



## **MISSION AND VALUES OF COUNCIL**

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

# **CONFIRMED MINUTES**

**OF THE**

**SPECIAL MEETING OF COUNCIL**

**10 APRIL 2018**

## **OUR VISION**

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

## **OUR MISSION**

***"To deliver affordable and quality Local Government services."***

## **CORE VALUES OF THE SHIRE**

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

**Communication**

**Integrity**

**Respect**

**Innovation**

**Transparency**

**Courtesy**

### **DISCLAIMER**

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

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

**SHIRE OF BROOME**  
**SPECIAL MEETING OF COUNCIL**  
**TUESDAY 10 APRIL 2018**  
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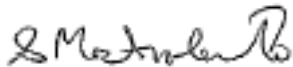
## NOTICE OF MEETING

Dear Council Member,

The next Special Meeting of the Shire of Broome will be held on Tuesday, 10 April 2018 in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 4:30pm for the purpose of considering:

- SISTER CITY VISIT 2018

Regards



S MASTROLEMBO  
**Chief Executive Officer**

10/04/2018

**MINUTES OF THE SPECIAL MEETING OF COUNCIL OF THE SHIRE OF BROOME,  
HELD IN THE COUNCIL CHAMBERS, CORNER WELD AND HAAS STREETS, BROOME,  
ON TUESDAY 10 APRIL 2018, COMMENCING AT 4:30PM.**

**1. OFFICIAL OPENING**

The Chairperson welcomed Councillors, Officers and members of the public and declared the meeting open at 4:31pm.

**2. ATTENDANCE AND APOLOGIES**

Attendance:	Cr D Male	Deputy Shire President
	Cr M Fairborn	
	Cr W Fryer	
	Cr C Mitchell	
	Cr B Rudeforth	
	Cr H Tracey	(entered the meeting via telephone at 4.34pm)
	Cr C Marriott	(entered the meeting via telephone at 4.35pm)

Attendance via Telephone:

Cr H Tracey submitted a written request seeking Council approval to attend the Special Meeting of Council to be held 10 April 2018 via telephone. The address provided for the purpose of this request is Unit 2/8 Hasler Road Osborne Park. Cr H Tracey confirmed there would be no one else present.

**COUNCIL RESOLUTION:**

**Moved: Cr B Rudeforth**

**Seconded: Cr W Fryer**

***That Council approve the request from Cr H Tracey to attend this Special Meeting of Council being held on Tuesday 10 April 2018 at 4:30pm via telephone.***

Amended OMC 26/04/2018

**CARRIED 5/0 BY ABSOLUTE MAJORITY**

***Cr H Tracey entered the meeting via telephone at 4.34pm.***

Cr C Marriott submitted a written request seeking Council approval to attend the Special Meeting of Council to be held 10 April 2018 via telephone. The address provided for the purpose of this request is 19 McConnan Street, Benalla, Victoria 3672. Cr C Marriott confirmed there would be no one else present.

**COUNCIL RESOLUTION:**

**Moved: Cr C Mitchell**

**Seconded: Cr M Fairborn**

***That Council approve the request from Cr C Marriott to attend this Special Meeting of Council being held on Tuesday 10 April 2018 at 4:30pm via telephone.***

Amended OMC 26/04/2018

**CARRIED 6/0 BY ABSOLUTE MAJORITY**

**Cr C Marriott entered the meeting via telephone at 4:35pm.**

Leave of Absence: Nil

Apologies: Cr P Matsumoto  
Cr E Foy

Officers: Mr S Mastrolembo Chief Executive Officer  
Mr J Watt Director Corporate Services  
Mr S Harding Director Infrastructure  
Ms R Piggitt Manager Governance  
Mr S Penn Media and Promotions Officer  
Ms E Harding Senior Administration and Governance Officer

Public Gallery: Peter Smith Shire of Broome  
Erin Parke ABC News  
Glenn Cordingley Broome Advertiser

**3. DECLARATIONS OF FINANCIAL INTEREST / IMPARTIALITY**

FINANCIAL INTEREST			
Councillor	Item No	Item	Nature of Interest
Cr C Mitchell	6.2.1	Sister City Visit 2018	Financial – Seeking to be a member of Broome Shire delegation to Broome Sister City Taiji in Japan.

IMPARTIALITY			
Councillor	Item No	Item	Nature of Interest
Nil			

**4. PUBLIC QUESTION TIME**

Nil

**5. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Under section 5.23 (2)(d) of the *Local Government Act 1995* Council may resolve to move the meeting behind closed doors.

**6.**

**REPORTS  
OF  
OFFICERS**

# 6.1

## OUR PEOPLE



### ***PRIORITY STATEMENT***

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

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

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



There are no reports in this section.

# 6.2

## OUR PLACE



### ***PRIORITY STATEMENT***

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

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

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

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

**With regard to Item 6.2.1 Cr C Mitchell declared a Financial Interest – “Seeking to be a member of Broome Shire delegation to Broome Sister City Taiji in Japan” and departed the Chambers at 5.35pm.**

### **6.2.1 SISTER CITY VISIT 2018**

<b>LOCATION/ADDRESS:</b>	Broome/Japan
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	ORL14
<b>AUTHOR:</b>	Media and Promotions Officer
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Chief Executive Officer
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	13 March 2018

**SUMMARY:** This report seeks Council approval to send a Council delegation to visit Broome's Sister City of Taiji, Japan, from 18-21 April 2018 to coincide with the St Mary's College annual student exchange program, and to nominate those Councillors to attend.

## **BACKGROUND**

### Previous Considerations

OMC 22 August 2009	Item 9.1.1
OMC 13 October 2009	Item 10.1
OMC 15 December 2010	Item 9.1.4
OMC 9 June 2011	Item 6

Shire Councillors last visited Broome's Sister City of Taiji, Japan, in June 2011 to mark the 30<sup>th</sup> anniversary of the Sister City agreement, with three sitting Councillors travelling along with four community representatives, including two members of Broome's Japanese community.

St Mary's College (SMC) undertakes an annual student exchange program with Taiji that will take place for the 11<sup>th</sup> year in 2018 with a group of nine students and three staff participating. Each year a group of SMC students and staff visits Taiji in April, and a group of Taiji students, staff and Town Office representatives reciprocates by visiting Broome in August.

During the 2017 visit to Broome, Taiji Town Office representatives and SMC both expressed a desire for Council representatives to accompany the student exchange group in 2018.

## **COMMENT**

### **History**

The Sister City agreement between Broome and Taiji was signed on 7 May 1981 and is based on historical links going back almost 150 years.

Pearling has historically been Broome's defining industry and was established in 1866. Taiji was a whaling town, but a disaster in 1878 that killed 130 men decimated the industry and

many were forced to head elsewhere for work. Many Taiji men were skilled divers and found their way to Broome where they and other Japanese divers became the mainstay of the pearling industry.

There was a huge mortality rate among pearl divers in those early days, and Broome's Japanese cemetery is believed to be the biggest outside of Japan, with more than 900 graves and over 700 tombstones, with the first recorded Japanese burial in 1896.

The legacy of the Japanese community in Broome is evident to this day. They were integral in founding Broome's first school and first hospital, and Broome's biggest annual festival, the Shinju Matsuri Festival of the Pearl, has run since 1970 and celebrates Japanese and other multicultural influences on Broome.

### **Purpose**

The principal aim of a Council delegation visiting Taiji is to strengthen the historical relationship between the two towns by keeping alive the shared knowledge of each town's history and culture, and by creating personal connections between Councillors and Taiji's local government and community.

Councillors will gain insight into some significant historical influences on Broome, and experience firsthand the Japanese culture of those Taiji people who were integral to establishing the pearling industry that plays such a significant role in Broome's economy to this day. These shared interests in tourism and pearling also provide opportunities for mutual exchange of knowledge and advice.

Councillors will also be demonstrating support for the SMC student exchange program that plays an important role in passing this historical relationship from generation to generation. By accompanying the SMC students in Japan, Councillors can forge relationships and gain a better understanding of Broome's young people and future leaders.

The people of Taiji benefit from visitation by Councillors in learning how their ancestors made new lives for themselves in Broome, and how Japanese culture and heritage is now celebrated in Broome through means including the Shinji Matsuri Festival, architecture and tourism.

To facilitate these purposes, proposed appointments for Councillors include visits to Taiji junior and senior schools and attendance at a lecture at Wakayama University's Faculty of Tourism, visits to local government facilities, tourism facilities and local landmarks, and meetings with Taiji Town Councillors and community members.

The most common air route to Japan travels via Singapore which also provides opportunity for scheduling further economic development activities.

To be in Taiji from Wednesday 18 April to Saturday 21 April, Councillors would depart Broome on Sunday 15 or Monday 16 April and return on Monday 23 or Tuesday 24 April, depending on flights selected. The CEO has previously sought expressions of interest from Councillors to be part of a delegation and has three nominations. If a delegation is approved, Council is also requested to formally nominate the Councillors to undertake the trip.

### **CONSULTATION**

St Mary's College  
Town of Taiji  
Department of Local Government, Sport and Cultural Industries  
Broome Travel Centre

**STATUTORY ENVIRONMENT***Local Government Act 1995*5.82. Gifts

- (1A) A relevant person is to disclose each gift received by the person.
- (1B) The disclosure is to be made in writing to the CEO.
- (1C) The disclosure is to be made within 10 days of receipt of the gift by the relevant person.
- (1) The disclosure is to include the following —
- (a) a description of the gift;
  - (b) the name and address of the person who made the gift;
  - (c) the date on which the gift was received;
  - (d) the estimated value of the gift at the time it was made;
  - (e) the nature of the relationship between the relevant person and the person who made the gift.
- (2) Nothing in this Subdivision requires a relevant person to disclose a gift received by the person if —
- (a) the amount of the gift did not exceed the prescribed amount unless —
    - (i) the gift was one of 2 or more gifts made by one person at any time during a year; and
    - (ii) the sum of those 2 or more gifts exceeded the prescribed amount;
  - or
  - (b) the donor was a relative of the person.
- (3) For the purposes of this section, the amount of a gift comprising property, other than money, or the conferral of a financial benefit is to be treated as being an amount equal to the value of the property or the financial benefit at the time the gift was made.
- (4) In this section —
- gift** means any disposition of property, or the conferral of any other financial benefit, made by one person in favour of another otherwise than by will (whether with or without an instrument in writing), without consideration in money or money's worth passing from the person in whose favour it is made to the other, or with such consideration so passing if the consideration is not fully adequate, but does not include any financial or other contribution to travel.

[Section 5.82 amended by No. 17 of 2009 s. 29; No. 2 of 2016 s. 35.]

5.83. Contributions to travel

- (1A) A relevant person is to disclose each financial or other contribution that has been made to any travel undertaken by the person.
- (1B) The disclosure is to be made in writing to the CEO.
- (1C) The disclosure is to be made within 10 days of receipt of the contribution by the relevant person.
- (1) The disclosure is to include the following —

- (a) a description of the contribution;
  - (b) the name and address of the person who made the contribution;
  - (c) the date on which the contribution was received;
  - (d) the estimated value of the contribution at the time it was made;
  - (e) the nature of the relationship between the relevant person and the person who made the contribution;
  - (f) a description of the travel;
  - (g) the date of travel.
- (2) Nothing in this Subdivision requires a relevant person to disclose a financial or other contribution to any such travel undertaken by a person if —
- (a) the contribution was made from Commonwealth, State or local government funds; or
  - (b) the contribution was made by a relative of the person; or
  - (c) the contribution was made in the ordinary course of an occupation of the person which is not related to his or her duties as a council member or employee; or
  - (d) the amount of the contribution did not exceed the prescribed amount unless —
    - (i) the contribution was one of 2 or more contributions made by one person at any time during a year; and
    - (ii) the sum of those 2 or more contributions exceeded the prescribed amount;
- or
- (e) the contribution was made by a political party of which the person was a member and the travel was undertaken for the purpose of political activity of the party, or to enable the person to represent the party.
- (3) For the purposes of subsection (2)(d) the amount of a contribution (other than a financial contribution) is to be treated as being an amount equal to the value of the contribution at the time the contribution was made.
- (4) In this section —
- political party** means a body or organization, whether incorporated or unincorporated, having as one of its objects or activities the promotion of the election to the Parliament of the Commonwealth or of the State of a candidate or candidates endorsed by it or by a body or organization of which it forms part; and
- travel** includes accommodation incidental to a journey.
- [Section 5.83 amended by No. 17 of 2009 s. 30; No. 2 of 2016 s. 36.]

## POLICY IMPLICATIONS

Policy 1.1.1 Elected Members Entitlements

## FINANCIAL IMPLICATIONS

A cost ranging from just under \$2500 to just over \$3000 per person is estimated, which includes airfares to and from Japan, accommodation and meals during stopovers, and miscellaneous expenses such as taxi fares.

The Town of Taiji has offered to provide accommodation, meals and transport during the Councillors' time in Taiji. The Department of Local Government, Sport and Cultural Industries has provided general advice that Councillors may need to make disclosures under s5.82 and s5.83 of the *Local Government Act 1995* for these expenses.

Item	Cost per person
Airfares (various options)	\$1582 - \$2504
Accommodation	\$370
Meals	\$200
Miscellaneous	\$200
<b>TOTAL</b>	<b>\$2352 - \$3274</b>

The Shire of Broome Annual Budget 2017/18 has \$4000 available in Account 100222900 'Sister City Relationship' for allocation to a delegation, with a further \$15,000 available in Account 100240100 'Conferences, Travel and Accommodation Operating Expenses – Members' to cover any additional cost.

## RISK

The Sister City relationship came under significant scrutiny in late 2008 and 2009 following media attention around Taiji's annual dolphin harvest.

As a reaction to this external pressure Council voted on 22 August 2009 to suspend the relationship, but the effect of this decision on the Broome community was profound and caused considerable hurt particularly to the town's Japanese community at a time when they were already suffering attacks that included the desecration of Broome's Japanese cemetery.

Council listened to the Broome community and on 31 October 2009 rescinded the decision to suspend the relationship. At this time Council also established its official position that it does not condone the harvesting of dolphins, but that the historical ties between Broome and Taiji are of such value that the Sister City relationship will continue for the purposes of cultural, social and economic exchange. Additionally, it was resolved that to avoid ambiguity all media contact about the relationship would be conducted in writing.

Some controversy remains and pressure continues to be exerted from outside of Broome, with a risk this could escalate if Councillors again visit Taiji. However, the Broome community understands the depth and importance of the connection between the two towns and support for the Sister City relationship remains strong, with no desire to change that position being communicated to Council.

## STRATEGIC IMPLICATIONS

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

A preserved, historical and cultural heritage of Broome

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

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

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

**VOTING REQUIREMENTS**

*Absolute Majority*

**COUNCIL RESOLUTION:**  
**(REPORT RECOMMENDATION)**

**Moved: Cr B Rudeforth**

**Seconded: Cr H Tracey**

**That Council:**

- 1. Approves a Council delegation to travel to Broome's Sister City of Taiji, Japan, from 18-21 April 2018 for the purposes of cultural, social and economic exchange.**
- 2. Nominates the following Councillors to undertake the trip on behalf of Council:**
  - Councillors E Foy, P Matsumoto and C Mitchell.**
- 3. Advise the Town of Taiji that a Broome Shire Council delegation will visit from 18-21 April 2018.**
- 4. Requests the Chief Executive Officer to make a budget amendment to a maximum of \$15,000 to reallocate funds from Account 100240100 Conferences, Travel and Accommodation to Account 100222900 Sister City Relationship to cover the cost of the delegation if required.**

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 6/0**

**Cr C Mitchell returned to the Chambers at 4.37pm and the Chairperson read aloud the resolution for the benefit of Cr C Mitchell.**

**Attachments**

There are no attachments for this report.



# 6.3

## OUR PROSPERITY



### ***PRIORITY STATEMENT***

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

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

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

There are no reports in this section.

## OUR ORGANISATION



### ***PRIORITY STATEMENT***

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

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

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

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

There are no reports in this section.

**7.**

**REPORTS  
OF  
COMMITTEES**

There are no reports in this section.

<b>8. MATTERS BEHIND CLOSED DOORS</b>
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Nil

<b>9. MEETING CLOSURE</b>
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There being no further business the Chairperson declared the meeting closed at 4.39pm.