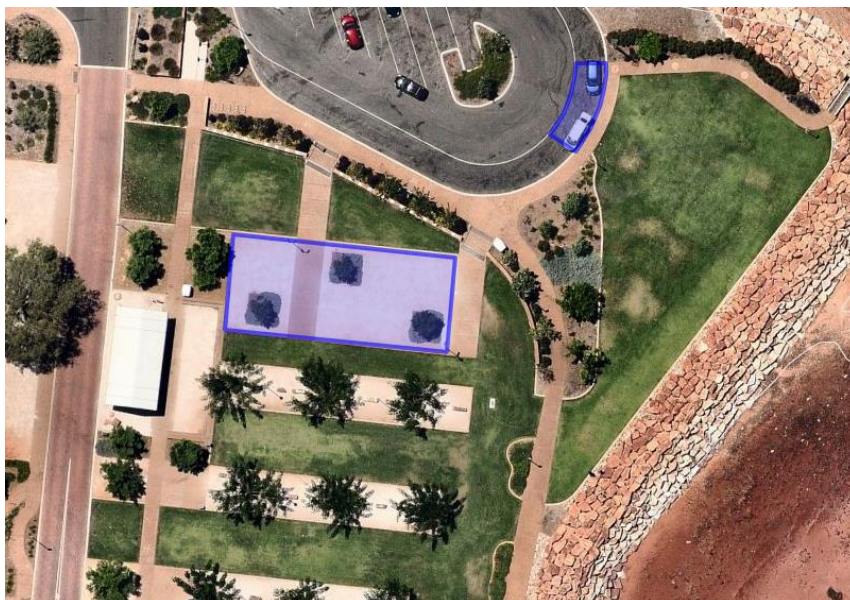
THIS LOCATION CAN ONLY BE USED BETWEEN 6AM AND 9PM

TRADING CANNOT OCCUR THE DAY BEFORE, DURING OR AFTER A TURF CLUB RACE EVENT



10. Town Beach (Reserve 31340)

THIS LOCATION CAN ONLY BE USED BETWEEN 6AM AND 9PM





11. Woods Park Reserve

THIS LOCATION CAN ONLY BE USED BETWEEN 7AM AND 7PM



SCHEDULE 1

Additional Provisions for Itinerant Traders

Itinerant Vendors' that stop for customers on public property when hailed by a customer, are permitted to trade outside of Trading Zones under the following conditions:

1. Hold a valid Trading in Public Places Permit;
2. Comply with the overall provisions and intent of this Policy;
3. Serve food and drinks which requires minimal onsite preparation only;
4. Must only trade between the hours of 9am to 5pm, Monday to Sunday;
5. Must not trade within 300 metres of a directly competing business;
6. Only remain at a particular location for as long as there is a customer making a purchase. If there is no customer making a purchase, the trader must move on from that location within a reasonable time of the last purchase having been made;
7. May only stop in legitimate car parks, car bays or 50km/hr zones; and
7. Music, or any other forms of noise to attract customers, is not permitted to be played whilst the van is parked.

SCHEDULE 2

Additional Provisions for Trading on Cable Beach

1. Trading activities proposed to take place on Cable Beach are to be approved by Council.
2. A maximum of six trading licences will be granted for trading activities on Cable Beach.
3. Trading licences, except for commercial camel activities, will only be issued for:
 - 3.1 Trading activities which support and are directly related to the recreational use and enjoyment of Cable Beach and its adjacent waters; and
 - 3.2 The section of Cable Beach:
 - (a) between a point formed by the westerly prolongation of Murray Road to the low water mark and a point located 500 metres north of the vehicle entry ramp adjacent to the Broome Surf Club; and
 - b) between the high and low water mark.
3. Council may decide to grant a trading licence for an activity even though it does not meet the provisions of this Schedule if Council decides there is sufficient merit in the proposed trading activity to justify its approval.
4. The Shire may close Cable Beach to all activities, including trading activities, at any time.
5. Consistent with a resolution of the Yawuru Park Council passed on 20 November 2019, the Shire of Broome Council will not approve commercial trading licences for quad bikes or all-terrain vehicles (ATV) in the Yawuru Conservation Estate, as these activities are not considered consistent with the cultural and environmental significance of the areas.

SCHEDULE 3

Additional Provisions for Commercial Camel Activities on Cable Beach

1. A maximum of three trading licences will be granted for commercial camel activities on Cable Beach.
2. A person must not hold more than one trading licence for a commercial camel activity at any time, and must not have a Related Entity Interest in respect of the holder of another trading licence for a commercial camel activity.
3. Each camel operator must operate independently, unless otherwise approved as part of an event or function approval issued in accordance with the Local Government Property and Public Places Local Law 2012.
4. Each trading licence will allow a maximum of 18 camels per operator on Cable Beach at any time, unless otherwise approved by the Shire for extraordinary circumstances, eg. cruise ships and corporate/conference functions.
5. Trading licences for commercial camel activities on Cable Beach will be approved for ten years.
6. The conditions of a trading licence issued for a commercial camel activity will be consistent with the provisions in Part 4 in Schedule 2 of the Local Government Property and Public Places Local Law 2012.
7. Commercial camel activities may be conducted on Cable Beach:
 - 7.1 between:
 - (a) a point formed by the westerly prolongation to the low water mark of the northern boundary of Reserve 36477;
 - (b) a point formed by the westerly prolongation to the low water mark of the Northern Boundary of Lot 405 Lullfitz Drive; and
 - (c) the high and low water mark, and
 - 7.2 within the set down/pick up area allocated or approved by Council, including land required to traverse from the area identified in subclause 7.1 to this allocated or approved set down/pick up area.
8. Camel operators must only set down/pick up customers for their camel train at the set down/pick up area allocated to the operator in the operator's trading licence, except where otherwise approved by the Shire due to adverse environmental or other conditions making the designated set down area unsuitable. A portable sign may be placed in the set down/pick up area allocated in the operator's trading licence as follows:
 - 8.1 the sign must not exceed one metre in height;
 - 8.2 each advertising panel on the sign must not exceed 0.8 square metres;
 - 8.3 the sign must only contain details relevant to the commercial camel activity;
 - 8.4 the sign must not be placed in a way that causes interference or is hazardous to vehicular traffic or pedestrians;
 - 8.5 the sign must be of sound construction and maintained in good condition; and
 - 8.6 the sign must be removed at the end of each trading session.
9. No commercial camel activities can be undertaken on Cable Beach between 10am and 2.30pm, unless otherwise approved by the Shire for extraordinary circumstances e.g. cruise ships and corporate/conference functions. Any request to conduct commercial

camel activities in between 10am and 2.30pm must be made in writing, and if approved will be for a maximum period of two hours between 10am and 2.30pm.

10. A camel operator must hold current approval from the Shire to keep a large animal in accordance with the Health Local Laws 2006.
11. A single temporary shade structure can be erected for each commercial camel activity, no more than 3 metres by 3 metres in size and erected soundly and securely so as not to cause a hazard.
12. All camels must be fitted with manure collection devices. Any manure that escapes a manure collection device must be collected immediately.
13. Camel operators must ensure that there is at least 30 metres between each camel train at all times.
15. The following activities may be undertaken in accordance with a trading licence issued for a commercial camel activity:
 - 15.1 camel tours;
 - 15.2 the taking and sale of photographs and camel memorabilia associated with the commercial camel activity to customers undertaking camel tours; and
 - 15.3 the sale of bottled water.
16. A camel operator must not facilitate the provision by any other business of any goods or services (eg. provision of food or drinks) to the operator's customers on Cable Beach or any other public place, except for:
 - 16.1 to facilitate the provision of medical or other emergency services to customers where required; and
 - 16.2 as part of an event or function approved as in accordance with the Local Government Property and Public Places Local Law 2012.
17. Council may, at any time, direct that access to Cable Beach be obtained from an alternative location to that approved in the trading licence, subject to a permit being obtained to take a vehicle in the vehicle prohibited area of Cable Beach.

Advice notes for camel operators

The following advice notes are provided as recommendations to assist camel operators in providing for a safe and professional service to customers. It should be noted that in providing this advice, the Shire accepts no responsibility for non-compliance of any occupational health and safety requirements or any other legislation.

- A. Informative introductory talks should be provided to customers covering all aspects of safety prior to clients commencing a camel ride.
- B. Camel operators should have a maintenance schedule to ensure all equipment used in association with the riding of camels is kept at a high standard.
- C. Camel operators should have a system for the recording of any incidents or accidents that may occur in operation of the commercial camel activities.
- D. An employee induction process should be introduced for all employees.
- E. It is recommended that first aid training be provided to employees and that first aid kits are carried on the camel tours.
- F. A mobile phone should be carried on all camel tours to ensure communication in the event of an accident, or contact with Shire Officers if necessary.

- G. It is recommended that camel operators hold current tourism accreditation to support a high standard of practice within the camel industry in Broome.
- H. Camel operators should endeavor to meet with Shire Officers prior to each new tourist season to discuss both the previous and upcoming season's activities and other matters relevant to the operation of camel tours.

DISCLAIMER: The above information provides readers with advice, guidance and/or recommendations regarding specific operational conduct. The advice, guidance and/or recommendations contained herein do not constitute legal advice, and are not intended as an exhaustive statement of measures that should be undertaken to discharge the operator's duty of care to clients and the public.

SCHEDULE 4

Additional provisions for not operating from a vehicle or trailer

Trading activities which do not operate from a vehicle or trailer, may be issued a trading licence under the following conditions:

- 1. The trading activity occurs within one of the following bookable spaces advertised on the Shire website (as amended):
 - 2.1 Cable Beach Amphitheatre;
 - 2.2 Cable Beach Foreshore;
 - 2.3 Cable Beach South of Surf Club;
 - 2.4 Cable Beach South of Ramp;
 - 2.5 Cygnet Park;
 - 2.5 Ibasco Park
 - 2.6 Tanami Park Reserve;
 - 2.6 Town Beach Reserve;
 - 2.7 Solway Park.
- 2. A maximum of 20 customers are permitted at any one time;
- 3. Area to be used is no larger than 15m x 15m;
- 4. The activity may only be set up for a maximum of 4 hours, including bump-in and bump out requirements and it is not to be sectioned off from use by the public.

SCHEDULE 5

Definition of Related Entity Interest

A person has a Related Entity Interest in relation to another commercial camel activity if any of the following applies:

Where both parties are natural persons	Where both parties are corporations	Where one party is a natural person and the other is a corporation
(a) Partnership or joint venture. (b) Trustee/beneficiary. (c) Trustee/potential object of a discretionary trust. (d) Spouses or de facto partners living together. (e) Parent/child living together. (f) A person's spouse, de facto partner or child living with the person, has a relationship of any of categories (a) - (c) to the other party.	(a) Related corporations including parent/subsidiary companies and companies in the same corporate group. (b) Corporations in partnership or joint venture. (c) Except in the case of a publicly-listed company, corporations (other than community associations or clubs) with any degree of common membership. Membership means: (i) Directors; (ii) Shareholders; (iii) Unit holders; (iv) Beneficiaries of trusts administered by unit holders; (v) Potential objects of such trusts. (vi) Spouse, de facto partner or child of any of categories (i) - (v). Persons need not be members of the two corporations in the same capacity.	(a) Partnership or joint venture. (b) Trustee/beneficiary. (c) Trustee/potential object of a discretionary trust. (d) Directorship. (e) Shareholding. (f) Unit holding. (g) Spouse, de facto partner or child living with the natural person party is in any of relationships (a) - (f) with the corporate party.

SCHEDULE 6**Trading Intensity Matrix**

The following matrix is intended as a guide only. Categorization of traders remains at the discretion of the Shire.

Section 1 – Customer Base		
20 or less customers per day	10	
21 – 100 customers per day	20	
Over 100 customers per day	30	
	Score	
Section 2 - Activity		
Educational, community, fitness/exercise	-10	
Other	20	
	Score	
Section 3 - Location		
Less than 15sqm (i.e. one car bay)	10	
15-50sqm	15	
More than 50sqm	30	
	Score	
Score		
High	36-80	
Medium	21-55	
Low	11-20	
Very Low	10 or less	
	TOTAL	

9.3 PROSPERITY

9.3.1 EXPRESSIONS OF INTEREST FOR LEASE - RESERVE 37003, 7 ORR STREET, BROOME (PREVIOUSLY KNOWN AS SCOUTS HALL)

LOCATION/ADDRESS:	7 ORR STREET, BROOME
APPLICANT:	Nil
FILE:	LSS039; RES 37003
AUTHOR:	Senior Property and Leasing Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Infrastructure
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

This report considers Expressions of Interest received for the disposal, by way of lease, Reserve 37003, 7 Orr Street, Broome and seeks Council's consideration of the recommendation contained within the Confidential Evaluation Report.

BACKGROUND

Previous Considerations

OMC 30 September 2021

Item 9.2.2

The Scouts Hall Association of Australia has had a lease over the facility since March 1981. On 1 November 2021 the lease was surrendered By Scouts Hall Association due to a lack of volunteers and the fact they were unable to run Scouts in Broome. Since then the premises has remained vacant.

Currently the site is zoned "Public Purpose" under The Local Planning Scheme 6 with no additional use rights under the scheme. There is currently an application in progress with The Department of Planning Lands and Heritage to amend the current purpose of the reserve from "Hall Site, Boy Scouts and Girl Guides" to "Community and Recreation Purpose Only".

In terms of the Expressions of Interest to lease Reserve 37003 the Department of Planning, Lands and Heritage have recommended to include a provision that a lease is granted conditional on the reserve amendment being approved and finalised.

COMMENT

On 11 February 2022, 7 Orr Street was advertised for a two-week Expression of Interest (EOI) to Lease period. The EOI sought responses from Community groups interested in leasing the premises for activities that would benefit the community of Broome. Interested parties were required to submit a formal written submission addressing relevant compliance, eligibility, and assessment criteria to show their suitability for the premises.

Expressions of Interest (EOI) were advertised in the Broome Advertiser and on the Shire's webpage on 10 February 2022 with submissions closing on 25 February 2022. Two submissions were received by the closing date from the Kimberley Arts Network and the Society for

Kimberley Indigenous Plants and Animals. A late submission was received from Broome Youth and Families Hub and officers chose to assess that late submission.

The Kimberly Arts Network (KAN)

KAN is a vibrant and proactive not for profit Broome organisation that is dedicated to promoting, supporting, and increasing opportunities for artists, art organisations and craftspeople across the Kimberley region.

Since KAN's inception in 2018, KAN has used its professional skills and connections to develop projects, support creative enterprises and manage events, such as the Broome Fringe Festival and Broome Arts Program. As KAN builds its activities and events, it ensures the whole community can participate and be enriched by the experience of engaging with the arts.

KAN's aim is to occupy the premises at 7 Orr Street and re-invigorate the site for art events, skills workshops, ongoing training programs, and creating opportunities for community engagement. As KAN builds their activities and events, KAN would like to ensure that the site is improved upon to meet the diverse needs of the local arts community in Broome.

Society For Kimberley Indigenous Plants & Animals (SKIPPA)

SKIPPA (formed in 2004) is a Broome based not for profit volunteer group whose key aim is to educate and share information on the study and appreciation of Kimberley native plants and animals.

In the past 18 years SKIPPA has grown and donated thousands of plants to home gardeners, schools, Aboriginal ranger groups, NGOS, community organisations and the Shire. SKIPPA aims to connect people and place by providing opportunities for people to participate in land-care activities in a safe and welcoming environment.

SKIPPA currently has no access to a purpose build nursery facility so would like the opportunity to secure 7 Orr Street to pursue their aims and expand their membership.

Broome Youth and Families Hub (BYFH)

BYFH (formed in 2015) is a not-for-profit charity that works to empower children, young people, and families to reach their full potential by assisting in the need of housing, welfare, mental health support and social inclusion. BYFH would like to utilise the premises at 7 Orr Street to run the project "Maindim Yangbala". The project is a partnership with the Department of Communities and aligns with the Departments T120 strategy to work with the children and young people of the families who are identified as needing support to ensure their children do not partake in risky or criminal activity. This is a long term well-funded State government project that would be facilitated by qualified teacher and youth worker.

BYFH have been granted money through Safer Communities Initiative, Department of Industry and Science, Energy Resources to operate this program in Broome. BYFH are current tenants of another Shire owned facility located at Reserve 41397, also known as the Drop-in Centre.

ASSESSMENT AND EVALUATION

The EOI's were received and evaluated by Shire officers against the EOI evaluation criteria using a weighted value system to allocate a score out of 100.

The weightings were:

- Financial capacity to meet obligations of the lease inclusive of all outgoings, capital, planned statutory and reactive maintenance (25%)
- Demonstrated benefit and social well being to the community (25%)
- Demonstrated level of governance to support longevity of tenure (25%)
- Demonstrated best utilisation of the premises (25%)

The qualitative evaluation demonstrated that all three groups provided positive benefits to the community. The evaluation of the three EOI's received is contained in the confidential Evaluation Report (**Attachment 1**).

LEASING ISSUES

It is recommended that a 5-year lease with a 5-year option be offered at a peppercorn rent of \$1.00 per annum. The lessee will take on the property on an "as is basis" and be responsible for all costs of maintaining the building, outgoings, and insurance on the premises. The lessee is responsible for legal costs associated with the negotiation and preparation of the lease.

CONSULTATION

Publicly Advertised Expression of Interest (Broome Advertiser and Shire's website)

STATUTORY ENVIRONMENT

Local Government (Functions and General) Regulations 1996

30. Dispositions of property to which section 3.58 of Act does not apply

(1) *A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.*

(2) *A disposition of land is an exempt disposition if —*

(a) *the land is disposed of to an owner of adjoining land (in this paragraph called "**the transferee**") and —*

(i) *its market value is less than \$5 000; and*

(ii) *the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;*

or

(b) *the land is disposed of to a body, whether incorporated or not —*

(i) *the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*

(ii) *the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;*

or

(c) the land is disposed of to —

- (i) the Crown in right of the State or the Commonwealth;
- (ii) a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or
- (iii) another local government or a regional local government;

or

- (d) it is the leasing of land to an employee of the local government for use as the employee's residence;
- (e) it is the leasing of land for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land;
- (f) it is the leasing of land to a person registered under the Health Practitioner Regulation National Law (Western Australia) in the medical profession to be used for carrying on his or her medical practice; or;
- (g) it is the leasing of residential property to a person.

(2a) A disposition of property is an exempt disposition if the property is disposed of within 6 months after it has been —

- (a) put out to the highest bidder at public auction, in accordance with section 3.58(2)(a) of the Act, but either no bid is made, or any bid made does not reach a reserve price fixed by the local government;
- (b) the subject of a public tender process called by the local government, in accordance with section 3.58(2)(b) of the Act, but either no tender is received, or any tender received is unacceptable; or
- (c) the subject of Statewide public notice under section 3.59(4), and if the business plan referred to in that notice described the property concerned and gave details of the proposed disposition including —
 - (i) the names of all other parties concerned;
 - (ii) the consideration to be received by the local government for the disposition; and
 - (iii) the market value of the disposition as ascertained by a valuation carried out not more than 12 months before the proposed disposition.

(2b) Details of a disposition of property under subregulation (2a) must, for a period of 1 year beginning on the day of the initial auction or tender —

- (a) be made available for public inspection; and
- (b) be published on the local government's official website.

(3) A disposition of property other than land is an exempt disposition if —

- (a) its market value is less than \$20 000; or
- (b) the entire consideration received by the local government for the disposition is used to purchase other property, and where the total consideration for the other property is not more, or worth more, than \$75 000.

Land Administration Act 1997 WA

18 Crown land transactions that need Minister's approval

- (1) A person must not without authorisation under subsection (7) assign, sell, transfer or otherwise deal with interests in Crown land or create or grant an interest in Crown land.
- (2) A person must not without authorisation under subsection (7) —
 - (a) grant a lease or licence under this Act, or a licence under the Local Government Act 1995, in respect of Crown land in a managed reserve; or
 - (b) being the holder of such a lease or licence, grant a sublease or sub licence in respect of the whole or any part of that Crown land.
- (3) A person must not without authorisation under subsection (7) mortgage a lease of Crown land.
- (4) A lessee of Crown land must not without authorisation under subsection (7) sell, transfer or otherwise dispose of the lease in whole or in part.
- (5) The Minister may, before giving approval under this section, in writing require —
 - (a) an applicant for that approval to furnish the Minister with such information concerning the transaction for which that approval is sought as the Minister specifies in that requirement; and
 - (b) information furnished in compliance with a requirement under paragraph (a) to be verified by statutory declaration.
- (6) An act done in contravention of subsection (1), (2), (3) or (4) is void.
- (7) A person or lessee may make a transaction under subsection (1), (2), (3) or (4) —
 - (a) with the prior approval in writing of the Minister; or
 - (b) if the transaction is made in circumstances, and in accordance with any condition, prescribed for the purposes of this paragraph.
- (8) This section does not apply to a transaction relating to an interest in Crown land if —
 - (a) that land is set aside under, dedicated or vested for the purposes of an Act other than this Act, and the transaction is authorised under that Act; or
 - (b) that interest may be created, granted, transferred or otherwise dealt with under an Act other than —

(i) *this Act; or*

(ii) *a prescribed Act;*

or

(c) *an agreement, ratified or approved by another Act, has the effect that consent to the transaction was not required under section 143 of the repealed Act; or*

(d) *the transaction is a lease, sublease or licence and the approval of the Minister is not required under section 46(3b).*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC CORPORATE PLAN OBJECTIVES

People – We will continue to enjoy Broome-time, our special way of life. It's laid-back but bursting with energy, inclusive, safe and healthy, for everyone.

Effective communication

Affordable services and initiatives to satisfy community needs

Accessible and safe community spaces

A healthy and safe environment

Place – We will grow and develop responsibly, caring for our natural, cultural and built heritage, for everyone.

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

Prosperity – Together, we will build a strong, diversified, and growing economy with work opportunities for everyone.

Affordable and equitable services and infrastructure

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council:

1. Receives the recommendation as contained in the Confidential Evaluation Report for Expression of Interest – Lease of Reserve 37003, (7) Orr Street, Broome.
2. Authorises the Chief Executive Officer to seek Ministerial approval and negotiate the final terms and conditions of the lease in line with:
 - a) A peppercorn rent Lease of \$1 per annum.
 - b) A new lease to be entered into for a 5 -year term commencing 01 May 2022.
 - c) The Tenant take Reserve 37003 on an 'as is basis';
 - d) The Tenant be responsible for all operational, maintenance and variable outgoings.
 - e) The Tenant be responsible for legal costs associated with the negotiations.
3. Authorises the Chief Executive Officer to engross the final lease documentation subject to the purpose of Reserve 37003 being amended to "Community and Recreation".

Following the Agenda Briefing, the Director Infrastructure advised Council that the Report Recommendation had been amended. This was circulated to Councillors prior to the meeting.

REPORT RECOMMENDATION:

That Council:

1. Receives the recommendation as contained in the Confidential Evaluation Report for Expression of Interest – Lease of Reserve 37003, (7) Orr Street, Broome.
2. Accepts the Expression of Interest provided by Kimberley Arts Network as the preferred Expression of Interest.
3. Authorises the Chief Executive Officer to seek Ministerial approval and negotiate the final terms and conditions of the lease in line with:
 - a) A peppercorn rent Lease of \$1 per annum.
 - b) A new lease to be entered into for an initial 5 -year term commencing 01 May 2022.
 - c) An option within the Lease for the Tenant to renew for one further term of 5 years
 - d) The Tenant take Reserve 37003 on an 'as is basis'.
 - e) The Tenant be responsible for all operational, maintenance and variable outgoings.
 - f) The Tenant be responsible for legal costs associated with the negotiations.
4. Authorises the Chief Executive Officer to engross the final lease documentation subject to the purpose of Reserve 37003 being amended to "Community and Recreation".

Cr Rudeforth moved the amended Report Recommendation and Cr Matsumoto seconded the motion.

Cr Taylor proposed an amendment to point 3(c) within the amended report recommendation to review the lease prior to expiry before renewing for a further 5 years.

The amendment was accepted by both Cr Rudeforth as the mover and Cr Matsumoto as the seconder.

Prior to the motion being put to the vote, Cr Wevers acknowledged on behalf of Council, the significant contribution that the Scout movement had made to the Broome Community.

COUNCIL RESOLUTION:

(RECOMMENDATION)

Minute No. C/0422/010

Moved: Cr B Rudeforth

Seconded: Cr P Matsumoto

ALTERNATE MOTION:

That Council:

- 1. Receives the recommendation as contained in the Confidential Evaluation Report for Expression of Interest – Lease of Reserve 37003, (7) Orr Street, Broome.**
- 2. Accepts the Expression of Interest provided by Kimberley Arts Network as the preferred Expression of Interest.**
- 3. Authorises the Chief Executive Officer to seek Ministerial approval and negotiate the final terms and conditions of the lease in line with:**
 - a) A peppercorn rent Lease of \$1 per annum.**
 - b) A new lease to be entered into for an initial 5 -year term commencing 01 May 2022.**
 - c) The Shire will upon application by the Kimberley Artwork Network, no later 6 months prior the expiry of the current lease, grant an application term of up to 5 years subject to the Kimberley Artwork Network providing to the Shire information similar to that provided in their current lease application to demonstrate to the Shire their financial position, operating sustainability and suitability to be awarded a new peppercorn lease for this property.**
 - d) The Tenant take Reserve 37003 on an 'as is basis'.**
 - e) The Tenant be responsible for all operational, maintenance and variable outgoings.**
 - f) The Tenant be responsible for legal costs associated with the negotiations.**
- 4. Authorises the Chief Executive Officer to engross the final lease documentation subject to the purpose of Reserve 37003 being amended to "Community and Recreation".**

CARRIED UNANIMOUSLY 7/0

Attachments

- 1. Evaluation Report - EOI - Reserve 37003 (Confidential to Councillors and Directors Only)**

This attachment is confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(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”.

Cr H Tracey declared a Financial Interest in Item 9.3.2, the reason being “Director and owner of a company who sponsors applicant for funding”

Cr D Male declared a Financial Interest in Item 9.3.2, the reason being “An applicant is a client of my business”

Cr P Taylor declared a Impartiality Interest in Item 9.3.2, the reason being “Member of the Broome Chamber of Commerce and Industry board”. Cr P Taylor has made written declaration that he will consider the matter on its merits and vote accordingly.

COUNCIL RESOLUTION:

(RECOMMENDATION)

Minute No. C/0422/011

Moved: Cr H Tracey

Seconded: Cr D Male

That Councillor Wevers assume the position of Chair.

CARRIED UNANIMOUSLY 7/0

Cr H Tracey left the Chambers at 5:49 pm.

Cr D Male left the Chambers at 5:49 pm.

Cr N Wevers assumed the Chair.

CLOSE CHAMBERS TO PUBLIC (\$5.23):

Minute No. C/0422/012

Moved: Cr C Mitchell

Seconded: Cr P Matsumoto

That Council move behind closed doors to discuss a matter, in accordance with section 5.23 of the Local Government Act 1995.

CARRIED UNANIMOUSLY 5/0

Reason: Cr Mitchell indicated that he would like to discuss a matter in relation to Item 9.3.2 that if disclosed would reveal information about the business, professional, commercial or financial affairs of a person.

SUSPEND MEETING PROCEDURES:

Minute No. C/0422/013

Moved: Cr C Mitchell

Seconded: Cr B Rudeforth

That Meeting Procedures be suspended in accordance with Clause 16.1 of the Meeting Procedures Local Law at 5.52pm.

CARRIED UNANIMOUSLY 5/0

Reason: To allow clarification and discussion on agenda Item 9.3.2 before entering debate.

REINSTATE MEETING PROCEDURES:

Minute No. C/0422/014

Moved: Cr C Mitchell**Seconded: Cr B Rudeforth**

That Meeting Procedures in accordance with Clause 16.1 of the Meeting Procedures Local Law be reinstated at 5.56pm

CARRIED UNANIMOUSLY 5/0**OPEN CHAMBERS TO PUBLIC (\$5.23):****Minute No. C/0422/015****Moved: Cr P Taylor****Seconded: Cr B Rudeforth**

That Council open the Council Chambers to members of the public.

CARRIED UNANIMOUSLY 5/0

Three members of the public returned to the chambers.

9.3.2 EVENTS DEVELOPMENT FUNDING 2022-2023

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FIS13
AUTHOR:	Economic Development Coordinator
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

This report presents an overview of applications received, and recommendations for the allocation of funds, through Council's Events Development Funding Program.

BACKGROUNDPrevious Considerations

SMC 21 December 2021 Item 5.3.1

The Event Development Funding (**EDF**) Program was formalised in 2021 with the adoption of EDF Guidelines at the December meeting of Council. The Guidelines were developed to provide funds to assist organisations within the Shire of Broome to develop and run events that meet the criteria. The EDF replaced the Economic, Events, Tourism Development Fund (**EETDF**).

EETDF AWARDS IN PREVIOUS YEARS

Applicant	Awarded 2018/19	Awarded 2019/20	Awarded 2020/21	Awarded 2021/22	Total
Ardyaloon Incorporated	\$5,000	-	-	-	\$5,000

Broome Aboriginal Media Association	-	\$19,840	-	-	\$19,840
Broome Bowling Club	\$4,000	-	-	\$2,000	\$6,000
Broome Chamber of Commerce & Industry Inc	\$12,500	[\$25k not accepted]	-	-	\$12,500
Broome Community Stallholders Association Inc	\$35,533	-	-	-	\$35,533
Broome Fishing Club	\$5,000	\$5,000	-	-	\$10,000
Broome Turf Club	\$29,800	\$33,305	-	-	\$63,105
Cable Beach Polo	\$13,319	46500	46500*	46500*	\$152,819
Fat Bike Championships Inc.	\$2,000	\$4,000	-	\$5,000	\$11,000
Fit Events	\$2,500	-	-	-	\$2,500
Broome Marathon				\$5,000	\$5,000
Saltwater Country Inc.	\$30,000	\$60,000	\$60,000	\$60,000	\$210,000
Theatre Kimberley	\$10,286	-	-	10000	\$20,286
Shinju Matsuri Inc	\$102,500	\$104,000	\$130,000	\$104,000	\$440,500
Stompem Ground				\$19,000*	\$19,000
Broome Soccer Assoc				\$9,000	\$9,000
Broome Touch Assoc				\$5,000	\$5,000
TOTAL	\$252,438	\$272,645	\$236,500	\$265,500	\$1,027,083

*Funding approved however events did not run and funding was not provided

The EDF was developed to assist local organisations within the Shire to deliver events, projects and initiatives that benefit the local community and are consistent with the values and strategies contained within the Growth Plan, Strategic Community Plan 2021-31 and the Economic Development Strategy 2021-2026.

Events seeking EDF program funding should aim to achieve a minimum of one of the three following objectives:

- Drawcards: are events that bring visitors to Broome specifically for the event, which in turn injects new money into the local economy.
- Enhancers: enrich the experience of those already visiting Broome, creating additional expenditure, and in some cases length of stay.
- Community: events connect with the community and create a vibrant atmosphere, while stimulating local expenditure.

Events that achieve all three of these objectives can be designated as 'Pearl Events' and are not subject to the maximum funding limit of \$40,000. Under the guidelines, exclusively ticketed events cannot be designated as Pearl Events.

COMMENT

The current round of EDF opened in early 2022 and closed 28 February 2022. A media statement was released and circulated to agencies, Broome media, Politicians, Councillors

and all staff. An e-newsletter was sent on 8 February 2022. Council staff also communicated and met with event programmers.

A reminder of the closing date was posted on the Shire of Broome Facebook page on 3, 6 and 24 February 2022.

Eleven applications were received requesting a total of \$534,841 over the 2022-23 year. Two EDF applicants applied for funding in both the EDF and Annual Matched Sponsorship Programs. Those applicants have been advised that allocation of funding in one program renders them ineligible to receive funding in the other.

The indicative 2022-23 budget for EDF is \$265,500 (subject to Council endorsement). There are no pre-approved projects from previous years, leaving the full budget amount to be allocated in this round. Officers have undertaken a review of each application against the funding guidelines. **Please see detailed review documents attached.**

Four applicants submitted a request for 3-year funding.

PROJECT APPLICATIONS RECEIVED 2022/23:

Organisation	Project Name	Funding Request 2022-23
Broome Aboriginal Media Association	2022 Kullarri NAIDOC Festival	\$ 10,000
Athletics West / Broome Little Athletics	WA North West Athletics Championships	\$ 22,490
Broome Pride Inc	Broome Pride Mardi Gras Festival	\$ 40,000
Broome Turf Club	Broome Pearl Cup	\$ 42,816
Fat Bike Championship Inc.	2023 AusCycling Fat Bike National Championships	\$ 5,000
Kimberley Arts Network	Indigenous Community Festival Participation Program 2023- 25	\$ 11,035
Goolarri Media Enterprises Pty Ltd and Geographe French Australian Festivals Inc (CinefestOZ Film Festival)	CinefestOZ Broome	\$ 75,000
Saltwater Country Ltd	Rhythm + Ride	\$ 80,000
Shinju Matsuri Inc	Shinju Matsuri 2022	\$ 200,000
Touch Football Australia Ltd	Beach Touch Footy - Broome edition	\$ 8,500
Broome Chamber of Commerce & Industry	Event Sponsorship	\$ 40,000
		\$ 534,841

PROJECT RECOMMENDATIONS

Officer recommendations are included under the Financial Implications section of this report and are consistent with the detailed assessments in the attachments. Below are some points for consideration about each application.

1. *Broome Aboriginal Media Association – \$10,000 (per year, 3 years)*
 - a) It is not expected that NAIDOC will become self sufficient, however it has an excellent ROI in terms of community participation and civic pride.

- b) Multi-year funding removes the administrative burden of ad-hoc requests for sponsorship and duplicate applications to the EDF and municipal matching grant.
 - c) Shire support would compliment other government and private supporters of this event.
2. *Athletics West / Broome Little Athletics – \$17,500*
- a) Health and recreation event with a youth target demographic. The training component and community visitation builds long term tangible benefit.
 - b) Is a drawcard and community event.
 - c) Project links to Strategic Community Plan intent to develop Broome as a centre of regional excellence and attract regional sporting events.
 - d) Athletics West received \$10,000 under the Community Matched Sponsorship program in 202/21. Continued Shire support would be with the intent of growing the championships.
3. *Broome Pride Inc – \$7,500 (per year, 3 years)*
- a) Event is a drawcard, enhancer and there are many free and community events and outreach (schools).
 - b) Pride is a popular and inclusive event, held in the shoulder season and has grown since inception in 2018. It has strong involvement from local businesses and capacity for growth and self sustenance.
 - c) Support has been recommended at \$7,500, rather than \$40,000 due to consideration of the number of ticketed events and the exclusivity of events.
 - d) In the funding agreement the \$7,500 will cover event venue costs.
 - e) It is recommended support is a sponsorship agreement (with full acquittal process).
4. *Broome Turf Club- \$0*
- a) The Broome Pearl Cup did not rate highly under assessment. The application lacked sufficient detail for officers to be satisfied that it meets the guidelines.
 - b) The event would be considered an enhancer, in that people already in Broome for race week would most likely attend.
 - c) Shire support is being requested at 66% of total event costs and activities, which exceeds the 50% preferred contribution under the guidelines.
 - d) An assessment of the Rockingham Beach Cup (a similar event) shows multiple major event sponsors, one of which is the City of Rockingham. Future applications from the Turf Club, where Shire support is reduced and complimented by other sponsors, would be rated higher.
 - e) To financially support this project, officers will need to be satisfied that the applicant has considered all stakeholders and can obtain necessary approvals for the event.
5. *Fat Bike Championship Inc. – \$5,000.*
- a) A popular event, Shire support would be in the form of a sponsorship agreement (with full acquittal process).

- b) Fat Bike Championship is a national event. Broome is one of the premier locations for fat biking and has one of the highest fat bike sales in Australia.
 - c) Continued Shire support would be with the intent of growing the championships.
6. *Kimberley Arts Network – \$11,035*
- a) The project is part of the larger Fringe Festival. Training and development opportunities for Aboriginal people to become artistic entrepreneurs rates highly with the Shire's economic and community development goals. It also builds on Broome's artistic and cultural heritage.
 - b) KAN applied for 3 years of funding, and it is recognised that would be help to build continuity in the program. It is recommended that this project is reviewed as part of the Shire's Arts & Culture Strategy currently in development.
7. *Goolarri Media Enterprises Pty Ltd and Geographe French Australian Festivals Inc (CinefestOZ Film Festival) - \$5,000*
- a) Goolarri are at concept development stage, but they have a strong partner with a history of successful projects.
 - b) Shire support would include funding 50% of a business plan (\$5,000) to ensure that the project is accurately modified to Broome realities. The preferred business analysis consultant is a subject matter expert.
 - c) CinefestOz has a community program that engages children and youth.
8. *Saltwater Country Ltd - \$40,000 (per year, 3 years)*
- a) To receive the requested \$80,000, it is required that Council determines Rhythm and Ride to be a PEARL event. If it is not a PEARL event, Shire contribution reduces to a maximum of \$40,000.
 - b) The event is a combination of free and ticketed events. The ticketed events are between \$10-\$30 dollars which helps build sustainability.
 - c) In addition to the weekend Rodeo there is also a camp-draft and community programs (e.g. Saltwater Academy & Kids Git Up) targeted at youth.
 - d) The events' goals and purpose builds on Broome's Aboriginal and cultural heritage and meets People, Place, Prosperity goals.
 - e) The acquittal process in previous years has shown strong ROI. Total project expenditure and revenue is increasing year on year.
9. *Shinju Matsuri Inc – \$110,000*
- a) Shire support includes \$80,000 for the purchase of sea containers to create a Festival Hub. This will become an asset that will be retained by the organisation and rented out to other organisations, thereby increasing financial sustainability.
 - b) The remaining \$30,000 would go towards venue rentals and event hire.
 - c) Shinju declined applying for a 3-year funding agreement this year but intend to submit in 2023.
10. *Touch Football Australia Ltd – \$6,500*

- a) A popular event, and Shire support would be in the form of a sponsorship agreement (with full acquittal process).

11. Broome Chamber of Commerce & Industry – \$0

- a) Shire staff are currently working with BCCI to draft a 3-year Memorandum of Understanding which will likely include a recommendation to provide financial support for events.

CONSULTATION

Officers engaged with applicants during advertising of the EDF, and where required officers contacted applicants for additional information during the assessment process. Meetings were held at the Council office with Shinju Matsuri and Saltwater Country representatives.

Follow up emails and phone calls were made to EETDF recipients from 2021 (Cable Beach Polo and Mary G Foundation) who had committed funding 2021-22, but the events were cancelled due to Covid-19 restrictions. They were not provided with any funds in advance of the event. They were asked to resubmit an application for the 2022-23 financial year, however no applications were received.

Applications and guidelines were available via the Shire of Broome website: <https://www.broome.wa.gov.au/Community/Community-Services/Community-Funding-Programs>

STATUTORY ENVIRONMENT

Local Government Act 1995

6.2. Local government to prepare annual budget

Council considering an item for inclusion in a future budget.

6.7. Municipal fund

(1) All money and the value of all assets received or receivable by a local government are to be held and brought to account in its municipal fund unless required by this Act or any other written law to be held in the trust fund.

(2) Money held in the municipal fund may be applied towards the performance of the functions and the exercise of the powers conferred on the local government by this Act or any other written law.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The indicative 2022-23 budget for EDF is \$265,500 (subject to Council endorsement). From the 11 EDF applications received, \$212,535 has been recommended for funding for 2022-23.

The variance of \$52,465 may be kept in the budget and considered for applications that may be received later in the 2022-23 financial year. It is expected that as Covid-19 restrictions ease opportunities may emerge for high-profile events later in the year.

The funding awarded will inform the final 2022-23 Municipal Budget.

If the 3-year funding amounts are approved, the ongoing funding implications are below.

	EDF FINANCIAL IMPLICATIONS		
PROPONENT	2022-23	2023-24	2024-25
Broome Aboriginal Media Association	\$ 10,000	\$ 10,000	\$ 10,000
Athletics West / Broome Little Athletics	\$ 17,500		
Broome Pride Inc.	\$ 7,500	\$ 7,500	\$ 7,500
Fat Bike Championship Inc.	\$ 5,000		
Kimberley Arts Network	\$ 11,035		
Goolarri Media Enterprises Pty Ltd and Geographe French Australian Festivals Inc (CinefestOZ Film Festival)	\$ 5,000		
Saltwater Country Ltd	\$ 40,000	\$ 40,000	\$ 40,000
Shinju Matsuri Inc	\$ 110,000		
Touch Football Australia Ltd.	\$ 6,500		
	\$ 212,535	\$ 57,500	\$ 57,500
Indicative Budget allocation	\$ 265,000		
Variance	\$ 52,465		

RISK

When the EDF Guidelines were formalised it was acknowledged that the lower funding cap would result in some organisations getting less funding than perhaps in previous years. The ongoing intent of the program is to encourage financial sustainability over time.

	Risk	Type	Rank	Mitigation
Community dissatisfaction with allocations	Perception the Shire is not maximising opportunity to support organisations providing social and economic benefits	Reputational	Medium	All successful applicants to provide a project acquittal demonstrating outcomes and funding recognition (as per Guidelines).
Funding recipient dissatisfaction with allocations	Perception the Shire is not maximising opportunity to support organisations providing social and economic benefits.	Reputational	Medium	Guidelines have been put in place including eligibility criteria.

STRATEGIC ASPIRATIONS

People – We will continue to enjoy Broome-time, our special way of life. It's laid-back but bursting with energy, inclusive, safe and healthy, for everyone.

Outcome Three - A healthy, active community:

3.2 Improve access to sport, leisure and recreation facilities, services and programs

Outcome Four - An inclusive community that celebrates culture, equality and diversity:

4.1 Grow knowledge, appreciation and involvement in local art, culture and heritage.

Place – We will grow and develop responsibly, caring for our natural, cultural and built heritage, for everyone.

Outcome Six - Responsible growth and development with respect for Broome's natural and built heritage:

6.1 Promote sensible and sustainable growth and development.

Prosperity – Together, we will build a strong, diversified and growing economy with work opportunities for everyone.

Outcome Nine – A strong, diverse and inclusive economy where all can participate:

9.1 Increase Broome's domestic and international trade in tourism, agriculture, aquaculture, minerals and energy, culture and the arts, conservation economy and other emerging industries.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council:

1. *Consider, for inclusion in the Municipal Budget for 2022-2023, the following allocations from the Events Development Funding program, gives in-principle support to the allocation of funding and enters into agreements with the recipients for the following projects:*
 - a) *Kimberley Arts Network to the value of \$11,035 (ex GST) to be made as cash payment for the Indigenous Community Festival Participation Program 2023.*
 - b) *Saltwater Country Ltd to the value of \$40,000 (ex GST) per year, for 3 years, to be made as cash payment for the delivery of the Rhythm & Ride Festival 2023-25.*
 - c) *Shinju Matsuri Inc to the value of \$110,000 (ex GST), to be made for the purchase of an event hub (\$80,000) and \$30,000 for venue hire for the 2022 Shinju Matsuri festival.*
 - d) *Goolarri Media Enterprises Pty Ltd to the value of \$5,000 for the development of CinefestOz Broome;*
 - e) *Athletics West to the value of \$17,500 for the delivery of the WA North West Athletics Championships.*
 - f) *Broome Aboriginal Media Association to the value of \$10,000 for sponsorship of the event NAIDOC 2022, per year, for 3 years.*

- g) Broome Pride Inc. to the value of \$7,500 for sponsorship of the event Broome Pride, per year, for 3 years.
 - h) Touch Football Australia Ltd. to the value of \$6,500 for sponsorship of the event Beach Touch Footy 2023 Broome edition.
 - i) Fat Bike Championship Inc. to the value of \$5,000 for sponsorship of the 2023 AusCycling Fat Bike National Championships.
2. Notifies the unsuccessful applicants of the outcome of their application and provide feedback and support for future rounds of the Events Development Fund program.

Cr Rudeforth moved the following motion.

COUNCIL RESOLUTION:

Minute No. C/0422/016

Moved: Cr B Rudeforth

Seconded: Cr C Mitchell

That Council:

1. Consider, for inclusion in the Municipal Budget for 2022-2023, the following allocations from the Events Development Funding program, gives in-principle support to the allocation of funding and enters into agreements with the recipients for the following projects:
 - a) Kimberley Arts Network to the value of \$11,035 (ex GST) to be made as cash payment for the Indigenous Community Festival Participation Program 2023.
 - b) Saltwater Country Ltd to the value of \$20,000 (ex GST) per year, for 3 years, to be made as cash payment for the delivery of the Rhythm & Ride Festival 2023-25.
 - c) Shinju Matsuri Inc to the value of \$110,000 (ex GST), to be made for the purchase of an event hub (\$80,000) and \$30,000 for venue hire for the 2022 Shinju Matsuri festival.
 - d) Goolarri Media Enterprises Pty Ltd to the value of \$5,000 for the development of CinefestOz Broome;
 - e) Athletics West to the value of \$17,500 for the delivery of the WA North West Athletics Championships.
 - f) Broome Aboriginal Media Association to the value of \$10,000 for sponsorship of the event NAIDOC 2022, per year, for 3 years.
 - g) Broome Pride Inc. to the value of \$7,500 for sponsorship of the event Broome Pride, per year, for 3 years.
 - h) Touch Football Australia Ltd. to the value of \$6,500 for sponsorship of the event Beach Touch Footy 2023 Broome edition.
 - i) Fat Bike Championship Inc. to the value of \$5,000 for sponsorship of the 2023 AusCycling Fat Bike National Championships.
2. Notifies the unsuccessful applicants of the outcome of their application and provide feedback and support for future rounds of the Events Development Fund program.

CARRIED UNANIMOUSLY 5/0

Reason: The Events Development Funding is about supporting and incubating local events to reach financial sustainability. Saltwater Country Pty Ltd have received the full maximum grant for the past 3 years to assist with establishing sustainability.

Attachments

There are no attachments for this report.

Cr H Tracey returned to the Chambers at 6:00 pm.

Cr D Male returned to the Chambers at 6:00 pm.

Cr Wevers read aloud the resolution passed for the benefit of those returning Councillors.

Cr H Tracey resumed the Chair at 6:03pm

9.4 PERFORMANCE

9.4.1 ANNUAL REVIEW OF DELEGATIONS OF AUTHORITY REGISTER

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	ARE02
AUTHOR:	Manager Governance, Strategy & Risk
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

<p>The purpose of this report is for Council to complete the 2021/22 annual review of delegations across various legislations.</p>
--

<p>This review also recommends that Council approve three new local law delegations to further enhance the completeness of the delegations register.</p>
--

BACKGROUND

The Register of Delegated Authority was last presented to Council for review on 25 March 2021.

Section 5.46(2) of the *Local Government Act 1995* (the Act) requires that a local government keep a register of delegations of authority made under the Act and that these are reviewed at least once every financial year.

In simple terms the need for a delegation occurs where the legislation refers to “**the local government may**” do something. In the absence of a delegation from Council, a Council decision would be required each time. Functions able to be delegated are administrative in nature and a function of the CEO in accordance with section 5.41 (d) of the Act.

Delegations are also required for other legislation such as the *Building Act 2011*, *Bushfires Act 1954*, *Cat Act 2011*, *Dog Act 1974*, *Food Act 2008*, *Graffiti Vandalism Act 2016*, *Public Health Act 2016* and *Planning and Development Act 2005*.

COMMENT

The Register of Delegated Authority has undergone significant change in the last 2 years. Firstly the format of the delegation register was upgraded to the WALGA recommended template, and secondly the ongoing administration of the delegation register has moved to the Attain cloud-based software program.

As a result, amendments to the Delegation Register for 2021/22 are predominately administrative in nature relating to position title changes and noting that the Attain system will be used for the recording of when a delegation is exercised for most delegations moving forward. A summary of all the changes can be found at Attachment 1.

Amendments of significance for Council consideration have been highlighted in the table below.

Ref	Local Law Delegations <i>NEW</i>	Comments
1.4.1	Cemeteries Local Law 2012	<p>The absence of Local Law delegations was identified during the last delegation review. The WALGA Template did not provide local law delegations as these are not standard across local government.</p> <p>A complete review of all Local Laws has been completed as part of this review and identified the requirement for 3 delegations where the local law specifically references “the local government may”.</p> <p>The functions within the local laws delegated are all administrative nature falling within the responsibilities of the CEO.</p>
1.4.2	Property and Public Places Local Law 2016	
1.4.3	Trading, Outdoor Dining and Street Entertainment Local Law 2016	

Ref	Dog Act 1974 Delegations	Comments
5.1.1	Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons	<p>The <i>Dog Act 1976</i> provides for a contribution towards the cost of sterilisation up to \$210 based on hardship. Owners are required to present a Pension Card or Health Care Card and have been resident in Broome for over 12 months.</p> <p>Historically this concession has been extended to Cats. Review has identified that this is not covered in the <i>Cat Act 2011</i>.</p> <p>To formalise this arrangement it is recommended that the following condition be added:</p> <ul style="list-style-type: none"> Council extends the sterilisation subsidy to Cats for eligible persons under the same conditions as contained in the <i>Dog Act 1976</i> [s.10A]

5.1.3	Kennel Establishments	<p>Conditions of a Licence for a Kennel Establishment are contained in the <i>Dogs Local Law 2012</i>.</p> <p>These conditions are not referenced in the current delegation. For clarity it is recommended that the following conditions be added:</p> <ul style="list-style-type: none"> • Subject to conditions contained within Schedule 2 – <i>Dog Local Law 2012</i> • Variation applications to Schedule 2 – <i>Dog Local Law 2012</i> are to be referred to Council for decision.
-------	-----------------------	--

CONSULTATION

WALGA

STATUTORY ENVIRONMENT

Local Government Act 1995

5.42 *Delegation of some powers and duties to CEO*

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

5.46. *Register of, and records relevant to, delegations to CEO and employees*

- (1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Nil.

RISK

The Register of Delegated Authority is an important governance tool that provides the Chief Executive Officer with the authority to manage the day-to-day operations of the Shire in accordance with section 5.41 of the Act.

The annual review of delegations provides the opportunity for Elected Members to ensure that sufficient controls are in place to meet fiduciary duties whilst being cognisant of the need for operational efficiency.

From a compliance risk perspective, this item will meet the requirements for a review of delegations in the 2021/22 calendar year.

STRATEGIC ASPIRATIONS

Performance – We will deliver excellent governance, service and value, for everyone.

Outcome Eleven – Effective leadership, advocacy and governance:

11.2 Deliver best practice governance and risk management.

VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0422/017

Moved: Cr C Mitchell

Seconded: Cr P Taylor

That Council:

- 1. Notes the review of delegations; and**
- 2. Adopts the Register of Delegated Authority 2021/22 as contained in Attachment 2 inclusive of the amendments outlined within this report.**

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 7/0

Attachments

1. Delegations of Authority - 2021/22 Review Changes Summary
2. Shire of Broome - Register of Delegated Authority 2021-22 Review



Delegations of authority
2022 Review Changes Summary

Head of power	Category	Reference	Subject	Delegates	Subdelegates	2022 Delegations Review Summary of Changes
01 Local Government Act 1995 Delegations	Council to Committee	1.1.1	Behaviour Complaints Committee	Behavioural Complaints Committee	Nil	No Changes
01 Local Government Act 1995 Delegations	Council to CEO	1.2.1	Performing Functions Outside the District	Chief Executive Officer	Nil	Delegations exercised to be recorded in Attain.
01 Local Government Act 1995 Delegations	Council to CEO	1.2.2	Compensation for Damage Incurred when Performing Executive Functions	Chief Executive Officer	Nil	Delegations exercised to be recorded in Attain.
01 Local Government Act 1995 Delegations	Council to CEO	1.2.3	Powers of Entry	Chief Executive Officer	Director Development Services, Director Infrastructure, Manager Environmental Health, Emergency and Rangers, Manager Operations	Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	Council to CEO	1.2.4	Declare Vehicle is Abandoned Vehicle Wreck	Chief Executive Officer	Director Development Services, Manager Environmental Health, Emergency and Rangers	Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	Council to CEO	1.2.5	Confiscated or Uncollected Goods	Chief Executive Officer	Coordinator Community Safety & Ranger Services, Director Development Services, Manager Environmental Health, Emergency and Rangers	Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	Council to CEO	1.2.6	Disposal of Sick or Injured Animals	Chief Executive Officer	Coordinator Community Safety & Ranger Services, Director Development Services, Manager Environmental Health, Emergency and Rangers	Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	Council to CEO	1.2.7	Close Thoroughfares to Vehicles	Chief Executive Officer	Director Infrastructure, Manager Operations	Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	Council to CEO	1.2.8	Control Reserves and Certain Unvested Facilities	Chief Executive Officer	Director Development Services, Manager Environmental Health, Emergency and Rangers, Manager Community Facilities	Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	Council to CEO	1.2.9	Obstruction of Footpaths and Thoroughfares	Chief Executive Officer	Director Infrastructure, Manager Operations	Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	Council to CEO	1.2.10	Gates Across Public Thoroughfares	Chief Executive Officer	Director Infrastructure, Manager Operations	Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	Council to CEO	1.2.11	Public Thoroughfare – Dangerous Excavations	Chief Executive Officer	Director Infrastructure, Manager Operations	Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	Council to CEO	1.2.12	Crossing – Construction, Repair and Removal	Chief Executive Officer	Director Infrastructure, Manager Operations	Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	Council to CEO	1.2.13	Private Works on, over or under Public Places	Chief Executive Officer	Director Infrastructure, Manager Operations	Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	Council to CEO	1.2.14	Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift	Chief Executive Officer	Director Infrastructure, Manager Operations	Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	Council to CEO	1.2.15	Expressions of Interest for Goods and Services	Chief Executive Officer	Director Corporate Services, Director Development Services, Director Infrastructure	Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	Council to CEO	1.2.16	Tenders for Goods and Services	Chief Executive Officer	Director Corporate Services, Director Development Services, Director Infrastructure	Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	Council to CEO	1.2.17	Panels of Pre-Qualified Suppliers for Goods and Services	Chief Executive Officer	Director Corporate Services, Director Development Services, Director Infrastructure	Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	Council to CEO	1.2.18	Application of Regional Price Preference Policy	Chief Executive Officer	Director Corporate Services, Director Development Services, Director Infrastructure	Change of Position Titles Delegations exercised to be recorded in Attain



Delegations of authority
2022 Review Changes Summary

Head of power	Category	Reference	Subject	Delegates	Subdelegates	2022 Delegations Review Summary of Changes
01 Local Government Act 1995 Delegations	Council to CEO	1.2.19	Disposing of Property	Chief Executive Officer	Director Corporate Services, Director Development Services, Director Infrastructure	Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	Council to CEO	1.2.20	Payments from the Municipal or Trust Funds	Chief Executive Officer	Coordinator Financial Services, Director Corporate Services, Manager Financial Services, Director Development Services, Director Infrastructure	Delegations recorded in Document Mgmt System Remaining Directors added to provide additional contingency for online payment authorisation. (Synergy - Finance Module)
01 Local Government Act 1995 Delegations	Council to CEO	1.2.21	Defer, Grant Discounts, Waive or Write Off Debts	Chief Executive Officer	Director Corporate Services, Director Development Services, Manager Environmental Health, Emergency and Rangers, Manager Planning and Building Services	Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	Council to CEO	1.2.22	Power to Invest and Manage Investments	Chief Executive Officer	Coordinator Financial Services, Director Corporate Services, Manager Financial Services, Director Development Services, Director Infrastructure	Delegations recorded in Document Mgmt System (Synergy) Remaining Directors added to provide additional contingency for online payment authorisation.
01 Local Government Act 1995 Delegations	Council to CEO	1.2.23	Rate Record Amendment	Chief Executive Officer	Coordinator Financial Services, Manager Financial Services, Director Corporate Services	Delegations exercised to be recorded in Attain.
01 Local Government Act 1995 Delegations	Council to CEO	1.2.24	Agreement as to Payment of Rates and Service Charges	Chief Executive Officer	Director Corporate Services, Manager Financial Services	Delegations exercised to be recorded in Attain.
01 Local Government Act 1995 Delegations	Council to CEO	1.2.25	Determine Due Date for Rates or Service Charges	Chief Executive Officer	Director Corporate Services, Manager Financial Services	Delegations recorded in Document Mgmt System (Synergy)
01 Local Government Act 1995 Delegations	Council to CEO	1.2.26	Recovery of Rates or Service Charges	Chief Executive Officer	Director Corporate Services, Manager Financial Services	Delegations exercised to be recorded in Attain.
01 Local Government Act 1995 Delegations	Council to CEO	1.2.27	Recovery of Rates Debts – Require Lessee to Pay Rent	Chief Executive Officer	Director Corporate Services, Manager Financial Services	Delegations exercised to be recorded in Attain.
01 Local Government Act 1995 Delegations	Council to CEO	1.2.28	Recovery of Rates Debts - Actions to Take Possession of the Land	Chief Executive Officer	Director Corporate Services, Manager Financial Services	Delegations exercised to be recorded in Attain.
01 Local Government Act 1995 Delegations	Council to CEO	1.2.29	Rate Record – Objections	Chief Executive Officer	Director Corporate Services, Manager Financial Services	Delegations exercised to be recorded in Attain.
01 Local Government Act 1995 Delegations	Council to CEO	1.2.30	Renewal or Extension of Contracts during a State of Emergency	Chief Executive Officer		Delegations exercised to be recorded in Attain.
01 Local Government Act 1995 Delegations	Council to CEO	1.2.31	Procurement of Goods or Services required to address a State of Emergency	Chief Executive Officer		Delegations exercised to be recorded in Attain.
01 Local Government Act 1995 Delegations	CEO to Employees	1.3.1	Determine if an Emergency for Emergency Powers of Entry	Director Corporate Services, Director Development Services, Director Infrastructure, Manager Environmental Health, Emergency and Rangers		Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	CEO to Employees	1.3.2	Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare	Director Infrastructure, Manager Operations		Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	CEO to Employees	1.3.3	Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares	Director Infrastructure, Manager Operations		Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	CEO to Employees	1.3.4	Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places	Director Infrastructure, Manager Operations		Change of Position Titles Delegations exercised to be recorded in Attain


Delegations of authority
2022 Review Changes Summary

Head of power	Category	Reference	Subject	Delegates	Subdelegates	2022 Delegations Review Summary of Changes
01 Local Government Act 1995 Delegations	CEO to Employees	1.3.5	Electoral Enrolment Eligibility Claims and Electoral Roll	Director Corporate Services, Manager Governance, Strategy & Risk		Delegations exercised to be recorded in Attain.
01 Local Government Act 1995 Delegations	CEO to Employees	1.3.6	Destruction of Electoral Papers	Director Corporate Services, Manager Governance, Strategy & Risk		Delegations exercised to be recorded in Attain.
01 Local Government Act 1995 Delegations	CEO to Employees	1.3.7	Appoint Authorised Persons	Director Corporate Services, Director Development Services, Director Infrastructure		Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	CEO to Employees	1.3.8	Information to be Available to the Public	Director Corporate Services, Manager Governance, Strategy & Risk		Delegations exercised to be recorded in Attain.
01 Local Government Act 1995 Delegations	CEO to Employees	1.3.9	Financial Management Systems and Procedures	Director Corporate Services, Manager Financial Services		Delegations recorded in Document Mgmt System (Synergy)
01 Local Government Act 1995 Delegations	CEO to Employees	1.3.10	Audit – CEO Review of Systems and Procedures	Director Corporate Services, Manager Governance, Strategy & Risk		Delegations recorded in Document Mgmt System (Synergy)
01 Local Government Act 1995 Delegations	CEO to Employees	1.3.11	Infringement Notices – Withdrawal and Extension of Time	Director Development Services, Manager Environmental Health, Emergency and Rangers, Manager Planning and Building Services		Change of Position Titles Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	Council to CEO	1.4.1	Cemeteries Local Law 2012	Chief Executive Officer	Director Corporate Services, Director Infrastructure, Manager Governance, Strategy and Risk	New Delegation Specific to Local Law Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	Council to CEO	1.4.2	Local Government Property and Public Places Local Law 2016	Chief Executive Officer	Director Corporate Services, Director Development Services, Director Infrastructure, Manager Community Facilities, Manager Environmental Health, Emergency and Rangers, Manager Operations, Manager Planning and Building Services	New Delegation Specific to Local Law Delegations exercised to be recorded in Attain
01 Local Government Act 1995 Delegations	Council to CEO	1.4.3	Trading, Outdoor Dining and Street Entertainment Local Law 2016	Chief Executive Officer	Coordinator Planning Services, Director Development Services, Manager Environmental Health, Emergency and Rangers, Manager Planning and Building Services	New Delegation Specific to Local Law Delegations exercised to be recorded in Attain
02 Building Act 2011 Delegations	Council to CEO	2.1.1	Grant a Building Permit	Chief Executive Officer	Director Development Services, Manager Planning and Building Services, Coordinator Building Services	Change of Position Titles Delegations recorded in Document Mgmt System (Synergy)
02 Building Act 2011 Delegations	Council to CEO	2.1.2	Demolition Permits	Chief Executive Officer	Director Development Services, Manager Planning and Building Services, Coordinator Building Services	Change of Position Titles Delegations recorded in Document Mgmt System (Synergy)
02 Building Act 2011 Delegations	Council to CEO	2.1.3	Occupancy Permits or Building Approval Certificates	Chief Executive Officer	Director Development Services, Manager Planning and Building Services, Coordinator Building Services	Change of Position Titles Delegations recorded in Document Mgmt System (Synergy)
02 Building Act 2011 Delegations	Council to CEO	2.1.4	Designate Employees as Authorised Persons	Chief Executive Officer	Director Corporate Services	Delegations exercised to be recorded in Attain.



Delegations of authority
2022 Review Changes Summary

Head of power	Category	Reference	Subject	Delegates	Subdelegates	2022 Delegations Review Summary of Changes
02 Building Act 2011 Delegations	Council to CEO	2.1.5	Building Orders	Chief Executive Officer	Director Development Services, Manager Planning and Building Services, Coordinator Building Services	Change of Position Titles Delegations recorded in Document Mgmt System (Synergy)
02 Building Act 2011 Delegations	Council to CEO	2.1.6	Inspection and Copies of Building Records	Chief Executive Officer	Director Development Services, Manager Planning and Building Services, Coordinator Building Services	Change of Position Titles Delegations recorded in Document Mgmt System (Synergy)
02 Building Act 2011 Delegations	Council to CEO	2.1.7	Referrals and Issuing Certificates	Chief Executive Officer	Director Development Services, Manager Planning and Building Services, Coordinator Building Services	Change of Position Titles Delegations recorded in Document Mgmt System (Synergy)
02 Building Act 2011 Delegations	Council to CEO	2.1.8	Private Pool Barrier – Alternative and Performance Solutions	Chief Executive Officer	Director Development Services, Manager Planning and Building Services, Coordinator Building Services	Change of Position Titles Delegations recorded in Document Mgmt System (Synergy)
02 Building Act 2011 Delegations	Council to CEO	2.1.9	Smoke Alarms – Alternative Solutions	Chief Executive Officer	Director Development Services, Manager Planning and Building Services, Coordinator Building Services	Change of Position Titles Delegations recorded in Document Mgmt System (Synergy)
02 Building Act 2011 Delegations	Council to CEO	2.1.10	Appointment of approved officers and authorised officers	Chief Executive Officer	Director Corporate Services	Delegations exercised to be recorded in Attain.
03 Bush Fires Act 1954 Delegations	Council to CEO	3.1.1	Make Request to FES Commissioner – Control of Fire	Chief Executive Officer	Nil	Delegations exercised to be recorded in Attain.
03 Bush Fires Act 1954 Delegations	Council to CEO	3.1.2	Prohibited Burning Times - Vary	Chief Bush Fire Control Officer, Shire President	Nil	Delegations exercised to be recorded in Attain.
03 Bush Fires Act 1954 Delegations	Council to CEO	3.1.3	Prohibited Burning Times – Control Activities	Chief Executive Officer	Nil	Delegations exercised to be recorded in Attain.
03 Bush Fires Act 1954 Delegations	Council to CEO	3.1.4	Restricted Burning Times – Vary and Control Activities	Chief Executive Officer	Nil	Delegations exercised to be recorded in Attain.
03 Bush Fires Act 1954 Delegations	Council to CEO	3.1.5	Control of Operations Likely to Create Bush Fire Danger	Chief Executive Officer	Nil	Delegations exercised to be recorded in Attain.
03 Bush Fires Act 1954 Delegations	Council to CEO	3.1.6	Burning Garden Refuse / Open Air Fires	Chief Executive Officer	Nil	Delegations exercised to be recorded in Attain.
03 Bush Fires Act 1954 Delegations	Council to CEO	3.1.7	Firebreaks	Chief Executive Officer	Nil	Delegations exercised to be recorded in Attain.
03 Bush Fires Act 1954 Delegations	Council to CEO	3.1.8	Appoint Bush Fire Control Officer/s and Fire Weather Officer	Chief Executive Officer	Nil	Delegations exercised to be recorded in Attain.
03 Bush Fires Act 1954 Delegations	Council to CEO	3.1.9	Control and Extinguishment of Bush Fires	Chief Executive Officer	Nil	Delegations exercised to be recorded in Attain.
03 Bush Fires Act 1954 Delegations	Council to CEO	3.1.10	Recovery of Expenses Incurred through Contraventions of this Act	Chief Executive Officer	Nil	Delegations exercised to be recorded in Attain.
03 Bush Fires Act 1954 Delegations	Council to CEO	3.1.11	Prosecution of Offences	Chief Executive Officer, Director Development Services, Manager Environmental Health, Emergency and Rangers	Nil	Change of Position Titles Delegations exercised to be recorded in Attain
04 Cat Act 2011 Delegations	Council to CEO	4.1.1	Cat Registrations	Chief Executive Officer	Coordinator Community Safety & Ranger Services, Director Development Services, Manager Environmental Health, Emergency and Rangers, Ranger	Change of Position Titles Delegations recorded in Document Mgmt System (Synergy)


Delegations of authority
2022 Review Changes Summary

Head of power	Category	Reference	Subject	Delegates	Subdelegates	2022 Delegations Review Summary of Changes
04 Cat Act 2011 Delegations	Council to CEO	4.1.2	Cat Control Notices	Chief Executive Officer	Coordinator Community Safety & Ranger Services, Director Development Services, Manager Environmental Health, Emergency and Rangers	Change of Position Titles Delegations exercised to be recorded in Attain
04 Cat Act 2011 Delegations	Council to CEO	4.1.3	Approval to Breed Cats	Chief Executive Officer	Coordinator Community Safety & Ranger Services, Director Development Services, Manager Environmental Health, Emergency and Rangers	Change of Position Titles Delegations exercised to be recorded in Attain
04 Cat Act 2011 Delegations	Council to CEO	4.1.4	Recovery of Costs – Destruction of Cats	Chief Executive Officer	Coordinator Community Safety & Ranger Services, Director Development Services, Manager Environmental Health, Emergency and Rangers	Change of Position Titles Delegations exercised to be recorded in Attain
04 Cat Act 2011 Delegations	Council to CEO	4.1.5	Reduce or Waiver Registration Fee	Chief Executive Officer	Nil	Delegations recorded in Document Mgmt System (Synergy). Pensioner 50% discount. Customer Service Staff administer via the acting through provisions.
04 Cat Act 2011 Delegations	CEO to Employees	4.2.1	Infringement Notices – Extensions and Withdrawals	Director Development Services, Manager Environmental Health, Emergency and Rangers		Change of Position Titles Delegations exercised to be recorded in Attain
05 Dog Act 1974 Delegations	Council to CEO	5.1.1	Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons	Chief Executive Officer	Coordinator Community Safety & Ranger Services, Director Development Services, Manager Environmental Health, Emergency and Rangers Rangers	New subdelegates New Conditions to correct anomaly in the Cat Act that is silent on LG's contributing to sterilisation but administratively the practice has been promoted to both dogs and cats. a. Council extends the sterilisation subsidy to Cats for eligible persons under the same conditions as contained in the <i>Dog Act 1976</i> [s.10a.] b. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]
05 Dog Act 1974 Delegations	Council to CEO	5.1.2	Refuse or Cancel Registration	Chief Executive Officer	Coordinator Community Safety & Ranger Services, Director Development Services, Manager Environmental Health, Emergency and Rangers	Change of Position Titles Delegations exercised to be recorded in Attain
05 Dog Act 1974 Delegations	Council to CEO	5.1.3	Kennel Establishments	Chief Executive Officer	Coordinator Community Safety & Ranger Services, Director Development Services, Manager Environmental Health, Emergency and Rangers	Change of Position Titles Delegations exercised to be recorded in Attain Additional Conditions following Review of <i>Dog Local Law 2012</i> * Subject to conditions contained within Schedule 2 - <i>Dog Local Law 2012</i> * Variation applications to Schedule 2 - <i>Dog Local Law 2012</i> are to be referred to Council for decision.
05 Dog Act 1974 Delegations	Council to CEO	5.1.4	Recovery of Moneys Due Under this Act	Chief Executive Officer	Director Development Services, Manager Environmental Health, Emergency and Rangers	Change of Position Titles Delegations exercised to be recorded in Attain
05 Dog Act 1974 Delegations	Council to CEO	5.1.5	Dispose of or Sell Dogs Liable to be Destroyed	Chief Executive Officer	Director Development Services, Manager Environmental Health, Emergency and Rangers	Change of Position Titles Delegations exercised to be recorded in Attain
05 Dog Act 1974 Delegations	Council to CEO	5.1.6	Declare Dangerous Dog	Chief Executive Officer	Coordinator Community Safety & Ranger Services, Manager Environmental Health, Emergency and Rangers	Change of Position Titles Delegations exercised to be recorded in Attain
05 Dog Act 1974 Delegations	Council to CEO	5.1.7	Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke	Chief Executive Officer	Director Development Services	Change of Position Titles Delegations exercised to be recorded in Attain
05 Dog Act 1974 Delegations	Council to CEO	5.1.8	Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice	Chief Executive Officer	Director Corporate Services	Delegations exercised to be recorded in Attain


Delegations of authority
2022 Review Changes Summary

Head of power	Category	Reference	Subject	Delegates	Subdelegates	2022 Delegations Review Summary of Changes
05 Dog Act 1974 Delegations	Council to CEO	5.1.9	Determine Recoverable Expenses for Dangerous Dog Declaration	Chief Executive Officer	Coordinator Community Safety & Ranger Services, Director Development Services, Manager Environmental Health, Emergency and Rangers	Change of Position Titles Delegations exercised to be recorded in Attain
06 Food Act 2008 Delegations	Council to CEO	6.1.1	Determine Compensation	Chief Executive Officer, Director Development Services	Nil	Delegations exercised to be recorded in Attain.
06 Food Act 2008 Delegations	Council to CEO	6.1.2	Prohibition Orders	Chief Executive Officer, Coordinator Environmental Health, Manager Environmental Health, Emergency and Rangers , Environmental Health Officer	Nil	Change of Position Titles Delegations exercised to be recorded in Attain
06 Food Act 2008 Delegations	Council to CEO	6.1.3	Food Business Registrations	Chief Executive Officer, Coordinator Environmental Health, Manager Environmental Health, Emergency and Rangers , Environmental Health Officer	Nil	Change of Position Titles Delegations recorded in Document Mgmt System (Synergy)
06 Food Act 2008 Delegations	Council to CEO	6.1.4	Appoint Authorised Officers and Designated Officers	Chief Executive Officer, Director Development Services	Nil	Change of Position Titles Delegations exercised to be recorded in Attain
06 Food Act 2008 Delegations	Council to CEO	6.1.5	Debt Recovery and Prosecutions	Chief Executive Officer, Director Development Services	Nil	Change of Position Titles Delegations exercised to be recorded in Attain
06 Food Act 2008 Delegations	Council to CEO	6.1.6	Abattoir Inspections and Fees	Chief Executive Officer, Coordinator Environmental Health, Manager Environmental Health, Emergency and Rangers	Nil	Change of Position Titles Delegations exercised to be recorded in Attain
06 Food Act 2008 Delegations	Council to CEO	6.1.7	Food Businesses List – Public Access	Chief Executive Officer, Coordinator Environmental Health, Manager Environmental Health, Emergency and Rangers	Nil	Change of Position Titles Delegations exercised to be recorded in Attain
07 Graffiti Vandalism Act 2016 Delegations	Council to CEO	7.1.1	Give Notice Requiring Obliteration of Graffiti	Chief Executive Officer	Coordinator Community Safety & Ranger Services, Manager Environmental Health, Emergency and Rangers, Ranger	Change of Position Titles Delegations exercised to be recorded in Attain
07 Graffiti Vandalism Act 2016 Delegations	Council to CEO	7.1.2	Notices – Deal with Objections and Give Effect to Notices	Chief Executive Officer	Director Corporate Services, Director Development Services	Change of Position Titles Delegations exercised to be recorded in Attain
07 Graffiti Vandalism Act 2016 Delegations	Council to CEO	7.1.3	Obliterate Graffiti on Private Property	Chief Executive Officer	Director Development Services, Manager Environmental Health, Emergency and Rangers	Change of Position Titles Delegations exercised to be recorded in Attain
07 Graffiti Vandalism Act 2016 Delegations	Council to CEO	7.1.4	Powers of Entry	Chief Executive Officer	Director Development Services, Manager Environmental Health, Emergency and Rangers	Change of Position Titles Delegations exercised to be recorded in Attain
08 Public Health Act 2016 Delegations	Council to CEO	8.1.1	Appoint Authorised Officer or Approved Officer (Asbestos Regs)	Chief Executive Officer	Nil	Delegations exercised to be recorded in Attain.
08 Public Health Act 2016 Delegations	Council to CEO	8.1.2	Enforcement Agency Reports to the Chief Health Officer	Chief Executive Officer	Nil	Delegations exercised to be recorded in Attain.
08 Public Health Act 2016 Delegations	Council to CEO	8.1.3	Designate Authorised Officers	Chief Executive Officer	Nil	Delegations exercised to be recorded in Attain.
08 Public Health Act 2016 Delegations	Council to CEO	8.1.4	Determine Compensation for Seized Items	Chief Executive Officer	Nil	Delegations exercised to be recorded in Attain.



Delegations of authority
2022 Review Changes Summary

Head of power	Category	Reference	Subject	Delegates	Subdelegates	2022 Delegations Review Summary of Changes
09 Planning and Development Act 2005 Delegations	Council to CEO	9.1.1	Illegal Development	Chief Executive Officer	Director Development Services	Change of Position Titles Delegations exercised to be recorded in Attain
09 Planning and Development Act 2005 Delegations	Council to CEO	9.2.1	PLA1 Built Strata Certificate of Approval – Forms 24 and 26	Chief Executive Officer	Coordinator Planning Services, Director Development Services , Manager Planning and Building Services	Change of Position Titles Documentation to be recorded to the relevant property or strata subdivision file.
09 Planning and Development Act 2005 Delegations	Council to CEO	9.2.2	PLA4 Delegation to Waive/Refund Planning Fees	Chief Executive Officer	Coordinator Planning Services, Director Development Services , Manager Planning and Building Services	Change of Position Titles Delegations exercised are to be recorded in the Attain Compliance System Any supporting documentation should be recorded to the relevant property and/or subdivision file in the Shire's record management system.
09 Planning and Development Act 2005 Delegations	Council to CEO	9.2.3	PLA5 Determine Development Applications	Chief Executive Officer	Coordinator Planning Services, Director Development Services , Manager Planning and Building Services	Change of Position Titles Documentation to be recorded to the relevant property or reserve file.
09 Planning and Development Act 2005 Delegations	Council to CEO	9.2.4	PLA8 Local Development Plans	Chief Executive Officer	Director Development Services	Change of Position Titles Documentation to be recorded to the relevant property or subject file.
09 Planning and Development Act 2005 Delegations	Council to CEO	9.2.5	PLA9 Structure Plans	Chief Executive Officer	Coordinator Planning Services, Director Development Services , Manager Planning and Building Services	Change of Position Titles Documentation to be recorded to the relevant property or subject file.
09 Planning and Development Act 2005 Delegations	Council to CEO	9.2.6	PLA10 Subdivisions and Amalgamation Applications and Clearance	Chief Executive Officer	Coordinator Planning Services, Director Development Services , Manager Planning and Building Services	Change of Position Titles Documentation to be recorded to the relevant subdivision file.
09 Planning and Development Act 2005 Delegations	Council to CEO	9.2.7	PLA11 Submit Responsible Authority Report	Chief Executive Officer	Director Development Services , Manager Planning and Building Services	Change of Position Titles Documentation to be recorded to the relevant subdivision file.



Shire of Broome Register of Delegated Authority

Annual Review - 2021/22
Ordinary Meeting of Council
28 April 2022

REVIEW

There are no reviews to display

TABLE OF CONTENTS

INTRODUCTION	7
Introduction	7
Delegations and authorisations under other Legislation	8
DELEGATIONS	9
01 Local Government Act 1995 Delegations	9
01.1 Council to Committees of Council	9
1.1.1 - Behaviour Complaints Committee (DRAFT)	9
01.2 Council to CEO	11
1.2.1 - Performing Functions Outside the District (DRAFT)	11
1.2.2 - Compensation for Damage Incurred when Performing Executive Functions (DRAFT)	12
1.2.3 - Powers of Entry (DRAFT)	13
1.2.4 - Declare Vehicle is Abandoned Vehicle Wreck (DRAFT)	14
1.2.5 - Confiscated or Uncollected Goods (DRAFT)	15
1.2.6 - Disposal of Sick or Injured Animals (DRAFT)	17
1.2.7 - Close Thoroughfares to Vehicles (DRAFT)	18
1.2.8 - Control Reserves and Certain Unvested Facilities (DRAFT)	20
1.2.9 - Obstruction of Footpaths and Thoroughfares (DRAFT)	21
1.2.10 - Gates Across Public Thoroughfares (DRAFT)	23
1.2.11 - Public Thoroughfare – Dangerous Excavations (DRAFT)	25
1.2.12 - Crossing – Construction, Repair and Removal (DRAFT)	27
1.2.13 - Private Works on, over or under Public Places (DRAFT)	29
1.2.14 - Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift (DRAFT)	31
1.2.15 - Expressions of Interest for Goods and Services (DRAFT)	32
1.2.16 - Tenders for Goods and Services (DRAFT)	34
1.2.17 - Panels of Pre-Qualified Suppliers for Goods and Services (DRAFT)	37
1.2.18 - Application of Regional Price Preference Policy (DRAFT)	39
1.2.19 - Disposing of Property (DRAFT)	40
1.2.20 - Payments from the Municipal or Trust Funds (DRAFT)	42
1.2.21 - Defer, Grant Discounts, Waive or Write Off Debts (DRAFT)	44
1.2.22 - Power to Invest and Manage Investments (DRAFT)	46
1.2.23 - Rate Record Amendment (DRAFT)	48
1.2.24 - Agreement as to Payment of Rates and Service Charges (DRAFT)	49
1.2.25 - Determine Due Date for Rates or Service Charges (DRAFT)	50
1.2.26 - Recovery of Rates or Service Charges (DRAFT)	51
1.2.27 - Recovery of Rates Debts – Require Lessee to Pay Rent (DRAFT)	52
1.2.28 - Recovery of Rates Debts - Actions to Take Possession of the Land (DRAFT)	53
1.2.29 - Rate Record – Objections (DRAFT)	55
1.2.30 - Renewal or Extension of Contracts during a State of Emergency (DRAFT)	56

1.2.31 - Procurement of Goods or Services required to address a State of Emergency (DRAFT)	58
01.3 CEO to Employees	60
1.3.1 - Determine if an Emergency for Emergency Powers of Entry (DRAFT)	60
1.3.2 - Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare (DRAFT)	61
1.3.3 - Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares (DRAFT).....	63
1.3.4 - Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places (DRAFT).....	65
1.3.5 - Electoral Enrolment Eligibility Claims and Electoral Roll (DRAFT)	66
1.3.6 - Destruction of Electoral Papers (DRAFT)	68
1.3.7 - Appoint Authorised Persons (DRAFT)	69
1.3.8 - Information to be Available to the Public (DRAFT)	71
1.3.9 - Financial Management Systems and Procedures (DRAFT)	72
1.3.10 - Audit – CEO Review of Systems and Procedures (DRAFT)	74
1.3.11 - Infringement Notices – Withdrawal and Extension of Time (DRAFT)	75
01.4 Local Law Delegations to CEO	77
1.4.1 - Cemeteries Local Law 2012 (DRAFT)	77
1.4.2 - Local Government Property and Public Places Local Law 2016 (DRAFT)	79
1.4.3 - Trading, Outdoor Dining and Street Entertainment Local Law 2016 (DRAFT)	82
02 Building Act 2011 Delegations	85
02.1 Council to CEO	85
2.1.1 - Grant a Building Permit (DRAFT)	85
2.1.2 - Demolition Permits (DRAFT)	87
2.1.3 - Occupancy Permits or Building Approval Certificates (DRAFT)	89
2.1.4 - Designate Employees as Authorised Persons (DRAFT)	91
2.1.5 - Building Orders (DRAFT)	92
2.1.6 - Inspection and Copies of Building Records (DRAFT)	94
2.1.7 - Referrals and Issuing Certificates (DRAFT)	95
2.1.8 - Private Pool Barrier – Alternative and Performance Solutions (DRAFT)	96
2.1.9 - Smoke Alarms – Alternative Solutions (DRAFT)	97
2.1.10 - Appointment of approved officers and authorised officers (DRAFT)	98
03 Bush Fires Act 1954 Delegations	99
03.1 Council to CEO, Mayor and Bush Fire Control Officer	99
3.1.1 - Make Request to FES Commissioner – Control of Fire (DRAFT)	99
3.1.2 - Prohibited Burning Times - Vary (DRAFT)	100
3.1.3 - Prohibited Burning Times – Control Activities (DRAFT)	101
3.1.4 - Restricted Burning Times – Vary and Control Activities (DRAFT)	102
3.1.5 - Control of Operations Likely to Create Bush Fire Danger (DRAFT)	104
3.1.6 - Burning Garden Refuse / Open Air Fires (DRAFT)	105
3.1.7 - Firebreaks (DRAFT)	107
3.1.8 - Appoint Bush Fire Control Officer/s and Fire Weather Officer (DRAFT)	108

3.1.9 - Control and Extinguishment of Bush Fires (DRAFT)	109
3.1.10 - Recovery of Expenses Incurred through Contraventions of this Act (DRAFT)	110
3.1.11 - Prosecution of Offences (DRAFT)	111
04 Cat Act 2011 Delegations	112
04.1 Council to CEO	112
4.1.1 - Cat Registrations (DRAFT)	112
4.1.2 - Cat Control Notices (DRAFT)	114
4.1.3 - Approval to Breed Cats (DRAFT)	115
4.1.4 - Recovery of Costs – Destruction of Cats (DRAFT)	116
4.1.5 - Reduce or Waiver Registration Fee (DRAFT)	117
04.2 Cat Act Delegations - CEO to Employees	118
4.2.1 - Infringement Notices – Extensions and Withdrawals (DRAFT)	118
05 Dog Act 1974 Delegations	119
05.1 Dog Act Delegations Council to CEO	119
5.1.1 - Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons (DRAFT)	119
5.1.2 - Refuse or Cancel Registration (DRAFT)	121
5.1.3 - Kennel Establishments (DRAFT)	123
5.1.4 - Recovery of Moneys Due Under this Act (DRAFT)	124
5.1.5 - Dispose of or Sell Dogs Liable to be Destroyed (DRAFT)	125
5.1.6 - Declare Dangerous Dog (DRAFT)	126
5.1.7 - Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke (DRAFT)	127
5.1.8 - Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice (DRAFT)	129
5.1.9 - Determine Recoverable Expenses for Dangerous Dog Declaration (DRAFT)	130
06 Food Act 2008 Delegations	131
06.1 Council to CEO	131
6.1.1 - Determine Compensation (DRAFT)	131
6.1.2 - Prohibition Orders (DRAFT)	132
6.1.3 - Food Business Registrations (DRAFT)	133
6.1.4 - Appoint Authorised Officers and Designated Officers (DRAFT)	134
6.1.5 - Debt Recovery and Prosecutions (DRAFT)	136
6.1.6 - Abattoir Inspections and Fees (DRAFT)	137
6.1.7 - Food Businesses List – Public Access (DRAFT)	138
07 Graffiti Vandalism Act 2016 Delegations	139
07.1 Council to CEO	139
7.1.1 - Give Notice Requiring Obliteration of Graffiti (DRAFT)	139
7.1.2 - Notices – Deal with Objections and Give Effect to Notices (DRAFT)	140
7.1.3 - Obliterate Graffiti on Private Property (DRAFT)	141
7.1.4 - Powers of Entry (DRAFT)	142
08 Public Health Act 2016 Delegations	143
08.1 Council to CEO	143

8.1.1 - Appoint Authorised Officer or Approved Officer (Asbestos Regs) (DRAFT)	143
8.1.2 - Enforcement Agency Reports to the Chief Health Officer (DRAFT)	144
8.1.3 - Designate Authorised Officers (DRAFT)	145
8.1.4 - Determine Compensation for Seized Items (DRAFT)	147
09 Planning and Development Act 2005 Delegations	148
09.1 Council to CEO	148
9.1.1 - Illegal Development (DRAFT)	148
09.2 Local Planning Scheme No. 6 – Council to CEO	150
9.2.1 - PLA1 Built Strata Certificate of Approval – Forms 24 and 26 (DRAFT)	150
9.2.2 - PLA4 Delegation to Waive/Refund Planning Fees (DRAFT)	151
9.2.3 - PLA5 Determine Development Application (DRAFT)	152
9.2.4 - PLA8 Local Development Plans (DRAFT)	155
9.2.5 - PLA9 Structure Plans (DRAFT)	156
9.2.6 - PLA10 Subdivision and Amalgamation Applications and Clearance (DRAFT)	158
9.2.7 - PLA11 Submit Responsible Authority Report (DRAFT)	159
10 Statutory Authorisations and Delegations to Local Government from State Government Entities	161
10.1 Environmental Protection Act 1986	161
10.1.1 - Noise Control - Environmental Protection Notices [Reg.65(1)] (DRAFT)	161
10.1.2 - Noise Management Plans - Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events (DRAFT).....	162
10.1.3 - Noise Management Plans - Constructions Sites (DRAFT)	163
10.2 Planning and Development Act 2005	164
10.2.1 - Sign Development Applications for Crown Land as Owner - Local Government CEOs - Instrument of Authorisation (DRAFT).....	164
10.2.2 - WA Planning Commission - Powers of Local Governments - s.15 of the Strata Titles Act 1985 (DEL.2020/01) (DRAFT).....	167
10.3 Main Roads Act 1930	169
10.3.1 - Traffic Management - Events on Roads (DRAFT)	169
10.3.2 - Traffic Management - Road Works (DRAFT)	172
10.4 Road Traffic (Vehicles) Act 2012	173
10.4.1 - Approval for Certain Local Government Vehicles as Special Use Vehicles (DRAFT)	173
AMENDMENTS	175

INTRODUCTION

Introduction

Section 5.42 of the *Local Government Act 1995* (the Act) allows for a local government to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act (other than those under s5.43). The local government may also delegate the exercise of any of its powers to Committees pursuant to section 5.16, other than those under Section 5.17(1).

Section 5.44 of the Act provides for the Chief Executive Officer to delegate any of his or her powers to another employee, this must be done in writing. The Act also allows for the Chief Executive Officer to place conditions on any delegations that he or she has delegated. These powers or duties cannot, however, be further sub-delegated. These powers or duties are delegated to assist with improving the time taken to make decisions and are made within the constraints allowed by the relevant legislation. This is consistent with our commitment to a strong customer service focus.

The Department of Local Government & Communities *Guideline No.17 – Delegations*, establishes the principal issue in determining whether a statutory function or duty is suitable for 'acting through' that being - where the statute provides no discretion in carrying out a function or duty, then the function or duty may be undertaken through the 'acting through' concept.

Conversely, where the statute allows for discretion on the part of the decision maker, then the function must either be delegated or a person authorised, or a policy implemented, that provides sufficient control for another person to have that authority and fulfil the function or duty.

The *Local Government Act 1995* does not specifically define the meaning of the term "acting through", however section 5.45(2) states;

"Nothing in this Division is to read as preventing –

- (a) A local government from performing any of its functions by acting through a person other than the CEO"; or
- (b) A CEO from performing any of his or her functions by acting through another person."

The purpose of this register is to ensure a record is kept of those powers or duties that have been delegated to ensure accountability and to meet the requirements of Section 5.46 of the Act. This register is a public document that contains 'Instruments of Delegation' that detail the function being delegated and the relevant statutory reference which is the source of power for the exercise of that function. Without limiting the effect of sections 58 and 59 of the *Interpretation Act 1984*, these delegations, made under the Act have effect for the period of time specified in the delegation or where no period has been specified, indefinitely. Any decision to amend or revoke these delegations by a local government is to be by an absolute majority.

If a person is exercising a power or duty that they have been delegated, the Act requires that records be kept whenever the delegated authority is exercised.

The record is to contain the following information:

- Date the decision was exercised;
- Name of the officer/committee exercising the decision;
- Description of how the person exercised the power or discharged the duty, including where appropriate, any directions to staff to carry out work associated with the decision unless those directions are included in policies, corporate guidelines or the delegation register; and
- Notation of the people or class of people directly affected by the decision (other than Council or committee members or employees of the Shire).

Records are to be entered into Attain unless they are captured operationally through the use of Synergy standard modules.

This register of delegated authority will be reviewed in accordance with the Act on an annual basis.

Shire of Broome

Delegations and authorisations under other Legislation

Where legislation provides for the direct delegation to authorise a person or a member of a class of persons by other agencies or decision makers. For example: the *Environmental Protection Act* allows for the CEO of the Department of Environment Regulation to grant delegated authority direct to a local government.

The authorisation is dealt with in the relevant legislation and, where required, the Instrument of Delegation or Notice of the Appointment is advertised in the Government Gazette.

Those Delegations or authorisations that may occur under legislation other than the *Local Government Act 1995*, its regulations and the local government's local laws include:

Planning and Development Act 2005 and associated regulations
Dog Act 1976 and regulations;
Cat Act 2011 and regulations
Bush Fires Act 1954, regulations and local law created under that Act;
Litter Act 1979 and regulations
Local Government (Miscellaneous Provisions) 1960 as amended;
Caravan Parks and Camping Grounds Act 1995;
Control of Vehicles (Off-Road Areas) Act 1978 and regulations;
Environmental Protection Act 1986
Environmental Protection (Noise) Regulations 1997
Building Act 2011

N.B. – This is not an exhaustive list.

DRAFT

DELEGATIONS

01 Local Government Act 1995 Delegations

Local Government Act 1995

01.1 Council to Committees of Council

Delegation	1.1.1 Behaviour Complaints Committee (DRAFT)
Category	Council to Committee
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.16 Delegation of some powers and duties to certain committees
Express power or duty delegated	Shire of Broome - Code of Conduct for Council Members, Committee Members and Candidates (CoC) <i>Local Government (Model Code of Conduct) Regulations 2021:</i> Clause 12 Dealing with a complaint Clause 13 Dismissal of complaint
Function	<ol style="list-style-type: none"> Authority to make a finding as to whether an alleged breach the subject of a complaint has or has not occurred, based upon evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur [CoC & MCC.cl.12(1) and (3)] In making any finding the Committee must also determine reasons for the finding [CoC & MCC.cl.12(7)] Where a finding is made that a breach has occurred, authority to: <ol style="list-style-type: none"> take no further action [CoC & MCC.cl.12(4(a)); or prepare and implement a plan to address the behaviour of the person to whom the complaint relates [CoC & MCC.cl.12(4)(b), (5) and (6)] Authority to dismiss a complaint and if dismissed, the Committee must also determine reasons for the dismissal [CoC & MCC.cl.13(1) and (2)]
Delegates	Behavioural Complaints Committee

Conditions	<p>a. The Committee will make decisions in accordance with the principles and specified requirements established in Council Policy - Code of Conduct Behaviour Complaints Management.</p> <p>b. That part of a Committee meeting which deals with a Complaint will be held behind closed doors in accordance with s.5.23(2)(b) of the Act.</p> <p>c. The Committee is prohibited from exercising this Delegation where a Committee Member in attendance at a Committee meeting is either the Complainant or Respondent to the Complaint subject of a Committee agenda item.</p> <p>d. In the event of (c) above, the Committee may resolve to defer consideration to a future meeting at which the conflicted Committee Member is absent, and a Deputy Committee Member is in attendance.</p> <p><u>NOTE TO CONDITIONS(C) AND (D):</u> The purpose of this Condition is to require that a Committee Member who is identified as either the Complainant or Respondent is required to recuse themselves by notifying the Presiding Member of their intention to be an apology for the meeting at which the Complaint is an agenda item.</p>
Statutory framework	<p>Code of Conduct for Council Members, Committee Members and Candidates</p> <p>Council - Behaviour Complaints Committee Terms of Reference</p> <p>Local Government Act 1995</p> <p>Local Government (Model Code of Conduct) Regulations 2021</p>
Policy	Code of Conduct Behaviour Complaints Management
Record keeping	Committee Minutes shall record the details of each decision made under this delegation in accordance with the requirements of Administration Regulation 19.

01.2 Council to CEO

Delegation	1.2.1 Performing Functions Outside the District (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.20(1) Performing functions outside district
Function	1. Determine the circumstances where it is appropriate for the Local Government's functions to be performed outside the District and prior to implementing such a decision, obtain the consent of the landowner/s and occupier/s and any other person that has control or management of the land impacted by the performance of the function [s.3.20(1)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> • A decision to undertake a function outside the District, can only be made under this delegation where there is a relevant Budget allocation and the performance of the functions does not negatively impact service levels within the District. Where these conditions are not met, the matter must be referred for Council decision. • Must comply with all relevant Policies.
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.

Delegation	1.2.2 Compensation for Damage Incurred when Performing Executive Functions (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.22(1) Compensation s.3.23 Arbitration
Function	<ol style="list-style-type: none"> 1. In accordance with the s.3.22 procedures, assess and determine the extent of damage to private property arising directly from performance of executive functions and make payment of compensation [s.3.22(1)]. 2. Where compensation is unable to be determined and agreed between parties, give effect to arbitration in accordance with s.3.23.
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Delegation is limited to settlements which do not exceed a material value of \$10,000. ▪ Council shall be informed of the details whenever this delegation is exercised. ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's documents management system.</p>

Delegation	1.2.3 Powers of Entry (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.28 When this Subdivision applies s.3.32 Notice of entry s.3.33 Entry under warrant s.3.34 Entry in an emergency s.3.36 Opening fences
Function	<ol style="list-style-type: none"> 1. Authority to exercise powers of entry to enter onto land to perform any of the local Government functions under this Act, other than entry under a Local Law [s.3.28]. 2. Authority to give notice of entry [s.3.32]. 3. Authority to seek and execute an entry under warrant [s.3.33]. 4. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)]. 5. Authority to give notice and effect entry by opening a fence [s.3.36].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Delegated authority under s.3.34(1) and (3) may only be used, where there is imminent or substantial risk to public safety or property. ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Development Services Director Infrastructure Manager Environmental Health, Emergency and Rangers Manager Operations
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's documents management system.

Delegation	1.2.4 Declare Vehicle is Abandoned Vehicle Wreck (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.40A(4) Abandoned vehicle wreck may be taken
Function	1. Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority 1.2.5 Disposing of Confiscated or Uncollected Goods or alternatively, referred for Council decision. Must comply with all relevant Policies.
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Development Services Manager Environmental Health, Emergency and Rangers
Subdelegate conditions	Conditions on the Delegate also apply to the subdelegates.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's documents management system.

Delegation	1.2.5 Confiscated or Uncollected Goods (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.46 Goods May be withheld until costs paid s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of
Function	<ol style="list-style-type: none"> 1. Authority to refuse to allow goods impounded under s.3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. [s.3.46] 2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47]. 3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$20,000 may, in accordance with Functions and General Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable. ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Local Government Act 1995:Part 3, Division 3, Subdivision 3 s.3.58 Disposing of Property – applies to the sale of goods under s.3.47 as if they were property referred to in that section.</p> <p>Parking and Parking Facilities Local Law 2012</p>
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's documents management system.</p>

Shire of Broome

DRAFT

Page 16 of 175

Delegation	1.2.6 Disposal of Sick or Injured Animals (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of
Function	<ol style="list-style-type: none"> 1. Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)]. 2. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed. ▪ Must comply with all relevant Policies
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers
Subdelegate conditions	<p>Conditions on the Delegate also apply to the Subdelegates.</p> <p>Officers must liaise with an authorised veterinarian if practicable and must not destroy an animal unless –</p> <ol style="list-style-type: none"> a. Because of the state of the animal, destroying it is urgent; or b. The Shire has taken reasonable steps to notify the owner and has complied with statutory requirements.
Statutory framework	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Dog Local Law 2012</p>
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

Delegation	1.2.7 Close Thoroughfares to Vehicles (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfare for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals
Function	<ol style="list-style-type: none"> 1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)]. 2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks and before doing so, to: <ol style="list-style-type: none"> 1. give; public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and 2. consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)]. 3. Authority to revoke an order to close a thoroughfare [s.3.50(6)]. 4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A] 5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s.3.51].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)]. ▪ Maintain access to adjoining land [s.3.52(3)] (relevant only to townsites). ▪ Must comply with all relevant Policies
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Infrastructure Manager Operations
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.

Shire of Broome

Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.
-----------------------	---

DRAFT

Delegation	1.2.8 Control Reserves and Certain Unvested Facilities (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.53(3) Control of certain unvested facilities s.3.54(1) Reserves under control of local government
Function	<ol style="list-style-type: none"> 1. Authority to agree the method for control and management of an unvested facility which is partially within 2 or more local government districts. [s.3.53(3)]. 2. Authority to do anything for the purpose of controlling and managing land under the control and management of the Shire of Broome that the Shire of Broome could do under s.5 of the Parks and Reserves Act 1895. [s.3.54(1)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Limited to matters where the financial implications do not exceed a relevant and current budget allocation, and which do not create a financial liability in future budgets. ▪ Must comply with all relevant Policies
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Development Services Manager Community Facilities Manager Environmental Health, Emergency and Rangers
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Property and Public Places Local Law 2016</p> <p>Local Planning Policy 5.10 - Signs</p> <p>Alcohol Management Policy</p> <p>Events Policy</p>
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

Delegation	1.2.9 Obstruction of Footpaths and Thoroughfares (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.5(2) Interfering with, or taking from, local government land r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a) r.7A Obstruction of public thoroughfare by fallen things - Sch.9.1 cl.3(1)(b) r.7 Encroaching on public thoroughfare - Sch.9.1. cl.3(2)
Function	<ol style="list-style-type: none"> 1. Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: <ol style="list-style-type: none"> a. prevent damage to the footpath; or b. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)]. 2. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) and (4)]. 3. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)]. 4. Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r.7A]. 5. Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. ▪ Permission may only be granted where, the proponent has: <ul style="list-style-type: none"> ◦ Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction. ◦ Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works. ◦ Provided evidence of sufficient Public Liability Insurance. ◦ Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity. ▪ Must comply with all relevant Policies
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Shire of Broome

Subdelegates	Director Infrastructure Manager Operations
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.2 – Public Thoroughfare Obstruction – Determine Conditions</p> <p>Local Government (Uniform Local Provisions) Regulations 1996</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995</p>
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

DRAFT

Delegation	1.2.10 Gates Across Public Thoroughfares (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.9 Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1)
Function	<ol style="list-style-type: none"> 1. Authority to provide, or refuse to provide, permission to have a gate or other device across a local government thoroughfare that permits the passage of vehicle traffic and prevents livestock straying [ULP r.9(1)]. 2. Authority to require an applicant to publish a notice of the application in a manner thought fit for the purpose of informing persons who may be affected by the proposed gate or device [r.9(2)]. 3. Authority to impose conditions on granting permission [ULP r.9(4)]. 4. Authority to renew permission, or at any other time vary any condition, effective upon written notice to the person to whom permission was granted [ULP r.9(5)]. 5. Authority to cancel permission by written notice, and request the person to whom permission was granted to remove the gate or device within a specified time [ULP r.9 (6)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996. ▪ Each approval provided must be recorded in the Shire of Broome's statutory Register of Gates in accordance with Uniform Local Provisions Regulation 9(8). ▪ Must comply with all relevant Policies
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Infrastructure Manager Operations
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995</p>

Shire of Broome

Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.
-----------------------	---

DRAFT

Delegation	1.2.11 Public Thoroughfare – Dangerous Excavations (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.11(1), (4), (6) & (8) Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6
Function	<ol style="list-style-type: none"> 1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [ULP r.11(1)]. 2. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r.11(4)]. 3. Authority to impose conditions on granting permission [ULP r.11(6)]. 4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. ▪ Permission may only be granted where, the proponent has: <ul style="list-style-type: none"> ◦ Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works. ◦ Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works. ◦ Provided evidence of sufficient Public Liability Insurance. ◦ Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity. ▪ Must comply with all relevant Policies
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Infrastructure Manager Operations
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.

Shire of Broome

Statutory framework	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.3 – Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares</p> <p>Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995</p>
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

DRAFT

Delegation	1.2.12 Crossing – Construction, Repair and Removal (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7 (2) r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3)
Function	<ol style="list-style-type: none"> 1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r.12(1)]. 2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)]. 3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)]. 4. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [ULP r.13(2)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Infrastructure Manager Operations
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995</p> <p>Refer also Delegation 1.4.1 under the Template Activities in <i>Thoroughfares and Public Places and Trading Local Law</i></p>

Shire of Broome

Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.
-----------------------	---

DRAFT

Delegation	1.2.13 Private Works on, over or under Public Places (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> r.17 Private works on, over, or under public places – Sch.9.1 cl.
Function	1. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP r.17(3)]. 2. Authority to impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17(5)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996. ▪ Permission may only be granted where, the proponent has: <ul style="list-style-type: none"> ◦ Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed private works. ◦ Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public place at the completion of works. ◦ Provided evidence of sufficient Public Liability Insurance. ◦ Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity. ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Infrastructure Manager Operations
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.

Shire of Broome

Statutory framework	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Local Government (Uniform Local Provisions) Regulations 1996– prescribe applicable statutory procedures</p> <p>Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.4 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995</p>
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

DRAFT

Delegation	1.2.14 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government (Uniform Local Provisions) 1996:</i> r.21(1) Wind erosion and sand drifts – Sch.9.1 cl.12
Function	1. Authority to give notice to a land owner / occupier if it is considered that clearing the owner / occupier's land may cause local government land with a common boundary, to be adversely affected by wind erosion or sand drift [ULP r.21(1)].
Delegates	Chief Executive Officer
Conditions	▪ Must comply with all relevant Policies
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Infrastructure Manager Operations
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.

Delegation	1.2.15 Expressions of Interest for Goods and Services (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer
Function	<ol style="list-style-type: none"> 1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&G r.21]. 2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G r.23].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Expressions of Interest may only be called where there is an adopted budget for the proposed goods or services. ▪ Must comply with Council's Purchasing Policy.
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Corporate Services Director Development Services Director Infrastructure
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures</p> <p>WALGA Subscription Service – Procurement Toolkit</p> <p>Council Policy - Purchasing</p>
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

Shire of Broome

DRAFT

Page 33 of 175

Shire of Broome

Delegation	1.2.16 Tenders for Goods and Services (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11 When tenders have to be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for r.18 Rejecting and accepting tenders r.20 Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services

DRAFT

Function	<ol style="list-style-type: none"> 1. Authority to call tenders [F&G r.11(1)]. 2. Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine a sole supplier arrangement [F&G r.11(f)]. 3. Authority to undertake tender exempt procurement, in accordance with the Purchasing Policy requirements, where the total consideration under the resulting contract is \$500,000 or less and the expense is included in the adopted Annual Budget [F&G.r.11 (2)]. 4. Authority to invite tenders although not required to do so [F&G r.13]. 5. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G r.14(2a)]. 6. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&G r.14(4)(a)]. 7. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&G r.14 (5)]. 8. Authority to evaluate tenders, by written evaluation, and decide which is the most advantageous [F&G r.18(4)]. 9. Authority to accept, or reject tenders, only within the \$500,000 detailed as a condition on this Delegation and in accordance with the requirements of the Functions and General Regulations [F&G r.18(2) and (4)]. 10. Authority to determine that a variation proposed is minor in context of the total goods or services sought through the invitation to tender, subject to a maximum 10% variation and within the \$500,000 detailed as a condition on this Delegation, and to then negotiate minor variations with the successful tenderer before entering into a contract [F&G r.20(1) and (3)]. 11. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G r.18(4a)]. 12. Authority to decline any tender [F&G r.18(5)]. 13. If the chosen tenderer is unable or unwilling to form a contract OR the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer, authority to choose the next most advantageous tender to accept [F&G r.20(2)] 14. Authority to: <ol style="list-style-type: none"> i. Vary a contract that has been entered into with a successful tenderer, provided the variation/s do not change the scope of the original contract or increase the contract value beyond 10% or to a maximum of \$500,000 whichever is the lesser value. ii. Exercise an extension option that was included in the original tender specification and contract in accordance with r.11(2)(j). [F&G r.21A]. 15. Authority to accept another tender where within 6-months of either accepting a tender, a contract has not been entered into OR the successful tenderer agrees to terminate the contract [F&G r.18(6) & (7)].
Delegates	Chief Executive Officer

Conditions	<ul style="list-style-type: none"> ▪ Sole supplier arrangements may only be approved where a record is retained that evidences: <ul style="list-style-type: none"> ◦ A detailed specification; ◦ The outcomes of market testing of the specification; ◦ The reasons why market testing has not met the requirements of the specification; and ◦ Rationale for why the supply is unique and cannot be sourced through other suppliers; ▪ Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget and where the: <ul style="list-style-type: none"> ◦ proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government, ◦ current supply contract expiry is imminent, ◦ value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and ◦ The tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council. ▪ In accordance with s.5.43, tenders may only be accepted and panels of pre-qualified suppliers established, where the total consideration under the resulting contract is \$500,000 or less and the expense is included in the adopted Annual Budget. ▪ Must comply with the Council's Purchasing Policy.
Express power to subdelegate	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
Subdelegates	<p>Director Corporate Services Director Development Services Director Infrastructure</p>
Subdelegate conditions	<p>Conditions on the Delegate also apply to the Subdelegates.</p>
Statutory framework	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures</p> <p>WALGA Subscription Service – Procurement Toolkit</p>
Policy	<p>Council Policy - Purchasing</p>
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

Delegation	1.2.17 Panels of Pre-Qualified Suppliers for Goods and Services (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government (Functions and General) Regulation 1996:</i> r.24AB Local government may establish panels of pre-qualified suppliers r.24AC(1)(b) Requirements before establishing panels of pre-qualified suppliers r.24AD(3) & (6) Requirements when inviting persons to apply to join panel of pre-qualified suppliers r.24AH(2), (3), (4) and (5) Rejecting and accepting applications to join panel of pre-qualified suppliers
Function	<ol style="list-style-type: none"> 1. Authority to determine that there is a continuing need for the goods or services proposed to be provided by a panel of pre-qualified suppliers [F&G r.24AC(1)(b)]. 2. Authority to, before inviting submissions, determine the written criteria for deciding which application should be for inclusion in a panel of pre-qualified suppliers should be accepted [F&G r.24AD(3)]. 3. Authority to vary panel of pre-qualified supplier information after public notice inviting submissions has been given, taking reasonable steps to each person who has enquired or submitted an application is provided notice of the variation [F&G r.24AD(6)]. 4. Authority to reject an application without considering its merits, where it was submitted at a place and within the time specified, but fails to comply with any other requirement specified in the invitation [F&G r.24AH(2)]. 5. Authority to assess applications, by written evaluation of the extent to which the submission satisfies the criteria for deciding which applicants to accept, and decide which applications to accept as most advantageous [F&G r.24AH(3)]. 6. Authority to request clarification of information provided in a submission by an applicant [F&G r.24AH(4)]. 7. Authority to decline to accept any application [F&G r.24AH(5)]. 8. Authority to enter into contract, or contracts, for the supply of goods or services with a pre-qualified supplier, as part of a panel of pre-qualified suppliers for those particular goods or services [F&G r.24AJ(1)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ In accordance with s.5.43, panels of pre-qualified suppliers may only be established, where the total consideration under the resulting contract is \$500,000 or less and the expense is included in the adopted Annual Budget. ▪ Must comply with Council's Purchasing Policy
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Corporate Services Director Development Services Director Infrastructure

Shire of Broome

Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures</p> <p>WALGA Subscription Service – Procurement Toolkit</p>
Policy	Council Policy - Purchasing
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

DRAFT

Delegation	1.2.18 Application of Regional Price Preference Policy (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government (Functions and General) Regulations 1996:</i> r.24G Adopted regional price preference policy, effect of
Function	1. Authority to decide when not to apply the regional price preference policy to a particular future tender [F&G r.24G].
Delegates	Chief Executive Officer
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Corporate Services Director Development Services Director Infrastructure
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Policy	Council Policy - Purchasing Council Policy - Regional Price Preference
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.

Delegation	1.2.19 Disposing of Property (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.58(2) & (3) Disposing of Property
Function	<ol style="list-style-type: none"> 1. Authority to dispose of property to: <ol style="list-style-type: none"> a. the highest bidder at public auction [s.3.58(2)(a)]. b. the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tender [s.3.58(2)(b)] 2. Authority to dispose of property by private treaty only in accordance with section 3.58 (3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required. ▪ In accordance with s.5.43, disposal of property, for any single project or where not part of a project but part of a single transaction, is limited to a maximum value of \$500,000 or less. ▪ When determining the method of disposal: ▪ Where a public auction is determined as the method of disposal: <ul style="list-style-type: none"> ◦ Reserve price has been set by independent valuation. ◦ Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price. ▪ Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method. ▪ Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to: <ul style="list-style-type: none"> ◦ Negotiate the sale of the property up to a -10% variance on the valuation; and ◦ Consider any public submissions received and determine if to proceed with the disposal, ensuring reasons for the decision are recorded. ▪ Where the market value of the property is determined as being less than \$20,000 (F&G r.30(3) excluded disposal) may be undertaken: <ul style="list-style-type: none"> ◦ Without reference to Council for resolution; and ◦ In any case, be undertaken to ensure that the best value return is achieved however, where the property is determined as having a nil market value then, as a minimum, the disposal must ensure environmentally responsible disposal. ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Shire of Broome

Subdelegates	Director Corporate Services Director Development Services Director Infrastructure
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Local Government Act 1995 – s.3.58 Disposal of Property Local Government (Functions and General) Regulations 1995 – r.30 Dispositions of property excluded from Act s. 3.58
Policy	Council Policy - Disposal of Assets
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.

DRAFT

Delegation	1.2.20 Payments from the Municipal or Trust Funds (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government (Financial Management) Regulations 1996:</i> r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
Function	1. Authority to make payments from the municipal or trust funds [r.12(1)(a)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> Authority to make payments is subject to annual budget limitations. Must comply with all relevant Policies
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Coordinator Financial Services Director Corporate Services Director Development Services Director Infrastructure Manager Financial Services
Subdelegate conditions	<ul style="list-style-type: none"> Delegates must comply with the Procedures approved by the CEO in accordance with Financial Management Regulation 5. Payments by Cheque and EFT transactions must be approved jointly by two Delegates. Delegates that approve the payment must not verify the liability. The verification of incurring the liability via the purchase order, invoice and evidence of goods / service received, must be undertaken independent of the payment approval. Must comply with all relevant Policies
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Local Government Act 1995 Local Government (Financial Management) Regulations 1996 - refer specifically r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc. Local Government (Audit) Regulations 1996
Policy	Department of Local Government, Sport and Cultural Industries Operational Guideline No.11 – Use of Corporate Credit Cards Department of Local Government, Sport and Cultural Industries: Accounting Manual

Shire of Broome

Record keeping	Delegations exercised are to be recorded in the Shire's document management system.
-----------------------	---

DRAFT

Delegation	1.2.21 Defer, Grant Discounts, Waive or Write Off Debts (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.6.12 Power to defer, grant discounts, waive or write off debts
Function	<ol style="list-style-type: none"> 1. Waive a debt which is owed to the Shire of Broome [s.6.12(1)(b)]. 2. Grant a concession in relation to money which is owed to the Shire of Broome [s.6.12(1)(b)]. 3. Write off an amount of money which is owed to the Shire of Broome [s.6.12(1)(c)]
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ A debt may only be written off where all necessary measures have been taken to locate / contact the debtor and where costs associated with continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire of Broome. <ul style="list-style-type: none"> ◦ Limited to individual debts valued below \$2,000 (GST exclusive). Write off of debts greater than these values must be referred for Council decision. ▪ The waiving or refunding of fees and charges for applications made under the following legislation and local laws administered by the Development and Community Directorate must comply with Council's Policy – Waiving and Refunding of Fees: <ul style="list-style-type: none"> ◦ <i>Building Act 2011</i> ◦ <i>Bush Fires Act 1954</i> ◦ <i>Food Act 2008</i> ◦ <i>Local Government Act 1995</i> ◦ <i>Planning and Development Act 2005</i> ◦ <i>Public Health Act 2016</i> ◦ Local Government Property and Public Places Local Law 2012 ◦ Trading, Outdoor Dining and Street Entertainment Local Law 2003 ▪ Amounts provided via the CEO Adhoc Sponsorship Budget are to be reported to Council on a quarterly basis via the Councillor Information Bulletin. ▪ Sundry debtor write offs must comply with Council's Policy – Debt Recovery.
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Corporate Services Director Development Services Manager Environmental Health, Emergency and Rangers Manager Planning and Building Services

Shire of Broome

Subdelegate conditions	<ul style="list-style-type: none"> ▪ Conditions on the Delegate also apply to the Subdelegates. ▪ Director Development Services, Manager Planning and Building Services and Manager Environmental Health, Emergency and Rangers delegation is limited to the waiver or refund of fees related to the legislation and local laws administered by the Development Services Directorate listed above, and must comply with Council's Policy – Waiving and Refunding of Fees. ▪ Sundry Debtor write offs must comply with Council's Policy - Debt Recovery
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Policy	Council Policy - Debt Recovery Council Policy - Waiving and Refunding of Fees
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

DRAFT

Delegation	1.2.22 Power to Invest and Manage Investments (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.6.14 Power to invest <i>Local Government (Financial Management) Regulations 1996:</i> r.19 Investments, control procedures for
Function	<ol style="list-style-type: none"> 1. Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)]. 2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ All investment activity must comply with the Financial Management Regulation 19C and Council Investment Policy. ▪ A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports. ▪ Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within every 3 financial years. [Audit r.17] ▪ Must comply with Council's Investment Policy
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Coordinator Financial Services Director Corporate Services Director Development Services Director Infrastructure Manager Financial Services
Subdelegate conditions	<ul style="list-style-type: none"> ▪ Conditions on the Delegate also apply to the Subdelegates. ▪ A decision to invest must be jointly confirmed by two Delegates.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Local Government (Financial Management) Regulations 1996 – refer r.19C Investment of money, restrictions on (Act s.6.14(2)(a))
Policy	Council Policy - Investment
Record keeping	Delegations exercised are to be recorded in the Shire's document management system.

Shire of Broome

DRAFT

Page 47 of 175

Delegation	1.2.23 Rate Record Amendment (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.6.39(2)(b) Rate record
Function	1. Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year [s.6.39(2)(b)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> Delegates must comply with the requirements of s.6.40 of the Act. Must comply with all relevant Policies
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Coordinator Financial Services Director Corporate Services Manager Financial Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><i>Local Government Act 1995</i> – s.6.40 prescribes consequential actions that may be required following a decision to amend the rate record.</p> <p>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</p>
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

Delegation	1.2.24 Agreement as to Payment of Rates and Service Charges (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.6.49 Agreement as to payment of rates and service charges
Function	1. Authority to make an agreement with a person for the payment of rates or service charges [s.6.49].
Delegates	Chief Executive Officer
Conditions	1. Decisions under this delegation must comply with Council Policy – Debt Recovery. 2. Agreements must be in writing and appropriate internal controls maintained to monitor compliance with the agreed repayment schedule.
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Corporate Services Manager Financial Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Policy	Council Policy - Debt Collection Business Operating Procedure - Financial Hardship
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.

Delegation	1.2.25 Determine Due Date for Rates or Service Charges (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.6.50 Rates or service charges due and payable
Function	1. Authority to determine the date on which rates or service charges become due and payable to the Shire of Broome [s.6.50].
Delegates	Chief Executive Officer
Conditions	▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Corporate Services Manager Financial Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record keeping	Delegations exercised are to be recorded in the Shire's document management system.

Delegation	1.2.26 Recovery of Rates or Service Charges (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.6.56 Rates or service charges recoverable in court s.6.64(3) Actions to be taken
Function	<ol style="list-style-type: none"> 1. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)]. 2. Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s.6.64(3)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Decisions under this delegation must comply with Council Policy – Debt Collection
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Corporate Services Manager Financial Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Policy	Council Policy - Debt Collection Business Operating Procedure - Financial Hardship
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.

Delegation	1.2.27 Recovery of Rates Debts – Require Lessee to Pay Rent (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.6.60 Local Government may require lessee to pay rent
Function	<ol style="list-style-type: none"> 1. Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the Shire of Broome [s.6.60(2)]. 2. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Decisions under this delegation must comply with Council Policy – Debt Collection.
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Corporate Services Manager Financial Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Local Government Act 1995 – refer sections 6.61 and 6.62 and Schedule 6.2 prescribe procedures relevant to exercise of authority under s.6.60.</p>
Policy	Council Policy - Debt Collection
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

Delegation	1.2.28 Recovery of Rates Debts - Actions to Take Possession of the Land (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.6.64(1) Actions to be taken s.6.69(2) Right to pay rates, service charges and costs, and stay proceedings s.6.71 Power to transfer land to Crown or local government s.6.74 Power to have land revested in Crown if rates in arrears 3 years
Function	<p>1. Authority to take possession of land and hold the land against a person having an estate or interest in the land where rates or service charges have remained unpaid for at least three years [s.6.64(1)], including:</p> <ul style="list-style-type: none"> i. lease the land, or ii. sell the land; or where land is offered for sale and a contract of sale has not been entered into after 12 months: <ul style="list-style-type: none"> I. cause the land to be transferred to the Crown [s.6.71 and s.6.74]; or II. cause the land to be transferred to the Shire of Broome [s.6.71]. <p>2. Authority to agree terms and conditions with a person having estate or interest in land and to accept payment of outstanding rates, service charges and costs within 7 days of and prior to the proposed sale [s.6.69(2)].</p>
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Decisions under this delegation must comply with Council Policy – Debt Collection. ▪ In accordance with s.6.68(3A), this delegation cannot be used where a decision relates to exercising a power of sale <u>without having</u>, within the previous 3-years attempted to recover the outstanding rates / changes through a court under s.6.56, as s.6.68(3A) requires that the reasons why court action has not been pursued must be recorded in Council Minutes. ▪ Exercise of this delegation must comply with the procedures set out in Schedule 6.3 of the <i>Local Government Act 1995</i>. ▪ Council Members are to be informed as soon as practicable after the exercise of this delegation.
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Corporate Services Manager Financial Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.

Shire of Broome

Statutory framework	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Local Government Act 1995 – Part 6, Division 6 Subdivision 6 and Schedule.6.3 prescribe procedures relevant to exercise of authority under this delegation.</p> <p>Local Government (Financial Management) Regulations 1996 – regulations 72 – 78 prescribe forms and procedures relevant to exercise of authority under this delegation.</p>
Policy	<p>Council Policy - Debt Collection</p>
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

DRAFT

Delegation	1.2.29 Rate Record – Objections (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.6.76 Grounds of objection
Function	<ol style="list-style-type: none"> 1. Authority to extend the time for a person to make an objection to a rate record [s.6.76 (4)]. 2. Authority to consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s.6.76(5)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must NOT be party to any determination under this Delegation. ▪ New rate exemptions are to be reported to Council via the Councillor Information Bulletin. ▪ Must comply with all relevant Policies
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Corporate Services Manager Financial Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Policy	Council Policy - Rating Council Policy - Rate Exemption Charitable Use
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.

Delegation	1.2.30 Renewal or Extension of Contracts during a State of Emergency (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> Regulation 11 'When tenders have to be publicly invited' Tender exemption under subregulation 11(2)(ja)
Function	Authority, only to be exercised when a State of Emergency declaration is in force and applies to all or part of the District, to execute a renewal or extension to the term of a contract that will expire within 3 months, for a term of not more than 12 months from the original expiry date, without calling for tenders [F&G r.11(2)(ja)]. This authority relates to: <ul style="list-style-type: none"> contracts not formed through a public tender, where the total value of the original term and the proposed extension or renewal exceeds \$250 000, and contracts formed through a public tender.
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> The authority to apply the renewal or extension option may be exercised where one or more of the following principles applies: <ul style="list-style-type: none"> It is exercised at the sole discretion of the Local Government; It is in the best interests of the Local Government; It is deemed necessary to facilitate the role of Local Government in relation to the State of Emergency declaration; It has potential to promote local and/or regional economic benefits. This authority may only be exercised where the total consideration for the renewal or extension is \$500,000 or less. Contracts may only be renewed or extended where there is an adopted and available budget for the proposed goods and services, OR where the expenditure from an alternative available budget allocation has been authorised in advance by the Shire President (i.e. before the expense is incurred) in accordance with LGA s.6.8(1)(c). The decision to extend or renew a contract must be made in accordance with the objectives of the Purchasing Policy. The CEO cannot sub-delegate this authority.
Statutory framework	<i>Local Government (Functions and General) Regulations 1996</i>
Policy	WALGA Subscription Service – Procurement Toolkit Council Policy - Purchasing

Shire of Broome

Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.
-----------------------	---

DRAFT

Delegation	1.2.31 Procurement of Goods or Services required to address a State of Emergency (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> Regulation 11 'When tenders have to be publicly invited' Tender exemption under subregulation 11(2)(aa) Associated definition under subregulation 11(3)
Function	Authority, only to be exercised when a State of Emergency declaration is in force and applies to all or part of the District, to: 1. Determine that particular goods or services with a purchasing value > \$250,000 are required for the purposes of addressing the impact, consequences or need arising from the hazard to which the State of Emergency declaration relates [F&G r11(3)(b)]; and 2. Undertake tender exempt purchasing activity to obtain the supply of those goods or services identified in accordance with point 1 above [F&G r.11(2)(aa)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ This authority may only be exercised where the goods or services are urgently required, and it is not possible for Council to meet within an appropriate timeframe. ▪ Compliance with the Purchasing Policy is required, but only to the extent that such compliance will not incur an unreasonable delay in providing the required urgent response to the State of Emergency hazard. The rationale for non-compliance with Purchasing Policy must be evidenced in accordance with the Record Keeping Plan. ▪ Where a relevant budget allocation is not available and a purchase is necessary in response to a State of Emergency, the expenditure from an alternative available budget allocation must be authorised in advance by the Shire President (i.e. before the expense is incurred) in accordance with LGA s.6.8. ▪ The CEO is to inform Council Members after the exercise of this delegation, including details of the contract specification, scope and purchasing value and the rationale for determining that the goods or services were urgently required in response to the State of Emergency declaration. ▪ The CEO cannot sub-delegate this authority.
Statutory framework	<i>Local Government (Functions and General) Regulations 1996</i>
Policy	WALGA Subscription Service – Procurement Toolkit Council Policy - Purchasing

Shire of Broome

Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.
-----------------------	---

DRAFT

01.3 CEO to Employees

Delegation	1.3.1 Determine if an Emergency for Emergency Powers of Entry (DRAFT)
Category	CEO to Employees
Head of power	01 Local Government Act 1995 Delegations
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.34(2) Entry in emergency
Function	1. Authority to determine on behalf of the CEO that an emergency exists for the purposes of performing local government functions [s.3.34(2)].
Delegates	Director Corporate Services Director Development Services Director Infrastructure Manager Environmental Health, Emergency and Rangers
Conditions	<ul style="list-style-type: none"> ▪ The Delegate is to inform the CEO and Council Members as soon as practicable after the exercise of this delegation. ▪ Must comply with all relevant Policies
Express power to subdelegate	Nil
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.

Delegation	1.3.2 Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare (DRAFT)
Category	CEO to Employees
Head of power	01 Local Government Act 1995 Delegations
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express power or duty delegated	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.6(4)(d) Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a)
Function	When determining to grant permission to obstruct a public footpath or thoroughfare under Delegated Authority 1.2.9: <ol style="list-style-type: none"> 1. Authority to determine the sum sufficient to cover the cost of repairing damage to the public thoroughfare resulting from the placement of a thing or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [ULP r.6(4)(d)]. 2. Authority to determine the requirements for protective structures, during such time as it is considered necessary for public safety and convenience [ULP r.6(5)(b)]. 3. Authority to determine and require in writing, that the person granted permission to obstruct a public thoroughfare repair damage caused by things placed on the thoroughfare and authority to determine if such repairs are to the satisfaction of the local government [ULP r.6(5)(d)].
Delegates	Director Infrastructure Manager Operations
Conditions	<ul style="list-style-type: none"> ▪ Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 1.2.9 Obstruction of Footpaths and Thoroughfares. ▪ Actions under this Delegation must comply with the procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996. ▪ Must comply to all relevant Policies
Express power to subdelegate	Nil
Statutory framework	<p>This delegated authority is effective only in alignment with Delegated Authority 1.2.9 Obstructions of Footpaths and Thoroughfares.</p> <p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Local Government (Uniform Local Provisions) Regulations 1996</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i></p>
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

Shire of Broome

DRAFT

Page 62 of 175

Delegation	1.3.3 Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares (DRAFT)
Category	CEO to Employees
Head of power	01 Local Government Act 1995 Delegations
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express power or duty delegated	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.11(6)(c) and (7)(c) Dangerous excavation in or near public thoroughfare – Sch. 9.1 cl.6
Function	When determining to grant permission for a dangerous excavation under Delegated Authority 1.2.11: <ol style="list-style-type: none"> 1. Authority to determine, as a condition of granting permission, the sum sufficient to deposit to cover the cost of repairing damage to the public thoroughfare or adjoining land resulting from the excavation or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [r.11(6)(c)]. 2. Authority to determine, as a condition of granting permission, requirements for protective structures and for the protective structures to be maintained and kept in satisfactory condition necessary for public safety and convenience [r.11(7)(c)]. 3. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily.
Delegates	Director Infrastructure Manager Operations
Conditions	<ul style="list-style-type: none"> ▪ Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 1.2.11 Public Thoroughfares – Dangerous Excavations. ▪ Actions under this Delegation must comply with the procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996. ▪ Must comply with all relevant Policies
Express power to subdelegate	Nil
Statutory framework	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>This delegated authority is effective only in alignment with Delegated Authority 1.2.11 Public Thoroughfares – Dangerous Excavations.</p> <p><i>Local Government (Uniform Local Provisions) Regulations 1996</i></p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i></p>
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

Shire of Broome

DRAFT

Page 64 of 175

Delegation	1.3.4 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places (DRAFT)
Category	CEO to Employees
Head of power	01 Local Government Act 1995 Delegations
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express power or duty delegated	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.17(5)(b) and r.17(6)(c) Private works on, over, or under public places — Sch. 9.1 cl. 8
Function	<ol style="list-style-type: none"> 1. Authority to determine, as a condition of granting permission for Private Works in Public Places, the sum sufficient to deposit with the Local Government to cover the cost of repairing damage to the public thoroughfare or public place resulting from the crossing construction, on the basis that the Local Government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [r.17(5)(b)]. 2. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily. [r.17(6)(c)].
Delegates	Director Infrastructure Manager Operations
Conditions	<ul style="list-style-type: none"> ▪ Must comply to all relevant Policies
Express power to subdelegate	Nil
Statutory framework	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>This delegated authority is effective only in alignment with Delegated Authority 1.2.13 Private Works on, over or under Public Places</p>
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

Delegation	1.3.5 Electoral Enrolment Eligibility Claims and Electoral Roll (DRAFT)
Category	CEO to Employees
Head of power	01 Local Government Act 1995 Delegations
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express power or duty delegated	<i>Local Government Act 1995:</i> s.4.32(4), (5A) & (5) Eligibility to enrol under s.4.30, how to claim s.4.34 Accuracy of enrolment details to be maintained s.4.35 Decision that eligibility to enrol under s.4.30 has ended s.4.37 New roll for each election <i>Local Government (Elections) Regulations 1995:</i> r.11(1a) Nomination of co-owners or co-occupiers — s.4.31 r.13(2) & (4) Register - s.4.32(6)
Function	<ol style="list-style-type: none"> 1. Authority to require the written notice for co-owners or co-occupiers to be incorporated into Form 2 [r.11(1a)]. 2. Authority to decide whether or not the claimant is eligible under s.4.30(1)(a) and (b) and accept or reject the claim accordingly [s.4.32(4)]. 3. Authority to decide to accept or reject a claim made before the close of enrolments, but less than 14-days before the close of nominations [s.3.42(5A)]. 4. Authority to make any enquiries necessary in order to make a decision on an eligibility claim [s.4.32(5)]. 5. Authority to approve the omission of an elector's address from the Owners and Occupiers Register on the basis of a declaration from the elector that the publication of this information would place the elector's or their families safety at risk [Elections r.13 (2)]. 6. Authority to amend the Owners and Occupiers Register from time to time to make sure that the information recorded in it is accurate [Elections r.13(4)]. 7. Authority to ensure that the information about electors that is recorded from enrolment eligibility claims is maintained in an up to date and accurate form [s.4.34]. 8. Authority to decide that a person is no longer eligible under s.4.30 to be enrolled on the Owners and Occupiers Electoral Roll [s.4.35(1)] and to give notice [s.4.35(2)] and consider submissions [s.4.35(6)], before making such determination. 9. Authority to determine to take any action necessary to give effect to advice received from the Electoral Commissioner [s.4.35(5)]. 10. Decide, with the approval of the Electoral Commissioner, that a new electoral roll is not required for an election day which is less than 100 days since the last election day [s.4.37(3)].
Delegates	Director Corporate Services Manager Governance, Strategy & Risk
Conditions	<ul style="list-style-type: none"> ▪ Decisions on enrolment eligibility are to be recorded in the Enrolment Eligibility Register in accordance with s.4.32(6) and s.4.35(7). ▪ Must comply with all relevant Policies.
Express power to subdelegate	Nil

Shire of Broome

Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Department of Local Government, Sport and Cultural Industries: Returning Officer Manual
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.

DRAFT

Delegation	1.3.6 Destruction of Electoral Papers (DRAFT)
Category	CEO to Employees
Head of power	01 Local Government Act 1995 Delegations
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express power or duty delegated	<i>Local Government (Elections) Regulations 1996:</i> r.82(4) Keeping election papers – s4.84(a)
Function	1. Authority to, after a period of 4-years, destroy the parcels of election papers in the presence of at least 2 other employees [Elect. r.82(4)].
Delegates	Director Corporate Services Manager Governance, Strategy & Risk
Conditions	▪ Must comply to all relevant Policies
Express power to subdelegate	Nil
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Department of Local Government, Sport and Cultural Industries: Returning Officer Manual
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.

Delegation	1.3.7 Appoint Authorised Persons (DRAFT)
Category	CEO to Employees
Head of power	01 Local Government Act 1995 Delegations
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.24 Authorising persons under this subdivision [Part 3, Division 3, Subdivision 2 – Certain provisions about land] s.9.10 Appointment of authorised persons
Function	<p>1. Authority to appoint persons or classes of persons as authorised persons [s.3.24 and s.9.10] for the purpose of fulfilling functions of an authorised person prescribed in the following legislation inclusive of subsidiary legislation made under each Act i.e. Regulations:</p> <ul style="list-style-type: none"> a. Local Government Act 1995 and its subsidiary legislation, including Local Government Act Regulations, the <i>Local Government (Miscellaneous Provisions) Act 1960</i> and Local Laws made under the Local Government Act.. b. <i>Caravan Parks and Camping Grounds Act 1995</i>; c. <i>Cat Act 2011</i>; d. <i>Cemeteries Act 1986</i>; e. <i>Control of Vehicles (Off-road Areas) Act 1978</i>; f. <i>Dog Act 1976</i>; g. Graffiti Vandalism Act 2016 – refer s.15; and h. any other legislation prescribed for the purposes of s.9.10 of the <i>Local Government Act 1995</i>. <p>2. Authority to appoint authorised persons for the purposes of section 9.16 of the <i>Local Government Act 1995</i>, <u>as a precondition</u> for appointment as authorised officers in accordance with Regulation 70(2) of the Building Regulations 2012 and section 6(b) of the <i>Criminal Procedure Act 2004</i>.</p>
Delegates	Director Corporate Services Director Development Services Director Infrastructure
Conditions	<ul style="list-style-type: none"> ▪ A register of Authorised Persons is to be maintained as a Local Government Record. ▪ Only persons who are appropriately qualified and trained may be appointed as Authorised persons. ▪ Must comply with all relevant Policies.
Express power to subdelegate	Nil
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.

Shire of Broome

Record keeping	<p>Instruments or Certificates of Authorisation – Copies are to be retained on the Authorised Person's personnel file.</p> <p>A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.</p> <p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>
-----------------------	--

DRAFT

Delegation	1.3.8 Information to be Available to the Public (DRAFT)
Category	CEO to Employees
Head of power	01 Local Government Act 1995 Delegations
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express power or duty delegated	<i>Local Government (Administration) Regulations 1996:</i> r.29(2) &(3) Information to be available for public inspection (Acts s.5.94) r.29B Copies of certain information not to be provided (Act s.5.96) <i>Local Government Act 1995:</i> s.9.95(1)(b) & (3)(b) Limits on right to inspect local government information
Function	<ol style="list-style-type: none"> 1. Authority to determine the public right to inspect information, by determining if the information requested relates to a part of a meeting that could have been closed to members of the public but was not [Admin. r.29(2)]. 2. Authority to determine the public right to inspect information in an agenda or minutes, by determining if the information requested would be part of the meeting which is likely to be closed to members of the public [Admin. r.29(3)]. 3. Authority to determine the manner and form by which a person may request copies of rates record information [s.5.94(m)] or owners and occupiers register and electoral rolls [s.5.94(s)] and to make the information available, if satisfied, by statutory declaration or otherwise, that the information will not be used for commercial purposes [Admin r.29B]. 4. Authority to determine not to provide a right to inspect information, where it is considered that in doing so would divert a substantial and unreasonable portion of the local government's resources away from its other functions [s.9.95(1)(b)]. 5. Authority to determine not to provide a right to inspect information contained in notice papers, agenda, minutes, or information tabled at a meeting, where it is considered that that part of the meeting could have been closed to members of the public but was not closed [s.5.94(3)(b)].
Delegates	Director Corporate Services Manager Governance, Strategy & Risk
Conditions	<ul style="list-style-type: none"> ▪ Must comply with all relevant Policies.
Express power to subdelegate	Nil
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.

Delegation	1.3.9 Financial Management Systems and Procedures (DRAFT)
Category	CEO to Employees
Head of power	01 Local Government Act 1995 Delegations
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express power or duty delegated	<i>Local Government (Financial Management) Regulations 1996:</i> r.5 CEO's Duties as to financial management
Function	<p>1. Authority to establish systems and procedures [FM r.5] that give effect to internal controls and risk mitigation for the:</p> <ul style="list-style-type: none"> i. Collection of money owed to the Shire of Broome; ii. Safe custody and security of money collected or held by the Shire of Broome; iii. Maintenance and security of all financial records, including payroll, stock control and costing records; iv. Proper accounting of the Municipal and Trust Funds, including revenue, expenses and assets and liabilities; v. Proper authorisation of employees for incurring liabilities, including authority for initiating Requisition Orders, Purchase Orders and use of Credit and Transaction Cards; vi. Making of payments in accordance with Delegated Authority XXX; vii. Preparation of budgets, budget reviews, accounts and reports as required by legislation or operational requirements.
Delegates	Director Corporate Services Manager Financial Services
Conditions	<ul style="list-style-type: none"> ▪ Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan, and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles ▪ Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within each 3 financial years. [Audit r.17] ▪ Must comply with all relevant Policies.
Express power to subdelegate	Nil
Statutory framework	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Local Government Act 1995</p> <p>Local Government (Financial Management) Regulations 1996</p> <p>Local Government (Audit) Regulations 1996</p> <p>Department of Local Government, Sport and Cultural Industries Operational Guideline No.11 – Use of Corporate Credit Cards</p>

Shire of Broome

Record keeping	Delegations exercised are to be recorded in the Shire's document management system.
-----------------------	---

DRAFT

Delegation	1.3.10 Audit – CEO Review of Systems and Procedures (DRAFT)
Category	CEO to Employees
Head of power	01 Local Government Act 1995 Delegations
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express power or duty delegated	<i>Local Government (Audit) Regulations 1996:</i> r.17 CEO to review certain systems and procedures
Function	1. Authority to conduct the review of the appropriateness and effectiveness of the Shire of Broome's systems and procedures in relation to i. risk management; and ii. internal controls; and iii. legislative compliance [r.17(1)].
Delegates	Director Corporate Services Manager Governance, Strategy & Risk
Conditions	<ul style="list-style-type: none"> Each matter is to be reviewed at least once within every 3 financial years, with a report on each matter to be provided to the Audit and Risk Committee that details the findings, including any identified deficiencies, and actions required. Must comply with all relevant Policies.
Express power to subdelegate	Nil
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Local Government (Audit) Regulations 1996
Record keeping	Delegations exercised are to be recorded in the Shire's document management system.

Delegation	1.3.11 Infringement Notices – Withdrawal and Extension of Time (DRAFT)
Category	CEO to Employees
Head of power	01 Local Government Act 1995 Delegations
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express power or duty delegated	<i>Local Government Act 1995:</i> s.9.13(6)(b) Onus of proof in vehicle offences may be shifted s.9.19 Extension of Time s.9.20 Withdrawal of Notice <i>Building Regulations 2012:</i> Regulation 70(1A), (1), (2) Approved officers and authorised officers
Function	<ol style="list-style-type: none"> 1. Authority to consider an owner of a vehicle's submission that the vehicle that is subject of an infringement notice, had been stolen or unlawfully taken at the time of the alleged offence [s.9.13(6)(b)]. 2. Authority to extend the 28-day period within which payment of a modified penalty may be paid, whether or not the period of 28-days has elapsed [s.9.19]. 3. Authority to withdraw an infringement notice within one year after the notice was given, whether or not the modified penalty has been paid by sending a withdrawal notice (in the prescribed form) to the alleged offender and if the modified penalty has been paid, providing a refund [s.9.20].
Delegates	Director Development Services Manager Environmental Health, Emergency and Rangers Manager Planning and Building Services
Conditions	<ul style="list-style-type: none"> ▪ A delegate who participated in a decision to issue an infringement notice, must NOT determine any matter related to that infringement notice under this Delegation. ▪ Delegation for Dog Act, Cat Act, Dogs Local Law 2012, Parking and Parking Facilities Local Law 2012, Parking Local Law, Property and Public Places Local Law 2016 and Trading, Outdoor Dining and Street Entertainment Local Law 2016 Infringement Notices is limited to the following listed positions ONLY: <ul style="list-style-type: none"> ◦ Director Development Services ◦ Manager Environmental Health, Emergency and Rangers ▪ The following listed positions are delegated the functions under s.9.19 and s.9.20 only as a <u>precondition for appointment</u> as an "Approved Officer" in accordance with <i>Building Regulation 70(1)</i> for the purposes of the <i>Criminal Procedure Act 2004</i> section 6(a) and <i>Building Act 2011</i> Infringement Notices: <ul style="list-style-type: none"> ◦ Director Development Services ◦ Manager Planning and Building <p>NOTE: Delegates must also be appointed as an "Approved Officer" – appointment to be determined by Council resolution or by a person with delegated authority under delegation 2.1.10.</p> <ul style="list-style-type: none"> ▪ Must comply with all relevant Policies.
Express power to subdelegate	Nil

Shire of Broome

Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Parking and Parking Facilities Local Law 2012
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.

DRAFT

01.4 Local Law Delegations to CEO

Delegation	1.4.1 Cemeteries Local Law 2012 (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<p><i>Local Government Act 1995</i> s.5.42 Delegation of some powers of duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Cemeteries Local Law 2012</i> cl.2.1 Powers and functions of the CEO</p>
Express power or duty delegated	<p>Cemeteries Local Law 2012</p> <p>Part 4 - Funeral Directors Clause 4.3 Application refusal</p> <p>Part 5 - Funerals Clause 5.6 Conduct of funeral by the Board (Shire of Broome) Clause 5.7 Disposal of ashes</p> <p>Part 7 - Memorials and Other Work Clause 7.5 Removal of sand, soil or loam Clause 7.6 Hours of work Clause 7.8 Use of wood Clause 7.16 Monumental mason's licence Clause 7.18 Carrying out monumental work Clause 7.20 Cancellation of a monumental mason's licence</p> <p>Part 8 - General Clause 8.3 Damaging and removing objects Clause 8.6 Advertising</p>
Function	<p>Authority to:</p> <ol style="list-style-type: none"> 1. refuse an application for a single funeral permit [cl.4.3] 2. grant approval to conduct a funeral by the Board (Shire of Broome) [cl.5.6] 3. grant permission for ashes to be disposed [cl.5.7] 4. approve removal of sand, soil or loam [cl.7.5] 5. approve hours of work [cl.7.6] 6. approve use of wood [cl.7.8] 7. approve applications for monumental mason's licence [cl.7.16(1)] 8. approve conditions on monumental mason's licence [cl.7.16(2)] 9. authorise monumental work other than by the holder or employee of a current monumental mason's licence [cl.7.18(c)] 10. cancel a monumental mason's licence [cl.7.20(1)] 11. approve the removing of objects [cl.8.3] 12. approve application to advertise or carry on any trade, business or profession within the cemetery and determine any conditions [cl.8.6 (1) & (2)]
Delegates	Chief Executive Officer

Shire of Broome

Conditions	<ul style="list-style-type: none"> • Must comply with conditions contained in the Cemeteries Local Law 2012 • Must comply with all relevant Policies
Express power to subdelegate	<i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Corporate Services Director Infrastructure Manager Governance, Strategy & Risk
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	Note - The Objections and Review provisions of Division 1 of Part 9 of the <i>Local Government Act 1995</i> and regulation 33 of <i>Local Government (Functions and General) Regulations 1996</i> apply.
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System Any supporting information should be recorded in the Shire's record management system

DRAFT

Delegation	1.4.2 Local Government Property and Public Places Local Law 2016 (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Property and Public Places Local Law 2016</i> Part 2 - Determinations in respect of local government property Clause 2.3 Discretion to erect sign Part 3 - Permits Clause 3.2 Activities needing a permit Clause 3.5 Application for permit Clause 3.6 Decision on application for permit Clause 3.9 Compliance with and variation of conditions Clause 3.12 Transfer of permit Clause 3.14 Cancellation of permit Part 4 - Behaviour in public places Clause 4.7 No refund of fees Clause 4.8 Signs Part 5 - Hiring of local government property Clause 5.1 Application for hire Clause 5.2 Decision on application where 2 or more applicants Part 6 - Swimming pools and water parks Clause 6.8 Closure of pool premises Part 7 - Beaches and bathing Clause 7.3 Surf lifesaving activities Part 8 - Activities on verges and footpaths Clause 8.6 Enforcement Part 10 - Damage to and closed thoroughfares Clause 10.1 Notice to repair damage to thoroughfare Part 12 - Secured sum Clause 12.1 Security for restoration and reinstatement Part 13 - Remedy for breach Clause 13.1 Notice requiring works to be done

Function	<p>Authority to:</p> <ol style="list-style-type: none"> 1. erect a sign to give notice of the effect of a determination [cl.2.3] 2. exempt a person from needing a permit [cl.3.2(3)] 3. require an applicant to provide additional information for a permit application [cl.3.5(3)] 4. require applicant to give local public notice of the application for a permit [cl.3.5(5)] 5. refuse to consider an application for a permit which is not in accordance with subclause (2) [cl.3.5(5)] 6. approve an application for a permit unconditionally or subject to any conditions or refuse to approve an application for a permit [cl.3.6(1)] 7. vary the conditions of a permit [cl.3.9(2)] 8. approve the transfer of a permit [cl.3.12(2)] 9. cancel a permit [cl.3.14(1)] 10. where the hire of local government property is cancelled, authorise refund of part or all of the amount paid [cl.4.7(2)] 11. erect a sign specifying any conditions of use which apply [cl.4.8(1)] 12. approve applications to hire local government property [cl.5.1(1)] 13. determine that application and permit requirements do not apply to the hiring of a particular local government property or a class of local government property [cl.5.1(2)] 14. determine which, if any applicant will be granted an approval to hire where 2 or more applicants [cl.5.2] 15. approve closure of pool premises [cl.6.8(1) & (2)] 16. authorise members of surf life saving club or local government employee to perform functions in the interests of maintaining safety at beaches [cl.7.3] 17. give a notice, requiring the owner or occupier of any land adjacent to a verge to make good, give satisfactory reason why the verge treatment should be retained without alteration, or why extra time should be given to comply with notice [cl.8.6] 18. issue notice to repair or replace that portion of the thoroughfare damaged [cl.10.1] 19. require payment of a bond [cl.12.1(1)] 20. issue breach notice and require rectification within specified time [cl.13.1(1)] 21. remedy breach where approval holder or person fails to do so [cl.13.1(3)] 22. recover costs from approval holder or person for remedying breach [cl.13.1(4)]
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> • Must comply with conditions contained in the Local Government Property and Public Places Local Law 2016 • Must comply with all relevant Policies
Express power to subdelegate	<p><i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
Subdelegates	<p>Director Corporate Services Director Development Services Director Infrastructure Manager Community Facilities Manager Environmental Health, Emergency and Rangers Manager Operations Manager Planning and Building Services</p>
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	Note - The Objections and Review provisions of Division 1 of Part 9 of the <i>Local Government Act 1995</i> and regulation 33 of <i>Local Government (Functions and General) Regulations 1996</i> apply

Shire of Broome

Record keeping	Delegations exercised are to be recorded in the Attain Compliance System Any supporting information should be recorded in the Shire's record management system
-----------------------	---

DRAFT

Delegation	1.4.3 Trading, Outdoor Dining and Street Entertainment Local Law 2016 (DRAFT)
Category	Council to CEO
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Trading, Outdoor Dining and Street Entertainment Local Law 2016</i> Part 2 - Application for licence and and issue of licence Clause 2.3 Determination of application Clause 2.4 Issue of licence Clause 2.5 Licence renewal Clause 2.7 Cancellation of licence Clause 2.8 Suspension of licence rights and privileges Part 3 - Outdoor Dining Clause 3.2 Limitations on outdoor dining Clause 3.4 Outdoor dining licence Clause 3.6 Cancellation of an outdoor dining licence Part 4 - Markets Clause 4.2 Limitations on markets Clause 4.6 Responsibilities of licensee Part 5 - Trading Clause 5.2 Limitations on trading Part 6 - Street Entertainment Clause 6.7 Cancellation or variation of a street entertainment licence Part 7 - Secured sum Clause 7.1 Security for restoration and reinstatement Clause 7.2 Use by local government of secured sum Part 8 - Miscellaneous Clause 8.2 Notice requiring works to be done to remedy breach

Function	<p>Authority to:</p> <ol style="list-style-type: none"> 1. approve licence application [cl.2.3.1(b)] 2. refuse licence application [cl.2.3.1(a)] 3. determine licence conditions [cl.2.3.3] 4. vary the terms and conditions of a licence [cl.2.4.4] 5. approve the renewal of a licence [cl.2.5.1] 6. cancel a licence [cl.2.7(a) - (g)] * 7. suspend a licence [cl.2.8.2] * 8. approve the transfer of an outdoor trading licence [cl.3.2.1(b)] * 9. approve the commencement of outdoor dining [cl.3.4.2] 10. cancel an outdoor dining licence [cl.3.6.1] * 11. approve the transfer of a market licence [cl.4.2.1] * 12. approve the post market stall area return condition [cl.4.6.3] 13. approve the transfer of a trading licence [cl.5.2.1] * 14. cancel or vary a street entertainment licence [cl.6.7] * 15. determine when a bond, bank guarantee or other form of security required [cl.7.1.1] 16. determine the amount of bond, bank guarantee or other form of security [cl.7.1.3] * 17. issue a notice requiring restoration and reinstatement work [cl.7.2.1] 18. complete restoration and reinstatement work where licensee fails to do so [cl.7.2.1] * 19. recover costs of restoration and reinstatement work from licensee [cl.7.2.2] 20. apply the proceeds from security held towards costs incurred [cl.7.2.3] * 21. issue a notice to licensee to remedy breach [cl.8.2.1] 22. remedy breach where licensee fails to do so [cl.8.2.3] * 23. recover costs from licensee for remedying breach [cl.8.2.4]
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> • Must comply with conditions contained in the Trading, Outdoor Dining and Street Entertainment Local Law 2016. • Must comply with Council's Trading in Public Places Policy • Must comply with Council's Local Planning Policy - Outdoor Dining • In accordance with Schedule 1, Clause 3 of the Trading in Public Places Policy this delegation does not extend to granting a trading licence on Cable Beach beyond the maximum six trading licences. This would require a Council decision.
Express power to subdelegate	<p><i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
Subdelegates	<p>Coordinator Planning Services Director Development Services Manager Environmental Health, Emergency and Rangers Manager Planning and Building Services</p>
Subdelegate conditions	<p>Conditions on the Delegate also apply to the Subdelegates.</p> <p>* Delegation of Functions 6, 7, 8, 10, 11, 13, 14, 16, 18, 20, 22 is limited to the Director Development Services</p>
Statutory framework	Note - Decisions exercised under this delegation may be referred for review by the State Administrative Tribunal
Policy	<p>Trading, Outdoor Dining and Street Entertainment Local Law 2016 Trading in Public Places Policy Local Planning Policy - Outdoor Dining</p>

Shire of Broome

Record keeping	Delegations exercised are to be recorded in the Attain Compliance System Any supporting information should be recorded in the Shire's record management system
-----------------------	---

DRAFT

02 Building Act 2011 Delegations

Building Act 2011

02.1 Council to CEO

Delegation	2.1.1 Grant a Building Permit (DRAFT)
Category	Council to CEO
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	<i>Building Act 2011:</i> s.18 Further Information s.20 Grant of building permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit <i>Building Regulations 2012:</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
Function	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)]. 2. Authority to grant or refuse to grant a building permit [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a building permit [s.27(1) and(3)]. 4. Authority to determine an application to extend time during which a building permit has effect [r.23]. <ol style="list-style-type: none"> i. Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)] ii. Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r.5 of the Building Regulations 2012. ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Subdelegates	Coordinator Building Services Director Development Services Manager Planning and Building Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegate.
Statutory framework	<p>Building Act 2011 s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit s.17 Uncertified application to be considered by building surveyor</p> <p>Building Regulations 2012 – r.25 Review of decision to refuse to extend time during which permit has effect (s.32(3)) – reviewable by SAT</p> <p><i>Building Services (Registration Act) 2011</i> – Section 7</p> <p><i>Home Building Contracts Act 1991</i> – Part 3A, Division 2 – Part 7, Division 2</p> <p><i>Building and Construction Industry Training Levy Act 1990</i></p> <p><i>Heritage Act 2018</i></p>
Record keeping	Delegations exercised are to be recorded to the property file within the Shire's document management system.

Delegation	2.1.2 Demolition Permits (DRAFT)
Category	Council to CEO
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	<i>Building Act 2011:</i> s.18 Further Information s.21 Grant of demolition permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit <i>Building Regulations 2012</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
Function	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s.18(1)]. 2. Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a demolition permit [s.27(1) and (3)]. 4. Authority to determine an application to extend time during which a demolition permit has effect [r.23]. <ol style="list-style-type: none"> i. Subject to being satisfied that work for which the demolition permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)] ii. Authority to impose any condition on the demolition permit extension that could have been imposed under s.27 [r.24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r.5 of the Building Regulations 2012. ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Coordinator Building Services Director Development Services Manager Planning and Building Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.

Shire of Broome

Statutory framework	<p><u>Building Act 2011</u></p> <p>s.119 Building and demolition permits – application for review by SAT</p> <p>s.23 Time for deciding application for building or demolition permit</p> <p><i>Building Services (Complaint Resolution and Administration) Act 2011</i> -- Part 7, Division 2</p> <p><i>Building and Construction Industry Training Levy Act 1990</i></p> <p><i>Heritage Act 2018</i></p>
Record keeping	<p>Delegations exercised are to be recorded to the property file within the Shire's document management system.</p>

DRAFT

Delegation	2.1.3 Occupancy Permits or Building Approval Certificates (DRAFT)
Category	Council to CEO
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	<i>Building Act 2011:</i> s.55 Further information s.58 Grant of occupancy permit, building approval certificate s.62(1) and (3) Conditions imposed by permit authority s.65(4) Extension of period of duration <i>Building Regulations 2012</i> r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)
Function	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s.55]. 2. Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58]. 3. Authority to impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and (3)]. 4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r.5 of the Building Regulations 2012. ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Coordinator Building Services Director Development Services Manager Planning and Building Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.

Shire of Broome

Statutory framework	<p><u>Building Act 2011</u></p> <p>s.59 time for granting occupancy permit or building approval certificate</p> <p>s.60 Notice of decision not to grant occupancy permit or grant building approval certificate</p> <p>s.121 Occupancy permits and building approval certificates – application for review by SAT</p> <p><i>Building Services (Complaint Resolution and Administration) Act 2011 – Part 7, Division 2</i></p> <p><i>Building and Construction Industry Training Levy Act 1990</i></p> <p><i>Heritage Act 2018</i></p>
Record keeping	<p>Delegations exercised are to be recorded to the property file within the Shire's document management system.</p>

DRAFT

Delegation	2.1.4 Designate Employees as Authorised Persons (DRAFT)
Category	Council to CEO
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	<i>Building Act 2011:</i> s.96(3) authorised persons s.99(3) Limitation on powers of authorised person
Function	<ol style="list-style-type: none"> 1. Authority to designate an employee as an authorised person [s.96(3)]. 2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s.99(3)]. <p>NOTE: An authorised person for the purposes of sections 96(3) and 99(3) is <u>not</u> an <i>approved officer</i> or <i>authorised officer</i> for the purposes of Building Reg. 70.</p>
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Decisions under this delegated authority should be in accordance with r.5 of the <i>Building Regulations 2012</i>. ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Director Corporate Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegate.
Statutory framework	<i>Building Act 2011:</i> s.97 each designated authorised person must have an identity card. r.5A Authorised persons (s.3) – definition
Record keeping	<p>Instruments or Certificates of Authorisation – Copies are to be retained on the Authorised Person's personnel file.</p> <p>A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.</p> <p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

Delegation	2.1.5 Building Orders (DRAFT)
Category	Council to CEO
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	<i>Building Act 2011:</i> s.110(1) A permit authority may make a building order s.111(1) Notice of proposed building order other than building order (emergency) s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect s.118(2) and (3) Permit authority may give effect to building order if non-compliance s.133(1) A permit authority may commence a prosecution for an offence against this Act
Function	<ol style="list-style-type: none"> Authority to make Building Orders in relation to: <ol style="list-style-type: none"> Building work Demolition work An existing building or incidental structure [s.110(1)]. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)]. Authority to revoke a building order [s.117]. If there is non-compliance with a building order, authority to cause an authorised person to: <ol style="list-style-type: none"> take any action specified in the order ; or commence or complete any work specified in the order; or if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)]. Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s.118(3)]. Authority to initiate a prosecution pursuant to section 133(1) for non-compliance with a building order made pursuant to section 110 of the <i>Building Act 2011</i>.
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r.5 of the <i>Building Regulations 2012</i>. Must comply with all relevant Policies.
Express power to subdelegate	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Coordinator Building Services Director Development Services Manager Planning and Building Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates,

Shire of Broome

Statutory framework	<u>Building Act 2011:</u> Section 111 Notice of proposed building order other than building order (emergency) Section 112 Content of building order Section 113 Limitation on effect of building order Section 114 Service of building order Part 9 Review - s.122 Building orders – application for review by SAT
Record keeping	Delegations exercised are to be recorded to the property file within the Shire's document management system

DRAFT

Delegation	2.1.6 Inspection and Copies of Building Records (DRAFT)
Category	Council to CEO
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	<i>Building Act 2011:</i> s.131(2) Inspection, copies of building records
Function	1. Authority to determine an application from an interested person to inspect and copy a building record [s.131(2)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Coordinator Building Services Director Development Services Manager Planning and Building Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	<i>Building Act 2011</i> - s.146 Confidentiality
Record keeping	Delegations exercised are to be recorded to the property file within the Shire's document management system.

Delegation	2.1.7 Referrals and Issuing Certificates (DRAFT)
Category	Council to CEO
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	<i>Building Act 2011:</i> s.145A Local Government functions
Function	<ol style="list-style-type: none"> 1. Authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government [s.145A(1)]. 2. Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the Shire of Broome's District [s.145A(2)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r.5 of the <i>Building Regulations 2012</i>. ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Coordinator Building Services Director Development Services Manager Planning and Building Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Record keeping	Delegations exercised are to be recorded to the property file within the Shire's document management system.

Delegation	2.1.8 Private Pool Barrier – Alternative and Performance Solutions (DRAFT)
Category	Council to CEO
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	<i>Building Regulations 2012:</i> r.51 Approvals by permit authority
Function	<ol style="list-style-type: none"> 1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliant with AS 1926.1 [r.51(2)] 2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner / occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51(3)] 3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [r.51(5)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r.5 of the Building Regulations 2012. ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Coordinator Building Services Director Development Services Manager Planning and Building Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Record keeping	Delegations exercised are to be recorded to the property file within the Shire's document management system.

Delegation	2.1.9 Smoke Alarms – Alternative Solutions (DRAFT)
Category	Council to CEO
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	<i>Building Regulations 2012:</i> r.55 Terms Used (alternative building solution approval) r.61 Local Government approval of battery powered smoke alarms
Function	<ol style="list-style-type: none"> 1. Authority to approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning [r.55]. 2. Authority to approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r.5 of the <i>Building Regulations 2012</i>. ▪ Must comply with all relevant Policies
Express power to subdelegate	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Coordinator Building Services Director Development Services Manager Planning and Building Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Record keeping	Delegations exercised are to be recorded to the property file within the Shire's document management system.

Delegation	2.1.10 Appointment of approved officers and authorised officers (DRAFT)
Category	Council to CEO
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	<i>Building Regulations 2012:</i> r.70 Approved officers and authorised officers
Function	<p>1. Authority to appoint an approved officer for the purposes of s.6(a) of the <i>Criminal Procedure Act 2004</i>, in accordance with Building Regulation 70(1) and (1A). <i>NOTE: Only employees delegated under s 5.44(1) of the Local Government Act 1995 with power under s 9.19 or 9.20 may be appointed as "approved officers".</i></p> <p>2. Authority to appoint an authorised officer for the purposes of s.6(b) of the <i>Criminal Procedure Act 2004</i>, in accordance with Building Regulation 70(2).</p> <p><i>NOTE: Only employees appointed under s 9.10 of the Local Government Act 1995 and authorised for the purpose of performing functions under s 9.16 of that Act may be appointed as "authorised officers" for the purposes of Building Regulation 70(2).</i></p>
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Must comply with all relevant Policies
Express power to subdelegate	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Director Corporate Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegate.
Statutory framework	<i>Building Regulations 2012:</i> r 70(3) each authorised officer must be issued a certificate of appointment
Record keeping	<p>Instruments or Certificates of Authorisation – Copies are to be retained on the Authorised Person's personnel file.</p> <p>A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.</p> <p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

03 Bush Fires Act 1954 Delegations

Bush Fires Act 1954

03.1 Council to CEO, Mayor and Bush Fire Control Officer

Delegation	3.1.1 Make Request to FES Commissioner – Control of Fire (DRAFT)
Category	Council to CEO
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.13(4) Duties and powers of bush fire liaison officers
Function	1. Authority to request on behalf of the Shire of Broome that the FES Commissioner authorise the Bush Fire Liaison Officer or another person to take control of fire operations [s.13(4)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Must comply with all relevant Policies.
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	Note: Any reference to CEO in the Bush Fires Act 1954 means the CEO of the Department of Biodiversity, Conservation and Attractions. No powers / duties are assigned to a Local Government CEO in this Act.
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.

Delegation	3.1.2 Prohibited Burning Times - Vary (DRAFT)
Category	Council to CEO
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government s.17(10) Prohibited burning times may be declared by Minister (power of delegation to shire president and Chief Bush Fire Control Officer for ONLY powers under s.17(7) and (8))
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.17(7) Prohibited burning times may be declared by Minister <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
Function	1. Authority, where seasonal conditions warrant it, to determine a variation of the prohibited burning times, after consultation with an authorised CALM Act officer [s.17 (7)].
Delegates	Chief Bush Fire Control Officer Shire President
Conditions	<ul style="list-style-type: none"> Decisions under s.17(7) must be undertaken jointly by both the Shire President and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8). Must comply with all relevant Policies.
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.

Delegation	3.1.3 Prohibited Burning Times – Control Activities (DRAFT)
Category	Council to CEO
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
Function	<ol style="list-style-type: none"> 1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15]. 2. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C]. 3. Authority to determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)]. 4. Authority to issue directions, during a Prohibited Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. 5. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Prohibited Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)]. 6. Authority to recover the cost of measures taken by the Shire of Broome or Bush Fire Control Officer, to extinguish a fire burning during Prohibited Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Must comply with all relevant Policies.
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

Delegation	3.1.4 Restricted Burning Times – Vary and Control Activities (DRAFT)
Category	Council to CEO
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.18(5), (11) Restricted burning times may be declared by FES Commissioner s.22(6) and (7) Burning on exempt land and land adjoining exempt land s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.15C Local Government may prohibit burning on certain days r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
Function	<ol style="list-style-type: none"> Authority, where seasonal conditions warrant it and after consultation with an authorised CALM Act officer, to determine to vary the restricted burning times in respect of that year [s.18(5)]. <ol style="list-style-type: none"> Authority to determine to prohibit burning on Sundays or specified days that are public holidays in the District [r.15C]. Authority, where a permitted burn fire escapes or is out of control in the opinion of the Bush Fire Control Officer or an officer of the Bush Fire Brigade, to determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn [s.18(11)]. Authority to determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [r.15]. Authority to arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary [s.22(6) and (7)]. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C]. Authority to determine, during a Restricted Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B]. Authority to issue directions, during a Restricted Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Restricted Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)]. Authority to recover the cost of measures taken by the Shire of Broome or Bush Fire Control Officer, to extinguish a fire burning during Restricted Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].

Shire of Broome

Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none">▪ Must comply with all relevant Policies.
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.

DRAFT

Delegation	3.1.5 Control of Operations Likely to Create Bush Fire Danger (DRAFT)
Category	Council to CEO
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.27D Requirements for carriage and deposit of incendiary material <i>Bush Fires Regulations 1954:</i> r.39C Welding and cutting apparatus, use of in open air r.39CA Bee smoker devices, use of in restricted or prohibited burning times etc. r.39D Explosives, use of r.39E Fireworks, use of
Function	<ol style="list-style-type: none"> Authority to give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from: <ol style="list-style-type: none"> a person operating a bee smoker device during a prescribed period [r.39CA(5)]. a person operating welding apparatus, a power operated abrasive cutting disc [r.39C(3)]. a person using explosives [r.39D(2)]. a person using fireworks [r.39E(3)]. Authority to determine directions or requirements for the carriage and deposit of incendiary materials (hot or burning ash, cinders, hot furnace refuse, or any combustible matter that is burning) [s.27D]. Note: this authority is also prescribed to a Bush Fire Control Officer, a Bush Fire Liaison Officer or an authorised CALM Act officer.
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Must comply with all relevant Policies.
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

Delegation	3.1.6 Burning Garden Refuse / Open Air Fires (DRAFT)
Category	Council to CEO
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.24F Burning garden refuse during limited burning times s.24G Minister or local government may further restrict burning of garden refuse s.25 No fire to be lit in open air unless certain precautions taken s.25A Power of Minister to exempt from provisions of section 25 <i>Bush Fires Regulations 1954:</i> r.27(3) Permit, issue of
Function	<ol style="list-style-type: none"> 1. Authority to give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard [s.24F(2)(b)(ii) and (4)]. 2. Authority to prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F [s.24G(2)]. <ol style="list-style-type: none"> a. Authority to issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the District [r.27(3) and r.33(5)]. b. Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plan growing upon any land within the District [r.34]. 3. Authority to provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of: <ol style="list-style-type: none"> a. camping or cooking [s.25(1)(a)]. b. conversion of bush into charcoal or for the production of lime, in consultation with an authorised CALM Act officer [s.25(1)(b)]. 4. Authority to prohibit the lighting of fires in the open are for the purposes of camping or cooking for such period during the prohibited burning times as specified in a note published in the Gazette and newspaper circulating in the District and authority to vary such notice [s.25(1a) and (1b)]. 5. Authority to serve written notice on a person to whom an exemption has been given under s.25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice [s.25A(5)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Must comply to all relevant Policies
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

Shire of Broome

DRAFT

Page 106 of 175

Delegation	3.1.7 Firebreaks (DRAFT)
Category	Council to CEO
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.33 Local government may require occupier of land to plough or clear fire-breaks
Function	<ol style="list-style-type: none"> 1. Authority to give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring, to the satisfaction of the Shire of Broome: <ol style="list-style-type: none"> a. clearing of firebreaks as determined necessary and specified in the notice; and b. act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and c. as a separate or coordinated action with any other person carry out similar actions [s.33(1)]. 2. Authority to direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)]. <ol style="list-style-type: none"> a. Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice [s.33(5)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Must comply to all relevant Policies.
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

Delegation	3.1.8 Appoint Bush Fire Control Officer/s and Fire Weather Officer (DRAFT)
Category	Council to CEO
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.38 Local Government may appoint bush fire control officer
Function	<ol style="list-style-type: none"> 1. Authority to appoint persons to be Bush Fire Control Officers for the purposes of the Bush Fires Act 1954; and <ol style="list-style-type: none"> a. Of those Officers, appoint one as the Chief Bush Fire Control Officer and one as the Deputy Chief Bush Fire Control Officer; and b. Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)]. 2. Authority to issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Shire of Broome [s.38 (5A)] 3. Authority to appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s.38(17). [s.38(8) and (9)]. <ol style="list-style-type: none"> a. Authority to appoint deputy Fire Weather Officer/s as considered necessary and where two or more deputies are appointed, determine seniority [s.38(10)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Must comply with all relevant Policies.
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

Delegation	3.1.9 Control and Extinguishment of Bush Fires (DRAFT)
Category	Council to CEO
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.46 Bush fire control officer or forest officer may postpone lighting fire
Function	<p>1. Authority to prohibit or postpone the lighting of a fire, despite a permit having been issued, where in the opinion of the Delegate the lighting of a fire would be or become a source of danger by escaping from the land on which it is proposed to be lit [s.46(1A)].</p> <p>a. Where it is proposed that the fire will be lit on land within 3kms of the boundary of forest land, and an authorised CALM Act office is not available or has not exercised the power to prohibit or proposed a fire considered to become a source of danger, then the Delegate may make the decision [s.46(1B)].</p>
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Must comply with all relevant Policies.
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

Shire of Broome

Delegation	3.1.10 Recovery of Expenses Incurred through Contraventions of this Act (DRAFT)
Category	Council to CEO
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.58 General penalty and recovery of expenses incurred
Function	1. Authority to recover expenses incurred as a result of an offence against the Bush Fires Act, being expenses incurred through the fulfilment of a duty or doing anything for which the Act empowered or required the Shire of Broome or those on behalf of the Shire of Broome to do [s.58].
Delegates	Chief Executive Officer
Conditions	▪ Must comply with all relevant Policies
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.

Page 110 of 175

Delegation	3.1.11 Prosecution of Offences (DRAFT)
Category	Council to CEO
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.59 Prosecution of offences s.59A(2) Alternative procedure – infringement notices
Function	<ol style="list-style-type: none"> 1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59]. 2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)].
Delegates	Chief Executive Officer Director Development Services Manager Environmental Health, Emergency and Rangers
Conditions	<ul style="list-style-type: none"> ▪ Must comply with all relevant Policies.
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	<i>Bush Fires Act 1954:</i> s.65 Proof of certain matters s.66 Proof of ownership or occupancy
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.

04 Cat Act 2011 Delegations

Cat Act 2011

04.1 Council to CEO

Delegation	4.1.1 Cat Registrations (DRAFT)
Category	Council to CEO
Head of power	04 Cat Act 2011 Delegations
Delegator	Local Government
Express power to delegate	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express power or duty delegated	<i>Cat Act 2011:</i> s.9 Registration s.10 Cancellation of registration s.11 Registration numbers, certificates and tags <i>Cat Regulations 2012</i> Schedule 3, cl.1(4) Fees Payable
Function	<ol style="list-style-type: none"> 1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9(1)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)]. 3. Authority to cancel a cat registration [s.10]. 4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)]. 5. Authority to reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the Shire of Broome's District [Regs. Sch. 3 cl.1 (4)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i>. ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Subdelegates	Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers Ranger
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.

Shire of Broome

Statutory framework	<i>Cat Regulations 2012</i> r.11 Application for registration (s.8(2)), prescribes the Form of applications for registration. r.12 Period of registration (s.9(7)) r.11 Changes in registration r.14 Registration certificate (s.11(1)(b)) r.15 Registration tags (s.76(2)) Decisions are subject to Objection and Review by the State Administration Tribunal rights – refer Part 4, Division 5 of the <i>Cat Act 2011</i> .
Record keeping	Delegations exercised are to be recorded in the Shire's document management system.

DRAFT

Page 113 of 175

Delegation	4.1.2 Cat Control Notices (DRAFT)
Category	Council to CEO
Head of power	04 Cat Act 2011 Delegations
Delegator	Local Government
Express power to delegate	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express power or duty delegated	<i>Cat Act 2011:</i> s.26 Cat control notice may be given to cat owner
Function	1. Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the Shire of Broome's District [s.26].
Delegates	Chief Executive Officer
Conditions	▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Subdelegates	Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	<i>Cat Regulations 2012</i> – r.20 Cat control notice [s.23(3)], prescribes the Form of the notice.
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.

Delegation	4.1.3 Approval to Breed Cats (DRAFT)
Category	Council to CEO
Head of power	04 Cat Act 2011 Delegations
Delegator	Local Government
Express power to delegate	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express power or duty delegated	<i>Cat Act 2011:</i> s.37 Approval to Breed Cats s.38 Cancellation of approval to breed cats s.39 Certificate to be given to approved cat breeder
Function	<ol style="list-style-type: none"> 1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s.37 (1) and (2)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.37(4)]. 3. Authority to cancel an approval to breed cats [s.38]. 4. Authority to give an approved breeder a new certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.39(2)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011. ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Subdelegates	Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	<i>Cat Regulations 2012:</i> r.21 Application for approval to breed cats (s.36(2)) r.22 Other circumstances leading to refusal of approval to breed cats (s.37(2)(f)) r.23 Person who not be refused approval to breed cats (s.37(5)) r.24 Duration of approval to breed cats (s.37(6)) r.25 Certificate given to approved cat breeder (s.39(1))
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.

Delegation	4.1.4 Recovery of Costs – Destruction of Cats (DRAFT)
Category	Council to CEO
Head of power	04 Cat Act 2011 Delegations
Delegator	Local Government
Express power to delegate	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express power or duty delegated	<i>Cat Act 2011:</i> s.49(3) Authorised person may cause cat to be destroyed
Function	1. Authority to recover the amount of the costs associated with the destruction and the disposal of a cat [s.49(3)].
Delegates	Chief Executive Officer
Conditions	▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Subdelegates	Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information is to be recorded in the Shire's document management system.

Delegation	4.1.5 Reduce or Waiver Registration Fee (DRAFT)
Category	Council to CEO
Head of power	04 Cat Act 2011 Delegations
Delegator	Local Government
Express power to delegate	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express power or duty delegated	<i>Cat Regulations 2012:</i> Schedule 3 Fees clause 1(4)
Function	1. Authority to reduce or waiver a fee payable under Schedule 3 clauses (2) or (3) in respect to any individual cat.
Delegates	Chief Executive Officer
Conditions	a. This delegation does NOT provide authority to determine to reduce or waiver the fees payable in regard to any <u>class of cat</u> within the District. This matter requires a Council decision in accordance with s.6.16, 6.17 and 6.18 of the <i>Local Government Act 1995</i> .b.
Express power to subdelegate	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Record keeping	Delegations exercised are to be recorded in the Shire's document management system.

04.2 Cat Act Delegations - CEO to Employees

Delegation	4.2.1 Infringement Notices – Extensions and Withdrawals (DRAFT)
Category	CEO to Employees
Head of power	04 Cat Act 2011 Delegations
Delegator	Chief Executive Officer
Express power to delegate	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Express power or duty delegated	<i>Cat Act 2011:</i> s.64 Extension of time s.65 Withdrawal of notice
Function	<ol style="list-style-type: none"> 1. Authority to extend the period of 28 days within which the modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed [s.64]. 2. Authority, within one year of the infringement notice being given and whether or not the modified penalty has been paid, to withdraw an infringement notice [s.65].
Delegates	Director Development Services Manager Environmental Health, Emergency and Rangers
Conditions	<ul style="list-style-type: none"> ▪ Must comply with all relevant Policies.
Express power to subdelegate	Nil
Statutory framework	<i>Cat Regulations 2012:</i> r.28 Withdrawal of infringement notice (s.65(1))
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's record management system.

05 Dog Act 1974 Delegations

Dog Act 1974

05.1 Dog Act Delegations Council to CEO

Delegation	5.1.1 Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons (DRAFT)
Category	Council to CEO
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976:</i> s.10A Payments to veterinary surgeons towards costs of sterilisation
Function	<ol style="list-style-type: none"> 1. Authority to determine where a resident who is the owner of a registered dog, would suffer hardship in paying the whole of the cost of sterilisation and determine to pay part of such costs to a maximum value of \$210 [s.10A(1)(a) and (3)]. 2. Authority to give written directions to a veterinary surgeon to be complied with as a condition of part payment of the cost of sterilisation [s.10A(1)(b) and (2)].
Delegates	Chief Executive Officer
Conditions	<ol style="list-style-type: none"> a. Council extends the sterilisation subsidy to Cats for eligible persons under the same conditions as contained in the <i>Dog Act 1976</i> [s.10A.] b. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
Express power to subdelegate	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Subdelegates	Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers Ranger
Statutory framework	Dogs Local Law 2012 Cat Act 2011 - cl 18 Cats to be sterilised
Policy	<p>Note - The <i>Cat Act 2011</i> at clause 18 requires all cats that have reached the age of 6 months to be sterilised, unless the cat is exempt from sterilisation.</p> <p>The <i>Cat Act 2011</i>, is silent on the payment of sterilisation costs and it is a policy position of the Council of the Shire of Broome to extend this payment to Cats as well as Dogs.</p>
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's record management system.</p>

Shire of Broome

DRAFT

Page 120 of 175

Delegation	5.1.2 Refuse or Cancel Registration (DRAFT)
Category	Council to CEO
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976:</i> s.15(2) and (4A) Registration periods and fees s.16(3) Registration procedure s.17A(2) If no application for registration made s.17(4) and (6) Refusal or cancellation of registration
Function	<ol style="list-style-type: none"> 1. Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)]. 2. Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: <ol style="list-style-type: none"> i. the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the Cat Act 2011 or the Animal Welfare Act 2002; or ii. the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease or iii. the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept iv. the dog is required to be microchipped but is not microchipped; or v. the dog is a dangerous dog [s.16(3) and s.17A(2)]. 3. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the Shire of Broome's District [s15(4A)]. 4. Authority to apply to a Justice of the Peace for an order to seize a dog where, following a decision to refuse or cancel a registration and the applicant / owner has not applied to the State Administration Tribunal for the decision to be reviewed. [s.17(4)]. 5. Authority, following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had been found in contravention of section 31, 32 or 33A and had not been claimed [s.17(6)]
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Subdelegates	Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers
Subdelegate conditions	Conditions on the Delegate apply to the Subdelegates.

Shire of Broome

Statutory framework	<p><i>Dog Act 1976</i></p> <ul style="list-style-type: none">▪ s.17A If no application for registration made – procedure for giving notice of decision under s.16(3)▪ Note – Decisions under this delegation may be referred for review by the State Administration Tribunal – s.16A, s.17(4) and (6) <p>Dogs Local Law 2012</p>
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance Software.</p> <p>Any supporting information should be recorded in the Shire's record management system.</p>

DRAFT

Delegation	5.1.3 Kennel Establishments (DRAFT)
Category	Council to CEO
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976:</i> s.27 Licensing of approved kennel establishments <i>Dogs Local Law 2012:</i> Part 4 - Approved Kennel Establishments
Function	1. Authority to grant, refuse to grant or cancel a kennel licence [s.27(4) and (6)]. 2. Authority to approve, or refuse to approve the transfer of a licence [cl 4.14(3)]
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> Subject to conditions contained within Schedule 2 - <i>Dog Local Law 2012</i> Variation applications to Schedule 2 - <i>Dog Local Law 2012</i> are to be referred to Council for decision. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. Must comply with all relevant Policies.
Express power to subdelegate	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Subdelegates	Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal Dogs Local Law 2012
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's document management system.

Delegation	5.1.4 Recovery of Moneys Due Under this Act (DRAFT)
Category	Council to CEO
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976:</i> s.29(5) Power to seize dogs
Function	1. Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s.29(5)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Subdelegates	Director Development Services Manager Environmental Health, Emergency and Rangers
Subdelegate conditions	<ul style="list-style-type: none"> ▪ Conditions on the Delegate also apply to the Subdelegates. ▪ The Subdelegate is to inform the CEO prior to the exercise of this delegation.
Statutory framework	<p>Includes recovery of expenses relevant to:</p> <p>s.30A(3) Operator of dog management facility may have dog microchipped at owner's expense</p> <p>s.33M Local government expenses to be recoverable.</p> <p>s.47 Veterinary service expenses recoverable from local government</p> <p>r.31 Local government expenses as to dangerous dogs (declared)</p> <p>Dogs Local Law 2012</p>
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's record management system.</p>

Delegation	5.1.5 Dispose of or Sell Dogs Liable to be Destroyed (DRAFT)
Category	Council to CEO
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976:</i> s.29(11) Power to seize dogs
Function	1. Authority to dispose of or sell a dog which is liable to be destroyed [s.29(11)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. ▪ Proceeds from the sale of dogs are to be directed into the Municipal Fund. ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Subdelegates	Director Development Services Manager Environmental Health, Emergency and Rangers
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	Dogs Local Law 2012
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's record management system.

Delegation	5.1.6 Declare Dangerous Dog (DRAFT)
Category	Council to CEO
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976:</i> s.33E(1) Individual dog may be declared to be dangerous dog (declared)
Function	1. Authority to declare an individual dog to be a dangerous dog [s.33E(1)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
Express power to subdelegate	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Subdelegates	Coordinator Community Safety & Ranger Services Manager Environmental Health, Emergency and Rangers
Statutory framework	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal Dogs Local Law 2012
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's record management system.

Delegation	5.1.7 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke (DRAFT)
Category	Council to CEO
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976:</i> s.33F(6) Owners to be notified of making of declaration s.33G(4) Seizure and destruction s.33H(1), (2) Local government may revoke declaration or proposal to destroy
Function	<ol style="list-style-type: none"> 1. Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s.33F(6)]. 2. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s.33G(4)]. 3. Authority to revoke a declaration of a dangerous dog or revoke notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act [s.33H(1)] 4. Authority to, before dealing with an application to revoke a declaration or notice, require the owner of the dog to attend with the dog a course in behaviour and training or otherwise demonstrate a change in the behaviour of the dog [s.33H(2)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. ▪ Delegation of the s 33F power to deal with an objection to a dangerous dog declaration should not be delegated to the same person or position who is authorised to exercise s 33E powers enabling the declaration of a dangerous dog. ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Subdelegates	Director Development Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegate.
Statutory framework	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal Dogs Local Law 2012
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's record management system.

Shire of Broome

DRAFT

Page 128 of 175

Delegation	5.1.8 Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice (DRAFT)
Category	Council to CEO
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976:</i> s.33H(5) Local government may revoke declaration or proposal to destroy
Function	1. Authority to consider and determine to either dismiss or uphold an objection to a decision to revoke [s.33H(5)]: a. a notice declaring a dog to be dangerous; or b. a notice proposing to cause a dog to be destroyed
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)] ▪ Delegation of the s.33H(5) power to deal with an objection should not be delegated to the same person / position who is delegated / authorised to exercise s.33H(1) and (2) ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Subdelegates	Director Corporate Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegate.
Statutory framework	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal Dogs Local Law 2012
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's record management system.

Delegation	5.1.9 Determine Recoverable Expenses for Dangerous Dog Declaration (DRAFT)
Category	Council to CEO
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976:</i> s.33M(1)(a) Local Government expenses to be recoverable
Function	1. Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s.15, up to the maximum amount prescribed, having regard to expenses incurred by the Local Government in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s.33H(5)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ The Chief Executive Officer permitted to sub-delegate to suitably capable employees [s.10AA(3)]. ▪ Delegation does not include s.33M(1)(b) as the setting of a fixed fee is recommended to occur by Council resolution in accordance with s.6.16 of the Local Government Act 1995. ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Subdelegates	Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal Dog Regulations 2013 - Reg 31 Local government expenses as to dangerous dogs Dogs Local Law 2012
Record keeping	Delegations exercised are to be recorded in the Attain Compliance Software. Any supporting information should be recorded in the Shire's record management system.

06 Food Act 2008 Delegations

Food Act 2008

06.1 Council to CEO

Delegation	6.1.1 Determine Compensation (DRAFT)
Category	Council to CEO
Head of power	06 Food Act 2008 Delegations
Delegator	Local Government
Express power to delegate	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	<i>Food Act 2008:</i> s.56(2) Compensation to be paid in certain circumstances s.70(2) and (3) Compensation
Function	1. Authority to determine applications for compensation in relation to any item seized, if no contravention has been committed and the item cannot be returned [s.56(2)]. 2. Authority to determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order [s.70(2) and (3)].
Delegates	Chief Executive Officer Director Development Services
Conditions	<ul style="list-style-type: none"> ▪ In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time. ▪ Compensation under this delegation may only be determined upon documented losses up to a maximum of \$2000. Compensation requests above this value are to be reported to Council. ▪ Must comply with all relevant Policies.
Express power to subdelegate	NIL – Food Regulations 2009 do not provide for sub-delegation.
Statutory framework	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's record management system.

Delegation	6.1.2 Prohibition Orders (DRAFT)
Category	Council to CEO
Head of power	06 Food Act 2008 Delegations
Delegator	Local Government
Express power to delegate	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	<i>Food Act 2008:</i> s.65(1) Prohibition orders s.66 Certificate of clearance to be given in certain circumstances s.67(4) Request for re-inspection
Function	<ol style="list-style-type: none"> 1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the Food Act 2008 [s.65(1)]. 2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66]. 3. Authority to give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)].
Delegates	Chief Executive Officer Coordinator Environmental Health Environmental Health Officer Manager Environmental Health, Emergency and Rangers
Conditions	<ul style="list-style-type: none"> ▪ In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time. ▪ Must comply with all relevant Policies.
Express power to subdelegate	NIL – Food Regulations 2009 do not provide for sub-delegation.
Statutory framework	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's record management system.

Delegation	6.1.3 Food Business Registrations (DRAFT)
Category	Council to CEO
Head of power	06 Food Act 2008 Delegations
Delegator	Local Government
Express power to delegate	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	<i>Food Act 2008:</i> s.110(1) and (5) Registration of food business s.112 Variation of conditions or cancellation of registration of food businesses
Function	1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)]. 2. Authority to vary the conditions or cancel the registration of a food business [s.112].
Delegates	Chief Executive Officer Coordinator Environmental Health Environmental Health Officer Manager Environmental Health, Emergency and Rangers
Conditions	<ul style="list-style-type: none"> ▪ In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ul style="list-style-type: none"> ◦ Food Act 2008 Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA ◦ Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1 ◦ WA Priority Classification System ◦ Verification of Food Safety Program Guideline ▪ Must comply with all relevant Policies.
Express power to subdelegate	NIL – Food Regulations 2009 do not provide for sub-delegation
Statutory framework	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record keeping	Delegations exercised are to be recorded in the Shire's record management system.

Delegation	6.1.4 Appoint Authorised Officers and Designated Officers (DRAFT)
Category	Council to CEO
Head of power	06 Food Act 2008 Delegations
Delegator	Local Government
Express power to delegate	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	<i>Food Act 2008:</i> s.122(1) Appointment of authorised officers s.126(6), (7) and (13) Infringement Officers
Function	<ol style="list-style-type: none"> 1. Authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122(2)]. 2. Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the Public Health Act 2016, to be a Designated Officer for the purposes of issuing Infringement Notices under the Food Act 2008 [s.126(13)]. 3. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7)].
Delegates	Chief Executive Officer Director Development Services
Conditions	<ul style="list-style-type: none"> ▪ In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ul style="list-style-type: none"> ◦ Appointment of Authorised Officers as Meat Inspector ◦ Appointment of Authorised Officers ◦ Appointment of Authorised Officers – Designated Officers only ◦ Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer ▪ Must comply with all relevant Policies.
Express power to subdelegate	NIL – Food Regulations 2009 do not provide for sub-delegation.
Statutory framework	s.122(3) requires an Enforcement Agency to maintain a list of appointed authorised officers. s.123(1) requires an Enforcement Agency to provide each Authorised Officer with a Certificate of Authority as prescribed

Shire of Broome

Record keeping	<p>Instruments or Certificates of Authorisation – Copies are to be retained on the Authorised Person's personnel file.</p> <p>A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.</p> <p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>
-----------------------	--

DRAFT

Delegation	6.1.5 Debt Recovery and Prosecutions (DRAFT)
Category	Council to CEO
Head of power	06 Food Act 2008 Delegations
Delegator	Local Government
Express power to delegate	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	<i>Food Act 2008:</i> s.54 Cost of destruction or disposal of forfeited item s.125 Institution of proceedings
Function	1. Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs [s.54(1)] and the costs of any subsequent proceedings in a court of competent jurisdiction [s.54(3)]. 2. Authority to institute proceedings for an offence under the Food Act 2008 [s.125].
Delegates	Chief Executive Officer Director Development Services
Conditions	<ul style="list-style-type: none"> In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time. Must comply with all relevant Policies.
Express power to subdelegate	NIL – Food Regulations 2009 do not provide for sub-delegation.
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's record management system.

Delegation	6.1.6 Abattoir Inspections and Fees (DRAFT)
Category	Council to CEO
Head of power	06 Food Act 2008 Delegations
Delegator	Local Government
Express power to delegate	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	<i>Food Regulations 2009:</i> r.43 Local government may require security r.45 Withdrawal of inspection services
Function	1. Authority, relevant to the payment of abattoir meat inspection fees under Food Regulation 41, to: i. require a person to provide security, ii. determine the form that security is to be provided, and iii. discharge a security held by the Shire of Broome [r.43]. 2. Authority to give written notice and withdraw abattoir meat inspection services, pending payment of any fees due and payable [r.45].
Delegates	Chief Executive Officer Coordinator Environmental Health Manager Environmental Health, Emergency and Rangers
Conditions	<ul style="list-style-type: none"> ▪ In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time. ▪ Must comply with all relevant Policies.
Express power to subdelegate	NIL – Food Regulations 2009 do not provide for sub-delegation.
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's record management system.

Delegation	6.1.7 Food Businesses List – Public Access (DRAFT)
Category	Council to CEO
Head of power	06 Food Act 2008 Delegations
Delegator	Local Government
Express power to delegate	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	<i>Food Regulations 2009:</i> r.51 Enforcement agency may make list of food
Function	1. Authority to decide to make a list of food businesses maintained under s.115(a) or (b) publicly available [r.51].
Delegates	Chief Executive Officer Coordinator Environmental Health Manager Environmental Health, Emergency and Rangers
Conditions	<ul style="list-style-type: none"> ▪ In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time. ▪ Must comply with all relevant Policies.
Express power to subdelegate	NIL – <i>Food Regulations 2009</i> do not provide for sub-delegation.
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's record management system.

07 Graffiti Vandalism Act 2016 Delegations

Graffiti Vandalism Act 2016

07.1 Council to CEO

Delegation	7.1.1 Give Notice Requiring Obliteration of Graffiti (DRAFT)
Category	Council to CEO
Head of power	07 Graffiti Vandalism Act 2016 Delegations
Delegator	Local Government
Express power to delegate	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express power or duty delegated	<i>Graffiti Vandalism Act 2016:</i> s.18(2) Notice requiring removal of graffiti s.19(3) & (4) Additional powers when notice is given
Function	<ol style="list-style-type: none"> 1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the notice [s.18(2)]. 2. Authority, where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner [s.19(3)] and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
Subdelegates	Coordinator Community Safety & Ranger Services Manager Environmental Health, Emergency and Rangers Ranger
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's record management system.

Delegation	7.1.2 Notices – Deal with Objections and Give Effect to Notices (DRAFT)
Category	Council to CEO
Head of power	07 Graffiti Vandalism Act 2016 Delegations
Delegator	Local Government
Express power to delegate	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express power or duty delegated	<i>Graffiti Vandalism Act 2016:</i> s.22(3) Objection may be lodged s.24(1)(b) & (3) Suspension of effect of notice
Function	<ol style="list-style-type: none"> 1. Authority to deal with an objection to a notice [s.22(3)]. 2. Authority, where an objection has been lodged, to: <ol style="list-style-type: none"> i. determine and take action to give effect to the notice, where it is determined that there are urgent reasons or an endangerment to public safety or likely damage to property or serious nuisance, if action is not taken [s.24(1)(b)] and ii. to give notice to the affected person, before taking the necessary actions [s.24(3)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
Subdelegates	Director Corporate Services Director Development Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Statutory framework	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's record management system.

Delegation	7.1.3 Obliterate Graffiti on Private Property (DRAFT)
Category	Council to CEO
Head of power	07 Graffiti Vandalism Act 2016 Delegations
Delegator	Local Government
Express power to delegate	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express power or duty delegated	<i>Graffiti Vandalism Act 2016:</i> s.25(1) Local government graffiti powers on land not local government property
Function	1. Authority to determine to obliterate graffiti applied without consent of the owner or occupier, even though the land on which it is done is not local government property and the local government does not have consent [s.25(1)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Subject to exercising Powers of Entry. ▪ Must comply with all relevant Policies
Express power to subdelegate	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
Subdelegates	Director Development Services Manager Environmental Health, Emergency and Rangers
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's record management system.

Delegation	7.1.4 Powers of Entry (DRAFT)
Category	Council to CEO
Head of power	07 Graffiti Vandalism Act 2016 Delegations
Delegator	Local Government
Express power to delegate	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express power or duty delegated	<i>Graffiti Vandalism Act 2016:</i> s.28 Notice of entry s.29 Entry under warrant
Function	<ol style="list-style-type: none"> 1. Authority to give notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s.28]. 2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Must comply with all relevant Policies.
Express power to subdelegate	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
Subdelegates	Director Development Services Manager Environmental Health, Emergency and Rangers
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's record management system.</p>

08 Public Health Act 2016 Delegations

Public Health Act 2016

08.1 Council to CEO

Delegation	8.1.1 Appoint Authorised Officer or Approved Officer (Asbestos Regs) (DRAFT)
Category	Council to CEO
Head of power	08 Public Health Act 2016 Delegations
Delegator	Local Government
Express power to delegate	<i>Health (Asbestos) Regulations 1992:</i> r.15D(7) Infringement Notices
Express power or duty delegated	<i>Health (Asbestos) Regulations 1992:</i> r.15D(5) Infringement Notices
Function	1. Authority to appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2 [r.15D(5)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r.15D(6)] Must comply with all relevant Policies.
Express power to subdelegate	Nil – the <i>Health (Asbestos) Regulations 1992</i> do not provide a power to sub-delegate.
Statutory framework	<i>Criminal Procedure Act 2004 – Part 2</i>
Record keeping	<p>Instruments or Certificates of Authorisation – Copies are to be retained on the Authorised Person's personnel file.</p> <p>A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.</p> <p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

Delegation	8.1.2 Enforcement Agency Reports to the Chief Health Officer (DRAFT)
Category	Council to CEO
Head of power	08 Public Health Act 2016 Delegations
Delegator	Local Government
Express power to delegate	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express power or duty delegated	<i>Public Health Act 2016</i> s.22 Reports by and about enforcement agencies
Function	<ol style="list-style-type: none"> 1. Authority to prepare and provide to the Chief Health Officer, the Local Government's report on the performance of its functions under this Act and the performance of functions by persons employed or engaged by the Shire of Broome [s.22(1)] 2. Authority to prepare and provide to the Chief Health Officer, a report detailing any proceedings for an offence under this Act [s.22(2)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Must comply with all relevant Policies.
Express power to subdelegate	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
Statutory framework	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies.
Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's record management system.</p>

Delegation	8.1.3 Designate Authorised Officers (DRAFT)
Category	Council to CEO
Head of power	08 Public Health Act 2016 Delegations
Delegator	Local Government
Express power to delegate	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express power or duty delegated	<i>Public Health Act 2016</i> s.24(1) and (3) Designation of authorised officers
Function	<p>1. Authority to designate a person or class of persons as authorised officers for the purposes of:</p> <ul style="list-style-type: none"> i. The <i>Public Health Act 2016</i> or other specified Act ii. Specified provisions of the <i>Public Health Act 2016</i> or other specified Act iii. Provisions of the <i>Public Health Act 2016</i> or another specified Act, other than the specified provisions of that Act. <p>Including:</p> <ul style="list-style-type: none"> a. an environmental health officer or environmental health officers as a class; OR b. a person who is not an environmental health officer or a class of persons who are not environmental health officers, OR c. a mixture of the two. [s.24(1) and (3)].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> ▪ Subject to each person so appointed being; <ul style="list-style-type: none"> ◦ Appropriately qualified and experienced [s.25(1)(a)]; and ◦ Issued with a certificate, badge or identity card identifying the authorised officer [s.30 and 31]. ▪ A Register (list) of authorised officers is to be maintained in accordance with s.27. ▪ Must comply with all relevant Policies.
Express power to subdelegate	Nil – Unless a Regulation enacted under the <i>Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

Statutory framework	<p><i>Public Health Act 2016</i></p> <p>s.20 Conditions on performance of functions by enforcement agencies.</p> <p>s.25 Certain authorised officers required to have qualifications and experience.</p> <p>s.26 Further provisions relating to designations</p> <p>s.27 Lists of authorised officers to be maintained</p> <p>s.28 When designation as authorised officer ceases</p> <p>s.29 Chief Health Officer may issue guidelines about qualifications and experience of authorised officers</p> <p>s.30 Certificates of authority</p> <p>s.31 Issuing and production of certificate of authority for purposes of other written laws</p> <p>s.32 Certificate of authority to be returned.</p> <p>s.136 Authorised officer to produce evidence of authority</p> <p><i>Criminal Investigation Act 2006</i>, Parts 6 and 13 – refer s.245 of the <i>Public Health Act 2016</i></p> <p><i>The Criminal Code</i>, Chapter XXVI – refer s.252 of the <i>Public Health Act 2016</i></p>
Record keeping	<p>Instruments or Certificates of Authorisation – Copies are to be retained on the Authorised Person's personnel file.</p> <p>A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.</p> <p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded in the Shire's document management system.</p>

Delegation	8.1.4 Determine Compensation for Seized Items (DRAFT)
Category	Council to CEO
Head of power	08 Public Health Act 2016 Delegations
Delegator	Local Government
Express power to delegate	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express power or duty delegated	<i>Public Health Act 2016</i> s.264 Compensation
Function	1. Authority, in response to an application for compensation, to determine compensation that is just and reasonable in relation to any item seized under Part 16 if there has been no contravention of the Act and the item cannot be returned or has in consequence of the seizure depreciated in value [s.264].
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> Compensation is limited to a maximum value of \$2,000, with any proposal for compensation above this value to be referred for Council's determination. Must comply with all relevant Policies.
Express power to subdelegate	Nil – Unless a Regulation enacted under the <i>Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
Statutory framework	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies. Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded in the Shire's record management system.

09 Planning and Development Act 2005 Delegations

Planning and Development Act 2005

09.1 Council to CEO

Delegation	9.1.1 Illegal Development (DRAFT)
Category	Council to CEO
Head of power	09 Planning and Development Act 2005 Delegations
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Planning and Development Act 2005:</i> Section 214(2), (3) and (5)
Function	<ol style="list-style-type: none"> 1. Give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements; 2. Give a written direction to the owner or any other person who undertook an unauthorised development: <ol style="list-style-type: none"> a. to remove, pull down, take up, or alter the development; and b. to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority. 3. Give a written direction to the person whose duty it is to execute work to execute that work where it appears that delay in the execution of the work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order.
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> • The Chief Executive Officer is to have regard to the Compliance and Enforcement Policy
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Development Services
Subdelegate conditions	The Director Development Services is to have regard to the Compliance and Enforcement Policy
Statutory framework	Part 13 of the Planning and Development Act 2005
Policy	Council Policy - Compliance and Enforcement

Shire of Broome

Record keeping	<p>Delegations exercised are to be recorded in the Attain Compliance System.</p> <p>Any supporting information should be recorded on the property file within the Shire's document management system.</p>
-----------------------	---

DRAFT

09.2 Local Planning Scheme No. 6 – Council to CEO

Delegation	9.2.1 PLA1 Built Strata Certificate of Approval – Forms 24 and 26 (DRAFT)
Category	Council to CEO
Head of power	09 Planning and Development Act 2005 Delegations
Delegator	Local Government
Express power to delegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 cl.82
Express power or duty delegated	<i>Strata Titles Act 1985</i> Part 2 Strata Schemes and Survey Strata Schemes Division 3 Creation of lots and common property Section 24, 25 Certificate of Commission
Function	1. The Chief Executive Officer is delegated authority under the <i>Strata Title Act 1985</i> to issue a preliminary approval strata plan (Form 24) and certificate of approval (Form 26).
Delegates	Chief Executive Officer
Conditions	Any applications are to be determined be in accordance with Local Planning Scheme No 6.
Subdelegates	Coordinator Planning Services Director Development Services Manager Planning and Building Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Record keeping	Documentation to be recorded to the relevant property or strata subdivision file within the Shire's document management system.

Delegation	9.2.2 PLA4 Delegation to Waive/Refund Planning Fees (DRAFT)
Category	Council to CEO
Head of power	09 Planning and Development Act 2005 Delegations
Delegator	Local Government
Express power to delegate	<i>Planning and Development Act 2005</i> s.261 Local government fees for planning matters etc., regulations as to
Express power or duty delegated	<i>Planning and Development Regulations 2009</i> Part 7 - Local government planning charges Division 2 - Fees and other charges Section 52 – Local government may waive or refund fees
Function	1. Authority to waive or refund, in whole or in part, payment of a fee for a planning service
Delegates	Chief Executive Officer
Conditions	Waiving and Refunding of Fees must be in accordance with the Council adopted Policy and schedule of fees and charges.
Express power to subdelegate	<i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Coordinator Planning Services Director Development Services Manager Planning and Building Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Policy	Waiving and Refunding of Fees
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System Any supporting documentation should be recorded to the relevant property and/or subdivision file in the Shire's document management system.

Shire of Broome

Delegation	9.2.3 PLAS Determine Development Application (DRAFT)
Category	Council to CEO
Head of power	09 Planning and Development Act 2005 Delegations
Delegator	Local Government
Express power to delegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 Division 2 - Delegations Clause 82 Delegations by local government
Express power or duty delegated	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 Deemed Provisions <i>Local Planning Scheme No.6</i> Clause 3.18 Interpretation of the Zoning Table Clause 3.23 Extension of a Non-Conforming Use Clause 3.24 Change of Non-Conforming Use Clause 4.3 Special application of Residential Design Codes Clause 4.4 Variations to site and development requirements Clause 4.7 Car parking Clause 4.8 Service areas Clause 4.11 Height of buildings Clause 4.12 Broome-style architecture Clause 4.13 Inappropriate or incongruous development Clause 4.14 Landscaping and existing trees Clause 4.17 Telecommunications infrastructure

Page 152 of 175

Function	<ul style="list-style-type: none"> • Make determinations on the sufficiency of information provided with applications for development approval pursuant to clause 63 of the Deemed Provisions. • Advertise and provide notice of applications for development approval or consent pursuant to clause 64 of the Deemed Provisions. • Determine applications pursuant to clause 68 of the Deemed Provisions of LPS6 for development approval or refusal including: <ul style="list-style-type: none"> ◦ Any conditions to be imposed or reasons for refusal; ◦ The period of validity; and ◦ The scope of the development approval. • Allow for the extension of the term of any development approval in accordance with clause 71 of the Deemed Provisions. • Determine applications where variations to Development Requirements of LPS6 pursuant to clauses, 3.23 (Extension of Non-Conforming Use), 3.24 (Change of Non-Conforming Use), 4.3 (Special Application of the Residential Design Codes), 4.4 (Variation to Site and Development Requirements) including variations to Schedule 8 (Development Standards), 4.7 (Car Parking), 4.8 (Service Areas), 4.11 (Height of Buildings), 4.12 (Broomestyle Architecture), 4.12 (Inappropriate or incongruous development), 4.14 (Landscaping and Existing Trees) and 4.17 (Telecommunications infrastructure) are proposed. • Any matter described in the Residential Design Codes including variations and determinations under design principles and clause 4.2 and 4.3 (Residential Design Codes) of LPS6. • Prescribe, vary, specify and determine requirements, standards or limitations which may be prescribed, varied, specified or determined under the Scheme with respect to the use or development of land or buildings. • Determine any works or uses that are temporary and in existence longer than 48 hours pursuant to clause 61(1)(f) and 61(2)(d) of the Deemed Provisions. • Determine any amendment applications pursuant to clause 77 (Amending or cancelling development approval) of the Deemed Provisions. • Determine any retrospective application pursuant to clause 65 (Subsequent approval of development) of the Deemed Provisions. • Make determinations to vary provisions pursuant to clause 12 of the Deemed Provisions to facilitate the conservation of a place entered in the Register of Places under the Heritage Western Australia Act 1990 or Listed in the Heritage List under clause 8 of the Deemed Provisions. • Determining applications in accordance with Structure Plans pursuant to clause 27 of the Deemed Provisions. • In accordance with clause 75(1)(c) of the Deemed Provisions agree to the extension of the Deemed Refusal time frame. • Make any determination and exercise any discretionary powers contained in LPS6 and its Schedules and the Deemed Provisions. • Determine the land use pursuant to clause 3.18 of LPS6. • Determine development applications which modifies or varies a Local Development Plan pursuant to clause 56 of the Deemed Provisions.
Delegates	Chief Executive Officer

Conditions	<p>Authority only to be exercised following appropriate consideration of the matters listed in clause 67 of the Deemed Provisions and:</p> <ol style="list-style-type: none"> 1. Required consultation has to be conducted, delegation can be exercised where concerns raised through consultation is not relevant planning consideration or where concerns can be addressed by way of conditions or mitigated design. Where concerns raised are relevant planning considerations that cannot be addressed or mitigated through conditions a report to Council shall be prepared. 2. Delegation can only be exercised to the extent that the Scheme or Council policy provides for variations, where variation to Council policy is proposed a report will be prepared to Council.
Express power to subdelegate	<p>Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees</p>
Subdelegates	<p>Coordinator Planning Services Director Development Services Manager Planning and Building Services</p>
Subdelegate conditions	<p>Conditions on the Delegate also apply to the Subdelegates.</p>
Policy	<p>Local Planning Policies</p>
Record keeping	<p>Delegations exercised are to be recorded to the relevant property or reserve file within the Shire's document management system.</p>

Delegation	9.2.4 PLA8 Local Development Plans (DRAFT)
Category	Council to CEO
Head of power	09 Planning and Development Act 2005 Delegations
Delegator	Local Government
Express power to delegate	Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 Division 2 - Delegations Clause 82 Delegations by local government
Express power or duty delegated	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 Deemed Provisions Clause 48 - Preparation of local development plan Clause 49 - Action by local government on receipt of application Clause 50 - Advertising of local development plan Clause 51 - Consideration of submissions Clause 52 - Decision of local government
Function	<ul style="list-style-type: none"> Consider the material provided by the applicant and determine whether sufficient information is provided or if further information from the applicant is required before the local development plan can be accepted for assessment under clause 49(1). Determine under clause 50(3) whether the local development plan is to be advertised. Consider submissions and take such actions as may be required under clause 51. Determine whether the local development plan is approved, is required to be modified or resubmitted or refused under clause 52.
Delegates	Chief Executive Officer
Conditions	<p>Authority only to be exercised following appropriate consideration of the matters listed under clause 48 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and the local development plan is consistent with Local Planning Scheme No6 and the Local Planning Strategy.</p> <p>Authority to not advertise a local development plan can only be exercised where it can be demonstrated that it would not adversely affect the owners or occupiers within the area covered by the plan or an adjoining area.</p>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Development Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegate.
Record keeping	Delegations exercised are to be recorded to the relevant property or subject file within the Shire's document management system.

Delegation	9.2.5 PLA9 Structure Plans (DRAFT)
Category	Council to CEO
Head of power	09 Planning and Development Act 2005 Delegations
Delegator	Local Government
Express power to delegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 Division 2 - Delegations Clause 82 Delegations by local government
Express power or duty delegated	<i>Planning and Development (Local Planning Schemes) regulations 2015</i> Schedule 2 Deemed Provisions Clause 16 - Preparation of structure plan Clause 17 - Action by local government on receipt of application Clause 18 - Advertising structure plan Clause 19 - Consideration of submissions
Function	<ol style="list-style-type: none"> 1. Consider the material provided by the applicant and determine whether sufficient information is provided or if further information from the applicant is required before the structure plan can be accepted for assessment under clause 17(1). 2. Advertise the structure plan in accordance with clause 18. 3. Consider submissions and take such actions as may be required under clause 19. 4. Prepare a report on the proposed structure plan and provide it to the Western Australian Planning Commission in accordance with clause 20.
Delegates	Chief Executive Officer
Conditions	<p>Authority only to be exercised following appropriate consideration of the matters listed under clause 16 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) regulations 2015</i> and the structure plan is consistent with Local Planning Scheme 6 and the Local Planning Strategy.</p> <p>Any applications are to be determined in accordance with Local Planning Scheme No 6.</p>
Express power to subdelegate	<i>Local Government Act 1995</i> s.544 CEO may delegate some powers and duties to other employees
Subdelegates	Coordinator Planning Services Director Development Services Manager Planning and Building Services
Subdelegate conditions	<p>Conditions on the Delegate also apply to the Subdelegates.</p> <p>Manager Planning and Building Services (excludes power outlined in item 4) Coordinator Planning Services (excludes power outlined in item 4)</p>
Policy	Local Planning Policy 5.22 Shire of Broome Structure Plan and Subdivision Standards
Record keeping	Delegations exercised are to be recorded to the relevant property or subject file within the Shire's document management system.

Shire of Broome

DRAFT

Page 157 of 175

Delegation	9.2.6 PLA10 Subdivision and Amalgamation Applications and Clearance (DRAFT)
Category	Council to CEO
Head of power	09 Planning and Development Act 2005 Delegations
Delegator	Local Government
Express power to delegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 Division 2 - Delegations Clause 82 Delegations by local government
Express power or duty delegated	<i>Planning and Development Act 2005</i> Part 10 - Subdivision and development control Division 2 - Approval for subdivision and certain transactions Section 142 - Consultation requirements as to proposed subdivision Section 145 - Diagram or plan of survey of approved plan of subdivision, approval of
Function	Authority to respond to the Western Australian Planning Commission (WAPC) regarding applications for subdivision or amalgamation or strata submissions and the clearance of any subdivision conditions imposed by the Western Australian Planning Commission.
Delegates	Chief Executive Officer
Conditions	<p>Authority to provide a response to the WAPC on an application for subdivision/amalgamation is to be exercised only when the response provided (either support with or without conditions or not to support) is consistent with an approved Structure Plan, Development Approval or the site and development requirements under Local Planning Scheme No 6 (LPS6) and the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p>Authority to provide a response to the WAPC on a request for clearance of subdivision conditions is only to be exercised where the proponent has with Council's requirements of subdivisional works; this is to include the acceptance of bonds or securities as performance guarantees against unfulfilled conditions.</p>
Express power to subdelegate	<i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Coordinator Planning Services Director Development Services Manager Planning and Building Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates.
Policy	Local Planning Policy - 5.22 Shire of Broome Structure Plans and Subdivision Standard
Record keeping	Delegations exercised are to be recorded to the relevant subdivision file within the Shire's document management system.

Delegation	9.2.7 PLA11 Submit Responsible Authority Report (DRAFT)
Category	Council to CEO
Head of power	09 Planning and Development Act 2005 Delegations
Delegator	Local Government
Express power to delegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 Division 2 - Delegations Clause 82 Delegations by local government
Express power or duty delegated	<i>Planning and Development Act 2005</i> Part 11A - Development Assessment Panels and development control Division 1 - Functions of DAP's Section 171A - Prescribed development applications, DAP to determine and regulations for Section 171B - DAP to carry out delegated functions <i>Planning and Development (Development Assessment Panels) Regulations 2011</i> Reg 11 - Local government must notify DAP of DAP application Reg 12 - Responsible authority must report to DAP
Function	Authority to submit the Responsible Authority Report to the presiding member of the Development Assessment Panel (DAP)
Delegates	Chief Executive Officer
Conditions	Authority only to be exercised where: 1. Consideration has been given to the matters listed in clause 67(2)(a) - (zb) - 'matters to be considered by local government' of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . 2. Required consultation has been conducted, delegation can be exercised where concerns raised through consultation is not relevant planning consideration or where concerns can be addressed by way of conditions or mitigated design. Where concerns raised are relevant planning considerations that cannot be addressed or mitigated through conditions, a report to Council shall be prepared.
Express power to subdelegate	<i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Director Development Services Manager Planning and Building Services
Subdelegate conditions	Conditions on the Delegate also apply to the Subdelegates
Policy	Local Planning Policies
Record keeping	Delegations exercised are to be recorded in the Attain Compliance System. Any supporting information should be recorded on the property file within the Shire's document management system.

Shire of Broome

DRAFT

Page 160 of 175

10 Statutory Authorisations and Delegations to Local Government from State Government Entities

Statutory Authorisations and Delegations to Local Government from State Government Entities

10.1 Environmental Protection Act 1986

Delegation	10.1.1 Noise Control - Environmental Protection Notices [Reg.65(1)] (DRAFT)
Head of power	10 Statutory Authorisations and Delegations to Local Government from State Government Entities
Delegator	Department of Water and Environmental Regulation
Express power or duty delegated	<p>Published by: GOVERNMENT GAZETTE No.47. 19-Mar-2004 Environment Western Australia Page 919</p> <p>-----</p> <p>EV401</p> <p>ENVIRONMENTAL PROTECTION ACT 1986</p> <p>Section 20</p> <p>Delegation No. 52</p> <p>Pursuant to section 20 of the <i>Environmental Protection Act 1986</i>, the Chief Executive Officer hereby delegates as follows—</p> <p>Powers and duties delegated—</p> <p>All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being premises licensed under the Act, to serve an environmental protection notice under section 65(1) in respect of those premises, and where an environmental protection notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that environmental protection notice.</p> <p>Persons to whom delegation made—</p> <p>This delegation is made to any person for the time being holding or acting in the office of Chief Executive Officer under the <i>Local Government Act 1995</i>.</p> <p>Pursuant to section 59(1)(e) of the <i>Interpretations Act 1984</i>, Delegation No. 32, dated 4 February 2000 is hereby revoked.</p> <p>Dated this 9th day of January 2004.</p> <p>Approved—</p> <p>FERDINAND TROMP, A/Chief Executive Officer.</p> <p>Dr JUDY EDWARDS MLA, Minister for the Environment.</p>
Delegates	Chief Executive Officer

Delegation	10.1.2 Noise Management Plans - Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events (DRAFT)
Head of power	10 Statutory Authorisations and Delegations to Local Government from State Government Entities
Delegator	Department of Water and Environmental Regulation
Express power or duty delegated	<p>Published by: GOVERNMENT GAZETTE No.232. 20-Dec-2013 Environment Western Australia Page: 6282</p> <p>-----</p> <p>EV402</p> <p>ENVIRONMENTAL PROTECTION ACT 1986</p> <p>Delegation No. 112</p> <p>I, Jason Banks, in my capacity as Acting Chief Executive Officer of the Department of Environment Regulation responsible for the administration of the <i>Environmental Protection Act 1986</i> ("the Act"), and pursuant to section 20 of the Act, hereby delegate to any person for the time being holding or acting in the office of a Chief Executive Officer under the <i>Local Government Act 1995</i>, my powers and duties under the <i>Environmental Protection (Noise) Regulations 1997</i>, other than this power of delegation, in relation to--</p> <p>(a) waste collection and other works--noise management plans relating to specified works under regulation 14A or 14B;</p> <p>(b) bellringing or amplified calls to worship--the keeping of a log of bell ringing or amplified calls to worship requested under regulation 15(3)(c)(vi);</p> <p>(c) community activities--noise control notices in respect of community noise under regulation 16;</p> <p>(d) motor sport venues--noise management plans in relation to motor sport venues under Part 2 Division 3;</p> <p>(e) shooting venues--noise management plans in relation to shooting venues under Part 2 Division 4;</p> <p>(f) calibration results--requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4;</p> <p>(g) sporting, cultural and entertainment events--approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation--</p> <p>(i) Subregulation 18(13)(b) is not delegated.</p> <p>Under section 59(1)(e) of the <i>Interpretation Act 1984</i>, Delegation No. 68, gazetted 22 June 2007 is hereby revoked.</p> <p>Dated the 12th day of December 2013.</p> <p>JASON BANKS, Acting Chief Executive Officer.</p> <p>Approved by--</p> <p>JOHN DAY, Acting Minister for Environment; Heritage.</p>
Delegates	Chief Executive Officer

Delegation	10.1.3 Noise Management Plans - Constructions Sites (DRAFT)
Head of power	10 Statutory Authorisations and Delegations to Local Government from State Government Entities
Delegator	Department of Water and Environmental Regulation
Express power or duty delegated	<p>Published by: GOVERNMENT GAZETTE No.71. 16-May-2014 Environment Western Australia Page: 1548</p> <p>-----</p> <p>EV405</p> <p>ENVIRONMENTAL PROTECTION ACT 1986 Delegation No. 119</p> <p>I, Jason Banks, in my capacity as the Acting Chief Executive Officer of the Department responsible for the administration of the <i>Environmental Protection Act 1986</i> ("the Act"), and pursuant to section 20 of the Act, hereby delegate to the holder for the time being of the offices of-</p> <p>(a) Chief Executive Officer under the <i>Local Government Act 1995</i>; and</p> <p>(b) to any employee of the local government under the <i>Local Government Act 1995</i> who is appointed as an Authorised Person under section 87 of the Act,</p> <p>all my powers and duties in relation to noise management plans under regulation 13 of the <i>Environmental Protection (Noise) Regulations 1997</i>, other than this power of delegation.</p> <p>Under section 59(1)(e) of the <i>Interpretation Act 1984</i>, Delegation No. 111, gazetted 20 December 2013, is hereby revoked.</p> <p>Dated the 1st day of May 2014.</p> <p>JASON BANKS, Acting Chief Executive Officer.</p> <p>Approved by-</p> <p>Hon ALBERT JACOBS JP MLA, Minister for Environment: Heritage.</p>
Delegates	Chief Executive Officer

10.2 Planning and Development Act 2005

Delegation	10.2.1 Sign Development Applications for Crown Land as Owner - Local Government CEOs - Instrument of Authorisation (DRAFT)
Head of power	10 Statutory Authorisations and Delegations to Local Government from State Government Entities
Delegator	Department of Planning, Lands and Heritage
Express power to delegate	Column 2 Shire of Broome
Express power or duty delegated	<p>DoL FILE 1738/2002v8; 858/2001v9</p> <p>PLANNING AND DEVELOPMENT ACT 2005</p> <p>INSTRUMENT OF AUTHORISATION</p> <p>I, Donald Terrence Redman MLA, Minister for Lands, a body corporate continued by section 7 (1) of the <i>Land Administration Act 1997</i>, under section 267A of the <i>Planning and Development Act 2005</i>, HEREBY authorise, in respect of each local government established under the <i>Local Government Act 1995</i> and listed in Column 2 of the Schedule, the person from time to time holding or acting in the position of Chief Executive Officer of the relevant local government, to perform the powers described in Column 1 of the Schedule subject to the conditions listed in Column 3 of the Schedule.</p> <p>Dated the 2nd day of June 2016</p> <p>HON DONALD TERRENCE REDMAN MLA MINISTER FOR LANDS</p>

Function	<p>This is the Schedule referred to in an Instrument of Authorisation relating to Development Applications under the <i>Planning and Development Act 2005</i></p> <p>Column 1</p> <p>The power to sign as owner in respect of Crown land that is:</p> <ul style="list-style-type: none"> • a reserve managed by the local government pursuant to section 46 of the <i>Land Administration Act 1997</i> and the development is consistent with the reserve purpose and the development is not for a commercial purpose; or • the land is a road of which the local government has the care, control and management under section 55(2) of the <i>Land Administration Act 1997</i> and where there is no balcony or other structure proposed to be constructed over that road unless that structure comes within the definition of a 'minor encroachment' in the <i>Building Regulations 2012</i> (Regulation 45A), or is an 'awning, verandah or thing' (Regulation 45B), or is a ground anchor, and where the development is consistent with the use of the land as a road. <p>in respect of development applications being made under or referred to in:</p> <ol style="list-style-type: none"> section 99(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a regional interim development order (as that term is defined in that Act); section 103(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a local interim development order (as the term is defined in that Act); section 115 of the <i>Planning and Development Act 2005</i> in respect of development within a planning control area (as that term is defined in that Act); section 122A of the <i>Planning and Development Act 2005</i> in respect of which approval is required under an improvement scheme (as that term is defined in that Act); section 162 of the <i>Planning and Development Act 2005</i> in respect of developments for which approval is required under a planning scheme or interim development order (as those terms are defined in that Act); section 163 of the <i>Planning and Development Act 2005</i> in respect of development on land which is comprised within a place entered in the Register maintained by the Heritage Council under the <i>Heritage of Western Australia Act 1990</i>, or of which such a place forms part; section 171A of the <i>Planning and Development Act 2005</i> in respect of a prescribed development application (as that terms is defined in that section of that Act).
Delegates	Chief Executive Officer

Conditions	Column 3
	<p>In accordance with and subject to approved Government Land policies.</p> <p>Any signature subject to the following endorsement:</p> <p>Signed only as an acknowledgement that a development applications is being made in respect of a proposal that includes Crown land, Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provisions of the <i>Planning and Development Act 2005</i> (including any planning scheme).</p> <p>The signature does not represent approval or consent for planning purposes. Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component.</p>

DRAFT

Delegation	10.2.2 WA Planning Commission - Powers of Local Governments - s.15 of the Strata Titles Act 1985 (DEL.2020/01) (DRAFT)
Head of power	10 Statutory Authorisations and Delegations to Local Government from State Government Entities
Delegator	Western Australian Planning Commission
Express power or duty delegated	<p>29 January 2021 GOVERNMENT GAZETTE, WA 449</p> <p>-----</p> <p>PL402</p> <p>PLANNING AND DEVELOPMENT ACT 2005 Instrument of Delegation Del 2020/01 Powers of Local Governments Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to certain applications under the <i>Strata Titles Act 1985</i></p> <p>Preamble Under section 16 of the <i>Planning and Development Act 2005</i> (the Act) the Western Australian Planning Commission (WAPC) may, by resolution published in the <i>Government Gazette</i>, delegate any function under the Act or any other written law to a local government, a committee established under the <i>Local Government Act 1995</i> or an employee of a local government.</p> <p>In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or imposed on the WAPC by the Act or any other written law as the case requires.</p> <p>Resolution under section 16 of the Act (delegation) On 20 January 2021, pursuant to section 16 of the Act, the WAPC RESOLVED-</p> <p>A. TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under section 15 of the <i>Strata Titles Act 1985</i> as set out in clause 1 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;</p> <p>B. TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under sections 21 and 22 of the <i>Strata Titles Act 1985</i> as set out in clause 2 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;</p> <p>C. TO AMEND "Del 2020/01 - Powers of Local Governments" to give effect to its resolutions and to publish an updated, consolidated instrument.</p> <p>SAM FAGAN, Western Australian Planning Commission</p>

Function	<p style="text-align: center;">Schedule 1</p> <p>1. Applications made under section 15 of the <i>Strata Titles Act 1985</i> Power to determine applications under section 15 of the <i>Strata Titles Act 1985</i>, except those applications that -</p> <ul style="list-style-type: none"> a. propose the creation of a vacant lot; b. propose vacant air stratas in multi-tiered strata scheme developments; c. propose the creation of postponement of a leasehold scheme; d. propose a type 1 (a) subdivision or a type 2 subdivision (as defined in section 3 of the <i>Strata Titles Act 1985</i>); e. in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to - <ul style="list-style-type: none"> i. a type of development; and/or ii. land within an area, <p>which is of state or regional significance, or in respect of which the WAPC has determined is otherwise in the public interest for the WAPC to determine the application.</p> <p>2. Applications under section 21 and 22 of the <i>Strata Titles Act 1985</i> Power to determine applications under-</p> <ul style="list-style-type: none"> a. section 21 of the <i>Strata Titles Act 1985</i>; b. section 22 of the <i>Strata Titles Act 1985</i> where the amendment or repeal of scheme by-laws requires the approval of the WAPC. <p>3. Reporting requirements A local government that exercises the powers referred to in clause 1 and/or clause 2, is to provide the WAPC with data on all applications determined under this Instrument of Delegation. This must be provided at the conclusion of each financial year in the format prescribed by the WAPC.</p>
Delegates	Chief Executive Officer Coordinator Building Services Coordinator Planning Services Director Development Services Manager Planning and Building Services

Shire of Broome

10.3 Main Roads Act 1930

Delegation	10.3.1 Traffic Management - Events on Roads (DRAFT)
Head of power	10 Statutory Authorisations and Delegations to Local Government from State Government Entities
Delegator	Main Roads Western Australia

DRAFT

Page 169 of 175

Express power or duty delegated	<p style="text-align: center;">WESTERN AUSTRALIA ROAD TRAFFIC CODE 2000 REGULATION 297(2) INSTRUMENT OF AUTHORISATION RELATING TO TRAFFIC MANAGEMENT FOR EVENTS</p> <p>Pursuant to Regulation 297(2) of the <i>Road Traffic Code 2000</i> the Commissioner of Main Roads ("the Commissioner ") hereby authorises the Shire of Broome ("Authorised Body") by itself, its employees, consultants ,agents and contractors (together "Representatives") to, from the date indicated below, erect, establish, display, alter or take down such traffic signs and traffic control devices of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any:</p> <ul style="list-style-type: none"> i. "event" subject to an order from the Commissioner of Police pursuant to Part VA of the <i>Road Traffic Act 1974</i>; ii. race meeting or speed test for which the Minister referred to in section 83 of the <i>Road Traffic Act 1974</i> has, under that provision, temporarily suspended the operation of any provisions of the <i>Road Traffic Act 1974</i> or regulations made under that Act; or iii. public meeting or procession the subject of a permit granted by the Commissioner of Police under the <i>Public Order in Streets Act 1984</i>; <p>or as may be required for the purpose of controlling traffic on a road adjacent to, or in the vicinity of, any event or organised activity approved by the Authorised Body under its local laws, on a road (other than a main road or highway) within its jurisdiction, SUBJECT ALWAYS to the following terms and conditions:</p> <p>(a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Events Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Events Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the event, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone;</p> <p>(b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and</p> <p>(c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.</p> <p>By executing and returning the acknowledgment at the foot of this authorisation, the Authorised Body agrees to observe, perform and comply with the above terms and conditions.</p> <p>The powers in this Instrument of Authorisation do not change or replace:</p> <ul style="list-style-type: none"> 1) any prior Instrument of Authorisation from the Commissioner of Main Roads for the purposes of undertaking traffic management for works on roads; and 2) any powers and responsibilities of any relevant local government provided in regulation 9 of the Road Traffic (Events on Roads) Regulations 1991.
Delegates	<p>Chief Executive Officer Director Infrastructure Manager Operations</p>

Shire of Broome

DRAFT

Page 171 of 175

Delegation	10.3.2 Traffic Management - Road Works (DRAFT)
Head of power	10 Statutory Authorisations and Delegations to Local Government from State Government Entities
Delegator	Main Roads Western Australia
Express power or duty delegated	<p style="text-align: center;">WESTERN AUSTRALIA ROAD TRAFFIC CODE 2000 REGULATION 297(2) INSTRUMENT OF AUTHORISATION</p> <p>Pursuant to Regulation 297(2) of the Road Traffic Code 2000 the Commissioner of Main Roads ("the Commissioner") hereby authorises the Shire of Broome ("Authorised Body") by itself, its employees, consultants, agents and contractors (together "Representatives") to, from the date indicated below, erect, establish, display, alter or take down such traffic signs and traffic control devices of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any works, survey or inspection, associated with the construction, maintenance or repair on a road (other than a main road or highway), any adjoining land or any portion thereof within its jurisdiction, SUBJECT ALWAYS to the following terms and conditions:</p> <ol style="list-style-type: none"> a. the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Roads Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Roadworks Advisory Group) issued by Main Roads Western Australia ("the Code) referring to the version which is current at the time of the relevant works, a copy of which can be obtained from Main Roads Western Australia from Main Roads Website or by contacting Main Roads by phone; b. the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and c. the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as it they were named in those paragraphs in place of the Authorised Body. <p>By executing and returning the acknowledgement at the foot of this authorisation, the Authorised Body agrees to observe, perform and comply with the above terms and conditions.</p> <p>This Instrument of Authorisation replaces any prior Instrument of Authorisation under Regulation 292(2) of the Road Traffic Code 2000 between the Commissioner and the Authorised Body. The Commissioner's delegation dated 17 July 1975 to a number of Local Governments outside the Perth metropolitan area, is not affected by this Instrument of Authorisation except that this Instrument of Authorisation prevails wherever roadworks are concerned. That 1975 delegation was made under Regulation 301 of the Road Traffic Code 1975 and related to non-regulatory signage.</p>
Delegates	Chief Executive Officer Director Infrastructure Manager Operations

10.4 Road Traffic (Vehicles) Act 2012

Delegation	10.4.1 Approval for Certain Local Government Vehicles as Special Use Vehicles (DRAFT)
Head of power	10 Statutory Authorisations and Delegations to Local Government from State Government Entities
Delegator	Department of Transport
Express power or duty delegated	<p style="text-align: center;">ROAD TRAFFIC (VEHICLES) ACT 2012 <i>Road Traffic (Vehicles) Regulations 2014</i> RTVR-2017-202046</p> <p style="text-align: center;">APPROVAL UNDER REGULATION 327(4)(f) FOR CERTAIN LOCAL GOVERNMENT VEHICLES AS SPECIAL USE VEHICLES</p> <p>Pursuant to the <i>Road Traffic (Vehicles) Regulations 2014</i> (the <i>Regulations</i>), I Christopher Davers, Assistant Director Strategy and Policy, Driver and Vehicle Services, Department of Transport, and delegate of the Chief Executive Officer of the Department of Transport by way of a delegation instrument dated 7 August 2017, hereby approve vehicles owned by a local government and ordinarily used by persons authorised or appointed by that local government to perform functions on its behalf under:</p> <ul style="list-style-type: none"> a. the <i>Local Government Act 1995</i>; b. regulations made under the <i>Local Government Act 1995</i>; c. a local law; d. any other legislation empowering a local government to authorise or appoint persons to perform functions on the behalf of the local government (including but not limited to the <i>Dog Act 1976</i>); or e. any combination of the above paragraphs (a) to (d); <p>as special use vehicles for the purposes of paragraph "f" of the definition of "<i>special use vehicle</i>" in regulation 327(4) of the <i>Regulations</i>, with the effect that those vehicles may be fitted with one or more yellow flashing lights under regulation 327(3)(b) of the <i>Regulations</i>, subject to the following conditions:</p> <p>Christopher Davers Assistant Director, Strategy and Policy Driver and Vehicle Services Department of Transport</p> <p>5th September 2017</p> <p>Approval for ranger vehicles to fit and use yellow flashing lights (transport.wa.gov.au)</p>
Delegates	Chief Executive Officer Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers

Conditions	<ol style="list-style-type: none">1. Those lights must emit rotating, flashing yellow coloured light(s) and must not be a strobe light.2. At least one flashing light shall be mounted on top of the vehicle and when lit, shall be visible in normal daylight up to a distance of not less than 200 metres to vehicles approaching from any direction.3. No part of the lens of the flashing lights is visible either directly or indirectly to the driver when seated in the normal driving position.4. If more than one flashing lights is fitted, they must be placed symmetrically about the centre line of the vehicle or combination of vehicles.5. An on/off switch for the flashing lights must be installed so as to be easily operated from the driver's seat.6. Any additional equipment fitted to the vehicle must not interfere with the overall safe operation of the vehicle.7. Any vehicle fitted with flashing lights for the purposes of this approval must:<ol style="list-style-type: none">a. have words clearly set out on the sides of the vehicle which state the name of the local government in question together with the words "Ranger", "Ranger Services", or words to similar unambiguous effect; andb. where the vehicle is a station wagon or van, have the words "Ranger", "Ranger Services" or words to similar unambiguous effect clearly set out on the back of the vehicle. <p>This condition 7 is not intended to prevent the use of additional words on the vehicle.</p>
-------------------	---

DRAFT

Shire of Broome

AMENDMENTS

There are no amendments to display

DRAFT

Page 175 of 175

9.4.2 GENERAL COMPLAINTS POLICY

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	ADM28
AUTHOR:	Manager Governance, Strategy & Risk
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

This report recommends that Council adopts a new General Complaints Policy.

The Policy provides guidance on the administration of the new codes of conduct that were adopted during 2021 with one applicable to Council Members, Committee Members and Candidates and the other specific to Employees.

A consistent approach to complaint handling will support the Shire to continuously improve its services to the Broome community.

BACKGROUND

On 3 February 2021, the *Local Government (Model Code of Conduct) Regulations 2021* (Model Code) introduced a mandatory code of conduct for council members, committee members and candidates. Council adopted the new Shire of Broome Code of Conduct for Council Members, Committee Members and Candidates (CoC), inclusive of the mandatory requirements at the 29 April 2021 Ordinary Council Meeting.

Division 3 – Behaviour, in the new CoC requires Council to manage any behavioural complaints that are received. To provide guidance as to how these complaints are handled, Council adopted the Code of Conduct: Behaviour Complaints Management Policy at the 29 July 2021 Ordinary Council Meeting.

The resolution to adopt this new policy also contained a request that the Chief Executive Officer draft a Complaints Policy for Council consideration (point 3 below).

COUNCIL RESOLUTION:**Minute No. C/0721/029****Moved: Cr B Rudeforth****Seconded: Cr N Wevers*****That Council:***

- 1. *Adopts the Code of Conduct – Behaviour Complaints Management Policy as per Attachment 1; and***
- 2. *Approves the replacement of the current Shire of Broome Behaviour Complaint Form (Attachment 2) with the updated Behaviour Complaint Form (Attachment 3) in accordance with Division 3 of the Shire of Broome Code of Conduct for Council Members, Committee Members and Candidates, and the Local Government (Model Code of Conduct) Regulations 2021 – Clause 11(2)(a); and***
- 3. *Requests the Chief Executive Officer to draft a Complaints Policy for consideration by Council at its 30 September 2021 Ordinary Council Meeting.***

CARRIED UNANIMOUSLY 8/0**COMMENT**

The resolution from the 29 July 2021 Ordinary Council Meeting requested that the draft Complaints Policy be presented to Council at the 30 September 2021 Ordinary Council Meeting. This date however fell during the Caretaker Period for the 2021 local government elections and therefore research and development of the draft policy was deferred.

The Victorian Ombudsman (Ombudsman) publication, Councils and complaints – A good practice guide 2nd Edition, released in July 2021, has been the principal reference source used in the development of the draft policy. This publication is regarded as the benchmark standard for the handling of local government complaints and was provided to Councillors under separate cover.

The draft general complaints policy contains the following key statement areas as follows:

1. What is a complaint?
2. How to make a complaint
3. Our complaints process
4. How to request an internal or external review
5. How we learn from complaints
6. Your privacy
7. 'Complaint' versus 'service request'
8. Unreasonable General Complaints
9. Managing Malicious, Frivolous, Persistent and Vexatious General Complaints
10. Limiting contact between the Shire and members of the public
11. Supporting Shire Employees and Elected Members
12. Responsibilities

Statements 1 – 6 and 11 - 12 are self explanatory. Additional comments follow in relation to statements 7 – 10.

'Complaint' versus 'service request'

The Ombudsman's 2019 *Revisiting Councils and complaints* report noted that Councils/Shires classified complaints and service requests inconsistently.

Service requests at the Shire of Broome that include an element of complaint do not currently get captured as such for reporting, monitoring and continuous improvement purposes. This policy proposes that the Shire move to a standard approach for capturing complaints at the source and then generating a service request where necessary.

This is a large administrative change to complaint/service request handling and will need to be phased in as systems and processes are developed to improve data capture in this area.

Unreasonable General Complaints

Local governments by nature have significant and diverse interaction with the community that results in complaints being received as part of the normal course of business. The majority are dealt with without incident, however on occasion a complainant's conduct is unreasonable and has the potential to negatively impact on the health and well being of Shire employees and Elected Members. To provide support to Shire Employees and Elected Members, this policy defines what constitutes unreasonable conduct and that they are able to deal with the complainant in accordance with the Policy.

Managing Malicious, Frivolous, Persistent and Vexatious General Complaints

Despite the Shire's best endeavours there is the potential for a complaint to become malicious and/or frivolous and/or persistent and/or vexatious.

The policy outlines what must be considered when determining via an investigation if a complaint is malicious, frivolous, unreasonable, persistent, or vexatious. The policy provides that a decision to take no further action on a complaint can be made by a Director or the Chief Executive Officer and that the complainant will be advised in writing accordingly.

Limiting contact between the Shire and members of the public

In exceptional circumstances it maybe necessary to limit contact with the complainant.

The policy outlines examples of where this might become necessary and covers areas such as:

- using insulting, threatening or abusive language,
- providing inappropriate, offensive, threatening or abusive content; and
- making the same or substantially the same complaint to multiple staff or elected members.

CONSULTATION

WALGA – Governance Team
Draft policy circulated to Councillors for comment.

Workshopped with Councillors on 12 April 2022, with Councillors Foy, Male, Matsumoto, Taylor, Tracey and Wevers in attendance.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 2.7 – Role of council
(2)(b) determine the local government's policies.

POLICY IMPLICATIONS

If adopted the new policy will establish guidelines and procedures for how the Shire of Broome will handle general complaints in a consistent manner and drive continuous improvement.

FINANCIAL IMPLICATIONS

Nil. In the future costs may be incurred in developing improved systems for the capture and analysis of complaint data.

RISK

Complaints have the capacity to have financial and reputational impacts on the Shire and health and safety impacts on Shire employees and elected members.

The policy aims to harness the benefits that complaints can have on operational performance and service levels when used appropriately and to provide consistent processes should any complainants conduct become unreasonable and require risk mitigation.

STRATEGIC ASPIRATIONS

Performance – We will deliver excellent governance, service and value, for everyone.

Outcome Eleven – Effective leadership, advocacy and governance:

11.2 Deliver best practice governance and risk management.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0422/018

Moved: Cr C Mitchell

Seconded: Cr P Matsumoto

That Council adopts the General Complaints Policy as per Attachment 1.

CARRIED UNANIMOUSLY 7/0

Attachments

1. Draft General Complaints Policy



General Complaints

Policy Objective

This policy establishes guidelines and procedures for how the Shire of Broome (the Shire) will handle general complaints and, ultimately, enable the continuous improvement of services.

Policy Scope

Dealing with complaints is a core part of Shire business. We value complaints and encourage people to contact us when they have a problem with our services, actions, decisions, and policies. We are committed to:

- enabling members of the public to make complaints about the Shire;
- responding to complaints by taking action to resolve complaints as quickly as possible; and
- learning from complaints to improve our services.

We treat every complaint we receive on its merits, through clear and consistent processes.

Our complaints policy applies to all complaints from members of the public about Shire staff, services, Shire contractors and decisions made at Council meetings.

This policy is complimentary to the Code of Conduct Behaviour Complaints Management Policy that should be referred to in relation to complaints against individual Elected Members, Committee Members and Candidates.

Policy Statement

What is a 'complaint'?

A complaint includes a communication (verbal or written) to the Shire which expresses dissatisfaction about:

- the quality of an action, decision or service provided by Shire staff or a Shire contractor;
- a delay by Shire staff or Shire contractor in taking an action, making a decision or delivering a service;
- a policy or decision made by the Council, Shire staff or a Shire contractor.



How to make a complaint

Any member of the public can make a complaint. Complaints can be made by:

Telephone: 08 9191 3456

Online: www.broome.wa.gov.au

Click on 'Contact Us', then Feedback and Comments

Email: shire@broome.wa.gov.au

Post: PO Box 44, Broome WA 6725

In person: Cnr Weld and Haas Street, Broome

At a minimum, the following information is to be supplied in order to effectively process the complaint:

- Name and address
- Contact details
- Complaint details
- Date subject of complaint occurred

The Shire accepts anonymous complaints however the complaint will not be investigated unless it raises a serious matter, such as an issue that poses a public health or safety risk or an emergency situation and there is sufficient information to enable the Shire to conduct an inquiry.

The Shire is unable to verify information or communicate the outcome of the complaint without knowing the full identity of the complainant.

Our complaints process

When you complain to us, we will record and acknowledge your complaint within five business days. We will initially assess your complaint to decide how we will handle it. This may happen while we are talking with you.

After our initial assessment, we may:

- take direct action to resolve your complaint;
- refer your complaint to the relevant team or manager for investigation; or
- decline to deal with your complaint if you have a right to a statutory review of your complaint (such as a right of appeal to the State Administrative Tribunal).

Where possible, we will attempt to resolve your complaint at the time you first contact us. If we decide not to take action on your complaint, we will explain why, and, where possible, inform you about other options.

If we cannot resolve your complaint quickly, we will refer it to the relevant team or manager to investigate. We will advise you who you can contact regarding the investigation.

We aim to complete investigations within 30 calendar days and will advise you if the investigation will take longer. We will update you every 30 calendar days about progress until the investigation is completed. We will inform you of the outcome of your complaint and explain our reasons.

How to request an internal review

If you are dissatisfied with our decision and how we responded to your complaint, you can request an internal review.



The internal review will be conducted by a senior Shire officer who has not had any prior involvement in your complaint.

We will inform you of the outcome of the internal review and explain our reasons within 30 calendar days of the date the request for internal review was received.

How to request an external review

There are external bodies that can deal with different types of complaints about us. You can request an external review from the following organisations.

Complaint	Organisation to contact for external review
Actions or decisions of Council, Shire staff and contractors	Ombudsman WA www.ombudsman.wa.gov.au
Breaches of the <i>Local Government Act 1995</i>	Department of Local Government regulation@dlgsc.wa.gov.au
Code of Conduct: Division 4 – Rules of Conduct breaches	Local Government Standards Panel minorbreachcomplaints@dlgsc.wa.gov.au
Corruption or public interest disclosure ('whistleblower') complaints	Corruption and Crime Commission www.ccc.wa.gov.au Office of the Auditor General www.audit.wa.gov.au
Council Elections	Western Australian Electoral Commission www.elections.wa.gov.au
Discrimination	Equal Opportunity Commission eoc@eoc.wa.gov.au
Freedom of Information / Privacy	Office of the Information Commissioner www.oic.wa.gov.au
Planning	State Administrative Tribunal www.sat.justice.wa.gov.au

How we learn from complaints

Complaints from people who use or who are affected by our services provide us with valuable feedback about how we are performing.

We regularly analyse our complaint data to identify trends and potential issues that deserve further attention. We use this information to come up with solutions about how we can improve our services.

We are open and transparent about the complaints we have received, and what we have done to resolve them. We publish our complaint data in our annual report.

Your privacy

We keep your personal information secure. We use your information to respond to your complaint and may also analyse information you have provided for the purpose of improving services that relate to your complaint.

Where we publish complaint data, personal information is removed.



‘Complaint’ versus ‘service request’

It is important that the Shire classifies complaints and service requests consistently in order to accurately measure performance and use this information to continually improve services.

A way to distinguish a service request from a complaint is to look at whether a person is:

- requesting something additional or new (**a service request**)
- reporting what they believe to be a failing or a shortfall (**a complaint**)
- complaining about a Shire response to a service request (**a complaint**)

Complaint / Service request examples	
Complaint	Service Request
<ul style="list-style-type: none"> • My bin was out but wasn't collected this morning. Can you pick it up? <i>(complaining that the Shire didn't provide a service)</i> 	<ul style="list-style-type: none"> • I forgot to put my bin out, can someone collect it? <i>(requesting a service because of their own mistake)</i>
<ul style="list-style-type: none"> • You haven't sent out my rates notice. 	<ul style="list-style-type: none"> • Can you tell me when my next rates payment is due?
<ul style="list-style-type: none"> • The Shire shouldn't have approved a development on 'Main' Road. 	<ul style="list-style-type: none"> • What is the process for objecting to the development on 'Main' Road?
<ul style="list-style-type: none"> • The Shire's website doesn't have enough information about when a planning permit is needed for a pool. 	<ul style="list-style-type: none"> • Can you tell me whether a planning permit is required for a backyard pool?
<ul style="list-style-type: none"> • The Shire's investigation into noise from a business wasn't rigorous and didn't look at peak times. More investigation is needed. 	<ul style="list-style-type: none"> • My neighbour's business is very noisy. Can you make it stop?
<ul style="list-style-type: none"> • A pothole I reported to the Shire two months ago hasn't been fixed and is getting worse. 	<ul style="list-style-type: none"> • Could the Shire fill in a pothole in my street?

A complaint may lead to a service request being lodged. For example, a complaint about a missed bin might result in a service request for the bin to be collected being issued to the contractor – however, it will be recorded / counted as a complaint.



Unreasonable General Complaints

When complainants behave unreasonably in their dealings with the Shire, their conduct can significantly affect the Shire's objectives. As a result, the Shire will take proactive and decisive action to manage any complainant conduct that negatively and unreasonably affects the Shire and will support Shire employees and Elected Members to do the same in accordance with this Policy.

Unreasonable complaint conduct is any behaviour by a current or former complainant that because of its nature or frequency raises substantial health, safety, resource or equity issues for our organisation, Shire employees, Elected Members, other service users or the complainant themselves. Unreasonable complaint conduct is defined as:

- Persisting unreasonably with a general complaint by showing an inability to accept the final decision even though it has been comprehensively considered by the Shire, and even where all avenues of internal review have been exhausted;
- Using unreasonable demands by insisting on outcomes that are unattainable, (e.g. demanding outcomes that are beyond the Council's power to deliver, demanding unreasonable or that are unreasonable, wanting to alter past events, or engaging in unreasonable persecution of individuals);
- By demanding an apology and/or compensation when no reasonable basis for expecting such an outcome exists;
- Being uncooperative or deliberately obstructive by presenting a large quantity of information which is not organised, sorted, classified or summarised, where the complainant is clearly capable of doing this;
- By displaying unhelpful behaviours (e.g. withholding information, dishonesty, misquoting other, inundating the Shire with documents);
- Using unreasonable arguments by holding irrational beliefs, or by continuing with a general complaint which is unsupported by any evidence. By insisting that a particular solution is the only correct one, without consideration for valid contrary or alternative arguments;
- Using unreasonable behaviours by displaying confrontational behaviour, including rudeness, aggression and threats; and
- Where the general complaint is about something that is beyond the Shire's jurisdiction or outside the Council's control.

Where a complainant engages in unreasonable conduct the Shire employee or Elected Member may deal with the general complaint and the complainant in accordance with this Policy.

Managing Malicious, Frivolous, Persistent and Vexatious General Complaints

Following an investigation, the Shire may determine a general complaint is malicious, frivolous, unreasonable, persistent or vexatious.

A determination that a general complaint is malicious, frivolous, unreasonable, persistent or vexatious must take into account:

- Any previous complaints of a similar nature submitted by the complainant;
- The response and outcome to the previous general complaints;
- The resources required to address the general complaint (to ensure that it is not an unreasonable diversion of public resources); and
- The principles of equity and procedural fairness.



A decision to take no further action on the general complaint once all other avenues for review have been exhausted may be made by a Director or the CEO and the complainant will be advised in writing.

Where the Shire determines a general complaint to be malicious, frivolous, unreasonable, persistent or vexatious it will respond in a consistent manner, taking into account the individual circumstances of each general complaint.

Limiting contact between the Shire and members of the public

The Shire is entitled to expect that members of the public who have a general complaint will behave in an acceptable manner. In certain circumstances it is appropriate and legitimate for the Shire to place certain limits on the type of services that will be made available to the complainant when their behaviour continues to be unacceptable.

The Shire may impose limits on the times and days that correspondence may be accepted from a complainant or may request that all general complaints and communications be provided in writing.

Where a complainant is making the same or a substantially similar general complaint to numerous Shire employees or Elected Members in person, it is appropriate for the Shire to nominate a particular senior officer to deal with the general complaints.

In some circumstances it may be appropriate for a Shire employee or Elected Member to inform the complainant that they will no longer deal with their general complaints over the telephone, and to terminate the call. This will only be done in exceptional circumstances.

Where a complainant repeatedly telephones a Shire employee or Elected Member, or employs insulting, threatening or abusive language, they will be asked to limit their communications to written correspondence with a nominated senior officer.

Imposing limitations may also be appropriate where a complainant continually includes substantial inappropriate, offensive, threatening or abusive content in their general complaint and communication.

Where limitations on contact with a complainant are imposed, the Shire will inform the complainant in writing, specifying the limits and the reasons for their imposition.

The Shire is aware of the legitimate right of members of the public to access Shire information under the *Freedom of Information Act 1992*. Any limits will not impede these statutory rights, or any other statutory rights of the complainant.

Supporting Shire Employees and Elected Members

The Shire has certain obligations under Work, Health and Safety legislation to provide a safe working environment. Council is mindful of the stress that dealing with difficult complainants can place on Shire employees and Elected Members.

Management will always provide support to Shire employees and Elected Members when dealing with difficult complainants.



Responsibilities

All Shire employees, Elected Members and Shire contractors are responsible for contributing to our complaints process.

Role	Responsibilities
Chief Executive Officer	<ul style="list-style-type: none"> Promoting positive behaviours and practices relating to enabling, responding to and learning from complaints. Supporting service improvements that arise from complaints. Reviewing and publishing complaint data.
Directors and Managers	<ul style="list-style-type: none"> Recruiting, training and empowering staff to resolve complaints promptly and in accordance with the Shire's policies and procedures. Managing conflicts of interest in the complaint process. Reporting on and identifying improvements from complaint data. Supporting staff who deal with complaints.
All Shire employees	<ul style="list-style-type: none"> Familiarising themselves with this policy and the Shire's complaint process. Assisting members of the public to make a complaint. Treating members of the public respectfully and professionally.
Elected Members	<ul style="list-style-type: none"> Familiarising themselves with this policy and the Shire's complaint process. Referring complaints to Shire staff to be dealt with in accordance with our processes.
Contractors	<ul style="list-style-type: none"> Familiarising themselves with this policy and the Shire's complaint process. Cooperating with the Shire's complaint handling processes.



Document Control Box							
Document Responsibilities:							
Owner:	Chief Executive Officer			Owner Business Unit:	Governance		
Reviewer:	Manager Governance, Strategy & Risk			Decision Maker:	Council		
Compliance Requirements:							
Legislation:							
Industry:							
Organisational:							
Document Management:							
Risk Rating:	Low	Review Frequency:	Triennial	Next Due:		Records Ref:	
Version #	Decision Reference:	Synopsis:					
1.							
2.							

Changes to this document can only be made by the document owner. The electronic version on the internet is the controlled version. Printed copies are considered uncontrolled and should be verified as current version.

Pg 8

9.4.3 TRANSACTION CARD POLICY

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FIN001
AUTHOR:	Manager Governance, Strategy & Risk
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:



This report recommends that Council adopts a new Transaction Card Policy. The Policy provides an in-principle framework to guide the Chief Executive Officer when fulfilling their statutory duties for establishing and implementing appropriate systems and procedures for incurring expenditure and making payments specific to Transaction Cards.

BACKGROUND

Transaction Cards also commonly referred to as “purchasing cards” are considered by the Auditor General (OAG) to be an important part of the public sector purchasing system. They can reduce costs and streamline business processes associated with authorising, tracking, purchasing, payment and reconciling entity purchases and can also significantly reduce the use of paper.¹

How these benefits can be achieved is explained in the below diagram, drawn from the Western Australian Government Purchasing Card Guidelines

STREAMLINING YOUR PURCHASING PROCESS

Internal purchasing procedure	Traditional procurement process	Purchasing Card process
Public authority generates requisition	Step 1	
Requisition forwarded to purchasing	Step 2	
Purchase order prepared	Step 3	
Purchase order sent to supplier	Step 4	
Order placed with supplier		Step 1
Supplier ships order with packing slip	Step 5	Step 2
Public authority receives order	Step 6	Step 3
Public authority matches packing slip, requisition and purchase order	Step 7	
Public authority receives invoice	Step 8	
Public authority matches invoice against purchase requisition, purchase order and packing slip	Step 9	
Invoice signed	Step 10	
Account/expense distribution	Step 11	Automatic
Pay invoice	Step 12	Step 4

¹ Western Australian Auditor General's Report – Controls Over Purchasing Cards, 27 March 2020

Empirical evidence suggests that the administrative cost of a transaction using the traditional procurement process is circa \$120 whereas using transaction cards this is reduced to as little as \$20.

COMMENT

The traditional procurement process is currently used for most Shire purchases with limited use of credit cards, fuel cards and store cards, however as part of a review of the Shire's procurement practices it is recommended that the use of transaction cards be expanded.

In the 2020/21 financial year the Shire processed approximately 8,300 transactions with a total value of ~\$48.9 million. Of this figure 6,700 transactions or 80% were for values less than \$2,000 and accounted for only 6% of total expenditure.

Significant administrative cost savings and efficiency can be achieved by specifically targeting the use of transaction cards for these small value, day-to-day transactions with low risk.

Furthermore, in 2018, the Council endorsed the Shire's participation in the Small Business Friendly Local Governments initiative which aims to build stronger, more productive relationships between small business and local government. The use of transaction cards to make immediate payment to suppliers supports this commitment and will deliver immediate cashflow and efficiency benefits to local small business. This also aligns with the State Government commitment since 1 April 2021, to pay for the supply of goods and services within 20 days.

As with any procurement method there is the potential for misuse and the convenience and flexibility of transactions cards can be a vulnerability. Therefore, sound policies and protocols for use and control must be established to take advantage of the improved purchasing efficiency, while minimising the opportunity and impact of misuse of funds.

The Transaction Card Policy aligns with the OAG's Better Practice Principles and will be further supported by administrative policy, procedures, and individual Cardholder agreements to provide an overarching governance and control framework.

CONSULTATION

WALGA

Workshopped with Councillors on 12 April 2022, with Councillors Foy, Male, Matsumoto, Taylor, Tracey and Wevers in attendance.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 2.7 – Role of council

(2)(b) determine the local government's policies.

Section 6.5 – Accounts and records

(a) The CEO has a duty to ensure that there are kept, in accordance with regulations, proper accounts and records of the transactions and affairs of the local government.

Local Government (Financial Management) Regulations 1996

Reg 5 – CEO's duties as to financial management

Reg 11 - Payments, procedures for making etc.

POLICY IMPLICATIONS

The Transaction Card Policy will underpin a Transaction Card Administration Policy to be approved by the Chief Executive Officer and Business Operating Procedures to be developed as part of the rollout of the Promaster Transaction Card Expense Management System.

This will provide the necessary governance and control framework around the use of transaction cards and allow the benefits from their use to be achieved.

FINANCIAL IMPLICATIONS

If 50% of the Shire's annual expenditure on transactions below \$2,000 was moved to transactions cards the administrative saving is estimated at approximately \$300,000 based on a cost saving of \$100 per transaction.

The ongoing costs of transaction cards are negligible and accommodated within the existing Bank fees and charges budget account.

RISK

Reputational risk from inappropriate use of public funds via transaction cards is possible however the consequence is considered minor.

The financial risk is mitigated by having the appropriate policies, procedures, and controls in place to monitor usage. These will be the subject of ongoing audit review by the OAG. Limiting the maximum transaction value on a transaction card to less than \$2,000 provides assurance that the financial consequence is insignificant to minor.

STRATEGIC ASPIRATIONS

Prosperity – Together, we will build a strong, diversified and growing economy with work opportunities for everyone.

Outcome Nine – A strong, diverse and inclusive economy where all can participate:

9.4 Support business growth, innovation and entrepreneurship.

Performance – We will deliver excellent governance, service and value, for everyone.

Outcome Fourteen – Excellence in organisational performance and service delivery:

14.1 Embrace best practice approaches and new innovations to improve business efficiencies and the customer experience.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Moved: Cr P Taylor

Minute No. C/0422/019

Seconded: Cr C Mitchell

That Council adopts the Transaction Card Policy as per Attachment 1.

CARRIED UNANIMOUSLY 7/0

Attachments

1. Transaction Card Policy

COUNCIL POLICY



Transaction Card Policy

Policy Objective

To provide the Chief Executive Officer with a framework of principles to guide the use and management of Transaction Card facilities and which:

1. Ensures efficient and effective procurement and payment operations.
2. Minimises the risk of misuse, fraudulent or corrupt use.
3. Defines allowable and prohibited uses.
4. Defines management and oversight obligations.
5. Defines Cardholder duty of care and responsible use obligations.

Policy Scope

Transaction cards are recognised as an efficient and flexible method of paying for goods and services in the public sector. They offer a convenient and highly traceable payment option, particularly for low value, day-to-day transactions, and can substantially improve purchasing efficiency.

However, any transaction method holds the potential for misuse and the convenience and flexibility of transaction cards can be a vulnerability. Therefore, sound policies and protocols for use and control must be established to take advantage of the improved purchasing efficiency while minimising the opportunity and impact of misuse of funds.

This policy provides an in-principle framework to guide the Chief Executive Officer when fulfilling their statutory duties for establishing and implementing appropriate systems and procedures for incurring expenditure and making payments specific to Transaction Cards.

Policy Statement

1. Management Oversight and Reporting

1.1 Legislation

- (1) Section 6.5(a) of the *Local Government Act 1995* prescribes the Chief Executive Officer's (CEO) duty to ensure that proper accounts and records of the transactions and affairs of the Local Government are kept in accordance with regulations.

- (2) The *Local Government (Financial Management) Regulations 1996* prescribe:
 - a. Regulation 5, the Chief Executive Officer's duties to ensure efficient systems and procedures are established for the proper authorisation of incurring of liabilities and the making of payments.
 - b. Regulation 11(1)(a) and (2) requires the Local Government to develop procedures that ensure effective security for the authorisation and payment of accounts and for the authorised use of payment methods, including credit cards.

1.2 Determining When Transaction Card Facilities are Appropriate

- (1) Transaction Card facilities may be implemented and maintained where the card facility provides benefit to the Shire of Broome operations by ensuring:
 - a. goods and services can be obtained in a timely and efficient manner to meet the business needs of the Shire of Broome;
 - b. financial management and accounting standards are met; and
 - c. purchasing and payment functions are secure, efficient and effective.
- (2) Transaction Card facility providers will only be acceptable where, in the opinion of the Chief Executive Officer, they:
 - a. provide appropriate and sufficient statement, administration and acquittal controls that enable the Shire of Broome to sufficiently administer the facility; and
 - b. provide the Shire of Broome with protection and indemnification from fraudulent unauthorised transactions.

1.3 Management Oversight

The Chief Executive Officer shall determine and implement adequate systems and procedures to ensure:

- a. Assessment and selection of Transaction Card facilities that support the efficient and effective operations of the Shire of Broome;
- b. Authorisation and appointment of suitably eligible Cardholders;
- c. Cardholder duties and responsibilities are documented and Cardholders provided with training; and
- d. Monitoring and auditing of Transactional Card activities is regularly planned and reported.

1.4 Authority for Use

- a. Council authorises the Chief Executive Officer to be issued with a Corporate Credit card, if they choose to hold one. The maximum amount for the Chief Executive Officer will be \$5,000 per month.
- b. All other Transactions Cards shall be approved by the Chief Executive Officer or a Director;
- c. The maximum amount for any Transaction Card shall be \$5,000 per month.
- d. Monthly credit limits will be set to the lowest amount required by the Cardholder to conveniently execute their role.
- e. Limits on individual transactions may be set.

1.5 Reporting

The Chief Executive Officer will ensure that acquitted transaction statements for each Transaction Card facility are provided to Council as part of the monthly financial reporting regime.

1.6 Misuse, Misconduct and Fraudulent Use

The Chief Executive Officer or a Director retains the right to withdraw/suspend the authority to use a Transaction Card at anytime.

Any alleged misuse of Transaction Cards will be investigated and may be subject to disciplinary procedures.

Where there is reasonable suspicion of misconduct or fraudulent activity arising from Transaction Card facilities the matter will be reported to the appropriate regulatory agency, subject to the requirements of the *Public Sector Management Act 1994* and the *Corruption, Crime and Misconduct Act 2003*.

1.7 Principles for Transaction Card Usage

1.7.1 Allowable Transactions

- (1) Transaction Card facilities may only be used where:
 - a. The expenditure is directly arising from a Shire of Broome operational business activity for which there is an Annual Budget provision;
 - b. The expenditure is in accordance with legislation, the Shire of Broome Purchasing Policy, Employee Code of Conduct and any conditions or limitations applicable to the individual Cardholder.
 - c. The procurement of the required goods or services is impractical or inefficient if undertaken via a purchase order or is not able to be obtained other than by a Transaction Card;
 - d. Supplier surcharges (fees) on transactions are minimised and only allowable where the alternative method of obtaining the supply (i.e. by purchase order) is more onerous, not cost effective or there is no alternative mode of supply.
 - e. Entertainment / Hospitality expenditure may only occur with the express written permission of the CEO.
 - f. Official travel, accommodation and related expenses may only occur in accordance with Shire of Broome policies and procedures;
 - g. Accounts payable payments are made under the direction of the Manager Financial Services;
 - h. A sufficient record of each transaction is obtained and retained within the Shire's Finance System to meet record keeping retention requirements.
- (2) Allowable transactions include:
 - a. In-person and over the counter retail purchases;
 - b. Telephone or facsimile purchasing;
 - c. Mail order purchasing and subscriptions;
 - d. Internet purchasing.

1.7.2 Prohibited Transactions

- (1) The Shire of Broome prohibits the use of Transaction Card facilities for:
 - a. Cash advances;
 - b. Incurring expenses which are personal or private (i.e. any expenditure which is not an approved Local Government activity);
 - c. Incurring Capital expenditure;
 - d. Incurring expenditure for goods or services which are subject to a current supplier contract;
 - e. Incurring expenses which are not in accordance with legislation, the Shire of Broome Purchasing Policy, the Annual Budget and / or the conditions or limitations relevant to the individual Cardholder;
 - f. Splitting expenditure to avoid compliance with the Purchasing Policy or to negate limits or conditions applicable to the Cardholder; and
 - g. Incurring expenses for the primary purpose of obtaining personal advantage through the transaction (i.e. membership or loyalty rewards).
- (2) For clarity, Elected Members are prohibited from using Shire of Broome Transaction Cards as the *Local Government Act 1995* does not provide authority for an Elected Member to incur liabilities on behalf of the Local Government. The Act limits Local Governments to only paying Elected Member allowances and reimbursing Elected Member expenses.

1.7.3 Cardholder duty of care and responsible use obligations

- (1) A Cardholder is required to:
 - a. Keep the Transaction Card and access information in a safe manner; protected from improper use or loss.
 - b. Only use the Transaction Card for allowable purposes and not for prohibited purposes.
 - c. Obtain, create and retain Local Government records that evidence transactions.
 - d. Acquit the reconciliation of Transaction Card usage in the required format and within required timeframes. The onus is on the cardholder to provide sufficient detail for each transaction to avoid any potential perception that a transaction may be of a personal nature.
 - e. Return the Transaction Card to the Shire of Broome before termination of employment, inclusive of reconciliation records.
 - f. Reimburse the Shire of Broome the full value of any unauthorised, prohibited or insufficiently reconciled expenditure.
- (2) Benefits obtained through use of a Transaction Card (i.e. membership or loyalty rewards) are the property of the Shire of Broome and may only be used for Shire of Broome business purposes. Such benefits must be relinquished by the Cardholder to the Shire of Broome. Under no circumstances may such benefits be retained as a personal benefit.

1.7.4 Transaction evidence

- (1) A sufficient transaction record must include the following minimum information:

- a. Invoice and / or receipt that includes; the date, company name, address, ABN, amount and any GST amount included;
 - b. Where an invoice and / or receipt cannot be obtained, the Cardholder must provide a Statutory Declaration, in accordance with the *Oaths, Affidavits and Statutory Declarations Act 2005*, detailing the nature of the expense and sufficient information to satisfy the requirements of subclause (a) above.
- (2) Where a Transaction Card is used to incur an expense for hospitality, the transaction record must include for the purposes of Fringe Benefits Tax calculations and probity:
 - a. the number of persons entertained;
 - b. the names of any employees in that number; and
 - c. the purpose of providing the entertainment or hospitality.

2. Definitions

Cardholder means an employee who has been authorised by the CEO to incur expenditure by means of a Transaction Card.

Transaction Card means a card facility (which may include; credit, store, parking, cab-charge and fuel cards) approved for use in lieu of cash transactions, to incur expenditure for goods and services for the purposes of the Shire of Broome business activities only in accordance with relevant Shire of Broome Policies.

Document Control Box					
Document Responsibilities:					
Owner:	Director Corporate Services		Owner Business Unit:	Corporate Services	
Reviewer:	Manager Governance, Strategy & Risk		Decision Maker:	Council	
Compliance Requirements:					
Legislation:	Section 6.5(a) of the Local Government Act 1995 Regs 5 & 11(1)(a) & (2) of the Local Government (Financial Management) Regulations 1996 Public Sector Management Act 1994 Corruption, Crime and Misconduct Act 2003 Oaths, Affidavits and Statutory Declarations Act 2005				
Industry:	Department of Local Government, Sporting and Cultural Industries Guideline No.11 – Use of Corporate Credit Cards Office of the Auditor General - Controls Over Purchasing Cards				
Organisational:					
Document Management:					
Risk Rating:	Med	Review Frequency:	3 Yearly	Next Due:	11/2025
Version #	Decision Reference:		Synopsis:		
1.					
2.					
3.					

9.4.4 MONTHLY PAYMENT LISTING - MARCH 2022

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FRE02
AUTHOR:	Finance Officer - Creditors
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

This report recommends that Council receives the list of payments made under delegated authority, as per the attachment to this report, for March 2022.

BACKGROUND

The Chief Executive Officer (CEO) has delegated authority to make payments from the Municipal and Trust funds as per the approved 2021-22 Annual Budget allocations.

COMMENT

The Shire provides payments to suppliers by either Electronic Funds Transfer (EFT & BPAY), cheque, credit card or direct debit. Attached is a list of all payments processed under delegated authority during March 2022.

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.

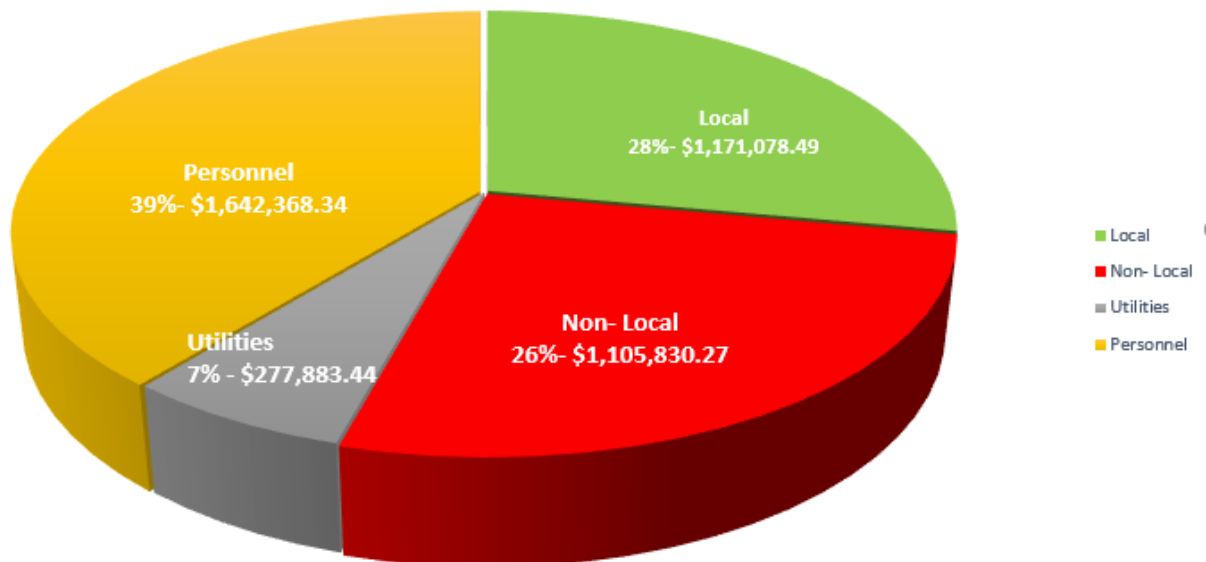
FINANCIAL IMPLICATIONS

List of payments made in accordance with budget and delegated authority. The graph below displays the percentage comparison of total spend for March 2022.

For the month of March 2022:

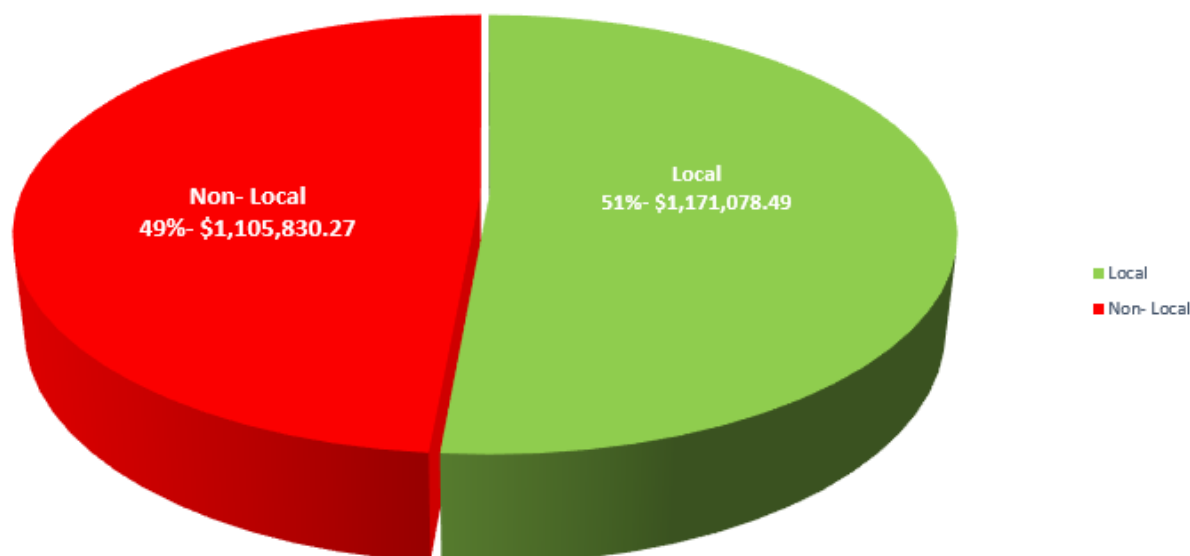
- Local spend accounted for \$1,171,078.49 (28%) of total payments
- Non-local payments were \$1,105,830.27 (26%)
- Personnel payments totalled \$1,642,368.34 (39%); and
- Utility payments totalled \$277,883.44 (7%).

SHIRE OF BROOME PAYMENTS MARCH 2022



The graph below shows the percentage of local spend in comparison to non-local and recoupable spend for March 2022, after \$1,642,368.34 in personnel payments, \$277,883.44 in utilities and other non-local sole suppliers were excluded.

LOCAL Vs NON-LOCAL PAYMENTS MARCH 2022



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 CORPORATE PLAN OBJECTIVES

Performance - We will deliver excellent governance, service and value, for everyone.

Outcome Thirteen - Value for money from rates and long term financial sustainability.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0422/020

Moved: Cr N Wevers

Seconded: Cr C Mitchell

That Council:

- 1. Receives the list of payments made from the Municipal and Trust Accounts in March 2022 totalling \$4,197,110.54 (Attachment 1) per the requirements of Regulation 12 of the *Local Government (Financial Management) Regulations 1996* covering:**
 - a) EFT Vouchers 64626 – 64955 totalling \$4,030,499.07;**
 - b) Municipal Cheque Vouchers 57730 - 57732 totalling \$1,740.70.**

- c) Trust Cheque Vouchers 0000 - 0000 totalling \$0.00; and**
- d) Credit Card Payments and Municipal Direct Debits 30543.1 - 30586.30 totalling \$164,870.77.**

- 2. Notes the local spend of \$1,171,078.49 included in the amount above, equating to 51% of total payments excluding personnel, utility, and other external sole supplier costs.**

CARRIED UNANIMOUSLY 7/0

Attachments

- 1. Monthly Payment Listing March 2022

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, TRUST, DIRECT DEBITS & CREDIT CARDS - MARCH 2022						
MUNICIPAL & TRUST ELECTRONIC TRANSFERS - MARCH 2022						
EFT	Date	Name	Description	Amount	DEL AUTH	Local Spend
EFT64626	01/03/2022	BRUCE JOSEPH RUDEFORTH JNR	Monthly Councillor Sitting Fee and Allowances	\$ 1,747.75	MFS	\$ 1,747.75
EFT64627	01/03/2022	CHRISTOPHER RALPH MITCHELL	Monthly Councillor Sitting Fee and Allowances	\$ 1,747.75	MFS	\$ 1,747.75
EFT64628	01/03/2022	DESIREE MAGDOLNA MALE	Monthly Councillor Sitting Fee and Allowances	\$ 2,737.67	MFS	\$ 2,737.67
EFT64629	01/03/2022	ELSTA REGINA FOY	Monthly Councillor Sitting Fee and Allowances	\$ 1,747.75	MFS	\$ 1,747.75
EFT64630	01/03/2022	HAROLD NORMAN TRACEY	Monthly Councillor Sitting Fee and Allowances	\$ 6,202.16	MFS	\$ 6,202.16
EFT64631	01/03/2022	NIK WEVERS	Monthly Councillor Sitting Fee and Allowances	\$ 1,747.75	MFS	\$ 1,747.75
EFT64632	01/03/2022	PETER JOHN TAYLOR	Monthly Councillor Sitting Fee and Allowances	\$ 1,747.75	MFS	\$ 1,747.75
EFT64633	01/03/2022	PHILLIP FRANCIS MATSUMOTO	Monthly Councillor Sitting Fee and Allowances	\$ 1,747.75	MFS	\$ 1,747.75
EFT64634	01/03/2022	WATER CORPORATION	Water Use and Service Charges- Various Locations	\$ 48,214.02	MFS	
EFT64635	02/03/2022	A PLUS EVENTS & HIRE	Trestle Table Hire- Australia Day Citizenship Ceremony	\$ 49.50	MFS	\$ 49.50
EFT64636	02/03/2022	ALL CREATURES VETERINARY CLINIC	Sterilisation Subsidy- Rangers	\$ 210.00	MFS	\$ 210.00
EFT64637	02/03/2022	ALLPEST	Pest Control- Kimberley Regional Office 2	\$ 270.75	MFS	\$ 270.75
EFT64638	02/03/2022	AVERY AIRCONDITIONING PTY LTD	Airconditioning Maintenance- Property	\$ 231.00	MFS	\$ 231.00
EFT64639	02/03/2022	BEILBY DOWNING TEAL	Recruitment	\$ 2,997.50	MFS	
EFT64640	02/03/2022	BIDFOOD	Cleaning Products- BRAC	\$ 133.43	MFS	\$ 133.43
EFT64641	02/03/2022	BP AUSTRALIA PTY LTD - FUEL	Diesel- Depot	\$ 9,872.36	MFS	\$ 9,872.36
EFT64642	02/03/2022	BROOME BOULEVARD CAFE	Catering- Council Meeting	\$ 179.30	MFS	\$ 179.30
EFT64643	02/03/2022	BROOME CLEANAWAY	Bin Replacements & Maintenance- Infrastructure	\$ 6,720.79	MFS	\$ 6,720.79
EFT64644	02/03/2022	BROOME PLUMBING & GAS	Repair Water Fountain- BRAC	\$ 162.00	MFS	\$ 162.00
EFT64645	02/03/2022	BROOME SCOOTERS PTY LTD	Tool Parts- P&G	\$ 573.00	MFS	\$ 573.00
EFT64646	02/03/2022	BROOME VETERINARY HOSPITAL	Monthly Boarding & Vet Costs- Rangers	\$ 5,193.50	MFS	\$ 5,193.50
EFT64647	02/03/2022	BROOME WHEEL ALIGNING & SUSPENSION	Parts Ute- P&G	\$ 158.00	MFS	\$ 158.00
EFT64648	02/03/2022	BWS LIQUOUR	Stock- Civic Centre	\$ 2,186.50	MFS	\$ 2,186.50
EFT64649	02/03/2022	CIRCUITWEST INC	Presenters Fee for Show (1st Instalment)- Civic Centre	\$ 2,805.00	MFS	
EFT64650	02/03/2022	CLANCY MCDOWELL	Event Management- 80th Anniversary Air Raid	\$ 3,080.00	MFS	\$ 3,080.00
EFT64651	02/03/2022	CLARK EQUIPMENT SALES PTY LTD	Sprockets- Bobcat	\$ 1,978.06	MFS	
EFT64652	02/03/2022	CLOBBE & STITCH	Lifeguard Shirts- BRAC	\$ 1,135.20	MFS	\$ 1,135.20
EFT64653	02/03/2022	COAST & COUNTRY ELECTRICS	Replace Damaged Fan- Depot	\$ 148.53	MFS	\$ 148.53
EFT64654	02/03/2022	COCA COLA AMATIL LTD	Stock- BRAC	\$ 665.56	MFS	
EFT64655	02/03/2022	COGGO PTY LTD	Group Fitness Classes- BRAC	\$ 480.00	MFS	\$ 480.00
EFT64656	02/03/2022	DAN GUIDERA	Live Music- Australia Day Celebrations	\$ 400.00	MFS	\$ 400.00
EFT64657	02/03/2022	DOUGLAS LAWRIE D'ANTOINE	Refund (A110681)- Rates	\$ 200.00	MFS	\$ 200.00
EFT64658	02/03/2022	FIELD AIR CONDITIONING & AUTO ELECTRICAL PTY LTD	Repairs- Hookloader	\$ 1,548.85	MFS	\$ 1,548.85
EFT64659	02/03/2022	FULTON HOGAN INDUSTRIES PTY LTD / PIONEER ROAD SERVICES	EZS Street Asphalt- Depot	\$ 1,795.20	MFS	
EFT64660	02/03/2022	G. BISHOPS TRANSPORT SERVICES PTY LTD	Freight- Various	\$ 1,192.18	MFS	\$ 1,192.18
EFT64661	02/03/2022	GABRIEL DE BIASI	Reimbursement Steel Boots- Depot	\$ 200.00	MFS	\$ 200.00
EFT64662	02/03/2022	HOLDFAST FLUID POWER NW PTY LTD	Hydraulic Hose Repair on the Hooklift- WMF	\$ 988.17	MFS	
EFT64663	02/03/2022	IAN CHESTER	Reimbursement Chemicals- BRAC	\$ 119.80	MFS	\$ 119.80
EFT64664	02/03/2022	ILLION AUSTRALIA PTY LTD	Monthly SMS Services- Rates	\$ 984.50	MFS	
EFT64665	02/03/2022	INTERNATIONAL LIVESTOCK EXPORT	Composted Cow Manure- Chinatown	\$ 1,760.00	MFS	
EFT64666	02/03/2022	J BLACKWOOD & SON	Small Tools- Depot	\$ 2,077.53	MFS	\$ 2,077.53
EFT64667	02/03/2022	JILLIAN MARGARET GREEN	Staff Rent- Property	\$ 2,393.42	MFS	\$ 2,393.42
EFT64668	02/03/2022	JULIANNA MAY MARSHALL	Refund (A100350)- Rates	\$ 591.58	MFS	
EFT64669	02/03/2022	KIMBERLEY FUEL & OIL SERVICES	Air Filters for the Case Loader- Workshop	\$ 49.27	MFS	\$ 49.27
EFT64670	02/03/2022	KIMBERLEY GOLD PURE DRINKING WATER	Drinking Water- WMF	\$ 102.00	MFS	\$ 102.00
EFT64671	02/03/2022	KMART AUSTRALIA LIMITED	Microwave- BRAC	\$ 50.50	MFS	\$ 50.50
EFT64672	02/03/2022	MARKETFORCE	Tender Advertising- Works	\$ 300.74	MFS	
EFT64673	02/03/2022	MCKENO BLOCKS & PAVERS	Bricks for Wall - 80th Anniversary Air Raid	\$ 2,332.00	MFS	\$ 2,332.00
EFT64674	02/03/2022	NORTH WEST LOCKSMITHS	Padlock- Property	\$ 357.00	MFS	\$ 357.00
EFT64675	02/03/2022	NYAMBA BURU YAWURU LTD	Heritage Survey (RFQ21-31)- Cable Beach Foreshore Redevelopment	\$ 38,412.18	MFS	\$ 38,412.18
EFT64676	02/03/2022	OFFICE NATIONAL BROOME	Kitchen Supplies- Shire Admin	\$ 74.80	MFS	\$ 74.80

Item 9.4.4 - MONTHLY PAYMENT LISTING - MARCH 2022

EFT	Date	Name	Description	Amount	DEL AUTH	Local Spend
EFT64677	02/03/2022	OPTIC SECURITY GROUP- NORWEST	Install New User Code- Depot	\$ 214.50	MFS	\$ 214.50
EFT64678	02/03/2022	RESOLUTE SECURITY SERVICES	Security Services December- Various Locations	\$ 10,803.07	MFS	
EFT64679	02/03/2022	RIVERSIDE BUILDING APPROVALS	Certificate of Design Compliance- Haynes Oval Pavilion Upgrades	\$ 935.00	MFS	
EFT64680	02/03/2022	SALVATORE CONSTANTINO	Reimbursement Expenses- Office of the CEO	\$ 7,867.01	MFS	\$ 7,867.01
EFT64681	02/03/2022	SAMANTHA JO BOWRA	Event Decorations- Civic Centre	\$ 147.00	MFS	\$ 147.00
EFT64682	02/03/2022	SUNDRY CREDITOR - SECURITY	Security Scheme Incentive- Community	\$ 275.00	MFS	\$ 275.00
EFT64683	02/03/2022	TELSTRA	Telephone Charges- IT	\$ 17,955.25	MFS	
EFT64684	02/03/2022	WATERCHOICE (AUST) PTY LTD	Water Filtration Rental- Library	\$ 65.00	MFS	
EFT64685	02/03/2022	WATTLEUP TRACTORS	Parts for Trimax Mower- P&G	\$ 2,936.74	MFS	
EFT64686	03/03/2022	SALARY & WAGES	Payroll S&W	\$ 396,223.00	MFS	
EFT64687	05/03/2022	ADVANCED ELECTRICAL EQUIPMENT PTY LTD	Electricity Tester- P&G	\$ 412.50	MFS	
EFT64688	05/03/2022	ALL ACCESS ALL AREAS TRAINING PTY LTD	Approved Managers Course- Civic Centre	\$ 165.00	MFS	
EFT64689	05/03/2022	ARCHITECTURAL WATER SOLUTIONS PTY LTD	Hydraulic Services- Haynes Oval	\$ 1,225.40	MFS	
EFT64690	05/03/2022	EVERY AIRCONDITIONING PTY LTD	Investigate & Repair Ice Machine- Depot	\$ 442.75	MFS	\$ 442.75
EFT64691	05/03/2022	BIDFOOD	Stock Kiosk- BRAC	\$ 2,387.46	MFS	\$ 2,387.46
EFT64692	05/03/2022	BOAB FENCING	Perimeter Fence Installation (RFT 22-01)- Cemetery	\$ 165,000.00	MFS	\$ 165,000.00
EFT64693	05/03/2022	BOC LIMITED	Medical Oxygen- BRAC	\$ 170.59	MFS	
EFT64694	05/03/2022	BP AUSTRALIA PTY LTD - FUEL	Diesel Litres Bulk Tank- Depot	\$ 17,210.38	MFS	\$ 17,210.38
EFT64695	05/03/2022	BROOME CLARK POOLS & SPAS	Vehicle Mats- P&G	\$ 59.95	MFS	\$ 59.95
EFT64696	05/03/2022	BROOME DIESEL & HYDRAULIC SERVICE	Maintenance Parts for Hooklift- WMF	\$ 585.00	MFS	\$ 585.00
EFT64697	05/03/2022	BROOME PROGRESSIVE SUPPLIES	Drinking Water- Depot	\$ 130.42	MFS	\$ 130.42
EFT64698	05/03/2022	BUNNINGS BROOME	Small Equipment Tools- IT	\$ 203.78	MFS	\$ 203.78
EFT64699	05/03/2022	CABLE BEACH ELECTRICAL SERVICE	Electrical Works- Town Beach	\$ 1,386.00	MFS	\$ 1,386.00
EFT64700	05/03/2022	CABLE BEACH TYRE SERVICE PTY LTD	Tyres- P&G	\$ 1,368.00	MFS	\$ 1,368.00
EFT64701	05/03/2022	CID EQUIPMENT PTY LTD	Rear View mirrors for Wheel Loader- Works	\$ 556.82	MFS	
EFT64702	05/03/2022	CS LEGAL	Debt Collection Fees- Rates	\$ 3,872.05	MFS	
EFT64703	05/03/2022	DEAN WILSON TRANSPORT PTY LTD	Freight- P&G	\$ 145.43	MFS	\$ 145.43
EFT64704	05/03/2022	ENVIRONMENTAL HEALTH AUSTRALIA (WA) INCORPORATED	WA Conference- Health	\$ 615.00	MFS	
EFT64705	05/03/2022	FIELD AIR CONDITIONING & AUTO ELECTRICAL PTY LTD	Parts Mower- P&G	\$ 102.60	MFS	\$ 102.60
EFT64706	05/03/2022	HARBY ENTERPRISES PTY LTD	Corporate Communications & Engagement Strategy (RFQ 21-33)- Marketing	\$ 4,125.00	MFS	
EFT64707	05/03/2022	HARMONY HORTICULTURE	Weed Spraying- Sunset Park & Broome North	\$ 4,361.50	MFS	\$ 4,361.50
EFT64708	05/03/2022	HAROLD NORMAN TRACEY	Reimbursement- Councillors	\$ 215.50	MFS	\$ 215.50
EFT64709	05/03/2022	HORIZON POWER	Electricity Charges- Shire Admin	\$ 19,425.35	MFS	
EFT64710	05/03/2022	J BLACKWOOD & SON	Uniforms- People & Culture	\$ 366.62	MFS	\$ 366.62
EFT64711	05/03/2022	KIMBERLEY KERBS	Carpark Kerbing (RFQ 21-49)- BRAC	\$ 33,341.00	MFS	\$ 33,341.00
EFT64712	05/03/2022	KO CONTRACTING	Supply Equipment, Labour & Materials- BRAC Carpark	\$ 6,856.30	MFS	\$ 6,856.30
EFT64713	05/03/2022	LANDCORP	Steering Committee Support- Chinatown Revitalisation	\$ 5,914.70	MFS	
EFT64714	05/03/2022	LANDGATE	GRV Interim Schedules- Rates	\$ 1,400.55	MFS	
EFT64715	05/03/2022	MARKETFORCE	Employment Advertising- People & Culture	\$ 4,218.50	MFS	
EFT64716	05/03/2022	MICHAEL PETER STEPHENS	Technician Services- Civic Centre	\$ 1,080.00	MFS	\$ 1,080.00
EFT64717	05/03/2022	MYSMART	Christmas Trail Lighting - Chinatown	\$ 176.00	MFS	
EFT64718	05/03/2022	NINTEX PTY LTD	Promapp Enterprise Package Annual licence- IT	\$ 28,600.00	MFS	
EFT64719	05/03/2022	OZBRERO	Hats- Depot	\$ 2,153.00	MFS	\$ 2,153.00
EFT64720	05/03/2022	ROSMECH SALES & SERVICE PTY LTD	Parts Sweeper- Works	\$ 1,022.45	MFS	
EFT64721	05/03/2022	RPS AAP CONSULTING PTY LTD	Graphic Design Sub Consultant- Broome Economic Development Strategy 2020	\$ 3,300.00	MFS	
EFT64722	05/03/2022	SITE ENVIRONMENTAL & REMEDIATION SERVICES PTY LTD	Groundwater Sampling & Analysis- WMF	\$ 5,775.00	MFS	
EFT64723	05/03/2022	STRATCO WA PTY LTD	Supply of Guttering for Courtyard- Shire Admin	\$ 859.73	MFS	\$ 859.73
EFT64724	05/03/2022	TNT AUSTRALIA PTY LTD	Freight Charges- Health	\$ 468.06	MFS	
EFT64725	05/03/2022	TOTALLY WORKWEAR	Embroidery for the Hooked on Books Program- Library	\$ 9.90	MFS	\$ 9.90
EFT64726	05/03/2022	WEST AUSTRALIAN NEWSPAPERS	Broome Advertiser for Bi-weekly Shire News Pages- Marketing	\$ 2,722.00	MFS	
EFT64727	05/03/2022	WESTRAC	Mirrors & Brackets for the CAT Roller- Works	\$ 956.20	MFS	
EFT64728	10/03/2022	SALARY & WAGES	Payroll S&W	\$ 14,475.38	MFS	
EFT64729	10/03/2022	SALARY & WAGES	Payroll S&W	\$ 1,780.35	MFS	

Item 9.4.4 - MONTHLY PAYMENT LISTING - MARCH 2022

EFT	Date	Name	Description	Amount	DEL AUTH	Local Spend
EFT64730	10/03/2022	SALARY & WAGES	Payroll S&W	\$ 138,189.74	MFS	
EFT64731	10/03/2022	SALARY & WAGES	Payroll S&W	\$ 438.30	MFS	
EFT64732	10/03/2022	SALARY & WAGES	Payroll S&W	\$ 880.00	MFS	
EFT64733	10/03/2022	SALARY & WAGES	Payroll S&W	\$ 700.00	MFS	
EFT64734	10/03/2022	SALARY & WAGES	Payroll S&W	\$ 472.44	MFS	
EFT64735	10/03/2022	SALARY & WAGES	Payroll S&W	\$ 214.00	MFS	
EFT64736	10/03/2022	SALARY & WAGES	Payroll S&W	\$ 403,455.00	MFS	
EFT64737	14/03/2022	BARRY WILSON	Payroll- Missed Wages	\$ 446.00	MFS	\$ 446.00
EFT64738	15/03/2022	ACOR CONSULTANTS (WA) PTY LIMITED	Carpark Design & Lighting (RFQ21-35)- Frederick St Broome SHS	\$ 2,839.10	MFS	\$ 2,839.10
EFT64739	15/03/2022	AFGRI EQUIPMENT AUSTRALIA PTY LTD	Strut & Filter for JD Tractor- P&G	\$ 62.10	MFS	
EFT64740	15/03/2022	ALIMENT CATERING	Catering- Kimberley Zone	\$ 217.80	MFS	
EFT64741	15/03/2022	ALLPEST	Pest Control- Civic Centre	\$ 688.75	MFS	\$ 688.75
EFT64742	15/03/2022	AVERY AIRCONDITIONING PTY LTD	Degassing Units- WMF	\$ 731.50	MFS	\$ 731.50
EFT64743	15/03/2022	BIDFOOD	Kiosk Consumables- BRAC	\$ 484.52	MFS	\$ 484.52
EFT64744	15/03/2022	BOLINDA PUBLISHING PTY LTD	Large Print Books- Library	\$ 276.32	MFS	
EFT64745	15/03/2022	BRIGHTHOUSE STRATEGIC CONSULTANTS	Consultancy Services (RFQ 21-36)- Sanctuary Caravan Park	\$ 17,120.00	MFS	
EFT64746	15/03/2022	BROOME CLARK POOLS & SPAS BROOME	Rubber Floor Mats- Workshop	\$ 119.90	MFS	\$ 119.90
EFT64747	15/03/2022	BROOME DIESEL & HYDRAULIC SERVICE	Air Filter for the Komatsu Loader- WMF	\$ 58.95	MFS	\$ 58.95
EFT64748	15/03/2022	BROOME PROGRESSIVE SUPPLIES	Kiosk Consumables- BRAC	\$ 136.97	MFS	\$ 136.97
EFT64749	15/03/2022	CABLE BEACH ELECTRICAL SERVICE	Electrical Repairs- P&G	\$ 132.00	MFS	\$ 132.00
EFT64750	15/03/2022	FINISHING WA	Binding Broome Advertiser- Library	\$ 572.00	MFS	
EFT64751	15/03/2022	FIRE & SAFETY SERVICES	Fire Protection Equipment- Shire Admin	\$ 953.70	MFS	\$ 953.70
EFT64752	15/03/2022	FOOTPRINT CLEANING	Cleaning Services (RFT 17/02)- Various	\$ 39,730.38	MFS	\$ 39,730.38
EFT64753	15/03/2022	FORPARK AUSTRALIA	Playground Equipment - Sibosado Park	\$ 2,729.54	MFS	
EFT64754	15/03/2022	GPC ASIA PACIFIC PTY LTD T/AS REPCO	Brake Pads for Holden Colorado- P&G	\$ 210.76	MFS	
EFT64755	15/03/2022	HORIZON POWER	Electricity Charges- Street Lights	\$ 53,258.38	MFS	
EFT64756	15/03/2022	J BLACKWOOD & SON	PPE Uniform- P&G	\$ 503.72	MFS	\$ 503.72
EFT64757	15/03/2022	JACQUELINE JANKOWSKI	Reimbursement Expenses- Planning	\$ 86.55	MFS	
EFT64758	15/03/2022	KIMBERLEY FUEL & OIL SERVICES	Consumables- Workshop	\$ 198.13	MFS	\$ 198.13
EFT64759	15/03/2022	KIMBERLEY TRUSS (NORTRUSS (NT) PTY LTD)	Door Frame- Shire Admin	\$ 380.45	MFS	\$ 380.45
EFT64760	15/03/2022	KO CONTRACTING	Concrete Pour - Town Beach	\$ 748.00	MFS	\$ 748.00
EFT64761	15/03/2022	KOMATSU AUSTRALIA PTY LTD	Filter Service Kits & Knob Assembly Komatsu Loader- WMF	\$ 944.42	MFS	
EFT64762	15/03/2022	MARRUGEKU INC	Bond Refund (I001792)- Civic Centre	\$ 1,383.57	MFS	\$ 1,383.57
EFT64763	15/03/2022	MCINTOSH & SON	Maintenance Parts for CASE Backhoe- Works	\$ 982.30	MFS	
EFT64764	15/03/2022	MCMULLEN NOLAN GROUP PTY LTD (MNG)	Feature Survey- Lawrence Road Upgrade	\$ 5,521.45	MFS	
EFT64765	15/03/2022	MONITOR LIFTS	Cherry Picker Maintenance- P&G	\$ 214.61	MFS	
EFT64766	15/03/2022	MONSOONAL BLUES PTY LTD	Kiosk Equipment- BRAC	\$ 21.98	MFS	\$ 21.98
EFT64767	15/03/2022	NORTH WEST COAST SECURITY	Fortnightly Cash Pick- Shire Admin	\$ 60.50	MFS	\$ 60.50
EFT64768	15/03/2022	NORTH WEST LOCKSMITHS	Key Parts- Property	\$ 69.00	MFS	\$ 69.00
EFT64769	15/03/2022	NORTHERN RURAL SUPPLIES PTY LTD	Gun Spray Triam- P&G	\$ 205.88	MFS	\$ 205.88
EFT64770	15/03/2022	NUTRIEN AG SOLUTIONS	Chemicals- P&G	\$ 446.60	MFS	\$ 446.60
EFT64771	15/03/2022	OCLC (UK) LTD	Amlib Maintenance- IT	\$ 6,897.55	MFS	
EFT64772	15/03/2022	OPTEON PROPERTY GROUP PTY LTD	Valuation Report- Property	\$ 1,980.00	MFS	
EFT64773	15/03/2022	POOL WISDOM	Pool Chemicals- BRAC	\$ 4,587.80	MFS	\$ 4,587.80
EFT64774	15/03/2022	PRINTING IDEAS	Jetty Signage- Town Beach	\$ 3,300.00	MFS	\$ 3,300.00
EFT64775	15/03/2022	RFX FLOORING PTY LTD	Block Laying Labour- Town Beach	\$ 3,300.00	MFS	\$ 3,300.00
EFT64776	15/03/2022	ROSMECH SALES & SERVICE PTY LTD	Spigot Tube for Road Sweeper- Works	\$ 920.04	MFS	
EFT64777	15/03/2022	SECUREX SECURITY PTY LTD	Remotely Perform Activation- People & Culture	\$ 66.00	MFS	
EFT64778	15/03/2022	SLATER & GARTRELL SPORTS	Badminton & Squash Racquets- BRAC	\$ 405.90	MFS	
EFT64779	15/03/2022	TALIS CONSULTANTS	Consultancy Services- RRRP	\$ 4,963.20	MFS	
EFT64780	15/03/2022	TELSTRA	Services & Equipment Rental- IT	\$ 6,576.56	MFS	
EFT64781	15/03/2022	VORGE PTY LTD	Kiosk Stock - BRAC	\$ 2,996.95	MFS	
EFT64782	15/03/2022	WELDING SOLUTIONS	Water System for Water Tank- WMF	\$ 14,267.39	MFS	
EFT64783	15/03/2022	WESTRAC	Parts Roller- Works	\$ 251.59	MFS	
EFT64784	16/03/2022	GEMMA LACEY	Missed Wages- PPE 22.02.22	\$ 877.00	MFS	
EFT64785	16/03/2022	KARRATHA ASPHALT	Resealing Roads (RFT 19/06)- Port Drive	\$ 67,496.07	MFS	
EFT64786	18/03/2022	AUSTRALIA POST	Postage Charge- Shire Admin	\$ 1,722.13	MFS	\$ 1,722.13
EFT64787	18/03/2022	AUSTRALIAN PACIFIC TOURING PTY LTD	Bond Refund (1764)- Civic Centre	\$ 500.00	MFS	
EFT64788	18/03/2022	AUTOPRO BROOME	Consumables- Workshop	\$ 774.54	MFS	\$ 774.54

Item 9.4.4 - MONTHLY PAYMENT LISTING - MARCH 2022

EFT	Date	Name	Description	Amount	DEL AUTH	Local Spend
EFT64789	18/03/2022	AVERY AIRCONDITIONING PTY LTD	Airconditioning Replacement- Depot	\$ 6,070.52	MFS	\$ 6,070.52
EFT64790	18/03/2022	BEST IT & BUSINESS SOLUTIONS PTY LTD	Equipment Maintenance & Supplies- IT	\$ 405.90	MFS	\$ 405.90
EFT64791	18/03/2022	BIDFOOD	Kiosk Stock- BRAC	\$ 1,677.53	MFS	\$ 1,677.53
EFT64792	18/03/2022	BP AUSTRALIA PTY LTD - FUEL	Diesel- Depot	\$ 26,292.27	MFS	\$ 26,292.27
EFT64793	18/03/2022	BROOME ALI WORKS	Bin Lock Keys- Depot	\$ 260.00	MFS	\$ 260.00
EFT64794	18/03/2022	BROOME BOLT SUPPLIES WA PTY LTD	Small Tools- Depot	\$ 974.71	MFS	\$ 974.71
EFT64795	18/03/2022	BROOME BOULEVARD CAFE	Catering for Workplace Culture & Operational Efficiency Review- Depot	\$ 523.00	MFS	\$ 523.00
EFT64796	18/03/2022	BROOME CLARK POOLS & SPAS	Replace Chlorinator Cell- Property	\$ 1,537.24	MFS	\$ 1,537.24
EFT64797	18/03/2022	BROOME CLEANAWAY	Rubbish Collection- Kimberley Regional Office	\$ 2,125.28	MFS	\$ 2,125.28
EFT64798	18/03/2022	BROOME DIESEL & HYDRAULIC SERVICE	Parts- P&G	\$ 60.70	MFS	\$ 60.70
EFT64799	18/03/2022	BROOME PLUMBING & GAS	Replace Cistern- BRAC	\$ 1,480.00	MFS	\$ 1,480.00
EFT64800	18/03/2022	BROOME PROGRESSIVE SUPPLIES	Kiosk Food- BRAC	\$ 206.61	MFS	\$ 206.61
EFT64801	18/03/2022	BROOME SCOOTERS PTY LTD	Uniforms & Boots- P & G	\$ 239.98	MFS	\$ 239.98
EFT64802	18/03/2022	BROOME TOWING & SALVAGE	Abandoned Vehicle Towing- Rangers	\$ 99.00	MFS	\$ 99.00
EFT64803	18/03/2022	BROOME VETERINARY HOSPITAL	Veterinary Services Feb 22- Rangers	\$ 5,362.80	MFS	\$ 5,362.80
EFT64804	18/03/2022	BROOME CRETE	Concrete- Air Raid Statues	\$ 3,668.50	MFS	\$ 3,668.50
EFT64805	18/03/2022	BT EQUIPMENT PTY LTD (TUTT BRYANT)	Seat Belts- Workshop	\$ 714.02	MFS	
EFT64806	18/03/2022	BUNNINGS BROOME	Paint Materials- Shire Admin	\$ 231.98	MFS	\$ 231.98
EFT64807	18/03/2022	CABLE BEACH POLO PTY LTD	Refund- Debtors	\$ 1,210.00	MFS	\$ 1,210.00
EFT64808	18/03/2022	CARDNO (WA) PTY LTD	Detail Design Drawings & Documentation (RFQ21-54)- Lawrence Road	\$ 18,904.60	MFS	
EFT64809	18/03/2022	CARPET PAINT & TILE CENTRE	Decking Oil- Chinatown	\$ 676.35	MFS	\$ 676.35
EFT64810	18/03/2022	CLANCY MCDOWELL COMMUNICATION & MEDIA	Event Management- Air Raid Memorial	\$ 3,080.00	MFS	\$ 3,080.00
EFT64811	18/03/2022	COCA COLA AMATIL (HOLDINGS) LTD	Stock Kiosk- BRAC	\$ 1,248.63	MFS	
EFT64812	18/03/2022	COLES SUPERMARKETS - CHINATOWN, 5324	Refreshments- Council Workshop	\$ 34.95	MFS	\$ 34.95
EFT64813	18/03/2022	CUTTING EDGES REPLACEMENT PARTS PTY LTD	Locks for Grader- Works	\$ 632.00	MFS	
EFT64814	18/03/2022	DIRECTCOMMS PTY LTD	SMS Services for Reservation & Overdue Messages- Library	\$ 45.35	MFS	
EFT64815	18/03/2022	ELGAS LTD	Gas- Depot	\$ 175.76	MFS	
EFT64816	18/03/2022	FIRE & SAFETY SERVICES	Fire Extinguisher- Mulching Truck	\$ 126.50	MFS	\$ 126.50
EFT64817	18/03/2022	FOOTPRINT CLEANING	Cleaning- Various	\$ 6,313.60	MFS	\$ 6,313.60
EFT64818	18/03/2022	GLASS CO KIMBERLEY	Persplex- Workshop	\$ 450.91	MFS	\$ 450.91
EFT64819	18/03/2022	GO GO MEDIA	Monthly License for Radio- BRAC	\$ 198.00	MFS	
EFT64820	18/03/2022	GRANTS EMPIRE	Development of BBRF- RRRP	\$ 2,376.00	MFS	
EFT64821	18/03/2022	HARMONY HORTICULTURE	Weed Spraying- Broome North/Blue Haze	\$ 2,574.00	MFS	\$ 2,574.00
EFT64822	18/03/2022	HEAD OFFICE DEPARTMENT OF FIRE & EMERGENCY SERVICES	3rd Quarter ESL DFES- Rates	\$ 340,514.00	MFS	
EFT64823	18/03/2022	HORIZON POWER	Electricity Charges- BRAC	\$ 12,918.36	MFS	
EFT64824	18/03/2022	INFOSURETY PTY LTD T/A INFOTRUST	Veritas Enterprise Vault Subscription- IT	\$ 80.22	MFS	
EFT64825	18/03/2022	JOSH BYRNE & ASSOCIATES	Consultancy Work (RFQ 21-31)- Cable Beach Foreshore Upgrade	\$ 107,316.77	MFS	
EFT64826	18/03/2022	KIMBERLEY QUARRY PTY LTD	Supply & Deliver Shire Roadbase (RFT 19/05)- Works	\$ 54,754.99	MFS	
EFT64827	18/03/2022	KO CONTRACTING	Line Marking- Broome North Primary School	\$ 1,446.50	MFS	\$ 1,446.50
EFT64828	18/03/2022	LUKE CERVI	Bond Refund- Staff	\$ 1,480.00	MFS	\$ 1,480.00
EFT64829	18/03/2022	MCKENO BLOCKS & PAVERS	Blocks- Air Raid	\$ 255.20	MFS	\$ 255.20
EFT64830	18/03/2022	PAULA HART	Air Raid Artwork- Community	\$ 17,380.00	MFS	
EFT64831	18/03/2022	SUNDRY CREDITOR - SECURITY INCENTIVE SCHEME	Security Incentive Scheme- Community	\$ 275.00	MFS	\$ 275.00
EFT64832	18/03/2022	SUNDRY CREDITOR- DEBTORS	Refund- Debtor Maintenance	\$ 444.50	MFS	\$ 444.50
EFT64833	18/03/2022	TAPPED PLUMBING & GAS PTY LTD	Testing Backflow Devices- P&G	\$ 10,677.50	MFS	\$ 10,677.50
EFT64834	23/03/2022	ACURIX NETWORKS PTY LTD	Advertising, Analytics & Surveys Subscriptions- Library	\$ 490.60	MFS	
EFT64835	23/03/2022	BROOME BOLT SUPPLIES WA PTY LTD	Hammer Drill Bit & Extrusion Rake- Works	\$ 162.36	MFS	\$ 162.36
EFT64836	23/03/2022	BROOME CLEANAWAY	Kerbside Refuse Collection (RFT 14/01)- WMF	\$ 40,230.64	MFS	\$ 40,230.64
EFT64837	23/03/2022	BROOME TOWING & SALVAGE	Abandoned Vehicle Towing- Rangers	\$ 198.00	MFS	\$ 198.00
EFT64838	23/03/2022	BUNNINGS BROOME	Bolts Repair Door- Workshop	\$ 431.21	MFS	\$ 431.21
EFT64839	23/03/2022	CABLE BEACH TYRE SERVICE PTY LTD	Tyres for Wheel Loader- WMF	\$ 11,652.50	MFS	\$ 11,652.50
EFT64840	23/03/2022	CARPET PAINT & TILE CENTRE	Concrete Sealer- P&G	\$ 462.60	MFS	\$ 462.60
EFT64841	23/03/2022	CENTURION TRANSPORT	Freight- P&G	\$ 64.60	MFS	\$ 64.60

Item 9.4.4 - MONTHLY PAYMENT LISTING - MARCH 2022

EFT	Date	Name	Description	Amount	DEL AUTH	Local Spend
EFT64842	23/03/2022	COAST & COUNTRY ELECTRICS	Removal of Redundant Electrical Infrastructure- BSHS Carpark Frederick St	\$ 6,268.92	MFS	\$ 6,268.92
EFT64843	23/03/2022	COLIN WILKINSON DEVELOPMENTS PTY LTD	Construction Costs (RFT 21-06)- Surf Life Saving Club	\$ 68,190.88	MFS	\$ 68,190.88
EFT64844	23/03/2022	DEPARTMENT OF TRANSPORT (VEHICLE SEARCH FEES)	Vehicle Search- Rangers	\$ 143.50	MFS	
EFT64845	23/03/2022	FIELD AIR CONDITIONING & AUTO ELECTRICAL PTY LTD	Alternator Bosch for the JD Tractor- P&G	\$ 1,445.20	MFS	\$ 1,445.20
EFT64846	23/03/2022	FOOTPRINT CLEANING	Cleaning- Kimberley Regional Office	\$ 1,552.83	MFS	\$ 1,552.83
EFT64847	23/03/2022	GOOD EARTH GARDEN PRODUCTS PTY LTD	Potting Mix- Nursery	\$ 709.50	MFS	
EFT64848	23/03/2022	HARMONY HORTICULTURE	Weed Control- WMF	\$ 3,646.50	MFS	\$ 3,646.50
EFT64849	23/03/2022	HOLDFAST FLUID POWER NW PTY LTD	Repairs to Bobcat- Works	\$ 251.04	MFS	
EFT64850	23/03/2022	HORIZON POWER	Electricity- Kimberley Regional Office	\$ 18,363.42	MFS	
EFT64851	23/03/2022	INFOSURETY PTY LTD T/A INFOTRUST	Veritas Enterprise Subscription- IT	\$ 148.10	MFS	
EFT64852	23/03/2022	J BLACKWOOD & SON	Uniforms- Works	\$ 1,679.79	MFS	\$ 1,679.79
EFT64853	23/03/2022	KENNARDS HIRE	Excavator Hire- McGuigan Rd	\$ 3,884.65	MFS	\$ 3,884.65
EFT64854	23/03/2022	KIMBERLEY AUTO CARE	Interior & Exterior Mitsubishi Triton - BRAC	\$ 660.00	MFS	\$ 660.00
EFT64855	23/03/2022	KIMBERLEY BOOKSHOP	Book Purchase- Library	\$ 98.98	MFS	\$ 98.98
EFT64856	23/03/2022	KIMBERLEY CONTRACTING	Weekly Post-shell Application (RFT 19/11)- WMF	\$ 30,888.00	MFS	\$ 30,888.00
EFT64857	23/03/2022	KIMBERLEY FUEL & OIL SERVICES	Hydraulic Oil- Workshop	\$ 1,731.82	MFS	\$ 1,731.82
EFT64858	23/03/2022	KNIGHTON INVESTMENTS PTY LTD	Refund (A303654)- Rates	\$ 1,111.80	MFS	\$ 1,111.80
EFT64859	23/03/2022	LANDGATE	GRV Interim Schedules- Rates	\$ 302.20	MFS	
EFT64860	23/03/2022	LEISURE MANAGEMENT SERVICES	ActiveCarrot Monthly Access Fee February 22- IT	\$ 491.34	MFS	
EFT64861	23/03/2022	MAPIEN	Operational Review Consultants- Infrastructure	\$ 12,030.37	MFS	
EFT64862	23/03/2022	MARKETFORCE	Local Public Notice- Broome Surf Life Saving Club	\$ 323.51	MFS	
EFT64863	23/03/2022	MCCORRY BROWN EARTHMOVING PTY LTD	Footpath Construction (RFT 21-01)- Tomarito Cres	\$ 9,692.10	MFS	\$ 9,692.10
EFT64864	23/03/2022	MCINTOSH & SON	Filter Kit for Backhoe- Works	\$ 1,311.65	MFS	
EFT64865	23/03/2022	MCMULLEN NOLAN GROUP PTY LTD	Lighting Set- BRAC Oval	\$ 275.00	MFS	
EFT64866	23/03/2022	MR SAIGON	Catering- Office of the CEO	\$ 240.00	MFS	\$ 240.00
EFT64867	23/03/2022	NORTH WEST COAST SECURITY	Fortnightly Cash Pick Up- Shire Admin	\$ 60.50	MFS	\$ 60.50
EFT64868	23/03/2022	NORTH WEST REGIONAL DEVELOPMENTS PTY LTD	Refund (A306450)- Rates	\$ 1,017.96	MFS	
EFT64869	23/03/2022	NORTH WEST TRIM & SHADE	Town Beach Shade Sail Removal- P&G	\$ 5,170.00	MFS	\$ 5,170.00
EFT64870	23/03/2022	NORWEST BUILDING GROUP	Shed (RFQ 21-19)- P&G	\$ 40,000.00	MFS	
EFT64871	23/03/2022	OFFICE NATIONAL BROOME	Stationery- Shire Admin	\$ 744.00	MFS	\$ 744.00
EFT64872	23/03/2022	OPENFORMS	Openforms Response Costs- IT	\$ 127.60	MFS	
EFT64873	23/03/2022	PRD NATIONWIDE *STRATA PAYMENTS ONLY*	Strata Levies- Staff Housing	\$ 1,781.25	MFS	\$ 1,781.25
EFT64874	23/03/2022	RAECO	Book Covering Material- Library	\$ 212.08	MFS	
EFT64875	23/03/2022	SEVEN NETWORK LIMITED	Advertising- Fight the Bite Campaign	\$ 322.58	MFS	
EFT64876	23/03/2022	STREETER & MALE PTY MITRE 10	Makita 18V Batteries- P&G	\$ 944.88	MFS	\$ 944.88
EFT64877	23/03/2022	SUNDRY CREDITOR - SECURITY INCENTIVE SCHEME	Security Incentive Scheme- Community	\$ 275.00	MFS	\$ 275.00
EFT64878	23/03/2022	SUNDRY CREDITOR - SECURITY INCENTIVE SCHEME	Security Incentive Scheme- Community	\$ 275.00	MFS	\$ 275.00
EFT64879	23/03/2022	TAPPED PLUMBING & GAS PTY LTD	Backflow Device Maintenance - P&G	\$ 3,806.00	MFS	\$ 3,806.00
EFT64880	23/03/2022	TERRY PATTERSON BUILDER	Shade Sail Post Removal- BRAC	\$ 5,040.00	MFS	\$ 5,040.00
EFT64881	23/03/2022	THINK WATER BROOME	Reticulation Parts- P&G	\$ 129.67	MFS	\$ 129.67
EFT64882	23/03/2022	TNT AUSTRALIA PTY LTD	Freight- Health	\$ 801.09	MFS	
EFT64883	23/03/2022	WA LIBRARY SUPPLIES	Stock Processing Materials- Library	\$ 195.90	MFS	
EFT64884	23/03/2022	WATERCHOICE (AUST) PTY LTD	Water Filter Rental- Library	\$ 65.00	MFS	
EFT64885	23/03/2022	WELDING SOLUTIONS	Freight- Workshop	\$ 85.42	MFS	
EFT64886	23/03/2022	WESTRAC	Parts for CAT Dozer- Works	\$ 3,436.46	MFS	
EFT64887	23/03/2022	WOOLWORTHS GROUP LIMITED	Kiosk Consumables- Civic Centre	\$ 34.45	MFS	
EFT64888	23/03/2022	WURTH AUSTRALIA PTY LTD	Consumables- Workshop	\$ 1,829.37	MFS	
EFT64889	23/03/2022	YOGAMON	Yoga Classes- BRAC	\$ 750.00	MFS	\$ 750.00
EFT64890	23/03/2022	ZIPFORM PTY LTD	Instalment Notice- Rates	\$ 1,396.53	MFS	
EFT64891	24/03/2022	SALARY & WAGES	Payroll S&W	\$ 127,897.08	MFS	
EFT64892	24/03/2022	SALARY & WAGES	Payroll S&W	\$ 11,799.93	MFS	
EFT64893	24/03/2022	SALARY & WAGES	Payroll S&W	\$ 1,780.35	MFS	
EFT64894	24/03/2022	SALARY & WAGES	Payroll S&W	\$ 438.30	MFS	
EFT64895	24/03/2022	SALARY & WAGES	Payroll S&W	\$ 860.00	MFS	
EFT64896	24/03/2022	SALARY & WAGES	Payroll S&W	\$ 700.00	MFS	
EFT64897	24/03/2022	SALARY & WAGES	Payroll S&W	\$ 472.44	MFS	
EFT64898	24/03/2022	SALARY & WAGES	Payroll S&W	\$ 170.20	MFS	
EFT64899	24/03/2022	SALARY & WAGES	Payroll S&W	\$ 382,101.63	MFS	

Item 9.4.4 - MONTHLY PAYMENT LISTING - MARCH 2022

EFT	Date	Name	Description	Amount	DEL AUTH	Local Spend
EFT64900	25/03/2022	CHARTER PROPERTY GROUP PTY LTD	Staff Rent- April 2022	\$ 3,258.93	MFS	
EFT64901	25/03/2022	FIRST NATIONAL REAL ESTATE BROOME	Staff Rent- April 2022	\$ 11,884.23	MFS	\$ 11,884.23
EFT64902	25/03/2022	FIRST NATIONAL REAL ESTATE BROOME - COMMERCIAL TRUST	Staff Rent- April 2022	\$ 300.00	MFS	\$ 300.00
EFT64903	25/03/2022	HUTCHINSON REAL ESTATE	Staff Rent- April 2022	\$ 2,400.00	MFS	\$ 2,400.00
EFT64904	25/03/2022	JILLIAN MARGARET GREEN	Staff Rent- April 2022	\$ 2,991.78	MFS	\$ 2,991.78
EFT64905	25/03/2022	MARY ELIZABETH JANE LAWTON	Staff Rent- April 2022	\$ 1,520.08	MFS	\$ 1,520.08
EFT64906	25/03/2022	PRD NATIONWIDE	Staff Rent- April 2022	\$ 8,020.73	MFS	\$ 8,020.73
EFT64907	25/03/2022	RAY WHITE BROOME	Staff Rent- April 2022	\$ 13,021.85	MFS	\$ 13,021.85
EFT64908	25/03/2022	HORIZON POWER	Electricity- Staff Housing	\$ 512.84	MFS	
EFT64909	25/03/2022	JOHN LESLIE WILLIS	Missed Wages- PPE 220322	\$ 824.00	MFS	\$ 824.00
EFT64911	25/03/2022	EASISALARY PTY LTD	Easi Salary- Payroll PPE 220322	\$ 1,846.98	MFS	
EFT64912	28/03/2022	ADAM CRAIG ROBERTS	Overpayment Housing Water Corporation (16748)- Staff	\$ 351.45	MFS	\$ 351.45
EFT64913	28/03/2022	ADVANCED ELECTRICAL EQUIPMENT PTY LTD	Reticulation Wiring- P&G	\$ 106.15	MFS	
EFT64914	28/03/2022	ALLPEST	Pest Treatment- Medland Pavilion	\$ 632.50	MFS	\$ 632.50
EFT64915	28/03/2022	BOLINDA PUBLISHING PTY LTD	Large Print Selection- Library	\$ 5,048.65	MFS	
EFT64916	28/03/2022	BROOME BOLT SUPPLIES WA PTY LTD	Consumables- Streeters Jetty	\$ 1,737.45	MFS	\$ 1,737.45
EFT64917	28/03/2022	BUNNINGS BROOME	Building Materials	\$ 76.48	MFS	\$ 76.48
EFT64918	28/03/2022	BUSINESS SOLUTIONS NORTHWEST	Budget Preparation Consultancy- Finance	\$ 3,750.00	MFS	
EFT64919	28/03/2022	COLIN WILKINSON DEVELOPMENTS PTY LTD	Building Construction Development (RFT21-06)- Surf Lifesaving Club	\$ 349,098.57	MFS	\$ 349,098.57
EFT64920	28/03/2022	DIVINA D'ANNA	Refund- Debtors	\$ 528.67	MFS	\$ 528.67
EFT64921	28/03/2022	ELIZABETH RICHARDS SCHOOL SUPPLIES PTY LTD	Bean Bag Covers- Library	\$ 309.78	MFS	
EFT64922	28/03/2022	FIELD AIR CONDITIONING & AUTO ELECTRICAL PTY LTD	Repairs Aircon Dozer- WMF	\$ 294.70	MFS	\$ 294.70
EFT64923	28/03/2022	FIRE & SAFETY SERVICES	Fire Equipment Maintenance (RFQ 21-26)- BRAC	\$ 135.67	MFS	\$ 135.67
EFT64924	28/03/2022	INDUSTRIAL AUTOMATION GROUP	Replacement of Lighting Storm Damage- Haynes Oval	\$ 19,105.90	MFS	
EFT64925	28/03/2022	INTERNATIONAL ASSOCIATION FOR PUBLIC PARTICIPATION AUSTRALASIA LIMITED	Engagement Essentials Membership- Office of the CEO	\$ 2,200.00	MFS	
EFT64926	28/03/2022	IP & ST ELSON PTY LTD	Crossover Subsidy- Infrastructure	\$ 2,000.00	MFS	\$ 2,000.00
EFT64927	28/03/2022	J BLACKWOOD & SON	Corporate Uniforms- People & Culture	\$ 228.19	MFS	\$ 228.19
EFT64928	28/03/2022	JASCO CONSULTING PTY LTD	Microsoft Licensing Upgrade- IT	\$ 3,133.24	MFS	
EFT64929	28/03/2022	JOHN GOSPER	Overpaid Rent- Staff	\$ 154.93	MFS	
EFT64930	28/03/2022	JOSH BYRNE & ASSOCIATES	Consultancy Costs- (RFQ-21-31) Cable Beach Foreshore Upgrade	\$ 211,369.84	MFS	
EFT64931	28/03/2022	KIMBERLEY FUEL & OIL SERVICES	Filter Kits for Holden Colorado & Bobcat- P&G	\$ 597.18	MFS	\$ 597.18
EFT64932	28/03/2022	KIMBERLEY TRUSS (NORTRUSS (NT) PTY LTD)	Repairs to Doors on Ablutions- Town Beach	\$ 125.70	MFS	\$ 125.70
EFT64933	28/03/2022	KIMBERLY BLINDS	Replacement Blinds- Civic Centre	\$ 385.00	MFS	\$ 385.00
EFT64934	28/03/2022	MCCORRY BROWN EARTHMOVING PTY LTD	Footpath Construction (RFT 21-01)- BRAC Carpark	\$ 55,803.00	MFS	\$ 55,803.00
EFT64935	28/03/2022	MIRACLE RECREATION EQUIPMENT	Repairs- Janaburu Park Playground	\$ 3,822.50	MFS	
EFT64936	28/03/2022	NUTRIEN AG SOLUTIONS	Chemicals- P&G	\$ 199.00	MFS	\$ 199.00
EFT64937	28/03/2022	OFFICE NATIONAL BROOME	Rapidline Screens- Property	\$ 1,947.99	MFS	\$ 1,947.99
EFT64938	28/03/2022	PILA GROUP PTY LTD	Goal Posts- Nipper Roe Sports Field	\$ 5,599.00	MFS	
EFT64939	28/03/2022	POOL WISDOM	Chemicals- BRAC	\$ 1,994.60	MFS	\$ 1,994.60
EFT64940	28/03/2022	REEN AUTO ELECTRICS	Ignition Switch- P&G	\$ 160.00	MFS	\$ 160.00
EFT64941	28/03/2022	REMOTE MECHANICAL CONTRACTING	Loader Repairs- Depot	\$ 660.00	MFS	\$ 660.00
EFT64942	28/03/2022	ROADLINE CIVIL CONTRACTORS	Provide Traffic Controllers to Conduct Reseal Programme- Works	\$ 792.00	MFS	\$ 792.00
EFT64943	28/03/2022	SAI GLOBAL LIMITED	Australian Standards Copy- Governance	\$ 61.18	MFS	
EFT64944	28/03/2022	SOUTHERN CROSS AUSTERO	Advertising- Fight the Bite Campaign	\$ 1,380.50	MFS	\$ 1,380.50
EFT64945	28/03/2022	STRATCO WA PTY LTD	Weld Bolts- P&G	\$ 108.62	MFS	\$ 108.62
EFT64946	28/03/2022	STREETER & MALE PTY MITRE 10	Ventilator- Men's Shed	\$ 196.93	MFS	\$ 196.93
EFT64947	28/03/2022	SUNDRY CREDITOR- DEBTORS	Refund (39118)- Debtors	\$ 28.00	MFS	\$ 28.00
EFT64948	28/03/2022	SWAN MARINE CONSTRUCTION	Jetty Refurbishment- (RFT 21-03) Streeters Jetty	\$ 99,533.39	MFS	
EFT64949	28/03/2022	THE LANGUAGE CENTRE	Books & Binding- Library	\$ 250.00	MFS	
EFT64950	28/03/2022	THINK WATER BROOME	Various Reticulation Parts - P&G	\$ 9,479.02	MFS	\$ 9,479.02
EFT64951	28/03/2022	WESTBOOKS	Book Purchases- Library	\$ 621.06	MFS	
EFT64952	28/03/2022	WESTRAC	Parts Required for CAT Dozer- Workshop	\$ 237.26	MFS	
EFT64953	28/03/2022	YOGAMON	Group Fitness Program- BRAC	\$ 870.00	MFS	\$ 870.00

Item 9.4.4 - MONTHLY PAYMENT LISTING - MARCH 2022

EFT	Date	Name	Description	Amount	DEL AUTH	Local Spend
EFT64954	31/03/2022	DEPARTMENT OF MINES, INDUSTRY AND SAFETY - BUILDING & ENERGY	Building Service Levy (February)- Building	\$ 8,627.67	MFS	
EFT64955	31/03/2022	SHIRE OF BROOME	Building Service Levy (February)- Building	\$ 170.00	MFS	\$ 170.00
MUNICIPAL ELECTRONIC FUNDS TRANSFER TOTAL:				\$ 4,030,499.07		\$ 1,164,987.22

MUNICIPAL CHEQUES - JANUARY 2022						
DD#	Date	Name	Description	Amount	Del Auth	Local Spend
57730	04/03/2022	DEPARTMENT OF TRANSPORT - LICENSING	Shire of Broome Plates- Shire Admin	\$ 600.00		
57731	21/03/2022	DEPARTMENT OF TRANSPORT - LICENSING	Shire of Broome Plates- Shire Admin	\$ 600.00		
57732	21/03/2022	SHIRE OF BROOME (ADMIN PETTY CASH)	Petty Cash- Administration	\$ 540.70		\$ 540.70
MUNICIPAL ELECTRONIC FUNDS TRANSFER TOTAL:				\$ 1,740.70		\$ 540.70

TRUST CHEQUES - JANUARY 2022						
DD#	Date	Name	Description	Amount	Del Auth	Local Spend
					MFS	
TRUST CHEQUES TOTAL:				\$ -		\$ -

MUNICIPAL DIRECT DEBIT/CREDIT CARD PAYMENTS - JANUARY 2022						
DD#	Date	Name	Description	Amount	Del Auth	Local Spend
DD30543.1	08/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 46,614.45	MFS	
DD30543.2	08/03/2022	SUPERANNUATION	Superannuation contributions	\$ 550.00	MFS	
DD30543.3	08/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 1,156.60	MFS	
DD30543.4	08/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 3,296.23	MFS	
DD30543.5	08/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 496.51	MFS	
DD30543.6	08/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 1,073.80	MFS	
DD30543.7	08/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 2,044.77	MFS	
DD30543.8	08/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 760.20	MFS	
DD30543.9	08/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 1,233.40	MFS	
DD30586.1	22/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 45,637.86	MFS	
DD30586.2	22/03/2022	SUPERANNUATION	Superannuation contributions	\$ 550.00	MFS	
DD30586.3	22/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 1,150.54	MFS	
DD30586.4	22/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 2,769.53	MFS	
DD30586.5	22/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 496.51	MFS	
DD30586.6	22/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 1,074.64	MFS	
DD30586.7	22/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 2,482.35	MFS	
DD30586.8	22/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 738.70	MFS	
DD30586.9	22/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 1,202.90	MFS	
DD30604.1	17/03/2022	SARAH OWEN - CREDIT CARD	Credit Card Payment (17/03/22)- Various	\$ 5,550.57	MFS	\$ 5,550.57
DD30543.10	08/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 933.68	MFS	
DD30543.11	08/03/2022	SUPERANNUATION	Superannuation contributions	\$ 311.91	MFS	
DD30543.12	08/03/2022	SUPERANNUATION	Superannuation contributions	\$ 294.03	MFS	
DD30543.13	08/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 2,183.74	MFS	
DD30543.14	08/03/2022	SUPERANNUATION	Superannuation contributions	\$ 265.27	MFS	
DD30543.15	08/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 43.54	MFS	
DD30543.16	08/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 306.05	MFS	
DD30543.17	08/03/2022	SUPERANNUATION	Superannuation contributions	\$ 535.33	MFS	
DD30543.18	08/03/2022	SUPERANNUATION	Superannuation contributions	\$ 347.84	MFS	
DD30543.19	08/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 776.13	MFS	
DD30543.20	08/03/2022	SUPERANNUATION	Superannuation contributions	\$ 347.38	MFS	
DD30543.21	08/03/2022	SUPERANNUATION	Superannuation contributions	\$ 299.72	MFS	
DD30543.22	08/03/2022	SUPERANNUATION	Superannuation contributions	\$ 413.26	MFS	
DD30543.23	08/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 2,297.54	MFS	
DD30543.24	08/03/2022	SUPERANNUATION	Superannuation contributions	\$ 292.62	MFS	
DD30543.25	08/03/2022	SUPERANNUATION	Superannuation contributions	\$ 290.87	MFS	
DD30543.26	08/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 6,162.16	MFS	
DD30543.27	08/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 4,113.93	MFS	
DD30543.28	08/03/2022	SUPERANNUATION	Superannuation contributions	\$ 735.35	MFS	
DD30543.29	08/03/2022	SUPERANNUATION	Superannuation contributions	\$ 601.35	MFS	
DD30543.30	08/03/2022	SUPERANNUATION	Superannuation contributions	\$ 483.85	MFS	
DD30543.31	08/03/2022	SUPERANNUATION	Superannuation contributions	\$ 813.93	MFS	
DD30586.10	22/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 933.68	MFS	

Item 9.4.4 - MONTHLY PAYMENT LISTING - MARCH 2022

EFT	Date	Name	Description	Amount	DEL AUTH	Local Spend
DD30586.11	22/03/2022	SUPERANNUATION	Superannuation contributions	\$ 312.12	MFS	
DD30586.12	22/03/2022	SUPERANNUATION	Superannuation contributions	\$ 294.03	MFS	
DD30586.13	22/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 2,183.74	MFS	
DD30586.14	22/03/2022	SUPERANNUATION	Superannuation contributions	\$ 265.27	MFS	
DD30586.15	22/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 304.88	MFS	
DD30586.16	22/03/2022	SUPERANNUATION	Superannuation contributions	\$ 537.62	MFS	
DD30586.17	22/03/2022	SUPERANNUATION	Superannuation contributions	\$ 588.49	MFS	
DD30586.18	22/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 776.13	MFS	
DD30586.19	22/03/2022	SUPERANNUATION	Superannuation contributions	\$ 321.92	MFS	
DD30586.20	22/03/2022	SUPERANNUATION	Superannuation contributions	\$ 308.50	MFS	
DD30586.21	22/03/2022	SUPERANNUATION	Superannuation contributions	\$ 413.26	MFS	
DD30586.22	22/03/2022	SUPERANNUATION	Superannuation contributions	\$ 387.76	MFS	
DD30586.23	22/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 2,373.44	MFS	
DD30586.24	22/03/2022	SUPERANNUATION	Superannuation contributions	\$ 266.70	MFS	
DD30586.25	22/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 6,568.43	MFS	
DD30586.26	22/03/2022	SUPERANNUATION	Superannuation Contributions	\$ 3,609.66	MFS	
DD30586.27	22/03/2022	SUPERANNUATION	Superannuation contributions	\$ 735.35	MFS	
DD30586.28	22/03/2022	SUPERANNUATION	Superannuation contributions	\$ 662.97	MFS	
DD30586.29	22/03/2022	SUPERANNUATION	Superannuation contributions	\$ 483.85	MFS	
DD30586.30	22/03/2022	SUPERANNUATION	Superannuation contributions	\$ 813.93	MFS	
MUNICIPAL DIRECT DEBIT/CREDIT CARD TOTAL:				\$ 164,870.77		\$ 5,550.57

MUNICIPAL ELECTRONIC TRANSFER TOTAL	\$ 4,030,499.07	\$ 1,164,987.22
MUNICIPAL CHEQUES TOTAL	\$ 1,740.70	\$ 540.70
TRUST CHEQUE TOTAL	\$ -	\$ -
MUNICIPAL DIRECT DEBIT/ CREDIT CARD TOTAL	\$ 164,870.77	\$ 5,550.57
TOTAL PAYMENTS JANUARY 2022	\$ 4,197,110.54	\$ 1,171,078.49

Key for Delegation of Authority:

CEO- Chief Executive Officer
MFS- Manager Financial Services
DCS- Director Corporate Services

9.4.5 MONTHLY STATEMENT OF FINANCIAL ACTIVITY REPORT - MARCH 2022

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FRE02
AUTHOR:	Finance Officer - Revenue
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

Council is required by legislation to consider and adopt the Monthly Statement of Financial Activity Report for the period ended 31 March 2022, as required by Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996 (FMR)*.

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).

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 2021/22 Annual Budget was adopted at the Ordinary Meeting of Council on 24 June 2021. The following are key indicators supporting the year to-date budget position with respect to the Annual Forecast Budget:

Budget Year elapsed	75%
Total Rates Raised Revenue	100% (of which 95% has been collected)
Total Other Operating Revenue	63%
Total Operating Expenditure	66%
Total Capital Revenue	37%
Total Capital Expenditure	42%
Total Sale of Assets Revenue	22%

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 2021/22 Annual Budget presented at the Ordinary Meeting of Council on 24 June 2021, Council adopted a balanced budget to 30 June 2022.

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

Nil.

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 (CEO) has implemented internal control measures such as regular Council and management reporting and the quarterly Finance and Costing Review (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 CORPORATE PLAN OBJECTIVES

Performance – We will deliver excellent governance, service and value, for everyone.

Outcome Eleven – Effective leadership, advocacy and governance:

11.2 Deliver best practice governance and risk management

Outcome Twelve – A well informed and engaged community:

12.1 Provide the community with relevant, timely information and effective engagement

Outcome Thirteen - Value for money from rates and long term financial sustainability:

13.1 Plan effectively for short and long term financial sustainability

13.2 Improve real and perceived value for money from rates

Outcome Fourteen – Excellence in organisational performance and service delivery:

14.3 Monitor and continuously improve performance levels.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0422/021

Moved: Cr P Taylor

Seconded: Cr C Mitchell

That Council adopts the Monthly Financial Activity Statement Report for the period ended 31 March 2022 as attached.

CARRIED UNANIMOUSLY 7/0

Attachments

1. MONTHLY STATEMENT OF ACTIVITY MARCH 2022

SHIRE OF BROOME
MONTHLY FINANCIAL REPORT
For the Period Ended 31 March 2022

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 2 Explanation of Material Variances	13
Note 3 Net Current Funding Position	15
Note 4 Cash and Investments	16
Note 5 Budget Amendments	17
Note 6 Receivables	25
Note 7 Cash Backed Reserves	26
Note 8 Capital Disposals	28
Note 9 Rating Information	29
Note 10 Information on Borrowings	30
Note 11 Trust	31
Note 12 Details of Capital Acquisitions	32
Appendix A Supplementary Notes to the Monthly Report	34

Shire of Broome
Compilation Report
For the Period Ended 31 March 2022

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 March 2022 of \$11,099,218.

Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary.

Preparation

Prepared by: *S Santoro*

Reviewed by: *E French*

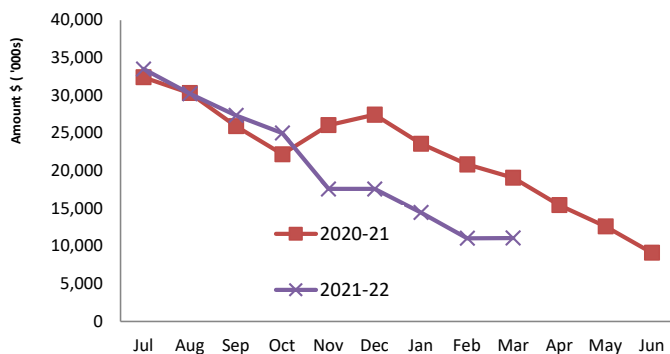
Date prepared: 14/04/2022

Shire of Broome

Monthly Summary Information

For the Period Ended 31 March 2022

Liquidity Over the Year (Refer Note 3)



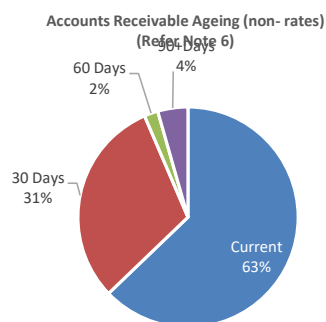
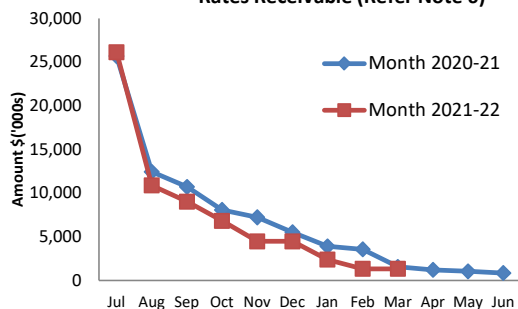
Cash and Cash Equivalents as at period end

Unrestricted	\$ 13,103,452
Restricted	\$ 30,858,791
	<u>\$ 43,962,243</u>

Receivables

Rates	\$ 1,350,744
Other	\$ 598,203
	<u>\$ 1,948,948</u>

Rates Receivable (Refer Note 6)



Comments

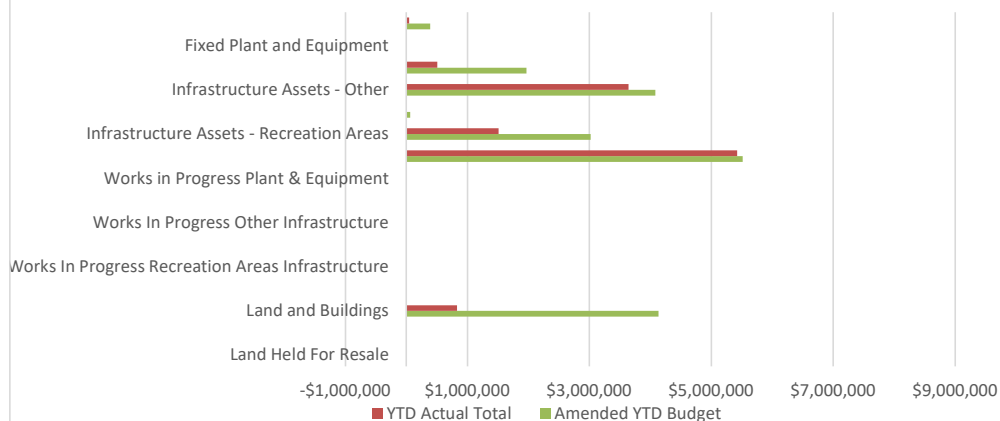
1. Liquidity refers to the Shire of Broome's ability to meet its financial obligations within the current year. Liquidity increased at the start of the financial year by \$24.417M due mainly to the issuance of rates. Liquidity is a combination of unrestricted cash, Current Debtors (including Rates), 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 \$23.9M with total outstanding rates YTD at \$1.35M.

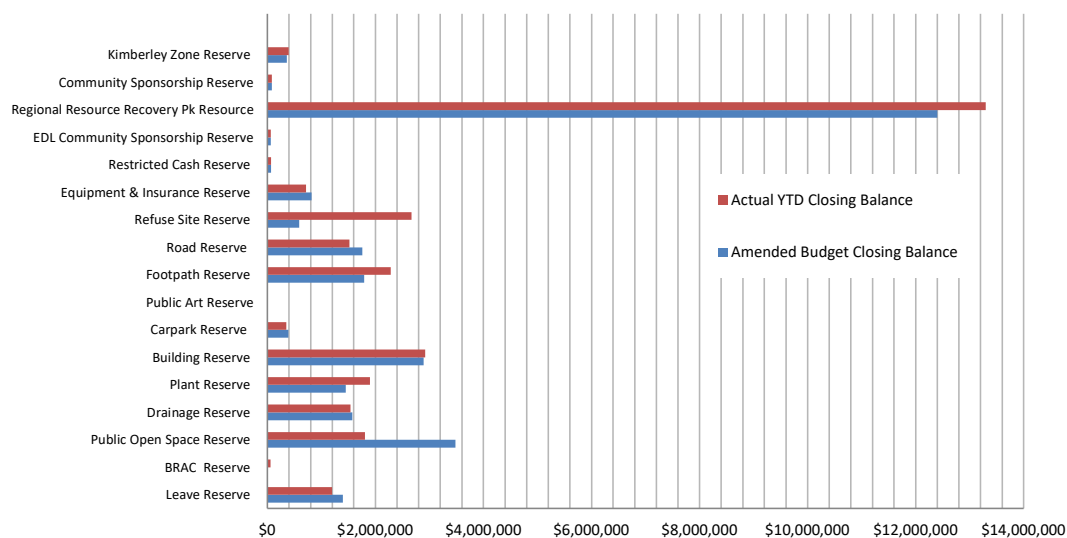
This information is to be read in conjunction with the accompanying Financial Statements and notes.

Shire of Broome
Monthly Summary Information
For the Period Ended 31 March 2022

Capital Expenditure Program YTD (Refer Note 12)



Year To Date Reserve Balance to End of Year Estimate (Refer Note 7)



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.

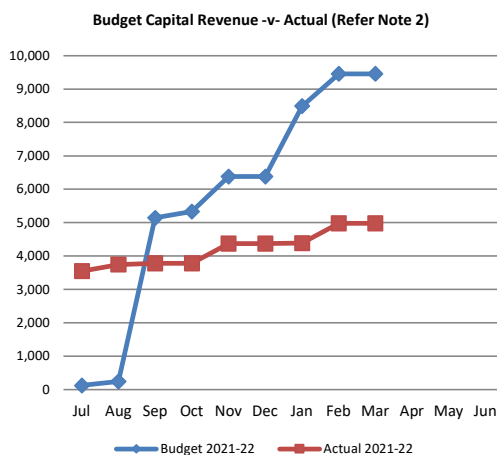
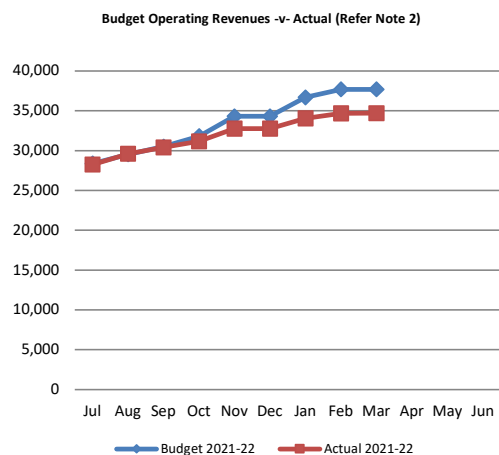
This information is to be read in conjunction with the accompanying Financial Statements and notes.

Shire of Broome

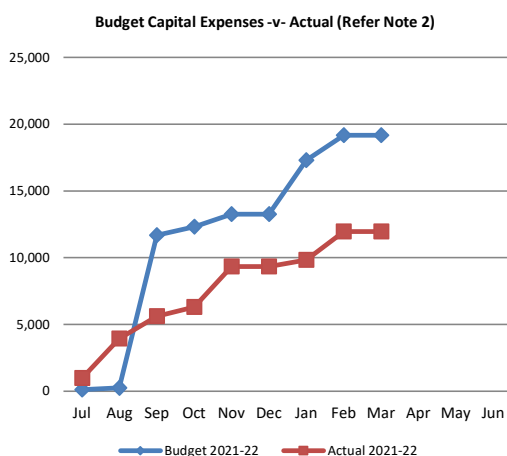
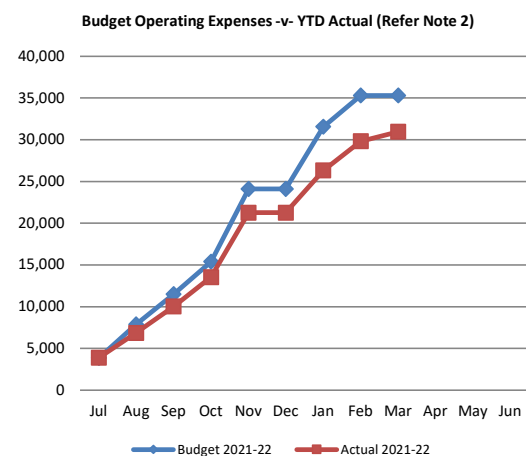
Monthly Summary Information

For the Period Ended 31 March 2022

Revenues



Expenditure



Comments

Explanation on material variances are presented in note 2.

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 March 2022

	Note	Amended Annual Budget (a)	Amended YTD Budget (b)	YTD Actual (c)	%	Var. \$ (c)-(b)	Var. % (c)-(b)/(b)	Var.
Operating Revenues		\$	\$	\$		\$	%	
Governance		187,440	180,340	178,346		(1,994)	(1.11%)	
General Purpose Funding - Rates	9	24,522,247	24,423,152	24,285,092		(138,060)	(0.57%)	
General Purpose Funding - Other		822,334	616,751	615,716		(1,035)	(0.17%)	
Law, Order and Public Safety		120,861	90,630	82,708		(7,922)	(8.74%)	
Health		184,731	159,028	152,977		(6,051)	(3.80%)	
Education and Welfare		30,000	27,500	25,000		(2,500)	(9.09%)	
Housing		2,031,236	1,523,421	413,815		(1,109,606)	(72.84%)	▼
Community Amenities		6,669,577	5,789,542	5,550,204		(239,338)	(4.13%)	
Recreation and Culture		1,597,702	1,215,574	1,116,851		(98,723)	(8.12%)	
Transport		1,120,732	892,578	370,763		(521,815)	(58.46%)	▼
Economic Services		933,071	726,045	301,764		(424,281)	(58.44%)	▼
Other Property and Services		2,755,397	2,026,133	1,618,579		(407,554)	(20.11%)	▼
Total Operating Revenue		40,975,328	37,670,694	34,711,815	63%	(2,958,879)		
Operating Expense								
Governance		(2,406,933)	(1,788,985)	(1,491,636)		297,349	16.62%	▲
General Purpose Funding		(339,348)	(254,511)	(278,175)		(23,664)	(9.30%)	
Law, Order and Public Safety		(1,161,435)	(873,762)	(1,019,200)		(145,438)	(16.65%)	▼
Health		(806,634)	(604,998)	(585,236)		19,762	3.27%	
Education and Welfare		(449,795)	(339,868)	(234,945)		104,923	30.87%	▲
Housing		(2,257,459)	(1,694,591)	(704,071)		990,520	58.45%	▲
Community Amenities		(11,496,226)	(8,605,811)	(7,108,342)		1,497,469	17.40%	▲
Recreation and Culture		(14,033,626)	(10,539,877)	(9,303,253)		1,236,624	11.73%	▲
Transport		(11,236,225)	(8,427,600)	(6,841,558)		1,586,042	18.82%	▲
Economic Services		(2,156,498)	(1,625,973)	(1,483,398)		142,575	8.77%	
Other Property and Services		(559,946)	(527,806)	(1,890,713)		(1,362,907)	(258.22%)	▼
Total Operating Expenditure		(46,904,125)	(35,283,782)	(30,940,527)	66%	4,343,255		
Funding Balance Adjustments								
Add back Depreciation	25	12,629,134	9,471,870	9,996,858		524,988	(5.54%)	
Adjust (Profit)/Loss on Asset Disposal	8	69,567	60,905	13,583		(47,322)	77.70%	
Adjust Revaluation, Provisions and Accruals		0	0	0		0		
Net Cash from Operations		6,769,904	11,919,687	13,781,729		1,862,042		
Capital Revenues								
Grants, Subsidies and Contributions		12,932,910	8,851,849	4,780,257		(4,071,592)	46.00%	▲
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		5,000	2,500	0		(2,500)	100.00%	
Health		0	0	0		0		
Education and Welfare		0	0	0		0		
Housing		0	0	0		0		
Community Amenities		37,333	27,999	37,333		9,334	(33.34%)	
Recreation and Culture		8,772,977	5,798,143	3,341,908		(2,456,235)	42.36%	
Transport		3,717,165	2,722,886	1,251,016		(1,471,870)	54.06%	
Economic Services		400,435	300,321	150,000		(150,321)	50.05%	
Other Property and Services		0	0	0		0		
Proceeds from Disposal of Assets	8	875,000	598,485	195,746	22%	(402,739)	67.29%	▼
Total Capital Revenues		13,807,910	9,450,334	4,976,003	37%	(4,474,331)		

SHIRE OF BROOME
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 March 2022

	Note	Amended Annual Budget (a)	Amended YTD Budget (b)	YTD Actual (c)	%	Var. \$ (c)-(b)	Var. % (c)-(b)/(b)	Var.
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	(5,648,450)	(4,137,503)	(828,484)		3,309,019	79.98%	▲
Infrastructure Assets - Roads & Footpaths	12	(7,862,379)	(5,511,484)	(5,422,489)		88,995	1.61%	
Infrastructure Assets - Recreation Areas	12	(5,595,029)	(3,022,301)	(1,514,837)		1,507,464	49.88%	▲
Infrastructure Assets - Drainage	12	(128,810)	(64,905)	0		64,905	100.00%	▲
Infrastructure Assets - Other	12	(5,587,237)	(4,082,382)	(3,643,665)		438,717	10.75%	▲
Mobile Plant and Equipment	12	(2,893,500)	(1,970,369)	(505,676)		1,464,693	74.34%	▲
Fixed Plant and Equipment	12	0	0	0		0		
Furniture and Equipment	12	(611,590)	(391,516)	(46,772)		344,744	88.05%	▲
Total Capital Expenditure		(28,326,995)	(19,180,460)	(11,961,923)	42%	7,218,537		
Net Cash from Capital Activities								
		(14,519,085)	(9,730,126)	(6,985,920)		2,744,206		
Financing								
Proceeds from New Debentures		2,490,746	518,058	0		(518,058)	100.00%	▲
Proceeds from Advances		0	0	0		0		
Self-Supporting Loan Principal		93,483	46,577	0		(46,577)	100.00%	
Transfer from Reserves	7	5,246,054	3,346,353	0		(3,346,353)	100.00%	▲
Advances to Community Groups		0	0	0		0		
Repayment of Debentures	10	(936,275)	(435,709)	(426,692)		9,017	2.07%	
Repayment of Self Supporting Loan		(75,389)	(37,562)	0		37,562	100.00%	▲
Asset Rehab Liability		(700,158)	(350,079)	(96,799)		253,280	72.35%	▲
Transfer to Reserves	7	(3,500,036)	(1,678,121)	(12,546)		1,665,575	99.25%	▲
Net Cash from Financing Activities		2,618,425	1,409,517	(536,037)		(1,945,554)		
Net Operations, Capital and Financing								
		(5,130,756)	3,599,078	6,259,772		2,660,694		
Opening Funding Surplus(Deficit)								
	3	4,839,446	4,839,446	4,839,446		0		
Closing Funding Surplus(Deficit)								
	3	(291,310)	8,438,524	11,099,218		2,660,694		

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 March 2022

	Note	Amended Annual Budget (a)	Amended YTD Budget (b)	YTD Actual (c)	%	Var. \$ (c)-(b)	Var. % (c)-(b)/(b)	Var.
Operating Revenues		\$	\$	\$		\$	%	
Rates	9	24,125,882	24,125,882	23,902,635		(223,247)	(0.93%)	
Operating Grants, Subsidies and Contributions		2,863,687	2,298,441	1,566,053		(732,388)	(31.86%)	▼
Fees and Charges		12,233,557	10,026,340	8,390,345		(1,635,995)	(16.32%)	▼
Service Charges		0	0	0		0		
Interest Earnings		377,850	222,497	281,658		59,161	26.59%	▲
Other Revenue		1,199,975	900,696	548,760		(351,936)	(39.07%)	▼
Profit on Disposal of Assets	8	174,377	96,838	22,366		(74,472)	(76.90%)	▼
Total Operating Revenue		40,975,328	37,670,694	34,711,817	63%	(2,958,877)		
Operating Expense								
Employee Costs		(16,364,770)	(12,275,944)	(11,412,339)		863,605	(7.03%)	
Materials and Contracts		(12,578,020)	(9,355,763)	(5,619,275)		3,736,488	(39.94%)	
Utility Charges		(2,144,443)	(1,608,399)	(1,654,230)		(45,831)	2.85%	
Depreciation on Non-Current Assets		(12,629,134)	(9,471,870)	(9,996,858)		(524,988)	5.54%	
Interest Expenses		(122,689)	(62,459)	(61,286)		1,173	(1.88%)	
Insurance Expenses		(746,307)	(746,118)	(720,031)		26,087	(3.50%)	
Other Expenditure		(2,074,818)	(1,605,486)	(1,440,556)		164,930	(10.27%)	
Loss on Disposal of Assets	8	(243,944)	(157,743)	(35,950)		121,793	(77.21%)	
Total Operating Expenditure		(46,904,125)	(35,283,782)	(30,940,525)	66%	4,343,257		
Funding Balance Adjustments								
Add back Depreciation		12,629,134	9,471,870	9,996,858		524,988	5.54%	
Adjust (Profit)/Loss on Asset Disposal	8	69,567	60,905	13,583		(47,322)	(77.70%)	▼
Adjust Revaluation, Provisions and Accruals		0	0	0		0		
Net Cash from Operations		6,769,904	11,919,687	13,781,733		1,862,046		
Capital Revenues								
Grants, Subsidies and Contributions		12,932,910	8,851,849	4,780,257		(4,071,592)	(46.00%)	▼
Proceeds from Disposal of Assets	25	875,000	598,485	195,746	22%	(402,739)	(67.29%)	▼
Total Capital Revenues		13,807,910	9,450,334	4,976,003	37%	(4,474,331)		
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	(5,648,450)	(4,137,503)	(828,484)		3,309,019	(79.98%)	
Infrastructure Assets - Roads & Footpaths	12	(7,862,379)	(5,511,484)	(5,422,489)		88,995	(1.61%)	
Infrastructure Assets - Recreation Areas	12	(5,595,029)	(3,022,301)	(1,514,837)		1,507,464	(49.88%)	
Infrastructure Assets - Drainage	12	(128,810)	(64,905)	0		64,905	(100.00%)	
Infrastructure Assets - Other	12	(5,587,237)	(4,082,382)	(3,643,665)		438,717	(10.75%)	
Fixed Plant and Equipment	12	0	0	0		0		
Furniture and Equipment	12	(611,590)	(391,516)	(46,772)		344,744	(88.05%)	
Total Capital Expenditure		(28,326,995)	(19,180,460)	(11,961,923)	42%	7,218,537		
Net Cash from Capital Activities		(14,519,085)	(9,730,126)	(6,985,920)		2,744,206		
Financing								
Proceeds from New Debentures		2,490,746	518,058	0		(518,058)	(100.00%)	▼
Proceeds from Advances		0	0	0		0		
Self-Supporting Loan Principal		93,483	46,577	0		(46,577)	(100.00%)	▼
Transfer from Reserves	7	5,246,054	3,346,353	0		(3,346,353)	(100.00%)	▼
Advances to Community Groups		0	0	0		0		
Repayment of Debentures	10	(936,275)	(435,709)	(426,692)		9,017	(2.07%)	
Repayment of Self Supporting Loan		(75,389)	(37,562)	0		37,562	(100.00%)	
Asset Rehab Liability		(700,158)	(350,079)	(96,799)		253,280	(72.35%)	
Transfer to Reserves	7	(3,500,036)	(1,678,121)	(12,546)		1,665,575	(99.25%)	
Net Cash from Financing Activities		2,618,425	1,409,517	(536,037)		(1,945,554)		
Net Operations, Capital and Financing		(5,130,756)	3,599,078	6,259,776		2,660,698		
Opening Funding Surplus(Deficit)	3	4,839,446	4,839,446	4,839,446		0		
Closing Funding Surplus(Deficit)	3	(291,310)	8,438,524	11,099,222		2,660,698		

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.

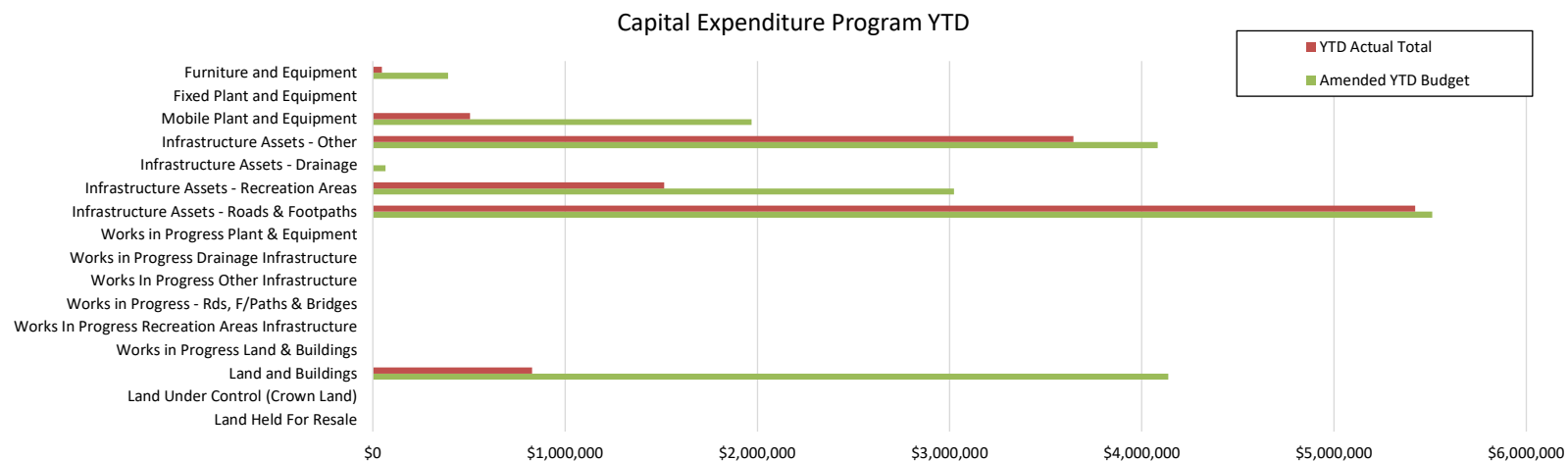
SHIRE OF BROOME
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 31 March 2022

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 Held For Resale	12	0	0	0	0	0	0
Land Under Control (Crown Land)	12	0	0	0	0	0	0
Land and Buildings	12	611,112	217,372	828,484	4,137,503	5,648,450	(3,309,019)
Works in Progress Land & Buildings	12	0	0	0	0	0	0
Works In Progress Recreation Areas Infrastructure	12	0	0	0	0	0	0
Works in Progress - Rds, F/Paths & Bridges	12	0	0	0	0	0	0
Works In Progress Other Infrastructure	12	0	0	0	0	0	0
Works in Progress Drainage Infrastructure	12	0	0	0	0	0	0
Works in Progress Plant & Equipment	12	0	0	0	0	0	0
Infrastructure Assets - Roads & Footpaths	12	4,916,925	505,564	5,422,489	5,511,484	7,862,379	(88,995)
Infrastructure Assets - Recreation Areas	12	1,466,405	48,432	1,514,837	3,022,301	5,595,029	(1,507,464)
Infrastructure Assets - Drainage	12	0	0	0	64,905	128,810	(64,905)
Infrastructure Assets - Other	12	3,574,555	69,110	3,643,665	4,082,382	5,587,237	(438,717)
Mobile Plant and Equipment	12	3,966	501,710	505,676	1,970,369	2,893,500	(1,464,693)
Fixed Plant and Equipment	12	0	0	0	0	0	0
Furniture and Equipment	12	46,772	0	46,772	391,516	611,590	(344,744)
Capital Expenditure Totals		10,619,735	1,342,188	11,961,923	19,180,460	28,326,995	(7,218,537)

Funded By:

Capital Grants and Contributions	4,780,257	8,851,849	12,932,910	4,071,592
Borrowings	0	518,058	2,490,746	(518,058)
Other (Disposals & C/Fwd)	195,746	598,485	875,000	(402,739)
Total Own Source Funding - Cash Backed Reserves	0	3,346,353	(5,246,054)	(3,346,353)
Own Source Funding - Operations	6,985,920	5,865,715	17,274,393	1,120,205
Capital Funding Total	11,961,923	19,180,460	28,326,995	(7,218,537)

SHIRE OF BROOME
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 31 March 2022



SHIRE OF BROOME
STATEMENT OF BUDGET AMENDMENTS
(Statutory Reporting Program)
For the Period Ended 31 March 2022

	Adopted Budget	Adopted Budget Amendments (Note 5)	Amended Annual Budget (a)
Operating Revenues	\$	\$	\$
Governance	12,620	174,820	187,440
General Purpose Funding - Rates	24,314,912	207,335	24,522,247
General Purpose Funding - Other	822,334	0	822,334
Law, Order and Public Safety	120,861	0	120,861
Health	194,731	(10,000)	184,731
Education and Welfare	25,000	5,000	30,000
Housing	2,031,236	0	2,031,236
Community Amenities	6,627,788	41,789	6,669,577
Recreation and Culture	1,498,143	99,559	1,597,702
Transport	600,070	520,662	1,120,732
Economic Services	911,027	22,044	933,071
Other Property and Services	2,475,280	280,117	2,755,397
Total Operating Revenue	39,634,002	1,341,326	40,975,328
Operating Expense			
Governance	(2,240,459)	(166,474)	(2,406,933)
General Purpose Funding	(339,348)	0	(339,348)
Law, Order and Public Safety	(1,116,235)	(45,200)	(1,161,435)
Health	(806,634)	0	(806,634)
Education and Welfare	(424,795)	(25,000)	(449,795)
Housing	(2,247,459)	(10,000)	(2,257,459)
Community Amenities	(10,780,752)	(715,474)	(11,496,226)
Recreation and Culture	(13,995,567)	(38,059)	(14,033,626)
Transport	(11,233,425)	(2,800)	(11,236,225)
Economic Services	(2,210,496)	53,998	(2,156,498)
Other Property and Services	(241,123)	(318,823)	(559,946)
Total Operating Expenditure	(45,636,293)	(1,267,832)	(46,904,125)
Funding Balance Adjustments			
Add back Depreciation	12,629,134	0	12,629,134
Adjust (Profit)/Loss on Asset Disposal	65,387	4,180	69,567
Adjust Provisions and Accruals	0	0	0
Net Cash from Operations	6,692,230	77,674	6,769,904
Capital Revenues			
Grants, Subsidies and Contributions	8,226,226	4,706,684	12,932,910
Proceeds from Disposal of Assets	694,000	181,000	875,000
Proceeds from Sale of Investments	0		0
Total Capital Revenues	8,920,226	4,887,684	13,807,910

SHIRE OF BROOME
STATEMENT OF BUDGET AMENDMENTS
(Statutory Reporting Program)
For the Period Ended 31 March 2022

	Adopted Budget	Adopted Budget Amendments (Note 5)	Amended Annual Budget (a)
Capital Expenses			
Land Held for Resale	0	0	0
Land Under Control (Crown Land)	0	0	0
Land and Buildings	(4,661,693)	(986,757)	(5,648,450)
Works in Progress Land & Buildings	0	0	0
Works In Progress Recreation Areas			
Infrastructure	0	0	0
Works in Progress - Rds, F/Paths & Bridges	0	0	0
Works In Progress Other Infrastructure	0	0	0
Works in Progress Plant & Equipment	0	0	0
Infrastructure Assets - Roads & Footpaths	(6,222,370)	(1,640,009)	(7,862,379)
Infrastructure Assets - Recreation Areas	(4,904,135)	(690,894)	(5,595,029)
Infrastructure Assets - Drainage	(150,560)	21,750	(128,810)
Infrastructure Assets - Other	(3,993,002)	(1,594,235)	(5,587,237)
Mobile Plant and Equipment	(2,188,500)	(705,000)	(2,893,500)
Fixed Plant and Equipment	0	0	0
Furniture and Equipment	(588,125)	(23,465)	(611,590)
Total Capital Expenditure	(22,708,385)	(5,618,610)	(28,326,994)
Net Cash from Capital Activities	(13,788,159)	(730,926)	(14,519,084)
Financing			
Proceeds from New Debentures	2,100,000	390,746	2,490,746
Proceeds from Advances	0	0	0
Self-Supporting Loan Principal	93,483	0	93,483
Transfer from Reserves	3,562,505	1,683,549	5,246,054
Purchase of Investments	0	0	0
Advances to Community Groups	0	0	0
Repayment of Debentures	(936,275)	0	(936,275)
Repayment of Self Supporting Loan	(75,389)	0	(75,389)
Asset Rehab Liability	(700,158)	0	(700,158)
Transfer to Reserves	(2,441,206)	(1,058,830)	(3,500,036)
Net Cash from Financing Activities	1,602,960	1,015,465	2,618,425
Net Operations, Capital and Financing	(5,492,969)	362,213	(5,130,756)
Opening Funding Surplus(Deficit)	5,492,969	(653,523)	4,839,446
Closing Funding Surplus(Deficit)	0	(291,310)	(291,310)

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2022

Note 2: EXPLANATION OF MATERIAL VARIANCES

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Operating Revenues	\$	%			
Governance	(1,994)	(1.11%)			
General Purpose Funding - Rates	(138,060)	(0.57%)			
General Purpose Funding - Other	(1,035)	(0.17%)			
Law, Order and Public Safety	(7,922)	(8.74%)			
Health	(6,051)	(3.80%)			
Education and Welfare	(2,500)	(9.09%)			
Housing	(1,109,606)	(72.84%)	▼	Permanent	Lower level of staff leasing through Shire.
Community Amenities	(239,338)	(4.13%)			
Recreation and Culture	(98,723)	(8.12%)			
Transport	(521,815)	(58.46%)	▼	Timing	Funds to be received for Wandrra Claim.
Economic Services	(424,281)	(58.44%)	▼	Timing	BVC & Roebuck CP monthly recoup amount - annual reconciliation at year end. Building fees higher due to higher value applications.
Other Property and Services	(407,554)	(20.11%)	▼	Timing	LGIS insurance contribution not yet received. Income for leased property is under review.
Operating Expense					
Governance	297,349	16.62%	▲	Timing	Accrual for annual audit fee - awaiting invoice. Community sponsorship program to be paid later in the year. Timing of Kimberley Zone expenditure. Other governance consultants below budget, referred to budget review. Air Raid anniversary event expenditure to be incurred after March
General Purpose Funding	(23,664)	(9.30%)			
Law, Order and Public Safety	(145,438)	(16.65%)	▼	Timing	DRFAWA, confirmed February flooding event
Health	19,762	3.27%			
Education and Welfare	104,923	30.87%	▲	Permanent	Community Services positions vacant.
Housing	990,520	58.45%	▲	Permanent	Lower level of staff leasing through Shire.
Community Amenities	1,497,469	17.40%	▲	Permanent /Timing	Recycling/Waste management contractors unavailable to get to site due to COVID interstate lockdowns in July/Aug, RFQ required to engage environmental consultant for contaminated site remediation.
Recreation and Culture	1,236,624	11.73%	▲	Permanent /Timing	Resources for parks & ovals maintenance being allocated to Chinatown streetscaping works.
Transport	1,586,042	18.82%	▲	Permanent /Timing	Resources for urban road maintenance allocated to Town Beach Carpark.
Economic Services	142,575	8.77%			
Other Property and Services	(1,362,907)	(258.22%)	▼	Timing	ABC Allocation Journals processed YTD higher than budget as LGIS insurance contribution not yet received. IT Licence fees paid ahead of budget.
Capital Revenues					
Grants, Subsidies and Contributions	(4,071,592)	46.00%	▲	Timing	20/21 Grant recognition of income as contract liability in current year - Chinatown, Town Beach Jetty & LRCI projects.
Proceeds from Disposal of Assets	(402,739)	67.29%	▼	Timing	Assets disposed of at various time throughout year.
Capital Expenses					
Land Held for Resale	0				
Land Under Control (Crown Land)	0				
Land and Buildings	3,309,019	79.98%	▲	Timing	Surf Club Tender being evaluated. Regional Resource Recovery Park not yet commenced.
Works in Progress Land & Buildings	0				
Works In Progress Recreation Areas	0				
Infrastructure	0				
Works in Progress - Rds, F/Paths & Bridges	0				
Works In Progress Other	0				
Infrastructure	0				
Works in Progress Drainage	0				
Infrastructure	0				
Works in Progress - Plant & Equipment	0				
Infrastructure Assets - Roads & Footpaths	88,995	1.61%			

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2022

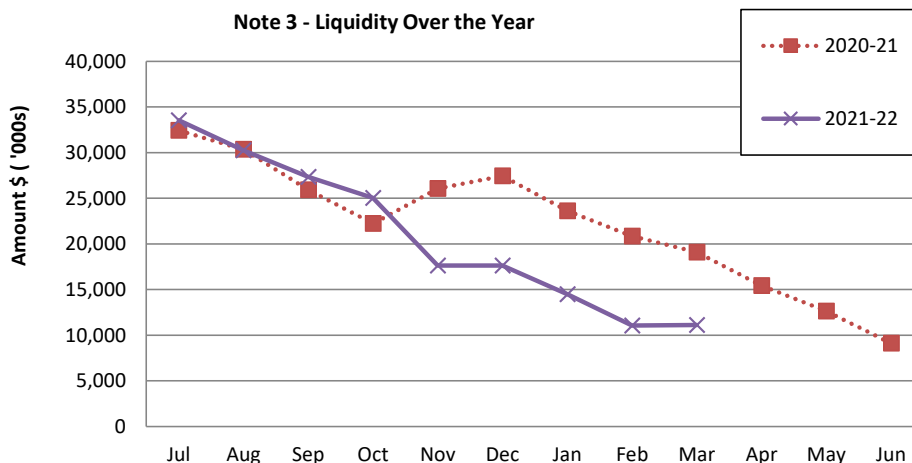
Note 2: EXPLANATION OF MATERIAL VARIANCES

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Infrastructure Assets - Recreation Areas	1,507,464	49.88%	▲	Timing	Nipper Roe Lighting additional funding approved and contract awarded; works to commence in new year.
Infrastructure Assets - Drainage	64,905	100.00%	▲	Timing	Carryover works on clearing mangroves at end of Short St Drainage, ongoing investigation on methodology to complete works.
Infrastructure Assets - Other	438,717	10.75%	▲	Timing	Lighting upgrade, Chinatown Revitalisation
Mobile Plant and Equipment	1,464,693	74.34%	▲	Timing	P87012 Works Tip Truck & Carryover; P15311 Transportable Sign replacement received.
Fixed Plant and Equipment	0				
Furniture and Equipment	344,744	(8.37%)	▲	Timing	Carryover project Altus Payroll - due to commence April
Financing					
Proceeds from New Debentures	(518,058)	100.00%	▲	Timing	Carryover Loans Chinatown Contingency & Surf Club not yet drawn down.
Proceeds from Advances	0				
Self-Supporting Loan Principal	(46,577)	100.00%		Timing	Golf Club self supporting loan.
Transfer from Reserves	(3,346,353)	100.00%	▲	Timing	Reserve Transfers completed at EOFY.
Advances to Community Groups	0				
Loan Principal	9,017	2.07%			
Repayment of Self Supporting Loan	37,562	100.00%	▲	Timing	Golf Club self supporting loan.
Transfer to Reserves	1,665,575	99.25%	▲	Timing	Reserve Transfers completed at EOFY.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2022

Note 3: NET CURRENT FUNDING POSITION

Positive=Surplus (Negative=Deficit)				
	Note	YTD 31 Mar 2022	30 Jun 2021	YTD 31 Mar 2021
		\$	\$	\$
Current Assets				
Cash Unrestricted	4	13,103,452	6,137,536	2,858,251
Cash Restricted	4	30,858,791	30,846,264	31,977,482
Receivables - Rates	6	1,350,744	839,535	1,498,507
Receivables - Rates Other		(23,448)	(72,471)	69,761
Receivables - Debtors	6	588,842	2,089,103	1,807,080
Receivables - Other		51,036	665,842	178,460
Sundry Provisions & Accruals		99,482	325,530	96,557
Inventories		33,196	65,150	56,007
		46,062,096	40,896,489	38,542,104
Less: Current Liabilities				
Payables		(4,706,074)	(12,414,578)	(4,812,231)
Provisions		(1,076,215)	(1,564,678)	(1,323,413)
		(5,782,289)	(13,979,256)	(6,135,644)
Less: Cash Reserves	7	(30,858,809)	(30,846,264)	(31,977,482)
Rounding and Timing Adjustment		1,678,220		
Net Current Funding Position		11,099,218	(3,929,031)	428,979

**Comments - Net Current Funding Position**

The budget was adopted at the OMC 25 June 2021. It was presented to Council with a predicted carried forward surplus of \$2,226,546.

The Rounding and Timing Adjustment is calculated by subtracting the sum of current assets less current liabilities and cash reserves from the YTD funding surplus (see page 7).

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2022

Note 4: CASH AND INVESTMENTS

	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Total Amount \$	Institution	Maturity Date
(a) Cash Deposits							
Municipal Bank Account	0.15%	5,113,432			5,113,432	CommBank	At Call
Business Online Saver	0.40%	33,907			33,907	CommBank	At Call
BRAC Bank Account	0.10%	61,303			61,303	CommBank	At Call
BPAY Bank Account	0.00%	0			0	CommBank	At Call
Reserve Bank Account	0.40%		285,443		285,443	CommBank	At Call
Trust Bank Account	0.00%			210,027	210,027	CommBank	At Call
ESCROW - Trust	0.00%		3,373,348		3,373,348	Perpetual	At Call
Cash On Hand	Nil	4,200			4,200	N/A	On Hand
(b) Term Deposits							
Term Deposit	0.40%	2,000,000	0		2,000,000	CommBank	26-May-22
Term Deposit	0.54%	0	27,200,000		27,200,000	Bankwest	23-Jun-22
Term Deposit	0.43%	3,000,000			3,000,000	Bankwest	20-Apr-22
Term Deposit	0.53%	3,000,000			3,000,000	Bankwest	23-Jun-22
Term Deposit	0.00%				0		
Total		13,212,842	30,858,791*	210,027†	44,281,660		
Adjustments							
Payment Timing Adjustments**		109,390					
Total		13,103,452	30,858,791.39				

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 March 2022

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			\$	\$	\$	\$ 0
		Permanent Changes						
		Opening surplus adjustment	OMC 16/12/21 ARC	Opening Surplus			(653,522)	(653,522)
111989		Budgeted EOY Surplus/(Deficit)	OMC 16/12/21 ARC	Capital Expenditure			(350,830)	(1,004,352)
								(1,004,352)
		General Purpose Funding						(1,004,352)
0030105		Rates Broome - Op Inc - Rates	OMC 18/11/21 - FACR1	Operating Income		133,335		(871,017)
0030146		Interest - Rates Instalments - Op Inc - Rates	OMC 18/11/21 - FACR1	Operating Income		50,000		(821,017)
32480		Rates Enquiry Fees - Op Inc - Rates	OMC 24/02/22 - FACR 2	Operating Income		24,000		(797,017)
								(797,017)
		Governance						(797,017)
22129		Kimberley Zone - Zone & RCG Meeting Expenses - Op Exp	OMC 29/7/21 KRG	Operating Expenditure			(10,000)	(807,017)
22134		Kimberley Zone - Annual Financial Audit - Op Exp	OMC 29/7/21 KRG	Operating Expenditure			(5,000)	(812,017)
22136		Kimberley Zone - IT Support - Op Exp	OMC 29/7/21 KRG	Operating Expenditure			(1,500)	(813,517)
22137		Kimberley Zone - Sundry Expenses - Op Exp	OMC 29/7/21 KRG	Operating Expenditure			(1,000)	(814,517)
22143		Kimberley Zone - Savannah Way Membership - Op Exp	OMC 29/7/21 KRG	Operating Expenditure			(5,000)	(819,517)
22181		Kimberley Zone - Executive Consultancy - Op Exp	OMC 29/7/21 KRG	Operating Expenditure			(147,320)	(966,837)
23013		Kimberley Zone - Reimbursement Zone & RCG Meetings Expenses - Op Inc	OMC 29/7/21 KRG	Operating Income		3,000		(963,837)
23021		Kimberley Zone - Members Contribution Secretariat Costs - Op Inc	OMC 29/7/21 KRG	Operating Income		164,320		(799,517)
23536		Kimberley Zone - Interest on Reserve - Op Inc.	OMC 29/7/21 KRG	Operating Income		2,500		(797,017)
22183		Kimberley Zone - Consultancy - Op Exp	KRG 2/9/21	Operating Expenditure			(40,000)	(837,017)
23598		Transfer From Kimberley Zone Reserve - Cap Inc - Kimberley Zone	KRG 2/9/21	Capital Income		40,000		(797,017)
24040		Election Expenses Op Exp - Members	OMC 18/11/21	Operating Expenditure			0	(797,017)
0023450		Consultants - Op Exp - Other Governance	OMC 16/12/21 - Carryovers	Operating Expenditure			(28,674)	(825,691)
23450		Consultants - Op Exp - Other Governance	OMC 24/02/22 - FACR 2	Operating Expenditure		50,000		(775,691)
23015		Executive Travel & Accom - Op Exp - Other Governance	OMC 24/02/22 - FACR 2	Operating Expenditure		10,000		(765,691)
23050		Grant Op - Youth Coordinating Committee Op Inc. - Other Governance	OMC 24/02/22 - FACR 2	Operating Income			(5,000)	(770,691)
23053		Community Grant Op Inc. - Other Governance	OMC 24/02/22 - FACR 2	Operating Income		10,000		(760,691)
23017		Special Event/Milestone Celebration - Op Exp - Other Governance	OMC 24/02/22 - FACR 2	Operating Expenditure			(10,000)	(770,691)
22124		Contribution to Kimberley Zone Secretariat	OMC 24/02/22 - FACR 2	Operating Expenditure		13,920		(756,771)
24060		Broome Shire Council Allowances Members Op Exp - Members	OMC 24/02/22 - FACR 2	Operating Expenditure		11,600		(745,171)
22200		Audit Fees Op Exp - Other Governance	OMC 24/02/22 - FACR 2	Operating Expenditure			(84,000)	(829,171)
22110		Refreshments & Receptions - Op Exp - Other Governance	OMC 24/02/22 - FACR 2	Operating Expenditure		5,000		(824,171)
24010		Conferences Travel & Accom Op Exp - Members	OMC 24/02/22 - FACR 2	Operating Expenditure		20,000		(804,171)
24040		Election Expenses Op Exp - Members	OMC 24/02/22 - FACR 2	Operating Expenditure		9,000		(795,171)
22174		Sundry In Kind Donations Op Exp - Other Governance	OMC 24/02/22 - FACR 2	Operating Expenditure		46,500		(748,671)
								(748,671)
		Law, Order and Public Safety						(748,671)
0053010	53010	Ranger Salaries - Gen & Beach - R & B Op	OMC 18/11/21 - FACR1	Operating Expenditure		14,400		(734,271)
0051010		Salaries - Op Exp - Fire Prevention	OMC 18/11/21 - FACR1	Operating Expenditure		38,400		(695,871)
0052010		Salaries - Op Exp - Animal Control	OMC 18/11/21 - FACR1	Operating Expenditure		27,000		(668,871)

SHIRE OF BROOME

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ended 31 March 2022

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
0053015		Relief Staff Exp - Op Exp - Ranger Operations	OMC 18/11/21 - FACR1	Operating Expenditure			(105,000)	(773,871)
0146404		SS Loan Interest & Fees Rec'd - Life Saving Club Loan 200	OMC 18/11/21 - FACR1	Operating Income			(2,058)	(775,929)
0146404		SS Loan Interest & Fees Rec'd - Life Saving Club Loan 200	OMC 18/11/21 - FACR1	Operating Income		2,058		(773,871)
53239		Surf Club Building Upgrade (Inc Plant & Furniture) Cap Exp-Law Ord & PS	OMC 16/12/21 - Carryovers	Capital Expenditure			0	(773,871)
53239		Surf Club Building Upgrade (Inc Plant & Furniture) Cap Exp-Law Ord & PS	SMC 21/12/21	Capital Expenditure			(767,200)	(1,541,071)
53015		Relief Staff Exp - Op Exp - Ranger Operations	OMC 24/02/22 - FACR 2	Operating Expenditure		60,000		(1,481,071)
51010		Salaries - Op Exp - Fire Prevention	OMC 24/02/22 - FACR 2	Operating Expenditure			(15,000)	(1,496,071)
52010		Salaries - Op Exp - Animal Control	OMC 24/02/22 - FACR 2	Operating Expenditure			(20,000)	(1,516,071)
53010		Salary - Op Exp - Ranger & Beach Operations	OMC 24/02/22 - FACR 2	Operating Expenditure			(25,000)	(1,541,071)
507218		Consultants - Op Exp - Ranger Operations	OMC 24/02/22 - FACR 2	Operating Expenditure			(20,000)	(1,561,071)
146505		Non Operating Grant- Radar Speed Display Signs- Cap Inc	OMC 24/02/22 - FACR 2	Capital Income			(5,000)	(1,566,071)
		Health						(1,566,071)
74413		Commercial Pool Inspection Fees - Op Inc - Preventive - Inspection/Admin	OMC 24/02/22 - FACR 2	Operating Income			(10,000)	(1,576,071)
		Education and Welfare						(1,576,071)
82617		Community Development Strategy - Op Exp - Community Services	OMC 26/8/21	Operating Expenditure			(25,000)	(1,601,071)
82670		Grant Income - Comm Services	OMC 16/12/21 - Carryovers	Operating Income		25,000		(1,576,071)
82675		Grants For Community Programs - Op Inc - Community Services	OMC 16/12/21 ARC	Operating Income			(20,000)	(1,596,071)
		Housing						(1,596,071)
96101		Staff Housing - Reactive Maint - Op Exp	OMC 24/02/22 - FACR 2	Operating Expenditure			(10,000)	(1,606,071)
		Community Amenities						(1,606,071)
101995		Transfer from Regional Resource Recovery Reserve - Cap Inc - Reg Res Recov	OMC 28/10/21	Capital Income		330,000		(1,276,071)
101896		Building New Const - Cap Exp - Regional Resource Recovery Park	OMC 28/10/21	Capital Expenditure			(330,000)	(1,606,071)
0105546	105550	Project - Broome Townsite Coastal Hazard Risk Mgt & Adaptation Plan Consult -Op	OMC 18/11/21 - FACR1	Operating Expenditure			(50,000)	(1,656,071)
0107030	107030	Broome Cemetery - P&G Maint	OMC 18/11/21 - FACR1	Operating Expenditure		6,000		(1,650,071)
0107030	107030	Broome Cemetery - P&G Maint	OMC 18/11/21 - FACR1	Operating Expenditure		10,000		(1,640,071)
0108001		New Refuse Site Exp - Op Exp - Regional Resource Recovery Park	OMC 18/11/21 - FACR1	Operating Expenditure			(150,500)	(1,790,571)
0101995		Transfer from Regional Resource Recovery Reserve - Cap Inc - Reg Res Recov	OMC 18/11/21 - FACR1	Capital Income		150,500		(1,640,071)
0107035		General CCTV & Wireless Network Maint - Op Exp - Other Comm Amen	OMC 18/11/21 - FACR1	Operating Expenditure		3,500		(1,636,571)
0104482		Headworks Contribution - Non Op Inc - Urban Stormwater Drainage	OMC 18/11/21 - FACR1	Capital Income		37,333		(1,599,238)
0105400		Development Grants Rec'd - Op Inc - Protection of Environment	OMC 18/11/21 - FACR1	Operating Income		25,000		(1,574,238)
0104270	104299	Short St-Paspaley Carnarvon Street New Drainage Const - Cap Exp	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(14,830)	(1,589,068)
0107550	107550	Japanese Cemetery New Infra by P & G - Cap Exp	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(2,718)	(1,591,786)
0107568		Transfer From POS Reserve - Other Comm Amenities	OMC 16/12/21 - Carryovers	Capital Income		0	(8,010)	(1,599,796)
0106030	106055	Planning General Project Consult - Op Exp Town Planning/Reg Dev	OMC 16/12/21 - Carryovers	Operating Expenditure		0	(5,000)	(1,604,796)
0101050		Contaminated Site Remediation	OMC 16/12/21 - Carryovers	Operating Expenditure		0	(569,474)	(2,174,270)
1052510		Transfer From Refuse Site Reserve - Sanitation Other	OMC 16/12/21 - Carryovers	Capital Income		569,474	0	(1,604,796)
0107060	107061	Broome Roadwise - Road Safety Project	OMC 16/12/21 - Carryovers	Operating Expenditure		0	(5,000)	(1,609,796)
0106194		Proceeds From Sale Of Assets - Development Services	OMC 16/12/21 - Carryovers	Capital Income		13,000	0	(1,596,796)

SHIRE OF BROOME

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ended 31 March 2022

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
106159		Profit on Asset Sale - Dev Serv	OMC 16/12/21 - Carryovers	Operating Income	1,789	0	0	(1,596,796)
0104800	104920	Broome Townsite Drains Renewal - Cap Infra Exp - Urb Stwater	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(50,000)	(1,646,796)
107035		General CCTV & Wireless Network Maint - Op Exp - Other Comm Amen	OMC 24/02/22 - FACR 2	Operating Expenditure		10,000		(1,636,796)
106410		Planning Fees (GST Free) - Op Inc - Town Planning/Regional Devel	OMC 24/02/22 - FACR 2	Operating Income		20,000		(1,616,796)
106421		Rezoning and Structure Plan Fees (Excl GST) - Op Inc - Town Planning	OMC 24/02/22 - FACR 2	Operating Income			(5,000)	(1,621,796)
101022		Kerbside Recycling Collection - Op Exp - San Gen Refuse	OMC 24/02/22 - FACR 2	Operating Expenditure		35,000		(1,586,796)
101550	101552	Mobile Garbage Bin Replacement - Cap Exp - San Gen Refuse	OMC 24/02/22 - FACR 2	Capital Expenditure			(35,000)	(1,621,796)
104800	104920	Broome Townsite Drains Renewal - Cap Infra Exp - Urb Stwater	OMC 24/02/22 - FACR 2	Capital Expenditure			(13,420)	(1,635,216)
107552	107561	Broome Cemetery Renewal by P & G - Cap Exp	OMC 24/02/22 - FACR 2	Capital Expenditure		6,630		(1,628,586)
		Recreation and Culture						(1,628,586)
113403		Grants - Non Op - Cap Inc - Other Rec & Sport	OMC 30/9/21	Capital Income		68,988		(1,559,598)
1181425	1181426	Cable Beach Foreshore Upgrade	OMC 30/9/21	Capital Expenditure			(68,988)	(1,628,586)
1181425	1181426	Cable Beach Foreshore Upgrade	OMC 30/9/21	Capital Expenditure			(18,000)	(1,646,586)
117315	117316	BRAC Building Renewal - Cap Exp - BRAC Dry	SMC 28/10/21	Capital Expenditure		159,848		(1,486,738)
117450	117452	BRAC Oval Upgrade of Infra - Cap Exp	SMC 28/10/21	Capital Expenditure			(159,848)	(1,646,586)
113489		Transfer From POS Reserve - Other Rec & S	SMC 28/10/21	Capital Income		352,176		(1,294,410)
117450	117452	BRAC Oval Upgrade of Infra - Cap Exp	SMC 28/10/21	Capital Expenditure			(352,176)	(1,646,586)
0113704	113705	Consultants - Sport & Recreation - Op Exp	OMC 18/11/21 - FACR1	Operating Expenditure			(10,000)	(1,656,586)
0116282		Triple J Maintenance & Operating Exp - Other Culture	OMC 18/11/21 - FACR1	Operating Expenditure			(3,500)	(1,660,086)
0055382		Broome Golf Club SS Loan Interest & Fees Inc Rec'd - Op Inc - Other Recreation &	OMC 18/11/21 - FACR1	Operating Income			(8,576)	(1,668,662)
0055382		Broome Golf Club SS Loan Interest & Fees Inc Rec'd - Op Inc - Other Recreation &	OMC 18/11/21 - FACR1	Operating Income		8,576		(1,660,086)
0113702		Club Development Officer Programs Exp - Rec Services	OMC 18/11/21 - FACR1	Operating Expenditure			(17,000)	(1,677,086)
0117148		Group Fitness Program - Op Exp - BRAC - Aquatic	OMC 18/11/21 - FACR1	Operating Expenditure			(10,000)	(1,687,086)
0117171		Salary - Op Exp - Holiday Prog Exps - BRAC Dry	OMC 18/11/21 - FACR1	Operating Expenditure		10,000		(1,677,086)
0117252		Floorball BRAC Program - Op Inc - BRAC Dry	OMC 18/11/21 - FACR1	Operating Income		15,000		(1,662,086)
0117260		Creche User Fees Inc. Rec'd	OMC 18/11/21 - FACR1	Operating Income		5,000		(1,657,086)
0117266		Multipurpose Room Hire Inc - BRAC	OMC 18/11/21 - FACR1	Operating Income		10,000		(1,647,086)
0116130		Mobile Plant & Equip New - Cap Exp - Bme Civic Centre	OMC 18/11/21 - FACR1	Capital Expenditure			(8,000)	(1,655,086)
0115292		Books & Binding - Op Exp	OMC 18/11/21 - FACR1	Operating Expenditure			(6,000)	(1,661,086)
1140211		General Operating Exp - Swim Areas & Beach Life Guard	OMC 18/11/21 - FACR1	Operating Expenditure			(6,000)	(1,667,086)
1181425	1181426	Cable Beach Foreshore Upgrade	OMC 18/11/21 - FACR1	Capital Expenditure			(40,000)	(1,707,086)
0116125	116128	Lord McAlpine Bust New Construction	OMC 16/12/21 - Carryovers	Capital Expenditure		0	0	(1,707,086)
0113406		Council Loans Received - Other Rec & Sport	OMC 16/12/21 - Carryovers	Capital Income		0	0	(1,707,086)
0112485		Grant Non Op - State Swim Areas & Beaches	OMC 16/12/21 - Carryovers	Capital Income		0	0	(1,707,086)
0112485		Grant Non Op - State Swim Areas & Beaches	OMC 16/12/21 - Carryovers	Capital Income		0	0	(1,707,086)
1181407		Town Beach Redevelopment - Greenspace Stage 2 - Cap Exp	OMC 16/12/21 - Carryovers	Capital Expenditure		6,470	0	(1,700,616)
0113403		Grants - Non Op - Cap Inc - Other Rec & Sport	OMC 16/12/21 - Carryovers	Capital Income		230,819	0	(1,469,797)
0113403		Grants - Non Op - Cap Inc - Other Rec & Sport	OMC 16/12/21 - Carryovers	Capital Income		180,856	0	(1,288,941)
1181409		Town Beach Development - Jetty Project - Other Infra New - Cap Exp	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(252,755)	(1,541,696)
0113371		Royalties For Regions Loc Govt Non Op Grant - Op Inc - Other Recreation & Sport	OMC 16/12/21 - Carryovers	Capital Income		0	(0)	(1,541,696)
0113371		Royalties For Regions Loc Govt Non Op Grant - Op Inc - Other Recreation & Sport	OMC 16/12/21 - Carryovers	Capital Income		1,453,852	0	(87,844)

SHIRE OF BROOME

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ended 31 March 2022

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
0113551	113763	Male Oval Renewal Infra - Cap Exp - Parks & Ovals	OMC 16/12/21 - Carryovers	Capital Expenditure		0	0	(87,844)
0113550	113570	Dakas Street Reserve New Infra Const Cap Exp-P&O	OMC 16/12/21 - Carryovers	Capital Expenditure		0	0	(87,844)
0113551	113788	Cygnnet Park Infrastructure Renewal - Cap Exp	OMC 16/12/21 - Carryovers	Capital Expenditure		0	0	(87,844)
0113989		Transfer From POS Reserve - Parks & Ovals	OMC 16/12/21 - Carryovers	Capital Income		0	0	(87,844)
0117315	117316	BRAC Building Renewal - Cap Exp - BRAC Dry	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(0)	(87,844)
0117450	117452	BRAC Oval Upgrade of Infra - Cap Exp	OMC 16/12/21 - Carryovers	Capital Expenditure		69,141	0	(18,703)
0113316		Grants - non Operating Income for Parks & Oval Const - Cap Inc - Parks & Ovals	OMC 16/12/21 - Carryovers	Capital Income		51,975	0	33,272
0113316		Grants - non Operating Income for Parks & Oval Const - Cap Inc - Parks & Ovals	OMC 16/12/21 - Carryovers	Capital Income		394,600	0	427,872
1181420	YBRA001	Youth Bike Recreation Area - New Construction - Cap Exp	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(85,221)	342,651
0115280		Grant Program Expenses - Op Exp - Library (Income in 115480)	OMC 16/12/21 - Carryovers	Operating Expenditure		4,441	0	347,092
0115480		Grant Program Income - Op Inc - Library (Expense in 115280)	OMC 16/12/21 - Carryovers	Operating Income		0	(5,500)	341,592
0115480		Grant Program Income - Op Inc - Library (Expense in 115280)	OMC 16/12/21 - Carryovers	Operating Income		1,059	0	342,651
0113419		Roadwise Contribution - Op Inc - Parks & Ovals	OMC 16/12/21 - Carryovers	Operating Income		5,000	0	347,651
0113603		Reticulation Control System New Exp - Cap Exp Parks & Ovals	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(23,533)	324,118
0117455	117456	BRAC Ovals Renewal Infra Works - Cap Exp - BRAC Ovals	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(100,647)	223,470
0115461		Library Building Renewal (Inc Plant & Furn) - Cap Exp - Libraries	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(5,291)	218,179
116085		Arts, Culture and Heritage Strategy - Op Exp - Other Culture	OMC 24/02/22 - FACR 2	Operating Expenditure			(50,000)	168,179
1181425	1181426	Cable Beach Foreshore Upgrade	OMC 24/02/22 - FACR 2	Capital Expenditure			(115,892)	52,287
113128		Building Better Regions Grant for Cable Beach - Non Op Grant - Other Recreation &	OMC 24/02/22 - FACR 2	Capital Income		708,000		760,287
111989		Transfer to POS Reserve - Cap Exp - Parks & Ovals	OMC 24/02/22 - FACR 2	Capital Expenditure			(708,000)	52,287
117081	117082	General Building & Facility Maint - BRAC Dry - Op Exp	OMC 24/02/22 - FACR 2	Operating Expenditure			(10,000)	42,287
117142		Holiday Program Op Exp - BRAC - Dry	OMC 24/02/22 - FACR 2	Operating Expenditure			(5,000)	37,287
117272		Holiday Program Enrolment Fees Rec'd	OMC 24/02/22 - FACR 2	Operating Income		10,000		47,287
117235		Cost of Goods Sold Goods Kiosk - Op Exp - BRAC - General MUN	OMC 24/02/22 - FACR 2	Operating Expenditure			(10,000)	37,287
117336		Cost Of Goods Sold Direct (Consumables) Op Exp - BRAC General	OMC 24/02/22 - FACR 2	Operating Expenditure			(5,000)	32,287
117234		Kiosk Sales - Op Inc - BRAC - General	OMC 24/02/22 - FACR 2	Operating Income		16,000		48,287
117236		Consumables Sales	OMC 24/02/22 - FACR 2	Operating Income		8,000		56,287
1140211		General Operating Exp - Swim Areas & Beach Life Guard	OMC 24/02/22 - FACR 2	Operating Expenditure		100,000		156,287
116470	116471	Broome Civic Centre Building General Maint Exps - Op Exp Bme Civic Centre	OMC 24/02/22 - FACR 2	Operating Expenditure			(10,000)	146,287
116489		Operational Expenses - Broome Civic Centre - Production/Events	OMC 24/02/22 - FACR 2	Operating Expenditure			(20,000)	126,287
116541		Broome Civic Centre Venue Income - Op Income - Bme Civic Centre	OMC 24/02/22 - FACR 2	Operating Income		10,000		136,287
116541		Broome Civic Centre Venue Income - Op Income - Bme Civic Centre	OMC 24/02/22 - FACR 2	Operating Income		25,000		161,287
112485		Grant Non Op - State Swim Areas & Beaches	OMC 24/02/22 - FACR 2	Capital Income		350,000		511,287
113406		Council Loans Received - Other Rec & Sport	OMC 24/02/22 - FACR 2	Capital Income		390,746		902,033
113000	113543	Town Beach Water Park - P&G Maint	OMC 24/02/22 - FACR 2	Operating Expenditure		20,000		922,033
113550	113570	Dakas Street Reserve New Infra Const Cap Exp-P&O	OMC 24/02/22 - FACR 2	Capital Expenditure		87,800		1,009,833
113989		Transfer From POS Reserve - Parks & Ovals	OMC 24/02/22 - FACR 2	Capital Income			(87,800)	922,033
113551	113788	Cygnnet Park Infrastructure Renewal - Cap Exp	OMC 24/02/22 - FACR 2	Capital Expenditure		110,000		1,032,033
113001	113004	Haynes Oval Pavilion - Operating Expense - Op Exp	OMC 24/02/22 - FACR 2	Operating Expenditure			(5,000)	1,027,033
117218	117219	Medland Pavilion - Operating Expense - Op Exp	OMC 24/02/22 - FACR 2	Operating Expenditure			(5,000)	1,022,033
		Transport						1,022,033

SHIRE OF BROOME

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ended 31 March 2022

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
0122000	121011	Sector 1 Chinatown - Works Maint	OMC 18/11/21 - FACR1	Operating Expenditure			(23,000)	999,033
124010	124010	Parking Control - Salaries	OMC 18/11/21 - FACR1	Operating Expenditure		25,200		1,024,233
0124600	124612	Town Beach - Carpark and Robinson / Hopton intersection	OMC 18/11/21 - FACR1	Capital Expenditure			(128,056)	896,177
0125000	125045	State Blackspot - Frederick Street off-street carpark Cap (Broome SHS) Exp	OMC 18/11/21 - FACR1	Capital Expenditure			(260,238)	635,939
0125000	125046	State Blackspot - Port Drive Stage 2 - Off Street Carpark (Saint Mary's)Cap Exp	OMC 18/11/21 - FACR1	Capital Expenditure		299,198		935,137
0120305		WALGGC Road Grants Untied Op Grant Rec'd	OMC 18/11/21 - FACR1	Operating Income			(227,806)	707,331
0121762		State Direct MRWA/RRG Rd Maint Op Grant Rec'd	OMC 18/11/21 - FACR1	Operating Income		38,468		745,799
0121785		Regional Bikeways Grant- Non Op Inc - Footpaths	OMC 18/11/21 - FACR1	Capital Income		236,105		981,904
0121767		Grant Non Op - Footpath Construction - Cap Inc	OMC 18/11/21 - FACR1	Capital Income			(236,105)	745,799
1254421		Access & Inclusion Improvements New Infra - Cap Exp	OMC 18/11/21 - FACR1	Capital Expenditure		12,000		757,799
0121771		Black Spot State Non Op Grant	OMC 18/11/21 - FACR1	Capital Income		260,238		1,018,037
0121776		Rds To Recovery Non Op Grant for Urban Rds - Non Op Inc	OMC 18/11/21 - FACR1	Capital Income		150,000		1,168,037
0121100	RU226	Black Spot - Port Drive Refuge Island - Rd Upgrade Cap Exp	OMC 18/11/21 - FACR1	Capital Expenditure			(216,198)	951,839
0121100	RU226	Black Spot - Port Drive Refuge Island - Rd Upgrade Cap Exp	OMC 16/12/21 - Carryovers	Capital Expenditure		390,042	0	1,341,882
0125252		Contribution Non Op - St Marys Carparking	OMC 16/12/21 - Carryovers	Capital Income		0	(400,000)	941,882
0121101	RRU	Urban Reseals Renewal Program - Various (Sealing Contractor) - Cap Ex - Renewal	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(40,430)	901,451
0121771		Black Spot State Non Op Grant	OMC 16/12/21 - Carryovers	Capital Income		0	(50,393)	851,058
0125251		Carparks LRCI Grant & Other LRCI Grants - Cap Inc	OMC 16/12/21 - Carryovers	Capital Income		61,294	0	912,352
0125251		Carparks LRCI Grant & Other LRCI Grants - Cap Inc	OMC 16/12/21 - Carryovers	Capital Income		813,688	0	1,726,040
0124600	124612	Town Beach - Carpark and Robinson / Hopton intersection	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(202,151)	1,523,888
0120306		Dep't Premier & Cabinet Natural Disaster Grant - Cape Leveque Rd	OMC 16/12/21 - Carryovers	Operating Income		700,000	0	2,223,888
0125140	125277	Broome North Footpath New Const - Capex	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(41,853)	2,182,035
0125960		Transfer From Footpath Reserve - Footpath Construction	OMC 16/12/21 - Carryovers	Capital Income		53,784	0	2,235,819
0125140	125290	Old Broome Estate Subdivision - Whole Estate - Various Paths	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(11,931)	2,223,888
0125215	125033	Broome Streets General Purpose Street Lighting Upgrades-CapE	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(11,883)	2,212,006
0125225	125232	Street Lighting at Various Locations - Renewal	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(48,020)	2,163,986
1254421		Access & Inclusion Improvements New Infra - Cap Exp	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(30,000)	2,133,986
124910		Parking Fines - Op Inc - Parking Facilities	OMC 24/02/22 - FACR 2	Operating Income		10,000		2,143,986
121501	121587	Lawrence Road Upgrade	OMC 24/02/22 - FACR 2	Capital Expenditure			(10,344)	2,133,642
121501	121586	Williams Road - Upgrade	OMC 24/02/22 - FACR 2	Capital Expenditure		10,344		2,143,986
121501	121587	Lawrence Road Upgrade	OMC 24/02/22 - FACR 2	Capital Expenditure			(150,000)	1,993,986
121501	121586	Williams Road - Upgrade	OMC 24/02/22 - FACR 2	Capital Expenditure		150,000		2,143,986
121550		Statutory Contrib for Crossovers - Op Exp - Crossovers & General	OMC 24/02/22 - FACR 2	Operating Expenditure			(5,000)	2,138,986
121510	121510	Chinatown Landscaping Upgrade of Infra by P & G - Cap	OMC 24/02/22 - FACR 2	Capital Expenditure			(9,403)	2,129,583
		Economic Services						2,129,583
1367405	1367419	Streeter's Jetty Refurbishment (Chinatown Stage 2) Cap Exp	OMC 29/7/21 Streeters	Capital Expenditure			(100,000)	2,029,583
104270	104299	Short St-Paspaley Carnarvon Street New Drainage Const - Cap Exp	OMC 29/7/21 Streeters	Capital Expenditure		100,000		2,129,583
1367405	1367419	Streeter's Jetty Refurbishment (Chinatown Stage 2) Cap Exp	OMC 29/7/21 Streeters	Capital Expenditure			(310,000)	1,819,583
1367404	1367417	Carnarvon Street North Streetscape Enhancements (Chinatown Stage 2) Cap Exp	OMC 29/7/21 Streeters	Capital Expenditure		0		1,819,583
1367405	1367419	Streeter's Jetty Refurbishment (Chinatown Stage 2) Cap Exp	OMC 29/7/21 Streeters	Capital Expenditure			(196,823)	1,622,760
1181409		Town Beach Development - Jetty Project - Other Infra New - Cap Exp	OMC 29/7/21 Streeters	Capital Expenditure		196,823		1,819,583

SHIRE OF BROOME

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ended 31 March 2022

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
0132050	132052	Broome Visitor Centre - Reactive Maint - Op Exp	OMC 18/11/21 - FACR1	Operating Expenditure			(9,500)	1,810,083
0132310	132313	Roebuck Bay CP - Reactive Maint - Op Exp	OMC 18/11/21 - FACR1	Operating Expenditure			(11,500)	1,798,583
1367301		Grants & Contributions Received (Chinatown Revitalisation Stage 2) - Op Inc -	OMC 18/11/21 - FACR1	Operating Income		2,044		1,800,627
1367405	1367419	Streeter's Jetty Refurbishment (Chinatown Stage 2) Cap Exp	OMC 16/12/21 - Carryovers	Capital Expenditure		31,048	0	1,831,674
1367404	1367414	Short Street Streetscape Enhancements (Chinatown Stage 2) - Cap Exp	OMC 16/12/21 - Carryovers	Capital Expenditure		95,051	0	1,926,725
1367502		Loans Received China Town Revitalisation - Cap Inc - Economic Services Special	OMC 16/12/21 - Carryovers	Capital Income		0	0	1,926,725
1367453		Chinatown Revitalisation Stage 2 Loan 198 Principal Exp	OMC 16/12/21 - Carryovers	Capital Expenditure		0	0	1,926,725
1367454		Chinatown Revitalisation Stage 2 Loan 198 Interest & Fee Exp - Op Exp	OMC 16/12/21 - Carryovers	Operating Expenditure		0	0	1,926,725
1367454		Chinatown Revitalisation Stage 2 Loan 198 Interest & Fee Exp - Op Exp	OMC 16/12/21 - Carryovers	Operating Expenditure		0	0	1,926,725
1367405	1367418	Smart Cities Enabling Items - Cap Exp	OMC 16/12/21 - Carryovers	Capital Expenditure		0	0	1,926,725
1367404	1367416	Napier Terrace Streetscape Enhancements (Chinatown Stage 2) - Cap Exp	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(887,944)	1,038,781
1367404	1367417	Carnarvon Street North Streetscape Enhancements (Chinatown Stage 2) Cap Exp	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(286,000)	752,781
1367404	1367433	Carnarvon Street South Streetscape Enhancements	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(322,096)	430,686
1367405	1367420	Chinatown Transit Hub and Pocket Park (Chinatown Stage 2) Cap Exp	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(307,000)	123,686
1367405	1367412	Public Art (funded from Reserve) - Other Infra New - Cap Ex	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(378,537)	(254,851)
1367221		Chinatown Project Mgmt, Feasibility & Design Consultancy - Cap Exp - Economic	OMC 16/12/21 - Carryovers	Capital Expenditure		0	0	(254,851)
1367405	1367421	Visitor Centre Amenities (Chinatown Stage 2) Cap Exp	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(186,000)	(440,851)
1367504		Grants & Contr. Received Non Op - Cap Inc - Economic Services Special Projects	OMC 16/12/21 - Carryovers	Capital Income		150,000	0	(290,851)
1367504		Grants & Contr. Received Non Op - Cap Inc - Economic Services Special Projects	OMC 16/12/21 - Carryovers	Capital Income		250,435	0	(40,416)
0136723		Chinatown Place Activation Initiatives -Op Exp - Economic Services Special Projects	OMC 16/12/21 - Carryovers	Operating Expenditure		0	(24,000)	(64,416)
136723	CT00	Chinatown Activation - Budget Only	OMC 24/02/22 - FACR 2	Operating Expenditure		24,000		(40,416)
132020		Australia's North West Tourism Contribution - Op Exp - Tourism	OMC 24/02/22 - FACR 2	Operating Expenditure		75,000		34,584
133410		Stat Fees & Lic - Building Permits	OMC 24/02/22 - FACR 2	Operating Income		20,000		54,584
		Other Property and Services						54,584
0142000	142058	Haas St Office - Planned Maint & Minor Works - Op Exp	OMC 18/11/21 - FACR1	Operating Expenditure			(20,000)	34,584
0147270	147270	KRO - Operating Expense - Op Exp	OMC 18/11/21 - FACR1	Operating Expenditure			(44,500)	(9,916)
0142015		All Employee Centrelink Paid Parental Leave - Op Exp - Gen Admin O'Heads	OMC 18/11/21 - FACR1	Operating Expenditure			(20,000)	(29,916)
0142395		All Employee Paid Parental Leave Reimb - Op Inc - Gen Admin O'Heads	OMC 18/11/21 - FACR1	Operating Income		20,000		(9,916)
0142048		HRM Consultancy - Op Exp	OMC 18/11/21 - FACR1	Operating Expenditure			(30,000)	(39,916)
0142231		Consultants Corp Serv - Op Exp - Corp Gov Support	OMC 18/11/21 - FACR1	Operating Expenditure			(20,000)	(59,916)
0146105		Salary - Op Exp - IT	OMC 18/11/21 - FACR1	Operating Expenditure		30,000		(29,916)
0146111		IT Contract Consultants - Exp	OMC 18/11/21 - FACR1	Operating Expenditure			(30,000)	(59,916)
0142004		Salary - Op Exp - Finance	OMC 18/11/21 - FACR1	Operating Expenditure		20,000		(39,916)
0142193		Relief Staff - Op Exp - Finance - Corp. Gov. & Support	OMC 18/11/21 - FACR1	Operating Expenditure			(20,000)	(59,916)
142392		Reimbursement Insurance No GST - Op Inc - Corp Gov & Supp	OMC 18/11/21 - FACR1	Operating Income		23,000		(36,916)
147355		Transfer From Building Reserve Leased Offices Un Clas	OMC 18/11/21 - FACR1	Capital Income		9,500		(27,416)
0146408		Zanders - Rent & Recoup Income - Op Inc	OMC 18/11/21 - FACR1	Operating Income		135,000		107,584
0147463		Far North Community Services Tenancy 5,6,7 - KRO2 - Rent & Recoup Income - Op	OMC 18/11/21 - FACR1	Operating Income			(114,605)	(7,021)
0147463		Far North Community Services Tenancy 5,6,7 - KRO2 - Rent & Recoup Income - Op	OMC 18/11/21 - FACR1	Operating Income			(175,375)	(182,396)
0147483		Dept of Housing Tenancy 11& 10B - KRO1 - Rent & Recoup Income - Op Inc	OMC 18/11/21 - FACR1	Operating Income		96,106		(86,290)
0112483		Town Beach Cafe - Rent & Recoup Income - Op Inc	OMC 18/11/21 - FACR1	Operating Income		1,274		(85,016)

SHIRE OF BROOME

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ended 31 March 2022

Note 5: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

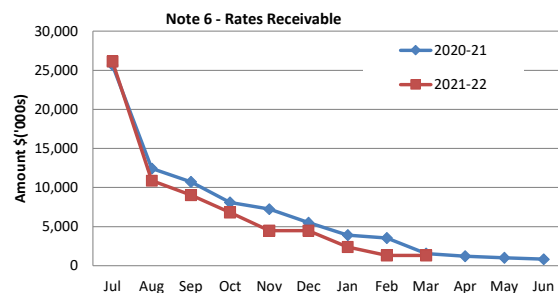
GL Account Code	Job Number	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
0112483		Town Beach Cafe - Rent & Recoup Income - Op Inc	OMC 18/11/21 - FACR1	Operating Income		37,400		(47,616)
0146120		Equip & H'Ware > \$5000 Cap Exp - IT	OMC 16/12/21 - Carryovers	Capital Expenditure		5,000	0	(42,616)
0146122		Software >\$5000 Cap Exp - IT	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(28,465)	(71,081)
0146166		Transfer From Equip & Ins Reserve - IT Ops - Cap Inc	OMC 16/12/21 - Carryovers	Capital Income		73,926	0	2,845
0146555		Transfer From Building Reserve Leased Comm Facilities - Un Clas	OMC 16/12/21 - Carryovers	Capital Income		0	0	2,845
0148242	148243	Depot Building Upgrade - Cap Exp - Depot Ops	OMC 16/12/21 - Carryovers	Capital Expenditure		0	0	2,845
0148604		Transfer From Building Reserve - Depot	OMC 16/12/21 - Carryovers	Capital Income		0	0	2,845
0142232		LGIS Insurance Funded Expenses (Inc in 142393) - Op Exp - Corp Gov	OMC 16/12/21 - Carryovers	Operating Expenditure		0	(26,380)	(23,535)
0148611		Vehicle & Mob Plant Renewal(Replacement) - Cap Exp - Works Ops	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(515,000)	(538,535)
0148600		Proceeds from Sale of Assets - Cap Inc - Works Operations	OMC 16/12/21 - Carryovers	Capital Income		113,000	0	(425,535)
0148396		Loss On Sale Of Assets - Op Exp - Works Operations	OMC 16/12/21 - Carryovers	Operating Expenditure	(22,742)	0	0	(425,535)
0148499		Profit On Sale of Assets - Op Inc - Works Operations	OMC 16/12/21 - Carryovers	Operating Income	54,487	0	0	(425,535)
0143601		Proceeds from Sale of Assets - Cap Inc - Parks & Gardens Operations	OMC 16/12/21 - Carryovers	Capital Income		55,000	0	(370,535)
0143518		Profit on Sale of Assets - Op Inc - Parks & Gardens Operations	OMC 16/12/21 - Carryovers	Operating Income	17,533	0	0	(370,535)
0143610		Vehicle & Plant Renewal(Replacement) - Cap Exp - P&G Operations	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(182,000)	(552,535)
0143520		Loss on Sale of Assets - Op Exp - Parks & Gardens Operations	OMC 16/12/21 - Carryovers	Operating Expenditure	(55,247)	0	0	(552,535)
0148395		Transfer from Plant Reserve - Works Ops	OMC 16/12/21 - Carryovers	Capital Income		200,000	0	(352,535)
0141450		Works Private Works Income - Not Prepaid	OMC 16/12/21 - Carryovers	Operating Income		207,250	0	(145,286)
0142558		Shire Office Build Haas St Renewal - Cap Exp - Corp Gov	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(17,928)	(163,213)
0147374		KRO1 Building Renewal - Cap Exp - Office Prop Leased	OMC 16/12/21 - Carryovers	Capital Expenditure		0	(26,187)	(189,400)
142006		Salary - Op Exp - Human Resources	OMC 24/02/22 - FACR 2	Operating Expenditure			(18,000)	(207,400)
142008		Relieving Staff Exp - HR	OMC 24/02/22 - FACR 2	Operating Expenditure		18,000		(189,400)
14296		COVID-19 Emergency Costs - Unclassified General	OMC 24/02/22 - FACR 2	Operating Expenditure			(20,000)	(209,400)
146102		License Maint and Support - IT Exp	OMC 24/02/22 - FACR 2	Operating Expenditure			(80,000)	(289,400)
146109		Software<\$5000 - IT Exp	OMC 24/02/22 - FACR 2	Operating Expenditure		10,000		(279,400)
800		Oils & Lubricants - Op Exp - Depot Operations	OMC 24/02/22 - FACR 2	Operating Expenditure			(5,000)	(284,400)
147270	147272	KRO1 - Reactive Maint - Op Exp	OMC 24/02/22 - FACR 2	Operating Expenditure			(7,500)	(291,900)
114310	114311	Broome Turf Club Recoupable Expenses (Income in 114401) - Op Exp - Unclassified	OMC 24/02/22 - FACR 2	Operating Expenditure		22,546		(269,354)
114401		Turf Club - Rent & Recoup Income - Op Inc	OMC 24/02/22 - FACR 2	Operating Income			(21,952)	(291,306)
					(4,180)	12,071,579	(12,362,885)	(291,306)

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2022

Note 6: RECEIVABLES

Receivables - Rates Receivable

	YTD 31 Mar 2022	30 Jun 2021
	\$	\$
Opening Arrears Previous Years	839,534	876,141
Levied this year	23,902,635	23,282,829
Less Collections to date	(23,391,425)	(23,319,436)
Equals Current Outstanding	1,350,744	839,534
Net Rates Collectable	1,350,744	839,534
% Collected	94.54%	96.52%



Comments/Notes - Receivables Rates

* NOTE - Rates were raised on 15 July 2021 and are due on 19 August 2021.

**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

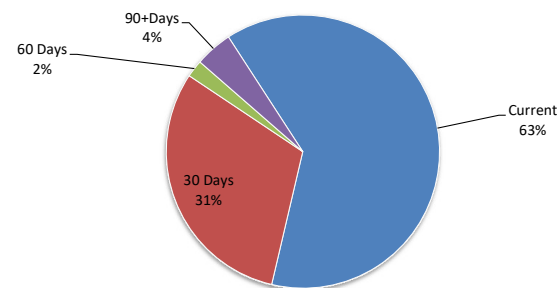
	Credit*	Current	30 Days	60 Days	90+Days
		\$	\$	\$	\$
Receivables - General	(108,678)	412,137	201,334	13,362	29,063

Total Receivables General Outstanding

547,218

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

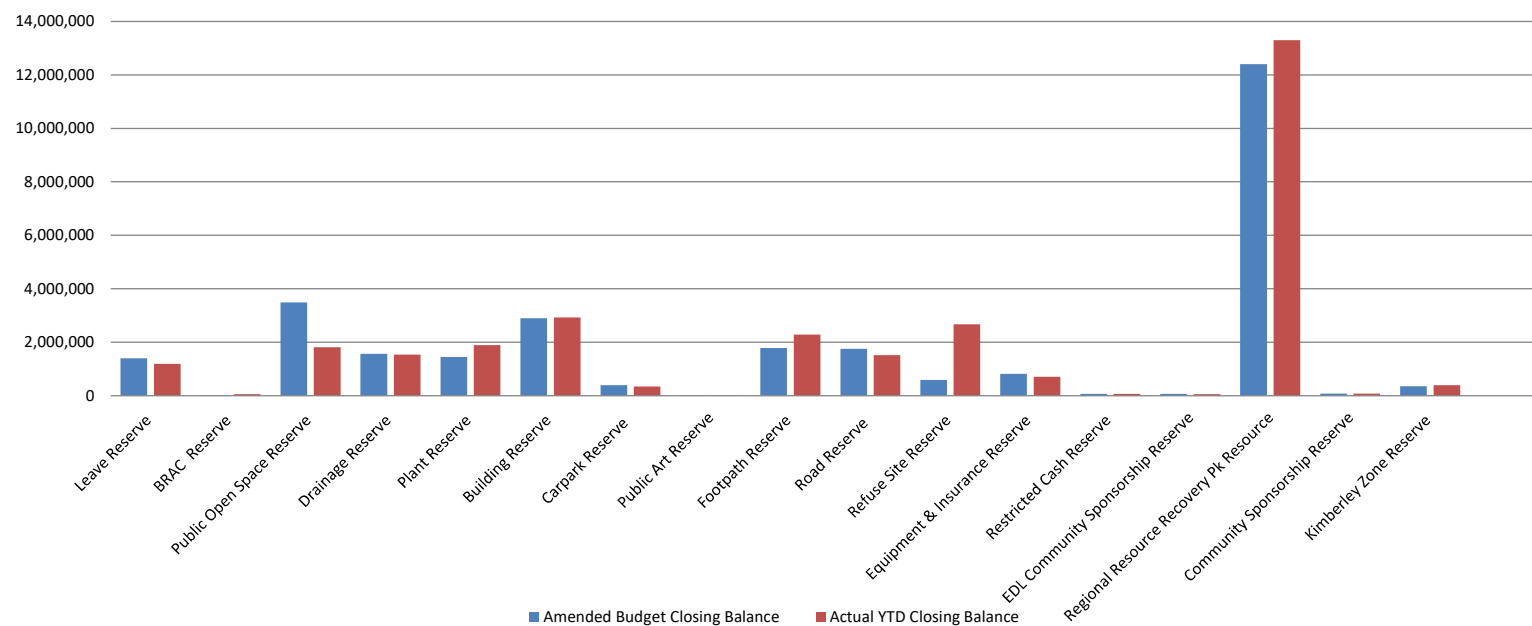
SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2022

Note 7: Cash Backed Reserve

2021-22										
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	1,197,060	3,256	446	310,595	(0)	115,646	0		1,395,265	1,197,505
BRAC Reserve	58,504	187	24	0	(0)	58,000	0		691	58,528
Public Open Space Reserve	1,806,645	8,188	740	2,096,351	0	429,166	0		3,482,018	1,807,385
Drainage Reserve	1,538,300	4,434	625	29,174	(0)	0	0		1,571,908	1,538,925
Plant Reserve	1,895,391	5,410	773	0	0	452,500	0		1,448,301	1,896,165
Building Reserve	2,920,961	7,434	1,186	473,982	0	509,356	0		2,893,021	2,922,147
Carpark Reserve	348,224	1,111	142	41,869	(0)	0	0		391,204	348,366
Public Art Reserve	6,211	20	3	0	(0)	0	0		6,231	6,214
Footpath Reserve	2,283,309	5,672	932	0	0	498,138	0		1,790,843	2,284,242
Road Reserve	1,517,285	4,769	622	230,811	0	0	0		1,752,865	1,517,908
Refuse Site Reserve	2,664,994	6,766	1,094	0	(0)	2,082,091	0		589,669	2,666,087
Equipment & Insurance Reserve	714,651	2,361	292	221,336	(0)	123,926	0		814,422	714,942
Restricted Cash Reserve	65,000	0	0	0	0	0	0		65,000	65,000
EDL Community Sponsorship Reserve	62,024	145	26	0	0	0	0		62,169	62,050
Regional Resource Recovery Pk Resource	13,291,670	44,690	5,433	0	18	937,232	0		12,399,128	13,297,120
Community Sponsorship Reserve	81,454	0	33	0	0	0	0		81,454	81,487
Kimberley Zone Reserve	394,580	3,975	158	(2,500)	(0)	40,000	0		356,055	394,737
					0		0			
	30,846,264	98,418	12,529	3,401,618	17	5,246,054	0		29,100,245	30,858,809

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2022

Note 7: Cash Backed Reserve



SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2022

Note 8 CAPITAL DISPOSALS

Actual YTD Profit/(Loss) of Asset Disposal				Disposals	Amended Annual Budget Profit/(Loss)	YTD Actual Profit/(Loss)	Variance
Cost	Accum Depr	Proceeds	Profit (Loss)				
\$	\$	\$	\$		\$	\$	\$
				P Number Plant and Equipment			
				0 New DCS Toyota Hilux Dual Cab 4x4 Auto (Manager)	0	0	0
				0 P9914 ALL TERRAIN VEHICLE 4WD - BEACH AREA (REPLACES P9911) - Used by CCC and Weed Control	(1,580)	0	0
				0 P11116 Mitsubishi Triton - Health (BM29322)	(1,293)	0	0
				0 P118 Holden Colorado Rangers- (1GND061)	(11,786)	0	0
				0 P16518 Holden Colorado (MRHS)	(1,358)	0	0
				0 P817 Mitsubishi Triton - BRAC Manager (Replaces Toyota Hilux P810) BM29323	(3,405)	0	0
				0 P16212 Trailer - SES Incident Support Trailer (Boxtop) 1TJA451	0	0	0
				0 P5013 Case 590ST Backhoe Loader (Works) BM26051	1,280	0	0
				0 P4614 HINO 3 WAY SIDE TIPPER (1EUV239)	(25,707)	0	0
				0 P84214 HINO 2628 MEDIUM 500 SERIES WATER TRUCK(Works)	(48,064)	0	0
				0 NEW Record not found	1,000	0	0
				0 P1013 Truck Crew Cab Tipper 5T Isuzu FRR 500 (P&Gs) 1EKS727	16,433	0	0
				0 P10518 John Deere Ride on Mower 1585 with Cab - 1GOK099	(8,409)	0	0
				0 P2916 Isuzu D-Max Extra Cab - P&G Spray Ute	1,360	0	0
				0 P9118 Holden Colorado - Parks Supervisor 1GNT026	(10,813)	0	0
				0 P1216 John Deere 5105M Tractor (1GBO512)- P&G	(17,433)	0	0
				0 P9216 Isuzu D-Max Extra Cab (P&Gs) Mowing 2 (1GDI724)	(2,054)	0	0
				0 P17218 Toro Groundmaster 360 4WD Centre Deck Ride on Mower (refer P17214 old unit)	(8,263)	0	0
				0 P6218 Holden Colorado Parks Supervisor 1GNC980	(1,351)	0	0
				0 P3818 Holden Colorado Parks Supervisor - 1GND051	(1,524)	0	0
				0 P2718 Holden Colorado - Parks Mowing Team 2 - 1GNC990	(1,167)	0	0
				0 P2518 Holden Colorado Retic 1	(3,372)	0	0
				0 P6818 Holden Colorado P&G Retic 2 - 1GNS960	(4,192)	0	0
				0 P17714 KOMATSU WHEEL LOADER WA 250PZ-6 (WMF) 1ESM965	78,795	0	0
				0 P15416 Isuzu D-Max Extra Cab - WMF Supervisor	1,421	0	0
				0 P13616 Hino 300 Series 921 XXlong Auto Truck Crew Cab Caged Tipper (CFC) (1GEU286) (Replaced P3611)	(14,184)	0	0
				0 P18118 Holden Colorado Community Clean Up 1GND050 (replaced P1611)	279	0	0
119,990	(57,377)	74,545	11,933	P87012 Hino 500 series 2630 Medium Auto Tip Truck 10T (Works) 1DZK 931		11,933	11,933
24,200	(21,200)	2,682	(318)	P6510 Trailer Caged Tipper Tandem - P&G's		(318)	(318)
8,910	(3,788)	0	(5,122)	115452 BIBLIOTHECA RFID LIBRARY SYSTEMS - Smartserve 200 Tablettop Kiosk		(5,122)	(5,122)
0	0	1,260	1,260	P1500 Trailer Dean No 17 Flatbed Tilting (for ride-on mower) BM1679		1,260	1,260
50,872	(8,223)	50,761	8,112	P15219 Toyota Prado DSL Wagon GX 2019 - Director Development & Community		8,112	8,112
0	0	1,062	1,062	P8703 Trailer Dean No 17 Flatbed Tilting (for ride-on mower) BM11268		1,062	1,062
14,217	(4,268)	1,701	(8,247)	P1516 Dean No17 Single Axel Tilt Flat Bed Plant Trailer		(8,247)	(8,247)
31,641	(11,843)	235	(19,563)	P15311 Trailer - Variable Message Display (Works) BM13417		(19,563)	(19,563)
31,500	(13,950)	14,850	(2,700)	P18218 TORO GROUND MASTER 360 4WD - 1GOO288		(2,700)	(2,700)
						0	0
281,330	(120,646)	147,096	(13,588)		(65,387)	(13,588)	(13,588)

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2022

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												
Gross Rental Valuations												
GRV - Residential		11.0204	4,942	116,990,601	12,892,832	100,000		12,992,832	13,092,832			13,092,832
GRV - Residential - Vacant		20.1729	187	2,909,900	587,011			587,011	587,011			587,011
GRV - Commercial/Industrial		11.4171	555	55,404,596	6,325,598			6,325,598	6,325,598			6,325,598
GRV - Tourism		14.9349	454	17,635,596	2,633,859			2,633,859	2,633,859			2,633,859
Unimproved Value Valuations												
UV - Rural		0.7763	54	17,509,000	135,922			135,922	135,922			135,922
UV - Mining		11.9883	32	1,135,382	136,113			136,113	136,113			136,113
UV - Commercial Rural		3.2458	21	13,230,120	429,423			429,423	429,423			429,423
Sub-Totals			6,245	224,815,195	23,140,759	100,000	0	23,240,759	23,340,759	0	0	23,340,759
Minimum Payment		Minimum \$										
Gross Rental Valuations												
GRV - Residential		1,220	61	585,654	74,420			74,420	74,420			74,420
GRV - Residential - Vacant		1,220	191	869,842	233,020			233,020	233,020			233,020
GRV - Commercial/Industrial		1,220	23	170,490	28,060			28,060	28,060			28,060
GRV - Tourism		1,220	371	1,599,000	452,620			452,620	452,620			452,620
Unimproved Value Valuations												
UV - Rural		1,220	4	141,300	4,880			4,880	4,880			4,880
UV - Mining		500	25	48,318	12,500			12,500	12,500			12,500
UV - Commercial Rural		1,220	2	13,300	2,440			2,440	2,440			2,440
Sub-Totals			677	3,427,904	807,940	0	0	807,940	807,940	0	0	807,940
Charitable Concessions								24,048,699				24,048,699
								(56,151)				(56,151)
Amount from General Rates								23,992,548				23,992,548
Ex-Gratia Rates								0				0
Specified Area Rates								0				0
Totals								23,992,548				23,992,548

Comments - Rating Information

NOTE - This note represents the budgeted rating and back rating revenue expected for the 2021/22 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 March 2022

10. INFORMATION ON BORROWINGS

(a) Debenture Repayments

Particulars	Principal 30-Jun-21	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual \$	Amended Budget \$	Actual \$	Amended Budget \$	Actual \$	Amended Budget \$
Loan 193 - Civic Centre Redevelopment	506,929		250,986	506,929	255,943	0	17,132	19,683
Loan 197 - Town Beach Redevelopment	1,363,845		43,601	87,554	1,320,244	1,276,291	24,126	31,922
Loan 196 - Chinatown Revitalisation Loan	1,385,090		80,596	161,954	1,304,494	1,223,136	17,171	35,440
Loan 198 - Chinatown Revitalisation Stage 2	1,785,000		51,509	161,744	1,733,491	1,623,256	23,414	57,014
China Town Contingency		1,800,000	0	0	0	0	0	0
Self Supporting Loans								
Loan 199 - Broome Golf Club	1,250,000		0	75,389	1,250,000	1,174,611	16,423	25,937
Broome Surf Life Saving Club	0	300,000	0	0	0	0	0	0
	6,290,864	2,100,000	426,692	993,570	5,864,172	5,297,294	98,267	144,059

All debenture repayments were financed by general purpose revenue.

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2022

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 21	Amount Received	Amount Paid	Closing Balance 31-Mar-22
	\$	\$	\$	\$
Town Planning Related Bond Deposits	106,562	0	0	106,562
BRB Levy	10,906	96,215	(81,415)	25,707
	117,468	96,215	(81,415)	132,269

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 March 2022

Note 12: CAPITAL ACQUISITIONS

% of Completion	Level of Completion Indicator	Infrastructure Assets	Acct	Job	YTD 31 Mar 2022					Strategic Reference / Comment
					Amended Annual Budget	Amended YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	
		Governance								
0%	<input type="radio"/>	Governance Total			0	0	0	0	0	
		Law, Order And Public Safety								
11%	<input type="radio"/>	Surf Club Building Upgrade (Inc Plant & Furniture) Cap Exp-Law Ord & PS	0053239		4,210,084	3,157,560	453,324	(3,756,760)	0	
103%	<input checked="" type="radio"/>	Radar Speed Display Signs Cap Exp	0053258	53259	31,980	16,485	32,813	833	0	
0%	<input type="radio"/>	Vehicles & Mob Plant Renewal > \$3000 - Cap Exp - SES/ FESA	0055167		7,000	3,500	0	(7,000)	0	
No Budget	<input checked="" type="checkbox"/>	Vehicle & Mob Plant Renewal(Replacement) Exp-Cap Exp-Ranger Ops	0052550		0	0	0	78	78	
11%	<input type="radio"/>	Law, Order And Public Safety Total			4,249,064	3,177,545	486,137	(3,762,849)	78	
		Education and Welfare								
0%	<input type="radio"/>	Education and Welfare Total			0	0	0	0	0	
		Housing								
0%	<input type="radio"/>	Housing			0	0	0	0	0	
		Health								
0%	<input type="radio"/>	Health Total			0	0	0	0	0	
		Community Amenities								
0%	<input type="radio"/>	Vehicle & Mob Plant Renewal(Replacement)-Cap Exp- Sanit Gen Refuse	0101510		347,000	173,500	0	(347,000)	0	
81%	<input checked="" type="radio"/>	Mobile Garbage Bin Replacement - Cap Exp - San Gen Refuse	0101550	101552	85,000	63,747	0	(15,890)	69,110	
9%	<input type="radio"/>	Community Recycling Centre - RRP - Cap Exp	101896	101897	778,596	561,447	73,422	(705,174)	0	
0%	<input type="radio"/>	Short St-Paspaley Carnarvon Street New Drainage Const - Cap Exp	0104270	104299	65,390	49,041	0	(65,390)	0	
0%	<input type="radio"/>	Vehicle & Mobile Plant Renewal (Replacement) Cap Exp - Dev Services	0106184		160,000	80,000	0	(160,000)	0	
113%	<input checked="" type="radio"/>	Japanese Cemetery New Infra by P & G - Cap Exp	0107550	107550	127,790	95,841	145,000	17,210	0	
0%	<input type="radio"/>	Broome Cemetery New Infrastructure Cap Exp	0107550	107556	21,336	16,002	0	(21,336)	0	
49%	<input checked="" type="radio"/>	Broome Cemetery Fencing Capx	0107550	107563	310,000	155,000	150,655	(159,345)	0	
		Broome Cemetery Renewal by P & G - Cap Exp	0107552	107561	0	0	0	0	0	
0%	<input type="radio"/>	Mobile Plant & Equipment Renewal (Replacement) - Cap Exp - Sanitation Other	1042510		195,000	97,500	0	(195,000)	0	
		Buckleys Rd Closure Upgrade (was Opex 101302) - Cap Exp - San Gen Refuse	101545	101558	0	0	0	0	0	
0%	<input type="radio"/>	Broome Townsite Drains Renewal - Cap Infra Exp - Urb Stwater	104800	104920	63,420	15,855	0	(63,420)	0	
20%	<input type="radio"/>	Community Amenities Total			2,153,532	1,307,933	369,077	(1,715,345)	69,110	
		Recreation And Culture								
1%	<input type="radio"/>	Skatepark New Infrs Const - Cap Exp - Other Rec & Sport	0113027	113029	1,605,165	77,220	21,449	(1,583,716)	0	
0%	<input type="radio"/>	Dakas Street Reserve New Infra Const Cap Exp-P&O	0113550	113570	5,940	4,455	0	(5,940)	0	
0%	<input type="radio"/>	Haynes Oval Reserve Renewal of Infrastructure- Cap Exp	0113551	113762	29,420	14,710	0	(29,420)	0	
99%	<input checked="" type="radio"/>	Male Oval Renewal Infra - Cap Exp - Parks & Ovals	0113551	113763	22,500	16,875	0	(300)	22,200	
0%	<input type="radio"/>	Cygnat Park Infrastructure Renewal - Cap Exp	0113551	113788	8,796	6,597	0	(8,796)	0	
5%	<input type="radio"/>	Parks & Gardens Works Renewal Infra - Cap Exp	0113551	113795	159,763	79,882	0	(151,484)	8,279	
0%	<input type="radio"/>	Lord McAlpine Bust New Construction	0116125	116128	50,000	37,494	0	(50,000)	0	
0%	<input type="radio"/>	Cape Leveque Tourist Bay and Signage	0116125	116132	92,000	46,000	0	(92,000)	0	
93%	<input checked="" type="radio"/>	BRAC Building Renewal - Cap Exp - BRAC Dry	0117315	117316	207,165	155,367	0	(14,700)	192,465	
No Budget	<input checked="" type="checkbox"/>	Building New Construction Expense - BRAC Dry - Cap Exp	117300	117365	0	0	609	609	0	
		BRAC IT Improvements (was Computer & Network Equip Over \$3000 Cap Exp - BRAC General)	0117327		22,164	11,082	0	(22,164)	0	

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2022

Note 12: CAPITAL ACQUISITIONS

% of Completion	Level of Completion Indicator	Infrastructure Assets	Acc	Job	Amended Annual Budget	Amended YTD Budget	YTD Actual	YTD 31 Mar 2022		
								Variance (Under)/Over	YTD Actual (Renewal Exp)	Strategic Reference / Comment
176%	●	BRAC - Carpark & Roads New Const by Works - BRAC Dry	0117360	117360	336,564	173,673	593,593	257,029	0	
88%	●	Furniture & Equip - New - BRAC Dry	0117372	117373	15,000		13,182	(1,818)	0	
0%	○	Vehicle & Mobile Plant Renewal (Replacement) -Cap Exp- BRAC General	0117398		45,000	22,500		(45,000)	0	
2%	○	BRAC Grid Solar Connection	0117399	117420	231,500	115,750	4,560	(226,940)	0	
38%	○	BRAC Oval Upgrade of Infra - Cap Exp	0117450	117452	1,603,914	1,202,931	612,823	(991,091)	0	
6%	○	BRAC Ovals Renewal Infra Works - Cap Exp - BRAC Ovals	0117455	117456	293,336	219,996	0	(275,534)	17,802	
No Budget	☒	Town Beach Redevelopment - Greenspace & Waterpark - Cap Exp	1181405		0	0	930		0	
66%	●	Town Beach Redevelopment - Greenspace Stage 2 - Cap Exp	1181407		400,630	300,465	263,961	(136,669)	0	
74%	●	Town Beach Development - Jetty Project - Other Infra New - Cap Exp	1181409		2,666,076	1,999,548	1,980,712	(685,364)	0	
2%	○	Youth Bike Recreation Area - New Construction - Cap Exp	1181420	YBRA001	271,721	203,787	5,078	(266,643)	0	
48%	●	Cable Beach Foreshore Upgrade	1181425	1181426	1,170,311	877,734	562,165	(608,146)	0	
50%	●	Mobile Plant & Equip New - Cap Exp - Bme Civic Centre	0116130		8,000	5,994	3,966	(4,034)	0	
0%	○	Library Building Renewal (Inc Plant & Furn) - Cap Exp - Libraries	0115461		5,291	3,960	0	(5,291)	0	
0%	○	Reticulation Control System New Exp - Cap Exp Parks & Ovals	0113603		23,533	17,649	0	(23,533)	0	
No Budget	☒	Sibosado Park Renewal Infra - Cap Exp - Pks & Ovals	0113551	113628	0	0	0	151	151	
46%	○	Recreation And Culture Total			9,273,789	5,601,169	4,063,027	(4,969,865)	240,897	
		Transport								
99%	●	Black Spot - Port Drive Refuge Island - Rd Upgrade Cap Exp	0121100	RU226	304,053	228,033	300,276	(3,777)	0	
17%	○	Urban Reveals Renewal Program - Various (Sealing Contractor) - Cap Ex - Renewal Williams Road - Upgrade	0121501	RRU	722,474	541,854	0	(598,423)	124,051	
3%	○	Lawrence Road Upgrade	0121501	121587	320,688	165,516	10,698	(309,990)	0	
134%	●	Chinatown Landscaping Upgrade of Infra by P & G - Cap	0121510	121510	279,487	209,628	373,907	94,420	0	
110%	○	Car park renewals - Various	0124600	124611	2,867	1,434	0	283	3,150	
7%	○	State Blackspot - Frederick Street off-street carpark Cap (Broome SHS) Exp	0125000	125045	1,146,857	860,139	76,117	(1,070,740)	0	
1%	○	State Blackspot - Port Drive Stage 2 -Off Street Carpark (Saint Mary's)Cap Exp	0125000	125046	20,484	15,363	106	(20,378)	0	
33%	○	Footpaths - Various	0125140	125172	212,208	107,094	70,153	(142,055)	0	
8%	○	Conti foreshore Footpath Construction (Before Hamersley Street - New Footpath	0125140	125183	504,551	260,361	39,991	(464,560)	0	
58%	●	Kerr & D'Antoine Street Footpath	0125140	125220	106,816	55,112	62,003	(44,813)	0	
0%	○	Broome Streets General Purpose Street Lighting Upgrades-CapE	0125215	125033	161,883	121,410	0	(161,883)	0	
4%	○	Various Footbridge Renewals	0125300	125921	89,924	46,393	0	(86,114)	3,810	
0%	○	Various Footpath Renewal - Renewal Construction - Cap Exp	0125300	VARPATH	72,902	40,027	0	(72,629)	273	
0%	○	Access & Inclusion Improvements New Infra - Cap Exp	1254421		34,104	25,578	0	(34,104)	0	
No Budget	☒	Bike Tracks New Footpath Const - Infra Cap Exp	125140	125150	0	0	(231)	(231)	0	
77%	●	Broome North Footpath New Const - Capex	125140	125277	41,853	31,383	32,352	(9,501)	0	
113%	●	Town Beach - Carpark and Robinson / Hopton intersection	0124600	124612	330,207	247,653	0	44,072	374,279	
No Budget	☒	Black Spot - Sanderling, Spoonbill, & Banu - Rd Upgrade Cap Exp	121100	RU225	0	0	118		0	
0%	○	Port Drive Street Lighting Const & Imp - Cap Exp	125200	125060	0	0	0	0	0	
0%	○	Old Broome Estate Subdivision - Whole Estate - Various Paths	125140	125290	11,931	8,946	0	(11,931)	0	
0%	○	Street Lighting at Various Locations - Renewal	125225	125232	48,020	36,009	0	(48,020)	0	
33%	○	Transport Total			4,411,309	3,001,933	965,490	(2,940,256)	505,563	
		Economic Services								
0%	○	Detailed Design Chinatown Project Stage 2 - CapEx	1367228		123,420	92,565	0	(123,420)	0	
97%	●	Short Street Streetscape Enhancements (Chinatown Stage 2) - Cap Exp	1367404	1367414	1,704,949	1,278,711	1,650,991	(53,958)	0	
0%	○	Smart Cities Enabling Items - Cap Exp	1367405	1367418	300,000	225,000	112	(299,888)	0	
85%	●	Streeter's Jetty Refurbishment (Chinatown Stage 2) Cap Exp	1367405	1367419	821,615	616,203	700,167	(121,448)	0	
		Chinatown Poject Mgmt, Feasibility & Design Consultancy - Cap Exp - Economic Services Special Projects	1367221		0	0	293,258	293,258	0	
No Budget	☒	Napier Terrace Streetscape Enhancements (Chinatown Stage 2) - Cap Exp	1367404	1367416	887,944	665,955	878,109	(9,835)	0	
99%	●	Carnarvon Street North Streetscape Enhancements (Chinatown Stage 2) Cap Exp	1367404	1367417	286,000	214,497	213,388	(72,612)	0	
100%	●	Carnarvon Street South Streetscape Enhancements	1367404	1367433	322,096	241,569	322,096	0	0	
117%	●	Public Art (funded from Reserve) - Other Infra New - Cap Ex	1367405	1367412	378,537	283,896	442,064	63,527	0	
No Budget	☒	Chinatown Public Art - Start of the Pearl Story	1367405	1367423	0	0	61,117	61,117	0	
		Chinatown Entry Statement - Other Infra New - Cap Ex	1367405	1367415	0	0	0	0	0	
No Budget	☒	Chinatown Public Art - Art Coordination & Contingency	1367405	1367422	0	0	12,440	12,440	0	
No Budget	☒	Chinatown Public Art - The Tram	1367405	1367427	0	0	41,611	41,611	0	
No Budget	☒	Chinatown Public Art - The Japanese in Broome	1367405	1367428	0	0	3,500	3,500	0	
No Budget	☒	Chinatown Public Art - Interpretation Trail	1367405	1367429	0	0	1,636	1,636	0	
No Budget	☒	Chinatown Public Art - Customised Designs Filagree Panels	1367405	1367431	0	0	2,727	2,727	0	

SHIRE OF BROOME
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2022

Note 12: CAPITAL ACQUISITIONS

% of Completion	Level of Completion Indicator	Infrastructure Assets	Acct	Job	YTD 31 Mar 2022					
					Amended Annual Budget	Amended YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Strategic Reference / Comment
0%	○	Chinatown Transit Hub and Pocket Park (Chinatown Stage 2) Cap Exp	1367405	1367420	307,000	230,247	0	(307,000)	0	
0%	○	Visitor Centre Amenities (Chinatown Stage 2) Cap Exp	1367405	1367421	186,000	139,500	0	(186,000)	0	
87%	●	Economic Services Total			5,317,561	3,988,143	4,623,217	(694,344)	0	
		Other Property & Services								
0%	○	Vehicle & Mobile Plant New - Cap Exp - Corp Gov	0142550		45,000	22,500	0	(45,000)	0	
9%	○	Vehicle & Plant Renewal(Replacement) - Cap Exp - P&G Operations	0143610		909,000	681,750	0	(827,724)	81,276	
8%	○	Equip & H'Ware > \$5000 Cap Exp - IT	0146120		269,000	201,744	21,876	(247,124)	0	
10%	○	Software >\$5000 Cap Exp - IT	0146122		73,926	55,440	7,154	(66,772)	0	
6%	○	Building Renewal AMP	0147500		305,200	152,600	0	(287,868)	17,332	
0%	○	Vehicle & Mobile Plant New - Cap Exp - Depot Ops	0148021		12,500	9,378	0	(12,500)	0	
85%	●	Depot Building Upgrade - Cap Exp - Depot Ops	0148242	148243	98,000	73,494	83,758	(14,242)	0	
36%	○	Vehicle & Mob Plant Renewal(Replacement) - Cap Exp - Works Ops	0148611		1,165,000	873,747	0	(744,644)	420,356	
29%	○	KRO1 Building Renewal - Cap Exp - Office Prop Leased	0147374		26,187	19,638	0	(18,612)	7,575	
0%	○	Shire Office Build Haas St Renewal - Cap Exp - Corp Gov	0142558		17,928	13,437	0	(17,928)	0	
22%	○	Other Property & Services Total			2,921,740	2,103,728	112,789	(2,282,412)	526,539	
42%	○	GRAND TOTAL			28,326,994	19,180,451	10,619,736	(16,365,072)	1,342,187	

10%	○	Land & Buildings - New			778,596	561,447	74,031	(704,565)	0	
12%	○	Land & Buildings - Upgrade			4,308,084	3,231,054	537,082	(3,771,002)	0	
39%	○	Land & Buildings - Renewal			561,770	345,002	0	(344,398)	217,372	
		Works in Progress Land & Buildings			0	0	0	0	0	
15%	○	Land & Buildings - Total			5,648,450	4,137,503	611,113	(4,819,966)	217,372	
29%	○	Recreation Areas Infrastructure - New			5,081,214	2,684,241	1,466,405	(3,614,809)	0	
		Recreation Areas Infrastructure - Upgrade			0	0	0	0	0	
9%	○	Recreation Areas Infrastructure - Renewal			513,815	338,060	0	(465,383)	48,432	
		Works in Progress Recreation Areas Infrastructure			0	0	0	0	0	
27%	○	Recreation Areas Infrastructure - Total			5,595,029	3,022,301	1,466,405	(4,080,192)	48,432	
36%	○	Roads, F/Paths & Bridges Infrastructure - New			2,415,368	1,537,649	874,085	(1,541,283)	0	
96%	●	Roads, F/Paths & Bridges Infrastructure - Upgrade			4,228,636	3,096,474	4,042,840	(185,796)	0	
41%	●	Roads, F/Paths & Bridges Infrastructure - Renewal			1,218,375	877,361	0	(712,812)	505,563	
		Works in Progress - Rds, F/Paths & Bridges			0	0	0	0	0	
69%	●	Roads, F/Paths & Bridges Infrastructure - Total			7,862,379	5,511,484	4,916,925	(2,439,891)	505,563	
0%	○	Drainage Infrastructure - New			65,390	49,041	0	(65,390)	0	
		Drainage Infrastructure - Upgrade			0	0	0	0	0	
0%	○	Drainage Infrastructure - Renewal			63,420	15,855	0	(63,420)	0	
		Works in Progress Drainage Infrastructure			0	0	0	0	0	
0%	○	Drainage Infrastructure - Total			128,810	64,896	0	(128,810)	0	
68%	●	Other Infrastructure - New			5,292,334	3,861,216	3,574,555	(1,717,779)	0	
0%	○	Other Infrastructure - Upgrade			161,883	121,410	0	(161,883)	0	
52%	●	Other Infrastructure - Renewal			133,020	99,756	0	(63,910)	69,110	
		Works in Progress Other Infrastructure			0	0	0	0	0	
65%	●	Other Infrastructure - Total			5,587,237	4,082,382	3,574,555	(1,943,571)	69,110	
6%	○	Mobile Plant & Equip New			65,500	37,872	3,966	(61,534)	0	
		Mobile Plant & Equip Upgrade			0	0	0	0	0	
18%	○	Mobile Plant & Equipment Renewal (Replacement)			2,828,000	1,932,497	0	(2,326,290)	501,710	
17%	○	Mobile Plant & Equip - Total			2,893,500	1,970,369	3,966	(2,387,824)	501,710	
		Fixed Plant & Equipment - New			0	0	0	0	0	
		Fixed Plant & Equipment - Upgrade			0	0	0	0	0	
		Fixed Plant & Equipment - Renewal			0	0	0	0	0	
0%	○	Fixed Plant & Equipment - Total			0	0	0	0	0	
8%	○	Furniture & Equipment - New			611,590	391,516	46,772	(564,818)	0	
8%	○	Furniture & Equipment - Total			611,590	391,516	46,772	(564,818)	0	
42%	○	Capital Expenditure Total			28,326,994	19,180,451	10,619,736	(16,365,072)	1,342,187	

SHIRE OF BROOME
Monthly Statement of Financial Activity
For the Period Ending 31 March 2022

Appendix A: SUPPLEMENTARY NOTES TO THE MONTHLY REPORT

NOTES TO THIS MONTH'S REPORT

OVERVIEW

For the period ended 31 March 2022, the following are key indicators supporting the year to-date budget position with respect to the Annual Forecast Budget:

Budget Year elapsed	75%
Total Rates Raised Revenue	100% (of which 95% were collected)
Total Other Operating Revenue	63%
Total Operating Expenditure	66%
Total Capital Revenue	37%
Total Capital Expenditure	42%
Total Sale of Assets Revenue	22%

The budget was adopted at the Ordinary Meeting of Council on 24 June 2021. Council adopted a balanced annual budget, which included a net carried forward balance of \$5,492,969 being \$3,916,821 of carry-over projects, plus \$1,576,148 Financial Assistance Grants received in advance.

More information on the Shire's current position can be found on Note 3 of these Financial Statements.

ADJUSTMENTS TO DETERMINE THE CASH POSITION

CURRENT POSITION

Currently, to the end of March 2022, the current position stands at \$11.0M.

Cash

Total Cash Assets are now \$43.9M being \$2.5M decrease from prior month.

The major collections this month include receipt of:

- \$424K Rate Various Assessments – 28 Cable Beach Road & 2 Louis Street
- \$100K Road to Recovery - Quarterly Payment
- \$38K WA Treasury – Rent
- \$36K IT Vision – Refund

The major expenditure items this month include payments of:

- \$349K Colin Wilkinson – Surf Club Redevelopment
- \$340K DFES – Quarter 3 ESL
- \$211K Josh Byrne & Associates – Cable Beach Foreshore Upgrade (RFQ-21-31)
- \$165K Boab Fencing – Cemetery Perimeter Fence Installation (RFT 22-01)

Receivables

Sundry debtors including GST refundable stand at \$639K.

Rates and rubbish debtors stand at \$1.3M. Annual rates were raised on 15th July 2021 with due date of 19 August 2021. 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 \$132K having a \$6K increase since the previous month.

Cash Liabilities

These stand at \$566K. This represents our obligation on our outstanding loans in 21/22.

Creditors and Payables

Sundry Creditors are \$2.2M, due to continued major infrastructure works in progress.

Other Payables comprising Tax Payable, FESA Levy Collected, Accrued Loan Interest, Prepayments Received and accruals stand at \$2.4M.

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.

Current leave provisions are \$2.1M (Non-current leave provisions are \$193K). Accruals to reflect the year end position have been completed for the 2020-2021 year.

10. REPORTS OF COMMITTEES

10.1 MINUTES AND RECOMMENDATIONS FROM KIMBERLEY REGIONAL GROUP MEETING HELD ON 15 FEBRUARY 2022

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Executive Assistant to the CEO
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

This report presents for Council endorsement the Minutes from the Meeting of the Kimberley Zone of WALGA held on 15 February 2022.

BACKGROUND

A copy of the minutes from the Kimberley Zone of WALGA and the minutes of the Kimberley Regional Group (KRG) meeting held 15 February 2022 are attached for Council consideration (Attachment 1).

As a result of a past decision of the group, both the Kimberley Zone and KRG meetings are joined.

It should be remembered that the Kimberley Zone of WALGA is a group established to represent regional issues to the State Council of the Western Australian Local Government Association (WALGA). This group includes the four Kimberley Shires in addition to the Shires of Christmas Island and Cocos Keeling Islands.

The KRG is a group defined through a deed of agreement between the four Kimberley local governments with the Minister for Local Government.

The Shire of Wyndham East Kimberley accepted the Secretariat role for the Kimberley Zone / KRG late in 2021, with the formal transition to the Secretariat underway, noting that it's likely the Shire of Broome will continue to provide some level of support services through to 30 June 2022.

COMMENT

The minutes and respective background information are attached to this report and the following comments are made in relation to the resolutions passed by the Group. Additional recommendations have been made where necessary for Council's consideration.

Kimberley Zone Meeting Minutes – 15 February 2022

The Kimberley Zone considered the recommendations on Matters for Decision that were contained within the 2 March 2022 WALGA State Council agenda.

	Matters for Decision	WALGA Recommendation	Zone Comment & Zone Recommendation
--	----------------------	----------------------	------------------------------------

<p>5.1</p>	<p>Short-Term Accommodation Regulatory Scheme</p>	<ol style="list-style-type: none"> 1. The intergovernmental working group be re-formed to guide the establishment of a state-wide registration scheme, which includes Local Government as a key stakeholder to ensure that the experience and knowledge of the sector informs the scheme's formulation. 2. A state-wide registration scheme be developed for short-term accommodation and peer-to-peer platforms with the inclusion of the following features: <ol style="list-style-type: none"> a. All hosted and un-hosted short-term accommodation must be required to be registered with the scheme before being able to advertise the property b. All peer-to-peer platforms that seek to let short-term accommodation must be regulated through the scheme as a host platform c. Obligations of registration for both hosts and platforms must be clear and appropriate infringements and compliance tools should be embedded in the regulatory framework d. Local Governments must be able to maintain the ability to require the provision of additional information and impose additional licencing or operational requirements, depending on their circumstances e. Local Government's must be able to set fees commensurate with the cost of providing the service for any role undertaken as part of the scheme, and f. Local Governments must have access to all necessary data collected by the scheme to adequately manage the potential impacts of short-term accommodation providers and to ensure local requirements are being met by hosts. 	<p>SUPPORT</p> <p>The submission is largely consistent with proposed requirements in Shires in the Kimberley with higher volume unhosted short stay accommodation.</p>
-------------------	---	--	--

		3. No exemptions for 'unhosted accommodation' are allowed until the details of the state-wide registration scheme are finalised and deemed sufficient to adequately manage the impacts of short-term accommodation.	
--	--	---	--

- 6.1 COVID-19 UPDATE
- 6.2 2022-23 Federal Budget Submission (05-088-03-0004 DM)
- 6.3 Detection of Polyphagous Shot-hole Borer and Implications for Local Government (05-046-03-0017 RZ) (note; borer not present in the Kimberley)
- 6.4 State Planning Policy 2.9: Planning for Water - Submission (05-036-03-0070 AR) (Note: State Council endorsed the submission by Flying Minute on 8 November 2021. The submission was provided to the DPLH on 8 November 2021).
- 6.5 Submission to Salaries and Allowances Tribunal – Local Government Remuneration Inquiry (05-034-01-0102 TL) (note: Due to the timeframes involved, the submission was endorsed by State Council by Flying Minute following consideration by the State Council Governance and Organisational Services Policy Team).

Organisational Reports

- Report on Key Activities, Commercial and Communications (01 006-03-0017 CH)
- Report on Key Activities, Governance and Organisational Services ((01 006-03-0007 TB))
- Report on Key Activities, Infrastructure (05-001-02-0003 ID)
- Report on Key Activities, Strategy, Policy and Planning (Report on Key Activities, Strategy, Policy and Planning Unit (01-006-03-0017 NM)
- Policy Forum Reports (01-006-03-0007 TB)

WALGA President's Report

The following matters are covered in the WALGA President's Report

- COVID-19 – Update
- Rapid Anti-Gen Tests (RATs)
- Local Government Legislative Reform
- Work Health and Safety Legislation
- Aboriginal Cultural Heritage Act
- Submission to Salaries and Allowances Tribunal Remuneration Inquiry
- 2022 Local Government Honours Program

Kimberley Regional Group Meeting Minutes – 15 February 2022

The following items from the Kimberley Regional Group Meeting held 15 February 2022 should be noted by Council:

9.1 Business Plan Progress Report

The Strategic Community Plan and Business Plan for the period 2020-2024 was adopted by the KRG in June 2021. This report provided an update on progress towards the achievement of the Business Plan which has a four-year horizon.

The KRG noted the Business Plan Update.

9.2 Consultant Report

This report provided an overview of the activity undertaken by ATEA consultants to support the activities of the WALGA Kimberley Country Zone (Zone) and the Kimberley Regional Group (KRG).

The Chairperson acknowledged the departing Executive Officer, Debra Goostrey, and thanked her for her outstanding efforts during her tenure.

The KRG noted the Consultant Report provided by ATEA Consulting.

9.3 Strategic Position

The KRG provide leadership across the region and are seeking to establish a strategic position in relation to the complex matters driving the record levels of crime and anti social behaviour across the region.

This item facilitated the suspension of standing orders to enable free discussion of the issues and the development of an agreed position for dissemination to Government and other key stakeholders.

The KRG noted the item and suspended standing orders to enable discussion of key issues. The item is to be referred back to the KRG at the next most suitable meeting.

CONSULTATION

WALGA
Kimberley Development Commission
Kimberley Regional Development Australia
Department of Local Government Sport and Cultural Industries

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

The 2021-22 Annual Budget endorsed by the KRG included an annual member contribution of \$41,060, again reduced from previous years. Funding has been endorsed by Council in it's 2021/22 Annual Budget.

RISK

Nil.

STRATEGIC ASPIRATIONS

Place – We will grow and develop responsibly, caring for our natural, cultural and built heritage, for everyone.

Outcome Seven – Safe, well connected, affordable transport options:

7.1 Provide safe and efficient roads and parking.

Prosperity – Together, we will build a strong, diversified and growing economy with work opportunities for everyone.

Outcome Nine – A strong, diverse and inclusive economy where all can participate:

9.5 Grow the size and depth of Broome's labour market with improved access to training and development opportunities.

Performance – We will deliver excellent governance, service and value, for everyone.

Outcome Eleven – Effective leadership, advocacy and governance:

11.1 Strengthen leadership, advocacy and governance capabilities.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0422/022

Moved: Cr C Mitchell

Seconded: Cr H Tracey

That Council:

- 1. Receives and endorses the resolutions of the Kimberley Zone as attached in the Kimberley Zone of WALGA Meeting Minutes of 15 February en bloc;**
- 2. Receives and endorses the resolutions of the Kimberley Regional Group as attached in the Kimberley Regional Group Meeting Minutes of 15 February 2022 en bloc.**

CARRIED UNANIMOUSLY 7/0

Attachments

1. Minutes and Recommendations from Kimberley Regional Group Meeting held on 15 February 2022



KIMBERLEY REGIONAL GROUP Meeting

UNCONFIRMED MINUTES

1:00PM, 15 FEBRUARY 2022

**LGIS, 170 Railway Parade, Leederville,
WA, 6007**

SHIRE OF BROOME
KIMBERLEY REGIONAL GROUP
TUESDAY 15 FEBRUARY 2022
INDEX – MINUTES

1.	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	3
2.	RECORD OF ATTENDANCE / APOLOGIES	3
3.	DECLARATION OF INTERESTS	3
4.	CONFIRMATION OF MINUTES	4
5.	BUSINESS ARISING FROM PREVIOUS MEETING	4
6.	PRESENTATIONS FROM REPRESENTATIVES	4
7.	REPORTS FROM REPRESENTATIVES.....	4
8.	REPORTS FROM KIMBERLEY COUNTRY ZONE	6
8.1	WALGA STATE COUNCIL AGENDA.....	6
8.2	WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION	71
8.3	WALGA ZONE STATUS REPORT	134
9.	REPORTS FROM KIMBERLEY REGIONAL GROUP	138
9.1	BUSINESS PLAN PROGRESS REPORT	138
9.2	CONSULTANT REPORT.....	145
9.3	STRATEGIC POSITION	147
10.	CORRESPONDENCE	150
10.1	CORRESPONDENCE OUT	150
11.	GENERAL BUSINESS	165
12.	MATTERS BEHIND CLOSED DOORS	165
13.	MEETING CLOSURE	165

**MINUTES OF THE KIMBERLEY REGIONAL GROUP OF THE SHIRE OF BROOME,
HELD IN THE LGIS BOARDROOM, 170 RAILWAY PARADE, LEEDERVILLE, WA, 6007,
ON TUESDAY 15 FEBRUARY 2022, COMMENCING AT 1:00PM.**

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chair welcomed Members and Officers and declared the meeting open at 1:09pm.

2. RECORD OF ATTENDANCE / APOLOGIES

ATTENDANCE:

Sam Mastrolembro	Shire of Broome (from 1:13pm)
Cr Chris Mitchell	Shire of Broome (from 1:13pm)
Cr Harold Tracey	Shire of Broome (from 1:13pm)
Amanda Dexter	Shire of Derby West Kimberley
Cr Geoff Haerewa	Shire of Derby West Kimberley
Cr Peter McCumstie	Shire of Derby/West Kimberley
Vernon Lawrence	Shire of Wyndham East Kimberley (Teams)
Cr David Menzel	Shire of Wyndham East Kimberley
Noel Mason	Shire of Halls Creek (Teams)
Cr Malcolm Edwards	Shire of Halls Creek (Teams)
Kelli Small	Shire of Cocos (Keeling) Islands (Teams)
James Watt	Shire of Broome (Teams)
Debra Goostrey	Zone Executive - ATEA

APOLOGIES:

Vernon Lawrence	Shire of Wyndham East Kimberley
Cr Tony Chafer	Shire of Wyndham East Kimberley
Cr Chris Loessl	Shire of Halls Creek
Cr Jeanette Young	Shire of Cocos (Keeling) Islands
Cr Hua (Helen) Liu	Shire of Cocos (Keeling) Islands
David Price	Shire of Christmas Island
Cr Gordon Thomson	Shire of Christmas Island
Cr Kee Heng Foo	Shire of Christmas Island

3. DECLARATION OF INTERESTS

FINANCIAL INTEREST			
Member	Item	Item	Nature of Interest

	No		
Nil.			

IMPARTIALITY			
Member	Item No	Item	Nature of Interest
Nil.			

4. CONFIRMATION OF MINUTES

KIMBERLEY ZONE & KIMBERLEY REGIONAL GROUP RESOLUTION:

Minute No. KRG/0222/001

Moved: G Haerewa

Seconded: M Edwards

That the Minutes of the Kimberley Regional Group held on 22 November 2021, as published and circulated, be confirmed as a true and accurate record of that meeting.

CARRIED UNANIMOUSLY 3/0

5. BUSINESS ARISING FROM PREVIOUS MEETING

Nil.

6. PRESENTATIONS FROM REPRESENTATIVES

Nil.

7. REPORTS FROM REPRESENTATIVES

- 7.1 RDA KIMBERLEY
Janine Hatch, Executive Officer
- 7.2 AUSTRALIA'S NORTH WEST TOURISM
Natasha Maher, Chief Executive Officer
- 7.3 WALGA ROADWISE
Greg Hayes, Road Safety Advisor
- 7.4 KIMBERLEY DEVELOPMENT COMMISSION
Chuck Berger, Chief Executive Officer
Tim Bray, Director
- 7.5 DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES
Tim Fraser, Executive Director
Mitch Hardy, Director Regional Services
Kristina Dickman, Regional Manager Kimberley
- 7.6 WALGA
Nick Sloan, Chief Executive Officer

**Cr Karen Chappel, Acting WALGA President
Kelly McManus, Principal Policy and Advocacy
Chris Hossen, Policy Manager Planning and Building**

8. REPORTS FROM KIMBERLEY COUNTRY ZONE

8.1 WALGA STATE COUNCIL AGENDA

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01; RCG03
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

To consider the recommendations on Matters for Decision that will be considered at the WALGA State Council meeting on 2 March 2022.

COMMENT

The next WALGA State Council meeting will be held on 2 March 2022. The following matters for decision will be considered.

	Matters for Decision	WALGA Recommendation	Zone Comment & Recommendation
5.1	Short-Term Accommodation Regulatory Scheme	<p>1. The intergovernmental working group be re-formed to guide the establishment of a state-wide registration scheme, which includes Local Government as a key stakeholder to ensure that the experience and knowledge of the sector informs the scheme's formulation.</p> <p>2. A state-wide registration scheme be developed for short-term accommodation and peer-to-peer platforms with the inclusion of the following features:</p> <p>a. All hosted and un-hosted short-term accommodation must be required to be registered with the scheme before being able to advertise the property</p> <p>b. All peer-to-peer platforms that seek to let short-term accommodation must be regulated through the scheme as a host platform</p> <p>c. Obligations of registration for both hosts and platforms must be clear and appropriate infringements and compliance tools should be embedded</p>	<p>SUPPORT</p> <p>The submission is largely consistent with proposed requirements in Shires in the Kimberley with higher volume unhosted short stay accommodation.</p>

		<p>in the regulatory framework</p> <p>d. Local Governments must be able to maintain the ability to require the provision of additional information and impose additional licencing or operational requirements, depending on their circumstances</p> <p>e. Local Government's must be able to set fees commensurate with the cost of providing the service for any role undertaken as part of the scheme, and</p> <p>f. Local Governments must have access to all necessary data collected by the scheme to adequately manage the potential impacts of short-term accommodation providers and to ensure local requirements are being met by hosts.</p> <p>3. No exemptions for 'unhosted accommodation' are allowed until the details of the state-wide registration scheme are finalised and deemed sufficient to adequately manage the impacts of short-term accommodation.</p>	
--	--	---	--

- 6.1 COVID-19 UPDATE
- 6.2 2022-23 Federal Budget Submission (05-088-03-0004 DM)
- 6.3 Detection of Polyphagous Shot-hole Borer and Implications for Local Government (05-046-03-0017 RZ) (note; borer not present in the Kimberley)
- 6.4 State Planning Policy 2.9: Planning for Water - Submission (05-036-03-0070 AR) (Note: State Council endorsed the submission by Flying Minute on 8 November 2021. The submission was provided to the DPLH on 8 November 2021).
- 6.5 Submission to Salaries and Allowances Tribunal – Local Government Remuneration Inquiry (05-034-01-0102 TL) (note: Due to the timeframes involved, the submission was endorsed by State Council by Flying Minute following consideration by the State Council Governance and Organisational Services Policy Team).

Organisational Reports

- Report on Key Activities, Commercial and Communications (01 006-03-0017 CH)
- Report on Key Activities, Governance and Organisational Services ((01 006-03-0007 TB))
- Report on Key Activities, Infrastructure (05-001-02-0003 ID)
- Report on Key Activities, Strategy, Policy and Planning (Report on Key Activities, Strategy, Policy and Planning Unit (01-006-03-0017 NM)
- Policy Forum Reports (01-006-03-0007 TB)

WALGA President's Report

The following matters are covered in the WALGA President's Report

- COVID-19 – Update

- Rapid Anti-Gen Tests (RATs)
- Local Government Legislative Reform
- Work Health and Safety Legislation
- Aboriginal Cultural Heritage Act
- Submission to Salaries and Allowances Tribunal Remuneration Inquiry
- 2022 Local Government Honours Program

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

Effective governance protocols and systems for business efficiency and improved services through collaboration

Economy Goal – A sustainable and diverse economy:

Sustainable Local Government revenue

VOTING REQUIREMENTS

Simple Majority

COMMITTEE RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. KRG/0222/002

Moved: Cr C Mitchell

Seconded: G Haerewa

That the Kimberley Regional Group:

- 1. Notes the State Council Agenda Items;**
- 2. Supports the recommendations in the Matters for Decision; and**
- 3. Notes the WALGA President's December Report.**

CARRIED UNANIMOUSLY 4/0

Attachments

1. WALGA March State Council Meeting
2. President's Report March 2022



State Council Agenda

2 March 2022

Item 8.1 - WALGA STATE COUNCIL AGENDA



NOTICE OF MEETING

Meeting No. 1 of 2022 of the Western Australian Local Government Association (WALGA) State Council to be held at WALGA, ONE70, LV1, 170 Railway Parade, West Leederville on Wednesday, 2 March beginning at **4:00pm**.

1. ATTENDANCE, APOLOGIES & ANNOUNCEMENTS

1.1. Attendance

Members	Acting President of WALGA - Chair Avon-Midland Country Zone Central Country Zone Central Metropolitan Zone Central Metropolitan Zone East Metropolitan Zone East Metropolitan Zone Goldfields Esperance Country Zone Gascoyne Country Zone Great Eastern Country Zone Great Southern Country Zone Kimberley Country Zone Murchison Country Zone North Metropolitan Zone North Metropolitan Zone North Metropolitan Zone Peel Country Zone Pilbara Country Zone South East Metropolitan Zone South East Metropolitan Zone South Metropolitan Zone South Metropolitan Zone South Metropolitan Zone South West Country Zone	President Cr Karen Chappel JP Cr Ken Seymour President Cr Phillip Blight Cr Paul Kelly Cr Helen Sadler Cr Catherine Ehrhardt Cr John Daw President Cr Laurene Bonza President Cr Cheryl Cowell President Cr Stephen Strange President Cr Chris Pavlovich Cr Chris Mitchell JP Cr Les Price Cr Frank Cvitan JP Mayor Mark Irwin Cr Russ Fishwick JP President Cr Michelle Rich Mayor Peter Long Cr Carl Celedin Mayor Ruth Butterfield Cr Doug Thompson Mayor Carol Adams OAM Mayor Logan Howlett JP President Cr Tony Dean
Ex Officio	Lord Mayor – City of Perth Local Government Professionals WA	Lord Mayor Basil Zempilas Ms Annie Riordan
Secretariat	Chief Executive Officer EM Governance & Organisational Services EM Infrastructure Acting EM Strategy, Policy & Planning Principal Special Projects and Acting EM Communications Acting EM Commercial Manager Strategy & Association Governance Manager Governance & Procurement Chief Financial Officer Principal, Policy and Advocacy	Mr Nick Sloan Mr Tony Brown Mr Ian Duncan Ms Nicole Matthews Ms Narelle Cant Mr Craig Hansom Mr Tim Lane Mr James McGovern Mr Rick Murray Ms Kelly McManus

1.2. Apologies

Item 8.1 - WALGA STATE COUNCIL AGENDA



1.3. Announcements

- 1.3.1. WALGA acknowledges the Whadjuk Nyoongar people who are the Traditional Custodians of the land on which we meet today and pays respect to their Elders past and present.

2. MINUTES

2.1. Minutes of the Meeting held 1 December 2021

RECOMMENDATION

That the Minutes of the WALGA State Council Meeting held on [Wednesday, 1 December 2021](#) be confirmed as a true and correct record of proceedings.

2.2. Flying Minute – Submission to Salaries and Allowances Tribunal Local Government Remuneration Inquiry

RECOMMENDATION

That the [Flying Minute – Submission to Salaries and Allowances Tribunal Local Government Remuneration Inquiry](#) be confirmed as a true and correct record of proceedings.

3. DECLARATIONS OF INTEREST

Pursuant to our Code of Conduct, State Councillors must declare to the Chair any potential conflict of interest they have in a matter before State Council as soon as they become aware of it.

4. EMERGING ISSUES

Notification of emerging issues must be provided to the Chair no later than 24 hours prior to the meeting.

5. MATTERS FOR DECISION

- As per matters listed.
- Items Under Separate Cover to State Council only.

6. MATTERS FOR NOTING / INFORMATION

- As per matters listed.

7. ORGANISATIONAL REPORTS

7.1 Key Activity Reports

- 7.1.1 Commercial and Communications Unit
- 7.1.2 Governance and Organisational Services Unit
- 7.1.3 Infrastructure Unit
- 7.1.4 Strategy, Policy and Planning Unit

7.2 Policy Forum Report

Item 8.1 - WALGA STATE COUNCIL AGENDA



7.3 Policy Team Reports

- 7.3.1 Environment and Waste Policy Team
- 7.3.2 Governance and Organisational Services Policy Team
- 7.3.3 Infrastructure Policy Team
- 7.4.4 People and Place Policy Team

7.4 President's Report

RECOMMENDATION

That the President's Report for March 2022 be received.

7.5 CEO's Report

RECOMMENDATION

That the CEO's Report for March 2022 be received.

7.6 Ex Officio Reports

- 7.6.1 Local Government Professionals WA President, Annie Riordan, to provide the LG Professionals report to the meeting.
- 7.6.2 The Rt. Hon. Lord Mayor Basil Zempilas to provide City of Perth report to the meeting.

8. ADDITIONAL ZONE RESOLUTIONS

To be advised following Zone meetings.

9. DATE OF NEXT MEETING

The next ordinary meeting of the WALGA State Council will be hosted by the South Metropolitan Zone at the City of Cockburn Administration Centre on Wednesday, 4 May.

10. CLOSURE



Agenda Items

5. MATTERS FOR DECISION	5
5.1 Short-Term Accommodation Regulatory Scheme (05-036-03-0016 CH).....	5
 6. MATTERS FOR NOTING / INFORMATION.....	16
6.1 COVID-19 – Update.....	16
6.2 2022-23 Federal Budget Submission (05-088-03-0004 DM)	19
6.3 Detection of Polyphagous Shot-hole Borer and Implications for Local Government (05-046-03-0017 RZ)	21
6.4 State Planning Policy 2.9: Planning for Water - Submission (05-036-03-0070 AR)	23
6.5 Submission to Salaries and Allowances Tribunal – Local Government Remuneration Inquiry (05-034-01-0102 TL)	25
 7. ORGANISATIONAL REPORTS.....	27
7.1 Key Activity Reports	27
7.1.1 Report on Key Activities, Commercial and Communications Unit (01-006-03-0017 CH)	27
7.1.2 Report on Key Activities, Governance and Organisational Services Unit (01-006-03-0007 TB)	29
7.1.3 Report on Key Activities, Infrastructure (05-001-02-0003 ID).....	32
7.1.4 Report on Key Activities, Strategy, Policy and Planning Unit (01-006-03-0017 NM)	34
7.2 Policy Forum Report (01-006-03-0007 TB).....	37
7.3 Policy Team Reports	38
7.3.1 Environment and Waste Policy Team Report	38
7.3.2 Governance and Organisational Services Policy Team Report.....	39
7.3.3 Infrastructure Policy Team Report	42
7.3.4 People and Place Policy Team Report	44
 STATUS REPORT ON STATE COUNCIL RESOLUTIONS.....	48

Item 8.1 - WALGA STATE COUNCIL AGENDA



5. MATTERS FOR DECISION

5.1 Short-Term Accommodation Regulatory Scheme (05-036-03-0016 CH)

By Chris Hossen, Policy Manager, Planning and Building

RECOMMENDATION

That the draft Short-Term Accommodation Regulatory Reform submission be endorsed

Executive Summary

- In December 2021, the Department of Planning, Lands and Heritage (DPLH) released [Draft Position Statement: Planning for Tourism and Guidelines](#) (the position statement) for public consultation.
- The Department of Local Government, Sport and Cultural Industries (DLGCSI) simultaneously [sought comment](#) on the implementation of a new state-wide registration system for short-term accommodation.
- The proposal is in response to the State Government's acceptance of the recommendations of the Inquiry into Short-Stay Accommodation by the Legislative Assembly's Economics and Industry Standing Committee in 2019.
- The proposals are broadly consistent with the Inquiry's findings that Local Governments are best placed to plan for tourism within their communities and WALGA's existing Advocacy Position on short-term accommodation.

Attachment

- Draft Short-Term Accommodation submission

Policy Implications

WALGA's existing policy position on short-term accommodation was adopted in 2017 (Advocacy Position 6.40 Short-Stay Accommodation). This position called for a review of the planning framework for short-term accommodation, contemporary land-use definitions and a preferred approach for home-sharing in the planning framework. The proposed policy measures in the [Draft Position Statement: Planning for Tourism and Guidelines](#) are broadly consistent with the existing position. It is proposed that recommendations 1, 2 and 3 of the draft submission will supersede the existing policy position, and the existing position will be deleted.

Background

The short-term accommodation sector, and the tourism sector more broadly, plays an important role in local economic development, providing employment, training opportunities, and injections of tourist expenditure into local communities across the State. Changes in the short-term accommodation market have been challenging for Local Governments and their communities, particularly amenity issues such as noise, parking and waste management. Several Local Governments have sought to address these challenges through their local planning frameworks and through local registration schemes governed by local laws. These approaches have had varying degrees of success in addressing amenity concerns.

In 2017, WALGA prepared a [Short-Term Rental Accommodation Discussion Paper](#) in consultation with Local Governments. This Discussion Paper led to the adoption of a formal advocacy policy position by WALGA State Council in December 2017.

WALGA made a [submission](#) to the Legislative Assembly Economics and Industry Standing Committee [Inquiry into Short-Stay Accommodation](#) in 2019 and appeared before the Committee with a number of other Local Governments. The [Inquiry Report](#), tabled in September 2019, was generally welcomed by the Local Government sector. All 45 of the Inquiry's findings and 9 of the 10 recommendations were accepted by the State Government. The sector was pleased that the Government accepted Recommendations 2 (updated land use definitions), 3 (updated planning guidance), 7 (working group to be established), 9 (data sharing) and 10 (Local Government

Item 8.1 - WALGA STATE COUNCIL AGENDA



responsibilities as part of registration scheme) and these recommendations form the basis of the matters included in the current consultation being administered by the DPLH and DLGSC.

The [*Draft Position Statement: Planning for Tourism and associated Guidelines*](#) are part of the Government's response to the Inquiry's recommendations. Consultation on the Statement and Guidelines is open from 6 December 2021 until 7 March 2022.

No formal consultation with Local Government or WALGA occurred prior to the release of the position statement and that the consultation does not include any details to justify certain aspects of the position statement or policy guidance. The items outlined in Recommendation 7 of the Inquiry provided a robust set of considerations that would have adequately guided the working group. The recommendation and the Government's response also outlined the importance of engaging with the Local Government sector to support the working group's activities. However, there has not been a formal approach by the working group to Local Government or WALGA to support their work.

WALGA hosted a sector webinar with officers of DPLH and DLGSC on 16 December 2021 which was attended by officers and Councillors from over 50 Local Governments. Attendees were surveyed on key elements of the position statement and proposed regulatory scheme, with this feedback used to inform the draft Submission.

WALGA sought comment on the draft Submission from Local Governments over a three-week period in January 2022. Officer comments were received from the Shires of Augusta-Margaret River, Dowerin, and Serpentine Jarrahdale, the Towns of East Fremantle and Victoria Park, and the City of Vincent. Formal Council support was received from the Shire of Merredin.

Comment

The Position Statement is a positive step forward in the provision of clear and consistent direction to Local Governments on the definition and treatment of short-term rental accommodation in the Western Australia planning framework. In particular:

- Planning Bulletin 99 - Holiday Home Guidelines, has been superseded and replaced with a contemporary range of 'Land Use' definitions and a preferred model for the management of home-sharing in the planning framework. These approaches are consistent with WALGA's current policy advocacy positions.
- The Position Statement identifies that '*Local Governments are best placed to plan for tourism within their communities, with local knowledge of tourism activities, opportunities, constraints, including potential impacts and what requirements, if any, should be places on tourism proposals*'. The general and specific policy measures generally align with this intent and the position statement's intent and objectives are supported.
- The Association supports the establishment of a state-wide registration scheme for short-term accommodation. Local Governments have indicated strong support for such a scheme and the benefits it would bring to the regulation of short-term accommodation in their localities. However, given the limited detail provided, the Association's support for the scheme is conditional upon a range of conditions being satisfied.

The sector has raised significant concerns regarding the proposal to exempt 'unhosted accommodation' from the need to obtain development approval where this use is not proposed to be let for more than 60 days per calendar year. This policy response was not proposed in either the Parliamentary Inquiry or the Government's response. There is broad sector support for the exemption of 'hosted accommodation', and incorporation of the existing bed and breakfast land-use definition into this definition.

Item 8.1 - WALGA STATE COUNCIL AGENDA



**Item 5.1 Short-Term Accommodation Regulatory Scheme
Attachment – Draft Short-Term Accommodation Submission**

Introduction

The Western Australian Local Government Association is the united voice of Local Government in Western Australia. The Association is an independent, membership-based group representing and supporting the work and interests of 139 Local Governments in Western Australia.

The Association provides an essential voice for 1,212 elected members and approximately 22,600 Local Government employees, as well as over 2 million constituents of Local Governments in Western Australia. The Association also provides professional advice and offers services that provide financial benefits to the Local Governments and the communities they serve.

The short-term accommodation sector, and the tourism sector more broadly, plays an important role in local economic development, providing employment, training opportunities, and injections of tourist expenditure into local communities across the state.

Changes in the composition of the short-term accommodation market have been challenging for Local Governments and their communities, particularly amenity issues such as noise, parking and waste management. Several Local Governments have sought to address these challenges through their local planning frameworks and through local registration schemes governed by local laws. These approaches have had varying degrees of success in addressing amenity concerns. Most concerning, requirements set at the local level have not been sufficient to compel compliance from peer-to-peer platforms on matters such as data sharing and compliance with local requirements.

The Association therefore welcomes the opportunity to provide feedback on short-term accommodation to the Department of Planning Lands and Heritage (DPLH) and Department of Local Government, Sports and Cultural Industries (DLGSC) to inform the effective and efficient regulation of this sector.

This submission reflects the Association's existing positions as well as key issues and concerns raised by WALGA members during the consultation period.

Background

The emergence and rapid rise of the 'sharing economy', which utilises peer-to-peer platforms to rapidly connect customers and service providers, has produced several challenges for Local Government. In particular, platforms that support short-term rental accommodation offer these services in residential buildings and neighbourhoods that have not been designed to accommodate or provide these services.

The growth in short-term rental accommodation platforms and associated services has been rapid; however, planning legislation that governs short-term accommodation in Western Australia has not been revised since 2009. The absence of adequate State Government guidance about how to manage these services has been challenging for some Local Governments, which has led to many Local Governments regulating short-term accommodation through their local planning framework and the *Local Government Act 1995*.

In 2017, the Association prepared a *Short-Term Rental Accommodation Discussion Paper* in consultation with Local Governments. This discussion paper led to the adoption of a formal advocacy policy position by the WALGA State Council in December 2017, which states:

1. That WALGA request the Minister for Planning to establish, through the Department of Planning, Lands and Heritage, a Technical Working Group, with a goal to reviewing the planning framework in relation to short-term rental accommodation, that gives consideration to:

Item 8.1 - WALGA STATE COUNCIL AGENDA



- a. A review of Planning Bulletin 99 – Holiday Home Guidelines, with a particular emphasis on expanding the scope of Planning Bulletin 99 beyond 'Holiday Homes', to reflect changes in the accommodation market,
- b. A review of 'Land Use' definitions within the Planning framework that relate to short-term accommodation, and
- c. Establishing a 'preferred' approach for the management of 'home-sharing' within the planning framework

Parliamentary Inquiry into Short-Stay Accommodation

Considering WALGA's adopted policy advocacy positions, the Association welcomed the nature and scope of the terms of reference for the Inquiry into Short-Stay Accommodation by the Legislative Assembly's Economics and Industry Standing Committee in 2019.

The detail of the Association's submission to the inquiry focused on points one (1) and three (3) of the terms of reference, providing a snapshot of the way Local Governments regulate short-term accommodation in Western Australia. WALGA's submission also outlined the various concerns of Local Government and local communities regarding the impact that changes to the short-term accommodation market have had, and are continuing to have, on their localities. Finally, commentary was made on the issue of data-sharing, or lack thereof, between online listing websites, holiday house providers and government authorities and the issues this creates for authorities.

The findings and recommendations of the Inquiry, tabled in September 2019, were generally welcomed by the Local Government sector. For example, Recommendations 2 and 3 sought to contemporise land-use definitions through the *Planning and Development (Local Planning Scheme) Regulations 2015* and update planning guidance to reflect the changes to the definitions. These recommendations largely aligned with the Association's adopted policy advocacy positions.

Recommendations 7 through 10 proposed the need for a state-wide registration scheme, established through appropriate legislative or regulatory mechanisms, and developed by an interdepartmental government working group in consultation with industry and the Local Government sector. The Committee's findings placed considerable weight on the collective evidence provided by Local Government on how the short-term accommodation sector needs to be managed in line with local conditions and context. Recommendation 7 makes clear reference to the need for any state-wide registration scheme to 'ensure that Local Governments maintain the ability to require the provision of additional information and impose additional licencing or operational requirements, depending on their circumstances'. Recommendation 10 listed a range of matters that Local Governments should be responsible for. The State Government accepted both recommendations noting that the relationship between State and Local Government will be a critical issue in implementing a state-wide scheme.

The Association was pleased that the Government accepted Recommendations 2, 3, 7, 8, 9 and 10 and notes that these recommendations form the basis of the matters included in the current consultation being administered by the Department of Planning, Lands and Heritage (DPLH) and Department of Local Government, Sport and Cultural Industries (DLGSC).

General Comments

The Association welcomes the recent release of the *draft Position Statement: Planning for Tourism* and associated Guidelines for public consultation. The draft Position Statement and Guidelines are a positive step forward in the provision of clear and consistent direction to Local Governments on the definition and treatment of short-term rental accommodation in the Western Australia planning framework. Amongst other things, the draft Position Statement and Guidelines supersede and replace Planning Bulletin 99 and provide a more contemporary range of 'Land Use' definitions and a preferred model for the management of home-sharing in the planning framework. These approaches are consistent with WALGA's current policy advocacy positions.

Item 8.1 - WALGA STATE COUNCIL AGENDA



The draft Position Statement identifies that 'Local Governments are best placed to plan for tourism within their communities, with local knowledge of tourism activities, opportunities, constraints, including potential impacts and what requirements, if any, should be places on tourism proposals'. The general and specific policy measures generally align with this intent and the draft Position Statement's intent and objectives are supported.

The Association does have significant concerns regarding the proposal to exempt 'unhosted accommodation' from the need to obtain development approval where this use is not proposed to be let for more than 60 days per calendar year. This policy response was not proposed in either the Parliamentary Inquiry or the Government's inquiry response. Furthermore, the draft Position Statement provides limited justification as to why the exemption is being proposed. Consultation with Local Governments indicates that there is broad opposition to this exemption for a range of reasons. Detailed commentary on this matter is outlined in the Specific Comments section (Appendix 1).

The Association supports the exemption of 'hosted accommodation', and incorporation of the existing bed and breakfast land-use definition into this definition. Detailed commentary on this can be found in the Specific Comments section (Appendix 1).

The Association is concerned that there has not been any consultation with Local Government or WALGA prior to the release of the position statement and that the consultation does not include any details to justify certain aspects of the position statement or policy guidance. The Government accepted the finding of the Inquiry in February 2020 and shortly after formed the interdepartmental working group to advance the matter. The items outlined in Recommendation 7 of the Inquiry provided a robust set of considerations that would have adequately guided the working group. The recommendation and the Government's response also outlined the importance of engaging with the Local Government sector to support the working group's activities. However, there has not been a formal approach by the working group to Local Government or WALGA to support their work. The Association understands that the DLGSC has only recently been appointed as the lead agency for the proposed registration scheme. WALGA looks forward to the opportunity to engage with the Department on the development of this scheme in line with the Inquiry's recommendations and the State Government's response.

The Association supports in-principle the establishment of a state-wide registration scheme. Local Governments have indicated strong support for a scheme and the benefits it would bring to the regulation of short-term accommodation in their localities. However, given the limited detail provided, the Association's support for the scheme is conditional upon inclusion of the following features:

1. All hosted and un-hosted short-term accommodation must be required to be registered with the scheme before being able to advertise the property
2. All peer-to-peer platforms that seek to let short-term accommodation must be regulated through the scheme as a host platform
3. Obligations of registration for both hosts and platforms must be clear and appropriate infringements and compliance tools should be embedded in the regulatory framework
4. Local Governments must be able to maintain the ability to require the provision of additional information and impose additional licencing or operational requirements, depending on their circumstances
5. Local Government's must be able to set fees commensurate with the cost of providing the service for any role undertaken as part of the scheme, and
6. Local Governments must have access to all necessary data collected by the scheme to adequately manage the potential impacts of short-term accommodation providers and to ensure local requirements are being met by hosts.

Recommendations:

1. **The intergovernmental working group be re-formed to guide the establishment of a state-wide registration scheme, which includes Local Government as a key stakeholder to ensure that the experience and knowledge of the sector informs the scheme's formulation.**

Item 8.1 - WALGA STATE COUNCIL AGENDA



2. A state-wide registration scheme be developed for short-term accommodation and peer-to-peer platforms with the inclusion of the following features:
 - a. All hosted and un-hosted short-term accommodation must be required to be registered with the scheme before being able to advertise the property
 - b. All peer-to-peer platforms that seek to let short-term accommodation must be regulated through the scheme as a host platform
 - c. Obligations of registration for both hosts and platforms must be clear and appropriate infringements and compliance tools should be embedded in the regulatory framework
 - d. Local Governments must be able to maintain the ability to require the provision of additional information and impose additional licencing or operational requirements, depending on their circumstances
 - e. Local Government's must be able to set fees commensurate with the cost of providing the service for any role undertaken as part of the scheme, and
 - f. Local Governments must have access to all necessary data collected by the scheme to adequately manage the potential impacts of short-term accommodation providers and to ensure local requirements are being met by hosts.
3. No exemptions for 'unhosted accommodation' are allowed until the details of the state-wide registration scheme are finalised and deemed sufficient to adequately manage the impacts of short-term accommodation.

Item 8.1 - WALGA STATE COUNCIL AGENDA



Specific Comments

Section	Comment
Hosted accommodation	<p>The draft Position Statement proposes that a new definition of 'hosted accommodation' be incorporated into the Local Planning Scheme Regulations as a model provision. It is proposed that the definition of hosted accommodation will encompass all low-scale proposals where a host resides on site, this would include bed and breakfasts. The current definition of bed and breakfast would be deleted from the model provisions. The proposed definition of hosted accommodation would apply to all dwelling types and limit the number of visitors to 4 adult persons in a maximum of 2 bedrooms, this aligns with the current definition of bed and breakfast. Comments received in response to WALGA's discussion paper in 2017 and in response to this consultation indicate broad support for the new definition of hosted accommodation and the subsequent deletion of bed and breakfast from the LPS Regulations. The Association supports this change.</p> <p>It is also proposed that hosted accommodation be exempt from requiring development approval through an amendment to clause 61 of the Deemed Provisions. That is to say that where the proposal meets certain conditions, such as the number of rooms and number of guests, there would be no requirement to seek development approval for the use. Local Governments indicated broad support for the use of exemptions for hosted accommodation. The Association supports this change.</p> <p>The draft Position Statement indicates that all hosted accommodation (including those not requiring development approval) would be required to be registered on the state-wide registration scheme. This would ensure that Local Governments are aware of relevant matters that would enable suitable regulation of the land uses to protect amenity issues should they arise.</p> <p>The Draft Guidelines indicate that Local Governments should consider including hosted accommodation as a 'permitted' land use in the residential zone and as Local Governments deem appropriate in other zones. Current practice generally specifies bed and breakfast as either an 'A' or 'D' use in most suitable zones. It is unusual for a bed and breakfast to be a 'P' use. DPLH will need to consider transitional arrangements for existing schemes and definitions and how the exemption will be incorporated into</p>

WALGA State Council Agenda | 2 March 2022
Page 11

Item 8.1 - WALGA STATE COUNCIL AGENDA



	<p>the deemed provisions to facilitate the policy objectives of the Draft Position Statement. DPLH will also need to consider the appropriateness of exempting unhosted accommodation in bushfire prone areas and the alignment of such a decision with the intent and objectives of <i>State Planning Policy 3.7 Planning for Bushfire Protection</i>.</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 4. Establish new definitions for hosted accommodation 5. Include hosted accommodation as a matter exempt from seeking development approval in clause 61 of the Deemed Provisions, subject to suitable conditions relating to number of guests and number of rooms, and consideration of bushfire or other natural hazard.
Unhosted short-term accommodation	<p>The draft Position Statement proposes that two new and one amended definition related to unhosted accommodation be incorporated into the LPS Regulations as a model provision. Currently the model provisions provide a single definition for 'holiday house'. It is proposed to split this definition into three definitions that reflect the three types of dwellings in the Residential Design Codes: Single House, Grouped Dwelling, and Multiple Dwelling. The definitions are identical except for the type of dwelling.</p> <p>Several Local Governments currently use definitions to distinguish between holiday homes in single houses and either grouped or multiple dwellings. Generally, land-use permissibility and number of guests vary between the two definitions with lower maximum guests' numbers on proposals in grouped and multiple dwellings. The draft Position Statement proposes that guest numbers and room caps would be managed through the local planning framework.</p> <p>There is merit in splitting the land-use definitions by dwelling type, and this is supported. It is recommended that the words, 'for hire or reward' be added to the end of all three draft definitions. This will clarify that this land use is only to be applied to those holiday houses/units that are being used in a commercial manner and not for the personal use of a holiday home by the owner. Consideration should also be given to maintaining limits on the maximum number of guests and number of rooms that can be accommodated in each proposed definition. For example, limiting the maximum number of guests to 2 persons per bedroom.</p> <p>The Draft Guidelines indicate that Local Governments should consider including holiday house/unit/apartments as a 'discretionary' land use in appropriate zone and suggest</p>

Item 8.1 - WALGA STATE COUNCIL AGENDA



	<p>that advertising be required for proposals with more than 7 or more guests. This is generally consistent with current practice and supported.</p> <p>Lastly, it is proposed that unhosted short-term accommodation (in a single house, grouped or multiple dwelling) will be exempt from requiring development approval where it is let for less than 60 days per calendar year. As already stated, no justification has been provided to support this proposal and this proposal was not contemplated or deemed necessary by the Parliamentary Inquiry. Submissions from Local Governments indicate that the practicalities of enforcing this requirement would be impossible and for many Local Governments that have established comprehensive regulatory regimes the change would mean a significant reduction in the ability to adequately manage short-term accommodation and manage the amenity issues in line with community expectations.</p> <p>It is noted that all unhosted accommodation, including those exempt from development approval, would be required to be registered through the state-wide scheme, and that this may allow for adequate regulatory oversight of unhosted accommodation. The lack of information in this consultation on how the scheme will operate, the data reporting requirements, and how local requirements will be incorporated into the scheme does not allow positions to be taken or recommendations made by the Association. Until such a time that additional information is provided, the Association is not able to support or oppose the exemption for unhosted accommodation. This position will be reassessed following the release of information on the Scheme and further consultation with Local Government.</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 6. Include the words 'for hire or reward' to the draft definitions of holiday house, holiday unit and holiday apartment 7. Consider the need for maximum guest and room limits for each draft definition
State-wide registration scheme	<p>The Association supports the establishment of a state-wide registration scheme for short-term accommodation. Consultation with members demonstrates overwhelming support for a scheme and the benefits it would bring to the regulation of short-term accommodation in their localities.</p>

Item 8.1 - WALGA STATE COUNCIL AGENDA



	<p>Local Government experience of local regulation of short-term accommodation through local laws shows the benefits of registration and regulation outside the planning system. The planning system has traditionally not been a useful instrument to manage ongoing compliance, and the use of local laws has shown to be successful at ensuring amenity is maintained and hosts are held to account for the behaviour of their guests and the suitability of the premises.</p> <p>Experience shows that local laws, and their registration scheme in Western Australia, has had limited success in compelling peer-to-peer hosting platforms to ensure compliance with local requirements prior to accepting properties for hire. As has been experienced in New South Wales and Tasmania, state-managed schemes have the power to compel such platforms to follow the rules and ensure compliance. This is vital for the success of any scheme.</p> <p>As has been identified in the draft Guidelines, several Local Governments in Western Australia currently operate local registration and regulatory schemes. This is reflective of the varying impact short-term accommodation has on different communities. It is important that any state-wide scheme be able to capture this variation and reflect the desire of some communities to restrict and/or manage short-term accommodation.</p> <p>In the Government's response to Inquiry recommendation 7 it was noted that the design of the system <i>'...needs to be flexible and not too onerous'</i> and <i>'simple, low cost and user friendly'</i>. Considering these requirements alongside the need to incorporate local requirements into registration, the development of a system similar in design to the section 39 and 40 requests in the liquor licencing regime has merit. This operates by an applicant lodging a request for registration with a state agency, as part of the application process a request for a certificate of compliance from the Local Government would be issued. This would allow the Local Government to determine if all local requirements, such as local registration, development approval, pool permit and food licence etc, had been met. Should those items not be required, this would be indicated in the response. This system would be consistent with the intent of Inquiry recommendation 10 and if adequately resourced would not act as an impediment to registration.</p> <p>As previously stated, as there is limited detail on the scheme, the Association's support for the scheme should be read alongside several features already mentioned in the general comments.</p>
--	---

Item 8.1 - WALGA STATE COUNCIL AGENDA



Implications for Building Classification	<p>Under the National Construction Code apartments are designated as Class 2 Buildings while buildings hosting tourist accommodation are generally classified as Class 3. There are significant differences between the two classes, such as sprinkler protection in Class 3. The design of Class 2 buildings regularly relies on performance solutions that assume a level of resident familiarity with the building, which is not the case for short-term guests. Class 3 buildings address this through higher safety standards.</p> <p>The existence of short-term accommodation in residential class 2 buildings causes difficulties for Local Governments when approving uses. Under current legislation, a change in the classification triggers compliance with the current standards. This would likely be onerous upgrades, particularly in older buildings. Secondly, it is unclear if the trigger would apply to only the apartment or the whole building. More guidance is needed on this issue.</p> <p>Recommendation:</p> <p>8. DLGSC should seek guidance from DMIRS on possible solutions regarding the different safety standards for Class 2 and 3 buildings for short-term accommodation. This issue should be discussed in collaboration with Local Government.</p>
--	---



6. MATTERS FOR NOTING / INFORMATION

6.1 COVID-19 – Update

By Nicole Matthews, Acting Executive Manager, Strategy, Policy and Planning / COVID-19 Response

Please note: The information in this report is current as of 31 January 2022. Supplementary information will be provided at Zone and State Council meetings, as well as through other channels, including regular COVID-19 Updates from the WALGA President and CEO.

RECOMMENDATION

That the COVID-19 Update report be noted.

Executive Summary

- At the time of writing the Omicron variant of COVID-19 is circulating Western Australia with community cases reported in many regions of the State.
- The reopening of Western Australia's borders that was scheduled for February 5 has been delayed, with further reviews of border controls to be considered over the next 2-3 weeks.
- State of Emergency Directions, particularly in relation to mandatory vaccination, proof of vaccination and mask wearing have had significant implications for Local Governments.
- WALGA has continued to provide dedicated COVID-19 support and advocacy for Members, including regular updates, webinars, guidance and analysis.

Background

The Omicron COVID-19 variant, which appears to be milder but more contagious, is now the dominant strain of the virus in Australia and around the world. Case numbers, hospitalisations and deaths have increased dramatically since late December. At the time of writing, it appears some eastern states may have reached a peak in daily cases.

COVID-19 in WA

The latest information on COVID-19 in WA can be found at [COVID-19 coronavirus \(www.wa.gov.au\)](https://www.wa.gov.au/government/department-of-health/covid-19-coronavirus) and on the [WA Department of Health website](https://www.health.wa.gov.au/our-services/covid-19).

Omicron is circulating in Western Australia, with cases reported in many regions of the State. The Chief Health Officer has indicated that it will not be possible to eliminate Omicron in WA.

Vaccinations

91 per cent of the WA 12+ population are double dose vaccinated and 36 per cent of 18+ Western Australians have received a third dose. Vaccination rates in country regions are lower at approximately 84 percent double dose, with particular areas of concern in the Pilbara (57 per cent), Kimberley (71 per cent) and Goldfields (79 per cent).

Current information on vaccination rates by Local Government Area can be found [here](#). It should be noted that for some Local Government areas the information is not available, may be inaccurate and is based on the 15+ population (WA vaccination rates are based on 12+ population).

Restrictions and Directions

[WA State of Emergency and State of Health Emergency Declarations](#) remain in force.

On Thursday, 20 January 2022 the Premier announced that the WA border would not be opening as planned on 5 February 2022 based on [advice from the Chief Health Officer](#).

A revised [Transition Plan for Western Australia](#) has been released.

Item 8.1 - WALGA STATE COUNCIL AGENDA



The State Government has also [released the settings](#) that will apply when WA moves into a high COVID-19 caseload environment:

- a new close contact definition will apply, and casual contacts will cease
- new testing and isolation protocols will take effect, including the use of Rapid Antigen Testing (RAT)
- critical workers will be those that cannot work from home and are vital to maintain critical services and avoid catastrophic losses. For Local Governments this includes waste management services and social assistance services workers.

Mask Wearing

The wearing of face masks has been made mandatory in Perth, Peel, and the South West, Wheatbelt and Great Southern areas in all public indoor settings, vehicles (unless the person is travelling alone or with members of the same household), indoor and outdoor residential aged or disability care facilities and hospitals.

Mandatory Vaccination

The Government implemented mandatory vaccination requirements in late 2021. The Directions relating to these requirements are available [here](#). Local Governments employ 22,000 people in over more than 170 occupations groups which are impacted by at least 10 of the Directions.

It has been difficult for Local Governments to navigate, interpret and communicate the Mandatory Vaccination Directions which only provided for a very short implementation time. Local Governments are now in the process of managing those employees who do not wish to be vaccinated.

Vaccination Proof of Entry

Proof of vaccination requirements for ages 16+ were extended to venues and events state-wide on 31 January 2022. Local Government venues (and staff working in these venues) covered by the requirements include:

- Cafés and hospitality venues, which may be part of a larger facility for example in a recreation centre, sporting venue or hall
- Live music venues
- Indoor play centre
- Cinemas – including drive in and outdoor cinemas
- Gyms, indoor sporting centres, health clubs and dance studios
- A place where an event with more than more than 500 patrons, whether in public or private, and whether undertaken or engaged in on a for profit or not for profit basis (other than an excluded gathering).

Community sport, even if being undertaken in one of the venues covered by the Directions, are exempt from proof of vaccination requirements.

The Directions are available [here](#).

Comment

WALGA Sector Support and Advocacy

WALGA has continued to provide dedicated COVID-19 support and advocacy for the sector, including through:

- Direct engagement with the Chief Health Officer, Department of Health and Department of Premier and Cabinet regarding mandatory vaccination and proof of vaccination requirements under the Directions.
 - Based on feedback from the sector, WALGA strongly advocated for all Local Government owned and operated facilities and premises, and workers required to enter those facilities and premises, to be covered by the mandatory vaccination Directions to remove confusion. This outcome would have provided Local Governments with a mandate to ensure employees are vaccinated and to enable the continued provision of critical and essential Local Government services when there is widespread community transmission

Item 8.1 - WALGA STATE COUNCIL AGENDA



- of COVID-19 in WA. The Government did not progress this approach which has caused considerable confusion across the sector and significant employee relations challenges.
- Proof of vaccination entry requirements are also causing considerable confusion and implementation issues for the sector. WALGA has received a large volume of queries from Local Governments, particularly in relation to mixed use facilities, such as recreation centres, and is seeking urgent clarification.
 - Responding to a large volume of COVID-19 related queries from the sector – more than 300 to WALGA Employee Relations and over 100 to WALGA COVID-19 Response from October 2021 to January 2022.
 - Representing the sector at Ministerial Roundtables, meetings of the State Emergency Management Committee COVID-19 Coordination Group, State Welfare Emergency Committee, State Recovery Advisory Group and the State Health Incident Coordination Centre.
 - Waste services continuity and planning – WALGA has updated the Mutual Assistance MoU for Local Government and preferred suppliers of waste collection, processing and disposal services. This provides a mechanism for assistance to be sought from other organisations if a workforce is impacted by COVID-19.
 - Undertaking a bulk purchase of competitively priced Rapid Antigen Test kits for the sector, with over 70,000 ordered in the first tranche.
 - Regular [WALGA COVID-19 Local Government Updates](#) – 136 updates have been issued since March 2020. There are over 1500 subscribers to these updates.
 - COVID-19 Local Government Survey – WALGA is surveying the sector monthly to inform its COVID-19 support and advocacy. 77 Local Governments responded to the first survey with 40 per cent reporting a shortage of workers or skilled workers, 70 per cent reporting shortages of building material supplies and 60 per cent reporting shortages of machinery, all of which are leading to longer lead times on contracts and resulting in higher costs.
 - Webinars and seminars:
 - 29 October 2021: HR Responses to COVID-19 Breakfast Seminar, attended by 86 representatives from Local Government
 - 21 January 2022: Preparing for Omicron, attended by 300 representatives from Local Government (webinar recording available [here](#))
 - 3 February 2022: COVID-19 Preparedness in the Regions
 - WALGA Employee Relations subscriber resources – 83 per cent of the sector subscribes to the WALGA ER Service. The Service has developed in-depth FAQs, template letters and checklists and COVID-19 specific ER alerts to assist Local Governments in implementing the COVID-19 mandatory vaccination requirements.

Item 8.1 - WALGA STATE COUNCIL AGENDA



6.2 2022-23 Federal Budget Submission (05-088-03-0004 DM)

By Dana Mason, Manager Economics and Strategic Projects

RECOMMENDATION

That the 2022 WALGA Federal Budget Submission be noted.

Executive Summary

- The WALGA President has written to the Federal Treasurer and Assistant Treasurer to support the initiatives identified in ALGA's 2022-23 Federal Budget Submission.
- WALGA's submission also seeks a commitment to address additional issues of particular importance for WA Local Governments:
 1. funding to build the capacity, reliability and resilience of telecommunications infrastructure across remote, regional and peri-urban areas;
 2. additional funding for road programs, including Local Government road priorities across the agricultural region; and
 3. the creation of a funding model for managing coastal erosion hot spots and additional funding from the Commonwealth to support the implementation of coastal hazard risk planning;
- The submission was provided to Commonwealth Treasury, the Treasurer and Assistant Treasurer in January 2022, and will be sent to all WA Members of Federal Parliament in coming weeks.

Attachment

- [WALGA 2022 Federal Budget Submission Letter](#)
- [ALGA 2022 Federal Budget Submission](#)

Background

The Federal Assistant Treasurer recently called for submissions for the 2022-23 Budget.

Each year, ALGA prepares a submission on behalf of the Local Government sector nationally. The 2022-23 ALGA submission requests funding for a range of initiatives across the following key themes:

- Economic recovery;
- Transport and Community Infrastructure;
- Building Resilience (including disaster mitigation; climate change; Closing the Gap initiatives; health; and arts and culture); and
- Circular economy.

These initiatives have been assessed by independent economists, and if funded and implemented would contribute at least \$6.58 billion to Australia's Gross Domestic Product and create 44,436 new jobs per annum.

A copy of ALGA's 2022-23 Budget Submission is attached.

The WALGA Acting President wrote to the Treasurer and Assistant Treasurer in January 2022 in support of the ALGA submission. WALGA's submission (attached) also seeks a commitment to address additional issues of particular importance for WA Local Governments:

- Telecommunications and digital connectivity – Additional funding to build the capacity, reliability and resilience of critical telecommunications infrastructure across remote, regional and peri-urban Western Australia through programs such as the Mobile Network Hardening Program (MNHP); Strengthening Communications Against Natural Disasters (STAND); and Peri-urban Mobile Program (PUMP);
- Road Transport – In addition to funding for key programs such as Roads to Recovery and the Local Roads and Community Infrastructure Program, additional funding of \$50 million is being sought for the Local Government roads prioritised across the agricultural region; and

Item 8.1 - WALGA STATE COUNCIL AGENDA



- Managing coastal erosion hot spots – Creation of a sustainable, equitable and efficient funding model to enable the implementation of coastal hazard risk planning. A funding contribution from the Commonwealth is being sought to assist Local Governments with the costs associated with the implementation of coastal hazard risk planning.

These priorities have previously been endorsed by State Council in September 2017, March 2018 and December 2021.

WALGA's submission has also been provided to all WA Members of Federal Parliament to highlight these priority initiatives.

Comment

The 2022-23 Federal Budget is an ideal opportunity to advocate for priority initiatives for the WA Local Government sector in advance of the upcoming Federal Election.

WALGA will be seeking opportunities to engage with WA Members of Federal Parliament on these and other key issues for the sector in advance of the 2022 Federal Election.

Item 8.1 - WALGA STATE COUNCIL AGENDA



6.3 Detection of Polyphagous Shot-hole Borer and Implications for Local Government (05-046-03-0017 RZ)

By Renata Zelinova, Policy Officer, Biodiversity and Natural Area Management

RECOMMENDATION

That State Council note:

1. The emerging biosecurity threat following the detection of the polyphagous shot-hole borer (PSHB) in the metropolitan area.
2. That PSHB has the potential to significantly impact on Local Governments' street trees and public open space.
3. The response activities being coordinated by the Department of Primary Industries and Regional Development, including the imposition of a Quarantine Area Notice covering 17 Local Government areas and expanded surveillance program.

Executive Summary

- Polyphagous shot-hole borer (PSHB), an exotic wood-boring beetle not previously found in Australia, was detected in Perth in September 2021.
- Establishment of this pest would have significant impact on amenity trees, native vegetation and the fruit and nut industries.
- There is currently no known effective eradication treatment for PSHB. Early detection, removal and advanced treatment of infested trees/branches and tree stumps are the best control methods.
- A PSHB Quarantine Area (QA) has been imposed across 17 metropolitan Local Government areas that restricts the movement of wood and plant material from properties within the QA and requires machinery used to process green waste to be cleaned before leaving the QA.
- The Department of Primary Industries and Regional Development (DPIRD) has expanded PSHB surveillance to selected regional towns by distributing pest specific traps (which will remain in place for up to six months).
- DPIRD is continuing to work with Local Governments, other government agencies and residents to control PSHB populations while the incursion is fully considered as part of the nationally coordinated response to pest incursions.
- WALGA has facilitated DPIRD briefing sessions for the sector, is providing updates to the sector and has established a dedicated webpage for downloadable resources for Local Government to support communications to residents.
- WALGA will continue to work with DPIRD to ensure the implications of the incursion for Local Governments are considered in the ongoing response to PSHB.

Background

Polyphagous shot-hole borer (PSHB) is a 2mm long wood boring beetle native to South-East Asia. It has a symbiotic relationship with a *Fusarium* fungus, cultivating it inside a tree for food. In susceptible trees, this fungus causes dieback and tree death, killing some trees within two years.

PSHB had not been detected in Australia until September 2021 when it was found in a tree in East Fremantle. It is believed to have arrived via infested wood products from its country of origin or other areas of known infestations.

Due to its small size and its lifecycle, PSHB detection and potential control treatments are challenging. Research is underway in South Africa and California on chemical treatment options but results to date are limited and chemicals tested are not registered for use in Australia.

An initial PSHB Quarantine Area (QA) imposed in September 2021 to control the spread of PSHB was further expanded in November to cover 17 Local Government areas: Cambridge, Canning, Claremont, Cockburn, Cottesloe, East Fremantle, Fremantle, Melville, Mosman Park, Nedlands, Peppermint Grove, Perth, South Perth, Stirling, Subiaco, Victoria Park and Vincent. The expanded

WALGA State Council Agenda | 2 March 2022
Page 21

Item 8.1 - WALGA STATE COUNCIL AGENDA



QA conditions are less onerous on impacted Local Governments as green waste movement within the QA is unrestricted. Exemptions have also been arranged for selected green waste processing facilities outside the QA to allow the continuation of green waste collections within the 17 Local Government areas.

DPIRD is working directly with impacted Local Governments to provide them with information on the borer, QA Notice restrictions and communications material to help support affected residents. Local Governments in the Perth metropolitan region have assisted DPIRD investigations by providing information on the locations of one of the key host trees, the box elder (*Acer negundo*) as well as information on green waste processing facilities.

DPIRD's has also undertaken extensive inspections of potential host trees (555 inspections completed during 13-16 December 2021), responded to public reports of suspected infestations and placed PSHB traps at strategic locations (358 traps deployed during 13-16 December 2021).

On 22 December 2021, DPIRD delivered a stakeholder update which noted that 39 properties were identified with infested trees, all within the QA. Analysis of tissue samples showed that the species of *Fusarium* fungi found in the Perth infestations is different to the species used elsewhere in the world. Consequently, a list of host tree species may also be different to the known list of hosts. [Twenty one species of trees](#) have been identified as host trees within the QA, including two new species; mango and sea hibiscus/cottonwood that were not previously listed elsewhere.

To determine how far PSHB may have spread, DPIRD is placing specifically designed traps in 18 regional Local Government areas, including Albany, Bunbury, Busselton, Greater Geraldton, Bridgetown-Greenbushes, Chittering, Dandaragan, Donnybrook-Balingup, Esperance, Katanning, Lake Grace, Manjimup, Moora, Plantagenet, Wickepin, Wongan-Ballidu, Narrogin and Northam. Up to five traps are being placed in priority towns and will remain in place for up to six months.

The detection of PSHB has also triggered a national level response via the Consultative Committee on Emergency Plant Pests (CCEPP) and the National Management Group which consider the technical feasibility of eradication and response plans to new pest incursions in Australia. DPIRD's ongoing investigations inform the PSHB response decisions.

Comment

Since the establishment of the PSHB QA, WALGA has facilitated DPIRD briefing sessions, provided regular updates to the sector and established a dedicated [webpage](#) for downloadable resources for Local Government to support communications to residents.

PSHB has potentially significant implications for affected Local Governments' management of green waste, street trees and public open space. Initial WALGA analysis of street tree lists and street tree mapping data from four metropolitan Local Governments indicates that more than half of the tree species used by these Local Governments are potential hosts for the PSHB.

While DPIRD continues undertaking investigations to determine the most appropriate response to PSHB, Local Governments are encouraged to monitor their trees for any [signs of PSHB](#) and consider the implications of the establishment of the PSHB in their area, especially the impact on the tree canopy.

WALGA will continue to work with DPIRD to ensure the implications of the incursion for Local Governments are considered in the ongoing response to PSHB.

Item 8.1 - WALGA STATE COUNCIL AGENDA



6.4 State Planning Policy 2.9: Planning for Water - Submission (05-036-03-0070 AR)

By Ashley Robb, Senior Policy Advisor, Planning

RECOMMENDATION

That the endorsed Draft State Planning Policy 2.9: Planning for Water submission be noted.

Executive Summary

- In August 2021, the Department of Planning, Lands and Heritage (DPLH) released *Draft State Planning Policy 2.9: Planning for Water* (the policy) and policy guidelines for public consultation.
- The draft policy is an amalgamation of six different state planning policies related to water, and the Government Sewerage Policy.
- WALGA provided extensive input on the draft policy's formulation as a member of the stakeholder reference group.
- Many of WALGA's recommendations were included in the draft policy and guidelines. Consequently, WALGA's submission proposed mostly minor amendments to strengthen existing provisions and support the policy's implementation.
- State Council endorsed the submission by Flying Minute on 8 November 2021. The submission was provided to the DPLH on 8 November 2021.

Attachment

- [Flying Minute: State Planning Policy 2.9: Planning for Water](#)

Background

In August 2021, the Department of Planning, Lands and Heritage (DPLH) released [Draft State Planning Policy 2.9: Planning for Water](#) and policy guidelines for public consultation.

The intent of the new policy is "to ensure that planning and development considers water resource management and includes appropriate water management measures to achieve optimal water resource outcomes". The policy's objectives are broad and encompass environmental, social, cultural and economic water related values; protection of drinking water sources; riverine flooding; water supply and reuse; resiliency to climate change; and wastewater management.

The draft policy is an amalgamation of the *Government Sewerage Policy* (2019) and six different state planning policies related to water: *SPP 2.1 - Peel-Harvey coastal plain catchment* (1992); *SPP 2.2 - Gnamptara Groundwater Protection* (2005); *SPP 2.3 - Jandakot Groundwater Protection* (2017); *SPP 2.7 - Public drinking water source* (2003); *SPP 2.9 - Water resources* (2006); and *SPP 2.10 - Swan-Canning river system* (2006).

Preparation of the new policy commenced in 2018. As part of the process, the DPLH established a stakeholder reference group that included representatives from the Department of Water and Environmental Regulation; the Department of Biodiversity, Conservation and Attractions; Main Roads Western Australia; Water Corporation; the Peel Harvey Catchment Council; and the Urban Development Institute of Australia (WA). WALGA was represented on this group by its Planning and Building Team and Environment Team.

WALGA's advocacy in relation to the preparation of SPP 2.9 and this submission included:

- Representation on the stakeholder reference group since 2018;
- A Local Government workshop in 2019 attended by approximately 30 participants including Local Government planners and engineers, representatives from DPLH, the Western Australian Planning Commission (WAPC) and private consultant Urbaqua, to seek Local Government input early in the policy formulation process;
- Targeted consultation with Local Governments most likely to be affected by the policy, particularly those in Perth's growth areas in 2020;

Item 8.1 - WALGA STATE COUNCIL AGENDA



- The release of WALGA's draft submission for sector feedback; and
- A webinar in October 2021 attended by approximately 70 Local Government planners, engineers and other officers with water related responsibilities, and representatives from the DPLH, to discuss the policy and draft submission.

Comment

Many of the recommendations proposed by WALGA during the policy review process were included in the draft policy and guidelines, demonstrating the productive working relationship between WALGA and the DPLH and the Department's comprehensive approach to stakeholder engagement in preparing the policy.

The following key areas of WALGA advocacy and support were addressed in the draft policy:

- Clarity on the role of planning instruments that can be used to apply the policy, such as special control areas and local planning policies;
- The importance of preserving ecological linkages to mitigate ecological system fragmentation;
- Local Government discretion to exempt dams from the requirement to seek planning approval;
- Strengthening the need for proposals to manage nutrient exports within acceptable levels, particularly for intensive agricultural land uses and in accordance with State Government requirements;
- A four-stage process for assessing the cumulative impact of large development proposals;
- A clear presumption against the intensification of development within defined floodways;
- Requirement for site and soil evaluators to be accredited and registered; and
- Key implementation recommendations such as fact sheets, consistent planning scheme and policy provisions, and support for Local Governments to identify approaches that ensure appropriate development can continue on subdivided, unsewered lands within the bounds of the policy and guideline requirements.

WALGA's submission therefore contains mostly minor amendments to strengthen existing provisions within the policy and guidelines to ensure:

- Public open spaces have adequate fit-for-purpose water resources so new communities have access to irrigated public open spaces; and
- Proponents seek the support of the relevant Local Government when that Local Government is not the relevant planning authority, where it is intended that Local Government will be the infrastructure asset manager or where the proposed location of water infrastructure assets impact Local Government assets or facilities.

The submission also makes recommendations to support the policy's implementation. The DPLH has advised that budget has been allocated to support on-ground policy implementation following the policy's formal adoption.

The People and Place Policy Team endorsed the submission on 25 October 2021. State Council endorsed the submission by Flying Minute on 8 November 2021. The submission was submitted to the DPLH on 8 November 2021.

Item 8.1 - WALGA STATE COUNCIL AGENDA



6.5 Submission to Salaries and Allowances Tribunal – Local Government Remuneration Inquiry (05-034-01-0102 TL)

By Tim Lane, Manager Strategy and Association Governance

RECOMMENDATION

That the endorsed Submission to the Salaries and Allowances Tribunal Remuneration Inquiry for Local Government Chief Executive Officers and Elected member be noted.

Executive Summary

- The Salaries and Allowance Tribunal (SAT) are undertaking their annual Inquiry into Local Government Chief Executive Officer and Elected Member Remuneration, with submissions sought by Friday, 28 January 2022.
- Due to the timeframes involved, the submission was endorsed by State Council by Flying Minute following consideration by the State Council Governance and Organisational Services Policy Team.
- The submission makes three recommendations relating to Elected Member remuneration and the Regional/Isolation Allowance that may be payable to Chief Executive Officers as follows:
 - That Elected Member Fees and Allowances (including maximum reimbursable expenses) are increased by up to four percent.
 - That the maximum payable Regional/Isolation Allowance be increased for Local Governments that are particularly isolated, long distances from population centres with low amenity.
 - That the Salaries and Allowances Tribunal publish the methodology, criteria, and weightings for the Regional/Isolation Allowance.

Attachment

- [Flying Minute – Submission to Salaries and Allowances Tribunal – Local Government Remuneration Inquiry](#)
- [Submission to Salaries and Allowances Tribunal – Remuneration Inquiry: Local Government Chief Executive Officers and Elected Members](#)

Background

The Salaries and Allowances Tribunal wrote to WALGA on 2 December 2021 advising of their annual Inquiry into Local Government Chief Executive Officers' and Elected Members' Remuneration with submissions invited from Local Governments and other stakeholders by Friday, 28 January 2022.

Given the late January deadline, which does not align with State Council's meeting schedule, the draft submission was considered by State Council via Flying Minute, following consideration by State Council's Governance and Organisational Services Policy Team.

Comment

The submission discusses two issues:

1. The need for a broad increase in remuneration for Elected Members given very limited increases over the past five years coupled with increasing responsibilities and time commitments of the role, and
2. A need for an increase in the maximum payable Regional/Isolation Allowance for particularly remote and isolated Local Governments, coupled with a request for more detail of the Regional/Isolation Allowance's methodology to be published.

In relation to [Elected Member remuneration](#), the submission:

- Highlights that Elected Member remuneration has increased by one percent during the past five years while, in the four years to June 2021, the consumer price index for Perth has increased by 7.14 percent and the public sector wage price index has risen by 4.68 percent.

Item 8.1 - WALGA STATE COUNCIL AGENDA



- Argues that the responsibilities and workload of Elected Members is increasing and references mandatory training requirements, data from the 2021 Local Government elections in terms of uncontested and unfilled vacancies, and the Minister for Local Government's proposal to reduce the number of Elected Members in many Local Governments.
- Argues that the remuneration framework should not be a barrier to enhanced diversity in Elected Member representation to reflect community demography.
- Recommends that Elected Member Fees and Allowances, including limits for reimbursable expenses, are increased by up to four percent.

In relation to the Regional/Isolation Allowance which may be payable to Chief Executive Officers, the submission:

- Notes the inadequacy of the Regional/Isolation Allowance is a concern to many of WALGA's members, particularly remote and isolated Local Governments, and therefore recommends that the maximum payable Allowance be increased for remote and isolated Local Governments to facilitate Chief Executive Officer attraction and retention.
- Highlights the confusion and uncertainty in the Local Government sector regarding the methodology for calculating the Regional/Isolation Allowance and, on that basis, recommends that further information regarding the methodology, criteria and weightings be published.

The final submission, which was first considered and endorsed by State Council's Governance and Organisational Services Policy Team, was endorsed by State Council by Flying Minute on 25 January 2022 and has been put forward to the Salaries and Allowances Tribunal for their consideration.

The Local Government Remuneration Determination is expected to be published in early April 2022.



7. ORGANISATIONAL REPORTS

7.1 Key Activity Reports

7.1.1 Report on Key Activities, Commercial and Communications Unit (01-006-03-0017 CH)

By Craig Hansom, Acting Executive Manager Commercial

RECOMMENDATION

That the Key Activity Report from the Commercial and Communications unit to the March State Council meeting be noted.

Commercial and Communications comprises of the following WALGA work units:

- Commercial Development
- Commercial Management
- LGIS Contract Management
- Communications (Marketing and Events)

Commercial Development

With the first phase of the Energy Contract now complete, and phased transitions into aggregate supply rates between now and 1 April 2022, attention will now turn towards scoping for PPA infrastructure, and options for bill verification and carbon measurement services.

The Commercial team has completed a number of small tenders with approximately 50 new Preferred Suppliers onboarded to the program.

A new Preferred Supplier Program (PSP) for Built Environment and Construction is being developed. Tenders will shortly be called for modular and temporary housing as the first category of supply for the new Panel.

The VMware licensing arrangement that is utilised by 25 WALGA Members has been refreshed for a new Contract Term.

Commercial Management

PSP Annual Report

During the 2021-22 Q1 period, the program delivered \$80.06 million of goods, services and works, providing estimated savings of \$8.25 million. Additional benefits are realised through a reduction in administrative activities, alongside the added value of contract management oversight, due diligence and risk mitigation. More than 500 supplier engagements were facilitated through WALGA's eQuotes portal during this time.

Member Engagement

The Contract Management team continues with Member engagement to support use of the WALGA PSP. During the October to December 2021 quarter, there were 20 Member visits to the following regional Members:

- City of Greater Geraldton
- City of Kalgoorlie-Boulder
- Shire of Broome
- Shire of Coolgardie
- Shire of Cue
- Shire of Derby-West Kimberley
- Shire of Dundas
- Shire of Esperance
- Shire of Halls Creek

Item 8.1 - WALGA STATE COUNCIL AGENDA



- Shire of Laverton
- Shire of Leonora
- Shire of Meekatharra
- Shire of Menzies
- Shire of Mount Magnet
- Shire of Murchison
- Shire of Ravensthorpe
- Shire of Sandstone
- Shire of Wiluna
- Shire of Wyndham-East Kimberley
- Shire of Yalgoo

During the 2021 calendar year, more than 120 visits were made to regional Member by the Commercial Management Contract Managers. Metropolitan Members were engaged on a needs focused basis.

LGIS Contract Management

An item under separate cover for this State Council meeting covers a new LGIS Scheme Management Agreement between WALGA and JLT.

A summary of the LGISWA Scheme Board meeting held on 25 November along with the Minutes from that meeting are also provided under separate cover.

The following WALGA sponsored projects are currently in progress:

- Review of LGIS reporting against APRA standards;
- LGIS Board remuneration review; and
- Updates to the LGIS Corporate Governance Charter to reflect recent State Council endorsed changes.

Marketing and Communications

Happy Place Campaign Placements

The remaining sector promotion budget is being used to continue the Happy Place Campaign using TV and press advertising over summer. TV placements are run in nightly news and half-page press placements in the Saturday West on a light schedule to extend until March.

New Website

Work is complete on the refresh of the WALGA website that includes integration with the Preferred Supplier CRM and updated search functionality. Content on the site has been rearranged to match usage patterns.

Your Everyday Production

During the 2021 calendar year, more than 26 Your Everyday productions were published on the website. The Your Everyday now has over 242 productions promoting our Members right across the state.

This year will focus on any Members where there has been a change of Mayor or President and any other Members that have not yet been represented.

Item 8.1 - WALGA STATE COUNCIL AGENDA



7.1.2 Report on Key Activities, Governance and Organisational Services Unit (01-006-03-0007 TB)

By Tony Brown, Executive Manager Governance and Organisational Services

RECOMMENDATION

That the Key Activity Report from the Governance and Organisational Services Business Unit to the March 2022 State Council meeting be noted.

Governance and Organisational Services comprises of the following WALGA work units: Governance and Procurement, Employee Relations, Training, Regional Capacity Building and Strategy & Association Governance.

The following provides an outline of the key activities of Governance and Organisational Services since the last State Council meeting.

Strategy & Association Governance

Best Practice Governance Review

State Council, at their December 2021 meeting, resolved to undertake a Best Practice Governance Review during 2022 and 2023.

Identified as a key strategic initiative during the development of WALGA's [Corporate Strategy 2020-2025](#), the following drivers underscore the importance of the project:

1. Alignment with the Corporate Strategy: *We have contemporary governance and engagement models,*
2. State Council's 3 September 2021 resolution requesting amendment to the Constitution to "deal with matters related to State Councillors' Candidature for State or Federal Elections",
3. Misalignment between key governance documents – Constitution, Corporate Governance Charter, State Council Code of Conduct, and Standing Orders – stemming from amendments over the past 15-20 years, and
4. Proposed legislative reforms to remove WALGA from being constituted under the *Local Government Act 1995*.

The project will incorporate the following five stages over the 2022 and 2023 calendar years:

1. Planning and Commencement – including appointment of a Steering Committee
2. Review and Assessment – incorporating a review of WALGA's governance model, examination of similar organisations, consideration of options, and development of recommendations
3. Recommendations and Determination – resulting in a final report to be considered at the December 2022 meeting of State Council
4. Drafting Governance Documents – ensuring the Constitution, Corporate Governance Charter, State Council Code of Conduct and Standing Orders are contemporary and aligned, and
5. Final Approval and Implementation – following the 2023 Annual General Meeting.

The Local Government sector will be engaged and consulted as the project progresses.

2022 Local Government Honours Program

The Local Government Honours Program affords significant public recognition and celebration of the outstanding achievements and lasting contributions made by Elected Members and employees to their respective Councils, the Local Government sector and the wider community.

Nominations for this year's Program are now open. Following a thorough review of the Program last year, two new awards have been added, alongside four existing awards:

1. Local Government Medal
2. Life Membership
3. Eminent Service Award

Item 8.1 - WALGA STATE COUNCIL AGENDA



4. Merit Award (*new for 2022*)
5. Local Government Distinguished Officer Award
6. Young Achievers Award (*new for 2022*)

The new Merit Award has combined two previous awards (Merit and Long & Loyal Service) and is intended to recognise notable contributions to WALGA, Local Government and/or the Local Government sector. The Young Achievers Award is open only to Elected Members and employees aged 35 years or younger, recognising notable commitment and demonstrated potential for professional success.

Nomination forms and further information can be found on the WALGA website [here](#). Nominations will close at 5:00pm on Friday, 24 June.

Employee Relations

New Industrial Relations Legislation Amendment Act 2021

The Industrial Relations Legislation Amendment Bill 2021 (IR Bill) was given [Royal Assent](#) on 22 December 2021 as Act No. 30 of 2021. Part 1 of the [Industrial Relations Legislation Amendment Act 2021](#) (WA) (IRLA Act) commenced on 22 December, which deals with preliminary matters. All other parts of the IRLA Act will be proclaimed by publishing a notice of proclamation in the Western Australian Government Gazette.

The declaration that all Local Governments are not national system employers will have the effect of transitioning all Local Governments to the State industrial relations system if it is endorsed by the Federal Minister for Industrial Relations, Senator the Hon Michaelia Cash.

We have not received confirmation on whether the declaration will be endorsed by the Federal Minister, however WALGA has secured an upcoming meeting with the General Advisor to the Federal Minister.

WA Government's Mandatory COVID-19 Vaccination Policy

The WALGA Employee Relations service has been receiving a high number of queries regarding the WA Government's mandatory COVID-19 vaccination requirements for employees. WALGA Employee Relations is regularly updating its Frequently Asked Questions documents and has released a number of template letters and checklists to assist subscribers to the service.

Governance and Procurement

Council Meetings and COVID-19

During a state of emergency, public health emergency or under a Direction, options are available for Local Governments to meet online rather than in person.

In March 2020, in response to COVID-19, the Government introduced the *Local Government (Administration) Regulations* 14C, 14D and 14E. These provisions apply to ordinary council meetings, special council meetings, committee meetings and audit committee meetings.

A Local Government may determine to hold a meeting by electronic means (eMeeting) during a state of emergency, public health emergency or due to a Direction. To do so, either the Mayor/President or Council can authorise an eMeeting if they consider this appropriate due to a public health emergency or state of emergency, or if a Direction prevents meetings being held in person – r.14D(2). Please note that r.14D(2)(b)(ii) permits the Mayor/President or Council to authorise, by a single authorisation, that more than one council meeting will be held by electronic means, e.g. authorise that the March 2022 through to June 2022 council meetings will be held by electronic means.

If choosing to hold ordinary council meetings as eMeetings, the Local Government should give local public notice under r.12(3) to ensure the community is aware the meetings will not be held in-person. WALGA has had this advice confirmed by the Department of Local Government, Sport and Cultural Industries.

Item 8.1 - WALGA STATE COUNCIL AGENDA



The Mayor/President or Council, in consultation with the Local Government CEO, can determine the means by which an eMeeting will be held – r.14D(3).

Regulation 14C introduced the option that permits individual Council Members to seek authorisation to attend electronically at an in-person Council meeting if "because of the public health emergency or state of emergency, the member is unable, or considers it inappropriate, to be present at an in person meeting" – r.14C(2)(b).

When conducting eMeetings, Local Governments are to observe modifications made to the *Local Government Act* under r.14E relating to public question time, giving notice of meetings etc. WALGA developed the [Electronic Council Meetings \(eMeeting\) Guideline](#) to assist Local Governments meet the requirements for online meetings.

Annual Electors Meetings

WALGA has been receiving queries from Local Governments on the ability to hold Electors Meetings electronically in the case of the potential increase in community spread of COVID-19. Electors Meetings are treated differently to Council and Committee meetings and currently Electors Meetings are required to be held in-person.

Previously in 2020, there was a Ministerial Order that suspended Electors Meetings, and this could occur again should there be widespread community infection rates or in anticipation of the State border re-opening. We are in regular communication with the Department of Local Government, Sport and Cultural Industries on this matter and will update the sector accordingly.

Local Government (Administration) Regulations (No.2) 2021– Electronic Meetings

The Department of Local Government, Sport and Cultural Industries is looking at draft amendments to the *Local Government (Administration) Regulations 1996*, to enable electronic meetings outside of a declared state of emergency. This will require amendments to Regulations 14A-E.

WALGA is generally supportive of this proposal subject to retaining the requirement for a Suitable Place to be approved, but only to the extent of the place providing for confidentiality and not based upon distance from meeting place.

Item 8.1 - WALGA STATE COUNCIL AGENDA



7.1.3 Report on Key Activities, Infrastructure (05-001-02-0003 ID)

By Ian Duncan, Executive Manager Infrastructure

RECOMMENDATION

That the Key Activity Report from the Infrastructure Unit to the March 2022 State Council meeting be noted.

Roads

Condition Assessment of Roads of Regional Significance

Funding has been provided through the State Road Funds to Local Government Agreement to perform visual condition surveys of Significant sealed roads and video of the Significant unsealed roads over a five-year cycle. The first two phases of this project, covering the Mid West, Great Southern and Goldfields-Esperance regions have been completed. In addition, the survey has included condition reporting on access roads to remote Aboriginal communities. It is proposed to cover the Wheatbelt regions in the next phase which is scheduled for the start of 2022.

Road Safety Management System

WALGA, Main Roads WA and the South West Regional Road Group have finalised modifications to the project prioritisation guidelines and multi criteria assessment model to provide a greater focus on road safety when setting the annual roads program for the region. This is an important pilot to deliver the commitment agreed in the State Road Funds to Local Government Agreement 2018/19 to 2022/23 to work towards establishing a road safety management system. With agreement from the Regional Road Group chairs, WALGA will examine the common elements of the prioritisation guidelines and multi criteria assessment models for all the regions and develop a standard template including road safety and sustainability in the prioritisation process for setting the annual roads program for each region. Any changes will need to be supported by the relevant Regional Road Group.

Road – Rail Interface Agreements

WALGA, Main Roads WA and the Public Transport Authority (PTA) have made substantial progress toward developing a revised Road-Rail Interface Agreement. The draft Agreement, which identifies the responsibilities of the parties to manage risks associated with a road/rail crossing on the PTA network, will be provided to Local Governments for consideration and feedback, once finalised.

Local Government Road Research Program

WALGA and Main Roads will be developing a research program that will deliver guidance to Local Governments to assist in the adoption of technologies and practices that will enhance productivity and delivery of roads and transport initiatives. WALGA is currently collecting topic proposals that will then be prioritised by an operations team of Local Government practitioners.

Funding

State Road Funds to Local Government Agreement

The current Agreement expires in June 2023. The Minister of Transport and Planning has given approval to proceed with negotiations for a new Agreement and SAC has endorsed a timeline and process. WALGA and Main Roads will be meeting fortnightly to facilitate the process which will include consultation with Regional Road Groups, Zones and State Council.

Urban and Regional Transport

Regional Roadworks Signage Review

Recommendations from a working group, that included WALGA, overseeing a review of regional roadworks signage, presented a report to the Minister for Transport in August. The State Government announced in October that it had accepted all the recommendations. The data and trends in other jurisdictions indicate that effective identification and treatment of risks to road users and road workers

WALGA State Council Agenda | 2 March 2022
Page 32

Item 8.1 - WALGA STATE COUNCIL AGENDA



is required, even on low volume rural roads. Changes proposed will be reflected in the Codes and Standards that guide temporary traffic management for road works.

Road Safety

Traffic Management Information Seminar

WALGA and Main Roads WA recently held a Traffic Management Information Seminar, which provided an update on the state of practice of Traffic Management in Western Australia. This seminar provided an opportunity for Local Governments in the Perth Metropolitan area to receive an update on the state of practice and liaise directly with Main Roads WA and other Local Governments.

At the seminar, Main Roads provided an overview of the current Traffic Management for Works on Roads Code of Practice (updated 2021) and the AustRoads Guide to Temporary Traffic Management (published 2021) and discussed other new developments in this area. The sessions closed with a presentation from the City of Swan, providing the Local Government perspective.

Road Safety Council Update

The Road Safety Council have met on two occasions since October 2021. At the 25 November meeting the Road Safety Council received presentations on the Regional Roadworks Signage Review (Department of Transport), the Road Safety Outcomes Framework designed to monitor the Driving Change road safety strategy (Road Safety Commission) and speed zoning policies and practices (Main Roads WA). Information around the new regulations for eRideables was noted and preliminary consideration given to the projects submitted for Road Trauma Trust Account (RTTA) funding in 2022-2023. The 17 December meeting focused on compiling the RTTA budget which has subsequently been recommended to the Minister responsible for road safety, in accordance with the *Road Safety Council Act 2022*.

Item 8.1 - WALGA STATE COUNCIL AGENDA



7.1.4 Report on Key Activities, Strategy, Policy and Planning Unit (01-006-03-0017 NM)

By Nicole Matthews, Acting Executive Manager, Strategy, Policy and Planning

RECOMMENDATION

That the Key Activity Report from the Strategy, Policy and Planning Unit to the March 2022 State Council meeting be noted.

The Strategy, Policy and Planning (SPP) Portfolio comprises:

- Economics and Strategic Projects
- Environment
- Planning and Building
- Resilient Communities
- Waste and Recycling (see MWAC Report)

The following provides outlines the key activities of SPP since the last State Council meeting.

Economics and Strategic Projects

Federal Budget Submission

WALGA's submission to the Federal Government in advance of the 2022-23 Budget supports the priorities put forward by ALGA and identifies the need for additional funding for local priorities including telecommunications, agricultural freight routes and coastal hazard management (Agenda Item 6.2 refers).

Economic Briefing

In December 2021, WALGA released its latest Economic Briefing, which contained updated forecasts for the Local Government Cost Index (LGCI). The LGCI is used to estimate future changes in costs to Local Governments based on the spending patterns of the sector across the State. WALGA forecasts the LGCI to rise 3.9% in 2021-22 as the increased demand from Government stimulus arrives at the same time as labour supply is constrained by closed interstate and international borders, and supply issues continue for materials from both domestic and global challenges. Cost increases experienced by Local Governments in recent months are now being reflected in the data.

The LGCI forecasts will be updated in February 2022. To subscribe to the quarterly briefing or find out more contact WALGA Economist Daniel Thomson on dthomson@walga.asn.au.

COVID-19 Survey

WALGA has commenced a monthly, sector-wide survey to gather data and an on-the-ground assessment of the impact of COVID-19 on Local Governments and their communities. This information will be used by WALGA to inform WALGA's advocacy on behalf of the sector.

Environment

Biosecurity and Agriculture Management Act (BAM Act) Review

It is expected that the review of the BAM Act will commence in mid to late 2022. WALGA is continuing to engage with the Department of Primary Industries and Regional Development and as a member of the Biosecurity Senior Officers Group to influence the direction and content of the review and ensure there is comprehensive consultation with the sector.

National Carbon Accounting Guidelines

WALGA is working with the Australian Local Government Association (ALGA) to promote a nationally consistent approach to carbon accounting for Local Governments to assist the sector in measuring its progress towards net zero emissions. The proposal, which was developed by WALGA in consultation with Climate Active (a Federal Government agency), will see Guidelines developed specifically for Local Government in measuring their emissions.

Item 8.1 - WALGA STATE COUNCIL AGENDA



Electric Vehicles

Over 80 Local Government Officers from 39 Councils have responded to WALGA's expression of interest regarding transitioning fleets and EV Infrastructure arrangements. An internal WALGA working group will be progressing this work over coming months.

WALGA is holding an [Electric Vehicles and Hydrogen Technology Forum](#) on 31 March 2022, focussing on charging infrastructure governance and procurement considerations, guidance on transition strategies, heavy vehicles hydrogen fuel cell technology, and WALGA's new Energy Preferred Supplier Panel.

Planning and Building

Development Assessment Panel (DAP) Regulations

Consultation on proposed amendments to the DAP Regulations are expected to begin in early February, in response to previously flagged changes to the system as part of Phase 2 of the State's Planning Reform agenda. It is understood that this will include the introduction of a Special Matters DAP. WALGA will consult with the sector to prepare a submission and work with DPLH to ensure Local Government is engaged during the consultation period.

Swimming Pool Inspector Training

WALGA hosted a professional development day for Local Government swimming pool inspectors on 6 December 2021 attended by over 100 Local Government swimming pool inspectors. The provision of professional development was recommended by the Ombudsman WA in its report, Investigation into Ways to Prevent or Reduce Deaths of Children by Drowning.

Energy Efficiency Discussion Paper

The Planning and Building and Environment teams have been working with the Environmentally Sustainable Building Design Reference Group – represented by Local Government planners and building surveyors – to prepare a discussion paper on energy efficiency in the built environment. The discussion paper will identify key challenges and opportunities for Local Governments who are seeking to improve the thermal performance and energy use of residential and non-residential buildings in their local built environment. The paper is the next step following WALGA State Council's endorsement of a policy position to support the Trajectory for Low Energy Buildings, in December 2021. The paper will be ready for consultation with Members in February.

Carport/Patio Fire Separation State Building Variation

The report to DMIRS to support a draft proposal for a state addition to the National Construction Code (NCC) to address the historical application of the carport exemption to patios in Western Australia has been finalised. Local Government building surveyors have been calling for this change through WALGA's working groups. The report supports WALGA's advocacy for clear and consistent regulations for the assessment of structures used as covered outdoor living areas which are currently not adequately addressed in the NCC. Meetings have been held with both DMIRS and DFES following the report's completion and WALGA's advocacy will continue in line with the current policy position to encourage good decision making and effective administration and regulation in building control.

Local Government Coastal Facilitator

WALGA has appointed a Local Government Coastal Facilitator with funding provided by the CoastWA Program. The Coastal Facilitator will support coastal and estuarine Local Governments to access CoastWA funding and develop and implement Coastal Hazard Risk Management and Adaptation Plans.

Resilient Communities

Work Health and Safety Act 2020 (WHS Act) and Volunteer Bushfire Brigades

Following advocacy efforts by WALGA and other stakeholders, the commencement of the WHS legislation was delayed from January to March 2022.

Item 8.1 - WALGA STATE COUNCIL AGENDA



WALGA and LGIS are continuing to support the sector with the transition to the WHS Act, particularly in relation to the management of volunteer Bushfire Brigades. On 9 February 2022 WALGA is hosting a sector webinar, with presentations from the Department of Mines, Industry Regulation and Safety (DMIRS) and LGIS providing an overview of the requirements of the new legislation for Local Governments with responsibility for managing Bushfire Brigades. LGIS is currently developing a resource to support Local Governments, and WALGA has developed a dedicated webpage with relevant information and resources.

Consolidated Emergency Management Legislation

In October 2021 the Department of Fire and Emergency Services (DFES) re-established the Interagency Working Group for the proposed *Consolidated Emergency Services Act*, which had not met since 2015. The new legislation will replace the *Fire Brigades Act 1942*, the *Bush Fires Act 1954*, and the *Fire Emergency Services Act 1998*. It is anticipated that an Exposure Draft Bill will be released for public comment in mid-2022.

Local Government Emergency Management (LEMA) Review

WALGA and DFES have received grant funding to undertake a review of Local Emergency Management Arrangements (LEMA). WALGA will engage an officer to undertake consultation with the sector in order to identify and pilot options for contemporary, scalable and sustainable emergency management arrangements for Local Governments.

Office of Auditor General Audit of Funding of Volunteer Fire and Emergency Services Groups

The Office of the Auditor General (OAG) is conducting a performance audit of the management of funding for volunteer fire and emergency services groups in Western Australia. In December 2021 WALGA met with the OAG to provide preliminary information relating to Local Government management of volunteer bushfire brigades and the Local Government Grants Scheme for their consideration in determining the scope of the audit.

The Community Industry Reference Group (CIRG)

The CIRG has been established to provide WALGA with strategic advice and expertise to assist in the development of effective advocacy and policy. The CIRG comprises a diverse group of senior regional and metropolitan Local Government executives' extensive leadership experience in community development and social policy. The CIRG has identified five social policy priorities: Reconciliation; Community and Cultural Infrastructure; Homelessness and Housing; Mental Health and Wellbeing; and Volunteering.

Public Libraries Strategy

WALGA CEO Nick Sloan is the current chair of the Public Libraries Working Group (PLWG) which comprises WALGA, the State Library of Western Australia, Public Libraries WA, a representative from a Tier 2 regional public library, the Department of Local Government, Sport and Cultural Industries, the Office of Digital Government, the Department of Primary Industries and Regional Development and LG Professionals WA. The PLWG has developed a new 5-year Public Library Strategy. Public consultation on the draft strategy will commence in February 2022.

Upcoming Submissions

The Resilient Communities Team is developing the following submissions:

- Senate Estimates Committee *Homelessness Services Inquiry*;
- *Food Act* Review by the Department of Health; and
- WA Health Promotion Strategic Framework consultation by Department of Health.

Item 8.1 - WALGA STATE COUNCIL AGENDA



7.2 Policy Forum Report (01-006-03-0007 TB)

By Tony Brown, Executive Manager, Governance and Organisational Services

The following provides an outline of the key activities of Policy Forums that have met since the last State Council meeting.

RECOMMENDATION

That the report on the key activities of WALGA Policy Forums to the March 2022 State Council meeting be noted.

Mining Communities Policy Forum

The Mining Communities Policy Forum meet for the first time since 2019 on 8 November 2021 via Microsoft Teams.

In attendance were President Cr Karen Chappel (Chair), Mayor Peter Long, President Cr Malcolm Cullen, Cr Les Price, CEO Paul Martin, and from WALGA, CEO Nick Sloan, Executive Manager Tony Brown and Principal Policy and Advocacy Kelly McManus.

The Forum discussed how Local Governments have very little say about mining companies that operate within their boundaries. The *Mining Act* is old, and a review is long overdue. Mining companies are more focussed on mining than the community. Mining Agreements have become city centric with most major mining companies head offices located in the Perth CBD.

There is a need for a more formal communications structure as a point of reference for Local Government and mining companies.

More alignment is needed with the Aboriginal Heritage Bill and Native Title. Local Government must be recognised by the State Government as a significant stakeholder and engaged appropriately. One way to achieve this is to seek membership on the Mining and Management Program Liaison Group (MMPLG). The MMPLG is chaired by the Department of Industry and Resources on behalf of the Minister for State Development.

It was noted during the meeting that there is little Government appetite for a full review of the *Mining Act*. A suggestion was made that the sector seeks to identify the relevant parts of the Act associate Regulations that require Advocacy from WALGA.

The next meeting of the Mining Communities Policy Forum will be held in the first quarter of 2022.



7.3 Policy Team Reports

7.3.1 Environment and Waste Policy Team Report

By Nicole Matthews, Acting Executive Manager Strategy, Policy and Planning

The Environment and Waste Policy Team includes the following subject areas:

- Climate change
- Native vegetation and biodiversity
- Biosecurity
- Water resources
- Sustainability
- Waste management

This Report provides an update on matters considered by the Environment and Waste Policy Team at its meeting held on 13 December 2021.

1. Matters for State Council Decision

Nil

2. Matters for Noting by State Council

2.1 Election of Chair

The Policy Team elected Cr Les Price (Murchison Country Zone), Chair.

2.2 Policy Team Priorities

The Policy Team discussed key priorities for 2022, which included:

- Climate Change – the Policy Team discussed the role of Local Government in all aspects of Climate change prevention, mitigation and adaption. There was also a focus on Electric Vehicles and an update was requested for the next meeting.
- Biosecurity – the Policy Team requested an item for noting for State Council on the Polyphagous Shot Hole Borer.
- A review of Environment Policies and the need for the sector to strong and focused advocacy on these key priority areas.

POLICY TEAM RECOMMENDATION

That State Council note the matters considered by the Environment and Waste Policy Team.

Item 8.1 - WALGA STATE COUNCIL AGENDA



7.3.2 Governance and Organisational Services Policy Team Report

By Tony Brown, Executive Manager Governance and Organisational Services

The Governance and Organisational Services Policy Team includes the following subject areas:

- Employee relations
- Governance
- Strategy and Association Governance
- Training
- Regional Capacity Building / Local Government Reform

This Report provides an update on matters considered by the Governance and Organisational Services (GOS) Policy Team at its meetings held on 6 July, 10 September, 2 November and 16 December 2021.

1. Matters for State Council Decision

1.1 WALGA Advocacy Position Reviews [GOS-06/07/2021-6.0]

The GOS Policy Team reviewed five WALGA Advocacy Positions as per below and provides recommendations for State Council consideration. Where the GOS Policy Team has recommended the Advocacy Position be retained, it may be reviewed in the WALGA [Advocacy Position Manual](#).

Advocacy Position 2.2 Local Government Reform

GOS Policy Team Comment: No change to this Advocacy Position – issue remains current.

RECOMMEND that WALGA Advocacy Position 2.2 Local Government Reform is retained.

Advocacy Position 2.2.1 Structural Reform

GOS Policy Team Comment: No change to this Advocacy Position – issue remains current.

RECOMMEND that WALGA Advocacy Position 2.2.1 Structural Reform is retained.

Advocacy Position 2.4.2 Country Local Government Fund

GOS Policy Team Comment: No change to this Advocacy Position – issue remains current.

RECOMMEND that WALGA Advocacy Position 2.4.2 Country Local Government Fund is retained.

Advocacy Position 2.1.13 Rates Notices

Position Statement Section 6.41 of the Local Government Act 1995 should be amended to:

1. Permit rates notices to be issued electronically; and,
2. Introduce flexibility to offer regular rate payments (i.e. fortnightly, monthly etc.) without the requirement to issue individual instalment notices.

State Council Resolution December 2017 – 123.6/2017

GOS Policy Team Comment: The [Local Government Legislation Amendment Act 2019](#) amended s.6.41 of the Local Government Act 1995 inserting a new subsection s.6.41(4) as follows:

- (4) The rate notice may be given by email if the local government has obtained the consent of the owner or occupier, as the case requires, to giving the rate notice in that way.

This amendment achieved part 1 of the WALGA Advocacy Position 2.1.13 Rates Notices, however part 2 has not yet been achieved.

RECOMMEND that WALGA Advocacy Position 2.1.13 Rates Notices be reviewed and submitted for State Council consideration to:

- Note that Part 1 was achieved through the *Local Government Legislation Amendment Act 2019*; and therefore
- Delete Part 1 from the Advocacy Position.

Item 8.1 - WALGA STATE COUNCIL AGENDA



Advocacy Position 2.6.6 Panel Tenders

Position Statement WALGA supports amendment to the Functions and General Regulations to permit panel tenders.

State Council Resolution July 2015 – 74.4/2015
September 2014 – 88.4/2014

GOS Policy Team Comment: The [Local Government \(Functions and General\) Amendment Regulations 2015](#) were gazetted on 18 September 2015 resulting in Part 4, Division 3 being inserted into the Functions and General Regulations, which established new regulatory provisions enabling Local Governments to establish Panels of Prequalified Suppliers. WALGA's July 2015 Advocacy Position has therefore been achieved.

RECOMMEND that WALGA Advocacy Position 2.6.6 is noted as achieved and removed.

2. Matters for State Council Noting

2.1 Election of Policy Team Chair

At its meeting on 16 December 2021, the GOS Policy Team elected Cr Russ Fishwick (North Metropolitan Zone), Chair.

2.2 Submission to Salaries and Allowances Tribunal Local Government Remuneration Inquiry (GOS-17/01/2022-3.1)

At its meeting on 17 January 2022, the GOS Policy Team SUPPORTED the draft Secretariat submission recommendations regarding:

- Elected Members, subject to amending the recommendation for Elected Member Fees and Allowances to be increased by **up to four percent** ~~a minimum of three percent~~.
- Chief Executive Officers.

State Council endorsed the Submission to Salaries and Allowances Tribunal Local Government Remuneration Inquiry Submission by Flying Minute.

2.3 Local Government (Administration) Regulations (No.2) 2021 - Electronic Meetings (GOS-17/01/2022-3.2)

Also at the 17 January 2022 meeting, the GOS Policy Team SUPPORTED the draft Secretariat feedback on the Local Government (Administration) Regulations (No.2) 2021 – Electronic Meetings, subject to the following amendments:

- Retain the requirement for a Suitable Place to be approved, but only to the extent of the place providing for confidentiality and not based upon distance from meeting place.
- Provide for the Council or the Mayor/President to approve a request for Council Member to attend a meeting electronically, with provisions that enable the Council to review a decision of the Mayor/President [Reg.14D].

WALGA's feedback was provided to the Department of Local Government, Sport and Cultural Industries on 18 January 2022.

2.4 Local Government Reform Proposals

The GOS Policy Team met on 2 February 2022 to consider the draft submission on the proposed Local Government reforms, as included in the Agenda for the special meeting of State Council on 23 February 2022.

POLICY TEAM RECOMMENDATION

That State Council:

1. determine to:

- a. retain the following Advocacy Positions unchanged:
 - i. **2.2 Local Government Reform**
 - ii. **2.2.1 Structural Reform**
 - iii. **2.4.2 Country Local Government Fund**

WALGA State Council Agenda | 2 March 2022
Page 40

Item 8.1 - WALGA STATE COUNCIL AGENDA



- b. note the following Advocacy Positions as achieved and approve removal from the WALGA Advocacy Position Manual:
 - i. 2.6.6 Panel Tenders
 - c. retain and amend the following Advocacy Position:
 - i. 2.1.13 Rates Notices – removing part 1 as it is achieved.
2. note the matters considered by the Governance and Organisational Services Policy Team.

Item 8.1 - WALGA STATE COUNCIL AGENDA



7.3.3 Infrastructure Policy Team Report

By Ian Duncan, Executive Manager Infrastructure

The Infrastructure Policy Team includes the following subject areas:

- Roads and paths
- Road safety
- Transport
- Freight
- Utilities (including telecommunications and underground power)

This Report provides an update on matters considered by the Infrastructure Policy Team at its meeting held on 23 December 2021.

1. Matters for State Council Decision

The Infrastructure Policy Team reviewed the below WALGA Advocacy Positions and provides recommendations for State Council consideration. Where the Infrastructure Policy Team has recommended the Advocacy Position be retained, it may be reviewed in the WALGA [Advocacy Position Manual](#).

1.1 WALGA Advocacy Positions Reviews

The following Advocacy Positions were considered by the Infrastructure Policy Team:

- Advocacy Position 5.1.3 Defined Heavy Vehicle Network
- Advocacy Position 5.1.4 Concessional Mass Loading
- Advocacy Position 5.1.5 Performance Based Standards (PBS)
- Advocacy Position 5.1.6 Heavy Vehicle Road User Pricing
- Advocacy Position 5.1.7 National Freight and Supply Chain Priorities
- Advocacy Position 5.1.8 Heavy Vehicle Cost Recovery Policy Guideline for Sealed Road
- Advocacy Position 5.1.8 Heavy Vehicle Cost Recovery Policy Guideline for Sealed Road
- Advocacy Position 5.1.9 Assessing Applications to Operate Restricted Access Vehicles on Local Government Roads
- Advocacy Position 5.1.10 Review of the Western Australian Rail Access Regime
- Advocacy Position 5.1.11 Restricted Vehicle Operating Condition CA07 Letter of Approval
- Advocacy Position 5.2.3 Default Open Speed Limit in WA
- Advocacy Position 5.2.5 The Role of Local Government in the Future Management of Warden Controlled Children's Crossings
- Advocacy Position 5.2.6 Speed Enforcement
- Advocacy Position 5.2.7 Road Safety Strategy (Imagine Zero)
- Advocacy Position 5.2.9 Review of the Administrative Road Classification Methodology
- Advocacy Position 5.3.1 Public Transport
- Advocacy Position 5.3.2 Western Australian Bicycle Network
- Advocacy Position 5.3.3 Cycling on Footpaths
- Advocacy Position 5.3.4 Licensing Cyclists and Registering Bicycles
- Advocacy Position 5.5 Street Lighting
- Advocacy Position 5.5.1 LED Street Lighting
- Advocacy Position 5.9 Bus Stop Infrastructure

RECOMMEND that the above WALGA Advocacy Positions be retained.

2. Matters for State Council Noting

2.1 Election of Infrastructure Policy Team Chair

On 23 December 2021, the Infrastructure Policy Team elected President Cr Stephen Strange (Great Eastern Country Zone), Chair.

Item 8.1 - WALGA STATE COUNCIL AGENDA



2.2 Matters Raised by Zones

In relation to driving on closed roads, the Gascoyne Country Zone resolved:

That WALGA:

1. Investigate technologies available to physically close roads remotely and provide costings for such;
2. Investigate the current legislative frameworks and provide comment on the remedies practicality of enforcing such;
3. Investigate and make comment on what other State Jurisdictions legislative interventions are used and the remedies provided thereunder to discourage motorists driving on closed roads.

In response to the above, the Infrastructure Policy Team resolved at its meeting on 23 December 2021:

That advice be sought from the next meeting of the Goldfields-Esperance, Kimberley, Mid West and Pilbara Zones regarding the magnitude of road damage arising from vehicles being driven on closed roads and potential measures that would effectively reduce this risk. Advice from the Zones be considered at the next Infrastructure Policy Team meeting.

2.3 Other Items

- Delegates asked to note that a Transport and Roads Forum and trade day is provisionally planned for **Wednesday, 30 March 2022** at the Cannington Expo and Showgrounds.
- The Association has responded to concerns raised by Local Governments about the lack of available Diesel Exhaust Fluid (marketed as AdBlue etc) with the Australian Government through ALGA and with the Western Australian Freight and Logistics Council. This is on-going

POLICY TEAM RECOMMENDATION

That State Council:

1. determine to retain the following Advocacy Positions unchanged:
 - a. 5.1.3 Defined heavy vehicle network
 - b. 5.1.4 Concessional Mass Loading
 - c. 5.1.5 Performance Based Standards (PBS)
 - d. 5.1.6 Heavy Vehicle Road User Pricing
 - e. 5.1.7 National Freight and Supply Chain Priorities
 - f. 5.1.8 Heavy Vehicle Cost Recovery Policy Guideline for Sealed Road
 - g. 5.1.9 Assessing Applications to Operate Restricted Access Vehicles on Local Government Roads
 - h. 5.1.10 Review of the Western Australian Rail Access Regime
 - i. 5.1.11 Restricted Vehicle Operating Condition CA07 Letter of Approval
 - j. 5.2.3 Default Open Speed Limit in WA
 - k. 5.2.5 The Role of Local Government in the Future Management of Warden Controlled Children's Crossings
 - l. 5.2.6 Speed Enforcement
 - m. 5.2.7 Road Safety Strategy (Imagine Zero)
 - n. 5.2.9 Review of the Administrative Road Classification Methodology
 - o. 5.3.1 Public Transport
 - p. 5.3.2 Western Australian Bicycle Network
 - q. 5.3.3 Cycling on Footpaths
 - r. 5.3.4 Licencing cyclists and registering bicycles
 - s. 5.5 Street Lighting
 - t. 5.5.1 LED Street Lighting
 - u. 5.9 Bus Stop Infrastructure
2. note the matters considered by the Infrastructure Policy Team.

Item 8.1 - WALGA STATE COUNCIL AGENDA



7.3.4 People and Place Policy Team Report

By Nicole Matthews, Acting Executive Manager Strategy, Policy and Planning

The People and Place Policy Team includes the following subject areas:

- Community
- Emergency Management
- Planning and Building

This Report provides an update on matters considered, since the last State Council meeting, by the People and Place Policy Team at its meetings held on 6 August, 25 October and 16 December 2021.

1. Matters for State Council Decision

The People and Place Policy Team reviewed WALGA Advocacy Positions as per below and provides recommendations for State Council consideration. Where the People and Place Policy Team has recommended the Advocacy Position be retained, it may be reviewed in the WALGA [Advocacy Position Manual](#).

1.1 WALGA Planning and Building Advocacy Positions Reviews

On 6 August 2021, the People and Place Policy Team endorsed an initial review of WALGA's Advocacy Positions as they relate to planning and building.

WALGA has 20 active policy advocacy positions that relate to the Planning and Building policy areas. A number of these have been in place for over ten years and have not been subject to a review to determine their ongoing suitability. To ensure that WALGA's policy guidance remains relevant, the Policy Team was requested to review and support a proposed timeframe and approach for the review of these policy areas.

An initial review of the existing planning and policy advocacy positions was undertaken. This review has made an initial recommendation as to whether the existing position should be retained, deleted or updated.

As per the Policy Team recommendation, those matters requiring review or deletion will be presented to State Council in the future for actioning. For those matters deemed to be retained without modification they are provided to State Council below for endorsement of the Policy Team's recommendation.

Advocacy Position 6.4 Third Party Appeal Rights

People and Place Policy Team Comment: No change to this Advocacy Position – issue remains current.

RECOMMEND that Advocacy Position 6.4 is retained.

Advocacy Position 6.5 Development Assessment Panels

People and Place Policy Team Comment: No change to this Advocacy Position – issue remains current.

RECOMMEND Advocacy Position 6.5 is retained.

Advocacy Position 6.8 Planning Fees and Charges

People and Place Policy Team Comment: No change to this Advocacy Position – issue remains current.

RECOMMEND Advocacy Position 6.8 is retained.

Advocacy Position 6.12 Town Planning and Alcohol Outlets

People and Place Policy Team Comment: No change to this Advocacy Position – issue remains current.

Item 8.1 - WALGA STATE COUNCIL AGENDA



RECOMMEND Advocacy Position 6.12 is retained.

Advocacy Position 6.18 Industrial Planning

People and Place Policy Team Comment: No change to this Advocacy Position – issue remains current.

RECOMMEND Advocacy Position 6.18 is retained.

Advocacy Position 6.15 Senior Housing Strategy

People and Place Policy Team Comment: No change to this Advocacy Position – issue remains current.

RECOMMEND Advocacy Position 6.15 is retained.

Advocacy Position 6.19 Special Residential Zones

People and Place Policy Team Comment: No change to this Advocacy Position – issue remains current.

RECOMMEND Advocacy Position 6.19 is retained.

Advocacy Position 6.3 Local Government Planning Improvement Program

Position Statement	The Association supports the establishment of a Planning Improvement Program specifically for the Local Government sector.
Background	The Program's key mission statement is to 'ensure better outcomes through consistency and efficiency' providing best practice examples and information for local government planning departments to undertake improvements within their organisation rather than the imposition of reform measures.
State Council Resolution	September 2012 – 108.5/2012
Supporting Documents	Local Government Planning Improvement Program - Action Plan
People and Place Policy Team Comment: This Advocacy Position is no longer relevant and should be removed.	

RECOMMEND Advocacy Position 6.3 is removed from the WALGA Advocacy Position Manual.

Advocacy Position 6.9 Prostitution Legislation

Position Statement	The Local Government sector supports in principle, the recognition and licensing of prostitution in WA as it allows normal regulatory controls to be put in place, on condition that brothels should be excluded from predominantly residential areas.
Background	The Association has been involved in discussions / proposals to decriminalize prostitution since 1999. State Council has determined the position through consultation with all member Councils (on several occasions), and consideration of feedback and representative position papers, workshops, discussions with other government agencies, support groups and members of the prostitution industry. The Association will only comment on regulatory, operational, amenity and cost implications that arise for local government from any proposed legislation – not moral issues.
State Council Resolution	October 2011 – 109.5/2011
People and Place Policy Team Comment: This Advocacy Position is no longer relevant and should be removed.	

RECOMMEND Advocacy Position 6.9 is removed from the WALGA Advocacy Position Manual.

Advocacy Position 6.10 Directions 2031

Position Statement	To enable the success of Directions 2031 and its associated policies, the Association recommends that the Minister for Planning re-establish a State/Local Government consultative committee to assist with the implementation of <i>Directions 2031 and Beyond</i> and its associated policies.
Background	Additional recommendations specifically requested that:

Item 8.1 - WALGA STATE COUNCIL AGENDA



- the Minister for Planning establish implementation funding for the implementation of *Directions 2031 and Beyond* and its associated policies; and
- the WAPC seek a partnership approach between State/Local Government and UDIA in reviewing urban infill and greenfield dwelling targets in the Peel Sub-Regional Strategy area based upon a reassessment of Urban Investigation Areas linked with employment generating activity centres, industrial precincts and transport networks over a longer term planning horizon to prevent land shortages that will drive up housing prices and reduce affordability.

State Council Resolution 18 February 2011 – 11.1/2011

People and Place Policy Team Comment: This Advocacy Position is no longer relevant and should be removed.

RECOMMEND Advocacy Position 6.10 is removed from the WALGA Advocacy Position Manual.

2. Matters for State Council Noting

2.1 Election of Policy Team Chair

At its 16 December 2021 meeting, the People and Place Policy Team elected President Cr Tony Dean (South West Country Zone), Chair.

2.2 WALGA Emergency Management Advocacy Position Review

WALGA has a number of State Council endorsed Advocacy Position Statements relating to Emergency Management that have been developed over the years. To ensure that WALGA's advocacy positions remain contemporary, the Policy Team is requested to support a proposed approach for the review of existing Advocacy Position Statements.

An initial review of the existing Emergency Management Advocacy Position Statements has been undertaken. This review resulted in an initial recommendation for all existing advocacy statements to be reviewed. A review of State Council Minutes for the previous 10-year period was also undertaken in order to ensure that issues previously considered by State Council are captured in the process.

The proposed steps to this review are:

1. Seek Policy Team agreement to the development of a Comprehensive set of Emergency Management Advocacy Position Statements.
2. WALGA Resilient Communities Team to develop a Comprehensive set of Emergency Management Advocacy Position Statements for consultation with the sector through the development of a Discussion Paper.
3. The WALGA Resilient Communities Team will work collaboratively with other WALGA policy areas where there is cross-over in subject matter (for example, infrastructure, environment and planning) to ensure that Position Statements are interdisciplinary in focus.
4. Present Comprehensive set of Emergency Management Advocacy Position Statements to People and Place Policy Team for endorsement.
5. Present final Comprehensive set of Emergency Management Advocacy Position Statements to State Council for endorsement.

During the meeting, Policy Manager Resilient Communities Susie Moir gave an overview of the proposed policy position review. Members were supportive of the proposed steps for review.

2.3 Advocacy Position for Future Review

At future meetings, the People and Place Policy Team will review the following Advocacy Positions:

- Advocacy Position 6.1 Planning Principles
- Advocacy Position 6.2 Planning Reform

Item 8.1 - WALGA STATE COUNCIL AGENDA



- Advocacy Position 6.6 Bush Fire Hazard Mitigation and Planning
- Advocacy Position 6.7 Building Act and Fees
- Advocacy Position 6.11 Coastal Planning
- Advocacy Position 6.13 Public Open Space
- Advocacy Position 6.14 Affordable Housing
- Advocacy Position 6.16 Capital City Planning Framework
- Advocacy Position 6.17 Built Heritage
- Advocacy Position 6.20 Short-Stay Accommodation

POLICY TEAM RECOMMENDATION

That State Council:

1. determine to:
 - a. retain the following Advocacy Positions unchanged:
 - i. 6.4 Third Party Appeal Rights
 - ii. 6.5 Development Assessment Panels
 - iii. 6.8 Planning Fees and Charges
 - iv. 6.12 Town Planning and Alcohol Outlets
 - v. 6.15 Senior Housing Strategy
 - vi. 6.18 Industrial Planning
 - vii. 6.19 Special Residential Zones
 - b. note the following Advocacy Positions are no longer relevant and approve removal from the WALGA Advocacy Position Manual:
 - i. 6.3 Local Government Planning Improvement Program
 - ii. 6.9 Prostitution Legislation
 - iii. 6.10 Directions 2031
2. note the matters considered by the People and Place Policy Team.

Item 8.1 - WALGA STATE COUNCIL AGENDA



STATUS REPORT ON STATE COUNCIL RESOLUTIONS To the March 2022 State Council Meeting

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
1 December 2021 Item 5.1 Paid Family and Domestic Violence Leave Entitlements	That WALGA: Endorse the submission to the Fair Work Commission (FWC) regarding paid family and domestic violence leave (FDVL) which: 1. highlights that FDVL for employees is an important issue for the sector; 2. supports the introduction of a new entitlement in modern awards for employees to receive five days' paid FDVL per year as a minimum entitlement; 3. advocates for employees to be able to access their paid personal/carer's leave in circumstances of family and domestic violence; and 4. does not support the introduction of a new entitlement in modern awards, at this point in time, for employees to receive 10 days' paid FDVL per year as sought by the Australian Council of Trade Unions (ACTU). RESOLUTION 292.7/2021	Submission was forwarded to the Fair Work Commission.	Completed	Tony Brown Executive Manager Governance & Organisational Services
1 December 2021 Item 5.2 Payment to Independent Committee Members	That WALGA request the Minister for Local Government to amend the Local Government Act 1995 to allow the payment of meeting attendance fees to, and/or defined reimbursements for time committed by, 'other persons' appointed as Committee members under s.5.8 of the Local Government Act 1995. RESOLUTION 293.7/2021	Correspondence has been sent to the Minister for Local Government advocating for this position. A response was received from the Minister advising of in principle support for reimbursing a committee member for their time and application of relevant skills and expertise through committees. The Minister has asked the Department of Local Government, Sport and Cultural Industries to examine the implementation of WALGA's request in the ongoing process of the development and drafting of legislative reforms.	Ongoing February 2022	Tony Brown Executive Manager Governance & Organisational Services
1 December 2021 Item 5.3 2021 Annual General Meeting	That: 1. The following resolutions from the 2021 WALGA Annual General Meeting be endorsed for action: <u>Cost of Regional Development</u> That WALGA makes urgent representation to the State Government to address the high cost of development in regional areas for both residential and industrial land, including the prohibitive cost of utilities headworks, which has led to market failure in many regional towns.	WALGA will make representations on this issue with the Minister for Housing; Lands; Homelessness; Local Government and the Minister for Regional Development. WALGA will also raise with Development WA.	February 2022	Nicole Matthews Acting Executive Manager Strategy, Policy and Planning

WALGA State Council Agenda | 2 March 2022
Page 48

Item 8.1 - WALGA STATE COUNCIL AGENDA



MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	... RESOLUTION 294.7/2021			
1 December 2021 Item 5.3 2021 Annual General Meeting	That: 1. The following resolutions from the 2021 WALGA Annual General Meeting be endorsed for action: ... <u>CSRFF Funding Pool and Contribution Ratios</u> That WALGA lobby the State Government to: 1. Increase the CSRFF funding pool to at least \$25 million per annum and revert the contribution ratio to 50% split to enable more community programs and infrastructure to be delivered. 2. Increase the \$1 million per annum quarantined for female representation to at least \$2 million per annum. RESOLUTION 294.7/2021	The Acting WALGA President wrote to the Minister for Sport and Recreation, Minister Templeman, on this issue on 28 January 2022 and will raise in a meeting with the Minister on 31 January 2022.	Ongoing	Nicole Matthews Acting Executive Manager Strategy, Policy and Planning
1 December 2021 Item 5.3 2021 Annual General Meeting	That: 1. The following resolutions from the 2021 WALGA Annual General Meeting be endorsed for action: ... <u>Regional Telecommunications Project</u> That WALGA strongly advocates to the State Government to increase funding for the Regional Telecommunications Project to leverage the Federal Mobile Black Spot Program and provide adequate mobile phone coverage to regional areas that currently have limited or no access to the service. RESOLUTION 294.7/2021	A multi-prong approach will be implemented over time to take advantage of opportunities to improve mobile phone coverage in regional (including peri-urban) areas. Since the last State Council meeting, working through the State Emergency Management Committee, a \$240,000 grant from the joint Commonwealth State funded National Disaster Risk Reduction Program has been secured. This grant is to create a consolidated data set of mobile phone towers, including their power supply, to identify how to best improve regional telecommunications availability and reliability. The Association has also highlighted and encouraged eligible Local Governments to take advantage of additional Federal funding under the Peri-urban Mobile Black Spot program (PUMP) and identify mobile Black Spots.	Ongoing	Ian Duncan Executive Manager Infrastructure
1 December 2021 Item 5.3 2021 Annual General Meeting	That: ... 2. The following resolution passed at the 2021 WALGA Annual General Meeting be referred to the Mining Communities Policy Forum and the People and Place Policy Team for advocacy work to be undertaken: <u>Review of the Environmental Regulations for Mining</u> Regarding a review of the Mining Act 1978: 1. To call on Minister Bill Johnston, Minister for Mines and Petroleum; Energy; Corrective	This issue will be considered at the next meeting of the Mining Communities Policy Forum.	Ongoing	Tony Brown Executive Manager Governance & Organisational Services

WALGA State Council Agenda | 2 March 2022
Page 49

Item 8.1 - WALGA STATE COUNCIL AGENDA



MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p>Services to instigate a review of the 43-year-old Mining Act to require mining companies to abide by environmental regulations, and to support research and development into sustainable mining practices that would allow mining without detriment to diversification and community sustainability through other industries and development.</p> <p>2. That abandoned mines in regional Western Australia receive a priority action plan with programmes developed to work with rural and remote communities to assist in the rehabilitation of these mines as a job creation programme, with funding allocated for diversification projects for support beyond mine life across Western Australia.</p> <p>RESOLUTION 294.7/2021</p>			
<p>1 December 2021 Item 5.4 Review of advocacy positions relation to the <i>Building Act 2011</i> and Building Regulations 2012</p>	<p>That State Council endorses the replacement of Section 6.7: Building Act and Fees of WALGA's advocacy positions document relating to the Building Act 2011 and Building Regulations 2012 with the following:</p> <ol style="list-style-type: none"> 1. Support the retention of Local Government as the primary permit authority in Western Australia for decisions made under the Building Act 2011. 2. Supports mandatory inspections for all classes of buildings, however, Local Government should not be solely responsible for all mandatory inspections. 3. Advocate for the State Government to urgently prioritise legislative reform that addresses systemic failures in the current building control model and to provide clarification on the role of Local Government in building control to ensure building legislation supports the following objectives: <ol style="list-style-type: none"> a. Quality buildings that are cost efficient. b. Functional, safe and environmentally friendly buildings. c. Good decision making in all aspects of building. d. Efficiency and effectiveness in building management, administration and regulation. e. Openness and accountability with respect to all building matters. f. Recognition of the rights and responsibilities of all parties in building matters in an equitable manner. 	<p>WALGA's Policy Manual has been updated to reflect the decision of State Council.</p>	Completed	<p>Nicole Matthews Acting Executive Manager Strategy, Policy and Planning</p>

Item 8.1 - WALGA STATE COUNCIL AGENDA



MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p>4. Existing and proposed building control related fees and charges to be cost recovery for Local Government.</p> <p>5. WALGA will work with members, state agencies and industry groups to develop training opportunities and to promote the Local Government building surveying profession to ensure sustainability of Local Government building control services.</p> <p>6. WALGA supports the Australian Building Codes Boards Trajectory for Low Energy Buildings by supporting Local Governments to meet community strategic objectives of a net zero carbon future by 2050 through work with members, state agencies and industry groups.</p> <p>RESOLUTION 295.7/2021</p>			
<p>1 December 2021 Item 5.5 Draft WA Building Surveyors Code of Conduct</p>	<p>That WALGA:</p> <ol style="list-style-type: none"> Recommend to the Department of Mines, Industry Regulation and Safety (DMIRS) that the Draft WA Building Surveyors Code of Conduct be reviewed to ensure it addresses the following matters: <ol style="list-style-type: none"> The impact of the obligations recommended in the draft Code be considered in relation to the current Western Australian building control model to ensure Local Government are able to maintain their statutory functions in line with community expectations. That other building reform that will greatly impact the role of Local Government in the current Western Australian building control model, such as mandatory inspections and minimum documentation, be formalised prior to the Code of Conduct being introduced to ensure Local Government in Western Australia are able to maintain their statutory functions in line with community expectations. Ensure that communities in remote and regional areas are considered when developing policy to restrict building surveyors being involved in design consultation work. Endorse the attached consultation response summary on the draft Code. <p>RESOLUTION 296.7/2021</p>	<p>WALGA provided the submission to DMIRS and has met with DMIRS to discuss the sector's concerns.</p> <p>DMIRS has provided an updated version of the Code that includes a number of positive changes in line with the endorsed submission. WALGA's Regional and Metropolitan Local Government Building Surveyor Working Groups will discuss the updated code at their meetings in February 2022. The result of these discussions will inform WALGA's ongoing engagement with DMIRS on the Code.</p>	Ongoing	Nicole Matthews Acting Executive Manager Strategy, Policy and Planning
<p>1 December 2021 Item 5.11 Constitution and Governance Review</p>	<p>That the proposed Constitution and Governance Review as outlined in this report be endorsed.</p> <p>RESOLUTION 301.7/2021</p>	<p>Project planning has commenced and the project will incorporate the following five stages over the 2022 and 2023 calendar years:</p> <ol style="list-style-type: none"> Planning and Commencement – including appointment of a Steering Committee 	February 2022	Tony Brown Executive Manager Governance & Organisational Services

Item 8.1 - WALGA STATE COUNCIL AGENDA



MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
		2. Review and Assessment – incorporating a review of WALGA's governance model, examination of similar organisations, consideration of options, and development of recommendations 3. Recommendations and Determination – resulting in a final report to be considered at the December 2022 meeting of State Council 4. Drafting Governance Documents – ensuring the Constitution, Corporate Governance Charter, State Council Code of Conduct and Standing Orders are contemporary and aligned, and 5. Final Approval and Implementation – following the 2023 Annual General Meeting. State Council will be engaged and consulted as the project progresses.		
1 December 2021 Item 5.12 WALGA President Vacation of Office	1. That State Council note and accept the President's resignation and thank her for her service to WALGA and wish her best for the future. 2. That State Council determine that the vacancy be filled by the current Deputy President until the next scheduled election (being 2 March 2022).	This item has been actioned. The election process for the positions of President and Deputy President has commenced and an election will be held on 2 March 2022	February 2022	Tony Brown Executive Manager Governance & Organisational Services
1 December 2021 Item 5.13 Appointments to State Council Policy Teams and Committees	That the appointments to Policy Teams and the Finance and Services Committee outlined below be endorsed (subject to the election of the President and Deputy President): Finance and Services Committee – (four State Councillors) • WALGA President (Chair) • President Cr Karen Chappel • Mayor Logan Howlett • Cr Paul Kelly • Cr Carl Celedin • Mr Colin Murphy (independent representative) Environment and Waste Policy Team – • Cr Doug Thompson • Cr Les Price • President Cr Michelle Rich • Mayor Ruth Butterfield • Cr John Daw Governance and Organisational Services Policy Team – • Mayor Carol Adams • Mayor Mark Irwin • Cr Ken Seymour • Cr Russ Fishwick JP	Committee and Policy Team appointments endorsed subject to the election of the President and Deputy President at the 2 March 2022 State Council meeting.	February 2022	Tony Brown Executive Manager Governance & Organisational Services

WALGA State Council Agenda | 2 March 2022
Page 52

Item 8.1 - WALGA STATE COUNCIL AGENDA



MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<ul style="list-style-type: none"> President Cr Cheryl Cowell Infrastructure Policy Team – President Cr Stephen Strange President Cr Laurene Bonza President Cr Chris Pavlovich Cr Chris Mitchell Cr Helen Sadler People and Place Policy Team – President Cr Phil Blight Mayor Peter Long President Cr Tony Dean Cr Catherine Ehrhardt Cr Frank Cvitan JP <p>RESOLUTION 303.7/2021</p>			
1 December 2021 Item 5.13 Appointments to State Council Policy Teams and Committees	That the appointments to the remaining State Council Committees be referred back to the Secretariat in liaison with the Acting President for consideration and that recommendation for appointments be presented to State Council at the next ordinary meeting on 2 March 2022. RESOLUTION 304.7/2021	A State Council agenda item will be prepared for the March State Council meeting in liaison with the Acting President.	February 2022	Tony Brown Executive Manager Governance & Organisational Services
1 December 2021 Item 8 Additional Zone Resolutions	That WALGA requests that the Minister for Local Government extends the consultation period by 1 month to 4 March 2022. RESOLUTION 310.7/2021	The Minister for Local Government extended the submission deadline to 25 February 2022.	February 2022	Tony Brown Executive Manager Governance & Organisational Services
3 September 2021 Item 5.1 External Oversight of Local Level Complaints	That WALGA advocate for an external oversight model for local level behavioural complaints made under Council Member, Committee Member and Candidate Codes of Conduct, that is closely aligned to the Victorian Councillor Complaints Framework. RESOLUTION 263.5/2021	The Minister for Local Government released a local Government legislative reform program that has included an external oversight framework.	February 2022	Tony Brown Executive Manager Governance & Organisational Services
3 September 2021 Item 5.2 Tender Exemption Provisions – General Practitioner Services	That WALGA: 1. Adopt a new Advocacy Position Statement under 'Local Government Legislation - Tender Exemption General Practitioner Services': <i>WALGA advocates for the inclusion of a tender exemption for General Practitioner (GP) services under Part 4, Division 2 of the Local Government (Functions and General) Regulations 1996, to support Local Governments to secure and retain necessary primary health care services for their communities; and</i> 2. Undertake additional research in support of the Advocacy Position with the following aims:	1. Correspondence has been sent to the Minister for Local Government advocating for this position. 2. Further research is carried out as per this resolution.	Ongoing – February 2022	Tony Brown Executive Manager Governance & Organisational Services

WALGA State Council Agenda | 2 March 2022
Page 53

Item 8.1 - WALGA STATE COUNCIL AGENDA



MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p>a. Identify State and Federal Government policy settings and other factors contributing to gaps in primary health care services in regional communities; and</p> <p>b. Quantify the number of regional Local Governments that have current contracts, or are proposing to enter into contracts, for General Practitioner services and the associated costs to Local Government incurred.</p> <p>RESOLUTION 264.5/2021</p>			
<p>3 September 2021 Item 6.1 Stop Puppy Farming Legislation</p>	<p>1. That the update on the Dog Amendment (Stop Puppy Farming) Bill 2021 be noted.</p> <p>2. That:</p> <p>a. any additional costs incurred by a Local Government in administering the Dog Act be paid by the State Government; and</p> <p>b. the Fees and Charges set in Regulations are reviewed bi-annually and at minimum, be adjusted by the Local Government Cost Index.</p> <p>RESOLUTION 275.5/2021</p>	<p>Correspondence has been written to the Minister for Local Government advising of resolution 2.</p>	<p>Ongoing – February 2022</p>	<p>Tony Brown Executive Manager Governance & Organisational Services</p>
<p>5 May 2021 Item 5.4 Review of the State Industrial Relations System</p>	<p>That WALGA:</p> <p>1. Seek confirmation from the State Government on whether it intends to re-introduce legislation for Local Governments to operate solely in the State Industrial Relations System.</p> <p>2. If the State Government reintroduces legislation to require all Local Governments to operate within the State Industrial Relations System, continue to advocate for the State Government to:</p> <p>a. Amend the <i>Industrial Relations Act 1979</i> (WA) to include additional provisions to modernise the State IR system; and</p> <p>b. Provide adequate funding and resourcing to ensure Local Governments are equipped with the appropriate tools and training to enable a smooth transition.</p> <p>RESOLUTION 207.2/2021</p>	<p>Correspondence has been sent to the Minister for Industrial Relations advising of this resolution.</p> <p>The Industrial Relations Legislation Amendment Bill 2021 (IR Bill) was given Royal Assent on 22 December 2021 as Act No. 30 of 2021. Part 1 of the <i>Industrial Relations Legislation Amendment Act 2021</i> (WA) (IRLA Act) commenced on 22 December, which deals with preliminary matters. All other parts of the IRLA Act will be proclaimed by publishing a notice of proclamation in the Western Australian Government Gazette.</p> <p>The declaration that all Local Governments are not national system employers will have the effect of transitioning all Local Governments to the State industrial relations system if it is endorsed by the Federal Minister for Industrial Relations, Senator the Hon Michaelia Cash.</p> <p>We have not received confirmation on whether the declaration will be endorsed by the Federal Minister, however WALGA has secured an upcoming meeting with the General Advisor to the Federal Minister.</p>	<p>February 2022</p>	<p>Tony Brown Executive Manager Governance and Organisational Services</p>

Item 8.1 - WALGA STATE COUNCIL AGENDA



MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
3 March 2021 Item 5.3 Eligibility of Slip On Fire Fighting Units for Local Government Grants Scheme Funding	That WALGA: 1. Supports the inclusion of capital costs of Trailer Fire Fighting Units and Slip On Fire Fighting Units including for Farmer Response Brigades (for use on private motor vehicles) on the Eligible List of the Local Governments Grants Scheme (LGGS). 2. Requests the Local Government Grants Scheme Working Group to include this matter on the Agenda of their next Meeting (expected March 2021). 3. Requests WALGA to work with the Local Government Grants Scheme Working Group to develop appropriate operational guidelines and procedures for the safe use of Slip On Fire Fighting Units funded in accordance with the LGGS. 4. Supports the update of the WALGA membership of the Local Government Grants Scheme Working Group to include one Local Government Elected Member and one Local Government Officer, with these appointments determined through the WALGA Selection Committee process. RESOLUTION 180.1/2021	A letter was sent to DFES Commissioner Klemm on 16 March 2021 advising of State Council's decision on 3 March. The Local Government Grants Scheme Working Group met on 20 March 2021 however did not discuss eligible items in the Manual. An EOI process for the Officer position was successful but a second round process will be run for the Elected member position. DFES has advised that the Local Government Grants Scheme Working Group has been discontinued. WALGA CEO Nick Sloan is meeting with the DFES Commissioner Darren Klemm on 2 August to discuss how Local Government input to the LGGS Manual will be collected in future. DFES advised on 4 June 2021 that the matter of eligibility of slip on units was not yet finalized. A further follow up email was sent on 26 July 2021. A further follow up email was sent to DFES on 20 January 2022.	Ongoing	Nicole Matthews Acting Executive Manger Strategy, Policy and Planning
2 December 2020 Item 5.3 Family and Domestic Violence and the Role of LGs	That: 1. WA Local Governments recognise the prevalence, seriousness and preventable nature of family and domestic violence and the roles that Local Governments can play in addressing gender equity and promoting respectful relationships in their local community. 2. WALGA advocates to the State Government: a. to work with Local Government in defining the role and responsibilities and expectations of Local Governments in family and domestic violence. b. for adequate funding for family and domestic violence programs and services, particularly in regional areas. c. for appropriate resources and funding be allocated to Local Governments to implement any particular roles and actions addressing family and domestic violence as defined in the State Strategy. d. to provide support to Local Government in the broader rollout of the Prevention Toolkit for Local Government.	In February 2021 WALGA wrote a letter to then Director General Communities, Michelle Andrews, to advise of WALGA State Council's newly adopted policy position on family and domestic violence. A follow up meeting was held with the Department in February 2021 to discuss WALGA State Council's endorsed policy position and key advocacy statements. The key message provided was that the Department of Communities needs to engage more thoroughly with Local Governments, and in particular more engagement and communication is required regarding the State Strategy which was adopted in July 2020. WALGA is a member of the Department of Communities Path to Safety: Western Australia's Strategy to Reduce Family and Domestic Violence 2020 – 2030 Reference Group, which reconvened 8 December 2021. A report on the progress of the first Action Plan 2020-2022 highlighted of State Government funding of \$23 million provided as part of the WA Recovery Plan, to help address family and domestic violence in the community. These measures are further supported by the National Partnership Agreement COVID-19 Domestic and Family Violence	Ongoing	Nicole Matthews Acting Executive Manger Strategy, Policy and Planning

WALGA State Council Agenda | 2 March 2022
Page 55

Item 8.1 - WALGA STATE COUNCIL AGENDA



MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p>e. to continue advocacy to the Commonwealth Government for additional funding and support.</p> <p>3. WALGA organises presentations for Local Governments that address family and domestic violence, as part of relevant events or webinars.</p> <p>RESOLUTION 144.6/2020</p>	<p>Responses (National Partnership Agreement). The WA State Government has issued all the \$14.2 million funding received through the National Partnership Agreement. Approximately \$7.9 million in grants have been awarded to WA family and domestic violence service organisations. A quarter of the grants were awarded to Aboriginal Controlled Community Organisations (ACCOS), further building capacity in this sector to deliver culturally safe supports, including services that are specifically targeted at regional and remote parts of the State.</p> <p>WALGA continues to work closely with ALGA and Our Watch, the national peak body in the primary prevention of violence against women and their children in Australia. In consultation with ALGA and representatives from all Local Government Associations Our Watch is developing a suite of webinars and other resources targeting Local Government to support the ongoing roll out and implementation of the Prevention Toolkit. The new webinars will be delivered to the sector in March – June 2022.</p> <p>WALGA in collaboration with the Local Government Community Safety Network Steering Committee delivered an event for the sector on 18 May 2021 focusing on family and domestic violence.</p>		
<p>5 December 2018 Item 5.1 Proposed Removal by Main Roads WA of the "Letter of Approval" Restricted Access Vehicle Operating Condition</p>	<p>That WALGA:</p> <ol style="list-style-type: none"> 1. Opposes withdrawal of the "Letter of Approval" Restricted Access Vehicle Operating Condition until an acceptable alternative to Local Government is developed; 2. Supports the position that Local Governments not use provision of the Letter of Authority to charge transport operators to access the Restricted Access Vehicle network; 3. Supports the development of standard administrative procedures including fees and letter formats; and 4. Supports the practice of Local Governments negotiating maintenance agreements with freight owners/ generators in cases where the operations are predicted to cause extraordinary road damage as determined by the Local Government. 5. Advocates to Main Roads to establish a stakeholder working group to develop an appropriate mechanism through which the increased infrastructure costs from 	<p>On advice from the State Solicitors Office, Main Roads WA is intending to remove the CA07 condition that requires a transport operator to obtain a letter of approval from the relevant Local Government. Main Roads is proposing to replace the condition with a notification process (CA88). After consultation with Regional Road Groups and a Stakeholder Working Group, the overwhelming majority of participants are of the view that the proposed arrangement is not an acceptable alternative. WALGA has written to Main Roads WA stating that WALGA does not support the alternative and that the position adopted by State Council in December 2018 has not changed.</p> <p>WALGA has subsequently met with Main Roads who confirm that the status quo remains in place until further notice.</p>	Ongoing	Ian Duncan Executive Manager Infrastructure

WALGA State Council Agenda | 2 March 2022
Page 56

Item 8.1 - WALGA STATE COUNCIL AGENDA



MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	the use of heavy vehicles and those loaded in excess of limits (concessional loading) can be recovered from those benefiting, and redirected into the cost of road maintenance. RESOLUTION 132.7/2018			
5 December 2018 Item 4.1 State / Local Government Partnership Agreement on Waste Management and Resource Recovery	1. That State Council endorse investigating a State / Local Government Partnership Agreement on Waste Management and Resource Recovery. 2. That the item be referred to MWAC for is development and negotiation with the State Government. 3. A report regarding a proposed "State / Local Government Partnership Agreement on Waste Management and Resource Recovery" be brought back to the next meeting of State Council. RESOLUTION 131.7/2018	A new Partners in Government Agreement between WALGA, LG Professionals and the State Government, endorsed by State Council, was signed on 20 September 2021. Focus areas of the Partners in Government Agreement will evolve over time. Current focus areas are: Economic Sustainability, Infrastructure, Community Support, Climate Action, the Local Government Act, Closing the Gap Agreement and National Cabinet. The WALGA Acting President and the MWAC Chair will seek a meeting with the new Environment Minister, Hon Reece Whitby and raise this issue.	Ongoing	Nicole Matthews Acting Executive Manager Strategy, Policy and Planning

Item 8.1 - WALGA STATE COUNCIL AGENDA

President's Report

March 2022



COVID-19 – Update

WALGA is continuing to support the sector through the latest phase of COVID-19 and preparations for the yet to be announced date for the reopening of WA's borders. While the number of new cases in the community has remained steady, it is most likely an underestimate given low testing numbers. I hosted a WALGA Sector Webinar on 3 February where the WA Country Health Service presented on the preparation for COVID in the regions and it was clear that there has been much planning, however workforce shortages will exacerbate what is like to be a challenging period over coming months across the State. Local Governments have again been tested in seeking to implement complex and sometimes contradictory State Directions on proof of vaccination, particularly in multi-use facilities at short notice. WALGA has responded to a large volume of queries from the sector and has raised these issues and the need for clear and timely information with both Ministers Templeman and Carey.

WALGA has continued to provide dedicated COVID-19 support and advocacy for the sector, including through:

- Direct engagement with the Chief Health Officer, Department of Health and Department of Premier and Cabinet regarding mandatory vaccination and proof of vaccination requirements under the Directions.
- Based on feedback from the sector WALGA strongly advocated for all Local Government owned and operated facilities and premises, and workers required to enter those facilities and premises to be covered by the mandatory vaccination Directions to remove confusion. This outcome would have provided Local Governments with a mandate to ensure employees are vaccinated and to enable the continued provision of critical and essential Local Government services when there is widespread community transmission of COVID-19 in WA. The Government did not progress this approach which has caused considerable confusion across the sector and significant employee relations challenges.
- Proof of vaccination entry requirements are also causing considerable confusion and implementation issues for the sector. WALGA has received a large volume of queries from Local Governments, particularly in relation to mixed use facilities, such as recreation centres, and is seeking urgent clarification.
- Responding to a large volume of COVID-19 related queries from the sector – more than 300 to WALGA Employee Relations and over 100 to WALGA COVID-19 Response from October 2021 to January 2022.

Rapid Anti-Gen Tests (RATs)

We are pleased to advise that more than 120,000 RATs will shortly be distributed to 98 WALGA Members throughout the State, a further example of Members utilising WALGA to harness the collective purchasing power of the sector.

This RATs sourcing project was initiated by WALGA in response to Member requests, initially in anticipation of a February 5 border opening. In addition to the cancellation of the border opening, a number of other changes have occurred throughout the ordering period, including Government and industry sourcing of RATs in large quantity volumes that will progressively reach the market over the coming months. Currently, the supply of RATs in Western Australia still remains scarce, yet preparatory measures within COVID plans commonly include obtaining stock of RATs. The price point obtained for this consignment remains

CONTACTS

T: (08) 9213 2000 www.walga.asn.au

Item 8.1 - WALGA STATE COUNCIL AGENDA

significantly lower – around 25-30% - than other commercial supply options in the market, representing a direct collective cost saving to Members in excess of \$300,000.

Local Government Legislative Reform

An agenda item has been distributed on the sector's response to the Minister for Local Government's legislative reform proposals.

WALGA distributed a Discussion Paper to the sector on 24 November 2021, including commentary on the sector's current positions contained in the reform proposals together with recommendations on new positions required on matters not canvassed in the reforms.

WALGA received 65 submissions by close of response on Friday, 28 January 2022.

The overall response indicates majority support for many of the proposed reforms, most commonly where reforms align with current sector advocacy positions.

There was strong commentary from the sector on the following proposed reforms that are of concern:

- Item 6.6 Majority Independent Audit Committees – 89% Opposed
- Item 4.3 Introduction of Preferential Voting – 85% Opposed
- Item 4.4 Public Vote to Elect Mayor or President of Band 1 and 2 Local Governments – 66% Opposed
- Item 4.5 Tiered Limits on the Number of Councillors – 67% Opposed (Prefer 5 to 7 Elected Members for Local Governments with a population less than 5,000)
- Item 3.5 Chief Executive Officer Key Performance Indicators – 62% Opposed

There is significant commentary throughout the sector response that the proposed reforms lack necessary detail in terms of how they will be operationalized, and the associated implications to Local Government in terms of implementation cost and resourcing. WALGA supports the view that additional information is required and that it should be part of future consultation. It is recommended the Minister for Local Government provide assurance that the detail of each proposed reform be the subject of further consultation with the sector.

It is also recommended that once a comprehensive and detailed consultation process has concluded, that WALGA be included in the legislative drafting process to provide an operational perspective necessary to the development of a workable Local Government Act Amendment Bill.

Work Health and Safety Legislation

Following advocacy efforts by WALGA and other stakeholders, the Government announced that the commencement of the WHS legislation would be delayed from January to March 2022. WALGA and LGIS continue to work to support the Local Government sector with the transition to the new WHS legislation, in particular in relation to the management of volunteer Bushfire Brigades. On 9 February 2022 WALGA hosted a webinar information session for the sector, with presentations from LGIS and the Department of Mines, Industry Regulation and Safety (DMIRS) providing an overview of the requirements of the new legislation for Local Governments with responsibility for managing Bushfire Brigades, as well as the Department of Fire and Emergency Services (DFES) outlining the functionality of the Volunteer Hub. LGIS is developing a resource to support Local Governments due for release in mid-February, and WALGA has developed a dedicated webpage with relevant information and resources. WALGA continues to regularly engage with DFES on a number of matters relating to training and management of bushfire brigades.

Aboriginal Cultural Heritage Act

In December 2021 the new Aboriginal Cultural Heritage Act was passed by the Western Australian Parliament. On 17 February 2022 WALGA and the Department of Planning, Lands and Heritage (DPLH) hosted a webinar update for Local Government on the key aspects of the new legislation, opportunities for the sector to be involved in the design of the supporting resources including the Regulations, and the use

CONTACTS

T: (08) 9213 2000 www.walga.asn.au

Item 8.1 - WALGA STATE COUNCIL AGENDA

of Aboriginal heritage agreements. WALGA will continue to engage with the sector and advocate to DPLH around the ongoing design of the heritage framework.

Submission to Salaries and Allowances Tribunal Remuneration Inquiry

State Council has endorsed WALGA's [submission](#) to the Salaries and Allowances Tribunal Remuneration Inquiry relating to Local Government Chief Executive Officers and Elected Members.

The [submission](#), which State Council endorsed by Flying Minutes due to the timing of the Inquiry, makes three recommendations relating to Elected Member remuneration and the Regional/Isolation Allowance that may be payable to Chief Executive Officers:

1. That Elected Member Fees and Allowances (including maximum reimbursable expenses) are increased by up to four percent.
2. That the maximum payable Regional/Isolation Allowance be increased for Local Governments that are particularly isolated, long distances from population centres with low amenity.
3. That the Salaries and Allowances Tribunal update and publish the methodology, criteria, and weightings for the Regional/Isolation Allowance.

I would like to highlight that recommendations 2 and 3 were initiated from GVROC.

2022 Local Government Honours Program

The Local Government Honours Program affords significant public recognition and celebration of the outstanding achievements and lasting contributions made by Elected Members and employees to their respective Councils, the Local Government sector and the wider community.

Nominations for this year's Program are now open. Following a thorough review of the Program last year, two new awards have been added, alongside four existing awards:

1. Local Government Medal
2. Life Membership
3. Eminent Service Award
4. Merit Award (*new for 2022*)
5. Local Government Distinguished Officer Award
6. Young Achievers Award (*new for 2022*)

The new Merit Award has combined two previous awards (Merit and Long & Loyal Service) and is intended to recognise notable contributions to WALGA, Local Government and/or the Local Government sector. The Young Achievers Award is open only to Elected Members and employees aged 35 years or younger, recognising notable commitment and demonstrated potential for professional success.

Nomination forms and further information can be found on the WALGA website. Nominations will close at 5:00pm on Friday, 24 June.

Acting President's Contacts

The Acting President's contacts since 1 December and scheduled before 2 March are as follows:

State Government Relations

- Minister for Housing; Lands; Homelessness; Local Government, Hon John Carey MLA
- Minister for Environment; Climate Action Hon Reece Whitby MLA
- Minister for Culture and the Arts; Sport and Recreation; International Education; Heritage, Hon David Templeman MLA
- State Road Funds to Local Government Advisory Committee x 2
 - Pre - meeting
 - Committee Meeting
- Department of Fire and Emergency Services x 2

CONTACTS

T: (08) 9213 2000 www.walga.asn.au

Item 8.1 - WALGA STATE COUNCIL AGENDA

- COVID-19 Mandatory Vaccination Associations meeting
- COVID-19 Mandatory Vaccination Update
- WALGA and Department of Health Panel Webinar

Zone Meetings

- Goldfields Voluntary Regional Organisation of Councils meeting
- Northern Country Zone meeting
- Kimberley Country Zone meeting
- Pilbara Country Zone meeting
- Great Southern Country Zone meeting

Local Government Relations

- State Council Meeting
- Special State Council Meeting
- Finance and Services Committee Meeting
- Local Government House Trust
- LGIS Board Meeting
- ALGA:
 - Board meeting
 - Strategic Planning Meeting
- Municipal Waste Advisory Council meeting
- Regional Capitals Alliance WA meeting
- Meeting with City of Fremantle Mayor, Elected Members and Acting CEO
- Aboriginal Heritage Bill with President, Shire of Cue
- LGC22 Committee x 2
- Farewell event – Shire President and CEO, Shire of Chapman Valley
- Shire of Bruce Rock – bushfire emergency meeting with Shire President, CEO and Minister for Emergency Services

Please take care and keep safe.

President Cr Karen Chappel JP
Acting WALGA President

CONTACTS

T: (08) 9213 2000 www.walga.asn.au

8.2 WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

WALGA has finalised the Local Government Reform Proposal submission and is seeking endorsement from State Council. The Kimberley Zone provided feedback for the development of the WALGA submission.

BACKGROUND

Previous Considerations

Nil.

COMMENT

WALGA has finalised the Local Government Reform Proposal submission and is seeking endorsement from State Council.

The recommendation is that the recommendations contained in the 'Local Government Reform Proposal Submission' be endorsed and, that WALGA:

- seek assurance from the Minister for Local Government that further detail on the proposed reforms will be provided to the sector for comment prior to the formulation of a draft Local Government Act Amendment Bill; and
- seek a formal commitment from the Minister for Local Government that WALGA actively participates in the legislative drafting process necessary to formulate a draft Local Government Act Amendment Bill.

The recommendations are largely consistent with the Kimberley Zone Submission to WALGA which supported most of the WALGA positions, some with caveats relevant to remote Shires.

The matters opposed in the Submission align in full or in part with matters raised by the Zone in their feedback to WALGA or as identified in WALGA's initial considerations and supported by the Kimberley Zone.

Item 6.6 Audit Committees – 89% Opposed

The proposed reform to require a majority of independent members on Audit Committees, and mandate that the Audit Committee chair be an independent person, was strongly challenged.

The fundamental purpose of an Audit Committee is to provide the vehicle for governance of a Local Government's affairs, a primary role of Council under section 2.7(1)(a) of the *Local Government Act 1995* ('the Act'). For this reason, the sector supports a Council Member majority on Audit Committees and acknowledges the role of the Office of the Auditor General as the independent auditor of Local Governments. The sector confirmed that appointing independent members to Audit Committees is supported and practiced, and that Audit Committees can elect an independent member as Chair under provisions of s.5.12 of the Act.

The sector supports the concept of shared regional Audit Committees on proviso there be a majority of Council Members, and the payment of meeting fees or defined reimbursements to independent Audit Committee members be legislatively authorised (State Council resolution no. 293.7/2021).

Item 4.3 Introduction of Preferential Voting – 85% Opposed

The sector remains in favour of the first past the post method of vote counting. Risk of the infiltration of party politics, and that preference swapping leading to alliances among candidates has potential for factionalisation of Councils were pre-eminent in the response. First past the post voting remains favoured on the grounds of its simplicity, efficiency, ease of voter understanding, transparency and candidates campaigning based on the merits of the individual. However, if 'first past the post' is not retained then optional preferential voting is preferred.

Item 4.4 Public Vote to Elect Mayor or President of Band 1 and 2 Local Governments – 66% Opposed

Retaining the discretion to choose between popularly-elected Mayors and Presidents of Band 1 and 2 Local Governments remains the favoured option. Respondents queried the lack of detailed benefit of the proposal to enshrine one system of election over another, commenting that the alternate method of election provided under s.2.11 and s.2.12 of the Act permits both a Local Government and electors of the district to exercise agency for change.

Item 4.5 Tiered Limits on the Number of Councillors – 67% Opposed

There is broad support for WALGA's proposed option that Local Governments with populations up to 5,000 be represented by between 5 and 7 Council Members. The remaining categories of representation are supported.

Item 3.5 Chief Executive Officer Key Performance Indicators – 62% Opposed

There is support for the reporting of CEO KPI's that reflect the strategic direction and operational function of the Local Government, to the exclusion of reporting KPI's of a confidential nature (i.e workplace or risk-based matters). There is also support for the exclusion of reporting performance review results which is regarded as a private matter between employer and employee to be maintained as a confidential record of the Local Government.

Other feedback provided by the KRG:

Item 3.4 Additional Online Registers

The Zone opposed the inclusion of leases if commercial details were to be included. The WALGA submission acknowledges the concern by stating the proposal generally being supported based on additional advice from the Minister about the information which will be captured in the registers.

Item 4.2 Ratepayer Satisfaction Surveys (Band 1&2)

Whilst the Zone supported surveys, concern was expressed about the broader community and challenges of literacy and numeracy. This has been acknowledged with WALGA suggesting it should be more inclusive than just ratepayers and should be a community satisfaction survey. The WALGA submission was silent on the issue of literacy levels.

The Special WALGA State Council meeting and the WALGA submission are attached.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

Effective governance protocols and systems for business efficiency and improved services through collaboration

VOTING REQUIREMENTS

Simple Majority

COMMITTEE RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. KRG/0222/003

Moved: G Haerewa

Seconded: M Edwards

That the Kimberley Regional Group:

- 1. Notes the Special WALGA State Council meeting to be held on 23 February 2022, and;**
- 2. Endorses the WALGA Local Government Reform Proposal Submission.**

CARRIED UNANIMOUSLY 4/0

Attachments

- 1. State Council Special Meeting Agenda and Local Government Reform Proposal Submission.**



State Council Agenda

Special Meeting

23 February 2022

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION



NOTICE OF MEETING

Special meeting of the Western Australian Local Government Association (WALGA) State Council to be held via Microsoft Teams on **Wednesday, 23 February 2022** beginning at **4:00pm**.

1. ATTENDANCE, APOLOGIES & ANNOUNCEMENTS

1.1. Attendance

Members	Acting President of WALGA, Northern Country Zone - Chair	President Cr Karen Chappel JP
	Avon-Midland Country Zone	Cr Ken Seymour
	Central Country Zone	President Cr Phillip Blight
	Central Metropolitan Zone	Cr Paul Kelly
	Central Metropolitan Zone	Cr Helen Sadler
	East Metropolitan Zone	Cr Catherine Ehrhardt
	East Metropolitan Zone	Cr John Daw
	Goldfields Esperance Country Zone	President Cr Laurene Bonza
	Gascoyne Country Zone	President Cr Cheryl Cowell
	Great Eastern Country Zone	President Cr Stephen Strange
	Great Southern Country Zone	President Cr Chris Pavlovich
	Kimberley Country Zone	Cr Chris Mitchell JP
	Murchison Country Zone	Cr Les Price
	North Metropolitan Zone	Cr Frank Cvtan JP
	North Metropolitan Zone	Mayor Mark Irwin
	North Metropolitan Zone	Cr Russ Fishwick JP
	Peel Country Zone	President Cr Michelle Rich
	Pilbara Country Zone	Mayor Peter Long
	South East Metropolitan Zone	Cr Carl Celedin
	South East Metropolitan Zone	Mayor Ruth Butterfield
	South Metropolitan Zone	Cr Doug Thompson
	South Metropolitan Zone	Mayor Carol Adams OAM
	South Metropolitan Zone	Mayor Logan Howlett JP
	South West Country Zone	President Cr Tony Dean
Secretariat	Chief Executive Officer	Mr Nick Sloan
	EM Governance & Organisational Services	Mr Tony Brown
	EM Infrastructure	Mr Ian Duncan
	Acting EM Strategy, Policy & Planning	Ms Nicole Matthews
	Principal Special Projects and Acting EM Communications	Ms Narelle Cant
	Acting EM Commercial	Mr Craig Hansom
	Manager Strategy & Association Governance	Mr Tim Lane
	Manager Governance & Procurement	Mr James McGovern
	Chief Financial Officer	Mr Rick Murray
	Principal, Policy and Advocacy	Ms Kelly McManus
	Executive Officer Governance	Ms Kathy Robertson
Observers	Deputy State Councillor, North Metropolitan Zone	Cr Felicity Farrelly
	Deputy State Councillor, Central Country Zone	President Cr Katrina Crute
	Deputy State Councillor, Peel Country Zone	Cr Lauren Strange
	Deputy State Councillor, South East Metropolitan Zone	Cr Melissa Northcott
	Deputy State Councillor, East Metropolitan Zone	Cr Paige McNeil

1.2. Apologies

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION



1.3. Announcements

1.3.1. Acknowledgement of Country

WALGA acknowledges the Whadjuk Nyoongar people, the Traditional Custodians of the land on which we meet in person today and acknowledges the Traditional Custodians of the lands on which people are remotely participating in this meeting and pays respect to their Elders past, present and emerging.

1.3.2. Vale Troy Pickard

WA Local Government Association State Council and Staff are greatly saddened at the passing of former WALGA President Troy Pickard.

Mr Pickard was committed to bringing about positive change for his local communities in Stirling and Joondalup and a passionate advocate for the sector at both the State and National level as President of WALGA and the Australian Local Government Association.

Across his 15 years of service as an Elected Member, Troy made an immense contribution to the local communities of Stirling and Joondalup, both as a Councillor and in leadership roles of Deputy Mayor and Mayor.

Mr Pickard made great strides in representing the WA Local Government sector in his roles as WALGA President from 2010 and 2015 and Deputy President for three years prior; and on the national stage as ALGA President from 2014 to 2016 and Deputy President from 2010 to 2014.

He also achieved significant wins for the Local Government sector in his role as ALGA President including securing \$1.1 billion dollars in additional road funding, which formed the biggest single funding commitment from any Federal Government since Federation to the Local Government sector at the time.

Troy will be sadly missed and we offer our condolences to his family and friends.

2. DECLARATIONS OF INTEREST

Pursuant to our Code of Conduct, State Councillors must declare to the Chair any potential conflict of interest they have in a matter before State Council as soon as they become aware of it.

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION



3. MATTER FOR DECISION

3.1. Local Government Reform Proposal Submission

By Tony Brown, Executive Manager, Governance and Organisational Services & James McGovern, Manager Governance and Procurement

RECOMMENDATION

1. That the recommendations contained in the 'Local Government Reform Proposal Submission' be endorsed.
2. That WALGA:
 - a. seek assurance from the Minister for Local Government that further detail on the proposed reforms will be provided to the sector for comment prior to the formulation of a draft Local Government Act Amendment Bill; and
 - b. seek a formal commitment from the Minister for Local Government that WALGA actively participates in the legislative drafting process necessary to formulate a draft Local Government Act Amendment Bill.

Executive Summary

- The Minister for Local Government, Hon. John Carey MLA, commenced the consultation period for the Local Government Reform Proposals on 10 November 2021.
- WALGA distributed a Discussion Paper to the sector on 24 November 2021, including commentary on the sector's current positions contained in the reform proposals together with recommendations on new positions required on matters not canvassed in the reforms.
- Feedback from Local Governments was initially requested by 5pm on Wednesday, 12 January 2022, however this was adjusted following the Minister's extension to the consultation period.
- WALGA received 65 submissions by close of response on Friday, 28 January 2022

Attachment

- Local Government Reform Proposal Submission

Policy Implications

The adoption of advocacy positions will inform WALGA policy positions and will be incorporated in WALGA's [Advocacy Positions Manual](#).

Budgetary Implications

Nil

Background

The proposed Local Government Reforms are based on six themes:

1. Earlier intervention, effective regulation and stronger penalties
2. Reducing red tape, increasing consistency and simplicity
3. Greater transparency and accountability
4. Stronger local democracy and community engagement
5. Clear roles and responsibilities
6. Improved financial management and reporting.

Information is available on the [Department of Local Government, Sport and Cultural Industries](#) website.

Comment

65 Local Governments responded by 28 January 2022, categorized by band as follows:

- Band 1 – 17%
- Band 2 – 15%
- Band 3 – 22%
- Band 4 – 46%

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION



The overall response indicates majority support for many of the proposed reforms, most commonly where reforms align with current sector advocacy positions.

There was strong commentary from the sector on the following proposed reforms that were not supported:

Item 6.6 Audit Committees – 89% Opposed

The proposed reform to require a majority of independent members on Audit Committees, and mandate that the Audit Committee chair be an independent person, was strongly challenged. The fundamental purpose of an Audit Committee is to provide the vehicle for governance of a Local Government's affairs, a primary role of Council under Section 2.7(1)(a) of the *Local Government Act 1995* ('the Act'). For this reason, the sector supports a Council Member majority on Audit Committees and acknowledges the role of the Office of the Auditor General as the independent auditor of Local Governments. The sector confirmed that appointing independent members to Audit Committees is supported and practiced, and that Audit Committees can elect an independent member as Chair under provisions of s.5.12 of the Act. The sector supports the concept of shared regional Audit Committees on proviso there be a majority of Council Members, and the payment of meeting fees or defined reimbursements to independent Audit Committee members be legislatively authorised (State Council resolution no. 293.7/2021).

Item 4.3 Introduction of Preferential Voting – 85% Opposed

The sector remains in favour of the first past the post method of vote counting. Risk of the infiltration of party politics, and that preference swapping leading to alliances among candidates has potential for factionalisation of Councils were pre-eminent in the response. First past the post voting remains favoured on the grounds of its simplicity, efficiency, ease of voter understanding, transparency and candidates campaigning based on the merits of the individual. However, if 'first past the post' is not retained then optional preferential voting is preferred.

Item 4.4 Public Vote to Elect Mayor or President of Band 1 and 2 Local Governments – 66% Opposed

Retaining the discretion to choose between popularly-elected Mayors and Presidents of Band 1 and 2 Local Governments remains the favoured option. Respondents queried the lack of detailed benefit of the proposal to enshrine one system of election over another, commenting that the alternate method of election provided under s.2.11 and s.2.12 of the Act permits both a Local Government and electors of the district to exercise agency for change.

Item 4.5 Tiered Limits on the Number of Councillors – 67% Opposed

There is broad support for WALGA's proposed option that Local Governments with populations up to 5,000 be represented by between 5 and 7 Council Members. The remaining categories of representation are supported.

Item 3.5 Chief Executive Officer Key Performance Indicators – 62% Opposed

There is support for the reporting of CEO KPI's that reflect the strategic direction and operational function of the Local Government, to the exclusion of reporting KPI's of a confidential nature (i.e workplace or risk-based matters). There is also support for the exclusion of reporting performance review results which is regarded as a private matter between employer and employee to be maintained as a confidential record of the Local Government.

Local Governments were requested to provide comment on the reform proposal under Item 5.7 'Remove WALGA from the Act'.

The basis of the reform proposal is a recommendation from the Local Government Review Panel that WALGA not be constituted under the Act, with the following comment:

The Panel deliberated the merits of WALGA being constituted under the Local Government Act and determined that it was not appropriate to incorporate a member body under this

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION



legislation. This created confusion as to the extent of the Minister's powers over the organisation and WALGA's level of independence.¹

WALGA has concerns that unforeseen negative consequences might arise should the reform proposal proceed in the absence of surety for the protection of the preferred supplier program and mutual insurance scheme provisions that are currently embedded in the Act, the merits of which are supported by the Review Panel. WALGA will continue with the due diligence review of the broader implications of the proposal and will consult further with member Local Governments.

There is significant commentary throughout the sector response that the proposed reforms lack necessary detail in terms of how they will be operationalized, and the associated implications to Local Government in terms of implementation cost and resourcing. WALGA supports the view that additional information is required and that it should be part of future consultation. It is recommended the Minister for Local Government provide assurance that the detail of each proposed reform be the subject of further consultation with the sector.

It is also recommended that once a comprehensive and detailed consultation process has concluded, that WALGA participates in the legislative drafting process to provide an operational perspective necessary to the development of a workable Local Government Act Amendment Bill.

4. CLOSURE

There being no further business, the Chair declared the meeting closed at ___pm.

¹ Local Government Review Panel - Final Report 'Recommendations for a new Local Government Act for Western Australia' May 2020, page 46

Local Government Reform – Member Response

Local Government Reform Proposal

Submission

February 2022

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

About WALGA

The WA Local Government Association (WALGA) is working for Local Government in Western Australia. As the peak industry body, WALGA advocates on behalf of 139 Western Australian Local Governments. As the united voice of Local Government in Western Australia, WALGA is an independent, membership-based organization representing and supporting the work and interests of Local Governments in Western Australia. WALGA provides an essential voice for 1,212 Elected Members, approximately 22,000 Local Government employees (16,500 Full Time Equivalent's) as well as over 2.5 million constituents of Local Governments in Western Australia.

Contacts

Nick Sloan
Chief Executive Officer
nsloan@walga.asn.au

James McGovern
Manager Governance and Procurement
jmcgovern@walga.asn.au

Tony Brown
Executive Manager Governance and
Organisational Services
tbrown@walga.asn.au

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

Local Government Act Review Process

WALGA, through consultation with the Local Government Sector, endorsed sector advocacy positions relating to Local Government Act amendments in March 2019 and December 2020. These advocacy positions were developed considering (but not limited to):

- The Department of Local Government, Sport and Cultural Industries (DLGSC) consultation on Act Reform (2017-2020)
- The City of Perth Inquiry Report (mid 2020)
- The State Parliament's Select Committee Report into Local Government (late 2020)

In December 2020, WALGA endorsed the following principles for any review of the Local Government Act:

Local Government Reform – WALGA Principles

That the following key principles be embodied in the Local Government Act:

1. Uphold the general competence principle currently embodied in the Local Government Act
2. Provide for a flexible, principles-based legislative framework
3. Promote a size and scale compliance regime
4. Promote enabling legislation that empowers Local Government to carry out activities beneficial to its community taking into consideration Local Governments' role in creating a sustainable and resilient community through:
 - a. Economic development
 - b. Environmental protection, and
 - c. Social advancement
5. Avoid red tape and 'de-clutter' the extensive regulatory regime that underpins the Local Government Act, and
6. The State Government must not assign legislative responsibilities to Local Governments unless there is provision for resources required to fulfil the responsibilities.

It is worth noting that of the above principles, items 1, 2 and 3 are addressed in these legislative reform proposals and principles 4 and 5 are partially addressed.

Local Government Response

WALGA released the Local Government Reform Proposals – Summary of Proposed Reforms Discussion Paper on 24 November 2021, calling for a response by 28 January 2022.

This document is based on submissions made by 65 respondent Local Governments. The overall response indicates majority support for many of the proposed reforms, most commonly where reforms align with current sector advocacy positions.

Key Issues

The submissions included strong commentary on the following proposed reforms that are of concern:

Item 6.6 Audit Committees – 89% Opposed

The proposed reform to require a majority of independent members on Audit Committees, and mandate that the Audit Committee chair be an independent person, was strongly challenged. A fundamental purpose of an Audit Committee is to provide the vehicle for governance of a Local Government's affairs, and this links directly with the role of Council under Section 2.7(1)(a) of the *Local Government Act* ('the Act'). For this

3

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

reason, the sector supports a Council Member majority on Audit Committees and acknowledges the role of the Office of the Auditor General as the independent auditor of Local Governments. The sector confirmed that appointing independent members to Audit Committees is supported and practiced, and that Audit Committees can elect an independent member as Chair under provisions of s.5.12 of the Act. The sector supports the concept of shared regional Audit Committees on proviso there be a majority of Council Members, and the payment of meetings fees or defined reimbursements to independent Audit Committee members be legislatively authorised.

Item 4.3 Introduction of Preferential Voting – 81% Opposed

The sector remains in favour of the first past the post method of vote counting. Risk of the infiltration of party politics, and that preference swapping leading to alliances amongst candidates has potential for factionalisation of Councils, were pre-eminent in the response. 'First past the post' voting remains favoured on the grounds of its simplicity, efficiency, ease of voter understanding, transparency and candidates campaigning based on the merits of the individual. However, if 'first past the post' is not retained, then optional preferential voting is preferred.

Item 4.4 Public Vote to Elect Mayor or President of Band 1 and 2 Local Governments – 67% Opposed

Retaining the discretion to choose between popularly-elected Mayors and Presidents of Band 1 and 2 Local Governments remains the favoured option. Respondents queried the lack of detailed benefit of the proposal to enshrine one system of election over another, commenting that the alternate method of election provided under s.2.11 and s.2.12 of the Act permits both a Local Government and electors of the district to exercise agency for change.

Item 4.5 Tiered Limits on the Number of Councillors – 65% Opposed

There is broad support for WALGA's proposed option that Local Governments with populations up to 5,000 be represented by between 5 and 7 Council Members. The remaining categories of representation are supported.

Item 3.5 Chief Executive Officer Key Performance Indicators – 66% Opposed

There is support for the reporting of CEO KPIs that reflect the strategic direction and operational function of the Local Government, to the exclusion of reporting KPIs of a confidential nature (i.e. workplace or risk-based matters). There is also support for the exclusion of reporting performance review results which is regarded as a private matter between employer and employee, to be maintained as a confidential record of the Local Government.

The following provides a detailed response to each legislative reform proposal.

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

Theme 1: Early Intervention, Effective Regulation and Stronger Penalties

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
1.1 Early Intervention Powers		
<ul style="list-style-type: none"> It is proposed to establish a Chief Inspector of Local Government (the Inspector), supported by an Office of the Local Government Inspector (the Inspectorate). The Inspector would receive minor and serious complaints about elected members. The Inspector would oversee complaints relating to local government CEOs. Local Governments would still be responsible for dealing with minor behavioural complaints. The Inspector would have powers of a standing inquiry, able to investigate and intervene in any local government where potential issues are identified. The Inspector would have the authority to assess, triage, refer, investigate, or close complaints, having regard to various public interest criteria – considering laws such as the <i>Corruption, Crime and Misconduct Act 2003</i>, the <i>Occupational Safety and Health Act 1984</i>, the <i>Building Act 2011</i>, and other legislation. The Inspector would have powers to implement minor penalties for less serious breaches of the Act, with an appeal mechanism. The Inspector would also have the power to order a local government to address non-compliance with the Act or Regulations. The Inspector would be supported by a panel of Local Government Monitors (see item 1.2). 	<p><u>Current Local Government Position</u> Items 1.1, 1.2 and 1.3 <u>generally align</u> with WALGA Advocacy Position 2.6.8 - 'Establish Office of Independent Assessor'</p> <p><i>The Local Government sector supports:</i></p> <ol style="list-style-type: none"> 1. Establishing an Office of the Independent Assessor to replace the Standards Panel to provide an independent body to receive, investigate and assess complaints against Elected Members and undertake inquiries. 2. Remove the CEO from being involved in processing complaints. 3. That an early intervention framework of monitoring to support Local Governments be provided with any associated costs to be the responsibility of the State Government. 4. An external oversight model for local level behavioural complaints made under Council Member, Committee Member and Candidate Codes of Conduct, that is closely aligned to the Victorian Councillor Complaints Framework. <p>Comment The Local Government sector is in favour of early intervention and a swift response to potentially disruptive or dysfunctional behaviours. The Proposed Reforms state 'Local Governments would still be responsible for dealing with minor behavioural complaints' and therefore do not go as far as the Sector's recent request for an external oversight model for the independent assessment of local level complaints (State Council Res:</p>	<p>Member Response: 95% support the proposed reform.</p> <p>Indicative Member Comments: 'Support the establishment of a Chief Inspector of Local Government, supported by an Office of the Local Government Inspector. Early intervention is supported, and the introduction of the Inspectorate will support a swift response to disruptive or dysfunctional behaviours.'</p> <p>The City does have concern with the local government being responsible for dealing with minor behavioural complaints and submits to the Department that this also be within the scope of the Inspectorate.</p> <p>The City does not support the process of peer decision making for behavioural complaints due to the potential to increase animosity or conflict within local governments. Professional intervention at the earliest opportunity by an independent body is preferred.</p> <p>These matters should be dealt with by the Inspectorate in completeness with the ability to recoup complaint costs from local governments per current practice with the Local Government Standards Panel.'</p> <p>'Request the Minister to explore alternate mechanisms for resolving minor behavioural complaints.'</p>

5

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> The existing Local Government Standards Panel would be replaced with a new Conduct Panel (see item 1.3). Penalties for breaches to the Local Government Act and Regulations will be reviewed and are proposed to be generally strengthened (see item 1.4). These reforms would be supported by new powers to more quickly resolve issues within local government (see items 1.5 and 1.6). 	<p>264.5/2021 – September 2021). However this will be mitigated with the Inspector able to respond to a Local Government having unresolved matters by appointing a monitor to assist the Local Government.</p> <p>It is expected the Local Government Inspector would be funded by the State Government, however it is noted that the cost of the Local Government Monitors and the Conduct Panel would be borne by the Local Government concerned.</p> <p>Recommendation</p> <ol style="list-style-type: none"> Support the proposed reforms as they align with the sectors position on external oversight and support. Request the Minister to explore alternate mechanisms for resolving local level complaints. 	<p><i>'Support the Reforms, subject to appropriate resourcing to ensure the reforms achieve the intended outcome and subject to amendments so that all complaints, including current Code of Conduct Division 3 behaviour complaints, are handled external to the local government.'</i></p> <p><i>'More information and a clearer understanding, of how 'Early Intervention Powers', 'Local Government Monitors' and other related reforms will be implemented, is needed before council can form an informed response or position.'</i></p> <p>Updated Recommendation – Items 1.1 to 1.3</p> <ol style="list-style-type: none"> Support the proposed reforms as they align with the sectors position on external oversight and support. Request the Minister to explore alternate mechanisms for resolving local level complaints.
1.2 Local Government Monitors		
<ul style="list-style-type: none"> A panel of Local Government Monitors would be established. Monitors could be appointed by the Inspector to go into a local government and try to resolve problems. The purpose of Monitors would be to proactively fix problems, rather than to identify blame or collect evidence. Monitors would be qualified specialists, such as: 	As above	<p>Member Response: 97% support the proposed reform.</p> <p>Indicative Member Comments: <i>'The Shire supports these proposed reforms in principle but wishes to raise several issues that need further detail and/or clarification:</i></p> <ol style="list-style-type: none"> <i>What will be the financial impost on Local Governments if monitors are appointed?</i> <i>What would be the basis of granting Local Government requests to appoint monitors?</i> <i>How will conflicts of interest be managed?</i>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> Experienced and respected former Mayors, Presidents, and CEOs - to act as mentors and facilitators Dispute resolution experts - to address the breakdown of professional working relationships Certified Practising Accountants and other financial specialists - to assist with financial management and reporting issues Governance specialists and lawyers - to assist councils resolve legal issues HR and procurement experts - to help with processes like recruiting a CEO or undertaking a major land transaction. Only the Inspector would have the power to appoint Monitors. Local governments would be able to make requests to the Inspector to appoint Monitors for a specific purpose. <p>Monitor Case Study 1 – Financial Management The Inspector receives information that a local government is not collecting rates correctly under the <i>Local Government Act 1995</i>. Upon initial review, the Inspector identifies that there may be a problem. The Inspector appoints a Monitor who specialises in financial management in local government. The Monitor visits the local government and identifies that the system used to manage rates is not correctly issuing rates notices. The Monitor works with the local government to rectify the error, and issue corrections to impacted ratepayers.</p> <p>Monitor Case Study 2 – Dispute Resolution The Inspector receives a complaint from one</p>		<p>4. What happens if the mediation fails? Will there be an appeal process?</p> <p>5. What authority will monitors have?</p> <p>'Support though wish to seek further clarity on who can make complaints.'</p> <p>'It would be appropriate for the pool of monitors include people located in the regions and not be metropolitan based only. Will there be a cost to access Monitors as the pool aims to be highly qualified to assist, this may come at a high price?'</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<p>councillor that another councillor is repeatedly publishing derogatory personal attacks against another councillor on social media, and that the issue has not been able to be resolved at the local government level. The Inspector identifies that there has been a relationship breakdown between the two councillors due to a disagreement on council.</p> <p>The Inspector appoints a Monitor to host mediation sessions between the councillors. The Monitor works with the councillors to address the dispute. Through regular meetings, the councillors agree to a working relationship based on the council's code of conduct. After the mediation, the Monitor occasionally makes contact with both councillors to ensure there is a cordial working relationship between the councillors.</p>		
1.3 Conduct Panel		
<ul style="list-style-type: none"> The Standards Panel is proposed to be replaced with a new Local Government Conduct Panel. The Conduct Panel would be comprised of suitably qualified and experienced professionals. Sitting councillors will not be eligible to serve on the Conduct Panel. The Inspector would provide evidence to the Conduct Panel for adjudication. The Conduct Panel would have powers to impose stronger penalties – potentially including being able to suspend councillors for up to three months, with an appeal mechanism. 	As above	<p>Member Response: 98% support the proposed reform.</p> <p>Indicative Member Comments: 'Presume the Conduct Panel will be more efficient and effective than the Standards Panel, noting that some Councillors would view adverse findings of the Standards Panel as badges of honour, rather than a genuine form of punishment for improper behaviour. Procedural fairness will be crucial to the success of the Panel, as will simplicity of process.'</p> <p>'Support proposed reforms in principle and requests the following be given consideration.'</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> For very serious or repeated breaches of the Local Government Act, the Conduct Panel would have the power to recommend prosecution through the courts. Any person who is subject to a complaint before the Conduct Panel would have the right to address the Conduct Panel before the Panel makes a decision. 		<ol style="list-style-type: none"> What constitutes evidence and how would it be gathered? How many professionals are proposed to be appointed to the panel? What is the definition of 'suitably qualified professional'? The context of the local government is important, i.e. larger vs smaller, metro vs regional, coastal vs inland, demographics, and should be considered when appointing members to the Conduct Panel. How will conflicts of interest be managed?
1.4 Review of Penalties		
<ul style="list-style-type: none"> Penalties for breaching the Local Government Act are proposed to be strengthened. It is proposed that the suspension of councillors (for up to three months) is established as the main penalty where a councillor breaches the Local Government Act or Regulations on more than one occasion. Councillors who are disqualified would not be eligible for sitting fees or allowances. They will also not be able to attend meetings, or use their official office (such as their title or council email address). It is proposed that a councillor who is suspended multiple times may become disqualified from office. Councillors who do not complete mandatory training within a certain timeframe will also not be able to receive sitting fees or allowances. 	<p>Current Local Government Position Items 1.4 and 1.5 <u>expand upon</u> Advocacy Position 2.6.9 - 'Stand Down Proposal'</p> <p><i>WALGA supports, in principle, a proposal for an individual elected member to be 'stood down' from their duties 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 active consultation with WALGA and specific consideration of the following issues of concern to the Sector:</i></p> <ol style="list-style-type: none"> That the Department of Local Government endeavour to ensure established principles of natural justice and procedural fairness are embodied in all aspects of the proposed Stand Down Provisions; and 	<p>Member Response: 98% support the proposed reform.</p> <p>Indicative Member Comment: 'Support a review of penalties and note there is limited information provided in terms of the scale of the penalty to be applied and what breaches/offending is prescribed. The penalty should be commensurate with the seriousness of the offence or history of offending and set as an "up to X months" etc so the penalty is scalable. Councillors who are suspended should not get sitting fees or allowances while subject to a suspension. The City supports clarity and certainty around when a councillor will be disqualified for multiple offences.'</p> <p>Update Recommendation - Item 1.4 Supported</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
	<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>Comment The Local Government sector has long-standing advocacy positions supporting stronger penalties as a deterrent to disruptive Council Member behaviours. Clear guidance will be required to ensure there is consistent application of the power given to Presiding Members.</p> <p>Recommendation Supported</p>	
1.5 Rapid Red Card Resolutions		
<ul style="list-style-type: none"> It is proposed that Standing Orders are made consistent across Western Australia (see item 2.6). Published recordings of all meetings would also become standard (item 3.1). It is proposed that Presiding Members have the power to "red card" any attendee (including councillors) who unreasonably and repeatedly interrupt council meetings. This power would: <ul style="list-style-type: none"> Require the Presiding Member to issue a clear first warning If the disruptions continue, the Presiding Member will have the power to "red card" that person, who must be silent for the 	As above	<p>Member Response: 94% support the proposed reform.</p> <p>Indicative Member Comment: 'Question if a red card is considered to be contemporary best practice for corporate businesses or not for profit boards.'</p> <p>'Support the principle of Rapid Red Card Resolutions and requests the regulations provide clear guidance to ensure consistent application of the power given to presiding members. There is the potential for this power to be abused, therefore consideration should be given to the ability for</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<p>rest of the meeting. A councillor issued with a red card will still vote, but must not speak or move motions</p> <ul style="list-style-type: none"> ○ If the person continues to be disruptive, the Presiding Member can instruct that they leave the meeting. • Any Presiding Member who uses the “red card” or ejection power will be required to notify the Inspector. • Where an elected member refuses to comply with an instruction to be silent or leave, or where it can be demonstrated that the presiding member has not followed the law in using these powers, penalties can be imposed through a review by the Inspector. 		<p>other councillors to call point of order to overrule the presiding member by absolute majority.’</p> <p>‘Requiring a ‘red carded member’ to sit silent for the rest of the meeting is not supported, they should be given a first and final warning and be able to speak to and move motions as to do otherwise may infringe implied political freedom of speech and may be unconstitutional (see: McCloy v NSW [2015] HCA 34). There should be clarity about when a member can be directed to leave the chamber (first and final warning and then you are out, but ejection by Presiding Member should also be subject to a point of order too). A Mayor should not only have to notify the Inspector of an ejection but provide the video and/or audio recording.’</p> <p>Update Recommendation - Item 1.5 Supported subject to a provision permitting council members to call a point of order to overrule the presiding member by absolute majority.</p>
1.6 Vexatious Complaint Referrals		
<ul style="list-style-type: none"> • Local governments already have a general responsibility to provide ratepayers and members of the public with assistance in responding to queries about the local government’s operations. Local governments should resolve queries and complaints in a respectful, transparent and equitable manner. • Unfortunately, local government resources can become unreasonably diverted when a person makes repeated vexatious queries, especially after a local government has 	<p>Current Local Government Position Item 1.6 expands upon Advocacy Position 2.6.11 – ‘Vexatious complainants in relation to FOI applications’ WALGA advocates for the Freedom of Information Act 1992 (WA) to be reviewed, including consideration of:</p> <ol style="list-style-type: none"> 1. Enabling the Information Commissioner to declare vexatious applicants similar to the provisions of section 114 of the Right to Information Act 2009 (QLD); 	<p>Member Response: 95% support the proposed reform.</p> <p>Indicative Member Comment: ‘This should encompass an entity as well as a person to deal with vexatious complainant-like conduct from organised groups who have the capacity to consume an inordinate amount of City resources. In respect to 3), supported provided that the function is optional rather than mandatory and the CEO still retains the ability to make their</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<p>already provided a substantial response to the person's query.</p> <ul style="list-style-type: none"> It is proposed that if a person makes repeated complaints to a local government CEO that are vexatious, the CEO will have the power to refer that person's complaints to the Inspectorate, which after assessment of the facts may then rule the complaint vexatious. 	<p>2. <i>Enabling an agency to recover reasonable costs incurred through the processing of a Freedom of Information access application where the application is subsequently withdrawn; and</i></p> <p>3. <i>Modernisation to address the use of electronic communications and information.</i></p> <p>Comment The Act has been expanded significantly in recent years to permit an increased level of public involvement, scrutiny and access to information relating to the decisions, operations and affairs of Local Government in WA. Introducing a means to limit capacity for unreasonable complainants to negatively impact Local Governments will provide a necessary balance between the openness and transparency of the sector and the reasonable entitlement of citizens to interact with their Local Government.</p> <p>Recommendation Supported</p>	<p>own determination as to whether a complainant is vexatious in accordance with Council policy.'</p> <p>'Vexatious complaints are a problem in Local Government and establishing a system to deal effectively with them is considered important. It may be worth considering a specific provision which grants the power to a CEO to determine vexatious complaints in accordance with set criteria to increase efficiency.'</p> <p>Updated Recommendation – Item 1.6 Supported</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
1.7 Minor Other Reforms		
<ul style="list-style-type: none"> Potential other reforms to strengthen guidance for local governments are being considered. For example, one option being considered is the potential use of sector-wide guidance notices. Guidance notices could be published by the Minister or Inspector, to give specific direction for how local governments should meet the requirements of the Local Government Act and Regulations. For instance, the Minister could publish guidance notices to clarify the process for how potential conflicts of interests should be managed. It is also proposed (see item 1.1) that the Inspector has the power to issue notices to individual local governments to require them to rectify non-compliance with the Act or Regulations. 	<p>Current Local Government Position Item 1.7 aligns with Advocacy Position 2.6 - 'Support DLGSC as service provider / capacity builder'</p> <p><i>WALGA supports the continuance of the Department of Local Government, Sport and Cultural Industries as a direct service provider of compliance and recommend the Department fund its capacity building role through the utilisation of third party service providers. In addition, WALGA calls on the State Government to ensure there is proper resourcing of the Department of Local Government, Sport and Cultural Industries to conduct timely inquiries and interventions when instigated under the provisions of the Local Government Act 1995.</i></p> <p>Comment Operational guidance from the Department of Local Government, Sport and Cultural Industries leads to consistent understanding and application of statutory provisions by Local Government. The proposed reform that the Inspector issue non-compliance notices appears to replicate the Minister's powers under Section 9.14A – 'Notice to prevent continuing contravention'</p> <p>Recommendation Supported</p>	<p>Member Response: 97% support the proposed reform.</p> <p>Indicative Member Comment: 'Guidance notes are useful as long as they are reviewed and updated and they remain current and relevant. Some existing Department guidelines have not been reviewed for many years yet remain available as a resource on the DLGSC website.'</p> <p>'Guidance notices and templates would be appreciated and valued by smaller Local Governments. Important that the authors of such notices consider the capacity and resourcing challenges across the sector so that guidance materials do not place unrealistic expectations on smaller Local Governments. Recommend peak bodies (WALGA, LG Professionals WA) are engaged in this process to ensure the outcomes are operationally practical and suitable.'</p> <p>Updated Recommendation – Item 1.7 Supported</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

Theme 2: Reducing Red Tape, Increasing Consistency and Simplicity

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
2.1 Resource Sharing		
<ul style="list-style-type: none"> Amendments are proposed to encourage and enable local governments, especially smaller regional local governments, to share resources, including Chief Executive Officers and senior employees. Local governments in bands 2, 3 or 4 would be able to appoint a shared CEO at up to two salary bands above the highest band. For example, a band 3 and a band 4 council sharing a CEO could remunerate to the level of band 1. 	<p>Current Local Government Position Item 2.1 <u>aligns</u> with Advocacy Position 2.6 – Local Government Legislation – ‘Avoid red tape and ‘de-clutter’ the extensive regulatory regime that underpins the Local Government Act’ and Advocacy Position 2.3.1 – ‘Regional Collaboration’.</p> <p><i>Local Governments should be empowered to form single and joint subsidiaries, and beneficial enterprises. In addition, compliance requirements of Regional Councils should be reviewed and reduced.</i></p> <p>Comment The proposed reforms will rely upon statutory provisions that enable and enhance regional collaboration. Recent over-regulation of Regional Subsidiaries in 2016 resulted in no subsidiaries being formed since that time.</p> <p>Recommendation Supported</p>	<p>Member Response: 97% support the proposed reform.</p> <p>Indicative Member Comments: ‘It is noted the objective of this proposed reform is to encourage resource sharing practices among smaller regional local governments. It is not practical for band 1 local governments to implement practices such as sharing a CEO, however, such practices will be beneficial to smaller regional local governments and will encourage regional collaboration.’</p> <p>‘Increased support for shared resource arrangements is welcomed. The proposal could also link to the innovation proposal (Item 2.3) and a principle based on sustainability, whereby collaboration between Local Governments (beyond boundaries and geographic restrictions) are encouraged, and there is potential to seek greater legislative freedom/flexibility (potentially with Inspectorate/Ministerial sign-off).’</p> <p>Updated Recommendation – Item 2.1 Supported</p>
2.2 Standardisation of Crossovers		
<ul style="list-style-type: none"> It is proposed to amend the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> to standardise the process for approving crossovers for residential properties and residential developments on local roads. 	<p>Current Local Government Position</p> <p>Comment WALGA developed the Template Crossover Guideline and Specification resource in 2017 and have been part of the Minister’s working group on</p>	<p>Member Response: 94% support the proposed reform.</p> <p>Indicative Member Comments: ‘Provided there is consideration for regional areas and further disparity is not created for Shires with rural or</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> A Crossover Working Group has provided preliminary advice to the Minister and DLGSC to inform this. The DLGSC will work with the sector to develop standardised design and construction standards. 	<p>red tape reduction that has been looking at standardisation of crossovers.</p> <p>Recommendation Supported</p>	<p><i>semi-rural residential.'</i></p> <p>Updated Recommendation – Item 2.2 Supported</p>
2.3 Introduce Innovation Provisions		
<ul style="list-style-type: none"> New provisions are proposed to allow exemptions from certain requirements of the <i>Local Government Act 1995</i>, for: <ul style="list-style-type: none"> Short-term trials and pilot projects Urgent responses to emergencies. 	<p>Current Local Government Position There is currently no advocacy position in relation to Item 2.3.</p> <p>Comment It is arguable communities expect all levels of Government will apply innovative solutions to complex and emerging issues difficult to resolve by traditional means. Exemptions constructed with appropriate checks and balances, particularly where expenditure of public funds are concerned, has potential to facilitate efficient and effective outcomes.</p> <p>Recommendation Supported</p>	<p>Member Response: 98% support the proposed reform.</p> <p>Indicative Member Comments: <i>'Provided the inclusion of legislation does not result in more red tape. Very limited information has been provided on this point considering the many commercial, health, tourism or land projects Councils are regularly requested to engage in.'</i></p> <p><i>'Consideration should be given to allowing local governments to maintain an interest in corporations in certain circumstances.'</i></p> <p>Updated Recommendation – Item 2.3 Supported</p>
2.4 Streamline Local Laws		
<ul style="list-style-type: none"> It is proposed that local laws would only need to be reviewed by the local government every 15 years. Local laws not reviewed in the timeframe would lapse, meaning that old laws will be automatically removed and no longer applicable. Local governments adopting Model Local 	<p>Current Local Government Position Items 2.4, 2.5 and 2.6 <u>expand upon</u> Advocacy Position 2.6.35 - 'Local law-making process should be simplified'.</p> <p><i>The Local Law making process should be simplified as follows:</i></p> <ul style="list-style-type: none"> <i>The requirement to give state-wide notice</i> 	<p>Member Response: 98% support the proposed reform.</p> <p>Indicative Member Comments: <i>'Support the simplification of the local law-making process and the application of model local laws. However, as with guidance notes, model local laws need to be reviewed and updated to remain current</i></p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
Laws will have reduced advertising requirements.	<p><i>should be reviewed, with consideration given to Local Governments only being required to provide local public notice;</i></p> <ul style="list-style-type: none"> <i>Eliminate the requirement to consult on local laws when a model is used;</i> <i>Consider deleting the requirement to review local laws periodically. Local Governments, by administering local laws, will determine when it is necessary to amend or revoke a local law; and</i> <i>Introduce certification of local laws by a legal practitioner in place of scrutiny by Parliament's Delegated Legislation Committee.</i> <p>Comment Proposed reforms meet the Sector's preference for simplified local law-making processes. Model local laws are supported, whilst recognising the models themselves will require review by State Government departments with the relevant administrative responsibility. For example, the Model Local Law (Standing Orders) 1998 formed the basis of many Local Government meeting procedures local law but no review was completed. This model was superseded by individual local laws with added contemporary provisions. This pattern will repeat itself if model local laws are not reviewed to remain contemporary to the Sector's requirements.</p> <p>Recommendation Supported</p>	<p><i>and relevant. There also needs to be the opportunity for Local Government to modify model local laws to meet local needs.'</i></p> <p><i>'Supported in part. Item 2 is not supported. The proposed automatic deletion is not supported and should be replaced with an automatic roll over to a model local law so that there is no vacuum of regulation that could affect public safety. The City welcomes further information for local governments consideration with respect to the proposed Model Local Laws.'</i></p> <p><i>'It is highly desirable that the model local laws are reviewed to ensure they are appropriate for smaller local governments (so that smaller local governments can enjoy the efficiency gains from having templates and reduced advertising requirements). Scalability should be considered in the drafting of any model local laws, i.e. potentially different models for Bands 1 & 2 vs Bands 3 & 4.'</i></p> <p>Updated Recommendation – Items 2.4 to 2.6 Supported</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
2.5 Simplifying Approvals for Small Business and Community Events		
<ul style="list-style-type: none"> Proposed reforms would introduce greater consistency for approvals for: <ul style="list-style-type: none"> alfresco and outdoor dining minor small business signage rules running community events. 	As above	<p>Member Response: 97% support the proposed reform.</p> <p>Indicative Member Comments: <i>'As long as there is engagement to develop rules for events and signage. The health guidelines (which leave much discretion for Environmental Health Officers) are often not practical for regional areas. It would be counterproductive to be stuck with "An ambulance is required to hold a market day and sell cupcakes because you are 200+km from a primary healthcare facility". Differentiated service models in regional areas need to be better understood by people who only know what it's like to live in a metropolitan area.'</i></p> <p><i>'Support, subject to further clarification. It is recommended that Council support this reform, however it is unclear as to what the ramifications are in terms of:</i> <i>· practical impacts on existing and future alfresco and outdoor dining areas;</i> <i>· the level of risk the local government would be assuming; and</i> <i>· whether such a reform impacts on the Shire's level of insurance.'</i></p>
2.6 Standardised Meeting Procedures, Including Public Question Time		
<ul style="list-style-type: none"> To provide greater clarity for ratepayers and applicants for decisions made by council, it is proposed that the meeting procedures and standing orders for all local government meetings, including for public question time, are standardised across the State. 	As above	<p>Member Response: 98% support the proposed reform.</p> <p>Indicative Member Comments: <i>'The standardisation of the standing orders is supported either through a local law or regulations,</i></p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> Regulations would introduce standard requirements for public question time, and the procedures for meetings generally. Members of the public across all local governments would have the same opportunities to address council and ask questions. 		<p><i>provided that sufficient flexibility is given and that the requirements are not overly complex, onerous or prescriptive.'</i></p> <p><i>'There is a degree of standardisation through current legislation. However, standardisation creates a one-size-fits-all situation which has created either inefficiencies or additional workloads across the sector. This is a problem the current legislative proposals are seeking to undo so it is important that similar problems are not created with these proposals.'</i></p>
2.7 Regional Subsidiaries		
<ul style="list-style-type: none"> Work is continuing to consider how Regional Subsidiaries can be best established to: <ul style="list-style-type: none"> Enable Regional Subsidiaries to provide a clear and defined public benefit for people within member local governments Provide for flexibility and innovation while ensuring appropriate transparency and accountability of ratepayer funds Where appropriate, facilitate financing of initiatives by Regional Subsidiaries within a reasonable and defined limit of risk Ensure all employees of a Regional Subsidiary have the same employment conditions as those directly employed by member local governments. 	<p>Current Local Government Position Item 2.7 <u>aligns</u> with Advocacy Position 2.3.1 - 'Regional Collaboration': <i>Local Governments should be empowered to form single and joint subsidiaries, and beneficial enterprises. In addition, compliance requirements of Regional Councils should be reviewed and reduced.</i></p> <p>Comment Under the Regional Subsidiary model, two or more Local Governments can establish a regional subsidiary to undertake a shared service function on behalf of its member Local Governments. The model provides increased flexibility when compared to the Regional Local Government model because regional subsidiaries are primarily governed and regulated by a charter rather than legislation. While the regional subsidiary model's governance structure is primarily representative, it allows independent and commercially focussed directors to be appointed to the board of management.</p>	<p>Member Response: 97% support the proposed reform.</p> <p>Indicative Member Comments: 'Supported in part. With respect to employee conditions, not all local governments have the same Enterprise Agreements and henceforth different conditions and benefits apply. The employees of a regional subsidiary should have the Local Government Award as their base conditions with the ability for their own enterprise agreement to be negotiated.'</p> <p>'Support proposed reforms and the submission from NEWROC which incorporates the following governance model: <ul style="list-style-type: none"> • use of a charter as the primary governance and regulatory instrument (approved by the Minister) • regular assessment of performance so that elected representatives on the Board have the necessary skills and qualifications to deliver upon the charter and strategic priorities of the regional subsidiary </p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
	<p>A key advantage of the regional subsidiary model is the use of a charter, as opposed to legislation, as the primary governance and regulatory instrument. Accordingly, the legislative provisions governing the establishment of regional subsidiaries should be light, leaving most of the regulation to the regional subsidiary charter, which can be adapted to suit the specific circumstances of each regional subsidiary.</p> <p>Recommendation Supported</p>	<ul style="list-style-type: none"> • <i>policies and procedures within the regional subsidiary to reduce risk and improve oversight</i> • <i>regular financial reporting and annual audits to members and communities.</i> <p><i>'Where Regional Subsidiaries are established as shared service centres for difficult to recruit skill sets the legislation should treat them as if a local government was employing a consultant. A regional subsidiary should only need to report back to the member local governments rather than the Department. It should be up to the member local governments to ensure the good governance of the subsidiary, not the State Government. This approach would simplify compliance.'</i></p> <p>Updated Recommendation – Item 2.7 Supported subject to the use of a charter as the primary governance and regulatory instrument.</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

Theme 3: Greater Transparency & Accountability

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
3.1 Recordings and Live-Streaming of All Council Meetings		
<ul style="list-style-type: none"> It is proposed that all local governments will be required to record meetings. Band 1 and 2 local governments would be required to livestream meetings, and make video recordings available as public archives. Band 1 and 2 are larger local governments are generally located in larger urban areas, with generally very good telecommunications infrastructure, and many already have audio-visual equipment. Band 1 and 2 local governments would be required to livestream meetings, and make video recordings available as public archives. Several local governments already use platforms such as YouTube, Microsoft Teams, and Vimeo to stream and publish meeting recordings. Limited exceptions would be made for meetings held outside the ordinary council chambers, where audio recordings may be used. Recognising their generally smaller scale, typically smaller operating budget, and potential to be in more remote locations, band 3 and 4 local governments would be required to record and publish audio recordings, at a minimum. These local governments would still be encouraged to livestream or video record meetings. All council meeting recordings would need to 	<p>Current Local Government Position Item 3.1 <u>expands upon</u> Advocacy Position 2.6 – 'Promote a size and scale compliance regime' and Advocacy Position 2.6.31 - 'Attendance at Council Meetings by Technology'</p> <p><i>A review of the ability of Elected Members to log into Council meetings should be undertaken.</i></p> <p>Comment Local Governments introducing electronic meeting procedures and the means for remote public attendance in response to the COVID-19 pandemic led to a swift uptake of streaming Council meetings. The proposed reform that Band 1 and 2 Local Governments will be required to livestream meetings may be problematic where technical capability such as reliable bandwidth impacts the district.</p> <p>Recommendation Supported</p>	<p>Member Response: 66% support the proposed reform. 32% oppose the proposed reform.</p> <p>Indicative Member Comments:</p> <ol style="list-style-type: none"> 'Support Band 1 and 2 live streaming and video recordings; Support Band 3 and 4 audio recordings; Reject the need to provide recordings of confidential matters to the department for archiving.' <p>'Council generally supports the proposed reforms with the following additional comment.</p> <ol style="list-style-type: none"> Given the potential cost impact to smaller local government to retain the audio recordings a reasonable time frame should be set for their retention. Live streaming of meetings should not encourage attendance remotely by Councillors and attendance in-person should be the default position. Forwarding the recorded confidential part of the meeting to the Department for record keeping appears to be an unnecessary impost with no valid reason given for this proposal. If meetings are livestreamed why would there be a requirement to publish the recording when the minutes are published.' <p>'Support the principle of recording and live-streaming all Council meetings for band 1 and 2</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
be published at the same time as the meeting minutes. Recordings of all confidential items would also need to be submitted to the DLGSC for archiving.		<p>local governments. The proposal lacks some detail which the City would like the opportunity to make further submissions with respect to. Of particular concern is the requirement to record confidential items and the submission of those recordings to the DLGSC for archiving, particularly pertaining to confidential legal advice. There is insufficient information available regarding the controls to be put in place to ensure confidential recordings remain confidential, and what the purpose is for archiving by the DLGSC, how Freedom of Information will be treated by the DLGSC, how access will be authorised and local governments notified.'</p> <p>'The City is not supportive of submitting recordings of confidential items to the Department. Confidential items may include legal advice which is subject to legal privilege. Such privilege is at risk of being lost by the dissemination of the advice.'</p> <p>Updated Recommendation – Item 3.1</p> <ol style="list-style-type: none"> 1. Support live streaming the ordinary and special council meetings of Band 1 and 2 Local Governments and audio recording the ordinary and special council meetings of Band 3 and 4 Local Governments. 2. Do not support archiving the recordings of confidential matters by the Department of Local Government, Sport and Cultural Industries.

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
3.2 Recording All Votes in Council Minutes		
<ul style="list-style-type: none"> To support the transparency of decision-making by councillors, it is proposed that the individual votes cast by all councillors for all council resolutions would be required to be published in the council minutes, and identify those for, against, on leave, absent or who left the chamber. Regulations would prescribe how votes are to be consistently minuted. 	<p>Current Local Government Position There is currently no advocacy position in relation to Item 3.2.</p> <p>Comment There is an evolving common practice that Council Minutes record the vote of each Council Member present at a meeting.</p> <p>Recommendation Supported</p>	<p>Member Response: 90% support the proposed reform.</p> <p>Indicative Member Comments: 'It makes sense that the individual votes cast by all councillors for all council resolutions would be required to be published in the council minutes, and identify those for, against, on leave, absent or who left the chamber.'</p> <p>Updated Recommendation – Item 3.2 Supported</p>
3.3 Clearer Guidance for Meeting Items that may be Confidential		
<ul style="list-style-type: none"> Recognising the importance of open and transparent decision-making, it is considered that confidential meetings and confidential meeting items should only be used in limited, specific circumstances. It is proposed to make the Act more specific in prescribing items that may be confidential, and items that should remain open to the public. Items not prescribed as being confidential could still be held as confidential items only with the prior written consent of the Inspector. All confidential items would be required to be audio recorded, with those recordings submitted to the DLGSC (see Item 3.1). 	<p>Current Local Government Position There is currently no advocacy position in relation to Item 3.3.</p> <p>Comment Clarifying the provisions of the Act has broad support within the sector. New reforms requiring Local Governments to video or audio record Council meetings (Item 3.1) will add to the formal record of proceedings that includes written Minutes. While being supported, the requirement to provide audio recordings of confidential matters to the DLGSC is queried on the basis that written and audio records can be readily accessed from a Local Government if required.</p> <p>Recommendation Supported</p>	<p>Member Response: 93% support the proposed reform.</p> <p>Indicative Member Comments: 'Support greater transparency and the proposed reforms in principle. Further detail is required about what is likely to be prescribed, and the probable timeframe required for prior written consent of the Inspector.'</p> <p>Updated Recommendation – Item 3.3 Supported</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
3.4 Additional Online Registers		
<ul style="list-style-type: none"> It is proposed to require local governments to report specific information in online registers on the local government's website. Regulations would prescribe the information to be included. The following new registers, each updated quarterly, are proposed: <ul style="list-style-type: none"> Lease Register to capture information about the leases the local government is party to (either as lessor or lessee) Community Grants Register to outline all grants and funding provided by the local government Interests Disclosure Register which collates all disclosures made by elected members about their interests related to matters considered by council Applicant Contribution Register accounting for funds collected from applicant contributions, such as cash-in-lieu for public open space and car parking Contracts Register that discloses all contracts above \$100,000. 	<p>Current Local Government Position There is currently no advocacy position in relation to Item 3.4.</p> <p>Comment This proposal follows recent Act amendments that ensure a range of information is published on Local Government websites. WALGA has sought clarity that the contracts register excludes contracts of employment.</p> <p>Recommendation Supported</p>	<p>Member Response: 87% support the proposed reform. 13% oppose the proposed reform.</p> <p>Indicative Member Comments: 'Supported for Tier 1 and 2 LGs. Whilst the need for transparency is understood, this creates an additional administrative burden for smaller local governments who are already struggling with compliance-related workload. Annual publication of these registers, rather than quarterly, would be far more achievable for smaller LGs.'</p> <p>'The proposals are generally supported based on additional advice from the Minister about the information which will be captured in the registers.'</p> <p>Updated Recommendation – Item 3.4 Supported</p>
3.5 Chief Executive Officer Key Performance Indicators (KPIs) be Published		
<ul style="list-style-type: none"> To provide for minimum transparency, it is proposed to mandate that the KPIs agreed as performance metrics for CEOs: <ul style="list-style-type: none"> Be published in council meeting minutes as soon as they are agreed prior to (before the start of the annual period) 	<p>Current Local Government Position There is currently no advocacy position in relation to Item 3.5.</p> <p>Comment In principle, this proposal has some merit and would be particularly effective if all CEO KPIs</p>	<p>Member Response: 30% support the proposed reform. 66% oppose the proposed reform.</p> <p>Indicative Member Comments: 'Council would support the IPR (strategic direction) KPI's being published online but don't</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> The KPIs and the results be published in the minutes of the performance review meeting (at the end of the period) The CEO has a right to provide written comments to be published alongside the KPIs and results to provide context as may be appropriate (for instance, the impact of events in that year that may have influenced the results against KPIs). 	<p>consistently reflect Strategic Community Plans and Corporate Business Plans of Local Governments, together with KPIs reflective of the CEO's statutory functions under Section 5.41 of the Act. This approach would inform the community of the CEO's performance related to the strategic direction and operational function of the Local Government.</p> <p>In practice, the drafting of statutory provisions will require sensitive consideration of certain KPIs i.e. those relating to issues affecting the workplace or identified risk-based concerns, to reflect the way Audit Committees currently deal with some internal control, risk and legislative compliance issues confidentially. This approach will protect the interests of Local Governments and other parties associated with such KPIs. It would be prudent for exemptions to be provided, based on matters of confidentiality. The proposed reforms and recent Act amendments signal a clear intent to permit closer community involvement and scrutiny of Local Government. However, negative consequences are likely if Local Government Council's responsibility as the employing authority of the CEO became blurred due to perceived community entitlement to comment, question and influence KPIs and the performance review process. Additionally, the publication of CEO KPI's will elevate this employment position to a high degree of public scrutiny seldom evident in the public or private sector, if at all. It is worth investigating whether the proposed reforms considered whether this factor could impact on the recruitment of CEO's, particularly from outside the Local Government sector. The results of performance reviews</p>	<p><i>support the results of the CEO performance reviews being published online. KPIs published online, have no background, knowledge of how they are prepared and so could result in unnecessary criticism from the community. Could result in the performance review being undertaken by the community, not the Council.'</i></p> <p><i>'Support the publication of an overview of CEO KPIs but does not support publication of the results of the CEO's performance review. The community elects the councillors who are responsible for the employment and management of the CEO. Additionally, the publication of CEO KPI's will elevate this employment position to a high degree of public scrutiny seldom evident in the public or private sector, if at all. The results of performance reviews should be confidential information between the employer and employee and should not be published, and should remain within the confidential human resource records of the organisation.'</i></p> <p><i>'Supportive of the KPIs set for a CEO being published where they align to the local government's strategic direction and subject to exemptions which do not require KPIs of a confidential or sensitive nature to be published. Not supportive of proposals to publish results of CEO performance reviews. Organisation performance review results should be published through strategic and corporate reporting and through the annual report process.'</i></p> <p><i>'The City opposes publishing of CEO KPIs. It would not be appropriate on the basis that it may</i></p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
	<p>should be confidential information between the employer and employee and should not be published and should remain within the confidential human resource records of the organisation.</p> <p>Recommendation</p> <p>1. Conditionally Support the reporting of CEO KPIs that are consistent with the strategic direction and operational function of the Local Government, subject to exemptions for publishing KPI's of a confidential nature;</p> <p>2. Do not support the results of performance reviews being published.</p>	<p><i>result in personal information or sensitive information on internal working of the City being disclosed. Furthermore, it may result in the review being politicised review, being carried in a public arena.'</i></p> <p>Updated Recommendation – Item 3.5</p> <p>1. Conditionally support the reporting of CEO KPIs that are consistent with the strategic direction and operational function of the Local Government, subject to exemptions for publishing KPI's of a confidential nature;</p> <p>2. Do not support the results of performance reviews being published.</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

Theme 4: Stronger Local Democracy and Community Engagement

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
4.1 Community and Stakeholder Engagement Charters		
<ul style="list-style-type: none"> It is proposed to introduce a requirement for local governments to prepare a community and stakeholder engagement charter which sets out how local government will communicate processes and decisions with their community. A model Charter would be published to assist local governments who wish to adopt a standard form. 	<p>Current Local Government Position Items 4.1 and 4.2 <u>generally align</u> with Advocacy Position 2.6.34 - 'Support responsive, aspirational and innovative community engagement principles'</p> <p><i>The Local Government sector supports:</i></p> <ol style="list-style-type: none"> 1. Responsive, aspirational and innovative community engagement principles 2. Encapsulation of aims and principles in a community engagement policy, and 3. The option of hosting an Annual Community Meeting to present on past performance and outline future prospects and plans. <p>Comment As indicated in Item 4.1 commentary, many Local Governments have already developed stakeholder engagement charters, or similar engagement strategies, that reflect their unique communities of interest. The development of guidance by the DLGSC, based on standards such as the International Standard for Public Participation practice, is supported in favour of taking a prescriptive approach or conducting a survey for the sake of a survey. Item 4.2 has potential to provide benchmarking of community satisfaction levels across Band 1 and 2 Local Governments.</p> <p>Recommendation Supported</p>	<p>Member Response: 87% support the proposed reform.</p> <p>Indicative Member Comments: 'Suggest multiple model charters relevant to banding.'</p> <p>'Council supports the adoption of a community and stakeholder engagement charter that benefits the community's understanding of the Local Government's processes and decisions.'</p> <p>'Supported, however maintain that a proposed model Charter must take into account the varying needs and geographical factors across the sector. The sector must be consulted on the content of the proposed Charter. A community engagement charter, which includes minimum standards for community engagement, allows a streamlined opportunity for local governments to communicate clearly when, how and on what matters the community will be engaged. A charter can help councils identify the matters on which to engage, evaluate the resources needed and provide guidance on the best methods to engage on a particular issue. Council has previously adopted policy COMD 2 Community Engagement.'</p> <p>Updated Recommendation – Item 4.1 Supported</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
4.2 Ratepayer Satisfaction Surveys (Band 1 and 2 local governments only)		
<ul style="list-style-type: none"> It is proposed to introduce a requirement that every four years, all local governments in bands 1 and 2 hold an independently-managed ratepayer satisfaction survey. Results would be required to be reported publicly at a council meeting and published on the local government's website. All local governments would be required to publish a response to the results. 	As above	<p>Member Response: 85% support the proposed reform.</p> <p>Indicative Member Comments: <i>'Supportive although suggest it should be more inclusive to be a community satisfaction survey rather than just ratepayers.'</i></p> <p>Updated Recommendation – Item 4.2 Support the conduct of community, rather than ratepayer, satisfaction surveys.</p>
4.3 Introduction of Preferential Voting		
<ul style="list-style-type: none"> Preferential voting is proposed be adopted as the method to replace the current first past the post system in local government elections. In preferential voting, voters number candidates in order of their preferences. Preferential voting is used in State and Federal elections in Western Australia (and in other states). This provides voters with more choice and control over who they elect. All other states use a form of preferential voting for local government. 	<p>Current Local Government Position Item 4.3 does not align with Advocacy Position 2.5.1 – 'First Past the Post voting system'</p> <p><i>The Local Government sector supports:</i></p> <ol style="list-style-type: none"> Four year terms with a two year spill Greater participation in Local Government elections The option to hold elections through: <ul style="list-style-type: none"> Online voting Postal voting, and In-person voting Voting at Local Government elections to be voluntary The first past the post method of counting votes <p>Comment It should be noted that the sector's advocacy against compulsory voting and 'All in, All out' 4</p>	<p>Member Response: 14% support the proposed reform. 81% oppose the proposed reform.</p> <p>Indicative Member Comments: <i>'Not convinced that the introduction of preferential voting will not discourage party politics and other alliances forming. Could the notion of optional preferential voting be considered?'</i></p> <p><i>'Council supports the First Past the Post (FPTP) system as opposed to the differential voting system. The FPTP has been used very effectively in the past and reduces the potential for 'groups' or 'tickets' to form as part of an election campaign. A FPTP system encourages candidates to campaign on their own merits.'</i></p> <p><i>'Simply put, there is too great of a risk moving to preferential voting as it will allow for the infiltration</i></p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
	<p>year terms has been successful and these items are not included in the reform proposals.</p> <p>The introduction of preferential voting will be a return to the system of voting prior to the <i>Local Government Act 1995</i>. The Local Government Advisory Board reported on voting systems in 2006 (<i>'Local Government Structural Reform in Western Australia: Ensuring the Future Sustainability of Communities'</i>) and provided the following comments in support of both first past the post voting and preferential voting:</p> <p><i>'Comments in support of retaining first past the post include:</i></p> <ul style="list-style-type: none"> • Quick to count. Preferential voting is time consuming to count. • Easily understood. • Removes politics out of campaigning. Preferential will encourage alliances formed for the distribution of preferences and party politics into local government. • Preferential voting allows election rigging through alliances or 'dummy' candidates. • In a preferential system, the person that receives the highest number of first preference votes does not necessarily get elected.' <p><i>'Comments in support of replacing first past the post include:</i></p> <ul style="list-style-type: none"> • Preferential voting is more democratic and removes an area of confusion. • Preferential voting ensures that the most popular candidates are elected who best reflect the will of the voters. • Preferential system should be introduced. In FPP elections, candidates work together to get votes for each other. Preferential would make it 	<p><i>of party politics and ultimately drive up the costs associated with elections. Online voting needs to be implemented as a priority over voting system.'</i></p> <p><i>'Do not support the introduction of preferential voting, particularly given there is no proposal to make LG voting compulsory. The existing FPTP system functions well and assists in limiting the formation of political factions in Councils.'</i></p> <p><i>'Not Supported as preferential voting has been tried before and removed. First past the post is:</i></p> <ul style="list-style-type: none"> - Simple - Quick to count - Doesn't promote factionalism - Transparent' <p><i>'Strongly opposes the introduction of preferential voting. It is a long-standing position of objection by WALGA and the sector generally that preferential voting is not supported nor needed in local government. We support WALGA's position. Preferential voting in other jurisdictions in Australia is in effect on the premise that voting is compulsory. Compulsory voting should be mandated if preferential voting is adopted. There are no relevant case studies in Australia to reference for preferential voting where voting is not compulsory, so the success of this approach cannot be measured. It is not supported.'</i></p> <p><i>'Council continues to support Optional Preferential voting, as outlined in its submissions to Phase 1- 27 September 2017 and Phase 2 – 30 January 2019 of the most recent review of the Local Government Act 1995. It should be noted that optional preferential voting was also the</i></p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
	<p>more difficult for this practice to take place.</p> <ul style="list-style-type: none"> • FPP does not adequately reflect the wishes of electors when there are three candidates or more. • FPP is unsuitable when there is more than one vacancy. • Allows for a greater representation from a range of interest groups and prevents domination of elections by mainstream party politics.' <p>The Sector supports first past the post voting for its simplicity and fundamental apolitical nature, therefore the proposed reforms are not supported. Feedback is sought to ensure the advocacy position for first past the post elections remains the preferred option.</p> <p>Recommendation Not currently supported - Local Government feedback requested</p>	<p>recommendation of the Local Government Review Panel.'</p> <p>'Generally support WALGA recommendation(s) It is the Councils position that FPP is a less political form of counting votes, the most popular candidate attains the highest number of votes, the second most popular candidate achieves the second highest number of votes, and so on. In rural and remote settings nearly everyone knows all of the candidates personally and so there is unlikely to be unknown candidates sneaking in to power. Preference deals to alter the result to ensure that aligned parties / candidates are elected will politicise what is supposed to be a community role, not a party political one. There is evidence of this leading to poor outcomes for communities and for unwanted pressures on staff and CEOs. Broader political aspirations should not affect the decision making process to the detriment of staff and the wider community. Council does not support this change.'</p> <p>Updated Recommendation – Item 4.3 1. Support first past the post method of counting votes. 2. However, if 'first past the post' is not retained then optional preferential voting is preferred.</p>
4.4 Public Vote to Elect the Mayor and President		
<ul style="list-style-type: none"> • Mayors and Presidents of all local governments perform an important public leadership role within their local communities. 	<p>Current Local Government Position Item 4.4 does not align with Advocacy Position 2.5.2 - 'Election of Mayors and Presidents be at the discretion of Local Government.' Local</p>	<p>Member Response: 21% support the proposed reform. 67% oppose the proposed reform.</p>

29

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> Band 1 and 2 local governments generally have larger councils than those in bands 3 and 4. Accordingly, it is proposed that the Mayor or President for all band 1 and 2 councils is to be elected through a vote of the electors of the district. Councils in bands 3 and 4 would retain the current system. A number of Band 1 and Band 2 councils have already moved towards Public Vote to Elect the Mayor and President in recent years, including City of Stirling and City of Rockingham. 	<p><i>Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.</i></p> <p>Comment There are 43 Band 1 and 2 Local Governments with 22 popularly electing the Mayor or President: Band 1 - 15 Band 2 - 7</p> <p>The remaining 21 Local Governments have a Council-elected Mayor or President. The cited examples of the City of Rockingham and City of Stirling electors determining by referendum to change the process for electing the Mayor are examples of the current system working as intended. There is no evidence of elector support for uniform direct election of Mayors.</p> <p>Recommendation Not currently supported - Local Government feedback requested</p>	<p>Indicative Member Comments: <i>'Removing the discretion from local government and requiring bands 1 and 2 Mayors and Presidents to be directly elected while bands 3 and 4 are elected by Councillors neither provides consistency as some will be one or another or discretion of Councillors. The decisions of Councillors should be respected in this regard as this more likely to be reflective of their community's preference. This is not supported.'</i></p> <p><i>'The City does not support a requirement for the role of Mayor or President to be determined by electors. The City considers that its current system of having the Mayor elected directly by Council assists in ensuring the Mayor has the support of the majority of Council. Further, it assists in avoiding party politics.'</i></p> <p><i>A review of all recent election results for the City shows that City's chosen Mayor (in election years during which they are a candidate) has received the highest number of votes from the community for their seat as a Councillor. The City is supportive of introducing further ability of local governments to address and stand down 'rogue' Mayors.'</i></p> <p>Updated Recommendation – Item 4.4 Support retaining the current provision, that the election of Mayors and Presidents be at the discretion of each Local Government.</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
4.5 Tiered Limits on the Number of Councillors		
<ul style="list-style-type: none"> It is proposed to limit the number of councillors based on the population of the entire local government. Some smaller local governments have already been moving to having smaller councils to reduce costs for ratepayers. The Local Government Panel Report proposed: <ul style="list-style-type: none"> For a population of up to 5,000 – five councillors (including the President) population of between 5,000 and 75,000 – five to nine councillors (including the Mayor/President) population of above 75,000 – nine to fifteen councillors (including Mayor). 	<p>Current Local Government Position Item 4.5 does not align with Advocacy Position 2.5.1 – ‘Councils consist of between six and 15 (including the Mayor/President)’ Local Governments being enabled to determine the number of Elected Members required on the Council between six and 15 (including the Mayor/President)</p> <p>Comment The proposed reform to restrict Local Governments with populations under 5,000 to 5 Council Members does not reflect the varied communities of interest within this grouping. Some Local Governments are essentially regional centres such as the Shires of Katanning (9), Dandaragan (9), Merredin (9), Moora (9) and Northampton (9) (current Councillor numbers bracketed). Local Governments such as the Shire of Ngaanyatjaraku (9) manage substantial land areas, manage isolated communities such as the Shire of Meekatharra (7) and culturally diverse communities such as the Shire of Christmas Island (9). Some Local Governments with populations up to 5,000 warrant a greater number of Councillors to effectively share the representative role that Council Members play within their communities. The additional proposed reforms in population categories over 5,000 generally reflect the current Councillor numbers.</p> <p>Recommendation Recommend 5 to 7 Council Members for populations up to 5,000 and support the remaining proposed reforms.</p>	<p>Member Response: 30% support the proposed reform. 65% oppose the proposed reform.</p> <p>Indicative Member Comments: ‘Suggest that the number of councillors for districts with up to 5,000 electors should be set at between 5 to 7 councillors with the decision determined by the local government.’ ‘Council does not have enough information to form a position on the ‘tiered limits of number of councillors. More information is needed to understand the application of the proposed reform relating to how the number of elected members is determined within the individual ranges given. For instance, is it intended that there will be bands within each tier?’</p> <p>‘Council supports a population of up to 5,000 being permitted to have between 5-7 Councillors, whilst supporting the remaining proposed reforms.’ ‘The City supports this Reform, subject to Tier 2 having 7 to 9 Councillors and Tier 3 having a maximum of 13 Councillors. The rationale for this view is that the increase in the number of elected members should be equally relative to the population. Further, the City views 15 Councillors as a significant number that may, without benefit, place an increased financial and resourcing burden on the ratepayer.’</p> <p>Updated Recommendation – Item 4.5 Recommend 5 to 7 Council Members for populations up to 5,000 and support the remaining proposed reforms.</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
4.6 No Wards for Small Councils (Band 3 and 4 Councils only)		
<ul style="list-style-type: none"> It is proposed that the use of wards for councils in bands 3 and 4 is abolished. Wards increase the complexity of elections, as this requires multiple versions of ballot papers to be prepared for a local government's election. In smaller local governments, the population of wards can be very small. These wards often have councillors elected unopposed, or elect a councillor with a very small number of votes. Some local governments have ward councillors elected with less than 50 votes. There has been a trend in smaller local governments looking to reduce the use of wards, with only 10 councils in bands 3 and 4 still having wards. 	<p>Current Local Government Position There are no advocacy positions in relation to Items 4.6, 4.7, 4.8 or 4.9.</p> <p>Comment The proposed reform to discontinue wards in Band 3 and 4 Local Governments brings alignment with the majority and provides that affected Local Governments will no longer have to conduct 8 year ward reviews or make representation to the Local Government Advisory Board to revert to a no wards system. Remaining proposed reforms will improve and clarify election processes.</p> <p>Recommendation Supported</p>	<p>Member Response: 77% support the proposed reform.</p> <p>Indicative Member Comments: 'The main issue with this recommended change is for Local Governments that have vast areas and numerous towns/areas that are basically very different to the remainder of the shire.'</p> <p>'Object to the proposal. Councils and the communities they represent should decide if they retain wards or abolish. The circumstances of each LG district are different and the option should be available.'</p> <p>Updated Recommendation – Items 4.6 to 4.9 Supported</p>
4.7 Electoral Reform – Clear Lease Requirements for Candidate and Voter Eligibility		
<ul style="list-style-type: none"> Reforms are proposed to prevent the use of "sham leases" in council elections. Sham leases are where a person creates a lease only to be able to vote or run as a candidate for council. The City of Perth Inquiry Report identified sham leases as an issue. Electoral rules are proposed to be strengthened: <ul style="list-style-type: none"> A minimum lease period of 12 months will be required for anyone to register a person to vote or run for council. Home based businesses will not be eligible to register a person to vote or run 	<p>As above</p>	<p>Member Response: 98% support the proposed reform.</p> <p>Indicative Member Comments: 'Council strongly supports the introduction of tightened rules that provide clear lease requirements for candidate nomination and elector enrolment provisions.'</p> <p>'Council notes the Department has identified issues surrounding sham leases following recent inquiries. The proposed reforms for Candidate and Voter Eligibility are supported.'</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<p>for council, because any residents are already the eligible voter(s) for that address.</p> <ul style="list-style-type: none"> Clarifying the minimum criteria for leases eligible to register a person to vote or run for council. The reforms would include minimum lease periods to qualify as a registered business (minimum of 12 months), and the exclusion of home based businesses (where the resident is already eligible) and very small sub-leases. The basis of eligibility for each candidate (e.g. type of property and suburb of property) is proposed to be published, including in the candidate pack for electors. 		
4.8 Reform of Candidate Profiles		
<ul style="list-style-type: none"> Further work will be undertaken to evaluate how longer candidate profiles could be accommodated. Longer candidate profiles would provide more information to electors, potentially through publishing profiles online. It is important to have sufficient information available to assist electors make informed decisions when casting their vote. 	As above	<p>Member Response: 95% support the proposed reform.</p> <p>Indicative Member Comments: 'Supported, and note there is limited detail regarding the proposed reforms while further work is to be undertaken to evaluate how longer candidate profiles could be accommodated. To extend candidate profiles in a significant manner may decrease voter participation, genuine engagement, and equity to those drawing a later ballot position. The use of technology may assist to avoid excessively sized voter packs.'</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
4.9 Minor Other Electoral Reforms		
<ul style="list-style-type: none"> Minor other electoral reforms are proposed to include: <ul style="list-style-type: none"> The introduction of standard processes for vote re-counts if there is a very small margin between candidates (e.g. where there is a margin of less than 10 votes a recount will always be required) The introduction of more specific rules concerning local government council candidates' use of electoral rolls. 	As above	<p>Member Response: 88% support the proposed reform.</p> <p>Indicative Member Comments: <i>'The standardisation and clarification of elections is supported. Other reforms are suggested including on-line voting through a secure central portal in addition to either in person or mail in voting, making it easier for individuals to check their eligibility to vote (through an online service) and to register to vote.'</i></p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

Theme 5: Clear Roles and Responsibilities

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
5.1 Introduce Principles in the Act		
<ul style="list-style-type: none"> It is proposed to include new principles in the Act, including: <ul style="list-style-type: none"> The recognition of Aboriginal Western Australians Tiering of local governments (with bands being as assigned by the Salaries and Allowances Tribunal) Community Engagement Financial Management. 	<p>Current Local Government Position Item 5.1 <u>generally aligns</u> with Advocacy Position 2.6 - Legislative Intent <i>Provide flexible, principles-based legislative framework.</i></p> <p>Recommendation Supported</p>	<p>Member Response: 95% support the proposed reform.</p> <p>Updated Recommendation – Item 5.1 Supported</p>
5.2 Greater Role Clarity		
<ul style="list-style-type: none"> The <u>Local Government Act Review Panel</u> recommended that roles and responsibilities of elected members and senior staff be better defined in law. It is proposed that these roles and responsibilities are further defined in the legislation. These proposed roles will be open to further consultation and input. <p>These roles would be further strengthened through Council Communications Agreements (see item 5.3).</p> <p>5.2.1 - Mayor or President Role</p> <ul style="list-style-type: none"> It is proposed to amend the Act to specify the roles and responsibilities of the Mayor or President. While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the Mayor or President is responsible for: 	<p>Current Local Government Position Item 5.2 <u>aligns</u> with Advocacy Position 2.6.36 - 'Roles and Responsibilities'</p> <p><i>That clarification of roles and responsibilities for Mayors/ Presidents, Councillors and CEOs be reviewed to ensure that there is no ambiguity.</i></p> <p>Recommendation Supported</p> <p>5.2.1 As above</p>	<p>Member Response: 98% support the proposed reform.</p> <p>Indicative Member Comments: <i>'Greater clarification between the roles of Mayor/President; Council; Councillors and the CEO is supported. As above, this should be principles based rather than prescriptive. The proposed reforms appear to be very prescriptive and inaccessible. Much of this information could be provided as guidance notes and not need to be legislated.'</i></p> <p>Updated Recommendation – Item 5.2 Supported</p> <p>5.2.1 – Mayor or President Role Member Response: 100% support the proposed reform.</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> Representing and speaking on behalf of the whole council and the local government, at all times being consistent with the resolutions of council Facilitating the democratic decision-making of council by presiding at council meetings in accordance with the Act Developing and maintaining professional working relationships between councillors and the CEO Performing civic and ceremonial duties on behalf of the local government <p>Working effectively with the CEO and councillors in overseeing the delivery of the services, operations, initiatives and functions of the local government.</p> <p>5.2.2 - Council Role</p> <ul style="list-style-type: none"> It is proposed to amend the Act to specify the roles and responsibilities of the Council, which is the entity consisting of all of the councillors and led by the Mayor or President. While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the Council is responsible for: <ul style="list-style-type: none"> Making significant decisions and determining policies through democratic deliberation at council meetings Ensuring the local government is adequately resourced to deliver the local governments operations, services and functions - including all functions that support informed decision-making by council Providing a safe working environment for the CEO; Providing strategic direction to the CEO; 	<p>5.2.2 As above</p>	<p>5.2.2 – Council Role Member Response: 100% support the proposed reform.</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<p>Monitoring and reviewing the performance of the local government.</p> <p>5.2.3 - Elected Member (Councillor) Role</p> <ul style="list-style-type: none"> It is proposed to amend the Act to specify the roles and responsibilities of all elected councillors. While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that every elected councillor is responsible for: <ul style="list-style-type: none"> Considering and representing, fairly and without bias, the current and future interests of all people who live, work and visit the district (including for councillors elected for a particular ward) Positively and fairly contribute and apply their knowledge, skill, and judgement to the democratic decision-making process of council Applying relevant law and policy in contributing to the decision-making of the council Engaging in the effective forward planning and review of the local governments' resources, and the performance of its operations, services, and functions Communicating the decisions and resolutions of council to stakeholders and the public Developing and maintaining professional working relationships with all other councillors and the CEO Maintaining and developing their knowledge and skills relevant to local government Facilitating public engagement with local government. 	<p>5.2.3 As above</p>	<p>5.2.3 – Elected Member Role Member Response: 100% support the proposed reform.</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<p>It is proposed that elected members should not be able to use their title (e.g. "Councillor", "Mayor", or "President") and associated resources of their office (such as email address) unless they are performing their role in their official capacity.</p> <p>5.2.4 - CEO Role</p> <ul style="list-style-type: none"> The <i>Local Government Act 1995</i> requires local governments to employ a CEO to run the local government administration and implement the decisions of council. To provide greater clarity, it is proposed to amend the Act to specify the roles and responsibilities of all local government CEOs. While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the CEO of a local government is responsible for: <ul style="list-style-type: none"> Coordinating the professional advice and assistance necessary for all elected members to enable the council to perform its decision-making functions Facilitating the implementation of council decisions Ensuring functions and decisions lawfully delegated by council are managed prudently on behalf of the council Managing the effective delivery of the services, operations, initiatives and functions of the local government determined by the council Providing timely and accurate information and advice to all councillors in line with the Council Communications Agreement (see item 5.3) Overseeing the compliance of the 	<p>5.2.4 As above</p>	<p>5.2.4 – CEO Role Member Response: 98% support the proposed reform.</p> <p><u>Updated Recommendation – Items 5.2.1 to 5.2.4</u> Supported</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<p>operations of the local government with State and Federal legislation on behalf of the council</p> <ul style="list-style-type: none"> Implementing and maintaining systems to enable effective planning, management, and reporting on behalf of the council. 		
5.3 Council Communication Agreements		
<ul style="list-style-type: none"> In State Government, there are written Communication Agreements between Ministers and agencies that set standards for how information and advice will be provided. It is proposed that local governments will need to have Council Communications Agreements between the council and the CEO. These Council Communication Agreements would clearly specify the information that is to be provided to councillors, how it will be provided, and the timeframes for when it will be provided. A template would be published by DLGSC. This default template will come into force if a council and CEO do not make a specific other agreement within a certain timeframe following any election. 	<p>Current Local Government Position There is no advocacy position in relation to Item 5.3.</p> <p>Comment The availability of information not already in the public domain to Councillors under Section 5.92 of the Act can become contentious in the absence of a clear statement in support of the function the Council Member is performing. This can place CEO's in the invidious position of ruling on the availability of a record of the Local Government, when it is also their function under Section 5.41(h) of the Act to 'ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law'. Consistent availability of information motivates this proposed reform and it does not appear that individual Council Communication Agreements will be a means to that end. There is a better case for a uniform approach in the form of a regulated Agreement, in much the same way that the Communication Agreements between Ministers and agencies are based on provisions of the <i>Public Sector Management Act 1994</i>.</p> <p>Recommendation Support a consistent, regulated Communications Agreement.</p>	<p>Member Response: 92% support the proposed reform.</p> <p>Indicative Member Comments: 'Overall supports the proposed reforms providing the agreement relevant to the size and scale of the community and a 'one size fits all' approach is not taken.'</p> <p>'The Council Member – Requests/Contact with City Employees policy provides direction to Council Members on the procedure for submitting requests for information or action from Administration on matters concerning the Local Government. Support a consistent regulated communication agreement which would replace this policy. To be consistent with the LG Act, we suggest this could be referred to as a Council policy rather than differentiated as an "Agreement".'</p> <p>Updated Recommendation – Item 5.3 Support a consistent, regulated Communications Agreement.</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
5.4 Local Governments May Pay Superannuation Contributions for Elected Members		
<ul style="list-style-type: none"> It is proposed that local governments should be able to decide, through a vote of council, to pay superannuation contributions for elected members. These contributions would be additional to existing allowances. Superannuation is widely recognised as an important entitlement to provide long term financial security. Other states have already moved to allow councils to make superannuation contributions for councillors. Allowing council to provide superannuation is important part of encouraging equality for people represented on council – particularly for women and younger people. Providing superannuation to councillors recognises that the commitment to elected office can reduce a person's opportunity to undertake employment and earn superannuation contributions. 	<p>Current Local Government Position There is no advocacy position in relation to Item 5.4.</p> <p>Comment WALGA was in the process of consulting with the sector when this reform was announced. The feedback to date from Local Governments varied. The proposed discretionary approach will permit Local Governments to exercise general competence powers to make their own determination on paying superannuation to Council Members.</p> <p>Recommendation Supported</p>	<p>Member Response: 63% support the reform. 30% oppose the reform.</p> <p>Indicative Member Comments: 'Supported. Elected Members should receive superannuation contributions to encourage equality for people represented on Council, and it recognises the commitment to elected office can reduce the opportunity for an Elected Member to undertake employment and earn superannuation contributions. It is for this reason Council support superannuation contributions for Elected Members, on the proviso that it is mandated in legislation.'</p> <p>'Not supported. The provision of superannuation may blur the lines between Council Members and staff members. Council Members are not employees. Making payment of superannuation optional would not provide equity across the sector with some local governments choosing to pay and others not. Optional payments may politicise the decision of a local government.'</p> <p>Updated Recommendation – Item 5.4 Supported</p>
5.5 Local Governments May Establish Education Allowances		
<ul style="list-style-type: none"> Local governments will have the option of contributing to the education expenses for councillors, up to a defined maximum value, for tuition costs for further education that is directly related to their role on council. 	<p>Current Local Government Position Item 5.5 <u>generally aligns</u> with Advocacy Position 2.8 - Elected Member Training <i>Support Local Governments being required to establish an Elected Member Training Policy to</i></p>	<p>Member Response: 97% support the proposed reform.</p> <p>Indicative Member Comments:</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> Councils will be able to decide on a policy for education expenses, up to a maximum yearly value for each councillor. Councils may also decide not to make this entitlement available to elected members. Any allowance would only be able to be used for tuition fees for courses, such as training programs, diplomas, and university studies, which relate to local government. Where it is made available, this allowance will help councillors further develop skills to assist with making informed decisions on important questions before council, and also provide professional development opportunities for councillors. 	<p><i>encourage training and include budgetary provision of funding for Elected Members;</i> Comment The proposal augments recent Act amendments that require Local Governments to adopt a professional development policy for Council Members. Many Local Governments now budget for training requirements that align with the policy statement.</p> <p>Recommendation Supported</p>	<p><i>Supported. Many local governments have a policy position with respect to local government contributions for Elected Member education expenses. This initiative falls under the general competency doctrine provided by the Local Government Act and could be dealt with at a policy level, however the City supports a streamlined approach to Elected Member education allowances.</i></p> <p><i>'Strongly support the provisions of expanded and more appropriate professional development for elected members to undertake training that better equips them to undertake the role.'</i></p> <p>Updated Recommendation – Item 5.5 Supported</p>
5.6 Standardised Election Caretaker period		
<ul style="list-style-type: none"> A statewide caretaker period for local governments is proposed. All local governments across the State would have the same clearly defined election period, during which: <ul style="list-style-type: none"> Councils do not make major decisions with criteria to be developed defining 'major' Incumbent councillors who nominate for re-election are not to represent the local government, act on behalf of the council, or use local government resources to support campaigning activities. <p>There are consistent election conduct rules for all candidates.</p>	<p>Current Local Government Position There is no advocacy position in relation to Item 5.6</p> <p>Comment WALGA developed a template Caretaker Policy in 2017 on request for a consistent approach. There are no known instances where Caretaker Policy have led to unforeseen or unmanageable consequences impacting on decision-making functions.</p> <p>Recommendation Supported</p>	<p>Member Response: 78% support the proposed reform.</p> <p>Indicative Member Comments: <i>'Consultation required. Local Governments should choose whether to have a caretaker period policy. Further considerations should include how existing Elected Members that are candidates carry out Council duties and any restrictions imposed.'</i></p> <p><i>'It is observed that a caretaker period would mean that during a significant part of each two years, Council cannot make decisions and that this would distract from the "requirement for Councillors to act in the best interests of the</i></p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
		<p><i>district and the residents at all times", including the run up to each election.'</i></p> <p>Updated Recommendation – Item 5.6 Supported</p>
5.7 Remove WALGA from the Act		
<ul style="list-style-type: none"> The Local Government Panel Report recommended that WALGA not be constituted under the <i>Local Government Act 1995</i>. Separating WALGA out of the Act will provide clarity that WALGA is not a State Government entity. 	<p>Current Local Government Position There is no advocacy position in relation to Item 5.7.</p> <p>Comment WALGA is conducting its own due diligence on this proposal, previously identified in the Local Government Review Panel Report. The outcome of this reform would require a transition of WALGA from a body constituted under the Act to an incorporated association. It is important to the Local Government sector that the provisions relating to the mutual self-insurance scheme and tender exempt prequalified supply panels remain in the Act and are not affected by this proposal. Further work is being carried out by WALGA to fully understand the effect this proposal will have on WALGA and the sector.</p> <p>Recommendation WALGA to undertake its due diligence on this proposal and advise the sector accordingly.</p>	<p>Member Response: 57% support the proposed reform. 25% conditionally support the proposed reform. 18% oppose the reform proposal.</p> <p>Indicative Member Comments: <i>'If this is to occur, it is important to the Local Government sector that the provisions relating to the mutual self-insurance scheme and tender exempt prequalified supply panels remain in the Act and are not affected by this proposal. Further work is being carried out by WALGA to fully understand the effect this proposal will have on WALGA and the sector. Support recommendation that WALGA undertake its due diligence on this proposal and advise the sector accordingly.'</i></p> <p><i>'Undecided. While understanding that it is not appropriate to incorporate WALGA in the LG Act, the retention of WALGA's current preferred supplier program and mutual insurance coverage is a high priority. These WALGA programs reduce the Shire's financial and compliance costs significantly.'</i></p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
		<p><u>Updated Recommendation – Item 5.7</u></p> <ol style="list-style-type: none"> Support for this proposal is subject to WALGA undertaking further due diligence on the broader implications of the proposal and subsequent consultation with the sector. Any proposed reforms ensure that: <ol style="list-style-type: none"> The Local Government Act retain statutory provisions permitting WALGA to provide the sector with the mutual self-insurance scheme and preferred supplier program tender exemptions; and There be no disadvantages to WALGA's capacity to provide services and represent the interests of the sector.
5.8 CEO Recruitment		
<ul style="list-style-type: none"> It is proposed that DLGSC establishes a panel of approved panel members to perform the role of the independent person on CEO recruitment panels. Councils will be able to select an independent person from the approved list. Councils will still be able to appoint people outside of the panel with the approval of the Inspector. 	<p><u>Current Local Government Position</u> There is no advocacy position in relation to Item 5.8.</p> <p>Comment The proposed reform augments the CEO Standards in relation to recruitment introduced in February 2021.</p> <p>Recommendation Supported</p>	<p>Member Response: 68% support the reform. 26% oppose the reform.</p> <p>Indicative Member Comments: 'Only supported in the instance that there is no additional cost associated with the recruitment and use of a panel member. Whilst an incredibly important decision, CEO recruitment is already a significant expense for smaller local governments and this requirement has the potential to increase it.'</p> <p><u>Updated Recommendation – Item 5.8</u> Supported on the proviso that no cost is associated with the use of the panel approved.</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

Theme 6: Improved Financial Management and Reporting

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
6.1 Model Financial Statements and Tiered Financial Reporting		
<ul style="list-style-type: none"> The Minister strongly believes in transparency and accountability in local government. The public rightly expects the highest standards of integrity, good governance, and prudent financial management in local government. It is critically important that clear information about the financial position of local governments is openly available to ratepayers. Financial information also supports community decision-making about local government services and projects. Local governments differ significantly in the complexity of their operations. Smaller local governments generally have much less operating complexity than larger local governments. The Office of the Auditor General has identified opportunities to improve financial reporting, to make statements clearer, and reduce unnecessary complexity. Recognising the difference in the complexity of smaller and larger local governments, it is proposed that financial reporting requirements should be tiered – meaning that larger local governments will have greater financial reporting requirements than smaller local governments. It is proposed to establish standard templates for Annual Financial Statements for band 1 and 2 councils, and simpler, clearer financial statements for band 3 and 4. Online Registers, updated quarterly (see item 3.4), would provide faster and greater 	<p>Current Local Government Position Items 6.1 and 6.2 <u>generally align</u> with Advocacy Position 2.6 – Support a size and scale compliance regime and Advocacy Position 2.6.24 – Financial Management and Procurement.</p> <p><i>The Local Government sector:</i></p> <ol style="list-style-type: none"> 1. Requests the Minister for Local Government to direct the Department of Local Government to prepare a Model set of Financial Statements and Annual Budget Statements for the Local Government sector, in consultation with the Office of the Auditor General. 2. Requests the Department of Local Government to re-assess the amount of detail required to be included in annual financial reports, in particular for small and medium sized entities as suggested by the Office of Auditor General. <p>Comment The Sector has a long-standing position for a broad review of the financial management and reporting provisions of the Act, which remain largely unchanged since commencing in 1996.</p> <p>Recommendation Supported</p>	<p>Member Response: 98% support the proposed reform. Note: Currently a work in progress and subject to future sector consultation.</p> <p>Updated Recommendation – Item 6.1 Supported</p>

44

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<p>transparency than current annual reports. Standard templates will be published for use by local governments.</p> <ul style="list-style-type: none"> • Simpler Strategic and Financial Planning (item 6.2) would also improve the budgeting process. 		
6.2 Simplify Strategic and Financial Planning		
<ul style="list-style-type: none"> • Having clear information about the finances of local government is an important part of enabling informed public and ratepayer engagement and input to decision-making. • The framework for financial planning should be based around information being clear, transparent, and easy to understand for all ratepayers and members of the public. • In order to provide more consistency and clarity across the State, it is proposed that greater use of templates is introduced to make planning and reporting clearer and simpler, providing greater transparency for ratepayers. • Local governments would be required to adopt a standard set of plans, and there will be templates published by the DLGSC for use or adaption by local governments. • It is proposed that the plans that are required are: <ul style="list-style-type: none"> ○ Simplified Council Plans that replace existing Strategic Community Plans and set high-level objectives, with a new plan required at least every eight years. These will be short-form plans, with a template available from the DLGSC ○ Simplified Asset Management Plans to 	As above	<p>Member Response: 93% support the proposed reform.</p> <p>Indicative Member Comments: 'This may need a tiered approach rather than a 'one size fits all' template approach. Most small LG Plans service the organisation and community better the simpler they are.'</p> <p>'Support the current integrated planning framework and see no significant reason for change. It allows for LGs of any size to prepare plans that meet their needs and are within their capacity to be able to complete them.'</p> <p>Asset management plans can be as simple or as complex as a local government chooses, as can long-term financial plans and integrated rates and revenue systems. It is not clear as to the approach relating to Asset Management Plans. Recommended that there is a basic template that can be used for councils that are not reasonably progressed in this space, whilst councils who have moved to higher level of competency can utilise their own processes as long as the basic template information can be provided in summary form. Suggestion that Tier 1 and 2 LGs review every 4 years.'</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<p>consistently forecast costs of maintaining the local government's assets. A new plan will be required at least every ten years, though local governments should update the plan regularly if the local government gains or disposes of major assets (e.g. land, buildings, or roads). A template will be provided, and methods of valuations will be simplified to reduce red tape</p> <ul style="list-style-type: none"> ○ Simplified Long Term Financial Plans will outline any long term financial management and sustainability issues, and any investments and debts. A template will be provided, and these plans will be required to be reviewed in detail at least every four years ○ A new Rates and Revenue Policy (see item 6.3) that identifies the approximate value of rates that will need to be collected in future years (referencing the Asset Management Plan and Long Term Financial Plan) – providing a forecast to ratepayers (updated at least every four years) ○ The use of simple, one-page Service Proposals and Project Proposals that outline what proposed services or initiatives will cost, to be made available through council meetings. These will become Service Plans and Project Plans added to the yearly budget if approved by council. This provides clear transparency for what the functions and initiatives of the local government cost to deliver. Templates will be available for use by local governments 		<p><i>'Not currently supported - local government consultation required before any new requirements and templates are introduced to determine the content and the resource implications.'</i></p> <p><i>'Standard template plans for reporting is supported however this should not restrict larger local governments from developing and using more comprehensive and detailed plans.'</i></p> <p>Updated Recommendation – Item 6.2 Supported</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
6.3 Rates and Revenue Policy		
<ul style="list-style-type: none"> The Rates and Revenue Policy is proposed to increase transparency for ratepayers by linking rates to basic operating costs and the minimum costs for maintaining essential infrastructure. A Rates and Revenue Policy would be required to provide ratepayers with a forecast of future costs of providing local government services. The Policy would need to reflect the Asset Management Plan and the Long Term Financial Plan (see item 6.2), providing a forecast of what rates would need to be, to cover unavoidable costs. A template would be published for use or adaption by all local governments. <p>The Local Government Panel Report included this recommendation.</p>	<p>Current Local Government Position Item 6.3 <u>generally aligns</u> with Advocacy Position 2.1.6 - Rate Setting and WALGA's Rate Setting Policy Statement. <i>Councils' deliberative rate setting processes reference their Integrated Planning Framework – a thorough strategic, financial and asset management planning process – and draw upon the community's willingness and capacity to pay.</i></p> <p>Recommendation Supported</p>	<p>Member Response: 90% support the proposed reform.</p> <p>Indicative Member Comments: <i>'Support the introduction of the Rates and Revenue Policy to improve transparency and access to simplified information by ratepayer. The provision of a template for use or adaption by local governments will support efficient adoption of this requirement.'</i></p> <p><i>'Support, however should be included in the Long Term Financial Plan. Do not support a separate rates and revenue policy and recommend that there is a section in the LTFP that captures the objectives that the DLGSC are aiming to achieve. This will ensure the forecast is included in the LTFP.'</i></p> <p>Updated Recommendation – Item 6.3 Supported</p>
6.4 Monthly Reporting of Credit Card Statements		
<ul style="list-style-type: none"> The statements of a local government's credit cards used by local government employees will be required to be tabled at council at meetings on a monthly basis. This provides oversight of incidental local government spending. 	<p>Current Local Government Position There is no advocacy position in relation to Item 6.4.</p> <p>Comment This proposed reform reflects widespread common practice for credit card transactions to be included in monthly financial reports and lists of accounts paid.</p> <p>Recommendation Supported</p>	<p>Member Response: 98% support the proposed reform.</p> <p>Indicative Member Comment: <i>'Support monthly reporting of credit card statements and notes that these statements are already provided by the Local Government.'</i></p> <p>Updated Recommendation – Item 6.4 Supported</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
6.5 Amended Financial Ratios		
<ul style="list-style-type: none"> Financial ratios will be reviewed in detail, building on work already underway by the DLGSC. The methods of calculating ratios and indicators will be reviewed to ensure that the results are accurate and useful. 	<p>Current Local Government Position Item 6.5 <u>aligns</u> with Advocacy Position 2.6.25 - Review and reduce financial ratios. <i>Advocate to the Minister for Local Government to amend the Local Government (Financial Management) Regulations 1996 to prescribe the following ratios:</i></p> <ol style="list-style-type: none"> Operating Surplus Ratio, Net Financial Liabilities Ratio, Debt Service Coverage Ratio, and Current Ratio. <p>Recommendation Supported</p>	<p>Member Response: 95% support the proposed reform.</p> <p>Note: Currently a work in progress and subject to future sector consultation.</p> <p>Updated Recommendation – Item 6.5 Supported</p>
6.6 Audit Committees		
<ul style="list-style-type: none"> To ensure independent oversight, it is proposed the Chair of any Audit Committee be required to be an independent person who is not on council or an employee of the local government. Audit Committees would also need to consider proactive risk management. To reduce costs, it is proposed that local governments should be able to establish shared Regional Audit Committees. The Committees would be able to include council members but would be required to include a majority of independent members and an independent chairperson. 	<p>Current Local Government Position Item 6.6 <u>does not align</u> with Advocacy Position 2.2.4 – Accountability and Audit</p> <p><i>That audit committees of Local Government, led and overseen by the Council, have a clearly defined role with an Elected Member majority and chair.</i></p> <p>Comment The Sector's view is well established, that the Council must maintain, and be seen by the community to have, majority involvement and investment in the purpose of an Audit Committee. There is sector support for some independent members on the Audit Committee, however not a majority.</p>	<p>Member Response: 9% support the reform proposal. 89% oppose the reform proposal.</p> <p>Indicative Member Comments: <i>'Do not support a majority of the Audit Committee, and the chair, being independent members. Councillors should be the majority on the Audit Committee as it currently struggles to have one or two independent members for the existing audit committee. Council supports the opportunity to share a Regional Audit Committee with neighbouring local governments.'</i></p> <p><i>'Partial support WALGA position with:</i> 1. strong opposition to the majority independent committee members for the audit committee noting the number (lack of)</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
	<p>The dual effect of the proposed reform is to guarantee a place for a majority of independent persons on Audit Committees, with the additional requirement that an independent person Chair this Committee. Presently, not all Local Government Audit Committees are able to include an independent person. This may be for a variety of reasons not least of which is a lack of suitable, available candidates with the required qualification, skill and experience.</p> <p>It would be counter-productive if the proposed reforms led to the appointment of unsuitable independent persons to a skills-based role. The concept of Regional Audit Committees has apparent merit in this case but there is no detail regarding practicalities; for example, is the Regional Audit Committee intended to include the same independent persons who will meet separately with each Local Government within the region?</p> <p>There is too little certainty that the imperative question of appropriate representation will be managed as a consequence of the proposed reforms for it to be supported.</p> <p>The proposal for the Audit Committees to also consider proactive risk management is supported.</p> <p>Recommendation</p> <p>1. Do not support majority independent members of the Audit Committee</p> <p>2. Support Audit Committees of Local Government with an Elected Member majority including independent</p>	<p>of qualified independent persons in small communities.</p> <p>2. strong opposition to independent chair, again noting the number of qualified independent persons in small communities.'</p> <p>'Support the current provisions in how local government Audit Committees are formed and their role. A local government may choose to appoint independent members to an Audit Committee and that independent member may be appointed as Chair. OAG now oversees all local government financial audits and conducts performance audits. The OAG involvement has seen increased audit costs for the sector and an additional layer of oversight. Depending on the size of an organisation some local governments have a dedicated Internal Audit Function. Independent audit committee members will come at a cost. The formation and member composition should be based on the local government's risk profile not imposed by law.'</p> <p>'Does not support the majority of Audit Committee members being independent - this erodes the role of Councillors and the fundamentals of democracy.'</p> <p>Updated Recommendation – Item 6.6</p> <p>1. Support the role of the Office of the Auditor General as the responsible entity for independent oversight of Local Government audits.</p> <p>2. Support Audit Committees of Local Government with an Elected Member majority including independent members,</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
	members, and to consider proactive risk management issues	and to consider proactive risk management issues. 3. Support the proposal to establish shared regional Audit Committees 4. Support the appointment of an independent member as chair of the Audit Committee to remain at the discretion of each Local Government. 5. Support the payment of meeting fees or defined reimbursements to independent Audit Committee members.
6.7 Building Upgrade Finance		
<ul style="list-style-type: none"> Reforms would allow local governments to provide loans to third parties for specific building improvements - such as cladding, heritage and green energy fixtures. This would allow local governments to lend funds to improve buildings within their district. Limits and checks and balances would be established to ensure that financial risks are proactively managed. 	<p>Current Local Government Position Item 6.7 aligns with Advocacy Position 2.6.26 - Building Upgrade Finance.</p> <p><i>The Local Government Act 1995 should be amended to enable a Building Upgrade Finance mechanism in Western Australia.</i></p> <p>Comment Building Upgrade Finance would enable Local Governments to guarantee finance for building upgrades for non-residential property owners. In addition to building upgrades to achieve environmental outcomes, Local Governments have identified an opportunity to use this approach to finance general upgrades to increase the commercial appeal of buildings for potential tenants. In this way, BUF is viewed as means to encourage economic investment to meet the challenges of a soft commercial lease market and achieve economic growth.</p> <p>Recommendation Supported</p>	<p>Member Response: 69% support the current Sector position.</p> <p>Indicative Member Comment: 'Supported, subject to robust regulatory controls being in place to prevent abuse such as nepotism or conflicts of interest. The City supports the principles behind local governments providing loans to third parties for specific building improvements which would allow local governments to lend funds to improve buildings within their district, however it is noted such practices would require sufficient governance controls in place to ensure financial risks are managed, and the process is equitable and in the best interests of the community.'</p> <p>'Not supported. The guarantee mechanism transfers risk from the market to the local government when banks or commercial entities do not see potential for value realisation.'</p> <p>Updated Recommendation – Item 6.7 Supported</p>

50

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
6.8 Cost of Waste Service to be Specified on Rates Notices		
<ul style="list-style-type: none"> It is proposed that waste charges are required to be separately shown on rate notices (for all properties which receive a waste service). This would provide transparency and awareness of costs for ratepayers. 	<p>Current Local Government Position There is no advocacy position in relation to Item 6.8.</p> <p>Comment This proposed reform will require a relatively simple calculation,</p> <p>Recommendation Supported</p>	<p>Member Response: 95% support the current Sector position.</p> <p>Indicative Member Comment: 'Support this proposed reform and already provide this information on rates notice.'</p> <p>'Support this reform, noting this will require a relatively simple change and improve costs awareness for rate payers.'</p> <p>Updated Recommendation – Item 6.8 Supported</p>

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

Additional Reform Proposals

In December 2020, WALGA State Council considered the sector's feedback on the discussion paper 'Advocacy Positions for a New Local Government Act: Key Issues from Recent Inquiries into Local Government' (Rec: 142.6/2020).

It is **recommended** that the Local Government Reform Proposals process be conducted in alignment with the following WALGA advocacy position.

Legislative Intent

That the following key principles be embodied in the Local Government Act:

1. Uphold the general competence principle currently embodied in the Local Government Act
2. Provide for a flexible, principles-based legislative framework
3. Promote a size and scale compliance regime
4. Promote enabling legislation that empowers Local Government to carry out activities beneficial to its community taking into consideration Local Governments' role in creating a sustainable and resilient community through:
 - a. Economic development;
 - b. Environmental protection; and
 - c. Social advancement
5. Avoid red tape and 'de-clutter' the extensive regulatory regime that underpins the Local Government Act, and
6. The State Government must not assign legislative responsibilities to Local Governments unless there is provision for resources required to fulfil the responsibilities.

It is **recommended** that the following additional advocacy positions be included in the sector's response:

Rating Exemptions

That an independent review of all rate exemptions be undertaken.

Fees and Charges

That:

1. An independent review be undertaken to remove fees and charges from legislation and regulation; and
2. Local Government be empowered to set fees and charges for Local Government services.

Financial Management and Procurement

That the Local Government sector:

- Supports Local Governments being able to use freehold land to secure debt; and
- Supports the alignment of Local Government procurement thresholds, rules and policies with the State Government.

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

Disposal of Property Exemption

Regulation 30 (3) of the *Local Government (Functions and General) Regulations 1996* should not include any financial threshold limitation on a disposition where it is used exclusively to purchase other property. The current limit is \$75,000 and this type of activity commonly applies to a trade-in situation.

Tender Exemption General Practitioner Services

That the reform proposals provide for inclusion of a tender exemption for General Practitioner (GP) services under Part 4, Division 2 of the *Local Government (Functions and General) Regulations 1996*, to support Local Governments to secure and retain necessary primary health care services for their communities.

Technical Amendment Proposals

WALGA's Governance and Organisational Service team monitors the Local Government Act and associated regulations for inconsistencies and potential error. The following matters are proposed for inclusion in the reform process.

Part 4 – Elections and other Polls

s.4.9 Election day for extraordinary elections	<p>Section 4.9(1)(a) provides that the President/Mayor may exercise authority to determine the extraordinary election day, if not already fixed under paragraph (b), with s.4.9(1)(b) stating 'if a day has not already been fixed under paragraph (a)'</p> <p>Additionally, s.4.17 provides for Council to determine, with approval of the Electoral Commissioner, to allow a vacancy to remain unfilled. This has potential to lead to a further anomaly in the exercise of power under s.4.9(1)(a) and (b).</p> <p><u>Recommend legislative amendment that brings chronological order to the decision-making powers for considering vacancies and determination of extraordinary election day.</u></p>
--	---

Part 5 – Administration

s.5.36(4) & (5A) Admin. r.18A(2) Local government employees	<p>Administration Regulations, Schedule.2, clause 6 requires a Local Government to advertise the position of CEO if the position is vacant. Regulations do not, however, prescribe classes of persons under s.5.36(5A). Compliance with Admin.r.18A(2) advertising is unrealistic when a CEO leaves the Local Governments employment with little or no notice period.</p> <p>The WALGA Template Policy for Temporary Employment or Appointment of CEO (s.5.39C), includes protocols for Temporary CEO appointments.</p> <p><u>Recommend regulations be made under s.5.36(5A) prescribing classes of persons as a 'temporary CEO appointed under short term contract, where the person appointed is NOT an existing employee of the Local Government'.</u></p>
---	--

Item 8.2 - WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

Local Government Reform – Member Response

s.5.94	<p>The Act requires public access or inspection rights for documents that contain personal information, i.e. electoral roll, owner / occupier, rate record [s.5.94(m) and (s)]. The Act only limits the right to access this information where the CEO is unable to be satisfied that the information will not be used for a commercial purpose [Admin.r.29B].</p>
Public can inspect certain local government information	<p>WALGA members have expressed concern of the risks that may extend to information when combined with other personal information, for example, cyber security / identity theft risks or personal safety risks.</p> <p><u>Recommend there be an analysis of the public benefit versus public risk arising from statutory provisions that requires public disclosure of documents containing personal details (i.e. electoral rolls, rate record) in the context of the potential for this information to be manipulated or misused for improper purposes.</u></p>

Local Government (Administration) Regulations 1996

Admin.r. 29D	<p>Requires list of council members and staff positions that provide primary and annual returns to be kept on the website for 5 years. S.5.88(3) requires returns to be removed from the register when a person is no longer relevant. Admin.r.29D is inconsistent with s.5.88(3), meaning that the names and positions will remain on the website despite the returns being removed from the Financial Interests Register.</p>
Period for which information to be kept on official website	<p><u>Recommend amending Admin.r.29D so that it is consistent with s.5.88(3).</u></p>

8.3 WALGA ZONE STATUS REPORT

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

This Status Report provides an update on the WALGA response to relevant Kimberley Zone Resolutions.

BACKGROUND

Previous Considerations

Joint Meeting November 2021	Item 8.2
Joint Meeting 28 August 2021	Item 8.3
Joint Meeting 28 June 2021	Item 9.8
Joint Meeting 20 April 2021	Item 11.1

COMMENT

Following the submission of resolutions from the Kimberley Zone, WALGA has provided responses in the attached Zone Status Report November 2021 (attached). The following summary is provided for each of the resolutions submitted to WALGA.

Kimberley Zone Item 9.8 29 June 2021 Rating of Aboriginal Land

KIMBERLEY REGIONAL GROUP RESOLUTION: **(REPORT RECOMMENDATION)**

Minute No. KRG/0621/010

Moved: Cr G Haerewa

Seconded: Cr M Edwards

That the Kimberley Regional Group writes to WALGA to:

- 1. Highlight the emerging issue of the rating process on Aboriginal lands, and**
- 2. Request that WALGA write to the State Government to seek clarification about how land uses on Aboriginal Lands should be treated across a range of contexts and tenures.**

CARRIED UNANIMOUSLY 4/0

WALGA Response

The issue of Rating Exemptions is one of the main areas of WALGA's advocacy in respect to Local Government Act amendments. The rating exemptions that are of concern for the sector relate to the following:

- Rating of Charitable Purpose properties

- Department of Housing: Leasing to Charitable Organisations
- Government Trading Entities
- State Agreement Act projects
- State Owned Unallocated Crown Land

On this basis, the Local Government sector supports an independent review of all rating exemptions to enhance equity among ratepayers in the community.

The State Government has been advised of the WALGA position and a copy of the WALGA Rating Review Advocacy item is attached.

Kimberley Zone Item 11.1 20 April 2021 Disaster relief and recovery funding arrangements

KIMBERLEY REGIONAL GROUP RESOLUTION:
(REPORT RECOMMENDATION)

Minute No. KRG/0421/007

Moved: Cr D Menzel

Seconded: Cr M Edwards

That the Kimberley Zone:

- 1. Express dissatisfaction with current disaster relief and recovery funding arrangements and call for urgent action from the State Government to investigate and address these shortcomings.**
- 2. Seek WALGA advocacy to support the motion.**

CARRIED UNANIMOUSLY 4/0

WALGA Response

WALGA has endorsed advocacy positions seeking improvements to disaster relief and recovery funding including assessment periods, eligibility of certain costs and improving resilience of reconstructed infrastructure. Regular meetings with DFES and Main Roads officers are on-going. Detailed evidence of examples where the process is not effective have been collected and continue to be. Timelines for decision-making and an escalation process would seem to be an important addition to the process.

Note: The KRG met with the Hon Stephen Dawson MLC to discuss the roll out of the disaster relief funding arrangements in WA.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

Effective governance protocols and systems for business efficiency and improved services through collaboration

Recognition of Kimberley Local Government issues and opportunities

Built Environment Goal – Improved and secure transport, communications, community and essential services:

Improved regional arterial road network, ports and airports

Economy Goal – A sustainable and diverse economy:

Sustainable Local Government revenue

Improved regional infrastructure

VOTING REQUIREMENTS

Simple Majority

COMMITTEE RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. KRG/0222/004

Moved: Cr C Mitchell

Seconded: G Haerewa

That the Kimberley Zone notes the WALGA Zone Status Report February 2022.

CARRIED UNANIMOUSLY 4/0

Attachments

There are no attachments for this report.

9. REPORTS FROM KIMBERLEY REGIONAL GROUP

9.1 BUSINESS PLAN PROGRESS REPORT

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

The Strategic Community Plan and Business Plan for the period 2020-2024 was adopted in June 2021. This report provides an update on progress towards the achievement of the Business Plan which has a four year horizon.

BACKGROUND

Previous Considerations

Nil.

COMMENT

The Strategic Community Plan and Business Plan for the period 2021-2025 was adopted in June 2021. The summary report attached provides an update on progress towards the achievement of the Business Plan.

Key matters addressed in the Business Plan include:

- Liaison with the Department and meeting with the Hon Minister Papalia MLA in relation the process for adding people to the Banned Drinkers Register and exceptionally high crime levels across the Kimberley. Meeting request for the Hon Tony Buti MLA re alcohol restrictions.
- Organisation and position statement development for meeting with the Hon Sue Ellery MLC to improve educational outcomes and school attendance.
- Meeting with the Hon John Carey MLA in relation to poor affordability and substandard social housing in the Kimberley.
- Meeting with the Hon Stephen Dawson in relation to the rollout of the Disaster Relief Funding in Western Australia.

The attached report provides the linkages to the Strategic Community Plan and Business Plan for the period 2020-2024.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

Effective governance protocols and systems for business efficiency and improved services through collaboration

Secure funding for regional initiatives

Recognition of Kimberley Local Government issues and opportunities

Alignment and integration of regional and local priorities for member Councils.

Natural Environment Goal – Responsible management of the environment:

Integrated waste management

Built Environment Goal – Improved and secure transport, communications, community and essential services:

Liveable towns supporting regional communities

Improved regional arterial road network, ports and airports

Adequate land supply

High standard of infrastructure planning

Reliable and adequate power and communications.

Community Goal – A vibrant community based on equity, inclusion and opportunity for all:

Innovative and joined up approach to housing development, ownership and design through community participation

Improved Kimberley regional outcomes in health

Improved Kimberley regional outcomes in education

Greater participation in the community and workforce

Better alcohol management across the Kimberley.

Economy Goal – A sustainable and diverse economy:

Generational advantage that captures the wealth for the region

Improved outcomes in employment

Improved regional infrastructure

VOTING REQUIREMENTS

Simple Majority

COMMITTEE RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. KRG/0222/005

Moved: M Edwards

Seconded: G Haerewa

That the Kimberley Regional Group notes the Business Plan Update as attached.

CARRIED UNANIMOUSLY 4/0

Attachments

1. Business Plan Update February 2022

Item 9.1 - BUSINESS PLAN PROGRESS REPORT

ACTIVITY AGAINST THE BUSINESS PLAN

NOTE: Only matters in the Business Plan responded to this period are reported.

Our People

Goal 1: A vibrant community based on equity, inclusion and opportunity for all.

OUTCOME	STRATEGY	ACTIONS
1.1 Substance abuse and associated harm is reduced.	1.1.2 Advocate for fit for purpose and consistent alcohol management systems in the Kimberley.	1.1.2.1 Meet with relevant Ministers to discuss next steps to reduce alcohol related harm. 1.1.2.2 Meet with State Government officers to discuss next steps to reduce alcohol related harm.
ACTION: Meeting with the Minister for Police, the Hon Paul Papalia and staff within the Department of Local Government, Sport and Cultural Industries in relation to the Banned Drinkers Register. Request for meeting with the Minister for Racing and Gaming, the Hon Tony Buti in relation to the Banned Drinkers Register rollout.		
1.2 Kimberley regional health outcomes improve.	1.2.1 Advocate for key health equipment, such as dialysis machines, to be available throughout the Kimberley.	1.2.1.1 Correspond and meet with relevant Ministers to discuss timeframes in relation to budget items and election promises.
ACTION: Ongoing liaison to establish a follow up meeting with the local member.		
1.3 Crime is reduced both across the region and by location	1.3.2 Advocate for improved management of youth anti-social behaviour including funding for diversion programs.	1.3.2.1 Monitor funding allocated or committed to the provision of diversion programs across the Kimberley.
ACTION: Development of a 14 point position statement on creating a "Youth Friendly Kimberley" which includes management of anti-social behavior. Meeting with the Minister for Police the Hon Paul Papalia MLA on record crime rates in the Kimberley. Meeting scheduled with the Minister for Corrective Services the Hon Bill Johnston.		
1.5 School attendance improves with a higher number of students graduating year 12.	1.5.1 Advocate for fit for purpose education facilities and pedagogy to improve school attendance and outcomes.	1.5.1.1 Develop and advocacy document to support the provision of fit-for-purpose education facilities and pedagogy.
	1.5.2 Advocate for enhanced post	1.5.2.1 Develop an advocacy document (in conjunction with

1

Item 9.1 - BUSINESS PLAN PROGRESS REPORT

	school employment pathways.	1.5.1.1) to support the provision of enhanced post school employment pathways.
1.5.1.1 Meeting scheduled with the Minister for Education, the Hon Sue Ellery MLC, in relation to poor educational outcomes in the Kimberley and strategies to improve attendance rates.		
1.6 Fit for purpose housing is available to meet individual and community needs.	1.6.1 Advocate for appropriate housing typology, location and volume to meet the changing needs of the community.	1.6.1.1 Monitor housing availability and affordability. 1.6.1.2 Advocate for improved housing affordability and availability when stock levels fall below market expectations.
ACTION: Initial data analysis for a background paper on housing shortages and meeting with the Minister for Housing, the Hon John Carey.		

Our Place

Goal 2.

Our region will become a leader in creating a sense of place and liveability whilst preserving history, culture and our unique environment.

OUTCOME	STRATEGY	ACTIONS
2.1 Our towns provide a variety of public spaces that welcome local residents and visitors with shaded spaces and safe access.	2.1.1 Advocate for funding to support master planning and urban renewal.	2.1.1.1 Ensure the Infrastructure Prospectus remains up to date. 2.1.1.2 Advocate to relevant Ministers in relation to the Infrastructure Prospectus.
2.3 We have liveability attractors including sufficient and fit for purpose recreation areas, aquatic facilities, libraries, sporting facilities and a variety of leisure experiences.	2.3.1 Advocate for funding for liveability attractors.	2.3.1.1 Ensure the Infrastructure Prospectus remains up to date.
ACTION: Ongoing promotion		
2.5 A reduced ecological footprint for the region (cont).	2.5.4 Advocate for affordable and reliable energy with a lower carbon footprint.	2.5.4.1 Develop an advocacy paper on energy with that will deliver affordable and reliable energy with a lower carbon footprint.
ACTION: In progress – waiting for additional information.		

2

Item 9.1 - BUSINESS PLAN PROGRESS REPORT

Our Prosperity

Goal 3.

The potential of the Kimberley as a strong and diversified economy is realised with benefits retained in the region and the opportunity to participate available to all.

OUTCOME	STRATEGY	ACTIONS
3.1 The Kimberley region is prosperous with a diversified and sustainable economy.	3.1.1 Advocate for the infrastructure required to attract and retain business and projects in the region.	3.1.1.1 Monitor the Kimberley Infrastructure Prospectus and update annually. 3.1.1.2 Advocate for agreed infrastructure to attract and retain business and projects in the Kimberley.
ACTION: Ongoing. Letters of support for nbn projects in Wyndham and Fitzroy Crossing.		
3.2 Local businesses and jobs are enhanced through opportunity created through private and government investment.	3.2.2 Advocate for local jobs creation in all new projects to reduce reliance on a FIFO workforce.	3.2.2.1 Promote opportunities and benefits in the Kimberley for the use of a local workforce. 3.2.2.2 Monitor and identify current and potential barriers to a local workforce and advocate mitigation of those issues.
ACTION: Ongoing		
3.5 Our infrastructure is protected from known and potential threats.	3.5.1 Advocate for improved protection and recovery from natural and other disasters.	3.5.1.1 Advocate for appropriate processes and timeframes for state responses to disasters including funding for recovery projects.
	3.5.2 Advocate for improved Protection from global threats.	3.5.2.1 Monitor global threats and provide and intermittent report on any increased threat. 3.5.2.2 Advocate on the vulnerability of the north of the State to hostile actions towards key infrastructure.
ACTION: Nil this period		

Item 9.1 - BUSINESS PLAN PROGRESS REPORT

Our Performance

Goal 4

As a collective, we will support the delivery of excellence in governance and service delivery that is relevant and of value.

Outcomes		Strategy		Action	
4.1	Shire resources are maximised.	4.1.1	Facilitate shared tendering and contracting where regional benefit can be achieved.	4.1.1.1	Identify projects where shared tendering and contracting processes will be mutually beneficial.
ACTION: Ongoing support for the Kerbside tender contract review – noting the deferral due to the longer timeframes for the purchase of vehicles for proponents.					

9.2 CONSULTANT REPORT

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

This report provides an overview of the activity undertaken by the consultant to support the activities of the WALGA Kimberley Country Zone (Zone) and the Kimberley Regional Group (KRG).

BACKGROUND

Previous Considerations

Nil.

COMMENT

- Coordination of the Zone response on the Local Government Reform Submission.
- Development of discussion papers associated with crime, housing and youth.
- Liaison with Ministers and members of parliament including:
 - The Hon Steve Dawson, Minister for Emergency Services.
 - The Hon John Carey MLA, Minister for Housing.
 - Hon Tony Buti MLA Minister for Aboriginal Affairs; Racing & Gaming.
 - Hon Sue Ellery MLC, Minister for Education.
 - Hon Simone McGurk, Minister for Child Protection, Prevention of Family and Domestic Violence.
 - Hon Bill Johnston, Minister for Corrective Services.
 - Member for the Kimberley, Davina D'Anna.
- Preparation of media speaking points and media liaison.
- Follow up on the Defence Industry media articles and submission to the NWDA.
- Follow-up on the regional connectivity program and liaison with NBN Co.
- Organisation of the February meeting including change of venue.
- Request for extension for submissions by licensees in relation to the availability of packaged liquor in the Kimberley.

The full report has been circulated under separate cover.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

Alignment and integration of regional and local priorities for member Councils.

VOTING REQUIREMENTS

Simple Majority

COMMITTEE RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. KRG/0222/006

Moved: D Menzel

Seconded: Cr C Mitchell

That the Kimberley Regional Group notes the Consultant Report provided by ATEA Consulting.

CARRIED UNANIMOUSLY 4/0

The Chair acknowledged the departing Executive Officer, Debra Goostrey, and thanked her for her outstanding efforts during her tenure.

Attachments

There are no attachments for this report.

9.3 STRATEGIC POSITION

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

To develop a strategic position in relation to the rising antisocial behaviour and crime across the region.

BACKGROUND

Previous Considerations

Nil

COMMENT

The Kimberley Regional Group provides leadership across the region and are seeking to establish a strategic position in relation to the complex matters driving the record levels of crime and anti-social behaviour across the region.

Draft papers have been developed and circulated separately based on feedback received from the KRG.

This item facilitates the suspension of standing orders to enable free discussion of the issues and development of an agreed position for dissemination to Government and other key stakeholders.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

Effective governance protocols and systems for business efficiency and improved services through collaboration

Secure funding for regional initiatives

Effective engagement with Aboriginal governance structures

Recognition of Kimberley Local Government issues and opportunities

Alignment and integration of regional and local priorities for member Councils.

Community Goal – A vibrant community based on equity, inclusion and opportunity for all:

Innovative and joined up approach to housing development, ownership and design through community participation

Improved Kimberley regional outcomes in health

Improved Kimberley regional outcomes in education

Greater participation in the community and workforce

Better alcohol management across the Kimberley.

Economy Goal – A sustainable and diverse economy:

Generational advantage that captures the wealth for the region

Improved outcomes in employment

Improved regional infrastructure

VOTING REQUIREMENTS

Simple Majority

<u>REFER ITEM:</u>				
<i>Minute No. KRG/0222/007</i>				
Moved: D Menzel		Seconded: Cr C Mitchell	REPORT	
RECOMMENDATION:				
<i>That the Kimberley Regional Group:</i>				
<i>1. Notes the item, and;</i>				
<i>2. Suspends standing orders to enable free discussion of key issues.</i>				
<i>That item be referred back to Council at the next most suitable meeting of Council.</i>				
CARRIED UNANIMOUSLY 4/0				

Attachments

Nil

10. CORRESPONDENCE

10.1 CORRESPONDENCE OUT

To	Subject
Hon Bill Johnston MLA	Request for meeting regarding the Kimberley Juvenile Justice Strategy
Hon Simone McGurk MLA	Improving opportunities for youth and families in the Kimberley
Hon Sue Ellery MLC	Improving Educational Opportunities for Youth in the Kimberley
Hon Tony Butil MLA	Improving Opportunities for Kimberley Youth, BDR
Hon Tony Butil MLA	Congratulations on Ministerial Appointment
Hon Stephen Dawson MLC	Congratulations on Ministerial Appointment and Disaster Relief Funding Arrangements
Hon John Carey	Congratulations on Ministerial Appointment and housing issues in the Kimberley
Hon Reece Whitby MLA	Congratulations on Ministerial Appointment
Mark Davis NBN Co	Support Fitzroy Crossing Fibre to the Premise Project Funding Application
Mark Davis NBN Co	Support Wyndham Fibre to the Premise Project Funding Application

Attachments

1. Correspondence Out

Item 10.1 - CORRESPONDENCE OUT



1 February 2022

Hon Simone McGurk
Minister for Child Protection; Women's Interests;
Prevention of Family and Domestic Violence;
Community Services
8th Floor, Dumas House
2 Havelock Street
WEST PERTH WA 6005

By email: Minister.McGurk@dpc.wa.gov.au

Dear Minister

Re Meeting on improving Opportunities for Youth and Families in the Kimberley

On behalf of member Shires, I write to request a meeting with you to discuss the deteriorating outcomes for some youth and families in the Kimberley with rising domestic violence, child neglect and antisocial behaviour.

The Kimberley Regional Group (KRG) is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively the group seeks to support outcomes for the region through improved social, economic and cultural outcomes.

The causal factors for the increasingly desperate situation in the Kimberley are complex and we seek to collaborate with the State Government to find meaningful solutions for individuals, families and communities.

It is recognised that your portfolio is only part of the broader work being undertaken to achieve better outcomes in the Kimberley, however the deteriorating situation has prompted our request to meet with you. We look forward to discussing how the Shires can engage and support the process of improving the lives of residents in our Shires in the short, medium and longer term and contributing to a "Youth Friendly" Kimberley moving forward.

We will make contact with your office to establish a meeting with preference given to Monday 14, Tuesday 15 or Wednesday 16th of February as the Kimberley Shires are meeting in Perth. Alternatively, contact can be made with Debra Goostrey by email on debra.goostrey@kimberleyzone.com.au or by phone on 0439 380 266.

Your sincerely

A handwritten signature in blue ink, reading "David Menzel".

Cr David Menzel
Chair
Kimberley Regional Group

Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266

Item 10.1 - CORRESPONDENCE OUT



1 February 2022

Hon Sue Ellery MLC
Minister for Education and Training
Leader in the Legislative Council
12th Floor, Dumas House
2 Havelock Street
WEST PERTH WA 6005

By email: Minister.Ellery@dpc.wa.gov.au

Dear Minister

Re Meeting on improving Educational Opportunities for Youth in the Kimberley

On behalf of member Shires, I write to request a meeting with you to discuss the educational outcomes and school attendance in the Kimberley.

The Kimberley Regional Group (KRG) is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively the group seeks to support outcomes for the region through improved social, economic and cultural outcomes.

Education is fundamental to the success of young people and we seek to collaborate with the State Government to increase the level of school attendance. This is seen as pivotal to reducing anti-social behaviour, which is causing high levels of anguish across the region, and developing employment ready youth who are equipped to lead positive lives.

It is recognised that your portfolio is only part of the broader work being undertaken to achieve better opportunities for Kimberley youth, however the deteriorating situation has prompted our request to meet with you. We look forward to discussing how the Shires can engage and support the process of improving education outcomes in the short, medium and longer term.

We will make contact with your office to establish a meeting with preference given to Monday 14, Tuesday 15 or Wednesday 16th of February as the Kimberley Shires are meeting in Perth. Alternatively, contact can be made with Debra Goostrey by email on debra.goostrey@kimberleyzone.com.au or by phone on 0439 380 266.

Your sincerely

Cr David Menzel
Chair
Kimberley Regional Group

Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266

Item 10.1 - CORRESPONDENCE OUT



1 February 2022

Hon Tony Buti MLA
Minister for Aboriginal Affairs; Racing and Gaming
Citizenship and Multicultural Interests
5th Floor, Dumas House
2 Havelock Street
WEST PERTH WA 6005

By email: Minister.Buti@dpc.wa.gov.au

Dear Minister

Re Meeting on Improving Opportunities for Kimberley Youth

On behalf of member Shires, I write to request a meeting with you to discuss a range of matters relating to the spiralling antisocial behaviour in the Kimberley and the implementation of the Banned Drinkers Register. Your role as Minister for Aboriginal Affairs and Minister for Racing and Gaming are central to finding solutions in the region.

The Kimberley Regional Group (KRG) is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively the group seeks to support outcomes for the region through improved social, economic and cultural outcomes.

The Banned Drinkers Register trial and associated takeaway alcohol management system was jointly funded by the Kimberley Shires and the State Government. When the trial was being sought, there was strong support for improved and streamlined approaches to placing persons on the system that committed offences under the influence of alcohol, including family violence and anti-social behaviour. The model in the Northern Territory provides a pathway for consideration, with immediate short term intervention by police and other referral agencies, as well as longer term bans similar to those in place currently in Western Australia. The former Minister, the Hon Paul Papalia had indicated his interest in the approach prior to the 2021 election and has spoken positively about the reform more recently. Your role as Minister for Aboriginal Affairs is also pivotal as approximately 50 percent of residents identify as Aboriginal. A copy of a previous letter to you, which provides further information, is attached for background.

It is recognised that your portfolio is only part of the broader work being undertaken to achieve better opportunities for Kimberley residents, however the deteriorating situation with violent break-ins, property destruction and car thefts has prompted our request to meet with you as a matter of urgency.

We will make contact with your office to establish a meeting with preference given to Monday 14, Tuesday 15 or Wednesday 16th of February as the Kimberley Shires are meeting in Perth. Alternatively, contact can be made with Debra Goostrey by email on debra.goostrey@kimberleyzone.com.au or by phone on 0439 380 266.

Your sincerely

A handwritten signature in dark ink, reading "David Menzel".

Cr David Menzel
Chair
Kimberley Regional Group

Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266

Item 10.1 - CORRESPONDENCE OUT

COPY



10 January 2022

Hon Tony Buti MLA
Minister for Finance; Racing and Gaming; Aboriginal Affairs; Citizenship and Multicultural Affairs
5th Floor, Dumas House
2 Havelock Street
WEST PERTH WA 6005

By email: Minister.Buti@dpc.wa.gov.au

Dear Minister

Congratulations on your appointment as Minister for Racing and Gaming and Aboriginal Affairs.

On behalf of member Shires, I would like to congratulate you on your appointment as Minister for Racing and Gaming; Aboriginal Affairs and your ongoing role as Minister for Finance; Citizenship and Multicultural Affairs.

The Kimberley Regional Group (KRG) is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively the group seeks to support outcomes for the region through improved social, economic and cultural outcomes.

The portfolios of Aboriginal Affairs and Racing and Gaming are of vital importance in the Kimberley.

As you may be aware, the Kimberley, along with the Pilbara, is undertaking a trial of the Banned Drinkers Register (BDR) and Takeaway Alcohol Management System (TAMS) with roll out in the Goldfields region imminent.

The KRG has been working with member Shires and the regional Liquor Accords in relation to the effective management of alcohol in the Kimberley including the use of Voluntary Alcohol Restrictions, TAMS, and the introduction of the BDR. The KRG is strongly supportive of the BDR Project and has jointly funded this initiative with the State Government.

In summary there are two key issues which the KRG believes should be progressed being:

1. The replacement of the Liquor Control (Section 31)(Kimberley) restrictions with negotiated voluntary restrictions; and
2. Transparent and routine arrangements for placing individuals on the Banned Drinkers Register.

The voluntary restrictions, combined with the Banned Drinkers Register, are seen to provide an appropriate and sustainable response to the issues experience in the Kimberley. As such, we have previously requested that the current Liquor Control (Section 31)(Kimberley) restrictions be lifted in the West Kimberley where the voluntary restrictions have been adopted by the Liquor Accords. In the East Kimberley, the restrictions would revert to the underpinning Section 64 restrictions, noting that the overlay of the Section 31 has created some confusion as aspects of both have primacy.

.../2

Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266

Item 10.1 - CORRESPONDENCE OUT



2

Voluntary Alcohol restrictions were the genesis of alcohol management proposals in the West Kimberley. Voluntary restrictions vary and are applied frequently, at the request of Police, by licensees across locations in the Kimberley region. Our licensees continue to work collaboratively with police and believe that the voluntary restrictions, that are adaptable to meet different circumstances, provide an operating environment that is responsive to community needs and support law enforcement whilst being sustainable for the business.

The Liquor Control (Section 31)(Kimberley) response was requested by the KRG in April 2020 when significant increases in welfare payments exacerbated existing itinerant problem drinker issues in areas without restrictions, such as Broome and Derby. At the time the request was made the Voluntary Restrictions were not formally adopted by Liquor Accords and the impact of COVID-19 was not yet known. The request was conditional on, amongst other things, consultation with the Liquor Accords, noting the intent to move towards finalisation of the voluntary restrictions.

Transparent and routine arrangements for placing individuals on the Banned Drinkers Register is an imperative that the KRG believes should be considered as a matter of urgency by the State Government, noting that as of the 19th November 2021 there were only 25 people restricted from purchasing takeaway alcohol through either a Barring Notice (2) or a Prohibition order (23). In addition, there are 27 Voluntary additions to the register which may represent those seeking to stem their personal use or may be people seeking to avoid being asked to purchase alcohol for others.

In the previous government, Minister Papalia indicated that he was open to more a formal arrangement for ensuring that alcohol fuelled violence perpetrators and those that on-sell alcohol illegally are routinely added to the BDR. We would like to draw your attention to the extensive policy adopted in the Northern Territory, with routine processes for adding individuals to the BDR and transparent, public monthly reporting of numbers in geographical areas. The Northern Territory pathway model includes:

1. Police Pathways
 - Protective Custody (Includes Contravention-Protective Custody)
 - Alcohol Related Offence
 - Alcohol Protection Order (historical reporting category)
 - Infringement
 - Courts Pathway
2. Corrections Pathway
3. BDR Corrections Pathway
 - Self-Referral
 - Authorised Person Referral.

It should be noted that the Police Pathway comprises the largest element in the Northern Territory contributing 1,842 people on the register, with the Courts Pathway second (938 persons), followed by the Authorised Person Referral (216 persons) the corrections pathway third (126 persons). Self-Referral (75 persons) is a minor proportion. To put these categories into perspective, Self-Referral in the Northern Territory represents just 2.3% of those on the BDR however in the Kimberley it represents 51.9%.

Whilst the KRG believes that the BDR is the most targeted and potentially the most sustainable approach to the management of alcohol in the Kimberley, it will not function efficiently if there is a highly constrained and lengthy process that sees few individuals added to the BDR. The Northern Territory approach, with the option of more responsive durations than currently used in Western Australia, would allow Police and agencies a greater range of options to effectively manage local alcohol fuelled violence and social disruption in a highly targeted manner.

.../3.

Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266

Item 10.1 - CORRESPONDENCE OUT



3

We recognise that this is likely to be a cross portfolio matter which includes both the Minister for Police and the Attorney General with advice from the Minister for Prevention of Family and Domestic Violence, however we believe that in the first instance it is appropriate to provide a briefing to you as your portfolio includes the management of alcohol.

We also welcome your appointment as Minister for Aboriginal Affairs. The issues in relation to this portfolio are complex, challenging and often have multi-portfolio aspects. We would welcome the opportunity to discuss the experience in the Kimberley and the active role of Local Governments in finding solutions. The KRG looks forward to working with you to realise the potential of this region for current and future generations.

We will make contact your office to establish a meeting. Alternatively, contact can be made with Debra Goostrey by email on debra.goostrey@kimberleyzone.com.au or by phone on 0439 380 266.

Your sincerely

A handwritten signature in dark ink that reads "David Menzel".

Cr David Menzel
Chair
Kimberley Regional Group



Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266

Item 10.1 - CORRESPONDENCE OUT



10 January 2022

Hon John Carey MLA
Minister for Housing; Lands; Homelessness; Local Government
7th Floor, Dumas House 2 Havelock Street,
WEST PERTH WA 6005

By email: Minister.Carey@dpc.wa.gov.au

Dear Minister

Congratulations on your additional Ministerial portfolios: Lands and Homelessness.

On behalf of member Shires, I would like to congratulate you on your appointment as Minister for Lands and Homelessness which, along with your current portfolios of Housing and Local Government, are of key interest to the Kimberley Regional Group (KRG).

The KRG is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively the group seeks to support outcomes for the region through improved social, economic and cultural outcomes.

Housing and homelessness, including housing overcrowding and inadequate housing, remain key issues in the Kimberley and impact on the intergenerational prospects of many of our residents. The Lands Portfolio is also of vital importance as we have significant areas of Unallocated Crown Land (UCL), Aboriginal Lands Trust estate properties and Pastoral Stations where diversification opportunities will support economic growth, local jobs and positive pathways for our youth.

We would welcome the opportunity to discuss your important portfolios and will make contact with your office to establish a meeting. Alternatively, contact can be made with Debra Goostrey by email on debra.goostrey@kimberleyzone.com.au or by phone on 0439 380 266.

Your sincerely

Cr David Menzel
Chair
Kimberley Regional Group



Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266

Item 10.1 - CORRESPONDENCE OUT



10 January 2022

Hon Reece Whitby MLA
Minister for Environment and Climate Action
7th Floor, Dumas House 2 Havelock Street,
WEST PERTH WA 6005

By email: Minister.Whitby@dpc.wa.gov.au

Dear Minister

Congratulations on your appointment as Minister Environment and Climate Action.

On behalf of member Shires, I would like to congratulate you on your appointment as Minister for Environment and Climate Action.

The Kimberley Regional Group (KRG) is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively the group seeks to support outcomes for the region through improved social, economic and cultural outcomes.

The portfolio of Environment and Climate Action is of particular importance in the Kimberley. As the most isolated region in Western Australia there is a critical imperative for economic development, jobs and growth to support our local population in balance with the preservation of our iconic landscape, flora and fauna in a period of changing conditions.

We look forward to continuing the strong working relationship with your office established through the introduction of the Banned Drinkers Register Trial and the implementation of the Takeaway Alcohol Management System under your previous portfolio.

Your sincerely

A handwritten signature in blue ink that reads "David Menzel".

Cr David Menzel
Chair
Kimberley Regional Group



Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266

Item 10.1 - CORRESPONDENCE OUT



10 January 2022

Hon Stephen Dawson MLC
Minister for Emergency Services; Innovation and ICT; Medical Research; Volunteering
Deputy Leader of the Legislative Council
12th Floor, Dumas House 2 Havelock Street,
WEST PERTH WA 6005

By email: Minister.Dawson@dpc.wa.gov.au

Dear Minister

**Congratulations on your appointment as Minister Emergency Services; Innovation and ICT;
Medical Research; Volunteering.**

On behalf of member Shires, I would like to congratulate you on your appointment as Minister for Emergency Services; Innovation and ICT; Medical Research; Volunteering.

The Kimberley Regional Group (KRG) is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively the group seeks to support outcomes for the region through improved social, economic and cultural outcomes.

The portfolio of Emergency Services is of particular importance in the Kimberley where we are subject to significant bushfire risk in the dry season and major rainfall events in the wet season which makes many roads impassable, isolating communities.

We would welcome the opportunity to discuss the rollout of the Disaster Relief Funding Arrangements in Western Australia (DRFAWA) which have seen significant delays in the consideration and finalisation of approvals for vital repair works for infrastructure damaged in flood events. Your Ministerial portfolio of Volunteering is also of keen interest.

We will contact your office to establish a meeting. Alternatively, contact can be made with Debra Goostrey by email on debra.goostrey@kimberleyzone.com.au or by phone on 0439 380 266.

Your sincerely

Cr David Menzel
Chair
Kimberley Regional Group

Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266

Item 10.1 - CORRESPONDENCE OUT



10 January 2022

Hon Tony Buti MLA
Minister for Finance; Racing and Gaming; Aboriginal Affairs; Citizenship and Multicultural Affairs
5th Floor, Dumas House
2 Havelock Street
WEST PERTH WA 6005

By email: Minister.Buti@dpc.wa.gov.au

Dear Minister

Congratulations on your appointment as Minister for Racing and Gaming and Aboriginal Affairs.

On behalf of member Shires, I would like to congratulate you on your appointment as Minister for Racing and Gaming; Aboriginal Affairs and your ongoing role as Minister for Finance; Citizenship and Multicultural Affairs.

The Kimberley Regional Group (KRG) is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively the group seeks to support outcomes for the region through improved social, economic and cultural outcomes.

The portfolios of Aboriginal Affairs and Racing and Gaming are of vital importance in the Kimberley.

As you may be aware, the Kimberley, along with the Pilbara, is undertaking a trial of the Banned Drinkers Register (BDR) and Takeaway Alcohol Management System (TAMS) with roll out in the Goldfields region imminent.

The KRG has been working with member Shires and the regional Liquor Accords in relation to the effective management of alcohol in the Kimberley including the use of Voluntary Alcohol Restrictions, TAMS, and the introduction of the BDR. The KRG is strongly supportive of the BDR Project and has jointly funded this initiative with the State Government.

In summary there are two key issues which the KRG believes should be progressed being:

1. The replacement of the Liquor Control (Section 31)(Kimberley) restrictions with negotiated voluntary restrictions; and
2. Transparent and routine arrangements for placing individuals on the Banned Drinkers Register.

The voluntary restrictions, combined with the Banned Drinkers Register, are seen to provide an appropriate and sustainable response to the issues experience in the Kimberley. As such, we have previously requested that the current Liquor Control (Section 31)(Kimberley) restrictions be lifted in the West Kimberley where the voluntary restrictions have been adopted by the Liquor Accords. In the East Kimberley, the restrictions would revert to the underpinning Section 64 restrictions, noting that the overlay of the Section 31 has created some confusion as aspects of both have primacy.

.../2

Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266

Item 10.1 - CORRESPONDENCE OUT



2

Voluntary Alcohol restrictions were the genesis of alcohol management proposals in the West Kimberley. Voluntary restrictions vary and are applied frequently, at the request of Police, by licensees across locations in the Kimberley region. Our licensees continue to work collaboratively with police and believe that the voluntary restrictions, that are adaptable to meet different circumstances, provide an operating environment that is responsive to community needs and support law enforcement whilst being sustainable for the business.

The Liquor Control (Section 31)(Kimberley) response was requested by the KRG in April 2020 when significant increases in welfare payments exacerbated existing itinerant problem drinker issues in areas without restrictions, such as Broome and Derby. At the time the request was made the Voluntary Restrictions were not formally adopted by Liquor Accords and the impact of COVID-19 was not yet known. The request was conditional on, amongst other things, consultation with the Liquor Accords, noting the intent to move towards finalisation of the voluntary restrictions.

Transparent and routine arrangements for placing individuals on the Banned Drinkers Register is an imperative that the KRG believes should be considered as a matter of urgency by the State Government, noting that as of the 19th November 2021 there were only 25 people restricted from purchasing takeaway alcohol through either a Barring Notice (2) or a Prohibition order (23). In addition, there are 27 Voluntary additions to the register which may represent those seeking to stem their personal use or may be people seeking to avoid being asked to purchase alcohol for others.

In the previous government, Minister Papalia indicated that he was open to more a formal arrangement for ensuring that alcohol fuelled violence perpetrators and those that on-sell alcohol illegally are routinely added to the BDR. We would like to draw your attention to the extensive policy adopted in the Northern Territory, with routine processes for adding individuals to the BDR and transparent, public monthly reporting of numbers in geographical areas. The Northern Territory pathway model includes:

1. Police Pathways
 - Protective Custody (Includes Contravention-Protective Custody)
 - Alcohol Related Offence
 - Alcohol Protection Order (historical reporting category)
 - Infringement
 - Courts Pathway
2. Corrections Pathway
3. BDR Corrections Pathway
 - Self-Referral
 - Authorised Person Referral.

It should be noted that the Police Pathway comprises the largest element in the Northern Territory contributing 1,842 people on the register, with the Courts Pathway second (938 persons), followed by the Authorised Person Referral (216 persons) the corrections pathway third (126 persons). Self-Referral (75 persons) is a minor proportion. To put these categories into perspective, Self-Referral in the Northern Territory represents just 2.3% of those on the BDR however in the Kimberley it represents 51.9%.

Whilst the KRG believes that the BDR is the most targeted and potentially the most sustainable approach to the management of alcohol in the Kimberley, it will not function efficiently if there is a highly constrained and lengthy process that sees few individuals added to the BDR. The Northern Territory approach, with the option of more responsive durations than currently used in Western Australia, would allow Police and agencies a greater range of options to effectively manage local alcohol fuelled violence and social disruption in a highly targeted manner.

.../3.

Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266

Item 10.1 - CORRESPONDENCE OUT



3

We recognise that this is likely to be a cross portfolio matter which includes both the Minister for Police and the Attorney General with advice from the Minister for Prevention of Family and Domestic Violence, however we believe that in the first instance it is appropriate to provide a briefing to you as your portfolio includes the management of alcohol.

We also welcome your appointment as Minister for Aboriginal Affairs. The issues in relation to this portfolio are complex, challenging and often have multi-portfolio aspects. We would welcome the opportunity to discuss the experience in the Kimberley and the active role of Local Governments in finding solutions. The KRG looks forward to working with you to realise the potential of this region for current and future generations.

We will make contact your office to establish a meeting. Alternatively, contact can be made with Debra Goostrey by email on debra.goostrey@kimberleyzone.com.au or by phone on 0439 380 266.

Your sincerely

A handwritten signature in dark ink, reading "David Menzel".

Cr David Menzel
Chair
Kimberley Regional Group



Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266

Item 10.1 - CORRESPONDENCE OUT



10 January 2022

ATTENTION MR MARK DAVIS
COMMUNITY ENGAGEMENT MANAGER (NORTH-WEST REGION WA)
NBN LOCAL

By email: markdavis@nbnco.com.au

Dear Mark

LETTER OF SUPPORT – FITZROY CROSSING FIBRE TO THE PREMISE PROJECT FUNDING APPLICATION

The Kimberley Regional Group (KRG) would like to express our support for the Shire of Derby West Kimberley (SDWK) and NBN Co's joint application to seek funding to upgrade the Fitzroy Crossing townsite from NBN satellite to fixed line technology through the Federal Government's Regional Connectivity Funding Program.

The KRG is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively the group seeks to support outcomes for the region through improved social, economic and cultural outcomes.

Connectivity has been a long-standing issue and challenge across the Kimberley region and continues to impact the economic and social growth of the region. Within SDWK, access to fixed line broadband is limited outside of the major centre of Derby, with regional residents and businesses often dependent on satellite broadband for internet connectivity. Increasingly, new residents and businesses look to internet connectivity as a key criterion when considering the liveability or economic viability of locating in this area.

Telecommunications and digital connectivity present a significant obstacle for Fitzroy Crossing and the broader region in achieving its promise of significant economic development and growth. In this regard, the KRG supports the application for the town of Fitzroy Crossing to change from NBN satellite to fixed line technology to assist the community in gaining improved connectivity for economic and social development outcomes.

This technology upgrade project is expected to generate considerable social and economic benefits for Fitzroy Crossing and the broader region as well as supporting the attraction and retention of key staff in this remote location through improved communications capacity. Upgrading the fibre infrastructure has the potential to unlock significant business opportunities including the capacity to download and upload large files quickly and concurrent use of multiple devices online. This will support the emerging Aboriginal tourism ventures as well as pastoral and other businesses in the region. Importantly, the children attending school will have the opportunity for fast reliable broadband at home to improve their educational outcomes over the longer term. This is vital in a region of significant social disadvantage.

Thank you for your engagement and I trust you receive a favourable response to your proposal.

Your sincerely

Cr David Menzel
Chair
Kimberley Regional Group

Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266

Item 10.1 - CORRESPONDENCE OUT



10 January 2022

ATTENTION MR MARK DAVIS
COMMUNITY ENGAGEMENT MANAGER (NORTH-WEST REGION WA)
NBN LOCAL

By email: markdavis@nbnco.com.au

Dear Mark

LETTER OF SUPPORT – WYNDHAM FIBRE TO THE PREMISE PROJECT FUNDING APPLICATION

The Kimberley Regional Group (KRG) would like to express our support for the Shire of Wyndham East Kimberley (SWEK) and NBN Co's joint application to seek funding to upgrade the Wyndham townsite from NBN satellite to fixed line technology through the Federal Government's Regional Connectivity Funding Program.

The KRG is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively the group seeks to support outcomes for the region through improved social, economic and cultural outcomes.

Connectivity has been a long-standing issue and challenge across the Kimberley region and continues to impact the economic and social growth of the region. Within SWEK, access to fixed line broadband is limited outside of the major centre of Kununurra, with regional residents and businesses often dependent on satellite broadband for internet connectivity. Increasingly, new residents and businesses look to internet connectivity as a key criterion when considering the liveability or economic viability of locating in this area.

Telecommunications and digital connectivity present a significant obstacle for Wyndham and the broader region in achieving its promise of significant economic development and growth. In this regard, the KRG supports the application for the town of Wyndham to change from NBN satellite to fixed line technology to assist the community in gaining improved connectivity for economic and social development outcomes.

This technology upgrade project is expected to generate considerable social and economic benefits for Fitzroy Crossing and the broader region as well as supporting the attraction and retention of key staff in this remote location through improved communications capacity. Upgrading the fibre infrastructure has the potential to unlock significant business opportunities including the capacity to download and upload large files quickly and concurrent use of multiple devices online.

Thank you for your engagement and I trust you receive a favourable response to your proposal.

Your sincerely

Cr David Menzel
Chair
Kimberley Regional Group

Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266

11. GENERAL BUSINESS

12. MATTERS BEHIND CLOSED DOORS
--

Nil

13. MEETING CLOSURE

The Chairperson closed the meeting at 4:28pm.

11. NOTICES OF MOTION WITH NOTICE
--

Nil.

12. NOTICE OF MOTION WITHOUT NOTICE
--

Nil.

13. BUSINESS OF AN URGENT NATURE

The Acting Chief Executive Officer advised of an Urgent Item of Business relating to the receiving of the Minutes and Recommendations from the Audit and Risk Committee Meeting held on 27 April 2022.

COUNCIL RESOLUTION:**(RECOMMENDATION)****Minute No. C/0422/023****Moved: Cr H Tracey****Seconded: Cr N Wevers****COUNCIL RESOLUTION**

That Council accept Item 13.1 – Minutes of the Audit and Risk Committee Meeting held on 27 April 2022 as an urgent business item in accordance with Clause 5.4 of the Shire of Broome Meeting Procedures Local Law.

CARRIED UNANIMOUSLY 7/0**13.1 MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING 27 APRIL 2022**

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FRE02
AUTHOR:	Director Corporate Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

This report requests the Council to consider outcomes of the Audit and Risk Committee (ARC) meeting held on 27 April 2022 and seek adoption of the Quarter 3 Finance and Costing Review (FACR).

BACKGROUND**Previous Considerations**

OMC 24 February 2022	Item 10.1
OMC 18 November 2021	Item 9.4.7
OMC 24 June 2021	Item 9.3.1

The Shire of Broome has carried out its 3rd Quarter Finance and Costing Review (FACR) for the 2021-22 financial year. This review of the 2021-22 Annual Budget is based on actuals and commitments for the first 9 months of the financial year from 1 July 2021 to 31 March 2021, and forecasts for the remainder of the financial year.

This process aims to highlight over and under expenditure of funds and over and under achievement of income targets for the benefit of Executive and Responsible Officers to ensure good fiscal management of their projects and programs.

COMMENT

The Quarter 3 FACR commenced on 6 April 2022. At the start of the Q3 FACR, a net deficit of \$53,691 was forecast arising from past budget amendments adopted by Council, and the Q1 and Q2 FACR results. The Q3 FACR identifies a net deficit of \$302,908 resulting in an overall cumulative net deficit forecast financial position of **\$356,599** should Council approve the proposed budget amendments.

There were a total of 155 budget amendments proposed at the Q3 FACR which made up the \$356,599 net deficit for the quarter. There is no single transaction to which this net deficit is attributed. While officers make every effort to ensure the net impact of each FACR is minimal, the net deficit forecast mainly relates to the following proposed amendments:

- \$293,849 reduction in rates income attributed to back rates for UV Rural Commercial (Pastoral) valuation objections dating back to 1 July 2020;
- \$473,694 reduction in Local Roads and Community Infrastructure grant funding due to income being carried over from 2020-21 while remaining budgeted in 2021-22;

Substantial savings have been identified in the Waste area following an in-depth review of accounts by the Director Infrastructure and the Manager Waste. The Shire's waste unit is operated as a "separate" business entity and as such these savings have been recommended for quarantine into the Sanitation reserve to offset costs associated with future strategic and operational waste activities.

A summary of the results is as follows:

SHIRE OF BROOME SUMMARY REPORT							
BUDGET IMPACT							
	2021/22 Adopted Budget (Inc) / Exp	YTD Adopted Budget Amendments (Inc) / Exp	FACR Q3 Overall (Inc) / Exp (Org Sav / Exp not subtracted)	FACR Q3 Org Exp / (Sav) (by Dept)	FACR Q3 Impact (Inc) / Exp (Org Sav / Exp subtracted)	YTD Impact (Org Sav / Exp subtracted)	YTD Overall Position (Org Sav / Exp not subtracted)
OCEO	0	136,892	(96,500)	(104,500)	8,000	144,892	40,392
Corporate Services	0	(14,000)	252,253	233,753	18,500	4,500	238,253
Development	0	(30,000)	(119,000)	(119,000)	0	(30,000)	(149,000)
Infrastructure	0	(848,591)	266,155	207,894	58,261	(790,330)	(582,436)
Council amendments	0	809,390	0	0	0	809,390	809,390
	0,000*	53,691	302,908	218,147	84,761	138,452	356,599

*Council adopted the annual budget with a predicted end-of-year balanced budget, which included previous year carried forward surplus

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

Nil.

It should be noted that according to the materiality threshold set at the budget adoption, should a deficit achieve 1% of Shire's operating revenue (\$395,334) the Shire must formulate an action plan to remedy the over expenditure.

FINANCIAL IMPLICATIONS

The Quarter 3 FACR estimated net result is a budget deficit position of **\$356,599** to 30 June 2022.

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 2022. 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 ASPIRATIONS

Performance – We will deliver excellent governance, service and value, for everyone.

Outcome Eleven – Effective leadership, advocacy and governance:

11.2 Deliver best practice governance and risk management.

Outcome Thirteen - Value for money from rates and long term financial sustainability:

13.1 Plan effectively for short and long term financial sustainability.

VOTING REQUIREMENTS

Absolute Majority

REPORT RECOMMENDATION:

(COMMITTEE RESOLUTION)

The Audit and Risk Committee recommends that Council:

- 1. Receives the Quarter 3 Finance and Costing Review Report for the period ended 31 March 2022;*
- 2. Adopts the operating and capital budget amendment recommendations for the year ended 30 June 2022 as attached; and*
- 3. Notes a forecast end-of-year deficit position to 30 June 2022 of **\$356,599**.*

Cr Wevers moved the following motion.

COUNCIL RESOLUTION:**Minute No. C/0422/024****Moved: Cr N Wevers
(COMMITTEE RESOLUTION)****Seconded: Cr D Male****The Audit and Risk Committee recommends that Council:**

- 1. Receives the Quarter 3 Finance and Costing Review Report for the period ended 31 March 2022;**
- 2. Adopts the operating and capital budget amendment recommendations for the year ended 30 June 2022 as attached; and**
- 3. Notes a forecast end-of-year deficit position to 30 June 2022 of \$356,599.**
- 4. Request the Chief Executive Officer write to the Valuer General on behalf of Council expressing the Shire of Brome's disappointment and dissatisfaction with the process of revaluation of UV Commercial Rural (Pastoral Properties) noting the resulting adverse impact on the Shire's financial position.**

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 7/0

Reason: To express Council's dissatisfaction with the Valuer General review process and to ensure this scenario is never repeated.

Attachments

- 1. MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD 27 APRIL 2022**



UNCONFIRMED MINUTES

OF THE

AUDIT AND RISK COMMITTEE MEETING

27 APRIL 2022

These minutes were confirmed at a meeting held and signed below by the Presiding Person, at the meeting these minutes were confirmed.

Signed:

SHIRE OF BROOME
AUDIT AND RISK COMMITTEE MEETING
WEDNESDAY 27 APRIL 2022
INDEX – MINUTES

1.	OFFICIAL OPENING	3
2.	ATTENDANCE AND APOLOGIES	3
3.	DECLARATIONS OF FINANCIAL INTEREST / IMPARTIALITY	3
4.	CONFIRMATION OF MINUTES	3
5.	REPORTS OF OFFICERS	4
	5.1 3RD QUARTER FINANCE AND COSTING REVIEW 2021-22	4
6.	MATTERS BEHIND CLOSED DOORS	20
7.	MEETING CLOSURE	20

**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 WEDNESDAY 27 APRIL 2022, COMMENCING AT 2:00PM.**

1. OFFICIAL OPENING

The Chairman welcomed Councillors and Officers and declared the meeting open at 3:02PM.

2. ATTENDANCE AND APOLOGIES

ATTENDANCE

Members:	Cr D Male Cr C Mitchell Cr B Rudeforth	Chair / Deputy Shire President From 2:27PM
Apologies:	Nil	
Leave of Absence:	Nil	
Officers:	Mr J Watt Mr K Williams Mr J Hall Mr D Kennedy Ms E French	Acting Chief Executive Officer Director Development Services Director Infrastructure Acting Director Corporate Services Manager Financial Services

3. DECLARATIONS OF FINANCIAL INTEREST / IMPARTIALITY

Committee Member	Item No	Item	Nature of Interest
Nil			

4. CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION:

Minute No. AR/0422/001

Moved: Cr C Mitchell

Seconded: Cr D Male

That the Minutes of the Audit and Risk Committee held on 17 February 2022, as published and circulated, be confirmed as a true and accurate record of that meeting.

CARRIED UNANIMOUSLY 2/0

5. REPORTS OF OFFICERS

5.1 3RD QUARTER FINANCE AND COSTING REVIEW 2021-22

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FRE02
AUTHOR:	Director Corporate Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

The Audit and Risk Committee is requested to consider results of the 3rd Quarter Finance and Costing Review (FACR) of the Shire's budget for the period ended 31 March 2022, including forecast estimates and budget recommendations to 30 June 2022.

BACKGROUND

Previous Considerations

OMC 24 June 2021	Item 9.3.1
OMC 18 November 2021	Item 9.4.7
OMC 24 February 2022	Item 10.1

The Shire of Broome has carried out its 3rd Quarter Finance and Costing Review (FACR) for the 2021-22 financial year. This review of the 2021-22 Annual Budget is based on actuals and commitments for the first 9 months of the financial year from 1 July 2021 to 31 March 2021, and forecasts for the remainder of the financial year.

This process aims to highlight over and under expenditure of funds and over and under achievement of income targets 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, to assist Council to make an informed decision.

It should be noted that the 2021-22 annual budget was adopted at the Ordinary Meeting of Council on 24 June 2021 as a balanced budget.

COMMENT

The Quarter 3 FACR commenced on 6 April 2022. At the start of the Q3 FACR, a net deficit of \$53,691 was forecast arising from past budget amendments adopted by Council, and the Q1 and Q2 FACR results. The Q3 FACR identifies a net deficit of \$302,908 resulting in an overall cumulative net deficit forecast financial position of **\$356,599** should Council approve the proposed budget amendments.

The above 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.

There were a total of 155 budget amendments proposed at the Q3 FACR which made up the \$356,599 net deficit for the quarter. There is no single transaction to which this net deficit is attributed. While officers make every effort to ensure the net impact of each FACR is minimal, the net deficit forecast mainly relates to the following proposed amendments:

- \$293,849 reduction in rates income attributed to back rates for UV Rural Commercial (Pastoral) valuation objections dating back to 1 July 2020;
- \$473,694 reduction in Local Roads and Community Infrastructure grant funding due to income being carried over from 2020-21 while remaining budgeted in 2021-22;

Substantial savings have been identified in the Waste area following an in-depth review of accounts by the Director Infrastructure and the Manager Waste. The Shire's waste unit is operated as a "separate" business entity and as such these savings have been recommended for quarantine into the Sanitation reserve to offset costs associated with future strategic and operational waste activities.

Significant amendments from the Q1 and Q2 FACR processes included:

- \$708,000 Building Better Regions Funding received for the Cable Beach project;
- \$390,000 recognition of the increased Self-Supporting Loan for the Broome Surf Life Saving Club;
- \$350,000 recognition of the increased Lotterywest contribution towards the Broome Surf Life Saving Club;
- \$227,000 reduction in budgeted Western Australian Local Government Grant Commission Road Grants (Local Roads component of FAGS).

A comprehensive list of accounts (refer to Attachment 1) has been included for perusal by the committee, summarised by Directorate.

A summary of the results is as follows:

SHIRE OF BROOME SUMMARY REPORT							
BUDGET IMPACT							
	2021/22 Adopted Budget (Inc) / Exp	YTD Adopted Budget Amendments (Inc) / Exp	FACR Q3 Overall (Inc) / Exp (Org Sav / Exp not subtracted)	FACR Q3 Org Exp / (Sav) (by Dept)	FACR Q3 Impact (Inc) / Exp (Org Sav / Exp subtracted)	YTD Impact (Org Sav / Exp subtracted)	YTD Overall Position (Org Sav / Exp not subtracted)
OCEO	0	136,892	(96,500)	(104,500)	8,000	144,892	40,392
Corporate Services	0	(14,000)	252,253	233,753	18,500	4,500	238,253
Development	0	(30,000)	(119,000)	(119,000)	0	(30,000)	(149,000)
Infrastructure	0	(848,591)	266,155	207,894	58,261	(790,330)	(582,436)
Council amendments	0	809,390	0	0	0	809,390	809,390
	0,000*	53,691	302,908	218,147	84,761	138,452	356,599

**Council adopted the annual budget with a predicted end-of-year balanced budget, which included previous year carried forward surplus*

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

Nil.

It should be noted that according to the materiality threshold set at the budget adoption, should a deficit achieve 1% of Shire's operating revenue (\$395,334) the Shire must formulate an action plan to remedy the over expenditure.

FINANCIAL IMPLICATIONS

The Quarter 3 FACR estimated net result is a budget deficit position of **\$356,599** to 30 June 2022.

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 2022. 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 ASPIRATIONS

Performance – We will deliver excellent governance, service and value, for everyone.

Outcome Eleven – Effective leadership, advocacy and governance:

11.2 Deliver best practice governance and risk management.

Outcome Thirteen - Value for money from rates and long term financial sustainability:

13.1 Plan effectively for short and long term financial sustainability.

VOTING REQUIREMENTS

Absolute Majority

COMMITTEE RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. AR/0422/002

Moved: Cr D Male

Seconded: Cr C Mitchell

That the Audit and Risk Committee recommends that Council:

- 1. Receives the Quarter 3 Finance and Costing Review Report for the period ended 31 March 2022;**

2. ***Adopts the operating and capital budget amendment recommendations for the year ended 30 June 2022 as attached;***
3. ***Notes a forecast net end-of-year deficit position to 30 June 2022 of \$356,599.***

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 3/0

Attachments

1. Quarter 3 2021-22 Finance and Costing Review

Item 5.1 - 3RD QUARTER FINANCE AND COSTING REVIEW 2021-22

SHIRE OF BROOME SUMMARY REPORT							
BUDGET IMPACT							
	2021/22 Adopted Budget (Income) / Expense	YTD Adopted Budget Amendments (Income) / Expense	FACR Q3 Overall (Income) / Expenses (Org Sav / Exp not subtracted)	FACR Q3 Org Expenses / (Savings) (by Department)	FACR Q3 Impact (Income) / Expenses (Org Sav / Exp subtracted)	YTD Impact (Org Sav / Exp subtracted)	YTD Overall Position (Org Sav / Exp not subtracted)
OCEO - Total	0	136,892	(96,500)	(104,500)	8,000	144,892	40,392
Corporate Services - Total	0	(14,000)	252,253	233,753	18,500	4,500	238,253
Development - Total	0	(30,000)	(119,000)	(119,000)	0	(30,000)	(149,000)
Infrastructure - Total	0	(848,591)	266,155	207,894	58,261	(790,330)	(582,436)
Impact of Council approved budget amendments	0	809,390	0	0	0	809,390	809,390
	0,000*	53,691	302,908	218,147	84,761	138,452	356,599

*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 (\$394,804), an action plan to remedy the situation will be prepared in accordance with Item 9.3.1 of June OMC on Materiality Threshold.

† Includes all additional Council adopted budget amendments year-to-date, including any previous FACRs

Item 5.1 - 3RD QUARTER FINANCE AND COSTING REVIEW 2021-22

SHIRE OF BROOME FINANCE & COSTING REVIEW QUARTER 3 2021-22										
Account	Job	IE Code	Description	2021-22 Current Budget	2021-22 Budget Actuals	Proposed Budget Amendment	Proposed Budget	Reserve Movement	Amendment Description	Org Savings
OFFICE OF THE CEO										
ADMIN1 - Chief Executive Officer - S Mastrolembo										
22230		341	Legal Exps Op Exp - Other Governance	25,000	1,187	(20,000)	5,000		Savings	(20,000)
				25,000	1,187	(20,000)	5,000	0		(20,000)
ADMIN2 - Personal Assistant To CEO - L Berkrey										
22125		34	WARCA (WA Regional Capitals Alliance) - Op Exp - Other Governance	35,000	23,638	(5,000)	30,000		Savings through video conference meetings	(5,000)
24020		34	Shire President & CEO Special Travel - Op Exp - Members	11,000	2,483	(5,000)	6,000		Savings through video conference meetings	(5,000)
				46,000	26,121	(10,000)	36,000	0		(10,000)
CS3 - Manager People and Culture - S Parker										
142042		34	Performance Based Rewards - Gen Admin	40,000	18,922	(10,000)	30,000		Savings due to staff vacancies and reduced staff events due to Covid	(10,000)
142043		77	Organisational Training - General MUN	236,066	108,927	(80,000)	156,066		Due to COVID and some staff vacancies, a number of scheduled training courses have been cancelled and are unlikely to be rescheduled within this financial year	(80,000)
142048		34	HRM Consultancy - Op Exp	90,000	68,888	20,000	110,000		Additional funds required for pending workplace investigations	20,000
				366,066	196,737	(70,000)	296,066	0		(70,000)
CMS2 - Manager Community Engagement & Projects - N Roukens										
82670		11	Grant Income - Comm Services	(5,000)	0	5,000	0		\$5,000 Neighbourhood Engagement Grant not received.	5,000
113128		10	Building Better Regions Grant for Cable Beach - Non Op Grant - Other Recreation & Sport - CAP INC	(708,000)	0	297,000	(411,000)		Less BBRF Grant income forecast for receipt prior to 30 June	
111989		43	Transfer to POS Reserve - Cap Exp - Parke & Ovals	1,753,709	740	(297,000)	1,456,709	(297,000)	BBRF grant funding has been used towards detail design in lieu of municipal funds. Savings in municipal funds being transferred into Reserve for use on CB construction next FY. Reduction in Reserve transfer due to reduction in grant income and therefore less muni funds available to transfer	
				1,040,709	740	5,000	1,045,709	(297,000)		5,000
BC - Marketing & Communications Coordinator - G McKnight										
22290		34	Sister City Relations/Japanese Youth Ambassador - Op Exp - Other Governance	5,000	0	(5,000)			No Sister City functions or civic receptions to date.	(5,000)
82613		34	Advertising Promotion & Printing - Op Exp - Community Services	5,000	75	(4,500)			Savings	(4,500)
				10,000	75	(9,500)	0	0		(9,500)

Item 5.1 - 3RD QUARTER FINANCE AND COSTING REVIEW 2021-22

SHIRE OF BROOME FINANCE & COSTING REVIEW QUARTER 3 2021-22											
Account	Job	IE Code	Description	2021-22 Current Budget	2021-22 Budget Actuals	Proposed Budget Amendment	Proposed Budget	Reserve Movement	Amendment Description	Org Savings	
REQ36 - Youth & Community Development Officer - C Lawton											
23040		34	Youth Development Programme & Working Group - Op Exp - Other Governance	32,000	11,707	(3,000)	29,000		\$3,000 reduction as grant funding not successful.	(3,000)	
23050		11	Grant Op - Youth Coordinating Committee Op Inc. - Other Governance	(6,000)	0	3,000	(3,000)		\$3,000 grant received from Dept of Communities for Youth Week events. No further grants expected.	3,000	
82617		34	Community Development Strategy - Op Exp - Community Services	40,000	23,936	(5,000)	35,000		Reduction in Community Picnics due to COVID / staff vacancies	(5,000)	
116184	116198	34	Sundry Community Events	32,000	23,088	(10,000)	22,000		Timing - Xmas Carols budget reduced as \$10,000 of grant income was not secured.	(10,000)	
1138332		11	Grant Income & Contributions - Op Inc - Other Culture	(20,000)	(5,000)	15,000	(5,000)		\$10,000 Reconciliation Week grant not sourced. Event expense account 116201 reduced. \$10,000 Xmas Carols grants not sourced. \$5,000 received from Inpex towards the Xmas Trails	15,000	
				78,000	53,731	0	78,000	0		0	
REQ4 - Special Projects Coordinator - A Rowett											
132314		34	Sanctuary Caravan Park Op Exp - Tourism & Area Promotion	70,000	60,161	8,000	78,000		Increase to cover cost of preferred tenderer.		
				70,000	60,161	8,000	78,000	0		0	
OVERALL OFFICE OF THE CEO - DEPT. SAVINGS/EXPENSE						-96,500	OFFICE OF THE CEO - ORG. SAVINGS/EXPENSE				-104,500
RESERVE MOVEMENT - OFFICE OF THE CEO							-297,000				
OFFICE OF THE CEO - NET IMPACT (EXC. ORG.SAVINGS/EXPENSE)							8,000				
CORPORATE SERVICES											
CS1 - Director Corporate Services - J Watt											
142232		34	LGIS Insurance Funded Expenses (Inc in 142393) - Op Exp - Corp Gov	61,380	12,253	(20,000)	41,380		Timing - Risk Initiatives planned for May / June	(20,000)	
142393		13	LGIS Insurance Bonus & Funding (Exp in 142232) - Op Inc - Corp Gov	(100,000)	0	80,000	(20,000)		Reduction required; advice indicates unlikely to receive full dividend through bonus funds this year	80,000	
				(38,620)	12,253	60,000	21,380	0		60,000	
CS2 - Manager Financial Services - E French											

Item 5.1 - 3RD QUARTER FINANCE AND COSTING REVIEW 2021-22

SHIRE OF BROOME FINANCE & COSTING REVIEW QUARTER 3 2021-22										
Account	Job	IE Code	Description	2021-22 Current Budget	2021-22 Budget Actuals	Proposed Budget Amendment	Proposed Budget	Reserve Movement	Amendment Description	Org Savings
30105		1	Rates Broome - Op Inc - Rates	(24,125,882)	(24,196,483)	(70,602)			Additional income generated through sales / subdivisions / interims. Partially offsetting Back rates.	(70,602)
30147		2	Rates Admin Instalment Charge - Op Inc - Rates	(61,200)	(49,694)	11,506			Full year received.	11,506
30201		23	Rates Non Payment Int - Op Inc - Rates	(117,000)	(113,140)	(10,000)			Variance between estimate of ratepayers on instalments and overdue.	(10,000)
32480		2	Rates Enquiry Fees - Op Inc - Rates	(50,260)	(63,309)	(15,000)			Property sales higher than expected resulting in increased enquiries and income.	(15,000)
32492		1	Back Rates - Op Inc - Rates	0	293,849	293,849			Back rates associated with UV Commercial (Pastoral) valuation objections back dated to 1 July 2020	293,849
				(24,354,342)	(24,128,779)	209,753	0	0		209,753
CS4 - Manager Governance, Strategy & Risk - D Kennedy										
23453		34	Review of Strategies Relating to the Community Strategic Plan - Op Exp - Other Gov	20,000	0	10,000	30,000		Additional costs for data entry	10,000
113410		2	Male Oval & Concourse - Op Inc - Parks & Ovals	(23,800)	(1,658)	10,000	(13,800)		Income reduced - reduction in events, hires	
142090		34	Postage & Freight - Op Exp - General Administration O'Heads	25,000	15,785	(5,000)	20,000		Postage cost from community survey	(5,000)
				21,200	14,126	15,000	36,200	0		5,000
CS6 - Manager Information Services - C Chong										
146104		34	Equip Maint & Supplies - IT Exp - OP Exp	99,064	81,000	8,000	107,064		Nexon managed services licence cost increases (VoIP phones). Investigating alternative suppliers.	
146110		34	Minor Assets<\$5000 - IT Exp	62,000	64,269	20,000	82,000		Additional \$20,000 required for laptop replacement program.	20,000
146111		34	IT Contract Consultants - Exp	262,000	69,244	(50,000)	212,000		GIS Hours(\$40k), Veritas email extraction (\$17k), ICT Strategies (\$80k).	(50,000)
				423,064	214,513	(22,000)	401,064	0		(30,000)
BRAC1 - Manager Community Facilities - C Zepnick										
117004	117056	61	Salary & Related Program Development Officer Expense	101,521	3,329	(5,000)	96,521		Savings to offset Group Fitness Program account 117148. Staff vacancies have necessitated use of contractors	
117148		34	Group Fitness Program - Op Exp - BRAC - Aquatic	20,000	19,557	5,000	25,000		Staff vacancies have required use of contractors. Offset by amendment in 117056	
117156		34	Program Annual Events - Op Exp - BRAC Dry	10,000	2,529	(6,000)	4,000		BRAC 2 Beach occurring in July 2022 (New FY)	(6,000)
117200		2	Hire of BRAC Staff Inc Recd - Op Inc - BRAC General	0	(1,031)	(5,000)	(5,000)		Hire of BRAC staff. Not budgeted.	(5,000)
117291		2	BRAC Fields - Electricity Reimb and Other Income - Op Inc	(28,600)	(6,336)	5,000	(23,600)		Coming into busier time of the year - WKFL, Touch, Soccer, Rugby. Income for March not included yet, but likely to be some reduction due to change in light system charging.	

Item 5.1 - 3RD QUARTER FINANCE AND COSTING REVIEW 2021-22

SHIRE OF BROOME FINANCE & COSTING REVIEW QUARTER 3 2021-22										
Account	Job	IE Code	Description	2021-22 Current Budget	2021-22 Budget Actuals	Proposed Budget Amendment	Proposed Budget	Reserve Movement	Amendment Description	Org Savings
				102,921	18,049	(6,000)	96,921	0		(11,000)
LS1 - Library Coordinator - A Morris										
115286		34	SLWA Travel & Accommodation Op Exp - Library	6,300	0	(6,300)	0		No grants recieved this FY. 100% grant funded.	
115380		11	Grant Op - State SLWA Library Grant	(6,300)	0	4,800	(1,500)		Funding is now from SLWA Travel Grants for library staff to attend training at SLWA.	
115480		11	Grant Program Income - Op Inc - Library (Expense in 115280)	(9,259)	(8,558)	(3,000)	(12,259)		Pending Children's Book Week Grant \$5,500. \$3,000 of additional unbudgeted grants	
						(4,500)				
OVERALL CORPORATE SERVICES - DEPT. SAVINGS/EXPENSE						252,253	CORPORATE SERVICES - ORG. SAVINGS/EXPENSE			233,753
RESERVE MOVEMENT - CORPORATE SERVICES							0			
CORPORATE SERVICES - NET IMPACT (EXC. ORG.SAVINGS/EXPENSE)							18,500			
DEVELOPMENT SERVICES										
DS1 - Director Development Services - K Williams										
55167		34	Vehicles & Mob Plant Renewal > \$3000 - Cap Exp - SES/ FESA	7,000	0	(7,000)	0		Funds not required.	
1429880		43	Transfer to Plant Reserve - Cap Exp - Engineering Office	5,410		7,000	12,410	7,000	Transfer savings to Plant Reserve	
106038		341	Legal Expenses - Development Services	10,000	0	(10,000)	0		No legal proceedings underway or expected through to EOFY	(10,000)
1367205		34	Relieving Staff Exp - Op Exp - Oth Economic Services	0	24,400	27,585	27,585		Relief staff costs to assist in coverage of Economic Development Coordinator position during staff vacancy	
1367201		61	Salary - Op Exp - Economic Services	390,233	269,114	(27,585)	362,648		Salary savings to offset relief Economic Development Coordinator costs.	
				412,643	293,514	(10,000)	402,643	7,000		(10,000)
BS1 - Manager Planning & Building Services - K Wood										
106030	106055	34	Planning General Project Consult - Op Exp Town Planning/Reg Dev	161,000	19,095	(15,000)	146,000		Project DDC202119: Local Planning Scheme and Local Planning Strategy Review originally budgeted to be \$65K and will deliver \$15K of savings.	(15,000)
106410		4	Planning Fees (GST Free) - Op Inc - Town Planning/Regional Devel	(100,000)	(111,147)	(15,000)	(115,000)		Tracking ahead of expected income.	(15,000)
106421		2	Rezoning and Structure Plan Fees (Excl GST) - Op Inc - Town Planning	(10,000)	0	10,000	0		Have not recieved rezoning and unlikely given staus of draft LSP7. Also not likely to receive another structure plan before end of FY.	10,000

Item 5.1 - 3RD QUARTER FINANCE AND COSTING REVIEW 2021-22

SHIRE OF BROOME FINANCE & COSTING REVIEW QUARTER 3 2021-22										
Account	Job	IE Code	Description	2021-22 Current Budget	2021-22 Budget Actuals	Proposed Budget Amendment	Proposed Budget	Reserve Movement	Amendment Description	Org Savings
133015		34	Consultants - Op Exp - Building Control	5,000	0	(4,000)	1,000		Funds not likely to be required this FY. Coordinator Building taking leave in April but has agreed to action building permit applications to avoid need to engage external provider during this time.	(4,000)
133410		4	Stat Fees & Lic - Building Permits	(105,000)	(127,163)	(30,000)	(135,000)		Tracking ahead of anticipated building permit income. Increase by \$30K.	(30,000)
				(49,000)	(219,216)	(54,000)	(103,000)	0		(54,000)
CMS3 - Economic Development Coordinator - E Pendlebury										
22174		58	Sundry In Kind Donations Op Exp - Other Governance	219,000	189,818	(14,000)	205,000		Savings identified with no further applications expected	(14,000)
132060		58	Tourism Development - Op Exp - Tourism & Area Promotion	30,000	3,700	(15,000)	15,000		Fewer applications than expected	(15,000)
				249,000	193,518	(29,000)	220,000	0		(29,000)
HS1 - Manager Environmental Health, Emergency & Ranger Services - Vacant										
53015		34	Relief Staff Exp - Op Exp - Ranger Operations	45,000	28,439	(10,000)	35,000		Rangers fully staffed so some savings identified.	(10,000)
53060		34	Impounding of Vehicles Expense - Op Exp - Other Law Order & Public Safety	12,500	5,276	(5,000)	7,500		Savings - less impounds required YTD	(5,000)
507218		34	Consultants - Op Exp - Ranger Operations	30,000	13,785	(11,000)	19,000		Animal Management Plan undertaken internally. Remaining funds required for graphic design.	(11,000)
				87,500	47,500	(26,000)	61,500	0		(26,000)
OVERALL DEVELOPMENT & COMMUNITY - DEPT. SAVINGS/EXPENSE						-119,000	DEVELOPMENT & COMMUNITY - ORG. SAVINGS/EXPENSE -119,000			
RESERVE MOVEMENT - DEVELOPMENT & COMMUNITY								7,000		
DEVELOPMENT & COMMUNITY - NET IMPACT (EXC. ORG.SAVINGS/EXPENSE)								0		
INFRASTRUCTURE										
ES1 - Director Infrastructure - J Hall										
101510		34	Vehicle & Mob Plant Renewal(Replacement)-Cap Exp- Sanit Gen Refuse	347,000	0	20,000	367,000		Phasing, all orders are placed for the vehicles for 2021/22.	
101525		26	Transfer From Refuse Site Reserve - Sanitation Gen Refuse	(1,369,617)	0	(20,000)	(1,389,617)	(20,000)	Increase transfer from Sanitation Gen Refuse Reserve for additional expense	
106184		34	Vehicle & Mobile Plant Renewal (Replacement) Cap Exp - Dev Services	160,000	0	12,000	172,000		Orders placed for three utilities but not beach buggy. Ranger vehicle was \$33k over budget.	
52951		26	Transfer From Plant Replacement Reserve - Ranger Operations	(46,000)	0	(12,000)	(58,000)	(12,000)	Increase transfer from Plant Reserve for additional expense	
125251		25	Carparks LRCI Grant & Other LRCI Grants - Cap Inc	(1,749,981)	(813,688)	473,694	(1,276,287)		LRCI Income over budgeted.	473,694

Item 5.1 - 3RD QUARTER FINANCE AND COSTING REVIEW 2021-22

SHIRE OF BROOME FINANCE & COSTING REVIEW QUARTER 3 2021-22										
Account	Job	IE Code	Description	2021-22 Current Budget	2021-22 Budget Actuals	Proposed Budget Amendment	Proposed Budget	Reserve Movement	Amendment Description	Org Savings
143010		61	Salary - Op Exp - Engineering Office	950,530	643,756	(30,000)	920,530		Salary savings used to offset costs associated with Consultant coverage of ETO role.	
143038		34	Consultants Engineering Office	62,000	45,883	30,000	92,000		Re-distribute Salary savings from 0143010 that were used for Consultantancy road design whilst ETO was vacant	
121776		10	Rds To Recovery Non Op Grant for Urban Rds - Non Op Inc	(392,000)	(90,909)	92,000	(300,000)		Roads to Recovery grant funding reallocated however adjustment not made to income account.	
116125	116132	34	Other Infrastructure New Const - Cap Exp	142,000	50,000	(57,000)	85,000		Cape Leveque Tourist Bay project removed as it was completed by Main Roads however Shire commitment to complete signage works - \$35K required.	
148021		34	Vehicle & Mobile Plant New - Cap Exp - Depot Ops	12,500	0	(12,500)	0		Depot ice machine deferred. AMP allocation - transfer to plant reserve	
148603		26	Transfer From Plant Reserve - Depot Ops	(11,500)	0	11,500	0	11,500	Depot ice machine deferred. AMP allocation - reserve transfer not required	
1042510		34	Mobile Plant & Equipment Renewal (Replacement) - Cap Exp Sanitation Other	195,000	0	(45,000)	150,000		1 Utility held to 2022/23 (re-budgeted, not carry over). Caged Tipper hasn't been procured and will be a carryover.	(45,000)
				(1,700,068)	(164,957)	462,694	(1,237,374)	(20,500)		0 428,694
ES9 - Manager Engineering - P Collins										
143031		34	Survey Equipment & Maintenance - Op Exp - Engineering Office	4,890	0	(3,000)	1,890		Equipment replacement not required	(3,000)
				4,890	0	(3,000)	1,890	0		0 (3,000)
ES6 - Senior Project Engineer - Luke McKenzie										
104270	104299	34	Short St-Paspaley Carnarvon Street New Drainage Const - Cap Exp	65,390	0	(54,490)	10,900		Contractors to undertake Short St drainage clearing not available. Will be pursued in 22/23 pending contractor availability	
104205		43	Transfer to Drainage Reserve - Cap Exp - Urban Stormwater Drainage	33,608	625	54,490	88,098	54,490	Transfer to Drainage Reserve (allocate to Short Street Drainage)	
1181409		34	Town Beach Development - Jetty Project - Other Infra New - Cap Exp	2,666,076	1,981,604	(445,000)	2,221,076		Project savings (remainder of contingency budget) to be transferred POS Reserve	
111989		43	Transfer to POS Reserve - Cap Exp - Parks & Ovals	2,104,539	740	445,000	2,549,539	445,000	Transfer remainder of Contingency Budget to POS Reserve	
				4,869,613	1,982,969	0	4,869,613	499,490		0 0
ES3 - Manager Works - J Welshman										
800		34	Oils & Lubricants - Op Exp - Depot Operations	27,400	25,632	3,000	30,400		Cost of oil has increased	3,000
125140	125277	34	Broome North Footpath New Const - Capex	41,853	32,352	(7,000)	34,853		Savings identified. Funded through developer contributions - transfer back into reserve.	

Item 5.1 - 3RD QUARTER FINANCE AND COSTING REVIEW 2021-22

SHIRE OF BROOME FINANCE & COSTING REVIEW QUARTER 3 2021-22										
Account	Job	IE Code	Description	2021-22 Current Budget	2021-22 Budget Actuals	Proposed Budget Amendment	Proposed Budget	Reserve Movement	Amendment Description	Org Savings
125950		43	Transfer to Footpath Reserve	5,672	932	7,000	12,672	7,000	Transfer to Footpath Reserve	
125140	125290	34	Old Broome Estate Subdivision - Whole Estate - Various Paths	11,931	0	(11,931)	0		Allocation of operational staff to capital projects	
125950		43	Transfer to Footpath Reserve	5,672	932	11,931	17,603	11,931	Transfer to Footpath Reserve	
145105		34	Plant Fuel & Oil - Op Exp - Plant Operation	280,137	312,792	30,000	310,137		Price increase for fuel.	30,000
148100	148105	34	Depot - Reactive Maint - Op Exp	4,000	10,773	9,000	13,000		Water connection for Depot eye wash.	
148279	148279	34	Apprentice Training - Depot	2,000	3,472	(2,000)	0		Allocation in HR budget for apprentices	(2,000)
				378,665	386,887	40,000	418,665	18,931		0 31,000
ES5 - Works Coordinator - D Greaves										
121101	RRU	34	Urban Reveals Renewal Program - Various (Sealing Contractor) - Cap Ex - Renewal	722,474	124,051	(138,000)	584,474		Dampier Tce and Gray St asphalt deferred due to need for a full redesign. AMP allocation - transfer to Road Reserve.	
121950		43	Transfer to Road Reserve - Cap Exp - Cons Streets Roads Bridges Dep	86,026	622	138,000	224,026	138,000	Dampier Tce and Gray St asphalt deferred due to need for a full redesign. AMP allocation - transfer to Road Reserve.	
122000	121028	34	Sector 5 Roebuck Est - Works Maint	329,207	130,131	(30,000)	299,207		Allocation of operational staff to capital projects	(30,000)
122000	121027	34	Sector 4 Sunset Park - Works Maint	231,308	57,840	(13,000)	218,308		Allocation of operational staff to capital projects	(13,000)
122000	121011	34	Sector 1 Chinatown - Works Maint	291,472	61,696	(15,000)	276,472		Allocation of operational staff to capital projects	(15,000)
122000	121026	34	Sector 3 Old Broome - Works Maint	275,828	188,657	(20,000)	255,828		Allocation of operational staff to capital projects	(20,000)
122000	121029	34	Sector 6 Broome North / Blue Haze - Works Maint	188,512	47,404	(10,000)	178,512		Allocation of operational staff to capital projects	(10,000)
122000	121025	34	Sector 2 Cable Beach - Works Maint	263,895	142,026	(20,000)	243,895		Allocation of operational staff to capital projects	(20,000)
122000	121030	34	Sector 7 LIA, HIA and Port - Works Maint	232,815	15,307	(30,000)	202,815		Allocation of operational staff to capital projects	(30,000)
126000	126021	34	Sector 1 Chinatown- Operating	119,237	24,282	(5,000)	114,237		Allocation of operational staff to capital projects	(5,000)
				2,740,774	792,016	(143,000)	2,597,774	138,000		0 (143,000)
PK3 - Parks & Gardens Coordinator - C Hankinson										
107029	107029	34	Japanese Cemetery- P&G Maint	53,640	18,905	(4,000)	49,640		Allocation of operational staff to capital projects. Materials savings identified.	(4,000)
107030	107030	34	Broome Cemetery - P&G Maint	140,074	44,945	(4,000)	136,074		Allocation of operational staff to capital projects. Materials savings identified.	(4,000)
113000	113034	34	Miller Park - P&G Maint	38,469	9,066	(2,000)	36,469		Allocation of operational staff to capital projects. Materials savings identified.	(2,000)
113000	113037	34	Bedford Park - P&G Maint	144,439	92,418	3,000	147,439		Anzac Day preparations coming up.	
113000	113047	34	China Town - P&G Maint	263,424	202,335	(20,000)	243,424		Allocation of operational staff to capital projects. Materials savings identified.	(20,000)
113000	113075	34	Sugar Glider Park - P&G Maint	122,296	62,976	(2,000)	120,296		Allocation of operational staff to capital projects. Materials savings identified.	(2,000)

Item 5.1 - 3RD QUARTER FINANCE AND COSTING REVIEW 2021-22

SHIRE OF BROOME FINANCE & COSTING REVIEW QUARTER 3 2021-22										
Account	Job	IE Code	Description	2021-22 Current Budget	2021-22 Budget Actuals	Proposed Budget Amendment	Proposed Budget	Reserve Movement	Amendment Description	Org Savings
113000	113080	34	Six Season Park - P&G Maint	59,354	11,341	(7,000)	52,354		Allocation of operational staff to capital projects. Materials savings identified.	(7,000)
113000	113582	34	Solway Park - P&G Maint	77,519	22,395	(5,000)	72,519		Allocation of operational staff to capital projects. Materials savings identified.	(5,000)
113000	113028	34	Cygnat Park- P&G Maint	225,778	119,695	(7,000)	218,778		Allocation of operational staff to capital projects. Materials savings identified.	(7,000)
113000	113033	34	Haynes Oval - P&G Maint	244,180	200,577	20,000	264,180		\$22,000 invoice outstanding for tank liner.	
113000	113039	34	Streeters Jetty Park - P&G Maint	3,050	0	(3,050)	0		Allocation of operational staff to capital projects. Materials savings identified.	(3,050)
113000	113043	34	Town Beach - P&G Maint	446,660	281,568	(5,000)	441,660		Allocation of operational staff to capital projects. Materials savings identified.	(5,000)
113000	113044	34	Civic Centre - P&G Maint	88,047	44,563	(3,000)	85,047		Allocation of operational staff to capital projects. Materials savings identified.	(3,000)
113000	113051	34	Weed Eradication Program - P&G Maint	22,230	13,751	(4,000)	18,230		Allocation of operational staff to capital projects. Materials savings identified.	(4,000)
113000	113579	34	Frangipani Park - P&G Maint	54,823	11,825	(2,000)	52,823		Allocation of operational staff to capital projects. Materials savings identified.	(2,000)
113000	113583	34	Herbert St Park - P&G Maint	110,136	39,659	(5,000)	105,136		Allocation of operational staff to capital projects. Materials savings identified.	(5,000)
113000	113038	34	Tolentino Park - P&G Maint	63,613	30,112	2,000	65,613		Slightly over budget. Playground replacement costs following damage.	
113000	113040	34	Cable Beach - P&G Maint	310,498	201,083	(8,000)	302,498		Allocation of operational staff to capital projects. Materials savings identified.	(8,000)
113000	113070	34	Sunset Park - P&G Maint	145,696	78,054	(3,000)	142,696		Allocation of operational staff to capital projects. Materials savings identified.	(3,000)
113005	113010	34	Weed Control- P&G Maint	213,416	120,065	5,000	218,416		Extra chemical purchase due to wet season spread	
113026	113026	34	Skate Park- P&G Maint	3,893	254	(3,750)	143		Not required due to Skatepark construction.	(3,750)
113396	113397	34	Reticulation Control System - P&G Maint	16,371	2,433	(4,000)	12,371		Savings identified.	(4,000)
113550	113570	34	Dakas Street Reserve New Infra Const Cap Exp-P&O	5,940	0	(87,800)	(81,860)		Dakas St project on hold until Public Open Space Strategy finalised. Transfer to Reserve.	
111989		43	Transfer to POS Reserve - Cap Exp - Parks & Ovals	2,104,539	740	87,800	2,192,339	87,800	Funds for Dakas St transferred to POS Reserve	
113551	113795	34	Parks & Gardens Works Renewal Infra - Cap Exp	159,763	8,279	(40,000)	119,763		Water Tank RFO finalised and over budget. Cygnat Park BBQ deferred; Gantheaume Point Shade Shelter working through YPC. AMP allocation - transfer to Reserve. Public Open Space Strategy direction required.	
111989		43	Transfer to POS Reserve - Cap Exp - Parks & Ovals	2,104,539	740	40,000	2,144,539	40,000	Transfer to POS Reserve	
117000	117070	34	Grounds Maint Exp by P & G - BRAC	94,083	45,950	(3,000)	91,083		Allocation of operational staff to capital projects. Materials savings identified.	(3,000)
117210	117211	34	BRAC Ovals - P&G Maint	426,453	314,807	15,000	441,453		Backflow device replacement. Extra topdressing and retic parts required.	
126000	126123	34	Sector 6 Bme North / Blue Haze - P&G Maint	136,132	50,277	10,000	146,132		Additional spraying in drains	
142000	142054	34	Shire Office Haas St - P & G Maint	109,028	30,912	(3,000)	106,028		Timing of annual PO's	(3,000)
142050	142496	34	Shire Office Barker St - P&G Maint	42,076	5,465	(2,000)	40,076		Timing	(2,000)

Item 5.1 - 3RD QUARTER FINANCE AND COSTING REVIEW 2021-22

SHIRE OF BROOME FINANCE & COSTING REVIEW QUARTER 3 2021-22										
Account	Job	IE Code	Description	2021-22 Current Budget	2021-22 Budget Actuals	Proposed Budget Amendment	Proposed Budget	Reserve Movement	Amendment Description	Org Savings
				8,030,159	2,065,191	(44,800)	7,985,359	127,800		(99,800)
PM2 - Asset and Building Coordinator - M Mitchell										
117218	117219	34	Medland Pavilion - Operating Expense - Op Exp	27,510	25,062	7,500	35,010		Cleaning requirements based off revised booking schedule, increased from previous quarters estimate	
125215	125033	34	Broome Streets General Purpose Street Lighting Upgrades	161,833	114,594	(47,239)	114,594		Quote for scope of works under budget	
						(39,739)				
PM3 - Property and Leasing Senior Officer - K Martin										
96200		28	1/17 Honeyeater Loop - Rent & Recoup Income - Op Inc	(12,220)	(14,476)	(7,000)	(19,220)		Increased occupancy over budgeted occupancy.	(7,000)
96201		28	8/83 Walcott Street - Rent & Recoup Income - Op Inc	(17,160)	(1,141)	13,000	(4,160)		Not permanently tenanted, used as short term accomodation for Shire employees/ Contractors.	13,000
96202		28	8/6 Ibis Way - Rent & Recoup Income - Op Inc	(9,620)	(15,935)	(10,000)	(19,620)		Budget Based on 50% occupancy. Has had 100% occupancy.	(10,000)
96203		28	11/6 Ibis Way - Rent & Recoup Income - Op Inc	(12,220)	(10,112)	(3,000)	(15,220)			(3,000)
96204		28	2/50 Tanami Drive - Rent & Recoup Income - Op Inc	(24,180)	(12,149)	7,000	(17,180)		Some occupancy vacancies. Budgeted at 100%.	7,000
145561		28	Lot 1002 Shelduck Way - Rent & Recoup Income - Op Inc	(32,256)	(21,274)	4,000	(28,256)			4,000
145690		34	Non Recoverable Op Expenses Staff Housing	5,000	0	(5,000)	0			(5,000)
147103		341	Survey & Misc Expenses Leased Properties - Op Exp - Unclassified Gen	30,000	14,373	(5,000)	25,000			(5,000)
				(72,656)	(60,714)	(6,000)	(78,656)	0		(6,000)
ES8 - Manager Waste- N Olsson										
101020		34	Kerbside Refuse Collection - Op Exp - Sanitation Gen Refuse	502,640	247,503	(150,000)	352,640		Lower collections than budgeted. Likely expenditure target is approx. \$300,000	
101022		34	Kerbside Recycling Collection -Op Exp - San Gen Refuse	882,444	418,316	(47,000)	835,444		Lower collections than budgeted. Likely expenditure target is approx. \$800,000	
101027		34	Recycling and Education - Op Exp - San Gen Refuse	14,000	796	(10,000)	4,000		No advertising planned to June 30.	
101029		62	Salary - Waste Co-ordinator - Op Exp -Sanitation Gen Refuse	466,632	157,127	(50,000)	416,632		Vacancy in Waste Coordinator and Team Leader allocations were to Timesheet accounts.	
101029		69	Salary - Waste Co-ordinator - Op Exp -Sanitation Gen Refuse	466,632	157,127	(150,000)	316,632		Vacancy in Waste Coordinator and Team Leader allocations were to Timesheet accounts.	
101030	101055	34	Waste Staff PPE - Op Exp	0	4,605	5,000	5,000		Allocate \$5,000 to account for PPE purchases.	
101030	101050	62	Weighbridge Operations - Op Exp - San Gen Refuse	608,335	214,419	(75,000)	533,335		Savings in staff time booked to other accounts for higher duties or incorrectly.	

Item 5.1 - 3RD QUARTER FINANCE AND COSTING REVIEW 2021-22

SHIRE OF BROOME FINANCE & COSTING REVIEW QUARTER 3 2021-22											
Account	Job	IE Code	Description	2021-22 Current Budget	2021-22 Budget Actuals	Proposed Budget Amendment	Proposed Budget	Reserve Movement	Amendment Description	Org Savings	
101030	101050	69	Weighbridge Operations - Op Exp - San Gen Refuse	608,335	214,419	(150,000)	458,335		Savings in staff time booked to other accounts for higher duties or incorrectly.		
101030	101054	34	WFM Licence and Operations Expense - Sanitation Gen Refuse	58,000	26,345	(10,000)	48,000		Savings in staff time booked to other accounts for higher duties or incorrectly.		
101038	101041	62	Staff Meeting Expenses - OpExps - Sanitation Gen Refuse	61,220	4,692	(15,000)	46,220		Staff have not been time allocating the toolbox meetings and have not attended CEO15 sessions at the Depot		
101038	101041	69	Staff Meeting Expenses - OpExps - Sanitation Gen Refuse	61,220	4,692	(30,000)	31,220		Staff have not been time allocating the toolbox meetings and have not attended CEO15 sessions at the Depot		
101040	101042	34	Sanitation General Project Consultancy - Op Exp - Sanitation Gen Refuse	8,000	1,385	(8,000)	0		Not utilised		
101524		34	Asset Rehabilitation Obligation (Cap Exp - Sanitation Gen Refuse)	700,158	96,799	(250,000)	450,158		Tracking ahead of budget, projected \$250,000 savings for 21/22		
102010	102010	61	Rangers - Litter Control Salaries	93,715	23,331	(40,000)	53,715		Lower salary costs than budgeted		
102010	102011	62	General Litter Control - CCC Maint	471,450	162,775	(60,000)	411,450		Lower salary costs than budgeted		
102010	102011	69	General Litter Control - CCC Maint	471,450	162,775	(120,000)	351,450		Lower salary costs than budgeted		
101515		43	Transfer to Refuse Reserve - Cap Exp - Sanitation Gen Refuse	6,766	1,094	1,160,000	1,166,766		To balance the Sanitation Sub-Program after the effects of the Q3 FACR Budget Amendments.		
				6,695,485	2,357,887	0	6,695,485	0		0	
OVERALL INFRASTRUCTURE SERVICES - DEPT. SAVINGS/EXPENSE						266,155	INFRASTRUCTURE - ORG. SAVINGS/EXPENSE				207,894
RESERVE MOVEMENT - INFRASTRUCTURE								763,721			
INFRASTRUCTURE SERVICES - NET IMPACT (EXC. ORG.SAVINGS/EXPENSE)								474,049			
						302,908					218,147

6. MATTERS BEHIND CLOSED DOORS

Nil

7. MEETING CLOSURE

There being no further business the Chair declared the meeting closed at 3:07PM.

14. MEETING CLOSED TO PUBLIC

Nil.

15. MEETING CLOSURE

There being no further business the Chairperson declared the meeting closed at 6.22pm.