



# CONFIRMED MINUTES

OF THE

ORDINARY COUNCIL MEETING

**30 MAY 2024**

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

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

Signed:

**SHIRE OF BROOME**  
**ORDINARY COUNCIL MEETING**  
**THURSDAY 30 MAY 2024**  
**INDEX – MINUTES**

1.	OFFICIAL OPENING .....	4
2.	ATTENDANCE AND APOLOGIES .....	4
3.	ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION.....	4
4.	DECLARATIONS OF INTEREST.....	5
5.	PUBLIC QUESTION TIME.....	5
6.	APPLICATIONS FOR LEAVE OF ABSENCE.....	8
7.	CONFIRMATION OF MINUTES .....	9
8.	PRESENTATIONS / PETITIONS / DEPUTATIONS.....	9
9.	REPORTS FROM OFFICERS .....	10
9.1	PEOPLE.....	10
9.1.1	LOCAL PLANNING POLICY REVIEW - POST GAZETAL OF LOCAL PLANNING SCHEME NO.7.....	10
9.2	PLACE .....	233
9.2.1	BARDI JAWI NIIMIDIMAN ABORIGINAL CORPORATION: SHARED COUNTRY - SHARED VOICE PROJECT.....	233
9.3	PROSPERITY .....	238
9.3.1	APPLICATION FOR FUNDING TOURISM ADMINISTRATION POLICY 2024/25.....	238
9.4	PERFORMANCE .....	277
9.4.1	MONTHLY PAYMENT LISTING - APRIL 2024 .....	277
9.4.2	MONTHLY FINANCIAL REPORT - APRIL 2024.....	304
9.4.3	ANNUAL REVIEW OF DELEGATION OF AUTHORITY REGISTER.....	339
10.	REPORTS OF COMMITTEES.....	537
10.1	MINUTES AND RECOMMENDATIONS FROM THE JOINT MEETING OF KIMBERLEY ZONE OF WALGA AND KIMBERLEY REGIONAL GROUP HELD ON 19 APRIL 2024 .....	537
11.	NOTICES OF MOTION WITH NOTICE .....	682
12.	NOTICE OF MOTION WITHOUT NOTICE .....	682



13.	BUSINESS OF AN URGENT NATURE .....	683
13.1	COUNCIL CONSIDERATION OF PUBLIC SUBMISSIONS ON INTENTION TO IMPOSE DIFFERENTIAL RATES AND MINIMUM PAYMENTS FOR THE 2024/25 ANNUAL BUDGET.....	683
14.	MEETING CLOSED TO PUBLIC.....	697
15.	MEETING CLOSURE .....	697

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE SHIRE OF BROOME,  
HELD IN THE COUNCIL CHAMBERS, CORNER WELD AND HAAS STREETS, BROOME,  
ON THURSDAY 30 MAY 2024, COMMENCING AT 3.00PM.**

**1. OFFICIAL OPENING**

The Chairperson welcomed Councillors, officers and members of the public and declared the meeting open at 3.03pm.

**2. ATTENDANCE AND APOLOGIES****ATTENDANCE**

<b>Councillors:</b>	Shire President C Mitchell Cr D Male Cr P Matsumoto Cr P Taylor Cr M Virgo Cr J Lewis Cr S Cooper	Shire President Deputy Shire President
<b>Apologies:</b>	Cr J Mamid	
<b>Leave of Absence:</b>	Leave of absence was previously granted to Cr E Smith.	
<b>Officers:</b>	Mr S Mastrolembo Mr J Hall Mr J Watt Mr K Williams Mr D Bonnici  Mrs M Martin	Chief Executive Officer Director Infrastructure Director Corporate Services Director Development Services Marketing & Communications Coordinator Senior Administration & Governance Officer
<b>Media:</b>	D Karagic K Minns	ABC Broome Advertiser
<b>Public Gallery:</b>	D Galwey C Leahy C Maher D Oliver P Rewell	

**3. ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION**

ON BEHALF OF COUNCIL I WOULD LIKE TO PASS OUR CONDOLENCES ONTO THE FAMILIES OF FORMER COUNCILLOR, MARK MANADO AND FORMER EMPLOYEE ALPHONSE HUNTER.

MARK SERVED ON COUNCIL FOR 4 YEARS, 2011 TO 2015 AND WAS A VERY WELL-KNOWN AND WELL RESPECTED MEMBER OF THE COMMUNITY.

ALPHONSE WAS A SHIRE GARDENER OPERATOR FOR 4 YEARS, COMMENCING WITH THE SHIRE IN JANUARY 2019. ALPHONSE WAS POPULAR AMONG THE WORKFORCE AND WITHIN THE BROOME COMMUNITY.

WE EXTEND OUR CONDOLENCES TO THE FAMILIES AND FRIENDS OF MARK AND ALPHONSE.

#### 4. DECLARATIONS OF INTEREST

FINANCIAL INTERESTS (s5.60A)			
Councillor	Item No	Item	Nature of Interest
Cr Male	9.3.2	Community Development Fund Applications 2024/25	One of the applicants is a direct client.
Cr Virgo	9.3.2	Community Development Fund Applications 2024/25	One of the applicants is a paid member of the BVC (Matso's)

INDIRECT FINANCIAL INTERESTS (s5.61)			
Councillor	Item No	Item	Nature of Interest
Cr Cooper	9.3.2	Community Development Fund Applications 2024/25	Matso's is relying on my quote.

IMPARTIALITY			
Councillor	Item No	Item	Nature of Interest
Shire President Cr Mitchell	9.3.2	Community Development Fund Applicants 2024/25	I am a member of Native Animal Rescue Broome and hold the unpaid voluntary position of coordinator for the group.
Cr Cooper	9.3.1	Application for Funding Tourism Administration Policy 2024/25	Vice President of Broome Chamber of Commerce and Industry which has involvement with Cruise Broome.
Cr Virgo	9.3.1	Application for Funding Tourism Administration Policy 2024/25	I am a Committee Member of Cruise Broome.
Cr Taylor	9.3.1	Application for Funding Tourism Administration Policy 2024/25	Volunteer Member Cruise Broome.
Cr Cooper	9.3.2	Community Development Fund Applications 2024/25	Volunteer Member – Broome Bowling Club / Volunteer Member – Native Animal Rescue Broome

#### 5. PUBLIC QUESTION TIME

The following question was submitted by Simon Marwick regarding Manari Road condition.  
Question One (1)

When was the last time Manari road was graded, and is there any plans to grade it again in the near future? The corrugations are extremely bad, private and public owned vehicles are getting damaged travelling along it.

**Answer provided by Director Infrastructure**

The most recent maintenance grade of Manari Road was completed at the start of April 2024. The next maintenance grade of Manari Road is programmed for the fortnight ending 7 June 24. This is subject to weather and road condition/status.

**The following questions were submitted by Ivan Dean regarding CCTV camera maintenance and repairs.**

**Question One (1)**

At the Feb 15 meeting, two elector motions relating to repair and maintenance of the CCTV system were carried unanimously. However, Council response so far seems to consist only of noting the motions and offering to continue to consider the allocation of funding. Council has previously advised that roughly 50% of the installed cameras are not operational. Will the council publish the list of working and non-working cameras, and their relationship to the Council's map of what is described as trouble spots?

**Answer provided by Director Corporate Services**

Details of non-operational CCTV cameras will not be provided to the public due to the obvious security concerns.

Implementation of public CCTV is informed through Broome Police crime hotspot data.

**Question Two (2)**

The Shire's published policy establishes that the Chief Executive Officer is responsible for the management of the Shire's CCTV system (policy as adopted in 2012). Can the CEO explain in detail what actions have been taken to secure funding for repair of broken cameras in trouble spots, e.g. the broken camera(s) in Anne St?

**Answer provided by Director Corporate Services**

Officers are not aware of any grant funding programs that cater for operational renewal of CCTV assets however continue to investigate options.

CCTV repair and remediation works are an ongoing operational activity with funds for CCTV repair allocated through Council's annual budget each year.

\$30,000 has been allocated in Council's draft 2024/25 budget for CCTV rectification and repair works based on historical requirements.

Following an increased number of CCTV outages at Male Oval, Chinatown, Town Beach and Anne Street earlier this financial year officers requested additional funds through Council's mid-year budget review for remediation works. \$50,000 was committed to address these outages. A procurement process has been undertaken with a contractor scheduled to commence works in the first week of June.

Local contractors have been assisting staff to troubleshoot other issues recently with several cameras in the Chinatown and Anne Street vicinity repaired.

In total Council has invested over \$334,000 in CCTV network remediation and repairs since 2018.

Our CCTV network operates in extreme climatic conditions that often hit the maximum specification limits of the hardware used. Lifecycle management of CCTV assets is problematic with cameras and networking equipment failing regularly. Vandalism is also prevalent. It is a costly and resource intensive exercise to keep the system running and this needs to be carefully managed to ensure that ratepayer funds are used cost effectively.

Regarding Anne Street, a similar question was asked at Council's 28 March Ordinary Meeting. At that meeting it was noted that the Anne Street CCTV system was installed at an initial cost of \$117,000 and has been repaired multiple times due to hardware failure, communication issues and vandalism. In 2019 the system was vandalised with rectification works totalling \$85,000 and total cost of repair since 2019 totalling \$102,454. The Anne Street system has been repaired 3 times this calendar year following damage. The system is currently online having again been recently repaired.

**Question Three (3)**

Given that offences in the suburb of Broome, as published by WAPol, have increased by over 44% in the last two financial years for which full data is available, what is the Shire's actual plan to fund repairs for non-operational cameras, and then ongoing maintenance and repairs of the CCTV cameras already installed?

**Answer provided by Director Corporate Services**

The previous response addresses this question.

**The following question was submitted from Brendon Wong regarding Safe and functional Recreational boat ramp.**

**Question One (1)**

When is a safe, functional boat ramp/ marina going to be built like Port Headlands boating facilities?

**Answer provided by Chief Executive Officer**

The state government, through the Department of Transport (DoT), has developed a design and business case for a boat launching facility at Entrance Point. This has taken several years and many investigations including cultural, heritage, environmental, engineering, tenure and marine considerations. The boating facility at Entrance Point was costed at \$78 million in 2021 and the state government has committed \$36 million towards construction.

The proposal has been submitted to the Environmental Protection Agency by DoT for approval. Further stakeholder engagement was requested and this is currently being undertaken. The timeframe is not known.

The Shire has been supporting the DoT, by leading the community engagement process in 2020 and continuing to advocate for the project to state and federal government.

**Carmel Leahy asked the following questions in relation to Agenda Item 9.1.1- Local Planning Policy Review****Question One (1)**

Has the shire been approached by Woodside regarding the transport of their workforce out to their proposed worksite via chopper from Broome?

**Taken on Notice****Question Two (2)**

Will the shire undertake extensive community consultation prior to making a decision on supporting or not supporting any Woodside proposal about using Broome as its transport hub given the impacts to the community?

**Taken on Notice****Question Three (3)**

Is the shire aware that the Woodside proposal will generate globally significant carbon emissions – the primary cause of sea level rise which risks impacting our coastline including the flooding of Chinatown?

**Taken on Notice**

**Dianne Oliver asked the following questions in relation to Woodside's proposed Development at the Scott Reef and the potential expansion of helicopter activity.**

**Question One (1)**

Which authorities within the Broome area are monitoring the air quality for carcinogenic and other hazardous pollutants, and are the results available to the public?

**Taken on Notice****Question One (2)**

Are these results available to the public?

**Taken on Notice**

**Paul Rewell of Broome Private Transit asked the following questions in relation to Item 9.3.1. Under Application for Funding Tourism Administration Policy 2024/25.**

**Question One (1)**

I bring to your attention the Shire's Tourism Administration Policy "Application Reporting", which under Section D states, a copy of the organisations year end audited financial statement for the preceding year, to provide assurance that the organisation is viable must be submitted with all funding applications.

**Taken on Notice****Question Two (2)**

Can you outline how the organisation applying for funding, in this case Cruise Broome, has met their constitutional requirements with committee appointments, regular AGM's where the members are publicly notified, independent financial audits, the correct lodgement of it's duties to the relevant authority, being Department Energy and Mines or the Australian Charity and not for profit commission and can the Council assure the constitutes of Broome that all active undertaken by Cruise Broome have been done so whilst the organisation was solvent and or had appropriate cash reserves to fulfill their corporate functions?

**Taken on Notice****Question Three (3)**

Are the Councillors aware that Cruise Broome do not respond to correspondence admitted to the organisation?

**Taken on Notice****6. APPLICATIONS FOR LEAVE OF ABSENCE****COUNCIL RESOLUTION:**

**Minute No. C/0524/066**

**Moved: Cr P Matsumoto**

**Seconded: Cr M Virgo**

***That Council grant Cr Male a Leave of Absence from Councillor duties inclusive of 25 June 2024 through to 2 July 2024.***

***For: Shire President C Mitchell, Cr D Male, Cr J Lewis, Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper.***

***CARRIED UNANIMOUSLY 7/0***

**7. CONFIRMATION OF MINUTES**

**COUNCIL RESOLUTION:**

***Minute No. C/0524/067***

***Moved: Cr S Cooper***

***Seconded: Cr M Virgo***

***That the Minutes of the Ordinary Meeting of Council held on 24 April 2024, as published and circulated, be confirmed as a true and accurate record of that meeting.***

***For: Shire President C Mitchell, Cr D Male, Cr J Lewis, Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper.***

***CARRIED UNANIMOUSLY 7/0***

**8. PRESENTATIONS / PETITIONS / DEPUTATIONS**

Nil.

## 9. REPORTS FROM OFFICERS

### 9.1 PEOPLE

***The Director Development Services advised there was a typographical error in the Agenda Report. These corrections were actioned administratively and reflected in the minutes.***

#### 9.1.1 LOCAL PLANNING POLICY REVIEW - POST GAZETTAL OF LOCAL PLANNING SCHEME NO.7

<b>LOCATION/ADDRESS:</b>	N/A
<b>APPLICANT:</b>	Shire of Broome
<b>FILE:</b>	PLA08
<b>AUTHOR:</b>	Planning Officer
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Development Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

#### **SUMMARY:**

Local Planning Scheme No 7 (LPS7) was gazetted on 28 September 2023 and a full review of the Shire's existing Planning Policies and Local Planning Policies has been undertaken to ensure alignment.

The review was undertaken to ensure that the Policies reference the correct Scheme, updated zones and land use definitions.

The purpose of this report is to present the reviewed Policies to Council for consideration and it is recommended that Council adopt the amendments to the Local Planning Policies.

## **BACKGROUND**

### Previous Considerations

OMC 26 February 2015	Item 9.2.2
OMC 30 July 2015	Item 9.2.3

The Shire of Broome has 25 Local Planning Policies (the Policies) and the last full review of LPP's occurred in July 2015 following the gazettal of Local Planning Scheme No 6. Local Planning Policies are prepared and adopted to provide guidance on the exercise of discretion on planning matters or to establish standards to guide appropriate development within the Shire of Broome.

The Policies are adopted pursuant to Part 2 clause 4 of the deemed provisions (the deemed provisions are contained in the *Planning and Development (Local Planning Schemes) Regulations 2015*. Planning policies may be amended or rescinded after the procedures set out in Part 2 of the deemed provisions have been completed.

The Policies require review to ensure that they are all relevant to the new Scheme.



## COMMENT

Local Planning Policies perform an important function in the local planning framework to guide planning decisions and to provide consistency and direction to the Council officers and the community on what Council considers acceptable development.

To ensure that appropriate guidance is provided all Planning Policies require review due to the gazettal of LPS7. The purpose and intent of the Policies has not been altered through this review process. A summary of the amendments together with the rationale is contained in **Attachment No 1** and all Policies are attached and any changes are shown tracked in **Attachment No 2**.

The key changes performed include:

- Update to the adoption provisions – previously Local Planning Policies were adopted under Local Planning Schemes. When the Planning and Development (Local Planning Schemes) Regulations 2015 came into effect, the administrative sections of Schemes were removed and inserted into the Deemed Provisions (which included the adoption and review of LPP's). As such the adoption provisions have been updated.
- Update to the references throughout LPS7 including any subsequent changes to zoning title's, definitions and numbering of clause provisions.
- Updates to legislation or other Policy updates made since the last LPP review.

While the changes proposed are deemed minor and administrative in nature, an overview of amendments to LPP's that are beyond the above description are outlined below:

### LPP 5.7 - Development Standards for Development Applications

This policy establishes minimum standard for development to maintain and enhance the amenity and natural environment. It is proposed to include an update to the development standards for crossovers in the Broome Road Industrial Estate and Port Drive Industrial Area, where crossings of road side swales are required. The Policy update clarifies that in these situations the custom crossover design prepared by Development WA for the Broome Road Industrial Estate will be required and for the Port Drive Industrial Area, an engineer will be required to be engaged if the crossover intersects with a road side swale.

### LPP 5.14 – Public Consultation

This policy is designed to clearly define consultation required to meet the statutory and standard consultation requirements for planning matters.

It is recommended that the policy be updated to include email as a form of consultation as well as the existing letter and public advertising formats. Email will be the preferred method of communication, for the following reasons:

- To reduce paper usage;
- Timeliness of delivery - emails result in direct notice to the recipient, which is preferred given the high proportion of remote owners in Broome, the prevalence of

PO Box addresses in Broome and also as Australia Post has reduced the frequency of mail delivery in Broome.

- Reduce postage operational costs to the Shire.
- Aligns with feedback received during engagement undertaken as part of the Corporate Communications and Engagement Strategy.

If the Shire does not hold email addresses for property owners, letters will be posted.

It is also proposed to amend the level D consultation requirements by updating the minimum advertising period from 21 to 28 days to align with changes to the Deemed Provisions and also to remove the requirement specifying that a notice in the newspaper must be repeated over the duration of the consultation period. Level D consultation is the highest level of engagement and requires preparation of a Community Engagement Plan, which would involve various different mediums for seeking community input and feedback on a planning project. The specific need for a minimum of two notices in a newspaper is unlikely to realise improved engagement given the improved reach other platforms have (such as social media).

#### LPP – 5.22 – Shire of Broome Structure Plan and Subdivision Standards

Infrastructure have performed a review of this LPP and proposed some minor adjustments to the footpath widths in proximity to schools and updates to the reticulation specifications for Public Open Space (POS) areas.

The Policy will be further reviewed, specifically Table 1 – POS Distribution and Development Criteria when the Playground Strategy is finalised. Further, the State is in the process of reviewing Liveable Neighbourhoods which would trigger a detailed review of this Policy, once released.

#### Local Planning Policy 5.18

Bed and Breakfast is recommended to be revoked as the Bed and Breakfast land use is now a 'P' (permitted) land use under LPS7 and as such does not require development approval from the Shire. As approval is no longer required and the Scheme provides standards relating to car parking for this use, the Policy is no longer required.

Further, it is noted that the State will be introducing new legislation that comes into effect on 1 July 2024 for all Short-Term Rental Accommodation operators. The operators within Western Australia will be required to register their property to operate and advertise, including on online booking platforms. Local government officers will have access to the register for properties in their Local Government Act, so the Shire will have visibility of operating hosted accommodation providers in the Shire boundaries.

#### Summary

Based on the above comments, it is recommended that Council adopts the proposed amendments to the Local Planning Policies, as set out in Attachment No 2.

## CONSULTATION

The Deemed Provisions as outlined below establish the procedure for amending a local planning policy and establish that a local government may make amendment to a local planning policy if it is of the opinion the amendment is minor. As set out above, the amendments proposed are administrative in nature and do not alter the purpose or intent of the Policy, as such it is deemed that the amendments are minor and in this case can proceed without advertising.

## STATUTORY ENVIRONMENT

*Local Planning Scheme No. 7*

*Planning and Development Act 2005*

*Planning and Development (Local Planning Schemes) Regulations 2015*

### 4. Procedure for making local planning policy

1. *If the local government resolves to prepare a local planning policy the local government must, unless the Commission otherwise agrees, advertise the proposed policy as follows —*
    - (a) *publish in accordance with clause 87 the proposed policy and a notice giving details of —*
      - i. the subject and nature of the proposed policy; and*
      - ii. the objectives of the proposed policy; and*
      - iii. how the proposed policy is made available to the public in accordance with clause 87; and*
      - iv. the manner and form in which submissions may be made; and*
      - v. the period for making submissions and the last day of that period;*
    - (b) *if, in the opinion of the local government, the policy is inconsistent with any State planning policy, give notice of the proposed policy to the Commission;*
    - (c) *give notice of the proposed policy in any other way and carry out any other consultation the local government considers appropriate.*
  2. *The period for making submissions specified in a notice under subclause (1)(a)(v) must not be less than the period of 21 days after the day on which the notice is first published under subclause (1)(a).*
  3. *After the expiry of the period within which submissions may be made, the local government must —*
    - (a) *review the proposed policy in the light of any submissions made; and*
    - (b) *resolve to —*
      - vi. proceed with the policy without modification; or*
      - vii. proceed with the policy with modification; or*
      - viii. not to proceed with the policy.*
- (3A) *The local government must not resolve under subclause (3) to proceed with the policy if —*
- (a) *the proposed policy amends or replaces a deemed-to-comply provision of the R-Codes; and*

- (b) under the R-Codes, the Commission's approval is required for the policy; and*
- (c) the Commission has not approved the policy.*

- 4. If the local government resolves to proceed with the policy, the local government must publish notice of the policy in accordance with clause 87.*
- 5. A policy has effect on publication of a notice under subclause (4).*
- 6. The local government must ensure that an up-to-date copy of each local planning policy made under this Scheme that is in effect is published in accordance with clause 87.*
- 7. Subclause (6) is an ongoing publication requirement for the purposes of clause 87(5)(a).*

## **5. Procedure for amending local planning policy**

- 1. Clause 4, with any necessary changes, applies to the amendment to a local planning policy.*
- 2. Despite subclause (1), the local government may make an amendment to a local planning policy without advertising the amendment if, in the opinion of the local government, the amendment is a minor amendment.*

## **6. Revocation of local planning policy**

*A local planning policy may be revoked –*

- a) by a subsequent local planning policy that*
  - i. is prepared in accordance with this Part; and*
  - ii. expressly revokes the local planning policy;*
- or*
- (b) by a notice of revocation -*
  - i. prepared by the local government; and*
  - ii. published by the local government in accordance with clause 87.*

## **POLICY IMPLICATIONS**

As above.

## **FINANCIAL IMPLICATIONS**

The cost of advertising has been accounted for by existing budget allocations.

## **RISK**

Nil.

## **STRATEGIC ASPIRATIONS**

**Performance - We will deliver excellent governance, service & value for everyone.**

**Outcome 11 - Effective leadership, advocacy and governance**

**Objective** 11.2 Deliver best practice governance and risk management.

**Outcome 12 - A well informed and engaged community**

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

**VOTING REQUIREMENTS**

*Absolute Majority*

**COUNCIL RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Minute No. C/0524/068**

**Moved: Cr P Taylor**

**Seconded: Cr M Virgo**

**That Council:**

- 1. Pursuant to Part 2 clause 5 of the Deemed Provisions, adopts the minor amendments to the following Local Planning Policies as set out in Attachment No 2,:**

- **LPP 5.1 - Outdoor Dining**
- **LPP 5.2 - Staff Accommodation in the Rural, Rural Small-Holdings and Cultural and Natural Resource Use Zone**
- **LPP 5.3 - Miscellaneous Structures**
- **LPP 5.4 - Heritage List Development of Listed Places**
- **LPP 5.5 - Transient Workers Accommodation**
- **LPP 5.6 - Parking**
- **LPP 5.7 - Development Standards for Development Applications**
- **LPP 5.8 - Fences**
- **LPP 5.9 - Development Approvals - Amendments Extensions to Term of Approval and Requests for Further Information**
- **LPP 5.10 - Signs**
- **LPP 5.11 - Telecommunications Infrastructure**
- **LPP 5.12 - Provision of Public Art**
- **LPP 5.13 - Design Guidelines Regional Centre Zone**
- **LPP 5.14 - Public Consultation Planning Matters**
- **LPP 5.15 - Forms of Residential Accommodation**
- **LPP 5.16 - Old Broome Development Strategy**
- **LPP 5.17 - Caretakers Dwelling Attached Offices in the Light Industry Zone**
- **LPP 5.19 - Strata Titling of Tourist Developments in the Tourism Zone**
- **LPP 5.20 - Exempt Development**
- **LPP 5.21 - Non-Conforming Use Register**
- **LPP 5.22 - Shire of Broome Structure Plan and Subdivision Standards**
- **LPP 5.23 - Coastal Planning**
- **LPP 5.24 - Design Review Panel**

**- LPP 5.25 - Holiday House**

- 2. Pursuant to Part 2 clause 6 of the Deemed Provisions, revokes Local Planning Policy 5.18 - Bed and Breakfast.**

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 7/0**

**Attachments**

1. Summary of changes and recommendation
2. Tracked changed amended LPP's

Existing Policy Title	Proposed New Policy Title	Recommendations/ Amendments	Comments
5.1 – Outdoor Dining	N/A	Updated reference	Update reference to Local Planning Scheme and Regulations.  Edited LPS6 to LPS7 throughout the document
		Background Updated	Sentence Change from planning approval to development approval. This is consistence with the wording from LPS7.
		Clause 1.11 – which outlines that applications in the Town Centre Design Guidelines area (i.e. Chinatown) must include a plan showing shade trees to be installed by the developer is proposed to be deleted.	Since the Policy was adopted, the Chinatown Revitalisation project has been implemented which has formalised outdoor dining areas in the precinct and installed shading and landscaping. The need for developers to install shade trees is not applicable given the works implemented and is therefore proposed to be removed.
		Update Adoption Provision	The last Policy review was performed in early 2015, since this time the <i>Planning and Development (Local Planning Schemes) Regulations</i> 2015 have come into effect. The adoption provisions are now contained in the Deemed Provisions in these Regulations so text has been updated to be consistent.
5.2 – Staff Accommodation in the General Agriculture, Rural Small Holdings and Culture and Natural Resource Use Zones	5.2 Workforce Accommodation in the Rural, Rural Smallholdings and Cultural and Natural Resource Use Zones.	Update to reference to land use definitions and zones throughout the Policy.	To be consistent with the terms used in LPS7.
		Updated reference	Update reference to Local Planning Scheme and Regulations.  Edited LPS6 toLPS7 throughout the document
		Update Adoption Provision	The last Policy review was performed in early 2015, since this time the <i>Planning and Development (Local Planning Schemes) Regulations</i> 2015 have come into effect. The adoption provisions

			are now contained in the Deemed Provisions in these Regulations so text has been updated to be consistent.
5.4- Heritage List - development of listed places	N/A	Updated reference	Update reference to Local Planning Scheme and Regulations. Edited LPS6 to LPS7 throughout the document.
		Reference to Conservation Plan proposed to be deleted and replaced with Heritage Impact Statement	To be consistent with terminology referenced in Heritage Council of WA Guidelines.
		Additional background text is proposed to be inserted to clarify what places form part of the Shire of Broome Heritage List.	At the Ordinary Meeting of Council on the 27 June 2019, Council adopted all places graded as level A and B on the Shire's Municipal Inventory as the Heritage List. This background text is recommended to be inserted to provide clarity and is not a change to the policy provisions.
		Update Adoption Provision	The last Policy review was performed in early 2015, since this time the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> have come into effect. The adoption provisions are now contained in the Deemed Provisions in these Regulations so text has been updated to be consistent.
5.5 - Transient Workers Accommodation	5.5 Workforce Accommodation	Updated references.	Update reference to Local Planning Scheme and Regulations. Edited LPS6 to LPS7 throughout the document.
		Delete objective 3 of the Policy which currently states: 'Discourage transient workforce accommodation in the Town Centre, Residential Industry or Tourism zones'.	Workforce Accommodation is now a defined land use under LPS7 and the land use permissibility is now contained in the zoning table. Inclusion of the land use and permissibility's has made this objective obsolete.



			Note: the land use is listed as 'X' in the Residential, Rural Residential, Service Commercial, General Industry and Light Industry zones. In all other zones it is listed as an 'I' which means that it has to be incidental to a predominate land use on site.
		Remove definitions of 'transient workforce accommodation facility' and 'transient workforce' and replace with 'Workforce Accommodation'.	To be consistent with the land use definition under LPS7.
		Delete clause 1.1 (which outlines that the land use will be treated as a use not listed under LPS7) and clause 1.2 (zones where the land use would not be supported).	As this is now a defined land use and included in the zoning table, this provision is obsolete and inconsistent with the Scheme.
5.6 – Parking	N/A	Updated reference	Update reference to Local Planning Scheme and Regulations. Edited LPS6 to LPS7 throughout the document.
		Update reference to LPS7 throughout and amend zoning title from 'Town Centre' to 'Regional Centre' and 'District Centre' from 'Local Centre' 'Light and Service Industry' to 'Light Industry' and 'General Agriculture' to 'Rural'.	To reflect gazettal of LPS7.
		Update Adoption Provision	The last Policy review was performed in early 2015, since this time the <i>Planning and Development (Local Planning Schemes) Regulations</i> 2015 have come into effect. The adoption provisions

			are now contained in the Deemed Provisions in these Regulations so text has been updated to be consistent.
5.7 - Development standards for development applications	N/A	Updated reference	Update reference to Local Planning Scheme and Regulations. Edited LPS6 to LPS7 throughout the document.
		Update Adoption Provision	The last Policy review was performed in early 2015, since this time the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> have come into effect. The adoption provisions are now contained in the Deemed Provisions in these Regulations so text has been updated to be consistent.
5.8 Fences	N/A	Updated reference	Update reference to Local Planning Scheme and Regulations. Edited LPS6 to LPS7 throughout the document.
		Update Appendix One – Form of Public Notice	To be consistent with the wording of advertising notices in the Deemed Provisions.
		Update reference to LPS7 throughout and amend zoning title from ‘Industry’ to ‘General Industry’ and ‘General Agriculture’ to ‘Rural’ and ‘Light and Service Industry’ ‘Light Industry’ and ‘Rural Small Holdings’ to ‘Rural Smallholdings’ and ‘Culture and Natural Resource Use’ to ‘Cultural and Natural Resource Use’.	To reflect gazettal of LPS7.
		Update Adoption Provision	The last Policy review was performed in early 2015, since this time the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> have come into effect. The adoption provisions

			are now contained in the Deemed Provisions in these Regulations so text has been updated to be consistent.
5.9 – Development Approvals – Amendments/Extension to Term of Approval and Requests for Further Information	5.9 – Development Approvals – Amendments/extension to Term of Approval	Updated reference	Update reference to Local Planning Scheme and Regulations. Edited LPS6 to LPS7 throughout the document.
		Updated definition “Substantial Commencement”	To be consistent with the Deemed Provisions and proposed to retain the example in the previous definition for clarity.
		Delete the section in relation to Further Information Requests	Part 9 of the Deemed Provisions now contain ‘procedures for dealing with applications for development approvals’ including requests for further information. As this is now contained in the Deemed Provisions it is proposed to be removed from the LPP.
5.10 – Signs	N/A	Update Appendix One – Form of Public Notice	To be consistent with the wording of advertising notices in the Deemed Provisions.
		Table under Clause 1.7 and Table 1 – update reference to zones	To be consistent with the change in zoning titles in LPS7.
5.11 - Telecommunications Infrastructure	N/A	Updated reference	Update reference to Local Planning Scheme and Regulations. Edited LPS6 to LPS7 throughout the document.
		Updated References to LPS7	Edited Clauses within LPS7 throughout document.

		<p>Updated References to:</p> <ul style="list-style-type: none"> <li>• Commonwealth Telecommunications Code of Practice (2021)</li> <li>• Telecommunications (Low-Impact Facilities) Determination (2018)</li> <li>• Telecommunications Act (1997)</li> </ul>	<p>Updated definition of “Low-Impact Facility” to reflect the definition contained within the Telecommunications (Low-Impact Facilities) Determination (2018).</p> <p>Added additional information to definition of “Mobile telephone service provider” as per the Telecommunications Act, 1997.</p>
5.12 – Provision Of Public Art	N/A	Updated reference	Update reference to Local Planning Scheme and Regulations. Edited LPS6 to LPS7 throughout the document.
		Updated Background	Referencing the updated clause in LPS7 and the new wording.
		Update reference to LPS7 throughout and amend zoning title from ‘General Agriculture’ to ‘Rural’ and ‘Rural Small Holdings’ to ‘Rural Smallholdings’ and ‘Culture and Natural Resource Use’ to ‘Cultural and Natural Resource Use’.	To reflect gazettal of LPS7.
		Updated clause 1.4(b)	To reflect updated title of document ‘Guidelines for Developers Provision of Public Art’.
		Update Adoption Provision	The last Policy review was performed in early 2015, since this time the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> have come into effect. The adoption provisions are now contained in the Deemed Provisions in these Regulations so text has been updated to be consistent.

5.13 – Design Guidelines Town Centre Zone	5.13 – Design Guidelines Regional Centre Zone	Updated reference	Update reference to Local Planning Scheme and Regulations. Edited LPS6 to LPS7 throughout the document.
		Updated Title	Throughout the document to ‘Regional Centre’
		Update Appendix One – Form of Public Notice	To be consistent with the wording of advertising notices in the Deemed Provisions.
		Proposed to delete clause 2.7 – Floor Levels and Floor Protection	The minimum floor levels have been updated and are contained in LPP 5.23 Coastal Planning. Therefore recommended to be deleted from this LPP.
		Update Adoption Provision	The last Policy review was performed in early 2015, since this time the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> have come into effect. The adoption provisions are now contained in the Deemed Provisions in these Regulations so text has been updated to be consistent.
5.14 – Public Consultation Planning Matters	N/A	Update Appendix One – Form of Public Notice	To be consistent with the wording of advertising notices in the Deemed Provisions.
		Updated reference	Update reference to Local Planning Scheme and Regulations.
		Section 1.0 updated to clarify that consultation can be conducted in the form of letter/ <b>email</b> .  Also proposed to include new provision 1.5 to clarify that email will be the preferred consultation method over letters.	To clarify that email notice will be the first preferred method of notification to adjoining landowners for the following reasons: <ul style="list-style-type: none"> <li>• To reduce paper usage;</li> <li>• Timeliness of delivery - Emails result in direct notice to the recipient, which is preferred given the high proportion of remote owners in Broome, the prevalence of PO Box addresses in Broome and also as Australia Post</li> </ul>

			<p>has reduced the frequency of mail delivery in Broome; and</p> <ul style="list-style-type: none"> <li>• Reduce postage operational costs to the Shire.</li> </ul> <p>Letters will still need to be used when the Shire does not hold email addresses of owners.</p>
		Clause 1.11 (iv) updated to require all landowners within 200m of the site be provided with notification and update clause 1.12 to outline that public comment period will be a minimum of 28 days (currently 21 days).	To be consistent with Clause 64 (3)(b) and Clause 64(6) of the Deemed Provisions.
		<p>Amend Clause 1.16 that relates to Level D consultation to require:</p> <ol style="list-style-type: none"> <li>Minimum 28 day comment period; and</li> <li>To remove the need for local newspaper notices to occur repeatedly over the duration of the process.</li> </ol>	<p>Changes are recommended for the following reasons:</p> <ol style="list-style-type: none"> <li>Level D is the highest consultation level and should be a minimum of 28 days – on average most proposals of this nature are advertised for more than 60 days.</li> <li>Newspaper notices were more effective means of engagement prior to social media and the requirement for two notices in newspapers is onerous and incurs additional costs.</li> </ol>
		<p>Schedule 1 updated as follows:</p> <ol style="list-style-type: none"> <li>Remove reference to development strategies.</li> <li>Outline that Telecommunications Infrastructure in the Rural and Cultural and Natural Resource Use zone require Level B consultation.</li> <li>Update the reference to the minimum advertising of a Structure Plan.</li> </ol>	<p>Changes are recommended for the following reasons:</p> <ol style="list-style-type: none"> <li>Development Strategies do not form part of the State Planning Framework and are referred to as Structure Plans.</li> <li>Level A consultation (notice in newspaper, sign on site, etc) considered onerous and offer little value in these two zones. These locations generally have large lot sizes and direct notification to adjoining landowners deemed more appropriate.</li> <li>To be consistent with the Deemed Provisions.</li> </ol>

5.15 - Forms of residential accommodation other than single house	N/A		
		Updated reference	Update reference to Local Planning Scheme and Regulations. Edited LPS6 to LPS7 throughout the document.
		Update to reference to land use definitions 'Ancillary Dwelling and 'Bed and Breakfast Accommodation', 'Habitable Room', 'Tourist Development' throughout the Policy.	To be consistent with the terms used in LPS7.
		Update clause 7.0.	Clause 7.0 currently outlines that an application for Residential Building will be referred to adjoining landowners for comment for a minimum period of 21 days. A Residential Building is an A use which calls for a higher level of consultation and 28 day comment period (to be consistent with the Deemed Provisions). It is recommended that the Policy is updated to directly reference the LPP 5.14 – Consultation – Planning Matters.
		Update Adoption Provision	The last Policy review was performed in early 2015, since this time the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> have come into effect. The adoption provisions are now contained in the Deemed Provisions in these Regulations so text has been updated to be consistent.
5.16 - Old Broome development strategy	N/A	Updated reference	Update reference to Local Planning Scheme and Regulations. Edited LPS6 to LPS7 throughout the document.
		Update reference to LPS7	Update to clause 2.7, 2.12 to new references in LPS7
		Application – delete reference to Local Planning Strategy adopted 21 November 2013	This LPS has been supersede by the Local Planning Strategy endorsed by the WAPC in 2024. Therefore proposed to remove this reference.
		Update Adoption Provision	The last Policy review was performed in early 2015, since this time the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> have come into effect. The adoption provisions

			are now contained in the Deemed Provisions in these Regulations so text has been updated to be consistent.
5.17 - Caretakers dwellings and attached offices in the light and service industry zone	5.17 - Caretakers dwellings and attached offices in the Light Industry zone.	Updated reference	Update reference to Local Planning Scheme and Regulations. Edited LPS6 to LPS7 throughout the document.
		Update reference to LPS7 throughout and amend zoning title from 'Light and Service' to 'Light industry'	To reflect gazettal of LPS7.
		Update Adoption Provision	The last Policy review was performed in early 2015, since this time the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> have come into effect. The adoption provisions are now contained in the Deemed Provisions in these Regulations so text has been updated to be consistent.
5.18 – Bed and Breakfast Accommodation		Policy is to be revoked.	<p>LPS7 has permitted Bed and Breakfast Accommodation for the need to obtain development approval through listing it as a 'P' use. Furthermore the State, through proposed changes to the Deemed Provisions in the Planning and Development (Local Planning Schemes) Regulations 2015 are proposing to exempt Bed and Breakfasts from development approval in all local government areas.</p> <p>The Scheme through the land use definition and the parking standards already includes controls relative to Bed and Breakfasts, as such the Policy is no longer required.</p>
5.19 Strata Titling of Tourist Developments in the Tourist zone	5.19 Strata Titling of Tourist Developments in the <b>Tourism</b> zone	Update reference to LPS7 throughout and amend zoning title from 'Tourist' to 'Tourism'	To reflect gazettal of LPS7.



5.20 - Exempt Development	N/A	Updated reference	Update reference to Local Planning Scheme and Regulations. Edited LPS6 to LPS7 throughout the document.
		Grammatical	Reworded "Background" as statement paraphrasing clause 61 of the Deemed Provisions was not clear.
		Exempt development added to Table 1 - "EV Charging Infrastructure"	Exempt development added to align with WAPC's position statement "Electric Vehicle Charging Infrastructure" (2024).  Policy was reviewed and suggestions to Local Governments for exempt development has been considered and implemented where applicable.
5.21 - Non-conforming Use Register	N/A	Updated reference	Update reference to Local Planning Scheme and Regulations.  Edited LPS6 to LPS7 throughout the document.
		Definitions for: <ul style="list-style-type: none"><li>- "Non-conforming Use"</li><li>- "Register"</li></ul>	Adjusted to reflect definitions contained within the Planning and Development (Local Planning Schemes) Regulations 2015.
		Updated General Provisions	Adjusted to reflect definitions contained within the Planning and Development (Local Planning Schemes) Regulations 2015.
5.22 - Shire of Broome structure plan and	N/A	Update reference to the IPWEA Guidelines	Refer to the most up to date Guidelines.
		Minor text/administrative modifications to reference the correct Scheme and terminology (which includes deletion of the term development	To ensure update reference is made.

subdivision standards		plan which is not an instrument reference in the planning framework anymore)	
		Updates to the clause 2.7 – pedestrian requirements, which specifically relate to footpath widths.	To be clear on the expected standards for development in proximity to schools and activity centres.
		Updated to section 5 – specifications for reticulate systems in POS – text in this section has been reviewed by Infrastructure services to reflect the updated practices implemented with the local development industry. Changes are largely improved wording and formatting	To improve clarity on specifications for reticulation systems in POS areas.
5.23 – Coastal Planning Policy	N/A	Updated reference to Planning Scheme and clauses	To align with the gazetted LPS7.
		Appendix 4 – Broome Town Centre (Chinatown) Protection Area, the required FFL figure was amended from 6.45m AHD to 5.96m AHD.	<p>When Council adopted the LPP at the OMC on the 28 February 2019, the established FFL for the Chinatown area was amended from 6.45m AHD to 5.96m AHD for the following reasons:</p> <ul style="list-style-type: none"> <li>• During advertising of the draft LPP further advice was sought from DPLH. Specifically, Shire officers sought clarification on whether the FFL for new development in Chinatown is required to be consistent with a 1-in-500 year event within the 2070 period (6.45m AHD), or could be further reduced to a FFL consistent with a 1-in-100 year event (5.96m AHD).</li> <li>• Clarifications were sought as there are already several design constraints that affect new development in Chinatown (such as building height restrictions due to the</li> </ul>

			<p>close proximity of Broome International Airport, and increased design standards due to Chinatown's designation as a registered Conservation Area). Concern was raised that the policy in its original draft form could place onerous requirements on land owners, which would adversely impact commercial viability of development and result in design outcomes that are incongruous with the surrounding built form.</p> <ul style="list-style-type: none"> <li>The lesser FFL was recommended as it is consistent with risk planning in other areas, such as riverine flooding. The approach also balanced risk whilst also ensuring that development standards do not stifle development within the Broome town centre.</li> </ul> <p>While the text in the LPP was updated, the Figure was not. This change is correcting an administrative error as the update should have been made following adoption at the February 2019 OMC.</p>
5.24 - Design Review Panel	N/A	Updated reference	Update reference to Local Planning Scheme and Regulations. Edited LPS6 to LPS7 throughout the document.
		Update Appendix One – Form of Public Notice	To be consistent with the wording of advertising notices in the Deemed Provisions.
5.25 - Holiday House	N/A	Updated reference	Edited LPS6 to LPS7 throughout the document
		Dwelling Requirement removed: Minimum 350m2 total Site Area	Removed to reduce confusions with the public regarding Strata owners and reflect that not all properties are in fact above the 350m2 requirements.

		Clause 2.2 expanded.	Reference to LPP 5.10 – Signs made to clarify dimension and location.
		Insert Adoption Provision	Adoption provisions were not included in original policy.

## LOCAL PLANNING POLICY

## 5.1

<b>TITLE:</b>	<b>OUTDOOR DINING</b>
<b>ADOPTED:</b>	OCM 8 June 2006 – Pages 23-25
<b>REVIEWED:</b>	OCM 29 October 2009– Pages 79 – 80 OMC 19 April 2012 – Pages 60 – 61 OMC 30 July 2015 – Pages 28 – 40 OMC 17 December 2015 – Pages 110 – 121 OMC 25 May 2017 – Pages 85 – 260 OMC 14 December 2017 – Pages 1030 - 1043 OMC <del>XX</del>
<b>ASSOCIATED LEGISLATION:</b>	Local Government Act 1995 Local Planning Scheme No <del>76</del> (LPS <del>76</del> )
<b>ASSOCIATED DOCUMENTS:</b>	Shire of Broome Trading, Outdoor Dining and Street Entertainment Local Law 2016
<b>REVIEW RESPONSIBILITY:</b>	Director Development Services
<b>DELEGATION:</b>	Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.
<b>APPLICATION:</b>	This policy applies to the townsite of Broome only.

[Previous Policy Number: 8.3](#)

### Background:

The Shire of Broome Trading, Outdoor Dining and Street Entertainment Local Law (the Local Law) 2016 requires that an outdoor dining licence must be issued before a person conducts outdoor dining (also known as alfresco dining) in a public place. The Local Law establishes restrictions on all licence holders and sets out what is required to be submitted with an application, however, the Local Law does not provide direction on when the Shire would exercise its discretion and issue a licence.

Furthermore, under the provision of LPS~~76~~, outdoor dining is development and therefore an application for development approval must also be submitted with an application for an outdoor dining licence under the Local Law.

This policy will establish minimum requirements that will be considered by the Shire in assessing an application for a licence and planning approval for an outdoor dining area.

**Objective:**

1. Encourage where appropriate outdoor dining and streetscape activity to enhance the visual amenity and perception of outdoor lifestyle associated with Broome.
2. Provide a safe area for establishment of outdoor dining areas so they do not jeopardise the safety of patrons, pedestrians, or motorists.

**Policy:**

- 1.1 An application for an outdoor dining licence under the Local Law and application for development approval under LPS76 must be submitted and approved prior to the commencement of outdoor dining.
- 1.2 An application for outdoor dining must include the following:
  - a) An outdoor dining licence application form.
  - b) A development application form.
  - c) Fees as prescribed under the Shire of Broome Schedule of Fees and Charges.
  - d) ~~Three copies of a~~All plans and accompanying material set out in Clause 3.4 of the Local Law; and
  - e) ~~Two copies of A~~ the site plan and floor plan of the adjacent eating-house.
- 1.3 A minimum of 2.0 metres of the footpath must remain unobstructed adjacent to any outdoor dining area.
- 1.4 The outdoor dining areas must be located in a manner, which does not obstruct kerbside parking.
- 1.5 The outdoor dining areas must be suitably located with respect to adjacent street furniture, so that these features are not unreasonably obstructed and at all times a minimum 2.0 metre unobstructed footpath is maintained.
- 1.6 The outdoor dining area must be located immediately adjacent to an eating-house. Where it proposed to be located adjacent to the kerb, suitable access will need to be provided for parked vehicles and safety barriers may be required.
- 1.7 Licensees must maintain public liability insurance cover relating to all items and operations within the road reserve. Insurance cover must be not less than \$10,000,000 and be from a reputable underwriter.
- 1.8 All tables, chairs, barriers, umbrellas to be of a weight and construction so as not to move in a strong breeze. Before the wind reaches strength where any of the furniture could move, the furniture must be removed from the outdoor dining area. All furniture is to be removed immediately

when a blue alert for a cyclone is issued and not replaced until the all-clear is given.

1.9 The eating-house relating to the outdoor dining area must have sufficient toilet facilities to cater for the additional seating.

1.10 All street furniture must be removed from the road reserve outside of the hours of operation as stipulated on the licence issued.

~~1.11 Any proposals for outdoor dining that falls within an area subject of design guidelines, must address the relevant provisions. Particularly the following must be addressed:~~

~~a) In the area subject of the Town Centre Design Guidelines:~~

- ~~▪ any application must be submitted with a site plan showing location and species of shade trees to be installed by the developer; and~~
- ~~▪ All verandahs, awnings and other overhangs must be designed to ensure they do not inhibit trees in the public domain achieving full mature canopies; and~~
- ~~▪ Alfresco (outdoor dining structure) within verge areas must provide integrated public access ways through the alfresco area.~~

#### SHIRE OF BROOME LOCAL PLANNING SCHEME No. ~~67~~ (LPS~~67~~) – LOCAL PLANNING POLICIES

~~This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.~~

~~Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 of the deemed provisions of LPS7 have been completed.~~

~~This Policy is a Local Planning Policy adopted under the provisions of Clause 2.4 of LPS6. LPS6 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS6 was gazetted and came into operation on the 30 January 2015.~~

~~Planning policies adopted under LPS6 may be amended or rescinded after the procedures set out in Clause 2.4 and 2.5 have been completed.~~

## LOCAL PLANNING POLICY

## 5.2

<b>TITLE:</b>	<del>STAFF WORKFORCE</del> ACCOMMODATION IN <del>RURAL, GENERAL AGRICULTURE,</del> RURAL SMALL-HOLDINGS AND CULTURAL AND NATURAL RESOURCE USE ZONES
<b>ADOPTED:</b>	OCM 15 April 2010 – Pages 48 – 50 <del>OMC 30 July 2015 – Pages 28 – 40</del> <del>OMC 17 December 2015 – Pages 110 – 121</del> <del>OMC 25 May 2017 – Pages 85 – 260</del> <del>OMC 14 December 2017 – Pages 1030 – 1043</del> <del>OMC 12 December 2019 – Pages 213 – 221</del>
<b>REVIEWED:</b>	<del>OMC 30 July 2015 – Pages 28 – 40</del> <del>OMC 17 December 2015 – Pages 110 – 121</del> <del>OMC 25 May 2017 – Pages 85 – 260</del> <del>OMC 14 December 2017 – Pages 1030 – 1043</del> <del>OMC 12 December 2019 – Pages 213 – 221</del> <del>OMC..</del>
<b>ASSOCIATED LEGISLATION:</b>	Planning and Development Act 2005 <a href="#">Planning and Development (Local Planning Schemes) Regulations 2015</a>
<b>ASSOCIATED DOCUMENTS:</b>	Local Planning Scheme No 7 (LPS7 <del>6</del> )
<b>REVIEW RESPONSIBILITY:</b>	Director Development <del>Services &amp; Community Services</del>
<b>DELEGATION:</b>	Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.
<b>APPLICATION:</b>	This policy applies in the <del>General</del> Rural, Rural Residential, Rural Small Holdings and Culture and Natural Resource Use zones within LPS7 <del>6</del> .

~~Previous Policy Number 8.4~~

**Background:**

The policy is required to provide guidelines for the provision of ~~staff workforce~~ accommodation in 'rural' zones, while discouraging temporary accommodation for persons not directly employed on rural properties which would be inconsistent with the objectives of the zone and the amenity of the area.



Note, this policy does not apply to development standards for accommodation of transient workers involved in finite projects. LPP 5.58-8 Transient Workers Accommodation applies to such forms of development.

**Objective:**

1. Provide guidelines for development of staffworkforce accommodation in 'rural' zones;
2. Maintain the character of 'rural' areas;
3. Discourage temporary accommodation for off-site workers in rural areas.

**Definitions:**

~~“staff accommodation” means shared self contained living accommodation, used for the accommodation of persons directly employed in an approved activity carried out on the lot.~~

**Policy:**

**General Requirements**

- 1.1 An application for development approval for workforcestaff accommodation in the Rural Small holdings ~~Holdings~~ zone shall comply with the following requirements:
  - (i) The maximum floor area, measured from the external face of the walls of the accommodation unit shall not exceed 100m<sup>2</sup> (excluding carport / garage);
  - (ii) The proposed accommodation unit must be secondary to the existing dwelling and no more than one (1) staff-workforce accommodation unit may be approved on a lot;
  - (iii) The accommodation unit cannot be a caravan or park home;
  - (iv) Persons staying within the staffworkforce accommodation must be directly employed in an approved activity carried out on the lot;
  - (v) An operating rural activity must be taking place on site prior to any application being considered and details must be supplied demonstrating why the approved activity requires employees additional to the landowners or occupants of the main residence. The occupation of the premises for seasonal activities only (i.e. mango fruit picking) is not sufficient grounds to support staffworkforce accommodation;
  - (vi) The lot has an area of not less than 5 ha;
  - (vii) The applicant can demonstrate that the staffworkforce accommodation unit can be adequately serviced with water, power and effluent disposal;

- (viii) The proposed accommodation unit will not detract from the landscape values of the locality as seen from any public road or from any dwelling on adjacent lots.

1.2 An application for development approval for ~~staffworkforce~~ accommodation in the ~~Rural~~~~General Agriculture~~ and Cultural ~~ale~~ and Natural Resource Use zones shall comply with the following requirements:

- (i) Persons staying in the ~~staffworkforce~~ accommodation must be directly employed in the agricultural activity carried out on site the lot;
- (ii) The proposed accommodation unit(s) will not detract from the landscape values of the locality as seen from any public road; and
- (iii) The applicant can demonstrate that the ~~staffworkforce~~ accommodation unit can be adequately serviced with water, power and effluent disposal.

#### SHIRE OF BROOME LOCAL PLANNING SCHEME No. ~~76~~ (LPS~~76~~) – LOCAL PLANNING POLICIES

~~This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.~~

~~Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 of the deemed provisions of LPS7 have been completed.~~

~~This Policy is a Local Planning Policy adopted under the provisions of Clause 2.4 of LPS6. LPS76 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS76 was gazetted and came into operation on the 28<sup>th</sup> 30 September 2023 January 2015.~~

~~Planning policies adopted under LPS76 may be amended or rescinded after the procedures set out in Clause 2.4 and 2.5 have been completed.~~

## LOCAL PLANNING POLICY

5.3

<b>TITLE:</b>	MISCELLANEOUS STRUCTURES (Sea Containers, Storage Containers & Sprinkler and Hydrant Water Tanks)
<b>ADOPTED:</b>	OMC15 April 2010 – Pages 51 - 53
<b>REVIEWED:</b>	OMC 30 July 2015 – Pages 28 - 40 OMC 17 December 2015 – Pages 110 - 121 OMC 25 May 2017 – Pages 85 – 260 OMC 14 December 2017 – Pages 1030 – 1043 OMC 12 December 2019 – Pages 213 – 221 <u>OMC **/**/****</u>
<b>ASSOCIATED LEGISLATION:</b>	Planning and Development Act 2005 <u>Planning and Development (Local Planning Schemes) Regulations 2015</u> Local Planning Scheme No <u>76</u> (LPS <u>76</u> )
<b>ASSOCIATED DOCUMENTS:</b>	
<b>REVIEW RESPONSIBILITY:</b>	Director Development & <del>Community</del> Services  Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.
<b>DELEGATION:</b>	
<b>APPLICATION:</b>	This policy applies to the LPS <u>76</u> area.  <u>Previous Policy Number 8.5</u>

### Objective:

1. Provide guidance on the development of miscellaneous structures in the Shire of Broome.
2. Prevent miscellaneous structures from having an adverse visual impact on the streetscape, amenity, and surrounding properties.

### Definitions:

‘Sea Container’ ~~is~~ means a large metal container originally manufactured to carry goods on a sea vessel.

‘Sprinkler and Hydrant Water Tank’ means water storage for firefighting purposes when mains water supply is unavailable or insufficient.

‘Storage Structure’ means - a prefabricated ensemble building (either new or ~~of~~ second-hand) designed for storage (including buildings commonly called Dongas).

### Policy:

#### Exemptions from Development Approval Requirements

- 1.1 Development approval is not required for a sea container or storage structure, which is:
- a) fully enclosed within a building;
  - b) associated with loading or unloading for shipping, provided that the sea container or storage structure does not remain on site for longer than fourteen (14) days;
  - c) stored in conjunction with the operation of an approved storage facility/depot/laydown area or port related activity;
  - d) used for the storage of materials and equipment related to construction where a building permit has been issued, is current and construction activity is being undertaken on site; or
  - e) used in association with a pastoral activity in the Agriculture-Rural zone.
- 1.2 Any sea containers or storage structures exempt above, must be adequately tied down during the cyclone season (1st December to 30th April inclusive).
- 1.3 The installation of structures classed as Exempt Development in an adopted Local Planning Policy does not require development approval.

#### Sea Containers and Storage Structures

- 1.4 Unless exempt from development approval as specified above, an application for development approval for a sea container and/or storage structure must comply with the following requirements:
- a) The container or structure must be wholly located within the boundaries of a property and as a minimum be setback from the boundaries the distance prescribed under LPS ~~76~~ for the relevant zone;
  - b) The container or structure must be screened from view from any road or any public place;
  - c) The use undertaken must relate directly to and be ancillary to, the approved use on the property;

- d) The container or structure must not be stacked vertically above one another; and
- e) The container or structure must be adequately tied down as required to meet the structural requirements for a wind region C terrain category 2 wind conditions and certified by a structural engineer during the cyclone season (1st December to 30th April inclusive).

1.5 This Policy does not provide direction on proposals for short-term use of sea containers for commercial activities (commonly referred to as popup traders). Such proposals would require the submission of a development application and would be determined by Council.

#### Permanent Use of Sea Containers and Storage Structures

1.6 Permanent installation of containers will not be permitted in the 'Residential,' '~~Town-Regional~~ Centre,' '~~District Centre~~,' 'Local Centre,' 'Mixed Use' or 'Tourism~~m~~' zone.

1.7 The table below details the maximum number of sea containers that may be considered for lots within the different zones and any additional development requirements to those outlined in the general requirements above:

Zone	Maximum Number of Containers	Additional Requirements
Rural Residential	2	<ul style="list-style-type: none"> <li>The whole portion of the container(s) is to be behind existing approved buildings on the property; or</li> <li>The whole portion of the container(s) is to be behind an existing vegetation screen; and</li> <li>No portion of the sea container(s) shall be visible from any adjoining public place or road.</li> </ul>
Service Commercial	2	<ul style="list-style-type: none"> <li>The whole portion of the container(s) is to be behind existing approved buildings on the property.</li> <li>Sea containers cannot be visible from Fredrick Street.</li> </ul>
<del>General</del> Industry	10	
Light <del>and</del> <del>Service</del> Industry	10	

General Agriculture Rural, and Cultural and Natural Resource	10	<ul style="list-style-type: none"> <li>No portion of the sea container(s) shall be visible from any adjoining public place or road.</li> </ul>
Rural-Small Holdings-Small-holdings	10	<ul style="list-style-type: none"> <li>No portion of the sea container(s) shall be visible from any adjoining public place or road.</li> </ul>
Special Use zones - Low Impact Tourist Development	5	<ul style="list-style-type: none"> <li>To be positioned within an identified service area and screened from any tourist development.</li> </ul>
Settlement	At the discretion of the Shire	<ul style="list-style-type: none"> <li>No portion of the sea container(s) shall be visible from any adjoining public place or road.</li> </ul>
Special Use	At the discretion of the Shire	<ul style="list-style-type: none"> <li>No portion of the sea container(s) shall be visible from any adjoining public place or road.</li> </ul>
Development	In accordance with the zone identified under an adopted Structure Plan.	
Reserve	At the discretion of the Shire	<ul style="list-style-type: none"> <li>No portion of the sea container(s) shall be visible from any footpath, road, or active recreation spaces.</li> </ul>

### Sprinkler and Hydrant Water Tanks

Commercial buildings with a floor area in excess of 500m<sup>2</sup> are required to address fire requirements (Building Code of Australia). Due to the reduced pressure in the reticulated water supply, an onsite hydrant water system may be required to be provided. Large storage tanks can impact upon the surrounding amenity and streetscape.

- 1.8 Any commercial development which requires the provision of a sprinkler and hydrant water tank system must be shown on the application for development approval and included on the site plan with elevations of the structure.
- 1.9 Any sprinkler and hydrant water tanks must:
- be positioned on site so as to be screened from view of the road or public place;
  - not be located within a building setback area specified in LPS76;
  - not cause overshadowing or obstruct views or sight-lines;

- d) not detract from the amenity of the area, by way of location, size, height, shape, colour, or materials; and
- e) not detrimentally affect the heritage significance of a property included on the heritage list.

**SHIRE OF BROOME LOCAL PLANNING SCHEME No. ~~76~~ (LPS~~76~~) – LOCAL PLANNING POLICIES**

This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.

Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 of the deemed provisions of LPS7 have been completed.

~~This Policy is a Local Planning Policy adopted under the provisions of Clause 2.4 of LPS76. LPS76 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS76 was gazetted and came into operation on the ~~28~~30 September/January 202315.~~

~~Planning policies adopted under LPS76 may be amended or rescinded after the procedures set out in Clause 2.4 and 2.5 have been completed.~~

## LOCAL PLANNING POLICY

## 5.4

<b>TITLE:</b>	HERITAGE LIST - DEVELOPMENT OF LISTED PLACES
<b>ADOPTED:</b>	OCM 15 April 2010 – Pages 54 - 56
<b>REVIEWED:</b>	OCM 30 July 2015 – Pages 28 – 40 OCM 17 December 2015 - Pages 110 – 121 OCM 25 May 2017 – Pages 85 – 260 OCM 14 December 2017 – Pages 1030 – 1043 OCM 12 December 2019 – Pages 213 - 221 <a href="#">OMC..</a>
<b>ASSOCIATED LEGISLATION:</b>	Local Government Act 1995 <a href="#">Planning and Development Act 2005</a> <a href="#">Heritage of Western Australia Act 2018</a> <a href="#">Local Planning Scheme No. 7 (LPS7)</a>
<b>ASSOCIATED DOCUMENTS:</b>	<a href="#">Planning and Development Act 2005 Local Planning Scheme No. 6 (LPS6)</a> <a href="#">Heritage of Western Australia Act 1990</a>
<b>REVIEW RESPONSIBILITY:</b>	Director Development <a href="#">Services &amp; Community Services</a>
<b>DELEGATION:</b>	Delegations are exercised in accordance with delegation granted in terms of section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified others.
<b>APPLICATION:</b>	This policy applies to the LPS67 area.
<a href="#">Previous Policy Number: 8.6</a>	

**Objective:**

1. Ensure the protection, maintenance and integrity of places listed on the Shire of Broome's Heritage List;
2. Ensure there is a record of heritage buildings and places prior to substantial works being undertaken;
3. Prevent premature or unnecessary demolition of heritage buildings.

**Policy:****Exemptions from Planning Approval Requirements**

- 1.1 Development approval is not required for:
  - any works of a minor internal nature, including the painting and/or rendering of internal walls or ceilings;
  - general maintenance that does not affect the external appearance of the place.



## General Requirements

At the Ordinary Meeting of Council on the 27 June 2019, Council adopted amendments to the Shire of Broome Municipal Inventory and adopted all places graded as level A and B on the Municipal Inventory as the Heritage List pursuant to section 8 of the Deemed Provisions. As such places graded as level A and B on the Municipal Inventory form the Shire of Broome's Heritage List

- 1.2 Unless exempt from development approval requirements as specified above, the following procedure shall be followed for any proposed demolition, development or redevelopment of a building or place listed on the Shire of Broome's Heritage List:
- (i) All proposals for the demolition, development or redevelopment of a listed building or place shall be subject to a formal Development Application;
  - (ii) All proposals shall be dealt with in accordance with the provisions of Part 3 of the Deemed Provisions;
  - (iii) The Shire shall in assessing a proposal for development or redevelopment give due regard to the level of management as applied to the building or place. In this respect, conditions may be applied to a proposal to protect the integrity of the significance of the place. The Shire may also consider relaxing some development standards if it results in the protection of the integrity of the building or place, provided it does not prejudice the orderly and proper planning of the site and area;
  - (iv) Where a building or place has been listed on the State Register of Heritage Places or the Shire has recommended listing on the State Register of Heritage Places and a decision has not yet been made, the Shire shall refer a proposal for development or redevelopment of that site to the Heritage Council of WA for comment. Any comments provided by the Heritage Council shall be taken into account when applying conditions to the proposal;
  - (v) Where a proposal will result in a physical change to any external part of a building or a significant alteration to, or demolition of, a place, then historical photographic record is to be taken prior to such works taking place and that record is to be lodged with the Shire;
  - (vi) Where a significant alteration or addition to a place is proposed, the Shire may require the preparation of a Conservation Plan Heritage Impact Statement consistent with the guidelines produced by the Heritage Council of WA and prepared -by a qualified professional prior to such works taking place;
  - (vii) If an application is received to demolish a heritage building the Shire shall not issue a demolition permit without a development application being approved and a building permit being issued for a replacement building;
  - (viii) If an application is received to subdivide land on which a listed building or place is situated, the Shire may support such subdivision only where the integrity of the building or place is not compromised.

SHIRE OF BROOME LOCAL PLANNING SCHEME No. ~~76~~ (LPS~~76~~) – LOCAL PLANNING POLICIES

This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.

Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 of the deemed provisions of LPS7 have been completed.

~~This Policy is a Local Planning Policy adopted under the provisions of Clause 2.4 of LPS6. LPS6 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS6 was gazetted and came into operation on the 30 January 2015.~~

~~Planning policies adopted under LPS6 may be amended or rescinded after the procedures set out in Clause 2.4 and 2.5 have been completed.~~

## LOCAL PLANNING POLICY

5.5

<b>TITLE:</b>	<del>TRANSIENT WORKERS</del> <u>WORKFORCE</u> <b>ACCOMMODATION</b>
<b>ADOPTED:</b>	OCM 10 June 2010 – pages 54 - 57
<b>REVIEWED:</b>	OCM 30 July 2015 – Pages 28 – 40 OCM 17 December 2015 – Pages 110 – 121 OCM 25 May 2017 – Pages 85 – 260 OCM 14 December 2017 – Pages 1030 – 1043 OCM 12 December 2019 – Pages 213 - 221 <u>OMC X</u>
<b>ASSOCIATED LEGISLATION:</b>	Planning and Development Act 2005 <a href="#">Planning and Development (Local Planning Schemes) Regulations 2015</a> Local Planning Scheme No <u>76</u> (LPS <u>76</u> )
<b>ASSOCIATED DOCUMENTS:</b>	
<b>REVIEW RESPONSIBILITY:</b>	Director Development & <del>Community</del> Services
<b>DELEGATION:</b>	Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.
<b>APPLICATION</b>	This policy applies to the LPS <u>76</u> area

Previous Policy Number: 8.8

### Objective:

1. Identify ~~Transient~~ Workforce Accommodation as distinct from other forms of short and long term residential accommodation.
2. Provide a safe and functional living environment for the ~~transient~~ workforce associated with industrial, resource and construction development in the Shire of Broome.
- ~~3. Discourage transient workforce accommodation in the Town Regional Centre, Residential, Industrial (General Industry, Light Industrial or Industry) or Tourism zones.~~
- 4.3. Minimise the impact of ~~transient~~ workers accommodated in Workforce Accommodation on residents and businesses in the Shire of Broome.

5.4. Ensure occupancy of ~~transient~~ workforce accommodation facilities is limited to transient workers or working couples.

#### Definitions:

~~'transient workforce accommodation facility' is "a building or group of buildings used for the accommodation of transient workers, and it may comprise of bedrooms, dining rooms, kitchens, ablutions, toilets and appropriate amenity area, and associated parking areas, but does not include a hotel, motel, tourist accommodation, permanent residential accommodation or caravan park or camping grounds."~~

~~'Transient Workforce' is that means a temporary or intermittent workforce employed on one or more finite projects in or based in the Shire of Broome. It does not include workforce employed in the normal ongoing operation of any business or industry.~~

Workforce Accommodation means premises which may include modular or relocatable buildings, used –

- a. primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and
- b. for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.

#### Policy:

#### Assessment Criteria:

1.1 ~~Transient Workforce Accommodation is not listed in the list of use classes in LPS7 and the Shire may consider applications for this use in accordance with the "Use Not Listed" clause 18 sub clause 4 provision of the Scheme.~~

~~1.2 Applications for transient workers accommodation in the Town Regional Centre, Residential, Industrial or Tourism zone will not be supported.~~

1.3.2 When considering applications for development approval for ~~Transient~~ Workforce Accommodation, the Shire will have regard to:

- (i) The objectives for the various zones and reserves set out in LPS76.
- (ii) Any relevant local planning policy.
- (iii) The location and site characteristics of the property and the immediate surrounding area.
- (iv) Comments received from surrounding and nearby landowners and residents.
- (v) The impact on and from adjoining uses.
- (vi) The time frame for the occupancy of the proposed facility.
- (vii) The design form and the likely impact on the future use of the land.
- (viii) Access to existing services and infrastructure.

- (ix) The safe and efficient transportation of residents, goods and materials to, from and within the facility—.
- (x) The ability of the residents of ~~transient~~ workforce accommodation facilities to access associated services and amenities within the town.
- (xi) The scale and overall quality of the development—.
- (xii) Proposed management of emergency, environmental, and health issues—.
- (xiii) Relevant legislation, State Planning Policies, Development Control Policies and Planning Bulletins published by the Western Australian Planning Commission, and other publications or guidelines produced by State agencies—.
- (xiv) Whether the applicant has investigated all other avenues for the accommodation of the workforce with existing accommodation providers and can demonstrate that this is not feasible—.

1.4.3 The Shire may require, by signed agreement, a statement setting out the agreed management arrangements for the facility and a commitment to the date and details of rehabilitation and conversion or rehabilitation of the site—.

### Development requirements

#### Site Cover:

2.1 A maximum site coverage of 40% is permitted.

#### Front Building Setbacks:

2.2 Buildings should be setback from a boundary to a public road a minimum of 9.0 metres, although this may need to be increased to provide adequate landscaping and screening—.

#### Side and Rear Building Setbacks:

2.3 Buildings should be setback from boundaries a minimum of 6.0 metres, although the need for perimeter landscaping for screening purposes, areas for firebreaks, setbacks and access for maintenance and pedestrians will also need to be taken into account.

#### Building Height:

2.4 A ~~Transient~~ Workforce Accommodation facility can include multiple levels but must observe the following height ~~limits~~ limits: maximum plate height of 6.5 m, and maximum building height of 10.5 ~~m~~ m.

#### Parking

2.5 Provision is to be made for car parking at a rate of one car parking bay per ~~transient~~ worker accommodated, unless residents are transported to and from the site by the operator and management details are submitted with the

application for development approval. Additional parking may be required for transit buses, boats, trailers, caravans and other recreational vehicles at a rate of one parking/storage bay per 10 ~~transient~~ workers accommodated—.

#### Landscaping/ Open Space:

- 2.6 Each ~~transient~~ workforce accommodation facility shall be provided with landscaped and/ or grassed outdoor recreation area(s), at a minimum rate of four square metres per person accommodated (excluding boundary landscaping). This may be reduced by up to one quarter of the rate when recreational infrastructure such as swimming pools, gymnasiums and covered barbecue areas is provided.
- 2.7 As a minimum, outdoor recreation areas shall provide shade and include outdoor cooking facilities.
- 2.8 Car parking and external storage areas, bin compounds and other unsightly structures should be suitably screened to reduce visual impact—.
- 2.9 Each accommodation unit/suite shall be provided with an area of private space for the exclusive use of the resident. This space may be provided external to the ~~unit, but~~unit but must be easily accessible. Desirable forms of private space include courtyards, viewing decks and balconies.

#### Climate Responsive Design

- 2.10 Accommodation units and outdoor areas are designed to reduce solar penetration and include access to breezes—.

#### Other Considerations

##### Period of Operation

- 3.1 Approval will only be given for suitable ~~Transient Worker Establishments~~Workforce Accommodation for a period of five years. Such facilities are not considered to be required as part of the permanent infrastructure of the Broome Townsite but may be necessary components to facilitate development in the short term.

##### Liquor Licensing:

- 3.2 Any alcohol made available for sale will only be supported where alcohol is for resident transient workers. At no time will the Shire support a Liquor License where alcohol is made available to the general public.

##### Food Premises:

- 3.3 Any food premises in the facility will only be permitted for the provision of food to the resident ~~transient workers~~of the Workforce Accommodation.

## Management Plan

3.4 Council may require a management agreement in the form of a deed of agreement as a condition of approval. Where Council requires a management plan to be provided in should address the following issues:

- (i) Provision of a full-time on-site manager.
- (ii) The landlord tenant relationship with the employer of the ~~transient~~ workers, not with the workers themselves—.  
*Note: This is to ensure that facility fulfils its intended purpose of providing accommodation for ~~transient~~ workers and does not get used as budget holiday accommodation or for ~~non-transient~~ workers not employed in the activity undertaken on site.*
- (iii) Control of resident ~~transient worker~~ behaviour.
- (iv) Refuse collection arrangements.
- (v) Ongoing maintenance of buildings, fencing, structures, car parking and access ways, and landscaped areas.
- (vi) Appropriate emergency procedures including fire and cyclone.
- (vii) Decommissioning and restoration of the site.

## Rehabilitation of the site:

3.6 A rehabilitation plan must be submitted with the application for ~~planning development~~-approval setting out how the site will be rehabilitated to the pre-development conditions upon expiry of the approval period.

## SHIRE OF BROOME LOCAL PLANNING SCHEME No. ~~76~~ (LPS~~76~~) – LOCAL PLANNING POLICIES

This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023—.

Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 of the deemed provisions of LPS7 have been completed.

~~This Policy is a Local Planning Policy adopted under the provisions of Clause 2.4 of LPS6. LPS6 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS6 was gazetted and came into operation on the 30 January 2015.~~

~~Planning policies adopted under LPS6 may be amended or rescinded after the procedures set out in Clause 2.4 and 2.5 have been completed.~~

**LOCAL PLANNING POLICY****5.6****TITLE:** Parking**ADOPTED:** OCM 30 September 2010 – Pages 55 - 61

OMC 30 July 2015 – Pages 28 – 40

OMC 17 December 2015 – Pages 110 – 121

**REVIEWED:** OMC 15 December 2016 – Pages 204 -209

OMC 14 December 2017 – Pages 1030 – 1043

OMC 12 December 2019 – Pages 213 – 221

OMC.

**ASSOCIATED LEGISLATION:** *Planning and Development Act 2005*  
*Planning and Development (Local Planning Schemes) Regulations 2015*  
 Local Planning Scheme No ~~7~~<sup>6</sup>

**ASSOCIATED DOCUMENTS:** Car Parking & Cash-in-Lieu in Chinatown Discussion Paper dated 18 August 2005

**REVIEW**

**RESPONSIBILITY:** Director Development ~~Services & Community Services~~  
 Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.

**DELEGATION:**

**APPLICATION:** This policy applies to the LPS7 area

~~Previous Policy Number 8.9~~**Background:**

~~Schedule 4 Item 1 of Local Planning Scheme No 7~~  
~~Clause 4.7 of Local Planning Scheme No 6 (LPS6)~~ requires that all development applications must make appropriate provision for car parking. Schedule ~~95~~<sup>76</sup> of LPS~~7~~<sup>6</sup> details the number of bays required for each land use class. This policy is to be read in conjunction with the provisions of LPS~~7~~<sup>6</sup>.

**Objective:**

1. Establish the minimum standards for car parking construction to achieve an appropriate level of amenity;
2. Ensure parking is provided which is safe, convenient and practical for the operation of the site and the community in general; and
3. Establish criteria for where consideration may be given to allowing parking to be provided off-site, within an adjacent road reserve or as cash-in-lieu.



## Definitions:

**Chinatown** is the area shown in Figure 1.

**Internal trip capture** is where a land use included in a development application will generate a reduced or no independent parking demand due to its reciprocal parking relationship with another use. Relevant considerations include:

- i. Clear establishment of a relationship between different land uses on the same site, such as function rooms provided within a tourist development for use by hotel patrons.
- ii. How a claimed reduction relates to the scale of activity (for example, a smaller restaurant co-located within a tourist development has less capacity to accommodate public diners than a larger restaurant).
- iii. Whether land uses within a development are open to the public (for example, a fitness centre provided in a tourist development for the exclusive use of hotel patrons).

## Policy:

### 1.0 Parking Ratios

1.1 Clause ~~3(a)4.3.3~~ 26(2)(a) of LPS~~67~~ does not apply in the determination of the required ratio for car parking for Grouped and Multiple Dwellings in Chinatown, parking for these land uses will be calculated in accordance with the provisions of the Residential Design Codes.

1.2 The required number of parking bays and dimensions for all development is set out in Schedule ~~59~~ of LPS~~76~~.

1.3 For properties zoned ~~Town Centre~~Regional Centre but not within Chinatown the required number of parking bays is to be calculated based on the most relevant land use within Schedule ~~59~~. The ratio of car parking for land uses in Chinatown is to be calculated at the rate established for the '~~Regional Centre~~~~Town Centre~~~~Chinatown~~' zone under Schedule ~~59~~ of LPS~~76~~.

1.4 If an application for development approval does not comply with the parking ratios in Schedule ~~59~~ of LPS~~76~~ and:

- the applicant does not seek to meet the parking demand by any other means provided under this Policy; or
- it cannot be considered as reciprocal parking under clause 1.5 below;

the applicant must demonstrate that the ratio contained in Schedule ~~59~~ exceeds the demand for car parking generated by the development. In this regard the applicant must supply the following information:

- a) Empirical evidence, supported by advice from a qualified traffic engineer, that the ratios in Schedule ~~59~~ are not appropriate for the type or scale of development proposed. The empirical evidence could be in

the form of a traffic survey undertaken of a similar existing development during peak tourist season; and/or

- b) Reductions to the parking rate may be considered if it is shown that there will be internal trip capture.

- 1.5 Any application proposing a variation to the parking ratios in Schedule ~~59~~ must be determined by Council.

#### Reciprocal Parking

- 1.6 Further to ~~Schedule 4 Item 1(4) Clause 4.7.2.1 of LPS76~~, an applicant may seek that the total number of parking bays required to be provided under Schedule ~~59~~ is reduced where the bays would be used on a reciprocal basis between different land uses on the same site. If proposed, the application must demonstrate the following:

- a) The different land uses operate at different times;  
 b) The operating times of the different land uses will be permanent and will form a condition under which development approval is granted; and  
 c) The amount of parking to be provided is calculated based on the greatest number of vehicles that would need to be accommodated on the land during peak usage.

## 2.0 Parking Construction Standards

### Standards for different zones

- 2.1 The table below establishes the car parking standards for each land use zone in the Shire of Broome:

Row	Zone	Construction Standard
1.	Residential, <del>District Centre, Regional Town</del> Centre, Local Centre, Mixed Use, Service Commercial, Light <del>and</del> <del>Service</del> Industry, Tourism <del>and</del>	All parking bays, vehicle access and manoeuvring areas are to be of permanent construction, sealed, kerbed and line marked as follows: a) the sealed pavement can be asphalt, two-coat bitumen seal or concrete to the Shire's specifications; b) line marked and sign posted as per an approved car parking plan; and c) kerbed unless extensive on-site infiltration to landscaping and storage areas is used as a part of the sites design.
2.	Cultural and Natural Resource Use, <del>Rural General, General Industry, Rural</del>	As per the above requirements in row 1 above, unless the development is not accessed from a sealed road and/or the parking is for use of employee's only, in which case the parking bays, vehicle access and manoeuvring areas

	<u>Residential, Rural Smallholdings, Small Holdings and Settlement</u>	can be an unsealed surface such as compacted road base or similar which is dust free. All parking areas and vehicle access must be clearly distinguishable, and sign posted.
3.	Industry and Port Reserve	As per requirements in row 1 above, except that manoeuvring areas for articulated vehicles can be of an unsealed surface such as compacted road base or similar, which is dust free.

#### Landscaping

- 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~~ whichever is the lesser.

#### Parking Location

- 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.

### **3.0 Off-site Parking**

#### General considerations

- 3.1 The expectation is that parking is provided on-site, any proposal to construct parking 'off-site' is considered to be an exception to the parking requirements for a development.
- 3.2 Off-site parking may be considered in all zones except parking required for a single house, grouped dwelling, multiple dwelling or residential building in the 'Residential' zone. Off-site parking for 'Family Day Care,' 'Home Occupation' or 'Home Business' land use activities in the 'Residential' zone may be considered in the following circumstances:
- The parking for the land use cannot be accommodated on-site;
  - 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; and
  - The proposed parking 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.

-Any areas approved for off-site parking in association with a 'Home Business,' 'Home Occupation'- or 'Family Day Care' must be maintained by the owner.

- 3.3 Within the 'Regional Town Centre,' 'District Local Centre,' 'Local Centre,' 'Mixed Use,' 'Service Commercial,' 'General Industry', 'Light ~~and Service~~ Industry' and

| 'Tourism~~m~~†' zones, a minimum of 50% of the required car parking bays are to be provided on-site.

- 3.4 Any parking bays which are required as a condition of development approval and cannot be provided on-site may, at Council's discretion, be developed in a portion of the abutting road verge or a nearby property. If approved, it is the applicant's responsibility to design and construct the parking bays in accordance with the Shire's 'Guidelines for Construction or Reinstatement.'

#### Location criteria

- 3.5 In order for Council to consider exercising its discretion to allow off-site parking, the application will be required to prove that:

- |
- a) The location of the off-site parking is conveniently located to the subject development;
  - b) A safe and ~~well-lit~~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.

#### Parking within the Road Verge

- 3.6 Unless in accordance with an adopted car parking plan, any proposal for parking in the road verge will only be supported where the parking is provided in the verge adjoining the lot and within the frontage area of the lot.
- 3.7 Any off-site parking constructed in the road verge will, when constructed, be designated public parking.
- 3.8 All parking bays, vehicle access and manoeuvring areas within the road verge are to be of permanent construction, sealed, kerbed and line marked, as follows:
- a) The sealed pavement can be asphalt, two-coat bitumen seal or concrete;
  - b) The design must comply with the Shire's Guidelines for the Construction or Reinstatement of Car Parks within the Shire of Broome Road Reserve;
  - c) The parking must be lined, marked and sign posted as per the approved car parking plan.

#### Maintenance and Deed of Agreement

- 3.9 Any off-site parking, vehicle access, manoeuvring areas and landscaping is the responsibility of the developer to maintain indefinitely.
- 3.10 If road verge parking is approved as a part of a development application, a Deed of Agreement is to be prepared by the Shire's solicitors at the applicant's

cost, which includes the lodgement of a caveat on title. The Deed is to specify that the owner agrees to maintain and take out insurance over the parking and landscaping area within the road verge.

#### Parking on Nearby Properties

- 3.11 Where parking is provided on a nearby property, an appropriate legal instrument must be put in place ensuring that the parking on the property will be maintained and kept available for the approved development.

#### **4.0 Cash-in-lieu of Car Parking**

*Note: These provisions are based on a parking plan and a review of the car parking availability, including future development as set out in the Car Parking & Cash-in-Lieu in Chinatown discussion paper dated 18 August 2005.*

#### All development except within Chinatown

- 4.1 The following clauses 4.2 to 4.6 apply to all development with the exception of development within Chinatown.
- 4.2 The expectation is that parking will be provided on the development site. Any proposal to construct parking through a cash-in-lieu payment is considered to be an exception to the parking requirements for a development.
- 4.3 The Shire will only give consideration to the use of cash-in-lieu of car parking where the Shire has identified a site for the construction of a public car park through an adopted Shire parking plan and/or the Shire can provide alternative parking in close proximity to the site.
- 4.4 If an applicant is seeking that part of the car parking required is provided by way of cash-in-lieu payment, in the absence of an adopted Shire parking plan the applicant must provide a car parking design for an acceptable location which meets with the locational criteria set out in Clause 3.5.
- 4.5 The cash-in-lieu value is to be determined in accordance with [Schedule 4 Item 1](#)~~Clause 5.7.6.1(a)~~ of LPS67 as follows:
- a) The estimated cost of constructing the parking space/s will be reviewed annually by the Shire and will be set in the Schedule of Fees and Charges.
  - b) The estimated value of land which the parking space would occupy will be determined by a licensed valuer engaged by the Shire at the applicant's cost. For the purposes of calculating the land costs, each bay will occupy an area of 31sqm, which includes the parking space and manoeuvring area.
- 4.6 Where the location identified in the adopted Shire parking plan or the car parking design provided under Clause 4.4 is on reserve land (under the care and control of the Shire) or in a road reserve, Council may give consideration to the waiving

of the land value component of the car parking bays. Consideration will only be given to the waiving the land value component when:

- a) The location of the parking area does not compromise the current and future public use of the area identified for the car parking improvements;
- b) The car parking will also support the general public's use of the area and is not solely being developed to support the parking need generated by the development; and
- c) The construction of the car parking area will not compromise the streetscape or pedestrian access to the area.

#### Chinatown

- 4.7 The following clauses 4.8 to 4.14 apply to development within Chinatown.
- 4.8 Where a site is developed for residential purposes or for tourist accommodation, whether or not the site is used for other purposes, the parking for the residential and/or tourist accommodation uses shall be provided on-site. Cash-in-lieu of car parking will not be available for these land uses.
- 4.9 Properties that were vacant on 18 August 2005 will be entitled to provide a cash-in-lieu payment instead of the provision of on-site car parking for part or all of the car parking for the development of the property. The maximum amount of parking bays that can be provided as cash-in-lieu is determined by dividing the site area in square metres by 43.
- 4.10 Properties that were developed (not vacant) on 18 August 2005 are entitled to provide cash in lieu of the provision of on-site car parking for any subsequent development of the property provided at least 50 percent of the required parking is provided on site.
- 4.11 Properties that were developed (not vacant) on 18 August 2005 are entitled to credit for any car parking bays previously paid for as cash in lieu.
- 4.12 Properties that were developed (not vacant) on 18 August 2005 are entitled to:
- a) claim the existing provision of car parking (on-site and cash in lieu) is adequate for the existing development and only provide car parking for the net increase in gross leasable floor area; or
  - b) recalculate parking requirements to current standards, taking into account any previous cash payments in lieu of car parking provided.
- 4.13 If development cannot provide sufficient parking bays by:
- providing on-site parking;
  - previous cash payments in lieu of parking; or
  - new cash payments in lieu of parking under this Policy,

then the additional parking must be provided as on-site bays on another property in Chinatown or through the purchase and transfer of cash-in-lieu

credits in excess of requirements for another property in Chinatown. Appropriate legal instruments to facilitate this arrangement will be required, linking the property to the parking provided.

- 4.14 The cash in lieu value for each car parking bay is set by Council each year in the Schedule of Fees and Charges. For Chinatown, this amount only incorporates the estimated construction costs of the parking bays.

#### SHIRE OF BROOME LOCAL PLANNING SCHEME No. ~~76~~ (LPS~~76~~) – LOCAL PLANNING POLICIES

This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.

Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 of the deemed provisions of LPS7 have been completed.

~~This Policy is a Local Planning Policy adopted under the provisions of Clause 2.4 of LPS6. LPS6 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS6 was gazetted and came into operation on the 30 January 2015.~~

~~Planning policies adopted under LPS6 may be amended or rescinded after the procedures set out in Clause 2.4 and 2.5 have been completed.~~

FIGURE 1 – CHINATOWN





**LOCAL PLANNING POLICY****5.7**

<b>TITLE:</b>	<b>DEVELOPMENT STANDARDS FOR DEVELOPMENT APPLICATIONS</b>
<b>ADOPTED:</b>	OCM 18 June 1996 — Pages 46 - 49
<b>REVIEWED:</b>	OCM 20 July 1999 — Page 11 OCM 21 November 2000 — Page 87 OCM 24 September 2002 — Pages 38 - 40 OCM 14 October 2003 — Pages 35 - 38 OCM 15 February 2007 — Pages 116 - 119 OCM 2 September 2010 – Pages 44 - 46 OMC 30 July 2015 – Pages 28 – 40 OMC 17 December 2015 – Pages 110 – 121 OMC 15 December 2016 – Pages 204 – 209 OMC 14 December 2017 – Pages 1030 – 1043 OMC 12 December 2019 – Pages 213 - 221 <del>OMC</del> OMC <u>Planning and Development Act 2005</u> <u>Planning and Development (Local Planning Schemes) Regulations 2015</u> Shire of Broome Local Planning Scheme No <del>76</del> (LPS <del>6</del> <sup>7</sup> )
<b>ASSOCIATED LEGISLATION:</b>	
<b>ASSOCIATED DOCUMENTS:</b>	
<b>REVIEW RESPONSIBILITY DELEGATION:</b>	Director Development <del>Services &amp; Community Services</del> Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.
<b>APPLICATION</b>	This policy applies to the <del>LPS6-LPS7</del> area

~~Previous Policy Number 8.10~~**Objectives:**

Establish minimum standard for development to maintain and enhance the amenity and natural environment.

**Definitions:**

Nil

**Policy:**

1.1 That all development applications be subject to a minimum set of basic standards for, landscaping, drainage and crossovers.

1.2 The standards applicable shall be based on the following:

Area	Application
Landscaping	<p><b>All zones</b></p> <p>i) Landscaping plans are required to be submitted for the following types of planning applications:</p> <ul style="list-style-type: none"> <li>- Any grouped dwelling, multiple dwelling and/or residential building applications;</li> <li>- Any development proposing the construction of building/s on a vacant site (with the exception of single dwelling and ancillary structures); or</li> <li>- Any addition, modification and renovation to existing commercial or industrial developments valued at over \$100,000.</li> </ul> <p>ii) Where a landscaping plan is required, plants identified as pest plants by the Shire and listed in Schedule 1 of this Policy, are not permitted to be retained or established.</p> <p>iii) Where landscaping is proposed within the road verge, a deed of agreement prepared by the Shire's solicitors at the <del>applicant's</del> <u>applicant's</u> cost, which include <del>lodgment</del> <u>lodgement</u> of a caveat on title, is to be prepared and executed prior to the development being occupied. The deed is to include that the owner agrees to maintain the landscaping within the road verge.</p> <p>iv) All landscaping plans submitted to the Shire of Broome must be drawn to scale and detail the following:</p> <ul style="list-style-type: none"> <li>a) The location and type of existing trees and plantings, including genus species name and whether they are to be retained.</li> <li>b) The location and type of new trees and shrubs that are proposed to be installed as part of the landscaping including genus species name.</li> <li>c) Any lawns, paths, hardscaping or other features to be established including construction materials to be used (i.e. brick paving, concrete).</li> <li>d) Any natural landscape areas to be retained.</li> <li>e) Those areas to be reticulated or irrigated including details on the type of reticulation.</li> </ul>

	<p>To allow establishment of landscaping around existing trees and tree trunks adequate space depended upon the species should be maintained and kept clear of all impervious materials. Where a tree is positioned within 3m of less from a hardscape area, root control barriers should be installed.</p> <p>v) Any landscaping proposed within the verge must comply with <del>Engineering Policy 3.1.16</del><u>Council Policy</u> - Verge Maintenance.</p> <p>vi) Landscaping treatments should aim to minimise water use through soil improvement and mulching to retain moisture, use of <del>indigenous</del><u>Indigenous</u>, native landscaping; installation of smart irrigation systems including monitors, controllers and subsurface irrigation.</p>
Crossovers	<p><b>All Zones</b></p> <p>vii) When any crossover is provided it shall be concrete, sealed or brick paving in accordance with Shire specifications including:</p> <ul style="list-style-type: none"> <li>• Rural Road Priority Access/Crossover Standard;</li> <li>• Specification for Residential Crossover Locations;</li> <li>• Specification for Residential Concrete Crossover;</li> <li>• <u>Specification for Commercial Concrete Crossover.</u></li> </ul> <p>viii) <u>For any development in the Broome Road Industrial Estate with or in the Port Drive Industrial area where crossings of roadside swales are required, the culverts shall be in accordance with the specific requirements of each lot and the appropriate design vehicle for proposed development. Each Broome Road Industrial Estate lot has a custom crossover design prepared by Development WA. The Port Drive Industrial area will require engagement of a suitably qualified engineer in consultation with the Shire.</u></p>
Drainage	<p><b>All Zones</b></p> <p>All sites shall comply with the basic requirement that any post development discharges from the property should be equal to or less than the pre-development site for a design storm event, unless comprehensive hydrological catchment <del>modelling</del><u>modelling</u> at the developer's cost by a suitably qualified engineer proves otherwise.</p> <p><del>viii)</del><u>(x)</u> Where development has been proposed in an area where the lots grade to the road as the legal point of discharge and the downstream system is designed with adequate capacity the following must be achieved:</p>

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	<ul style="list-style-type: none"> <li>Flow across paved areas to road/drain or legal point of discharge;</li> <li>All plans submitted for approval to show existing and proposed levels, and flow paths.</li> </ul> <p><del>ix)</del> In areas where lots are not adequately graded to the legal point of discharge (such as some areas in Old Broome) or the discharge system has limited capacity (Port Road Industrial area) the following must be met:</p> <ol style="list-style-type: none"> <li>The stormwater drainage system must be designed by a suitably qualified engineer and must demonstrate that there will be no impact to upstream or downstream properties within the catchment.</li> <li>All post development flows for a 1:50 year event must be compensated on site with only pre-development flows allowed to flow to the street/discharge point. Both pre and post development flow rates shall be calculated using the appropriate times of concentration to determine peak storm durations.</li> <li>Compensation shall be achieved by using <del>swaled</del>swale garden areas, depressed carparks or detention areas with low flow outlets, restricted orifices or weirs incorporated into the design. Soak wells cannot be used due to the nature of Broome soils.</li> <li>In the event that the outlet from the stormwater system becomes blocked then the storage volumes created on site must be large enough to contain the total flow from a post development 1:1 year storm.</li> <li>Provision shall be made for all storms in excess of 1:50 up to a 1:100 event to overflow the storage system and flow directly to the street drainage with floor levels of all buildings designed to prevent any flooding.</li> </ol> <p><del>x)xi)</del> During construction, measures should be implemented to ensure no discharge of dust or sediment from the site. To achieve this property verges should be protected with a 3 to 5m mulch bund to minimise the transport of sediment and prevent scouring.</p>
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Finished Floor Levels	<b>All Residential Development</b> (in all zones as applicable)
	<p>xi) Finished floor level of all residential buildings shall be a minimum of 400 mm above natural ground level [or approved finished ground level for those lots where subdivision works have altered the natural ground level].</p> <p>xii) Where it can be demonstrated that flooding to the building will not occur due to the slope of the lot and a local drainage system has been provided for, the floor height can be reduced to a minimum of 200 mm.</p> <p>xiii) In all cases, the minimum height is to be measured at the highest point of ground level, immediately adjacent to the building floor edge.</p> <p>xiv) Verandahs and Carports can be lower than the main building floor <del>level, but</del> level but must be still drained away from the building perimeter to an approved discharge point.</p> <p><b>Industrial/Commercial Development</b> -</p> <p>xv) Finished Floor Levels shall be a minimum of 200mm above surrounding finished levels</p>

#### SCHEDULE ONE – PEST PLANTS

Common Name	Scientific Name
Coffee Bush	Leucaena leucocephala
Siratro	Macroptilium atropurpureum
Khaki Weed	Alternanthera pungens
Neem	Azadirachta indica
Hairy woodrose or Hairy morning glory	Merremia aegyptia and Merremia dissecta
Gallon's Curse	Cenchrus biformis
Bellyache Bush	Jatropha gossypifolia
Wild Passionfruit	Passiflora foetida
Caltrop	Tribulus terrestris
Mint Bush	Hyptis suaveolens
Buffel Grass	Cenchrus ciliaris
Mission Grass	Pennisetum Polystachiom
Rhodes Grass	Chloris Gayana

**SHIRE OF BROOME LOCAL PLANNING SCHEME No. 76 (LPS76) – LOCAL PLANNING POLICIES**

This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.

Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 of the deemed provisions of LPS7 have been completed.

This Policy is a Local Planning Policy adopted pursuant to Part 2, clause 4 of the deemed provisions of LPS6. LPS6 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS6 was gazetted and came into operation on the 30 January 2015.

Planning policies adopted under LPS6 may be amended or rescinded after the procedures set out in Part 2 clause 5 & 6 of the deemed provisions of LPS6 have been completed.

**LOCAL PLANNING POLICY****5.8****TITLE:** FENCES**ADOPTED:** OCM 9 September 2003 – Page 49 – 50 (Building Policy)**REVIEWED:** OCM 3 March 2004 – Page 29 – 30  
OCM 28 October 2010 – Page 97 – 99

OMC 30 July 2015 – Pages 28 – 40

OMC 17 December 2015 – Pages 110 – 121

OMC 25 May 2017 – Pages 85 – 260

OMC 14 December 2017 – Pages 1030 – 1043

OMC 12 December 2019 – 213 - 221

[OMC...](#)**ASSOCIATED  
LEGISLATION:**[Planning and Development Act 2005](#)[Planning and Development \(Local Planning Schemes\)  
Regulations 2015](#)[Local Planning Scheme No 7](#)**ASSOCIATED  
DOCUMENTS:**[Residential Design Codes of Western Australia](#)**REVIEW  
RESPONSIBILITY:  
DELEGATION:**Director Development Services [& Community](#)Delegations are exercised in accordance with  
delegation granted in terms of Section 5.42 of the Local  
Government Act 1995 as amended or other statutes as  
applicable to specified officers.**APPLICATION**This policy applies to the LPS~~6~~<sup>7</sup> area~~Previous Policy Number~~**8.12 Objective:**

- Control the style, height and location of fencing within the Shire of Broome;
- Minimise adverse impacts that undesirable fences can have on the streetscape and neighbourhood amenity; and
- Ensure that adequate surveillance of streets and public places is achieved, and the principles of Crime Prevention through Environmental Design are met.
- Establish minimum standards for fencing within different zones to facilitate fences being exempt from the need to obtain planning approval.

## Definitions:

In this Policy, the following definitions shall apply:

**"Common boundary fence"** any dividing fence that does not front a road or public place.

**"Fence"** is any barrier, railing, wall or other upright structure intended to enclose an area of land, irrespective of material content, located on or near a common boundary of adjoining land or on a line other than the common boundary, and includes a front fence to a property but does not include any privacy screen, trellis or the like.

**"Breezeway Fencing"** refers to any form of fencing, complying with this policy that has not less than 10% of its surface area open, provided that this minimum area is uniformly provided throughout the length and height of the fence.

**"Height"** in relation to a fence shall be the height at any given point between that side which has the highest ground level, whether natural or retained, and the highest point of the fence immediately above that point.

**"Land"** shall have the same meaning as that contained in the Interpretations Act 1918.

**"R Codes"** means the Residential Design Codes of Western Australia (2024~~15~~) as amended from time to time.

**"Sharp or Jagged"** means having an edge able to cut or pierce without the exertion of significant force.

**"Street Setback Area"** refers to that area of land between the street alignment and the street setback line as set out, or established, under the Residential Design Codes of Western Australia.

**"Visually Permeable"** where referred to will have the same meaning as that given to it in the R Codes.

## Policy:

### 1. General Requirements

1.1 Fences shall not have any sharp or jagged projections (other than as permitted for barbed wire in the '~~General Industrial Industrial~~', '~~Rural General Agriculture~~', 'Cultural~~ale~~—and Natural Resource Use', 'Rural Residential' and 'Rural Smallholdings' zones) or any metal or other material capable of inflicting injury to any person or animal and shall not be electrified by any means.



*Note: for the purpose of this provision, garrison style fencing is not considered sharp or jagged or capable of inflicting injury where the end projections of the fence are a minimum of 1.8m above Natural Ground Level.*

- 1.2 The use of breezeway fencing to facilitate the flow of cooling breezes between properties is strongly encouraged.
- 1.3 Front fence or fences fronting a public reserve shall be constructed with the supporting members (i.e. posts and rails) within the property boundary.
- 1.4 The owner of land upon which a fence is erected shall maintain the fence in good condition and in such manner as to prevent it becoming dangerous or unsightly.
- 1.5 Any fence erected on the common boundary shall be erected in accordance with the requirements of the Dividing Fences Act 1961.

## **2. Residential and Settlement zone**

- 2.1 Unless specified in adopted Design Guidelines, fences within residential and settlement zones shall comply with the following:

- (i) Materials Used

- o Acceptable materials include brick, concrete, timber, wrought iron, tubular steel, link mesh, wire, or metal sheeting - (other than zincalume).
    - o Not permitted materials – electric, barbed wire or similar sharp or jagged projections

- (ii) Primary Street fence

- o Shall comply with the provisions of the R-Codes.
    - o Shall not exceed a height of 1.8m.

- 2.2 (i) Sightlines

The following is considered to satisfy the deemed-to-comply criteria requirements of 5.2.5 ~~and 5.6.2.3~~ Sightlines of the R-Codes:

Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where walls, fences or other structures adjoin vehicle access points where a driveway meets a public street or where two streets intersect (refer to Figure 1), with the exception of the following:

- a) One supporting 'pier/post' for a gate or fence within each truncation, which must not exceed dimensions of 390mm (W) x 390mm (W) & 1800mm (H), or maximum diameter of 500mm;

- b) The fence and/or gate can exceed a height of 0.75m where swimming pool fencing is used or the fence and/or gate is more than 80% visually permeable.

(iii) Secondary Street fence

- o Shall comply with the provisions of the R-Codes.
- o Shall not exceed a height of 1.8m
- o Along the secondary street within the primary street setback area the fence above 1.2m is to be visually permeable replicating the design of the fence along the primary street (refer to Figure 1).
- o Along the remainder of the secondary street the fence is to be a design that contributes to an attractive streetscape for passers-by while providing adequate security and privacy to occupants of the building. If metal sheeting is to be used, it must be the same colour and profile.

(iv) Common boundary fences

- o Fences shall not exceed a height of 1.8m with the exception trellis (as set out in Local Planning Policy 5.20- Exempt Development—Minor Development)
- o Shall be erected in accordance with the Dividing Fences Act.
- o ~~Where~~ Where possible breezeway fencing is encouraged.

### 3. Industrial zones

- 3.1 Fences within the 'Light ~~& Service~~ Industry' and 'General Industry' zones and Port Reserve are to comply with the following:

(i) Materials Used

- o Acceptable materials include brick, concrete, timber, wrought iron, tubular steel, link mesh, wire, or metal sheeting – (other than unpainted zincalume).
- o Barbed wire strands are permitted provided it is contained within the property boundary and located a minimum of 2.1m from the natural ground level.
- o Not permitted materials– razor wire or electric fences.

(ii) Height

- o Side and rear fences (that do not contain barbed wire) on the boundary or within six metres of a street or road boundary – maximum height 2.1m
- o Front fences or any fence on the boundary or within six metres of a street or road boundary (that do not contain barbed wire) - maximum height 2.1m.
- o A fence that incorporates barbed wire - maximum height 2.4m.

(iii) Visual permeability

- o Front fences or any fence forward of the building setback line and the street or road boundary is to be visually permeable.

4. ~~Cultural Culture~~ and Natural Resource Use, Rural Residential and Rural ~~Small Holdings~~ Smallholdings zones

4.1 Fences within the 'Cultural ~~ale~~ and Natural Resource Use,' 'Rural Residential' and 'Rural ~~Small Holdings~~ Smallholdings zone are to comply with the following:

(i) Materials Used

- o Acceptable materials include timber, wrought iron, tubular steel, link mesh, wire or metal sheeting.
- o Barbed wire and electric fences strands are permitted provided it is contained within the property boundary.
- o Not permitted materials – razor wire.

(ii) Height

- o Any fencing fronting a road and between the building setback line and any boundary to a road and any common boundary fence is to be a maximum height of 1.2m.
- o With the exception of areas mentioned above, the maximum height of a fence is 1.8m

(iii) Visual permeability

- o Any fencing fronting a road and between the building setback line and any boundary to a road and any common boundary fence is to be visually permeable.

4.2 In the event a fence is proposed which exceeds the height and visually permeability requirements specified under 4.1 above, development approval will be required and may be approved if the following criteria is met:

- (i) The fence is required to support a permitted or approved land use undertaken on the property;
- (ii) The rural and general amenity of the locality will not be impacted; and
- (iii) Views from any public place to the property will not be restricted.

5. All other zones

5.1 Fencing in all other zones is deemed to be development under the provisions LPS ~~76~~ and accordingly require development approval.

- 5.2 Residential development within all other zones is required to satisfy the requirements of the R Codes and this fencing policy and any fencing standards prescribed in an adopted Design Guideline.

#### SHIRE OF BROOME LOCAL PLANNING SCHEME No. ~~76~~ (LPS~~76~~) – LOCAL PLANNING POLICIES

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~~This Policy is a Local Planning Policy adopted under the provisions of Clause 2.4 of LPS6. LPS6 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS6 was gazetted and came into operation on the 30 January 2015.~~

~~Planning policies adopted under LPS6 may be amended or rescinded after the procedures set out in Clause 2.4 and 2.5 have been completed.~~

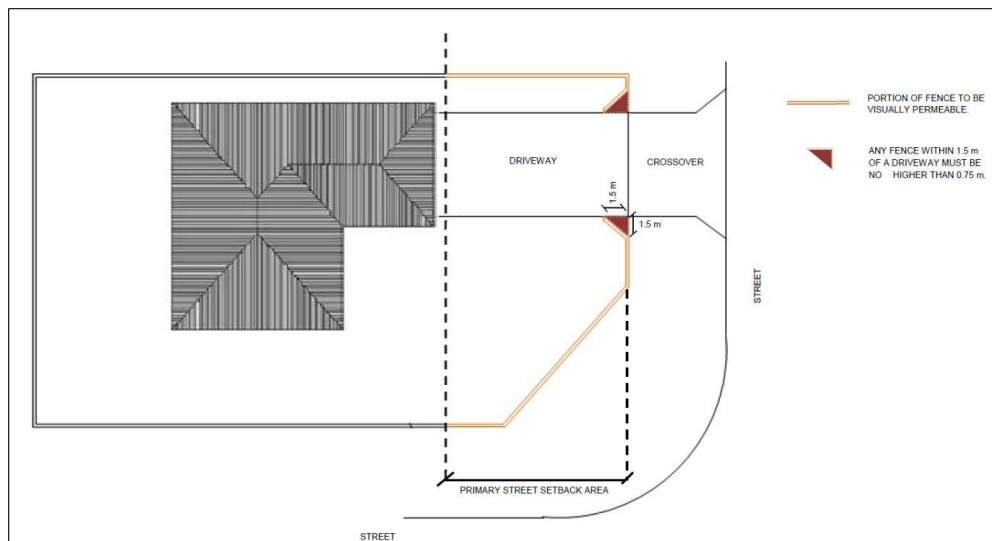


Figure 1

## LOCAL PLANNING POLICY

5.9

<b>TITLE:</b>	DEVELOPMENT APPROVALS – AMENDMENTS/EXTENSIONS TO TERM OF APPROVAL <del>AND REQUESTS FOR FURTHER INFORMATION</del>
<b>ADOPTED:</b>	OMC 19 April 2012
<b>REVIEWED:</b>	OMC 30 July 2015 – Pages 28 – 40 OMC 17 December 2015 – Pages 110 – 121 OMC 25 May 2017 – Pages 85 – 260 OMC 14 December 2017 – Pages 1030 – 1043 OMC 12 December 2019 – Pages 213 – 221 <del>OMC XX</del>
<b>ASSOCIATED LEGISLATION:</b>	Planning and Development Act 2005 <a href="#">Planning and Development (Local Planning Schemes) Regulations 2015</a> Local Planning Scheme No <del>76</del> (LPS <del>76</del> )
<b>ASSOCIATED DOCUMENTS:</b>	
<b>REVIEW RESPONSIBILITY:</b>	Director Development <del>&amp; Community</del> Services
<b>DELEGATION:</b>	Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.
<b>APPLICATION:</b>	This policy applies to the LPS <del>76</del> area

~~Previous Policy Number 8.15~~**Background:**

This Policy provides clarity and guidance with regards ~~to to~~ amending of a ~~planning development~~ approval;

1. setting the term of ~~planning development~~ approval;
2. seeking an extension to a ~~planning development~~ approval; and
3. requiring information regarding a ~~planning development~~ application

Clause 77 of the Deemed Provisions empowers the Local Government , on receipt of a written application from the owner of land in respect of which development approval has been granted, to cancel, amend or delete any condition to which the approval is subject or amend the development approval.

Clause 63 of the Deemed Provisions provides a detailed description of the accompanying material that Local Government requires in support of a development application.

Clause 63(3) of the Deemed Provisions provides a description of the material required, in addition to the material as outlined in clause 63 of the Deemed Provisions, for applications where the proposed development relates to a place on the Heritage List or within a Heritage area.

Clause 71 of the Deemed Provisions provides that a development approval lapses in the event that the development is not substantially commenced within the term of that approval. The Scheme specifies a period of 2 years from the date of determination as the term unless another time period is specified in the approval.

Clause 77 of the Deemed Provisions provides that a written request may be made for an extension of the term of a development approval at any time prior to the expiry of the approval period.

### Objective:

To provide guidance for the consideration of:

1. Requests for an amendment to a planning approval;
2. The period of time given to a planning approval;
3. Extension of time to a planning approval; and
4. To set out a process for the request of further information to assist the Shire in considering a planning application.

### Definitions:

In this policy, the term

**‘Substantial Commencement’:** means (as per the definition in Schedule 2 Part 1 Clause 1.4 to the Shire of Broome LPS of the Deemed Provisions) and as further defined) some substantial part of work in respect of a development approved under a planning scheme or under an interim development order has been performed.

#### Example:

Substantial commencement is deemed to have occurred where there has been physical ‘on site’ development that comprises more than the mere preparation of the site and the placing of footings and slab. Where a condition of approval there is a requirement to undertake further studies and investigations for submission and approval of the Shire prior to development commencing, such ‘work’ is not deemed to be substantial commencement.

Where no construction is required as part of a planning development approval, proof that the current use has commenced has to be provided.

**Policy:**

1. **Amendment of a Planning-Development Approval** (Clause 77 Deemed Provisions)
  - 1.1 In determining, pursuant to clause 77 of the Deemed Provisions, whether to allow the amendment of a development approval, the Shire shall consider whether the nature and extent of the proposed amendment is such that the use or development the subject of the planning approval:
    - a) remains, in substance, the same; or
    - b) is changed so a new and/or different use or development is proposed.
  - 1.2 If the nature and extent of the proposed amendments is such that there is a new and/or different use or development to that which was the subject of the development approval, the Shire may refuse to allow amendment of the development approval and require the submission of a new development application.
  - 1.3 Where an amendment of any Approval is determined to be, in substance, the same as the original approval, the Shire will follow the same procedure as was followed for the original application, unless the amendment now requires advertising, in which case the amendment application will be advertised in accordance with clause 64 of the Deemed Provisions and Local Planning Policy.
  - 1.4 If an application to amend development approval is refused, nothing in this Policy shall preclude the applicant from making, and the Shire from determining, a new application for development approval for the same use or development.
  - 1.5 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.
2. **Term of Planning-Development Approval** (Clause 71 of the Deemed Provisions)
  - 2.1 Where the Shire grants development approval the development is to be substantially commenced within two years of the date of issue of the approval.
  - 2.2 Where in the opinion of the Shire, the planning framework (which includes the Scheme and planning policies) under which the planning approval is to be granted is reasonably likely to materially change in the foreseeable future † the Shire may specify a period of one year.
3. **Extension of the Term of Approval** (Clause 77 of the Deemed Provisions)
  - 3.1 For the purposes of Clause 77 of the Deemed Provisions the written request to extend the term of a development approval must be received prior to

the close of business on the day of which the term is due to lapse (i.e. if the approval was issued on 24 January 2010 then it will be considered to have lapsed after 4pm on 23 January 2012).

- 3.2 Where an extension is granted, a period of up to a further two years may be granted.
- 3.3 Only one extension of the term of a development approval shall be granted, after which a new development application will be required.
- 3.4 In considering a request for an extension to the term of a development approval under clause 77 of the Deemed Provisions, the Shire is to have regard to the following factors;
  - a) whether the scheme (including any new scheme), relevant planning policy or planning framework has changed in a material way since the development approval was granted;
  - b) the level of discretion (if any) that was exercised in relation to the Scheme or policy requirements in granting approval; or
  - c) whether a material change has occurred to either the site to which the development approval relates or the surrounding locality since the planning approval was granted.
- 3.5 Where a request to extend the term of a development approval is approved, a letter will be issued advising of the extension of the term of approval and all other conditions of the approval will remain unchanged. No new development approval will be issued as the extension of time is an extension of the term of the original approval and its conditions.

#### ~~4. Further Information Requests~~

- ~~4.1 Where the Shire having regard to clause 63 of the Deemed Provisions is of the opinion that the material provided with a development application is insufficient for a proper planning evaluation to be made in regard to the Scheme, the Shire, shall notify the applicant in writing that additional information is required, specifying the type and form of the information to be submitted and requesting that such information be provided within 21 days of the date of the letter unless the type of information warrants more time.~~

#### ~~54.~~ Fees

An application fee will be charged for requests for an amendment to, and extension of the term of a ~~Planning Development~~ Approval as specified in the Schedule of ~~Fee's~~Fees and Charges.



SHIRE OF BROOME LOCAL PLANNING SCHEME No. ~~76~~ (LPS~~76~~) – LOCAL PLANNING POLICIES

This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.

Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 of the deemed provisions of LPS7 have been completed.

~~This Policy is a Local Planning Policy adopted under the provisions of Clause 2.4 of LPS6. LPS6 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS6 was gazetted and came into operation on the 30 January 2015.~~

~~Planning policies adopted under LPS6 may be amended or rescinded after the procedures set out in Clause 2.4 and 2.5 have been completed.~~

## LOCAL PLANNING POLICY

5.10

<b>TITLE:</b>	<b>SIGNS</b>
<b>ADOPTED:</b>	OMC 9 August 2012 – Pages 50 - 56
<b>REVIEWED:</b>	OMC 21 February 2013 – Pages 94 – 97 OMC 30 July 2015 – Pages 28 – 40 OMC 17 December 2015 – Pages 110 – 121 OMC 25 May 2017 – Pages 85 – 260 OMC 14 December 2017 – Pages 1030 – 1043 OMC 12 December 2019 – Pages 213 - 221 <a href="#">OMC XX</a>
<b>ASSOCIATED LEGISLATION:</b>	Planning and Development Act 2005 <a href="#">Planning and Development (Local Planning Schemes) Regulations 2015</a> Local Planning Scheme No <a href="#">67</a> (LPS <a href="#">67</a> )
<b>ASSOCIATED DOCUMENTS:</b>	
<b>REVIEW RESPONSIBILITY:</b>	Director Development <a href="#">Services</a> & <del>Community Services</del>
<b>DELEGATION:</b>	Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.
<b>APPLICATION</b>	This policy applies to the LPS <a href="#">67</a> area

[Previous Policy Number: 8.17](#)**BACKGROUND**

Advertising signs help identify businesses, promote products or activities and provide direction / information.

If designed and sited well signs make a positive contribution and can add to the vitality of the streetscape. If located in a way that is poorly thought out, not well designed or not well maintained the sign becomes an eyesore and can have a negative impact on the character and amenity of the surrounding area.

The proportion and size are critical elements when considering new signs. The placement of signs must be cognisant of the particular area and the 'view shed'. There may be areas where large amounts of signage are considered appropriate and integral to the image sought to be created. Conversely there may be areas where because of heritage and amenity signs need to be kept to a minimum.

## POLICY OBJECTIVES

1. Coordinate and control signage within the Shire of Broome.
2. Ensure signs within the Chinatown Conservation Area reflect the traditional the form, location and style.
3. Ensure the siting, design and general appearance of advertising does not detract from the visual amenity and character of the Shire.
4. To avoid a proliferation of signs on individual sites, ~~and~~ buildings and the Shire generally.
5. To ensure the architectural style of the building is considered in the design and placement of an advertising sign.
6. Ensure that the scale and colour of the sign is appropriate to the size of the building.
7. To improve the quality of advertising signs and their overall visual impact.
8. Define which signs are exempt from the requirements to obtain ~~planning~~ development approval.

## EXEMPTIONS

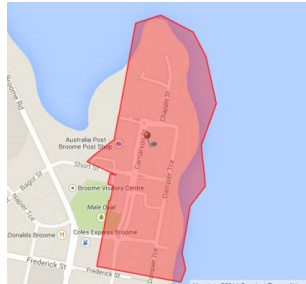
This policy does not apply to:

- Signs approved or are in accordance with the *Shire of Broome Local Government and Public Places Local Law*;
- Signs approved as part of an Event Permit / Trading Licence approved by the Shire of Broome;
- Public Art/Integrated Art/ Community Art as defined by the Council's Policy - Public Art;
- Sign(s) only visible within a building or only visible within the boundaries of the property on which the sign is positioned;
- Blue & White directional signs;
- Signs relating to the functions of Government, a public authority or local government, excluding those of a promotional nature, constructed or exhibited by, or on behalf of any such body;
- Signs required for the management or control of traffic on any public road, car park, cycleway, railway, waterway where such sign has been constructed or exhibited by or at the direction of a Government department, public authority or the local government; ~~or~~
- Signs required by other Legislation; or
- Signs/advertisements defined in Clause 61 of the Deemed Provisions (temporary erection of advertisement in connection with an election)–.

## DEFINITIONS

The following definitions relate directly to the application of this Policy

**“Chinatown Heritage Area”** means any property that is positioned within the Chinatown Conservation Area included on the State Register of Heritage Places, as shown below:



**“Election Sign”** – is a sign that:

- a) is erected or installed in connection with an election, referendum or other poll conducted under the *Commonwealth Electoral Act 1918* (Commonwealth), *the Referendum (Machinery Provisions) Act 1984*, the *Electoral Act 1907* ~~or the~~ *Local Government Act 1995* or the Referendums Act 1983; and
- b) the primary purpose of the advertisement is for the political communication in relation to the election, referendum or poll; and
- c) is not erected or installed until the election, referendum or other poll is called and is removed no later than 48 hours after the election, referendum or other poll is conducted. .

**“Fence”** - is a freestanding structure put in place to mark a boundary and restrict movement across a property. It can be a permeable or solid structure. A fence may consist of several sections each section being defined by a clear edge at which the angle of alignment of the adjoining fence changes.

**“Gable”** - is the generally triangular portion of a wall between the edges of a sloping roof.

**“Heritage Building”** – is a building listed on the Register of Heritage Places or the Shire of Broome Municipal Inventory of Heritage Places.

**“Sign”**- includes all forms of advertising devices, signage and bill posting including a notice, flag, mark, structure or device, or part thereof, whether or not words, numbers, expressions or symbols are shown thereon.

**“Sign surface area”** where the sign is painted, printed or affixed on a building or fence and there is no contrasting background used to the predominant colour of the building elevation or fence, the surface area of the sign is taken as the outer edge of the lettering, symbols images used. In the event contrasting colour(s) are used, the outer edge of the contrasting colour(s) will form the sign surface area. The surface area of the sign in a co-joined ‘V’ shape is the sum of both surfaces.

“Wall” - is the vertical external face of a constructed building comprising solid building material and includes any openings (windows/doors) but does not include a fence. A building may consist of several walls each wall being defined by a clear edge at which the angle of alignment of the adjoining wall changes.

## **POLICY STATEMENT**

### **General Provisions:**

#### Location of signs

- 1.1 Signs must be within or on the boundaries of the lot on which the business is operating (except election signs). The only exception is signs which are attached to an approved awning or verandah which extends into the road reserve.

#### Content of signs

- 1.2 The content of a sign (other than an election sign) shall be limited to:
- (i) Name of traders/occupants/operators;
  - (ii) Details of business name or business carried out on the land;
  - (iii) Telephone or contact details;
  - (iv) Details of the goods sold or services provided; and
  - (v) The trademark or logo of the business or products for sale
- 1.3 The sign (other than an election sign) can only advertise the activity or business that is carried out on the property.

#### Safety

- 1.4 No sign shall pose threat to public safety or health, obstruct sightlines of vehicles, cyclists or pedestrians or obstruct pedestrian movement.

#### Signs visible from a Main Road

- 1.5 Signs on private land but visible from a road controlled by Main Roads WA (MRWA) under the provisions of the Main Roads (Control of Advertisement) Regulations 1996 will be referred to MRWA for comment.

#### Building Permit

- 1.6 Any sign that requires structural features is required to obtain a Building Permit. An Engineers certificate from a registered structural engineer is to accompany the application.

#### Illuminated Signs

- 1.7 Any signs which are proposed to be illuminated must comply with the following:

- (i) Can have a maximum luminance measured in candela per square metre, in accordance with the following table:

' <del>Town</del> ' <del>Regional</del> Centre <del>and</del> 'Mixed Use' 'Tourism' <del>Port</del> <del>Reserve</del> 'Service Commercial' and all 'Industry' zones	'Local Centre' and 'District Centre' zone	Where the sign is within 100 metres of Residential development
500 cd/sqm	350 cd/sqm	300 cd/sqm

- (ii) All conduits, wiring, switches or other electrical apparatus are to be concealed from general view;
- (iii) A maximum of one illuminated sign per tenancy is permitted.

#### Maximum aggregate number of signs

- 1.8 Notwithstanding the provisions of the table under Clause 1.13, the maximum number of signs permitted for each tenancy within a lot/property is:
- One Portable sign; and
  - Four other signs.

#### **Signs in the Chinatown Conservation Area or on Heritage Buildings:**

- 1.9 Notwithstanding any other provision of this Policy, any sign proposed in the Chinatown Conservation Area must comply with the following:
- Lettering to be simple. However, the lettering should not dominate the design of the sign.
  - Oriental graphics may be used.
  - Maximum number of five (5) colours permitted on each sign.
  - The bare light bulb signage as found on the 'Sun Pictures' sign may be considered if the lettering size and style of this particular sign is also used. However, this type of sign should not appear on more than one in every ten buildings in any given streetscape.
  - A maximum of three (3) signs per tenancy may be approved, i.e. one roof sign and other type of signs. On tenancies with two street frontages, a maximum of three (3) signs per street frontage may be approved.
  - Is to be affixed in a way that causes no damage to the building and can be removed without leaving evidence of having been affixed.
- 1.10 Signs on Places within the Shire of Broome Heritage List with a grading of A or B must comply with the following:
- Lettering to be simple.
  - Maximum number of five (5) colours permitted on each sign.
  - Is to be affixed in a way that causes no damage to the building and can be removed without leaving evidence of having been affixed

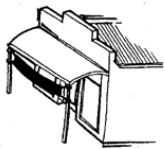

**Signs not permitted:**

1.11 The following signs are not permitted:



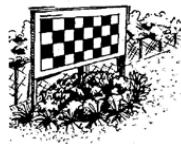
- (i) Any advertisement that is objectionable, offensive or dangerous;
- (ii) Illuminated signs that pulsate, flash or contain moveable electronic text;
- (iii) Signs that incorporate animation or movement in to the design or structure;
- (iv) Creative buildings where structures, including permanent or inflatable structures, are placed on top for promotional purposes;
- (v) Signs placed in/or on infrastructure associated with a bus stop, telephone booth or a highway sign;
- (vi) Signs that are moveable other an a 'mobile Billboard' sign;
- (vii) Bunting;
- (viii) Tethered balloons, blimps or other such objects that float above building or property;
- (ix) Any signs listed as 'X' in Table under Clause 1.14.
- (x) Any sign which is not erected within or on the boundaries of the lot to which the business is operating (except election signs). The only exception is signs which are attached to an approved awning or veranda which extends into the road reserve.




**Sign Standards**



1.12 The following table details the types of signs, the design requirements and maximum numbers for each sign type which must be complied with in addition to the general provisions listed above:




Type of Sign	Design Standards	Maximum number of signs
<p><b>Banner Sign -</b> is a temporary sign on <del>non-rigid</del>non-rigid material hung on a building or a fence to promote sales or special activity but does not include a 'Community Service Sign' or an 'Event Sign'.</p> 	<ul style="list-style-type: none"> <li>The banner does not exceed 4sqm in area;</li> <li>If located under eaves or verandahs provides head room clearance of 2.75m above natural ground level; and</li> <li>Is displayed for no longer than 4 weeks during any 12 month period.</li> </ul>	One sign per tenancy
<p><b>Canopy Sign -</b> is a sign placed on one or more of the canopy fascia at a petrol filling station or similar facilities.</p> 	<ul style="list-style-type: none"> <li>Must be attached to the facades of the canopy only and shall not project more than 1m above the canopy.</li> </ul>	N/A
<p><b>Community Service Sign -</b> is a temporary sign on <del>non-rigid</del>non-rigid material hung on a building or fence to promote a not-for-profit fete, fair or festival for a charitable, religious, education, <del>child</del>care, sporting organisation or the like but does not include a 'Banner Sign' or 'Event Sign'.</p>	<ul style="list-style-type: none"> <li>Maximum area of 4sqm;</li> <li>Located on the site of the proposed activity or the property of the relevant organisation where the activity is to occur; and</li> <li>Is displayed not more than 2 weeks before the community activity and taken down the day after the community activity occurs.</li> </ul>	One sign per street frontage
<p><b>Entertainment Sign -</b> is a sign that is displayed at an entertainment venue or to publicise a particular movie or performance.</p>	<ul style="list-style-type: none"> <li>An aggregate area of 0.2sqm per 1m street frontage of the tenancy with a maximum area of 4sqm; and</li> <li>Removed on the completion of the movie or performance to which they relate.</li> </ul>	N/A

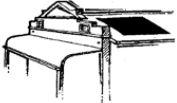




<p><b>Event/Trading Sign –</b> is a sign erected in accordance with a Trading Licence or Event Permit issued by the Shire.</p>	<ul style="list-style-type: none"> <li>• Determined in accordance with the Event Policy.</li> <li>• Cannot involve any advertising devices which are inflatable, or devices which are illuminated with pulsating, flashing or moveable electronic writing or animation.</li> </ul>	<p>N/A</p>
<p><b>Fence Sign –</b> is a sign erected, attached to or painted on a fence.</p> 	<ul style="list-style-type: none"> <li>• Maximum area of 20% of the section of fence to which it is attached to or 4sqm whichever is lesser.</li> </ul> <p>In the Chinatown Conservation Area, only the following type of fence signs are permitted:</p> <ul style="list-style-type: none"> <li>• Maximum area of 20% of the section of fence to which it is attached to or 2sqm whichever is lesser.</li> </ul>	<p>N/A</p>
<p><b>Flag Sign –</b> is a sign printed on a flag and flown from a pole and can include up to 4 separate <del>flags, but</del> flags <del>but</del> does not include bunting (small triangular flags attached to rope).</p> 	<ul style="list-style-type: none"> <li>• Each flag has a maximum area of 2sqm;</li> <li>• There is a minimum separation of 1.5m between each flag;</li> <li>• Is no higher than the building to which the sign relates;</li> <li>• Is not placed in a way to be a hazard or safety risk to pedestrians, bicyclists or vehicular traffic; and</li> <li>• Is removed at the end of each business day.</li> </ul>	<p>One flag sign per lot (one flag sign can consist of 4 flags)</p>
<p><b>Freestanding Sign –</b> – is a sign that is not a ‘Pylon Sign’ supported above ground level by one or more piers and is not attached directly to any building or other structure.</p> 	<ul style="list-style-type: none"> <li>• Maximum area of 2 sqm;</li> <li>• Does not exceed 2.5 metres in height; and</li> <li>• Cannot be located on a property where there is one ‘Pylon Sign’ or one ‘Hoarding Sign’.</li> </ul>	<p>One sign per lot except within a ‘Public Purpose’ reserve where the maximum number is one sign per street frontage.</p>

<p><b>Gable Sign –</b> is a sign attached to or painted on the gable of a roof.</p> 	<ul style="list-style-type: none"> <li>• Fits within the gable feature</li> <li>• The sign area is not greater than 1.2sqm,</li> <li>• Can be inclined no more than 10 degrees from the vertical</li> <li>• Has a maximum depth of 300mm.</li> </ul> <p>In the Chinatown Conservation Area, only the following type of gable signs are permitted:</p> <ul style="list-style-type: none"> <li>• Fits within the gable feature</li> <li>• The sign area does not exceed two-thirds the width of the tenancy with the sign having the maximum area of 1.2sqm.</li> </ul>	<p>N/A</p>
<p><b>Garage Sale Sign –</b> is a notice stuck on an upturned and weighted down standard sized cardboard box and placed on a road safety island advertising a garage sale for a private dwelling.</p> 	<ul style="list-style-type: none"> <li>• The sign is temporary, and is removed once the sale has concluded, usually within 24 hours.</li> </ul>	<p>N/A</p>
<p><b>Hoarding Sign -</b> is a sign on a detached structure supported above ground level by one or more piers and is not attached directly to any building or other structure.</p> 	<ul style="list-style-type: none"> <li>• Maximum area 20sqm;</li> <li>• Does not exceed 6 metres in height;</li> <li>• The bottom edge is to be not less than 1.2m from ground level;</li> <li>• Not located within 15m or not closer than its own height (which ever is the lesser) from any road reserve, street, footpath or public place; and</li> <li>• Cannot be located on a property where there is one 'Pylon Sign' or one Freestanding Sign' already approved or constructed.</li> </ul>	<p>One sign per lot</p>

<p><u>Holiday House Sign</u> – is a sign that is erected on-site within the property boundary.</p>	<ul style="list-style-type: none"> <li>• Maximum area 0.2sqm (i.e. 50cm x 40cm).</li> <li>• Clearly visible from the street.</li> <li>• Must have the current property managers name and contact details.</li> </ul>	<p><u>One sign per Holiday House</u></p>
<p><b>Mobile Billboard Sign</b> – – is a sign painted on, attached to or placed on a vehicle (car, truck, boat, motorcycle, scooter, bicycle, trailer, caravan, machinery or similar) whether to not it is moveable.</p> 	<ul style="list-style-type: none"> <li>• Maximum horizontal or vertical dimension being 2.0m</li> <li>• The vehicle is removed when Cyclone warning 'Yellow' alert is issued</li> </ul>	<p>N/A</p>
<p><b>Portable Sign</b> – is a temporary sign placed on the ground outside a shop or business that has 2 panels on which advertising is displayed.</p> 	<ul style="list-style-type: none"> <li>• Is located within the property of the business it is advertising;</li> <li>• Advertises only the name of the owner or occupier of the premises to which it relates and the nature of the business;</li> <li>• Does not exceed 1,000mm in height;</li> <li>• Size of each advertising panel is no greater than 0.8 sqm;</li> <li>• Must not be located to impede pedestrian, bicycle or vehicular movement;</li> <li>• Is to be taken in each day at close of business; and</li> <li>• Is removed when Cyclone warning 'Yellow' alert is issued.</li> </ul>	<ul style="list-style-type: none"> <li>• One sign per tenancy</li> </ul>

<p><b>Projecting Sign –</b> is a sign fixed to and projecting from a wall above an awning or verandah or suspended from beneath a verandah.</p> 	<ul style="list-style-type: none"> <li>• Maximum area of 1.2sqm</li> <li>• Does not impede or create a hazard for pedestrian or cyclists</li> <li>• If suspended has a clearance of 2.75m from the ground/pavement.</li> </ul> <p>In the Chinatown Conservation Area, only the following type of projecting signs are permitted:</p> <ul style="list-style-type: none"> <li>• Maximum size of 0.6sqm</li> <li>• Does not impede or create a hazard for pedestrian or cyclists</li> <li>• If suspended has a clearance of 2.75m from the ground/pavement.</li> <li>• If illuminated such signs are only permitted above the verandah with a maximum length of 1/3<sup>rd</sup> of frontage or 0.6sqm whichever is the lesser.</li> </ul>	<ul style="list-style-type: none"> <li>• One sign per tenancy</li> </ul>
<p><b>Pylon Sign –</b> a sign that is either supported above ground level by one or more piers or is a monolith and is not attached directly to any building or other structure.</p> 	<ul style="list-style-type: none"> <li>• If advertising one business maximum area of 4sqm;</li> <li>• If advertising three or more businesses maximum area of 10sqm;</li> <li>• Has a maximum height of six (6) metres;</li> <li>• Has a maximum depth of 400mm;</li> <li>• Where clearance for pedestrian or cyclist traffic is required the bottom edge it is 2.75 metres above ground or pavement level; and</li> <li>• Cannot be located on a property where there is one 'Freestanding Sign' or one 'Hoarding Sign'.</li> </ul> <p>In the Chinatown Conservation Area, only the following type of pylon signs are permitted:</p> <ul style="list-style-type: none"> <li>• Multi-tenancy sites where identification is required for tenancies in a rear or side laneway or mall development;</li> <li>• The sign (excluding the pylon) shall be a maximum of 2.4m in height and 1m in width;</li> <li>• The overall height of the pylon cannot exceed 3m; and</li> <li>• Must be situated adjacent to the principal pedestrian entrance point provided no restriction of traffic flow is created.</li> </ul>	<ul style="list-style-type: none"> <li>• One sign per lot</li> </ul>
<p><b>Real Estate Sign –</b> is any sign advertising property transactions</p> 	<ul style="list-style-type: none"> <li>• A maximum size of 2sqm;</li> <li>• Is located within the property boundary to which the transaction relates;</li> <li>• Requires no guy ropes or stays or other external devices to ensure stability;</li> <li>• Is removed when the property transaction is completed or twelve months whichever is the lesser; and</li> <li>• Is removed when Cyclone warning 'Yellow' alert is issued.</li> </ul>	<p>N/A</p>

<p><b>Roof Sign –</b> is any sign painted or fixed to the roof of a building that does not protrude above the ridge line of the roof.</p> 	<ul style="list-style-type: none"> <li>• A maximum area of 20% of the area of the roof panel on which it is located or 4 sqm whichever is the lesser;</li> <li>• A maximum width of 2/3 of the width of the roof;</li> <li>• Does not protrude above the roof ridge line; and</li> <li>• Does not project more than 300mm from the portion of the building to which it is attached.</li> </ul> <p>In the Chinatown Conservation Area only the following type of Roof Signs are permitted</p> <ul style="list-style-type: none"> <li>• Only be located on the tenancy to which the sign directly relates to.</li> <li>• Maximum area of 10% of the area of the roof on which it is located or 4 sqm whichever is the lesser</li> <li>• If illuminated maximum length to be 1/3rd length of the roof or 3 metres whichever is lesser.</li> </ul>	<ul style="list-style-type: none"> <li>• One sign per lot</li> </ul>
<p><b>Verandah Sign –</b> is a sign displayed on the outer fascia of a verandah, canopy, blind or sunshade.</p> 	<ul style="list-style-type: none"> <li>• Maximum area of 1.2sqm; and</li> <li>• Provides a clearance of 2.75m from ground/pavement level; and</li> <li>• If located on the outer fascia has a maximum depth of 300mm.</li> </ul>	<p>N/A</p>
<p><b>Wall Sign –</b> is a sign attached to or painted on wall.</p> 	<ul style="list-style-type: none"> <li>• Maximum area of 20% of the wall to which it is attached to or 4 sqm whichever is the lesser; and</li> </ul> <p>In the Chinatown Conservation Area only the following type of Wall Signs are permitted:</p> <ul style="list-style-type: none"> <li>• Maximum sign size is 2sqm</li> </ul>	<p>N/A</p>
<p><b>Any Other Sign -</b> Is a sign that is not listed or defined within the general terms of the definitions or otherwise mentioned in this Policy.</p>	<p>These are to be considered against the provisions of a sign definition of 'nearest fit' and the performance criteria.</p>	<p>N/A</p>

### Permissibility

- 1.13 Notwithstanding the exemptions set out under Clause 1.14, the following signs must have development approval from the Shire of Broome:
- 1.13.1 all signage attached to buildings that are Graded A and B in on the Heritage List including signage proposed on all buildings in the Chinatown Heritage Area, is subject to development approval.
  - 1.13.2 Signs on private land but visible from a road controlled by Main Roads WA (MRWA) under the provisions of the Main Roads (Control of Advertisement) Regulations 1996 will be referred to MRWA for comment.
- 1.14 Signs that are notated as the following in Table 1 have the following permissibility/approval requirements:
- A** Do not require development approval if erected in accordance with the details contained in the General Provisions (1.1 to 1.11) and particular Sign Standards (1.13).  
  
Any sign that is listed as 'A' and will not comply with the General Provisions (1.1 to 1.11) and particular Sign Standards (1.13) will require development approval and are to be assessed against the Performance Criteria (1.15).
  - C** Require development approval and must comply with the details set out in the General Provisions (1.1 to 1.11) and the particular Sign Standards (1.13) and are to be assessed against the Performance Criteria (1.15).
  - X** Are prohibited.

LPS Land Use Zone Type of Sign	Regional Centre	Local Centre, District Centre Mixed Use Special Use Service Commercial	Tourist-Low Impact Tourist Developm entTourism	Residential	Light Service General Industry Port	& Rural Residential General Agriculture Rural Culture & Natural Resources Rural Small HoldingsSmall holding	Urban Development & Settlement	Special Use Public Purpose Reserves
Banner Sign	A	A	A	X	A	C	C	C
Canopy Sign	C	C	X	X	C	X	X	C
Community Service Sign	A	A	A	A	A	A	A	A
Election Signs	A	A	A	A	A	A	A	A
Entertainment Sign	A	A	A	X	X	X	X	A
Event/Trading Sign	other Shire permit	other Shire permit	other Shire permit	other Shire permit	other Shire permit	other Shire permit	other Shire permit	other Shire permit
Fence Sign	A	A	C	X	A	X	X	C
Flag Sign	A	A	A	X	A	X	C	C
Freestanding Sign	C	C	C	X	C	C	C	C
Gable Sign	A	A	A	X	A	X	X	C
Garage Sale Sign	A	A	A	A	A	A	A	A
Hoarding Sign	X	X	C	X	C	X	X	C
Illuminated Sign	A	A	A	X	A	X	X	A
Mobile Bill Board Sign	C	C	X	X	C	X	X	C
Portable Sign	A	A	A	X	A	A	A	A
Projecting Sign	A	A	A	X	A	X	C	C
Pylon Sign	C	C	C	X	C	X	X	C
Real Estate Sign	A	A	A	A	A	A	A	A
Roof Sign	C	C	C	X	C	X	X	C
Verandah Sign	A	A	A	X	A	X	X	C
Wall Sign	A	A	A	X	A	X	X	C
Any Other Sign	C	C	C	C	C	C	C	C

## Performance Criteria

- 1.15 Signs denoted by a 'C' or a sign denoted as 'A' (which do not comply with the General Provisions of Sign Standards) in table 1 are to also be assessed against the following criteria:

<u>Size</u>	Is in keeping/scale with the development or site on which it is proposed
<u>Colour and Shape</u>	Is complementary to the development and surrounding landscape
<u>Number</u>	There is not an excess of signage that detrimentally impacts on visual amenity
<u>Location</u>	The location is sympathetic to the existing landscape /streetscape
<u>Design</u>	The scale and form of the sign complements the building /development and does not obstruct key architectural features.

- 1.13 In assessing a proposed sign against the above criteria the Shire in its discretion may advertise the proposal as set out in ~~Shire of Broome Local Planning Scheme Clause 10.4~~ Local Planning Policy 5.14 – Public Consultation – Planning Matters.

- 1.14 Any application which is deemed to not satisfy the performance criteria under Clause 1.15 above, which proposes signs which in aggregate exceed 20% of the building elevation to which they relate to or proposed a sign which is not permitted as defined under Clause 1.12, are to be referred to Council for determination.

## SHIRE OF BROOME LOCAL PLANNING SCHEME No. ~~67~~ (LPS~~67~~) – LOCAL PLANNING POLICIES

~~This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.~~

~~Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 clause 5 & 6 of the deemed provisions of LPS7 have been completed.~~

~~This Policy is a Local Planning Policy adopted under the provisions of Clause 2.4 of LPS6. LPS6 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS6 was gazetted and came into operation on the 30 January 2015.~~

~~Planning policies adopted under LPS6 may be amended or rescinded after the procedures set out in Clause 2.4 and 2.5 have been completed.~~



## LOCAL PLANNING POLICY

5.11

<b>TITLE:</b>	<b>TELECOMMUNICATIONS INFRASTRUCTURE</b>
<b>ADOPTED:</b>	OCM 4 October 2012 – Page 58 - 62
<b>REVIEWED:</b>	OMC 30 July 2015 – Pages 28 – 40 OMC 17 December 2015 – Pages 110 – 121 OMC 25 May 2017 – Pages 85 – 260 OMC 14 December 2017 – Pages 1030 – 1043 OMC 12 December 2019 – Pages – 213 - 221 <del>OMC..</del>
<b>ASSOCIATED LEGISLATION:</b>	Planning and Development Act 2005 <a href="#">Planning and Development (Local Planning Schemes) Regulations 2015</a> <a href="#">Local Planning Scheme 7 (LPS7)</a>
<b>ASSOCIATED DOCUMENTS:</b>	State Planning Policy 5.2 – Telecommunications Infrastructure <del><a href="#">Local Planning Policy 8.11</a></del>
<b>REVIEW RESPONSIBILITY:</b>	Director Development <del>&amp; Community</del> Services
<b>DELEGATION:</b>	Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.
<b>APPLICATION:</b>	This policy applies to all land within the Shire of Broome <a href="#">Local Government boundary</a> .
<hr/>	
<b>Background:</b>	<a href="#">Previous Policy Number 8.19ed</a>
<p>The Shire of Broome at times receives applications for Telecommunications Infrastructure. Clause <del>4.17</del><a href="#">17</a> of LPS<del>7</del><a href="#">6</a> contains provisions relating to Telecommunications Infrastructure and this Policy will provide further direction on the assessment of such applications.</p> <p>Facilities which are listed in the Telecommunications (Low-Impact Facilities) Determination <del>1997</del><a href="#">2018</a> fall outside State and local government control but are required to comply with the Commonwealth Telecommunications Code of Practice <del>2021</del><a href="#">1997</a>. A copy of the Telecommunications (Low-Impact Facilities) Determination <del>1997-2018 and Amendment No.1 1999</del> can be accessed via the following website - <a href="#">Federal Register of Legislation - Home Page</a> <a href="http://www.comlaw.gov.au">www.comlaw.gov.au</a></p> <p>As a result this policy accepts that under the Telecommunications Act 1997 the following facilities are exempt from the requirement to obtain development approval, however a building permit may still be required:-</p>	

- (a) A low-impact facility described in the Telecommunications (Low Impact Facilities) Determination ~~2018~~1997 and Amendment No.1 1999, when installed by a Carrier;
- (b) Inspection and maintenance;
- (c) A temporary defence facility; and
- (d) A facility authorised by a Facilities Installation Permit issued under the Telecommunications Act.

Under Part 3 – Low-impact facilities of the Telecommunications (Low-impact Facilities) Determination 2018 clause 3.1 describes the following as being a low-impact facility:

- (1) A facility described in column 2 of an item in the Schedule is a low-impact facility only if it is installed, or to be installed, in an area mentioned in column 3 of the item.
- (2) However, the facility is not a low-impact facility if the area is also an area of environmental significance.
- (3) For subsection (1), trivial variations for a facility mentioned in column 2 are to be disregarded.
- (4) A facility that is ancillary to a facility covered by subsection (1) is also a low-impact facility only if it is:
  - (a) necessary for the operation or proper functioning of the low-impact facility; or
  - (b) a shroud installed over a low-impact facility, where the shroud is intended to minimise the visual amenity impact of the low-impact facility and is colour-matched to its background; or
  - (c) installed, or to be installed, solely to ensure the protection or safety of:
    - (i) the low-impact facility; or
    - (ii) a facility covered by paragraph (a); or
    - (iii) persons or property in close proximity to the low-impact facility.

~~sub clauses 6(4), (5) and (7) of the Telecommunications Act 1997, the following telecommunications facilities cannot be low impact facilities:~~

~~Designated overhead lines;~~

~~A tower that is not attached to a building;~~

~~A tower attached to a building and more than 5m high; (d) An extension to a tower that has previously been extended; and (e) An extension to a tower, if the extension is more than 5m high.~~

~~Accordingly, overhead cabling and new mobile telecommunications towers are not low impact facilities and a facility in an 'area of environmental significance' cannot be a low impact facility.~~

**Objective:**

1. Ensure that Telecommunications Infrastructure is developed in a manner that is compatible with the surrounding environment and will not adversely impact on the amenity of an area.
2. Establish suitable assessment criteria for the control and location of Telecommunications Infrastructure.
3. Ensure compliance with all relevant health and safety standards in the provision of telecommunications infrastructure.
4. Ensure that Telecommunications Infrastructure does not cause interference to any domestic or other commercial electrical appliance in the vicinity as a result of emission from the structure or any appliance connected or related to it.

**Definitions:**

**Mobile telephone service provider:** Means the holder of a carrier licence granted under Section 56 of the Telecommunications Act, 1997. [A holder of a carrier licence is also referred to as a "carrier" as per clause 41. of the aAct](#)

**Low Impact Facilities:** Means small radio communications antennae and dishes that are erected on existing towers or buildings and that are designed to be unobtrusive. Other types of low-impact facilities include underground and above ground housing, underground cables, public payphones and temporary emergency facilities—.

**Telecommunications Infrastructure:** Means land used to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in or in connection with, a telecommunications network and includes Radio and Television Installations used for business purposes or commercial gain.

**Sensitive Areas:** Means existing and proposed residential areas.

**Policy:**

**Location**

- 1.1 Telecommunication facilities and associated equipment such as shelters and antennas, are encouraged to locate within existing rural, industrial and commercial areas, large recreation grounds (e.g. playing fields, golf courses) in order to provide network coverage.
- 1.2 Telecommunications infrastructure is to be sited in accordance with the relevant State Planning Policy and it is the Shire of Broome's preference that infrastructure is not sited on land currently zoned or proposed to be zoned 'Residential—' or within a 100 metre radius of residential or sensitive areas.

- 1.3 In order to provide for future co-location, new mobile telecommunications towers, including equipment sheds, are to be designed in such a manner as to permit at least 3 mobile telephone service providers if constructed to a maximum height of 35 metres, and co-location of at least five (5) separate mobile telephone service providers if erected at a height of 40 metres.
- 1.4 Mobile telephone service providers shall co-locate onto existing towers, other existing structures or replace existing structures wherever possible. Where there is an existing facility in the locality and the Mobile telephone service provider chooses not to co-locate onto that facility, the applicant will be required to demonstrate by means of certification from an appropriately qualified person, that the proposal cannot be co-located onto that facility for technical or structural reasons.

### Design

- 1.5 Telecommunications Infrastructure is to be designed to have minimal impact on the streetscape, visual amenity of the surrounding built, natural conservation areas, places of heritage significance and natural environment of the locality.
- 1.6 Any proposal within proximity to the Broome International Airport must comply with the 'Inner Horizontal Surface' of the Obstacle Limitation Surface.
- 1.7 Mobile telephone service providers are required to use techniques to blend facilities into the environment in which they are located, including the use of natural, non-reflective, compatible colours and finishes and innovative tower designs.
- 1.8 Where a proposed facility is to be located on, or immediately adjacent to, an existing or proposed building or structure, care needs to be taken with its design and siting so as to integrate the development as far as possible with the building or structure to which it relates.
- Techniques which may be used to minimise adverse visual impacts include:
- adjustment to the overall size (height and scale) of the facility;
  - colour-matching with adjacent walls;
  - creating an architectural feature of the facility, such as a spire or column;
  - complementing facade treatment so as to maintain visual balance;
  - screening to minimise visibility of the facility from adjacent areas.
- 1.9 When locating on an existing structure, the Telecommunications Infrastructure shall be coloured and fixed onto or within buildings to blend/harmonise with the colour and design of the building and where possible, should be screened from public places by the building, and should not protrude from a building into or above a public road reserve, pedestrian access way or other public space.
- 1.10 The base of the tower and associated installations shall be screened by vegetation. A landscaping plan shall be submitted and implemented through the development approval conditions where required.

- 1.11 All decommissioned Telecommunications Infrastructure shall be removed and the site reinstated to an acceptable condition at the applicant's cost.

## General

### 1.12 Development Application Requirements

All development applications for Telecommunications Infrastructure should be accompanied by the following:

- (a) A completed Development Application Form
- (b) The required application fee
- (c) Location plans on a 1:50 or 1:100 scale showing the location of the facility and any existing or known facilities of the carrier and other carriers, within the Shire of Broome.
- (d) Site plans drawn to of scale 1:50 or 1:100 showing the existing and proposed improvements on the property, i.e. elevations, landscaping, watercourses and other natural features and levels at one metre contour levels.
- (e) Elevations - Council may require the submission of documentation showing sight lines demonstrating the level of visibility of the facility as viewed from adjacent properties or streets elevations of all proposed improvements on the site.
- (f) Colour photographs of the existing site and separate colour photomontages accurately depicting the proposed facility incorporated into the site.
- (g) Plans of the proposed mobile tower/monopole including the height, appearance, colour and location of equipment shelters.
- (h) A written submission detailing the following:
  - (i) the need for the facility;
  - (ii) details of co-location investigations, if applicable;
  - (iii) whether the applicant has notified other licensed carriers about the proposal and whether the other licensed carriers intend to co-locate on the proposed tower/monopole;
- (i) Information detailed under clause 6.3.1 of State Planning Policy 5.2 – Telecommunications Infrastructure.

## SHIRE OF BROOME LOCAL PLANNING SCHEME No. ~~76~~ (LPS~~76~~) – LOCAL PLANNING POLICIES

~~This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.~~

~~Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 of the deemed provisions of LPS7 have been completed.~~

~~This Policy is a Local Planning Policy adopted under the provisions of Clause 2.4 of LPS6. LPS6 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS6 was gazetted and came into operation on the 30 January 2015.~~

Planning policies adopted under LPS6 may be amended or rescinded after the procedures set out in Clause 2.4 and 2.5 have been completed.

## LOCAL PLANNING POLICY

5.12

TITLE:	PROVISION OF PUBLIC ART
ADOPTED:	OCM 19 September 2013 – Page 51 - 55
REVIEWED:	OMC 30 July 2015 – Pages 28 – 40 OMC 17 December 2015 – Pages 110 – 121 SMC 19 January 2016 – Pages 12 – 16 OMC 28 July 2016 – Pages 108 – 116 OMC 14 December 2017 – 1031 – 1043 OMC 12 December 2019 – Pages 213 - 221 <a href="#">OmeMC...</a>
ASSOCIATED LEGISLATION:	Planning and Development Act 2005 <a href="#">Planning and Development (Local Planning Schemes) Regulations 2015</a>
ASSOCIATED DOCUMENTS:	<a href="#">Shire of Broome Local Planning Scheme No 7 (LPS67)</a> Chinatown Development Strategy <a href="#">Public Art Master Plan for Broome Town Site</a> <a href="#">Guidelines for Developers Provision of Public Art</a> <a href="#">Chinatown Public Art and Interpretation Strategy</a> <a href="#">Public Art Guidelines</a>
REVIEW RESPONSIBILITY:	Director Development <a href="#">Services &amp; Community Services</a>
DELEGATION:	Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the <i>Local Government Act 1995</i> as amended or other statutes as applicable to specified officers.
APPLICATION	This policy applies to the LPS <del>7</del> <sup>6</sup> area <a href="#">Previous Policy Number 8-20</a>

## Background

Art can provide an important role in connecting people to place and providing a reflection and interpretation of the uniqueness of their culture and history. It can be a positive visual reminder of the sense of shared community. It may also enhance the attractiveness and cultural significant of a place and encourage further investment on the local economy. The installation of public art helps achieve the following aim of Local Planning Scheme No. ~~7~~<sup>6</sup>:

~~9(b)1.6.1.~~ Place  
(i)

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*Facilitate responsible growth and development with respect for Broome's natural and built heritage;*  
*Safeguarding and enhancing the character and amenity of the built environment and urban spaces of the Scheme area.*

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In order to ensure that new development or redevelopment celebrates and enhances local history and culture and promotes a sense of identity it is considered appropriate for significant development proposals to make a contribution to public art within Broome. *This contribution is to be made based on the following policy provisions and the Shire of Broome 'Art Concept Plan' and 'Guidelines for Contribution to Public Art'.*

#### Policy Objectives

- To set out the criteria for when development is to contribute a percentage of the development cost to the provision of public art whether in a cash contribution or public art work.
- Ensure that new development within the Broome town site makes a fair and reasonable contribution toward public artworks that promote and recognise Broome's rich culture, heritage and history.
- Enhance the sense of place and promotion of identity by providing an interpretation and expression of the area's natural physical characteristics, culture and history.
- Improve legibility and visual amenity of streets, open spaces and buildings, and
- Improve the functionality of the public domain through the use of public art to provide appropriate street furniture functions.

#### Definitions:

**'Construction Cost'** means the construction cost of development as stated by the Applicant on the Application for Development Approval form as the 'approximate cost of proposed development'

**'Development'** has the same meaning given to the term in and for the purposes of the *Planning and Development Act 2005* and applies to any such development, that in accordance with the Shire of Broome Local Planning Scheme No 67, requires the prior approval of the Shire.

**'Public Art'** means an artistic work that:

1. Is permanent in nature and constructed of materials which may be maintained and repaired if necessary, including metal, wood, plastic, paint or any other durable material.
2. Is either freestanding or integrated into the exterior of a building or other structure.
3. Reflects the local history, culture and /or community of the Place Area in which it is to be located.
4. Is created and located for public accessibility, either within the public realm or which in view of the public realm, such as a street, park, urban plaza (area) or public building, and



5. May take the form of unique functional objects designed by an artist (such as seats or gates), but may not include architectural design, advertising or directional signage or any form of commercial branding.

#### Exemptions

- 1.0 This policy applies to all development within LPS76 with the exception of:
  - a) Any development within the 'Rural General Agriculture', 'Rural Residential', 'Rural Small Holdings', 'Settlement' and 'Cultural Culture and Natural Resources' zones.
  - b) A development of a single house or less than 10 grouped or multiple dwellings.
  - c) Any development with a gross lettable area of less than five hundred (500) square metres.
  - d) Any other type of development with an estimated total construction cost of less than four million dollars (\$4,000,000).

#### Policy Statement:

- 1.1 Development is required to contribute an amount equal in value to half of a percent (0.5%) of the estimated total construction cost as indicated on the form of Application for Development Approval, for the development of public art works to enhance the public realm. The contribution can be a monetary amount or the installation of a public art work on the site of the development or within a crown reserve adjoining or near to the development site.
- 1.2 The contribution requirement shall be imposed on applicable development as a condition on the Development Approval. The condition shall specify that the contribution must be made prior to occupation of the development.
- 1.3 A monetary contribution made under clause 1.2 shall be paid into a special fund to be used by the Shire of Broome for the purpose of providing public art within the general locality or area of the subject site. Individual funds contributed may be accrued for more comprehensive or detailed public art projects in the locality or area as outlined in a plan adopted by the Council. Funds contributed may be used to meet any cost reasonably associated with the scoping, commissioning, fabrication, installation and identification of a public art work and the engagement of the community in the preparation of an art work.
- 1.4 Where a development incorporates public art work(s) to the same value as specified in clause 1.1 on the site of the development or within a crown reserve adjoining or near the development site, the public art work(s) must be:
  - a) Located in a position clearly visible to the general public;
  - b) Developed in accordance with a Public Art Report endorsed by the Shire incorporating all relevant information set out in the Shire's 'Guidelines for Developers the Provision of Public Art' and
  - c) Installed prior to the occupation of the development.

- 1.5 If the public art is to be located on the site of the development, in addition to the above, the public art work must remain on the site as a permanent fixture. The landowner's responsibility for the continuance of the public art work is to be formalised through a notification on the Certificate of Title under section 70A of the *Transfer of Land Act* in a form acceptable to the Shire.
- 1.6 Public art installed in accordance with clause 1.4 is considered 'minor development' and is therefore exempt from requiring a further Development Approval from the Shire.

**SHIRE OF BROOME LOCAL PLANNING SCHEME No. 76 (LPS76) – LOCAL PLANNING POLICIES**

This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.

Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 of the deemed provisions of LPS7 have been completed.

This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS6. LPS6 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS6 was gazetted and came into operation on the 30 January 2015.

Planning policies adopted under LPS6 may be amended or rescinded after the procedures set out in Part 2 clause 5 & 6 of the deemed provisions of LPS6 have been completed.

**LOCAL PLANNING POLICY****5.13**

<b>TITLE:</b>	DESIGN GUIDELINES - <del>REGIONAL TOWN</del> CENTRE ZONE
<b>ADOPTED:</b>	OMC 27 February 2014 – Item 9.2.5 Pages 64 - 67
<b>REVIEWED:</b>	OMC 30 July 2015 – Pages 28 – 40 OMC 17 December 2015 – Pages 110 – 121 OMC 25 May 2017 – Pages 85 – 260 OMC 14 December 2017 – Pages 1030 – 1043 OMC 12 December 2019 – Pages – 213 - 221 <del>OMC..</del>
<b>ASSOCIATED LEGISLATION:</b>	Planning and Development Act 2005 <del>Local Planning Scheme No 6 (LPS6) Planning and Development (Local Planning Schemes) Regulations 2015</del> <del>Local Planning Scheme No 7 (LPS7)</del>
<b>ASSOCIATED DOCUMENTS:</b>	<del>Chinatown Development Strategy</del>
<b>REVIEW RESPONSIBILITY:</b>	Director <del>of</del> Development <del>Services &amp; Community Services</del>
<b>DELEGATION:</b>	Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.
<b>APPLICATION:</b>	This policy applies to the Town Centre zone within Local Planning Scheme No- <del>76</del> . <del>Previous Policy Number 8.21</del>

**Background:**

The ~~Regional Town~~ Centre Design Guidelines were prepared as a part of the Chinatown Development Strategy, which was adopted at the Ordinary Meeting of Council in February 2013.

The Design Guidelines in the Chinatown Development Strategy incorporate background information that includes context, desired character and design guidance. The provisions of this Local Planning Policy include the Development Control provisions only as these are the provisions that applications for development approval will be assessed against. The background information in the Chinatown Development Strategy should be referenced to understand the context and objectives of the Development Controls in this Local Planning Policy.

In accordance with the recommendations in the Chinatown Development Strategy, these Design Guidelines also apply to the ~~Regional Town~~ Centre zone to the west of Hamersley Street/Old Broome Road.

**Objective:**

To ensure that the built form of all development within the ~~Regional Town~~ Centre Zone:

1. Reinforces Chinatown and the ~~Regional Town~~ Centre zone as the preeminent commercial centre of Broome.
2. Supports the provision of an active, vibrant and energetic ~~Regional Town~~ Centre zone.
3. Reveals, interprets and conserves Chinatown cultural heritage.
4. Reveals, interprets and conserves the unique natural environment

The Design Guidelines Chinatown will be reviewed and updated on a regular basis to ensure that all development outcomes reflect best practice planning initiatives. Such a review shall not trigger a requirement to review this policy.

**Definitions:**

Nil

**Policy:**

**Desired Character**

- 1.1 Development must retain a clear ~~visita-vista~~ at ground level along Short Street and Napier Terrace to Roebuck Bay.
- 1.2 Development should front and engage with both Dampier Terrace and Roebuck Bay.

**Urban Design**

**2.1 Crime Prevention through Environmental Design**

- 2.1.1 Along frontages and other pedestrian areas, development must incorporate and operate lighting underneath the canopy at ground level to promote afterhours security of areas under verandahs and awnings that are insufficiently lit by existing street lighting.
- 2.1.2 Development must not incorporate the use of reflective or dark glazing, permanent window coverings, opaque film, signage or any device that prevents views into non-residential buildings and hides the presence of activity within the building.
- 2.1.3 Building designs must provide clear sightlines from living spaces, balconies, hospitality and commercial areas to public spaces and vice-versa.
- 2.1.4 Opportunities for casual surveillance must be provided from inside buildings to the public realm.

2.1.5 Building entrances must optimise visibility and safety through being positioned in a prominent location within clear view of the street frontage, orientated towards the street with lighting.

2.1.6 Fencing in front of the façade must be of an open style (visually permeable) to allow passive surveillance between public and private realms.

## 2.2 Pedestrian Friendly Streets

2.2.1 All non-residential buildings fronting the street must provide continuous weather protection and shading along footpaths through the use of awnings, upper level building overhangs, colonnades and verandahs of a minimum width of 3 metres for the full length of the street frontage between the building and the street.

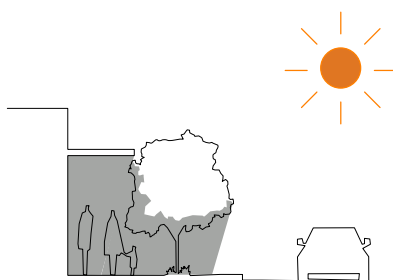


Figure: Provide continuous weather protection and shading along footpaths

2.2.2 Pedestrian laneways and courtyards must be at least 3 metres in width and be provided with at least 2.8 metres vertical clearance above the finished level of the laneway or courtyard.

2.2.3 In any development making use of public land such as the street verge, e.g. For alfresco dining, the developer must install shade trees within the verge to assist in providing shaded verge areas for pedestrian comfort.

2.2.4 All verandahs, awnings and other overhangs are to have a minimum vertical clearance of 2.8 metres above finished footpath level.

2.2.5 Verandah posts are to be setback a minimum of 0.5m from travel lanes and parking areas.

2.2.6 All verandahs, awnings and other overhangs must be designed to ensure they do not inhibit trees in the public domain achieving full mature canopies.

2.2.7 Alfresco structures within verge areas must provide integrated public access ways through the alfresco area.

## 2.3 Active Edges

2.3.1 Buildings must directly address streets and public places.

- 2.3.2 Development must provide clearly delineated building entries and associated elements to emphasise their visible presence from various approaches to the building.
- 2.3.3 Development must avoid or minimise blank walls presenting flat surfaces without detailing, openings or activity as viewed from the street and public spaces.
- 2.3.4 Development must ensure that car parking structures, building plant and service areas are screened from streets and thoroughfares by suitable development and/or landscaping.
- 2.3.5 Vehicle entries to premises including car parking areas must be located and designed so that they do not detract from street plantings or the safety, convenience and quality of the pedestrian environment.
- 2.3.6 Separate pedestrian entrances must be provided for residential and commercial uses.
- 2.3.7 Buildings must directly address streets and public places including Male Oval, laneways and Roebuck Bay.
- 2.3.8 Development must establish and maintain relatively continuous edges of built form along street frontages with gaps coinciding with important vistas, and any 'at grade' car parking areas and entries located and designed to minimise interruption of the built-form facing these streets.
- 2.3.9 On-site car parking must not be located between facades and the street boundary.
- 2.3.10 Edges of large-format retail stores or complexes must ensure that there are active frontages to all public streets with the active frontage flanked by smaller scale premises, active uses and other features that promote street activation and passive surveillance of the street.

#### 2.4 Setbacks

- 2.4.1 Buildings must be setback 0-2 metres from the street boundary.
- 2.4.2 Buildings seeking a setback of 0 metres to the boundary must incorporate a weather protection/shading structure as detailed under 2.2.1.

#### 2.5 Light Spill

- 2.5.1 Outdoor lighting must be directed downwards with no light spill above the horizontal plane.
- 2.5.2 Lighting must not pose a risk to aviation.

#### 2.6 Plot Ratio

- 2.6.1 Non-residential development should not exceed a plot ratio of 1 and a ~~site coverage~~ site coverage of 75%.

~~2.7 Floor Levels and Floor Protection~~

~~2.7.1 Development must comply with an absolute minimum fill level of 5.3m A.H.D. and a minimum floor level of 5.7m A.H.D., or, levels as may be varied by the Scheme based on new research and the relevant State Planning Policy.~~

**Built Form Design**

3.1 Height

- 3.1.1 Building height and the bulk of upper levels must maintain a compatible scale with adjacent development, and in any case, the height of buildings must not exceed a wall height of 10 meters and a building height of 14 metres.
- 3.1.2 The Obstacle Limitation Surface for Broome International Airport must not be penetrated by any building or structure.

3.2 Building Depth

- 3.2.1 Residential apartments (multiple dwellings) or multi-storey accommodation units must have a building depth of no greater than 18 metres.

3.3 Floor Level

- 3.3.1 To promote adaptability for future uses, for any residential development the ground floor to first floor height must be at least 4.2 metres, with a floor-to-floor height of at least 3.2 metres in each upper storey of a multi-storey building.

3.4 Heritage

- 3.4.1 Clauses 3.4.2 to 3.4.4 only applies to buildings within the Chinatown Conservation Area on the State Register of Heritage Places or buildings listed on the Heritage List.
- 3.4.2 Alterations and additions to places of heritage value must enhance the established heritage value and be compatible with the design, siting, scale, built form, materials and external finishes.
- 3.4.3 New and original developments must be able to be clearly identified as of a different development period but compatible in form, colour, materials, height, bulk, scale and relationship to adjacent heritage buildings.
- 3.4.4 Development must conserve, maintain, enhance and reinforce the existing streetscape and the historic character of individual buildings, exhibiting architectural and roof forms, designs, street frontage widths, materials, finishes, fences and landscape settings which complement without attempting to reproduce historic buildings or their detailing.

### 3.5 Facades

- 3.5.1 Buildings on corners must address both street frontages.
- 3.5.2 Buildings must incorporate articulation and other facade variations adjacent to street frontages and other significant public realm spaces to reduce their visual bulk and improve their appearance.
- 3.5.3 Other than in ground floor retail or commercial premises along an active frontage, openings should be small and with a strong vertical axis.
- 3.5.4 Colourbond is recommended for the external surfaces of buildings in Chinatown.
- 3.5.5 Structures should be simple in form.
- 3.5.6 Handrails and building trim should be very simple in detail.

### 3.6 Roof Forms

- 3.6.1 Large floor areas must be roofed by means of a series of smaller-scale individually roofed units that are linked to each other in order to reduce the perceived bulk of the roof form.

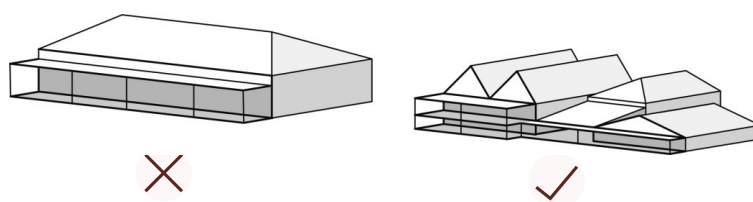


Figure: Break down a large roof form by smaller scale roof units

- 3.6.2 Roof forms that are not reflective of the character of original buildings such as flat, curved, pagoda, hexagonal or octagonal are not permitted.
- 3.6.3 Typical roof forms as found on original buildings such as simple hipped and gable forms with gable facing either front or side elevations must be used for single and two storey developments.

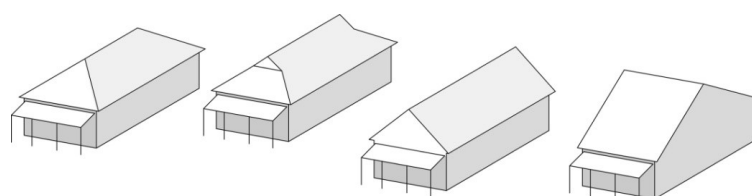




Figure: Typical roof forms

- 3.6.4 Unless varied to conform with flight path restrictions or a roof which is not visible from a public place, the roof pitch over the internal floor area must be between a minimum of 26 degrees and maximum of 40 degrees for hipped and gable roof forms.
- 3.6.5 The roof pitch over the internal floor area must be a minimum of 17.5 degrees for skillion roof forms.
- 3.6.6 Mono-skillion roof forms (a singular skillion roof) are not permitted.

### 3.7 External Colours and Materials

*The design guidance recommends that colour palettes should include at least one of the colours which has traditionally been used to paint buildings in Broome: off white, green, red or black.*

- 3.7.1 Primary cladding materials must be light coloured to reduce heat gain and the colours of external surfaces visible from the street or a public space must be no more than three (excluding colours of approved signage).
- 3.7.2 External colours must not pose risk to aviation due to glare.

### 3.8 Mechanical Services

- 3.8.1 Piped and wired services must be concealed from public view.
- 3.8.2 Services, including air conditioning units, satellite dishes and other plant and equipment, must be located to minimise visual and acoustic impact on neighbouring properties and the street and public realm.
- 3.8.3 All service meters must be contained within development lots, screened and integrated into the overall development.
- 3.8.4 Air conditioning must not be visible from the street and must not be visible above the roof line of buildings on street facing elevations.

### 3.9 Noise and Odour

- 3.9.1 Noise generating services such as air conditioning units must be remotely located or utilise noise control measures to minimise impacts on adjacent users.
- 3.9.2 Development, such as entertainment venues, with potential to emit significant noise must incorporate appropriate noise attenuation measures in their design to prevent noise from causing unreasonable interference with the amenity, also having regard to any adjoining residential areas.
- 3.9.3 Noise sensitive development must be located and/or incorporate adequate noise attenuation measures into their design and construction to provide occupants with reasonable amenity having regard to noise sources such as

entertainment premises, service areas for retail premises, and other activities contemplated in the Zone.

### Environmental Design

#### 4.1 Solar Design

- 4.1.1. Glazing within east and west facing walls must be shaded either by a neighbouring building, adjustable vertical shading structures or awning or similar structure or a combination of the above.
- 4.1.2. North facing and south facing openings must all be provided with a horizontal fixed or moving shading device with a minimum width of 750mm.

#### Residential/Tourist Development

- 4.1.3 All windows not shaded by a 900mm eave overhang, such as along a gable wall, or windows with a sill height of less than 0.5m above floor level, must be shaded by a device (e.g.: awning, pergola, louver or approved alternative) at the head of the opening with a minimum projection of 600mm suitable to cyclonic conditions.

#### 4.2 Ventilation

- 4.2.1 Principal living areas and major openings must be designed and located to enable cross-ventilation to effectively cool internal spaces.
- 4.2.2 Development should be designed to maximise cross ventilation by providing direct breeze paths for optimised cooling and air circulation.
- 4.2.3 Balustrades must be at least 75% breeze permeable.

#### Residential/Tourist Development

- 4.2.4 Habitable rooms must have at least one window with 50% openable area on all external walls.

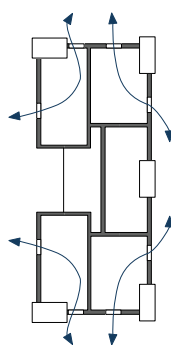


Figure: For habitable rooms enhance cross ventilation with openings on all external walls

- 4.2.5 Habitable rooms must have, per window, a minimum openable area of 1 metre square.

- 4.2.6 Primary outdoor living areas (including a space between more than two walls) must be covered by a roof, with a covered area of minimum dimension of 3.0 metres.
- 4.2.7 Flat ceilings to all habitable rooms must be a minimum of 2700mm.
- 4.2.8 Raked ceilings to habitable rooms must achieve an average of 2700mm with a minimum pitching plate of 2500mm.
- 4.2.9 A minimum of one ceiling fan must be provided to all habitable rooms.
- 4.2.10 Multiple and group dwelling developments must demonstrate effective cross-ventilation in communal access corridors and other circulation spaces.
- 4.2.11 Multiple dwelling developments must demonstrate the ability for cross ventilation to each unit.

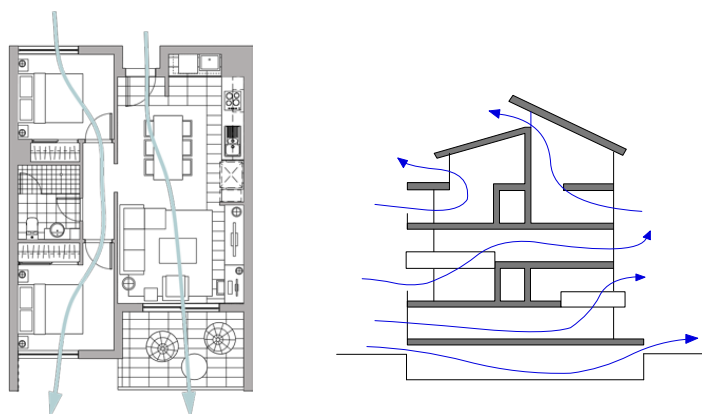


Figure: Multiple developments must demonstrate the ability to cross-ventilate each unit.

### 4.3 Landscaping Design

- 4.3.1 A landscaping plan must be submitted for any development application (with exception of single residential development) detailing plant types, number, irrigation and mulch type to demonstrate that the development will meet the above Objectives.
- 4.3.2 Landscaping will be designed with a view to crime prevention through environmental design and allow development to take advantage of views over open space while assisting with creation of an attractive urban edge with landscaping on verge and near-verge areas to soften the appearance of buildings and provide shade.
- 4.3.3 Landscaping must be designed to complement building design solutions to optimize climate-control benefits of ventilation and shading in an integrated way.

- 4.3.4 Unless shading has been provided by a building or structure, shade trees in car parking areas should be provided at a rate of not less than one per four parking spaces.

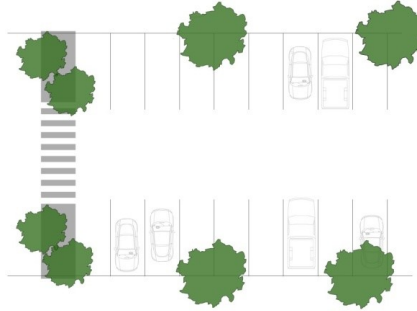


Figure: 1 in 4 shade trees in car parking areas

#### SHIRE OF BROOME LOCAL PLANNING SCHEME No. ~~76~~ (LPS~~76~~) – LOCAL PLANNING POLICIES

This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.

Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 of the deemed provisions of LPS7 have been completed.

~~This Policy is a Local Planning Policy adopted under the provisions of Clause 2.4 of LPS6. LPS6 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS6 was gazetted and came into operation on the 30 January 2015.~~

~~Planning policies adopted under LPS6 may be amended or rescinded after the procedures set out in Clause 2.4 and 2.5 have been completed.~~

## Design Guidelines Checklist

<b>Regional Town Centre Design Guidelines - Chinatown</b>	Y	N	N/A	Comments
<b>DESIRED CHARACTER</b>				
Desired Character				
1.1 Development must retain a clear vista at ground level along Short Street and Napier Terrace to Roebuck Bay. 1.2 Development should front and engage with both Dampier Terrace and Roebuck Bay.				
<b>URBAN DESIGN</b>				
Crime Prevention through Environmental Design				
2.1.1 Along frontages and other pedestrian areas, development must incorporate and operate lighting underneath the canopy at ground level to promote after-hours security of areas under verandahs and awnings that are insufficiently lit by existing street lighting. 2.1.2 Development must not incorporate the use of reflective or dark glazing, permanent window coverings, opaque film, signage or any device that prevents views into non-residential buildings and hides the presence of activity within the building. 2.1.3 Building designs must provide clear sightlines from living spaces, balconies, hospitality and commercial areas to public spaces and vice-versa. 2.1.4 Opportunities for casual surveillance must be provided from inside buildings to the public realm. 2.1.5 Building entrances must optimise visibility and safety through being positioned in a prominent location within clear view of the street frontage, orientated towards the street with lighting. 2.1.6 Fencing in front of the facade must be of an open style (visually permeable) to allow passive surveillance between public and private realms.				
<b>Pedestrian Friendly Streets</b>				
2.2.1 All non-residential buildings fronting the street must provide continuous weather protection and shading along footpaths through the use of awnings, upper level building overhangs, colonnades and verandahs of a minimum width of 3 metres for the full length of the street. 2.2.2 Pedestrian laneways and courtyards must be at least 3 metres in width and be provided with at least				

2.8 metres vertical clearance above the finished level of the laneway or courtyard.				
2.2.3 In any development making use of public land such as the street verge, e.g. for alfresco dining, the developer must install shade trees, or shade structures, within the verge to assist in providing shaded verge areas for pedestrian comfort.				
2.2.4 All verandahs, awnings and other overhangs are to have a minimum vertical clearance of 2.8 metres above finished footpath level.				
2.2.5 Verandah posts to be setback a minimum of 0.5m from travel lanes and parking areas.				
2.2.6 All verandahs, awnings and other overhangs must be designed to ensure they do not inhibit trees in the public domain achieving full mature canopies.				
2.2.6 Alfresco structures within verge areas must provide integrated public access ways through the alfresco area.				
<b>Active Edges</b>				
2.3.1 Buildings must directly address streets and public places.				
2.3.2 Development must provide clearly delineated building entries and associated elements to emphasise their visible presence from various approaches to the building.				
2.3.3 Development must avoid or minimise blank walls presenting flat surfaces without detailing, openings or activity as viewed from the street and public spaces.				
2.3.4 Development must ensure that car parking structures, building plant and service areas are screened from streets and thoroughfares by suitable development and/or landscaping.				
2.3.5 Vehicle entries to premises including car parking areas must be located and designed so that they do not detract from street plantings or the safety, convenience and quality of the pedestrian environment.				
2.3.6 Separate pedestrian entrances must be provided for residential and commercial uses.				
2.3.7 Buildings must directly address streets and public places including Male Oval, laneways and Roebuck Bay.				
2.3.8 Development must establish and maintain relatively continuous edges of built form along street frontages with gaps coinciding with important vistas, and any 'at grade' car parking areas and entries located and designed to minimise interruption of the built-form facing these streets.				
2.3.9 Off-street car parking must not be located between facades and the street boundary.				
2.3.10 Edges of large-format retail stores or complexes must ensure that there are active frontages to all				

	public streets with the active frontage flanked by smaller-scale premises, active uses and other features that promote street activation and passive surveillance of the street.				
<b>Setbacks</b>					
2.4.1	Buildings must be setback 0-2 metres from the street boundary.				
2.4.2	Buildings seeking a setback of 0 metres to the boundary must incorporate a weather protection/shading structure as detailed under 2.2.1.				
<b>Light Spill</b>					
2.5.1	Outdoor lighting must be directed downwards with no light spill above the horizontal plane.				
2.5.2	Lighting must not pose risk to aviation.				
<b>Plot Ratio</b>					
2.6.1	Non-residential development should not exceed a plot ratio of 1 and a site coverage of 75%.				
<b>Flood Levels and Floor Protection</b>					
2.7.1	Development must comply with an absolute minimum fill level of 5.3m A.H.D. and a minimum floor level of 5.7m A.H.D., or levels as may be varied by the Scheme based on new research and the relevant State Planning Policy.				
<b>BUILT FORM</b>					
<b>Height</b>					
3.1.1	Building height and the bulk of upper levels must maintain a compatible scale with adjacent development, and in any case, the height of buildings must not exceed a wall height of 10 metres and a building height of 14 metres.				
3.1.2	The Obstacle Limitation Surface for Broome International Airport must not be penetrated by any building or structure.				
<b>Building Depth</b>					
3.2.1	Residential apartments (multiple dwellings) or multistorey accommodation units must have a building depth of no greater than 18 metres.				
<b>Floor Levels</b>					
3.3.1	To promote adaptability for future uses, any residential development the ground floor to first floor height must be at least 4.2 metres, with a floor-to-floor height of at least 3.2 metres in each upper storey of a multi-storey building.				
<b>Heritage</b>					

3.4.2	Alterations and additions to places of heritage value must enhance the established heritage value				
3.4.3	and be compatible with the design, siting, scale, built form, materials and external finishes. New and original developments must be able to be clearly identified as of a different development period but compatible in form, colour, materials, height, bulk, scale and relationship to adjacent heritage buildings.				
3.4.4	Development must conserve, maintain, enhance and reinforce the existing streetscape and the historic character of individual buildings, exhibiting architectural and roof forms, designs, street frontage widths, materials, finishes, fences and landscape settings which complement without attempting to reproduce historic buildings or their detailing.				
<b>Facades</b>					
3.5.1	Buildings on corners must address both street frontages.				
3.5.2	Buildings must incorporate articulation and other facade variations adjacent to street frontages and other significant public realm spaces to reduce their visual bulk and improve their appearance.				
3.5.3	Other than in ground floor retail or commercial premises along an active frontage, openings should be small and with a strong vertical axis.				
3.5.4	Colorbond is recommended for the external surfaces of buildings in Chinatown.				
3.5.5	Structures should be simple in form.				
3.5.6	Handrails and building trim should be very simple in detail.				
<b>Roof Forms</b>					
3.6.1	Large floor areas must be roofed by means of a series of smaller-scale individually roofed units that are linked to each other in order to reduce the perceived bulk of the roof form.				
3.6.2	Roof forms that are not reflective of the character of original buildings such as flat, curved, pagoda, hexagonal or octagonal are not permitted.				
3.6.3	Typical roof forms as found on original buildings such as simple hipped and gable forms with gable facing either front or side elevations must be used for single and two storey developments.				
3.6.4	Unless varied to conform with flight path restrictions or a roof which is not visible from a public place, the roof pitch over the internal floor area must be between a minimum of 26 degrees and maximum of 40 degrees for hipped and gable roof forms.				
3.6.5	The roof pitch over the internal floor area must be a minimum of 17.5 degrees for skillion roof forms.				
3.6.6	Mono-skillion roof forms (a singular skillion roof) are not permitted.				
<b>External Colours</b>					



3.7.1	Primary cladding materials must be light coloured to reduce heat gain and the colours of external surfaces visible from the street or a public space must be no more than three (excluding colours of approved signage).				
3.7.2	External colours must not pose risk to aviation due to glare.				
<b>Mechanical Services</b>					
3.8.1	Piped and wired services must be concealed from public view.				
3.8.2	Services, including air conditioning units, satellite dishes and other plant and equipment, must be located to minimise visual and acoustic impact on neighbouring properties and the street and public realm.				
3.8.3	All service meters must be contained within development lots and screened and integrated into the overall development.				
3.8.4	Air conditioning must not be visible from the street and must not be visible above the roof line of buildings on street facing elevations.				
<b>Noise and Odour</b>					
3.9.1	Noise generating services such as air conditioning units must be remotely located or utilise noise control measures to minimise impacts on adjacent users.				
3.9.2	Development, such as entertainment venues, with potential to emit significant noise must incorporate appropriate noise attenuation measures in their design to prevent noise from causing unreasonable interference with the amenity, also having regard to any adjoining residential areas.				
3.9.3	Noise sensitive development must be located and/or incorporate adequate noise attenuation measures into their design and construction to provide occupants with reasonable amenity having regard to noise sources such as entertainment premises, service areas for retail premises, and other activities contemplated in the Zone.				
<b>ENVIRONMENTAL DESIGN</b>					
<b>Solar Design</b>					

4.1.1	Glazing within east and west facing walls must be shaded either by a neighbouring building, adjustable vertical shading structures or awning or similar structure or a combination of the above.				
4.1.2	North facing and south facing openings must all be provided with a horizontal fixed or moving shading device with a minimum width of 750mm.				
<b>Residential/Tourist Development Controls:</b>					
4.1.3	All windows not shaded by a 900mm eave overhang, such as along a gable wall, or windows with a sill height of less than 0.5m above floor level, must be shaded by a device (e.g.: awning, pergola, louver or approved alternative) at the head of the opening with a minimum projection of 600mm suitable to cyclonic conditions.				
<b>Ventilation</b>					
4.2.1	Principal living areas and major openings must be designed and located to enable cross-ventilation to effectively cool internal spaces.				
4.2.2	Development should be designed to maximise cross ventilation by providing direct breeze paths for optimised cooling and air circulation.				
4.2.3	Balustrades must be at least 75% breeze permeable.				
<b>Residential/Tourist Development Controls:</b>					
4.2.4	Habitable rooms must have at least one window with 50% openable area on all external walls.				
4.2.5	Habitable rooms must have, per window, a minimum openable area of 1 metre square.				
4.2.6	Primary outdoor living areas (including a space between more than two walls) must be covered by a roof, with a covered area of minimum dimension of 3.0 metres.				
4.2.7	Flat ceilings to all habitable rooms must be a minimum of 2700mm.				
4.2.8	Raked ceilings to habitable rooms must achieve an average of 2700mm with a minimum pitching plate of 2500mm.				
4.2.9	A minimum of one ceiling fan must be provided to all habitable rooms.				
4.2.10	Multiple and group dwelling developments must demonstrate effective cross-ventilation in communal access corridors and other circulation spaces.				
4.2.11	Multiple dwelling developments must demonstrate the ability for cross-ventilation to each unit.				
<b>Landscaping</b>					

4.3.1	A landscaping plan must be submitted for any development application (with exception of single residential development) detailing plant types, number, irrigation and mulch type to demonstrate that the development will meet the above Objectives.				
4.3.2	Landscaping will be designed with a view to crime prevention through environmental design and allow development to take advantage of views over open space while assisting with creation of an attractive urban edge with landscaping on verge and near-verge areas to soften the appearance of buildings and provide shade.				
4.3.3	Landscaping must be designed to complement building design solutions to optimize climate control benefits of ventilation and shading in an integrated way.				
4.3.4	Unless shading has been provided by a building or structure, shade trees in car parking areas should be provided at a rate of not less than one per four parking spaces.				

## LOCAL PLANNING POLICY

5.14

<b>TITLE:</b>	<del>8.23</del> PUBLIC CONSULTATION – PLANNING MATTERS
<b>ADOPTED:</b>	OMC 22 May 2014 – Item 9.2.3 – Pages 35 - 38
<b>REVIEWED:</b>	OMC 30 July 2015 – Pages 28 – 40 OMC 17 December 2015 – Pages 110 – 121 OMC 25 August 2016 – Pages 286 – 302 OMC 14 December 2017 – Pages 1030 – 1043 OMC 31 May 2018 – Pages 125 – 128 OMC 12 December 2019 – pages 213 - 221 <del>OMC XX</del>
<b>ASSOCIATED LEGISLATION:</b>	Planning and Development Act 2005 <del>Planning and Development (Local Planning Schemes) Regulations 2015</del>
<b>ASSOCIATED DOCUMENTS:</b>	Local Planning Scheme No <del>6</del> (LPS <del>6</del> ) <del>7</del> Residential Design Codes of Western Australia <del>Community Development Policy 5.1.10 – Council Policy -</del> Community Engagement
<b>REVIEW RESPONSIBILITY:</b>	Director of Development Services <del>&amp; Community Services</del>
<b>DELEGATION:</b>	Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.
<b>APPLICATION:</b>	This policy applies to the LPS <del>6</del> <del>7</del> area

[Previous Policy Number 8.23](#)**Background**

This Policy is designed to clearly define consultation required to meet the statutory and 'standard' consultation requirements for planning matters.

Clause 64(1) of the Deemed Provisions establishes when consultation is required under the Scheme. Clause 64(3) ~~to 64(7)~~ of the Deemed Provisions sets out minimum consultation requirements and gives discretion on how an application is to be advertised. This Policy establishes the circumstances where this discretion will be exercised.

This Policy is to be read in conjunction with ~~Community Development~~~~Council~~ Policy ~~5.1.10~~ – Community Engagement.

### Objectives

1. Guide where the Shire will advise and consult with the community or affected landowners about planning matters to ensure openness and accountability in the decision-making process.
2. Gauge public comment when required or when deemed appropriate.
3. Detail the requirements for consultation based on the level of the proposals 'impact'.
4. Set out the process the Shire will use when undertaking consultation and considering submissions.

### Definitions

**'Adjoining'** refers to any land or owner of land which abuts an application site or is separated from it only by a road, pathway, driveway or similar thoroughfare.

**'Affected Person'** means a person who owns land that adjoins an application site.

**'Application Site'** means the land upon which a land use, development or public work is proposed to be undertaken.

**'Advise'** means action in writing taken by the Shire or another to acquaint the recipient with details of an intended land use or development on an information-only basis.

**'Consult'** means either:

- a) Personal (evidence by signed documentation) or written contact with an affected property owner(s) by the party proposing to undertake a land use or development; or
- b) Written notification by the Shire to affected persons inviting comment on the proposal.

**'Development'** as defined under the Planning and Development Act 2005.

**'Development Control Unit'** means a technical advisory group to consider and recommend determination of development applications as established under Local Planning Policy or Shire Operating Procedure.

**'Land'** includes any building or part of a building created on the land.

**'Land owner'** means the person(s) listed as the registered owners on the Certificate of Title or in the case of Reserve land is the authority listed on the Management Order. On Reserve land with Management Order with the Shire of Broome and RNTBC (Yawuru), Yawuru Park Council will be the authority consulted.

**'Nearby Land'** means any land, other than neighbouring or adjoining land, which may be adversely affected by a development proposal and, where appropriate, may include owners of land within a neighbouring Shire.

**'Notify'** means written communication by the Shire or the proponent of a development proposal containing relevant information about the development proposal for the purpose of advice or seeking comment.

**'Public Advertisement'** means notification by way of an advertisement in a local newspaper, signs erected on the application site or signs on public notice boards.

**'Relevant Information'** means the principal details of a development proposal as determined by the Shire to be sufficient to describe the proposal and its potential impacts. Each such notification is to provide further information as to where and when full particulars of the development proposal can be inspected during the period which comments are sought.

**'Submitters'** means people who have provided written comment on a proposal within the formal comment period.

## 1.0 Policy Consultation Categories Levels and Methods

- 1.1 In those instances where consultation is to be conducted, the consultation will take either the form of a letter/[email](#) and/or a public advertisement in a local newspaper, unless otherwise specified in a Community Engagement Plan. All items advertised for public comment will articulate the following:
  - i. The reasons for undertaking the consultation.
  - ii. Set out details of the proposal or a part thereof in respect of which comment is being sought;
  - iii. Explain any policy variations being sought;
  - iv. Set out how to a member of the public could provide comment; and
  - v. Specify the timeframe within which any comments or submissions should be made.
- 1.2 Broome has no roadside postal delivery as such the Shire of Broome is unable to consult with occupiers. It is the responsibility of any landowner to advise an occupier of a proposal in which public comment is being sought.
- 1.3 Where deemed appropriate by officers, consultation may occur with government departments/referral agencies at any consultation level.
- 1.4 This Policy does not provide guidance on consultation with regards to Aboriginal heritage or cultural matters. A separate Policy will be prepared to in this regard and must be referred to when considering planning matters.
- 1.5 [Email will be the preferred method of communication with landowners with letters being posted when the Shire does not have an email address registered for the landowner.](#)

### Level A – No Consultation

- 1.6 No consultation will occur where the proposal:
  - i. is determined as having no predictable detrimental impact on the character or amenity of the immediate or general locality likely; and

- ii. is not required under Clause 64(1) of the Deemed Provisions; or
- iii. has previously occurred and only minor modifications or modifications that address previous concerns raised are proposed.

#### **Level B – Consultation with Owners of Adjoining Land**

- 1.6 For a Residential development where the Deemed to Comply provisions of the Residential Design Codes are not complied with, the owner(s) of land adjoining the application site affected by the non-compliance will be consulted unless the proponent has already undertaken the necessary consultation and secured agreement or obtained comment.
- 1.7 Where, in respect of other proposals, a proposed development:
- i. will be visible from any road or other public place; and
  - ii. will be likely to have an impact on the streetscape or amenity of properties in immediate proximity to the site;
- the owners of properties adjoining, and those on the other side of any street immediately opposite the application site, will be consulted.
- 1.8 The owners of properties determined as being potentially affected by a development proposal will be consulted in writing providing a minimum of 14 days (or such other period as prescribed by the relevant legislation) for the lodgement of any submission.
- 1.9 Where an affected land owner is consulted by the proponent of a development proposal, evidence of the acceptability of the proposal should be provided by way of a signed letter of non-objection and endorsement by way of no-objection comment, signature, printed name and full address on a copy of plan(s) submitted for Shire approval.

#### **Level C – Consultation with owners of the land in the locality**

- 1.10 Where a proposed land use or development is determined by the Shire as having the potential to impact upon:
- i. the use and enjoyment of land within an area but not extending to the whole of the Shire district; or
  - ii. specific interest groups within that area;
- the community within that area will be consulted.
- 1.11 The Shire will:
- i. publish a notice of the development proposal in a newspaper circulating in the area containing details set out in Appendix 1 of this Policy;
  - ii. publish a notice of the development proposal on the Shire's website under the Public Comment section and also place a copy on the notice board at the front of the Administration Building in the form of Appendix 1 of this Policy;

- iii. cause the applicant to place a notice of the development proposal on a sign in a prominent position on the property subject of the development proposal in the form of Appendix 1 of this policy;
- iv. provide written notice in the form of an email or letter to all land owners within a radius of at least 200m of the application site for land within the townsite boundaries or at least 500m radius for land outside of a townsite;
- v. consult with the owners of land beyond the forgoing areas where, in the opinion of the Shire, there will be an impact along key transportation facilities, tourist routes or view-sheds; and
- vi. consult as necessary with other affected government agencies or statutory authorities as the case requires.

- 1.12 The notice and letters referred to in Clause 1.12 must detail the relevant information of the application and invite comment within a period not being less than 28 days or, where appropriate, such longer period as may be necessary to comply with relevant legislation.

#### Level D – Community Engagement Plan

- 1.13 Where planning matters are of State, regional or shire-wide significance the community will be consulted. This level of consultation will require preparation of a Community Engagement Plan consistent with ~~Community Development Policy 5.1.10~~ Council Policy – Community Engagement.

- 1.14 Specific objectives for Level D consultation which must be taken into consideration when preparing the Community Engagement Strategy, include but may not be limited to the following:

- i. Raise awareness about a particular issue/matter;
- ii. Establish communication links with the community and identify which sections of the community are to be targeted in engagement plan;
- iii. Encourage active participation in programs;
- iv. Collect views, opinions and ideas;
- v. Foster community pride, support and 'ownership' and
- vi. Build trust and confidence between Council and the community.

- 1.15 Consultation mechanisms available for Level D include but are not limited to:

- i. Newspaper advertising;
- ii. Letter/mail box drops or Council notices;
- iii. Signage and displays in relevant locations;
- iv. Media releases – press, radio, television (subject to availability and budget);
- v. Notice to be displayed on Council's website;
- vi. Formation of community or advisory committees under Local Government Act 1995;
- vii. Formation of working groups;
- viii. Workshops, forums or briefing/information sessions;
- ix. Public meetings; or
- ix. Other procedures as required.



- 1.16 Notwithstanding the consultation methods adopted, a minimum level of consultation for Level D will be a comprehensive local newspaper notice ~~repeated over the duration of the process (minimum of 2 notices) associated~~ with a formal comment period of ~~twenty-one (21)~~<sup>28</sup> days, or such longer period that may be necessary to comply with relevant legislation.

#### Form of Submission

- 1.17 Where an invitation to comment on a development proposal or planning matter ~~has been extended in accordance with this Policy~~, submissions should desirably be made on the Submission Form at Schedule No 2 of this Policy. To be considered valid, any submission will be required to be signed by the submitter ~~(either email signature or signature on letter)~~ who must provide contact details including an address for correspondence (including email address). Reasons for any objection to a development proposal should also be included.
- 1.18 Where a written submission is received prior to the determination of an application and the Shire did not call for formal submissions, the submission must be considered as set out below 'consideration of submissions'.

#### Consultation Matrix

- 1.19 Schedule 1 outlines the appropriate level of consultation with affected persons and the community will be determined for land use and development proposal. Where proposals occur that do not clearly fall within the matrix, the criteria outlined above will be used to establish the consultation process.
- 1.20 Prior to commencing consultation of a development application, the application must be listed for discussion at the Development Control Unit meeting, where the Officer must present the level of consultation to be undertaken, consistent with this Policy.

#### Consideration of Submissions

- 1.21 All submissions received will be summarised into issues inserted into a Schedule of Submission when determinations are being made. Those officers required to examine the submissions will also provide comment and/or a recommendation as to the way in which the submissions should be determined.
- 1.22 Matters to be taken into account in the consideration of the submission are outlined as set out in 61 of the Deemed Provisions.
- 1.23 In making the determination on the application/planning matter, Council or the delegated decision-maker, will consider the Schedule of Submission and will make determinations of each submission.
- 1.24 Once a determination of the matter has been made, a letter will be sent to each submitter:
- acknowledging receipt of submission; and

- ii. advising of the determination of the development proposal concerned.

#### **Cost of Consultation**

- 1.25 The full cost of the consultation requirements specified within this policy are to be met by the applicant.
- 1.26 Council's fee schedule sets the cost for consultation.

#### **Access to Planning Applications where no consultation required**

- 1.30 In situations where a member of the public requests access to view a development application which does not require public consultation, the written consent of the applicant/owner must be obtained to view the documents submitted. In the event written consent is not obtained the person must make formal application under the Freedom of Information Act.

#### **SHIRE OF BROOME LOCAL PLANNING SCHEME No. ~~76~~ (LPS~~67~~) – LOCAL PLANNING POLICIES**

This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS~~76~~. LPS~~67~~ is administered by the Shire of Broome as the responsible authority under the Scheme. LPS~~67~~ was gazetted and came into operation on the ~~30 January 2015~~ 28 September 2023.

Planning policies adopted under LPS~~76~~ may be amended or rescinded after the procedures set out in Part 2 ~~clause 5 & 6~~ of the deemed provisions of LPS~~76~~ have been completed.

SCHEDULE 1 – CONSULTATION MATRIX

DEVELOPMENT PROPOSAL / PLANNING MATTERS	CONSULTATION LEVEL
Local Planning Scheme Review	D*
<del>Development Strategies for Selected Areas</del>	<del>D</del>
Scheme Amendment	C*
Structure Plans	C%
Subdivision Referrals from WAPC	A
Development proposing a variation to the Deemed to Comply criteria of the R-Codes	B
Development – ‘P’ Uses	A
Development – ‘D’ Uses	A
Development – ‘A’ Uses  – except the following:  <ul style="list-style-type: none"> <li><del>• ‘Bed and Breakfast’ in the Residential and Rural Residential zones which Level B consultation is required.</del></li> <li>• ‘Family Day Care’ in the Residential, Rural Residential and Mixed Use zones which Level B consultation is required.</li> <li><del>• ‘Home Business’ in the Residential zone for which Level B consultation is required.</del></li> <li>• <del>‘Telecommunications Infrastructure’ in the Rural and Cultural and Natural Resource Use zone for which Level B consultation is required.</del></li> </ul>	C
Uses not mentioned in Zoning Table	C
Extension to a Non-Conforming Use	C
Extractive Industry	C
Local Planning Policy Development/Review	D#

\* Additional consultation requirements prescribed in the Planning and Development (Local Planning Schemes) Regulations 2015.

# The minimum public consultation is detailed in clause 1.1~~76~~ of this Policy and in addition to this may include workshops with key stakeholders where deemed appropriate.

% Comment period must be ~~a minimum of 14 days and a maximum of 28 days~~42 days in accordance with Clause 18(3A) of the Deemed Provisions.

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SCHEDULE 2 – SUBMISSION FORM

DEVELOPMENT APPLICATION SUBMISSION FORM

PROPOSED: <b>Officer to insert Description</b>	Responsible Officer:
FILE REFERENCE: <b>Officer to insert</b>	Insert Name

Submitter: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Property Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Your Comment (tick one box): Support ☐ Object ☐ Undecided ☐

Comments  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*If necessary add additional pages to your submission.*

Signature of Submitter: \_\_\_\_\_ Date: \_\_\_\_\_

Post To: Chief Executive Officer  
Shire of Broome  
PO Box 44  
BROOME WA 6725

**APPENDIX 1 - FORM OF PUBLIC NOTICE FOR CONSULTATION PURPOSES  
PROPOSED DEVELOPMENT/STRUCTURE PLAN FOR PUBLIC COMMENT**

Notice is hereby given that ~~[insert description of matter which public comment is being sought]~~The Shire of Broome has received an application to use and/or develop at [Insert Address, i.e. Lot 25 (No 13) Sanctuary Road] for the following purpose and public comments are invited. ~~—i.e. a Structure Plan for Lot 26 Sanctuary Road] is available for public comment.~~

[Insert brief overview of the proposal – i.e. *The Structure Plan has been prepared to guide the future subdivision and development of Lot 26 Sanctuary Road, Cable Beach. The Structure Plan proposes to subdivide the site into 84 residential lots with an average lot size of 826m<sup>2</sup> and also propose the development of a local centre to service surrounding population*].

Copies of the [Structure Plan] will be available for viewing at the Shire of Broome Administration Centre, Weld Street Broome and will be open for inspection during normal office hours (8:00 AM to 4:00 PM) from [insert date] up to and including [insert date]. The [Structure Plan] will also be made available for viewing on the Shire's website at [www.broome.wa.gov.au](http://www.broome.wa.gov.au).

Submissions on the proposed [Structure Plan] may be made in writing and lodged to the Chief Executive Officer, P O Box 44 Broome WA 6725 or emailed to [shire@broome.wa.gov.au](mailto:shire@broome.wa.gov.au) before 4.00pm on [insert date].

If you would like to discuss the proposal further with the Shire please contact [insert officer contact details] on (08) 9191 3456.

.....  
S Mastrolembro  
Chief Executive Officer  
PO Box 44  
Broome WA 6725

## LOCAL PLANNING POLICY

5.15

**TITLE:** FORMS OF RESIDENTIAL ACCOMMODATION OTHER THAN SINGLE HOUSE

**ADOPTED:** 23 October 2014 – Item 9.2.2 pages 22-27

**REVIEWED:** OMC 30 July 2015 – Pages 28 – 40  
OMC 17 December 2015 – Pages 110 – 121  
OMC 14 December 2017 – Pages 1030 -1043 OMC  
12 December 2019 – Pages – 213 - 221

**ASSOCIATED LEGISLATION:** [Omc.](#)  
Planning and Development Act 2005  
[Planning and Development \(Local Planning Schemes\) Regulations 2015](#)  
[Shire of Broome Local Planning Scheme No 7 \(LPS67\)](#)

**ASSOCIATED DOCUMENTS:** [Bed and Breakfast Accommodation](#)

**REVIEW RESPONSIBILITY:** Director Development [Services & Community Services](#)

**DELEGATION:** Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.

**APPLICATION:** This policy applies to the LPS67 area

[Previous Policy Number 8.24](#)

**Purpose/Background**

Broome experiences housing affordability issues with many residents facing mortgage or rental stress. Over time the Shire has experienced that buildings have been designed or used for purposes other than a single house. This can often impact upon the amenity of an area and/or substandard facilities.

The purpose of this Policy is to define various dwelling forms and to establish development criteria for residential buildings.

**Objective:**

1. To facilitate the development of appropriately located and high quality residential accommodation.

2. To define the use, management and level of service provided for Residential Buildings.
3. To ensure various forms of accommodation are of a compatible scale and design with surrounding development.
4. To ensure that the establishment of alternative forms of residential accommodation in the residential zone protect the social and residential amenity.

#### Definitions:

**"Ancillary Dwelling"** as defined in the R-Codes (as amended) which currently state: self-contained dwelling on the same site as a dwelling which may be attached to, integrated with or detached from the dwelling, self-contained dwelling on the same lot as a single house which may be attached to, integrated with or detached from a single house.

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**"Bed and Breakfast Accommodation"** means a dwelling -

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a) used by a resident of the dwelling to provide short-term accommodation including breakfast, on a commercial basis for not more than 4 adult persons or one family; and

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b) containing not more than 2 guest bedrooms, means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short term commercial basis and includes the provision of breakfast.

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**"Dwelling"** as defined in the R-Codes (as amended) which currently state: *a building or portion of a building being used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six persons who do not comprise a single family.*

**"Grouped Dwelling"** as defined in the R-Codes (as amended) which currently state: *a dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate otherwise and includes a dwelling on a survey strata with common property.*

**"Habitable Room"** as defined in the R-Codes (as amended) which currently state: as defined by the NCC for a room/space used for normal domestic activities that includes: - a bedroom, living room, lounge room, music room, sitting room, television room, kitchen, scullery, dining room, sewing room, study, playroom, family room, sunroom, gymnasium, fully enclosed swimming pool or patio;

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but excludes: - a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes drying room, verandah and unenclosed swimming pool or patio and other spaces of a specialised nature occupied neither frequently nor for extended periods. A room used for normal domestic activities that includes:

~~• a bedroom, living room, lounge room, music room, sitting room, television room, kitchen, dining room, sewing room, study, playroom, sunroom, gymnasium, fully enclosed swimming pool or patio; but excludes~~

~~• a bathroom, laundry, water closet, food storage pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes drying room, verandah and unenclosed swimming pool or patio and other spaces of a specialised nature occupied neither frequently nor for extended periods.~~

**"Kitchen"** means a kitchen sink and any other "cooking facility" as defined under the Shire of Broome Health Local Law which states: "a cooking facility" includes a stove, oven, facility or appliance used for or in connection with the cooking of food.

**"Multiple Dwelling"** as defined in the R-Codes (as amended) which currently state: A dwelling in a group of more than one dwelling on a lot where any part of the plot ratio area of a dwelling is vertically above any part of the plot ratio area of any other but:

- does not include a grouped dwelling; and
- includes any dwellings above the ground floor in a mixed use development.

**"Permanent Accommodation"** when a building is occupied for a period of 3 months or greater.

**"Keyed units"** means a building which is designed such that separate portions of a building which is capable of independent human habitation can be sectioned off and locked.

**"Residential Building"** as defined in the R-Codes (as amended) which currently state: A building or portion of a building, together with rooms and outbuildings separate from such buildings but incidental thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation:

- temporarily by two or more persons; or
- permanently by seven or more persons, who do not comprise a single family, but does not include a hospital, a prison, a hotel, a motel or a residential school.

**"Single House"** a dwelling standing wholly on its own green title or survey strata lot, together with any easement over adjoining land for support of a wall or for access or services and excludes dwellings on titles with areas held in common property.

**"Temporary Accommodation"** (or short-term accommodation) where a building is occupied for a period of less than 3 months.

**"Tourist Development"** means a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or holiday accommodation, used to provide -

(a) short-term accommodation for guests; and

(b) onsite facilities for the use of guests; and

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~~(c) facilities for the management of the development, means any land or buildings used for the overnight or holiday accommodation of patrons in self contained units and/or shared accommodation and may include incidental on site recreational facilities such as golf, swimming, bike riding, tennis, bowls, fishing, restaurants, shops, function rooms and entertainment facilities, administration offices, caretaker facilities. It includes dormitory style accommodation, hostel/backpacker, tourist lodging / guest houses, motel and hotel.~~

**Policy:**

General Provisions

- 1.0 Where a building/buildings on a single lot contains two portions which are capable of human habitation independent from one another, each portion will be deemed to constitute a dwelling for the purpose of this policy and development approval.
- 2.0 A portion of a building will be deemed to be capable of human habitation when the portion includes a kitchen, bathroom and habitable room.
- 3.0 A door separating two portions of a building capable of independent human habitation will be considered as if it is a wall.
- 4.0 Designs that may be determined by the Shire to represent a layout which could reasonably be utilised as a Grouped or Multiple Dwelling, Residential Building or Additional Dwelling may include any or all of the following:
  - a) Mirroring of a layout and/or facilities an example of such is detailed in Figure 1.
  - b) More than one kitchen.
  - c) Independent external/internal access to a room, portion of a building or storey of a building or separately 'keyed' sections an example of such is detailed in Figure 1 and 2.
  - d) The ratio of bathrooms and toilets to the number of bedrooms.
  - e) The location and provision of separate outdoor living areas.
  - f) The amount of car parking or area available for car parking provided around the building.

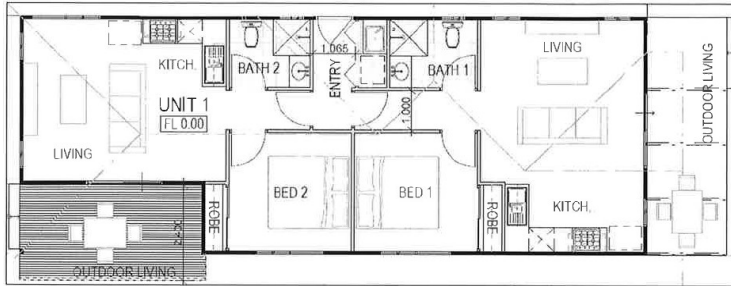


Figure 1 – An example of a layout which has common laundry facilities but the form and function is two separate dwelling units. This would be classed as, two grouped dwellings, single house with ancillary dwelling, or multiple dwelling if they were constructed above or below another dwelling.

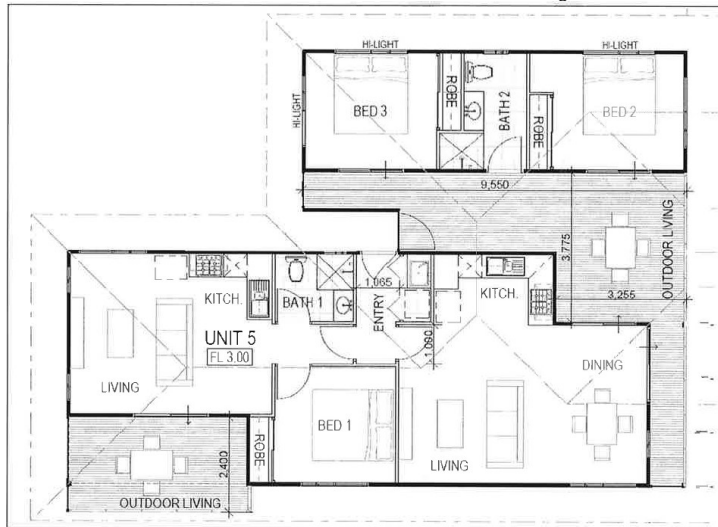


Figure 2 – An example of a layout which has common laundry facilities but the form and function is two separate dwelling units. This would be classed as, two grouped dwellings, single house with ancillary dwelling, or multiple dwelling if they were constructed above or below another dwelling.

- 5.0 For the purposes of undertaking a planning assessment and determining the use and function of a development a building designed to have two separate dwelling areas with shared laundry facilities would be classed as either multiple dwellings, grouped dwellings or single house with ancillary dwelling.

- 6.0 As a guide, the Shire will consider a building that provides a high ratio of toilets and bathrooms to the number of proposed or potential bedrooms as characteristic of a Residential Building.
- 7.0 It is acknowledged that in some situations houses may be designed with more than one kitchen for cultural or entertainment purposes. In circumstances where characteristics identified in Clause 4.0 are provided but the applicant's intention is to use the dwelling as a single house only, the applicant will be required to provide a statutory declaration, declaring that the dwelling will only be used as a single house unless further approval is sought from the Shire of Broome.
- 8.0 The use of rooms within a single house for accommodation of persons on a short term basis is classified as 'Bed and Breakfast' land use and must meet [any relevant Local Planning Policy this land use definition](#).

Development Standards

- 9.0 All Residential Buildings must meet the following standards:
- a) A maximum of 5 bedrooms (10 people) including a bedroom for the caretaker shall be permitted in a Residential Building;
  - b) The area of any bedroom shall not exceed 20m<sup>2</sup> excluding the area of the bathroom;
  - c) No kitchens are permitted in the bedrooms;
  - d) A central kitchen/dining/living area must be provided in the residential building along with a communal laundry facility;
  - e) One car parking bay shall be provided on site for each bedroom;
  - f) A maximum of two of the car parking bays can be visible from the street, the remaining bays must be positioned behind the building, out of view of the street, and all vehicles are to be parked inside the property boundary;
  - g) The site must be landscaped consistent with the appearance of a single house. A landscaping plan is required to be submitted with an application to demonstrate this; and
  - h) The Residential Building shall have the appearance of a Single House and it should be possible to use the building as a Single House unit if not used as a Residential Building.
- 10.0 A detailed Management Plan is required to be submitted for all applications for a Residential Building. The Management Plan should include, but not be limited to, the following:
- a) Control of noise and other disturbances, including the appropriate use of outdoor entertainment areas;

- b) Complaints management procedure, which is to include the provision of the telephone number of the accommodation owner and operator to adjoining neighbours;
- c) The use and on-going maintenance of the premises, landscaping and gardens, and any common property areas or common facilities (where applicable);

11.0 Any application received for a Residential Building will be ~~referred to all adjoining landowners for comment for a minimum period of 21 days~~ advertised for public comment as outlined in Local Planning Policy 5.14 - Consultation – Planning Matters.

12.0 Any application that proposes installation of kitchen facilities within bedrooms or multiple kitchens in a residential building will be considered as grouped or multiple dwellings and will need to meet relevant standards.

**SHIRE OF BROOME LOCAL PLANNING SCHEME No. ~~76~~ (LPS~~76~~) – LOCAL PLANNING POLICIES**

~~This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.~~

~~Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 of the deemed provisions of LPS7 have been completed.~~

~~This Policy is a Local Planning Policy adopted under the provisions of Clause 2.4 of LPS6. LPS6 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS6 was gazetted and came into operation on the 30 January 2015.~~

~~Planning policies adopted under LPS6 may be amended or rescinded after the procedures set out in Clause 2.4 and 2.5 have been completed.~~

## LOCAL PLANNING POLICY

5.16

<b>TITLE:</b>	<b>OLD BROOME DEVELOPMENT STRATEGY</b>
<b>ADOPTED:</b>	OCM 27/11/2014 – Item 9.2.2 Pages 75-87
<b>REVIEWED:</b>	<p>OMC 30 July 2015 – Pages 28 – 40</p> <p>OMC 17 December 2015 – Pages 110 – 121</p> <p>OMC 25 May 2017 – Pages 85 – 260</p> <p>OMC 14 December 2017 – Pages 1030 – 1043</p> <p>OMC 12 December 2019 – Pages – 213 - 221</p> <p><a href="#">OMC...</a></p>
<b>ASSOCIATED LEGISLATION:</b>	<p>Planning and Development Act 2005</p> <p><a href="#">Planning and Development (Local Planning Schemes) Regulations 2015</a></p> <p>Local Planning Scheme No <a href="#">16</a></p>
<b>ASSOCIATED DOCUMENTS:</b>	
<b>REVIEW RESPONSIBILITY:</b>	Director Development <a href="#">Services &amp; Community Services</a>
<b>DELEGATION:</b>	Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.
<b>APPLICATION:</b>	<p>The Policy applies to Precinct 2 – Old Broome</p> <p><del>Previous Policy Number 8.2</del></p>

**Application:**

~~This policy applies to Precinct 2 – Old Broome as identified under the Draft Local Planning Strategy as adopted by Council 21 November 2013, which incorporates the area bounded by Frederick Street to the north, Roebuck Bay to the east, Herbert Street to the west and Reserve 51304 to the south of the Demco residential area, to the south.~~

The Old Broome Development Strategy was adopted by Council on 27 November 2014. The Strategy incorporates context, background information and establishes a vision for the precinct. As the Strategy also provides corporate guidance, the purpose of this Local Planning Policy is to clarify the sections which apply in the development assessment process. Copies of the Old Broome Development Strategy should be referenced to understand the context and objectives of the controls in this Local Planning Policy.

### Objectives:

To ensure that all land use and development within Precinct 2 – Old Broome:

1. Is characteristic of a 'Mixed Use' area that compliments but does not detract from the Town Centre function of Chinatown.
2. Is of an open form that is sympathetic to the existing character of the area.
3. Reveals, interprets and conserves Old Broome's historic character and heritage places.
4. Reveals, interprets and conserves the unique natural environment, particularly Roebuck Bay.
5. Integrates and balances a variety of movement options to create a network that meets the needs of all users.

### Policy

#### 1.0 Strategy Plan

- 1.1 The strategy plan represents key spatial elements of the strategies identified in the Old Broome Development Strategy and is the key reference plan for guiding development in the precinct. A copy of the strategy plan is provided in Appendix 1.

#### 2.0 Land Use

- 2.1 Eight land use areas are depicted on the Strategy Plan as follows:
  - Area A – Mixed Use Retail / Commercial;
  - Area B – Mixed Use Commercial / Civic and Administration;
  - Area C – Mixed Use Commercial / Retail;
  - Area D – Mixed Use Tourism / Residential;
  - Area E – Tourist;
  - Area F – Recreation;
  - Area G – Residential 1; and
  - Area H – Residential 2
- 2.2 Commercial activation along key corridors, being Hamersley Street, Frederick Street, Carnarvon Street and Robinson Street south of Guy Street is supported, as depicted on the Strategy Plan.
- 2.3 Retail activity, in areas where supported, is to be small in scale with a focus on hospitality, tourist and convenience goods rather than comparison shopping, fast food or automotive related retail.
- 2.4 Development within the Old Broome Special Character Area is to preserve the existing open character of the area.
- 2.5 The following preferred, not preferred, and inappropriate land uses shall be considered when assessing Development Applications within the relevant land use areas:

<b>AREA A – MIXED USE RETAIL / COMMERCIAL</b>		
<b><i>Preferred</i></b>	<b><i>Not Preferred</i></b>	<b><i>Inappropriate</i></b>
Amusement Parlour	Hospital	Funeral Parlour
Art & Craft Centre	Telecommunications Infrastructure	Vehicle Hire
Restaurant	Childcare Centre	Plant Nursery
Office	Place of Assembly or Worship	Dry Cleaning Premises
Club Premises	Veterinary Centre	Liquor Store
Civic Use	Family Day Care	
Car Park	Holiday Home (Large)	
Shop	Holiday Home (Standard)	
Caretaker's Dwelling	Aged or Dependant Persons Accommodation	
Reception Centre	Recreation – Outdoor	
Occasional Use	Recreation – Private	
Industry - Cottage	Cinema / Theatre	
Health Club	Tourist Development	
Consulting Room	Cinema / Theatre	
Market	Tourist Development	
Home Office	Educational Establishment	
Single Dwelling	Recreation – Indoor	
Multiple Dwellings	Hotel	
Grouped Dwellings	Public Utility	
Home Occupation	Community Purposes	
Home Business	Residential Building	
Exhibition Centre	Bed & Breakfast Accommodation	
	Medical Centre	
	Motel	
	Museum	
<b>AREA B – MIXED USE COMMERCIAL/CIVIC</b>		
<b><i>Preferred</i></b>	<b><i>Not Preferred</i></b>	<b><i>Inappropriate</i></b>
Childcare Centre	Amusement Parlour	Funeral Parlour
Hospital	Telecommunications Infrastructure	Vehicle Hire
Place of Assembly or Worship	Bed & Breakfast Accommodation	Plant Nursery
Family Day Care	Holiday Home (Large)	Dry Cleaning Premises

Aged or Dependant Persons Accommodation	Holiday Home (Standard)	Liquor Store
Multiple Dwellings	Recreation – Outdoor	
Grouped Dwellings	Recreation – Indoor	
Exhibition Centre	Tourist Development	
Art & Craft Centre	Hotel	
Medical Centre	Motel	
Civic Use	Club Premises	
Office		
Educational Establishment		
Car Park		
Home Occupation		
Community Purposes		
Museum		
Cinema / Theatre		
Home Business		
Public Utility		
Recreation – Private		
Residential Building		
Caretaker's Dwelling		
Reception Centre		
Occasional Use		
Industry - Cottage		
Health Club		
Consulting Room		
Market		
Home Office		
Single Dwelling		
Veterinary Centre		
<b><i>Preferred activities along priority active frontages</i></b>		
Restaurant		
Shop		
<b>AREA C – MIXED USE COMMERCIAL/RESIDENTIAL</b>		
<b><i>Preferred</i></b>	<b><i>Not Preferred</i></b>	<b><i>Inappropriate</i></b>
Caretaker's Dwelling	Health Club	Funeral Parlour
Reception Centre	Veterinary Centre	Vehicle Hire
Occasional Use	Medical Centre	Plant Nursery
Industry – Cottage	Civic Use	Dry Cleaning Premises



Consulting Room	Car Park	Liquor Store
Market	Community Purposes	
Home Office	Museum	
Single Dwelling	Cinema / Theatre	
Aged or Dependant Person's Accommodation	Public Utility	
Multiple Dwellings	Educational Establishment	
Grouped Dwellings	Recreation – Outdoor	
Exhibition Centre	Recreation – Indoor	
Office	Tourist Development	
Bed & Breakfast Accommodation	Hotel	
Home Occupation	Motel	
Home Business	Club Premises	
Recreation – Private	Restaurant	
Residential Building	Hospital	
Holiday Home (Large)	Place of Assembly or	Worship
Holiday Home (Standard)	Amusement Parlour	
Shop	Telecommunications Infrastructure	
Art & Craft Centre		
Childcare Centre		
Family Day Care		
<b>AREA D - MIXED USE TOURIST/RESIDENTIAL</b>		
<b>Preferred</b>	<b>Not Preferred</b>	<b>Inappropriate</b>
Family Day Care	Place of Assembly or Worship	Funeral Parlour
Grouped Dwellings	Childcare Centre	Vehicle Hire
Residential Building	Hospital	Plant Nursery
Multiple Dwellings	Veterinary Centre	Dry Cleaning Premises
Aged or Dependant Persons Accommodation	Telecommunications Infrastructure	Liquor Store
Holiday Home (Large)	Educational Establishment	

Recreation - Private	Recreation – Outdoor	
Ancillary Dwelling	Exhibition Centre	
Holiday Home (Standard)	Medical Centre	
Hotel	Office	
Home Business	Civic Use	
Tourist Development	Car Park	
Home Occupation		
Recreation – Indoor		
Family Day Care	Place of Assembly or Worship	Funeral Parlour
Grouped Dwellings	Childcare Centre	Vehicle Hire
Residential Building	Hospital	Plant Nursery
Multiple Dwellings	Veterinary Centre	Dry Cleaning Premises
Aged or Dependant Persons	Telecommunications Infrastructure	Liquor Store
Accommodation		
Holiday Home (Large)	Educational Establishment	
Recreation - Private	Recreation – Outdoor	
Ancillary Dwelling	Exhibition Centre	
Holiday Home (Standard)	Medical Centre	
Hotel	Office	
Home Business	Civic Use	
Tourist Development	Car Park	
Home Occupation		
Recreation – Indoor		
Bed & Breakfast		
Accommodation		
Caretaker's Dwelling		
Reception Centre		
Occasional Use		
Industry Cottage		
Health Club		
Consulting Room		
Market		
Home Office		
Art & Craft Centre		
Single Dwelling		
<b>Preferred activities along priority active frontage</b>		

Amusement Parlour

Restaurant

Shop

#### AREA E – TOURIST

<i>Preferred</i>	<i>Not Preferred</i>	<i>Inappropriate</i>
Caravan Park		All other uses
Park Shop		
Recreation – private		
Caretaker's dwelling		
Park amenities		

#### AREA F – RECREATION

<i>Preferred</i>	<i>Not Preferred</i>	<i>Inappropriate</i>
Community Purposes		All other uses
Recreation Indoor		
Recreation Outdoor		
Club Premises		
Health Club		
Recreation Private		
Occasional Use		

- 2.6 Uses identified as 'not preferred' in the above tables may still be granted development approval if it is considered a development application demonstrates the following:
- Development will have no adverse impact on adjoining properties;
  - Development is considered to be appropriate in relation to other existing uses within the area.

- 2.7 'Preferred' and 'Inappropriate' uses in Areas G and H are to be as per Table 34 – Zoning Table of LPS76 for the 'Residential' zone.

- 2.8 The Shire will support Scheme Amendments for lots with frontage to the streets identified on the Strategy Plan as 'priority active frontages' only when the rezoning proposed is 'Mixed Use.'

- 2.9 The Shire will support Scheme Amendments within Area D to up-code existing 'Residential' zoned land to a maximum density of R40 if it can be demonstrated that such a rezoning will not adversely affect the existing character of the area. This does not apply to land located along a 'priority active frontage' as outlined above or within the 'Old Broome Special Character Area.'

- 2.10 Proposals that seek to change the R10 density coding in the Old Broome Special Character Area will not be supported.

- 2.11 Proposals that seek to change the existing residential density ~~codings~~ coding's in Area H will not be supported.
- 2.12 ~~Schedule 4 Item 14(4) Clause 4.32.3(b)~~ of LPS ~~76~~, which prohibits new residential development unless it is located above or behind an existing or new commercial development on site, shall apply only to lots with frontage along streets shown in the Strategy Plan as 'Priority Active Frontages'.
- 2.13 Development of Lot 451 and Lot 601 Hamersley Street shall allow for a high level of general public access on the ground floor level and ensure vistas to Roebuck Bay are retained. Any building on this site should be sensitively designed, have a 'light' construction and address all four sides. The development should not be 'privatised' nor dominate the location visually. (Refer to element 8 on Concept Plan).
- 3.0 Movement
  - 3.1 New development is to cater for priority pedestrian routes, crossings and connections identified in the Shire's Pathway Plan.
  - 3.2 Development is to provide for sealed pathways along both sides of each 'priority active frontage' within Old Broome as identified on the Strategy Plan and along at least one side of each secondary street.
  - 3.3 Pathways are illuminated, shaded and equipped with legible and appropriate wayfinding signage.
  - 3.4 Development is to provide for safe and publicly accessible east-west pedestrian links on the Roebuck Bay Caravan Park site, the street block formed by Weld, Barker, Robinson and Anne Streets, or the street block formed by Walcott, Barker, Robinson and Anne Streets.
- 4.0 Urban Form
  - 4.1 Site landscaping is to provide shade, shelter, screening where required and visual relief, and uses plant species and materials that are suitable to Broome conditions.
  - 4.2 Setbacks are used to achieve climate sensitive design outcomes and maintain the spacious character of Old Broome.
  - 4.3 A consistent approach to the treatment of streets and car parking appropriate to the desired character and function of streets is provided.
  - 4.4 Development with nil setbacks along streets identified in the Strategy Plan are encouraged.
  - 4.5 Building heights are restricted to two storeys in locations identified on the Strategy Plan to preserve the open vistas of Roebuck Bay.

**SHIRE OF BROOME LOCAL PLANNING SCHEME No. ~~76~~ (LPS~~76~~) – LOCAL PLANNING POLICIES**

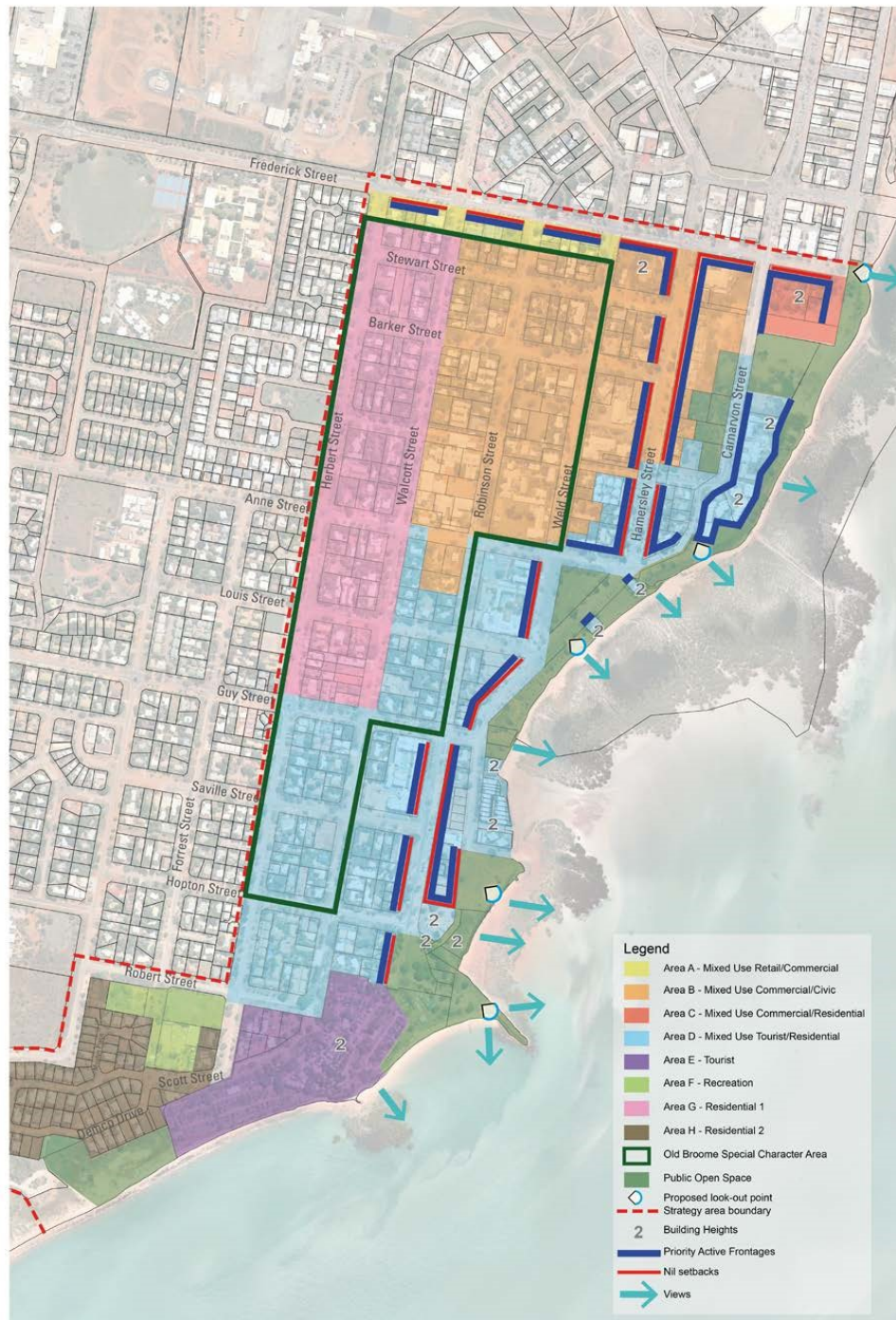
This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.

Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 of the deemed provisions of LPS7 have been completed.

~~This Policy is a Local Planning Policy adopted under the provisions of Clause 2.4 of LPS6. LPS6 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS6 was gazetted and came into operation on the 30 January 2015.~~

~~Planning policies adopted under LPS6 may be amended or rescinded after the procedures set out in Clause 2.4 and 2.5 have been completed.~~

**APPENDIX 1 – STRATEGY PLAN**



## LOCAL PLANNING POLICY

5.17

<b>TITLE:</b>	CARETAKERS DWELLINGS AND ATTACHED OFFICES IN THE LIGHT <del>AND SERVICE</del> INDUSTRY ZONE
<b>ADOPTED:</b>	OCM 20 April 1995 – Page 39 & 40
<b>REVIEWED:</b>	OCM 17 December 1996 – Page 42 OCM 15 December 1998 – Pages 49 – 50 OCM 20 March 2001 – Pages 54 - 55 OCM 8 April 2003 – Pages 29 – 43 OMC 30 July 2015 – Pages 28 – 40 OMC 17 December 2015 – Pages 110 – 121 OMC 25 May 2017 – Pages 85 – 260 OMC 14 December 2017 – Pages 1030 – 1043 OMC 12 December 2019 – Pages – 213 - 221 <u>OMC..</u>
<b>ASSOCIATED LEGISLATION:</b>	Planning & Development Act 2005 <u>Planning and Development (Local Planning Schemes) Regulations 2015</u> Local Planning Scheme No <del>76</del> (LPS <del>67</del> )
<b>ASSOCIATED DOCUMENTS:</b>	
<b>REVIEW RESPONSIBILITY:</b>	Director Development Services
<b><u>DELEGATION:</u></b>	<u>Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.</u>
<b><u>APPLICATION:</u></b>	<u>This policy applies to the 'Light Industry' zone in LPS7</u>

[Previous Policy Number 8.26](#)**Background:**

~~Clause 4.9.2~~Schedule 4 Item 8 of LPS~~76~~ lists the objectives for development in the Light and Service Industry zone which includes the following outlines:

~~the size and location of caretakers dwellings in association with another approved use on site. A caretaker's dwelling should be incidental ('I' Use) to the predominant use on site.~~

This Policy will establish minimum requirements that must be satisfied to ensure ~~that the objectives of LPS~~76~~ are satisfied~~the intent of the Scheme provision is maintained.

**Objective:**

1. Avoid incompatible uses being developed within the Light ~~and Service~~ Industry zone.
2. Ensure that Caretaker's Dwellings do not impact upon development of industry related land uses within the Light ~~and Service~~ Industry zone and do not impose constraints on the lawful use of land for industrial purposes nor compromise the integrity of the in the Light ~~and Service~~ Industry zone
3. Ensure Caretaker's Dwellings remain incidental to industrial uses.

**Definitions:**

Nil.

**Policy:**

- 1.1 A Caretaker's Dwelling and industrial development within the Light ~~and Service~~ Industry zone shall comply with the following:
  - (i) A Caretaker's Dwelling must be incidental to an approved and established 'industrial' use which has a minimum 200 square metre industrial building on the same site.
  - (ii) If an established 'industrial' use does not exist on the site the subject of an application for a Caretaker's Dwelling, the development application shall include plans for an industrial development with an industrial building with a minimum floor area of 200m<sup>2</sup>. If approved, a condition of development approval will be imposed setting out that the Caretaker's Dwelling cannot be occupied prior to the commencement of the industrial use on the property.
  - (iii) A Caretaker's Dwelling shall at all times be directly associated with an industrial or other approved use on the site.
  - (iv) The Caretaker's Dwelling may only be occupied by the owner, operator or an employee and immediate family of the industrial or other approved use on the lot.
  - (v) Caravans or mobile homes are not acceptable as temporary or permanent Caretaker's Dwellings.
  - (vi) The total floor area of the Caretaker's Dwelling, measured from the external face of walls, shall be limited to a maximum of 100 square metres.
  - (vii) Incidental residential development such as carports, open verandahs, swimming pools, and the like will be permitted on the basis that the



total area of the lot set aside for residential purposes (including the Caretaker's Dwelling, gardens, swimming pool, outbuildings and the like) does not exceed an area equal to that of industrial buildings on the lot, or 10 percent of the total lot area, ~~which ever~~whichever is the lesser.

- (viii) A Caretaker's Dwelling will only be considered on lots that have a site area of 2000m<sup>2</sup> or more.
  - (ix) All Caretaker's Dwellings shall be located at the rear of a lot or behind the industrial or other approved use on the site. Caretaker's Dwellings on sites with two road frontages may be orientated to one road frontage as opposed to being situated at the rear of the lot.
  - (x) Caretaker's Dwellings are limited to one Caretaker's Dwelling per lot and are not permitted on lots within a strata scheme.
- 1.2 A noise report prepared by a suitably qualified consultant must be submitted with an application for development approval setting out any noise acoustic measures required to be implemented to ensure a reasonable noise level for future occupants of the Caretaker's Dwelling.
- 1.3 As a condition of development approval, the Shire of Broome will impose a condition setting out that prior to the occupation of the development the owner must register a section 70A notification on title advising the following:

*The occupancy of the caretaker's dwelling may result in a lesser or lower enjoyment of residential living, and the application of lesser or lower prescribed environmental health standards, which would ordinarily be expected if living in the Shire's designated or zoned residential areas.*

#### **Office Component in Caretaker Dwelling**

- 2.1 An office may be connected to, or form part of a Caretaker's Dwelling subject to the following:
- the floor space of the office does not exceed 20m<sup>2</sup>
  - external access only is provided to the office
  - internal access between the office and the Caretaker's Dwelling is not permitted
  - the balance of the Caretaker's Dwelling does not exceed 100m<sup>2</sup> maximum floor area.
- 2.2 An office shall only be located on the ground floor of a Caretaker's Dwelling.
- 2.3 The office use must be incidental<sup>al</sup> to another approved land use on the lot.  
NOTE: Home Occupations or Home Office is not permitted in the zone.
- 2.4 Any office exceeding 20m<sup>2</sup> shall be located within, attached or adjacent to the industrial building on site and shall only be connected to a Caretaker's Dwelling

by a covered way with a maximum roof width of 2.0m, located at least 3.0 metres from the outer perimeter of the dwelling.

**SHIRE OF BROOME LOCAL PLANNING SCHEME No. ~~76~~ (LPS~~76~~) – LOCAL PLANNING POLICIES**

This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.

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## LOCAL PLANNING POLICY

5.19

<b>TITLE:</b>	STRATA TITLING OF TOURIST DEVELOPMENTS IN THE <del>TOURIST</del> <u>TOURISM</u> ZONE
<b>ADOPTED:</b>	OCM 17 December 1996 – Page 42
<b>REVIEWED:</b>	OCM 20 March 2001 – Pages 54 - 55 OCM 4 February 2003 – Pages 48 - 51 OCM 13 April 2004 – Pages 19 – 24 OMC 30 July 2015 – Pages 28 – 40 OMC 17 December 2015 – Pages 110-121 OMC 28 September 2017 – Pages 625 – 643 OMC 14 December 2017 – Pages 1030 – 1043 OMC 12 December 2019 – Pages 213 - 221 <u>OMC XX</u>
<b>ASSOCIATED LEGISLATION:</b>	Planning & Development Act 2005 <u>Planning and Development (Local Planning Schemes) Regulations 2015</u> <del>Local Planning Scheme No 6 (LPS6)</del> <u>Local Planning Scheme No 7 (LPS7)</u>
<b>ASSOCIATED DOCUMENTS:</b>	
<b>REVIEW RESPONSIBILITY:</b>	Director of Development <del>Services</del> <u>Services</u>
<b>DELEGATION:</b>	Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.
<b>APPLICATION:</b>	This policy applies to all development within the Tourist zone within <del>LPS6-LPS7.</del> <u>Previous Policy Number 8.28</u>

### Background:

Clause ~~3.14.2 of LPS6~~16 of LPS7 lists the objectives for development in the '~~Tourist~~  
Tourism' zone which includes the following:

~~ensure that short term tourist and holiday accommodation are the predominant land uses in this zone;~~To allow limited residential uses where appropriate.

~~Clause 3.42.4~~Schedule 4 of LPS7 establishes the site and development requirements within the ~~Tourist~~Tourism zone. At the Ordinary Meeting of Council on the 28 July 2016, the Cable Beach Development Strategy 2016 was adopted. The Strategy also contains development controls for Tourist Developments in the Cable Beach precinct.

This Policy has been prepared to guide the Strata Titling of tourist developments in the ~~Tourist~~Tourism Zone.

**Objective:**

1. To guide the strata titling of Tourist Developments in the ~~Tourist~~Tourism zone.
2. Ensure that the Tourist Developments which are strata titled are managed and maintained to provide a positive tourist experience.
3. Ensure that when Tourist Developments are strata titled the purpose and objectives of the ~~Tourist~~Tourism zone in ~~LPS6-LPS7~~ are maintained.

**Policy:**

Any tourist development which seeks approval for a strata subdivision within a ~~Tourist~~Tourism zone shall comply with the objectives and provisions of this policy.

- 1.1 No stand-alone residential development/subdivision and/or strata titling shall be approved.
- 1.2 Each tourist development unit shall contain at least a bedroom and bathroom. If laundry and clothes drying areas are not provided for each unit / apartment, laundry facilities shall be provided in a common area of the development.
- 1.3 Car parking for long stay/permanent residential accommodation units and the tourist orientated commercial developments shall be located as close as possible to that particular use and shall be clearly delineated at all times.
- 1.4 The development shall include a caretaker/managers residence or reception area being situated in a location, which facilitates suitable management of the resort.
- 1.5 The Strata Titling of a Tourist Development may only be supported where:
  - (a) the development standards, site and development requirements of the Local Planning Scheme and Cable Beach Development Strategy have been satisfied;
  - (b) the condition(s) of development approval have been complied with; and
  - (c) The visitor amenities/tourist facilities for the tourist development, or stage thereof, as shown on the approved plans are completed including leisure facilities (such as common swimming pool, gymnasium and tennis courts), reception facilities and caretakers accommodation

1.6 The creation of vacant survey strata lots will not be supported.

1.7 The planting of landscaping and the installation of reticulation shall be carried out in accordance with an approved landscaping plan prior to the approval of a Strata Plan.

1.8 Management Requirements

The applicant/developer shall enter into a formal legal agreement with the Shire (at no cost to the Shire) prior to the issue of Strata Title approval undertaking to:

- (a) Establish and operate a management system which ensures the development is run as a resort.
- (b) The management system to be an annexure to the formal agreement with the Shire and be approved by the Shire and the Australian Securities and Investment Commission (ASIC) if appropriate.
- (c) The management system will incorporate the provision of those features and facilities which identify the development as a resort, e.g. common or uniform furnishings to all units and a common maintenance, gardening and cleaning service.
- (d) The management system will be achieved via a management agreement and the body corporate by-laws established between the developer and purchasers of the units and to embody the following specific provisions:
  - A requirement by way of a deed of agreement that the purchasers of units shall allow their units to be rented out, by the resort manager and/or their agents, to the general tourist sector
  - The deed of agreement to be an annexure to the formal agreement with the Shire.
  - The purchasers of the units shall receive a financial return from the rental of their units less outgoings for matters such as booking fees, managers fees, laundry service, electricity charges, cleaning service, body corporate fees, maintenance and replacement of furniture, refurbishment reserve etc. These financial matters would be resolved and agreed upon between the developer and the purchasers.
- (e) Agree to amend and expand the Strata Title Company By-laws as set out in Schedule 1 of the Strata Titles Act 1985 to incorporate any requirements determined necessary by the Shire.
- (f) Agree to carry out the development in accordance with approved plans, specifications and all conditions of approval in all respects to the satisfaction of the Shire.

- (g) Agree to develop facilities, managers accommodation and amenity buildings as part of the first stage of any staged development. The number of units to be built in the first stage to be determined by the Shire. Upon completion of a first stage to the Shire's satisfaction, a Strata Plan may be registered. The Shire shall, however, require the lodgement of a Caveat on all vacant Strata Lots, which will not be removed until each unit and associated services has been developed.
  - (h) Agree to ensure that before any person becomes the registered proprietor of any Strata Lot, that:
    - The By-laws (referred to in point (d)) as endorsed by the Shire have been adopted by the Body Corporate.
    - Such unanimous and other resolutions as may be required under the Strata Titles Act 1985 have been adopted by the Strata Company so that the whole of the development may be completed and the developer is able to comply with the provisions of the legal agreement with the Shire.
    - The Strata Lot is fully serviced and fit for occupation to the satisfaction of the Shire.
    - The applicant/developer shall agree not to transfer, mortgage, charge, assign or encumber the land or any Strata Lot without the written consent of Council and without first having obtained from the person securing an interest in the land their agreement to abide by the provisions of the agreement with Council.
- 1.9 The legal agreement between developer and the Shire, must contain the following:
- (a) Management system to be put in place (annexure to agreement).
  - (b) Strata Company By-laws to be put in place (annexure to agreement).
  - (c) Agreement to carry out development in accordance with approvals.
  - (d) Agreement to provide amenities as part of Stage One.
- 1.10 If a Tourist Development is recommended for approval, conditions of development approval are likely to be incorporated addressing the following:
- (a) A manager must be appointed to oversee the operation of the development;
  - (b) All units, unless approved as permanent residential accommodation, must be used for short-term accommodation only and units must be made available for rent through a common rental pool, controlled by the manager.

- (c) All units, unless approved as permanent residential accommodation, must be fitted out to a consistent standards and be maintained by the manager.
- (d) All common landscaping areas and common facilities are to be maintained by the manager.

**SHIRE OF BROOME LOCAL PLANNING SCHEME No. ~~67~~ (LPS~~67~~) – LOCAL PLANNING POLICIES**

This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.

Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 clause 5 & 6 of the deemed provisions of LPS7 have been completed.

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## LOCAL PLANNING POLICY

## 5.20

<b>TITLE:</b>	<b>EXEMPT DEVELOPMENT</b>
<b>ADOPTED:</b>	OMC 30 July 2015 – Pages 28 – 40
<b>REVIEWED:</b>	OMC 17 December 2015 – Pages 110 – 121 OMC 25 May 2017 – Pages 85 – 260 OMC 14 December 2017 – Pages 1030 – 1043 OMC 12 December 2019 – Pages 213 - 221 <del>OMC XX</del>
<b>ASSOCIATED LEGISLATION:</b>	Planning and Development Act 2005 Local <a href="#">Planning and Development (Local Planning Schemes) Regulations 2015</a> Planning Scheme No <del>76</del> (LPS <del>76</del> )
<b>ASSOCIATED DOCUMENTS:</b>	
<b>REVIEW RESPONSIBILITY:</b>	Director Development Services
<b>DELEGATION:</b>	Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.
<b>APPLICATION:</b>	This policy applies to the LPS <del>76</del> area <a href="#">Previous Policy Number 8-30</a>

**Background**

~~Under Clause 61 of the deemed provisions certain works and uses are exempt from the requiring development approval. Development for which development approval not required – sets out which type of works or use which development approval is not required from the local government.~~ Sub-clause 61 (1)(i) and 61 (2) gives the ability for the Shire to adopt a Local Planning Policy to specify any works or use that do not require development approval.

The purpose of this Local Planning Policy is to define what forms of development in addition to the types listed in Clause 61 is exempt from the need to obtain development approval.

**Objectives:**

- Provide certainty about what is exempt development and therefore does not need development approval.
- Streamline the land use planning regulatory process.
- Ensure acceptable development outcomes are maintained.



**Definitions:**

**"Arbor"** means a feature that defines the pedestrian entry, walkway or passageway consisting of vertical posts or pillars that may also support a roof.

**"Exclusive Use"** means the use of public land whereby the nature of the activity would exclude a member of the public usual access rights to the land and/or the activity would impose a charge (or requirement for the purchase of an item) for a member of the public to use the land.

*Note: an example of an activity that is an exclusive use is where public land is fenced off and a member of the public which would ordinarily have access would be denied such as the fencing off of a lawn for a concert. If a trader is parked or has safety barriers erected to undertake an activity this does not constitute exclusive use.*

**"Temporary Use"** in accordance with Clause 8.2.1 (g) is where any use is in existence for less than 48 hours or such longer time as the local government agrees. For the purpose of this Policy, temporary use is considered to be less than 120 contiguous hours (i.e. the use of land for a maximum of 5 consecutive days).





**"Trellis"** means an architectural structure, usually made from an open framework or lattice of interwoven or intersecting pieces of wood, bamboo or metal that is normally made to support and display climbing plants, especially shrubs.





**Policy:**





**Prerequisites**



- 1.1 Before carrying out of development listed in Table 1 the following matters must be satisfied.
  - (i) No variation to any of the development standards prescribed in the LPS~~67~~ or the Deemed to Comply Development standards within the Residential Design Codes (R~~2~~-Codes) can be undertaken without the issue of development approval.
  - (ii) If required under the Building Act and Regulations of WA a Building Permit must be obtained.
- 1.2 Any works or uses listed in Table 1 is exempt from the need to obtain development approval.

TABLE 1 - Development that is exempt from development approval

Development Type Description	Example Image	Conditions that apply These are in addition to the Prerequisites listed above
<b>Agriculture – Extensive</b>  any buildings/structures/fences or land use associated with a pastoral activity.		<ul style="list-style-type: none"> <li>Located within the 'General Agriculture Rural' or 'Cultural and Natural Resource Use' zone.</li> </ul>
<b>Arbor, archway or gateway</b>  or similar type of decorative structure that defines the pedestrian entry to a property.		<ul style="list-style-type: none"> <li>Maximum height 3 metres</li> <li>Maximum width 2.5 metres.</li> <li>Only in the Residential zone.</li> </ul>
<b>Change of use to a 'P' (Permitted) land use.</b>	N/A	<ul style="list-style-type: none"> <li>Site and Development requirements under the applicable zone are satisfied.</li> </ul>
<b>Decking</b>		<ul style="list-style-type: none"> <li>Maximum height above natural ground level of 650 mm.</li> <li>Setback a minimum of 1.5 metres from the property boundary at any point excluding street boundaries.</li> <li>The deck does not change the land use.</li> </ul>
<b>Fencing</b>		<ul style="list-style-type: none"> <li>Any fence within the Residential zone that meets with the provisions of LPP 8-125.8 or any local law;</li> <li>Any fence within the 'Industry' and 'Light and Service-Industry' zones or 'Port Reserve' which meets with the provision of LPP 8-125.8 or any local law.</li> <li>Any fence in the 'Cultural and Natural Resource Use', 'Rural Residential', 'Rural Small Holdings', 'Smallholdings' zones which meets with the</li> </ul>

		provision of LPP 8-125.8 or any local law.
<b>Outdoor Cooking facilities.</b> Pizza Oven, BBQ		<ul style="list-style-type: none"> <li>Maximum height 1.8 metres excluding chimney or flue.</li> <li>Structures need to be setback as required by the R-Codes.</li> </ul>
<b>Rain Water Tank</b>		<ul style="list-style-type: none"> <li>Must be located behind the primary street frontage.</li> <li>Maximum height 2.4 metres above ground level;</li> <li>Maximum capacity of 6000 litres.</li> <li>Structures and tanks need to be setback as required in terms of the R-Codes.</li> <li>Tank must be ancillary to residential use.</li> </ul>
<b>Retaining Walls in the Residential Zone</b>		<ul style="list-style-type: none"> <li>Maximum height 650 mm above natural ground level and setback as required in R-Codes.</li> </ul>
<b>Satellite Dishes, Masts and Antennas.</b>		<ul style="list-style-type: none"> <li>Maximum diameter of 1.8m;</li> <li>Is sited in a position that does not face a street;</li> <li>Is not sited on a building or land included in the Heritage List.</li> <li>Maximum projection of 3m from the highest point of the building to which it is attached.</li> </ul>

<b>Solar Panels.</b>		<ul style="list-style-type: none"> <li>Solar panels are positioned on the roof of an existing building.</li> <li>Is not sited on a building or land included in the Heritage List.</li> <li>Incidental to an approved land use.</li> </ul>
<b>Sail and Shade Structures</b>		<ul style="list-style-type: none"> <li>No part of the fabric is closer than 750mm to any boundary.</li> <li>The shade sail does not change the land use.</li> <li>Is made of permeable material.</li> </ul>
<b>Trading or Events</b>  The use of any land which is approved through a license or permit issued under a local law		<ul style="list-style-type: none"> <li>The activity does not involve alterations to the land or construction of permanent structure(s); and</li> <li>The activity is not an exclusive use or it is temporary use.</li> </ul>
<b>Trellis -</b> Lattice or similar perforated material attached to Common or Dividing Fence		<ul style="list-style-type: none"> <li>If located adjacent to a side or rear (not secondary street) dividing fence,</li> <li>The combined height of the fence and trellis does not exceed 2.4 metres.</li> <li>Setback 6 metres from primary street boundary.</li> <li>Not located on any fence within the primary street setback.</li> </ul>
<b>Water Feature</b>		<ul style="list-style-type: none"> <li>Maximum height of 2.4 metres above natural ground level if located behind the primary street setback</li> <li>Maximum height of 1.2 metres above natural ground level if located within the primary street setback.</li> </ul>

Windmills		<ul style="list-style-type: none"> <li>If proposed to be constructed in the 'General Agriculture Rural', 'Rural Residential', 'Rural Small Holdings', 'Smallholdings' and 'Cultural &amp; Natural Resource' zone.</li> </ul>
Wind Turbines (to generate power) associated with a residential or agricultural use.		<ul style="list-style-type: none"> <li>If proposed to be constructed in the 'General Agriculture Rural', 'Rural Residential', 'Rural Small Holdings', 'Smallholdings' and 'Cultural &amp; Natural Resource' zone.</li> <li>Maximum height not exceeding 7.5 metres.</li> <li>There are no noise emissions that would impact on the amenity of adjoining properties.</li> </ul>

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#### SHIRE OF BROOME LOCAL PLANNING SCHEME No. 76 (LPS76) – LOCAL PLANNING POLICIES

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**LOCAL PLANNING POLICY****5.21**

<b>TITLE:</b>	<b>NON-CONFORMING USE REGISTER</b>
<b>ADOPTED:</b>	OMC 25 June 2015 - pages 61 – 65
<b>REVIEWED:</b>	OMC 17 December 2015 – Pages 110 – 121 OMC 25 May 2017 – Pages 85 – 260 OMC 14 December 2017 – Pages 1030 – 1043 OMC 12 December 2019 – Pages 213 - 221
<b>ASSOCIATED LEGISLATION:</b>	Planning and Development Act 2005 Local <a href="#">Planning and Development (Local Planning Schemes) Regulations 2015</a> Planning Scheme No <a href="#">76</a> (LPS <a href="#">76</a> )
<b>ASSOCIATED DOCUMENTS:</b>	
<b>REVIEW RESPONSIBILITY:</b>	Director Development Services
<b>DELEGATION:</b>	Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.
<b>APPLICATION:</b>	This policy applies to the LPS <a href="#">76</a> area

[Previous Policy Number 8.31](#)**Background**

Clause [3.2222](#) of LPS[76](#) establishes what is a non-conforming use and in short, a nonconforming use means a use of land which, though lawful immediately before the coming into operation of a planning scheme, is listed as a 'prohibited' or 'X' use under the zoning table under the new Scheme.

A non-conforming uses may continue unless the use is discontinued for a period of six months or more (Clause [3.2522\(2\)](#)).

Once the non-conforming use rights are no longer applicable the use must comply with the zoning, and any change of use or development will be subject to the normal planning requirements. Any alteration or extension of a non-conforming use or building, used in conjunction with a non-conforming use, or a change from a nonconforming use to another non-conforming use, requires development approval (Clause [3.23](#)). If the change is from one non-conforming use to another, then the proposed use has to be closer to the intended purpose of the zone (Clause [3.2423\(3\)](#)). ~~Rebuilding a building associated with a non-conforming use that has been destroyed, also requires development approval (Clause [3.27](#)).~~

Clause [3-2824](#) of the Scheme gives the ability for the Shire to maintain a register of nonconforming uses and this Policy will establish the process for this.

*Disclaimer: the existence of the Shire of Broome register or the inclusion or exclusion of particular uses does not alter the status of the particular use. Where a use has been discontinued for a period of six months or more, its non-conforming use right will cease to exist, irrespective of whether the site or use remains on the Shire of Broome nonconforming use register.*

**Objectives:**

1. Establish a process for a property to be nominated for inclusion on the Shire of Broome's non-conforming use register.
2. Define the minimum amount of information to be presented for the Shire of Broome to assess whether a property can be included on the non-conforming use register.
3. Establish a process to guide whether a property is appropriate for inclusion or exclusion from the non-conforming use register.

**Definitions:**

**"Non-compliant use"** is a use which is being undertaken which was not issued with appropriate approvals under previous Schemes or Interim Development Orders.

**"Non-conforming use"** is a use undertaken in accordance with Clause [4-22](#) of Local Planning Scheme No [76](#).

**"Register"** means the non-conforming use register maintained by the Shire in accordance with Clause [4-2824](#) of LPS[67](#) and set out in Appendix No 1 to this Policy.

**Policy:**

General Provisions

- 1.0 To maintain accurate records and give effect to Clause [3-2824](#) of LPS[67](#). This Policy will establish a process for a property owner wishing to nominate their property to the Shire of Broome's non-conforming use register.
- 2.0 The non-conforming use register will form an Appendix to this Local Planning Policy. The register, as set out in Appendix No 1, will be updated by Shire's Planning Officers every time a new property is listed in accordance with relevant delegation procedures.

Level of Information to be submitted with a request to be listed on the Register

- 3.0 The onus on providing information that the existing use on the property was lawful rests with the property owner, not the Shire of Broome.
- 4.0 The following minimum level of information must be forwarded with a request to be listed on the register:

- a) A cover letter setting out the following:
    - (i) The property address;
    - (ii) What is the non-conforming use;
    - (iii) Details on when the use commenced on the property and what, if any approvals, were issued by the Shire; and
    - (iv) Whether there were any periods in which the property was not used for that purposes and, if so, how long for.
  - b) Copies of approvals issued for the property.
- 5.0 In circumstances where development approval was not issued by the Shire of Broome for the use (because it was not required under either a previous Scheme or Interim Development Order), a copy of the approved building plans issued by the Shire of Broome must be supplied or any other information from the Shire of Broome confirming that the non-conforming use exists (i.e. a letter from the Shire or Council minute reference or any legitimate evidence that the business or activity was undertaken and has not discontinued (copies of invoices, etc)).

What will be assessed in determining whether a property will be listed on the Register

- 6.0 Firstly, the use must be a non-conforming use, and therefore must be an 'X' use under the Zoning Table or prohibited under Special Control Area provisions.
- 7.0 Secondly, it must be determined that the use was operating lawfully prior to the gazettal of LPS76. The following therefore must be established:
- a) Development approval was issued by the Shire of Broome for the use, unless the use was a 'Permitted' use under the operative Scheme or Interim Development Order at that time or was listed as being exempt from the need to obtain development approval; or
  - b) The Shire of Broome had issued a building permit/licence which expressly sets out on the stamped approved plans the building use, which is now not permitted; or
  - c) If the use was being undertaken on land prior to the gazettal of any Scheme or Interim Development Order, if building works were involved, then a building permit/licence with a stamped approved plans showing the building use; or
  - d) If the use was undertaken on land prior to the gazettal of a Scheme or Interim Development Order, prior written correspondence from the Shire of Broome advising of the non-conforming use existence, reference to the use within Council Meetings Minutes or any legitimate evidence that the business or activity was undertaken and has not discontinued (copies of invoices, etc).



- 8.0 Any request to be listed on the register which is submitted and is identified as being a non-compliant use will be dealt with as a compliance matter in accordance with the Shire's Compliance and Enforcement Policy.

| Assessment Process undertaken for Determining Whether a Property has a Non-Conforming Use

- 9.0 When a request for a property to be listed on the non-conforming use is received, the following process will be followed:

- a) The request is recorded and date stamped at Central Records.
- b) The request will be registered as a 'non-conforming use' application type in Synergy.
- c) Planning Officers will undertake a technical assessment by completing a delegated authority report to determine whether the property meets the criteria under clause 6.0 and 7.0 of this Policy.
- d) The delegated authority report will be tabled for discussion at the Shire's DCU meeting.
- e) If a property meets the criteria of a non-conforming use and is supported for inclusion at the DCU meeting, the Planning Officer is to correspond to the property owner and advise that the property is a non-conforming use, and Appendix 1 is to be updated under delegated authority.
- f) If a property does not meet the criteria of a non-conforming use and is not supported for inclusion at the DCU meeting, the Planning Officer is to correspond to the applicant and advise the property is not a nonconforming use and set out the reasons why.

- 10.0 When, through a review of Council's records or through the undertaking of a planning assessment, Planning Officer's identify a non-conforming use, the following process will be followed:

- |
- a) The identified property will be registered as a 'non-conforming use' application type in Synergy.
  - b) Planning Officer will undertake a technical assessment by completing a delegated authority report setting out the property meets the criteria under Clause 6.0 and 7.0 of this Policy.
  - c) The delegated authority report will be tabled for discussion at the Shire's DCU meeting.
  - d) If a property meets the criteria of a non-conforming use and is supported for inclusion at the DCU meeting, the Planning Officer will correspond to the property owner and advise that the property is a non-conforming use, and Appendix One is to be updated under delegated authority.

SHIRE OF BROOME LOCAL PLANNING SCHEME No. ~~76~~ (LPS~~76~~) – LOCAL PLANNING POLICIES

This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.

Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 of the deemed provisions of LPS7 have been completed.

~~This Policy is a Local Planning Policy adopted under the provisions of Clause 2.4 of LPS6. LPS6 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS6 was gazetted and came into operation on the 30 January 2015.~~

~~Planning policies adopted under LPS6 may be amended or rescinded after the procedures set out in Clause 2.4 and 2.5 have been completed.~~

APPENDIX 1 – NON-CONFORMING USE REGISTER

NCU #	NCU Type	Street No.	Lot No.	Street	Suburb	Current Zoning

Register of Entries /Amendments

NCU#	Date of Update	Date of DCU Decision	Property file reference

## LOCAL PLANNING POLICY

## 5.22

<b>TITLE:</b>	<b>SHIRE OF BROOME STRUCTURE PLAN AND SUBDIVISION STANDARDS</b>
<b>ADOPTED:</b>	OMC 26 November 2015 – Page 27
<b>REVIEWED:</b>	OMC 25 May 2017 – Pages 85 – 260 OMC 14 December 2017 – Pages 1030 – 1043 OMC 26 April 2018 – Pages 17 – 57 OMC 12 December 2019 – Pages 213 - 221 <a href="#">OMC...</a>
<b>ASSOCIATED LEGISLATION:</b>	Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015 Local Planning Scheme No. 6 <sup>7</sup>
<b>ASSOCIATED DOCUMENTS:</b>	Liveable Neighbourhoods 2015 Structure Plan Framework 2015 <a href="#">IPWEA Local Government Guidelines for Subdivisional Development 2017</a>
<b>REVIEW RESPONSIBILITY:</b>	Relevant State Planning Policies Director Development Services Director of Engineering Services
<b>DELEGATION:</b>	N/A
<b>APPLICATION:</b>	This policy applies to all land within the Shire of Broome.
<b>Objective:</b>	<a href="#">Previous Policy Number 8.32</a>

- Establish a clear framework for the preparation and assessment of Structure Plans and applications for subdivision within the Shire of Broome and to outline variations to state planning documents specific to local Broome conditions.
- Facilitate subdivision and development that meets the needs and expectations of the Broome community.
- Recognise that a wide range of different design elements/planning considerations need to be considered in the preparation and assessment of Structure Plans and applications for subdivision.
- Assist with the implementation of the Shire's Local Planning Strategy and the achievement of the objectives set out in the Shire's Local Planning Scheme.
- Outlines when the Shire of Broome will support a Structure Plan or subdivision that proposes the application of the regional variation included in Liveable Neighbourhoods, to allow the public open space contribution being reduced to a minimum of five percent of the gross subdivisible.

#### Definitions:

“Development plan” means a Structure Plan progressed and adopted in accordance with clause 4.25 of the Shire of Broome Town Planning Scheme No. 4.

“Structure plan” means a plan adopted under the Deemed Provisions, which indicates broad land use options for the subdivision and development of an area and provides a policy framework for such future subdivision and development.

#### Acronyms

LWMS	Local Water Management Strategy
LPP	Local Planning Policy
TPS4	Town Planning Scheme No. 4
LPS6	Local Planning Scheme No. 6
LPS7	Local Planning Scheme No. 7
POS	Public Open Space
BUWM	Better Urban Water Management
UWMP	Urban Water Management Plan
WAPC	Western Australian Planning Commission
Shire	Shire of Broome
CPTED	Crime Prevention Through Environmental Design
LN	Liveable Neighbourhoods

#### Policy:

##### Format of the Policy

The Policy is established in six parts, as follows:

- Section 1 – Application, General Provisions and Format of the Policy
- Section 2 – Liveable Neighbourhoods - Variations and Additions

##### Application: Structure Plans and Subdivision Applications

This section of the Policy will set out variations to Liveable Neighbourhoods or will establish additional planning matters to be addressed to ensure that subdivision and development is planned and designed to meet local conditions. The section is structured consistent with the elements and headings under Liveable Neighbourhoods.

In some elements, where required to provide background and context, explanatory text will be provided within a text box as presented here. This does not form provisions of the Policy, however provides an explanation and a context for the policy provisions.

- **Section 3 – Shire of Broome Addendum to IPWEA Guidelines to Subdivisional Development**

Application: Subdivision Applications

This section of the Policy will set out variations to the IPWEA Local Government Guidelines for Subdivisional Development (IPWEA Guidelines) and provides guidance on the following:

- establish minimum requirements for the design of civil works required to satisfy conditions of subdivision approvals.
- requirements for supervision of subdivision works, document specifications and actions required to be satisfied by the proponent prior to lodgement of subdivision clearance.

- **Section 4 - Guidelines for the Design of Stormwater Drainage Systems**

Application: Subdivision Applications

This section establishes guidelines for the design of stormwater drainage systems to address local conditions experienced in Broome.

- **Section 5 - Guidelines and Specifications for Reticulation Systems and Associated Works in Public Open Space Areas**

Application: Subdivision Applications

This section will establish guidelines and specifications for reticulation systems and associated works in public open space areas.

**Section 1.0 – Application & General Provisions**

**Application**

1.1 This Policy applies to the following forms of residential/urban structure planning and subdivisions:

- New Structure Plans that have not yet been endorsed by the Shire of Broome.
- New subdivision applications for greenfield sites or sites zoned 'Urban Development' that have not yet been determined by the Western Australian Planning Commission.
- Proposed amendments to existing Structure Plans.
- Detailed designs for engineering drawings, landscape drawing approval and similar where subdivisions are already the subject of approval but where a deposited plan for the specific lots have not yet been lodged with the Western Australian Planning Commission.
- Future stages of subdivision within residential estates, even in instances where some initial stages of subdivision have been completed.

#### General

- 1.2 Structure Plans are to be prepared consistent with the format within the WAPC Structure Plan Framework (2015) except where varied in the policy.
- 1.3 The following information is required to be depicted on the Structure Plan Map (in addition to, or supplementary to the content listed in Table 1 of the WAPC Structure Plan Framework) or is to be provided on the non-statutory structure plan map under Part 2:
  - (i) The location and orientation of all streets, including local access streets; and
  - (ii) The location of all POS areas.
- 1.4 In addition to the matters required to be addressed through the WAPC Structure Plan Framework, Part 2 of the Structure Plan shall include the following:
  - (i) An indicative subdivision layout showing the road network, proposed lot orientation, public open space, land use/density and other relevant information consistent with Part 1 Structure Plan Map and associated statutory provisions.
- 1.5 The design/planning elements must be consistent with the State Planning Framework, including Liveable Neighbourhoods, except where varied in this policy.
- 1.6 This policy will establish any variations to the requirements of Liveable Neighbourhoods and will also establish any additional elements not specified that are to be addressed.
- 1.7 Where it is not practical for the minimum standards to be met, these matters should be discussed with the Shire prior to submission and written justification should be provided at the time of application including:
  - i. the details of the areas of non-compliance;
  - ii. an explanation of the reasons for non-compliance; and
  - iii. whether any other measures have been established to ensure that the established objectives will continue to be satisfied.

### Section 2.0 – Liveable Neighbourhoods - Variations and Additions

#### Element 1 – Community Design

For thousands of years, there have been diverse cultural interactions and connections with the Broome area, including Roebuck Bay and surrounding areas. These days, the Broome area is often referred to as a 'cultural melting pot', with people from different cultural backgrounds either living or visiting the area.

At the core of Broome's culture is the community's connection with the outdoors. In particular, the Broome community greatly values its connections with the sea and climate. Further there

are strong associations with the bushland and broader landscape and environment. It is this aspect of Broome which has come to define the local culture and character of the area.

In the preparation of Structure Plans and applications for subdivision, planning for new subdivision and developments, the layout should enhance local identity by responding to the site context, site characteristics, setting, landmarks and views and incorporate key elements of natural and cultural significance. Fundamentally, it is important to first understand the matters of cultural significance and then respond appropriately through suitable design response.

#### Site Context and Analysis

2.1 If the proposed site exhibits the following characteristics:

- The site is known to have any priority flora, fauna and habitat;
- The site is positioned within the P1 drinking water source area;
- The site is known to be impacted by flooding, inundation or storm surge from the ocean, ephemeral creeks and floodplains;
- Preliminary site investigations indicates the presence of acid sulphate soils; or
- Desktop analysis of historical land uses to identify any potential contaminated sites;

then an environmental assessment and management strategy is to be prepared and attached as a technical appendices to the Structure Plan.

2.2 Within Part 1 of a Structure Plan, under the section 7 'other requirements' include a table identifying relevant outstanding studies, investigations and information and the stage when it will be approved/implemented, this may include the following:

- Weed and pest management plan;
- Foreshore / environmental / bushland / tree / wetland / wildlife protection management plan.

2.3 The design and layout of the Structure Plan/subdivision should respond to the elements identified the contexts and constraints plan. A description should be provided under Part 2 of the Structure Plan setting out how the design addresses the site context and constraints identified.

#### Urban Water Management



In Broome, urban water management is a primary consideration due to the extreme wet season conditions and therefore it is critical that water management is addressed early in the Structure Plan/urban design process for any area. The Urban Water Management network is generally the form giving element to new urban areas from which the rest of the layout and design elements should be applied.

Urban water management responses in Broome differ significantly from measures implemented in the south west of WA. Key factors which require a different approach in Broome are:

- Climate – high volume and intense rainfall events over a concentrated wet season;
- Soils – Pindan soil have low permeability rates, limiting the ability for infiltration of stormwater at source;
- Prevalence of Mosquito's – given the potential human health impacts drainage systems must be designed to avoid breeding sites being created.
- The low grades of land and high risk of scarring and sedimentation from stormwater discharge.

As such the following practices are implemented in Broome:

- Roads and appropriate inground pipe networks are used to convey stormwater to neighbourhood swale systems;
- New lots must be graded to the road and designed so that stormwater is not retained but disposed onto the street.
- Use of onsite infiltration measures and rainwater tanks are ineffective.
- Natural drainage channels/depressions should be utilised in stormwater design.
- Management of erosion through the re-mulching of vegetation is required to stabilise swales and lots.
- Daylighting of stormwater at outlet points is required to minimise scour of downstream environs.

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2.4 Local Water Management Strategies (LWMS) shall be prepared at the first stage of the Structure Plan process to ensure that the stormwater system is appropriately sized to accommodate future stormwater movements and should follow natural drainage channels/depressions.

2.5 Prior to the submission of a Structure Plan, the LWMS should be submitted to the Shire and Department of Water for initial comment. Details of pre-submission consultation should be outlined in Table 4 – pre-lodgement consultation of the Structure Plan.

2.6 In addition to the above, all LWMS are to address the following:

- a) Any preliminary designs of downstream stormwater discharge points must be provided and developer must acknowledge that it is their responsibility to secure access and fund any downstream works.
- b) Preliminary geo-tech findings and acid sulphate testing must be detailed;
- c) Models for off-site impacts required to prevent flooding; and
- d) Ongoing management measures to be implemented by the developer during the two year maintenance period, including street sweeping, silt removal and weed management.

## Element 2 – Movement Network

With respect to the movement network, below are some key characteristics influencing expectations with regard to design of new urban areas:

- Broome does not have a public transport service. However, this may change in the future therefore all new urban areas should be designed to accommodate public transport including suitable bus stop locations.
- Climate is a significant factor impacting upon the ability of people to walk or cycle, particularly in the wet season. Shading of these networks is important.
- Historical subdivisions in Broome are characterised by wide road reserves and road pavements. While this has been modified over time road reserves and pavements generally are greater than that provided in Liveable Neighbourhoods.
- There are significant seasonal variations in the amount of traffic on the road network, with large numbers of visitors/boats and caravans during the tourist seasons.
- Due to the large proportion of shared housing arrangements, there are often more than two cars for each dwelling.
- The Broome Port is planning for further growth and with this there will be an increase in heavy vehicle movements.
- Many local people make reference to the '7 minute commute', being an expectation of generally being able to get from any location in town to any other location in 7 minutes.

### Pedestrian Requirements

- 2.7 Requirement 1.6, is amended as follows:
- first and second dot-point is amended such that unless otherwise approved all footpaths, shall be a minimum of 2m wide offset a minimum of 0.3m from property boundaries,
  - third and fourth dot-point is amended such that unless otherwise approved all footpaths shall be a minimum of 2.5m wide within 400m of a school or activity centre
  - All footpaths shall be a minimum of 3m wide for any commuting routes to a school or activity centre unless otherwise approved.

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### Street Network Requirements

Broome existing urban areas are characterised by wide road reserve and road pavements which contribute significantly to the established character. The wide road reserves facilitate breeze movements, allow for establishment of landscaping, informal parking of vehicles on the verge and contribute to the lower density character.

The road pavement width is critical to allow for adequate area for the parking of vehicles on the road pavement without obstructing vehicle movements and to accommodate future bus movements through urban areas.

- 2.8 Requirement 1.13 requires that all streets are designed in accordance with required function, design, design characteristics and traffic volumes in Table 3 and Table 4. The Shire of Broome adopts the following variations to Table 3 and Table 4 and subsequent changes to cross-sections:

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- i) Access Street C, indicative street reserve width is a minimum of 18m and minimum street pavement width is 7.4m;
- ii) Access Street D, indicative street reserve width is a minimum of 18m and minimum street pavement width is 6m;
- iii) Any street requiring on street [parallel](#) parking is to be a minimum width of 2.5m.

#### Element 4 – Lot Design

Because of Broome's climate, the priorities when designing urban layouts are to minimise solar radiation (except for some morning sun in the winter months) and capture air movement. Openness and shading should be the dominant characteristics for building design and this should also inform design of new urban areas.

There are significant investigations undertaken in to how to build appropriately for Broome's climate. Important further reading includes:

- Broome North's Housing Guide (prepared by CODA on behalf of LandCorp and Shire of Broome 2009);
- The Kimberley Vernacular Handbook (prepared by CODA on behalf of LandCorp July 2014).

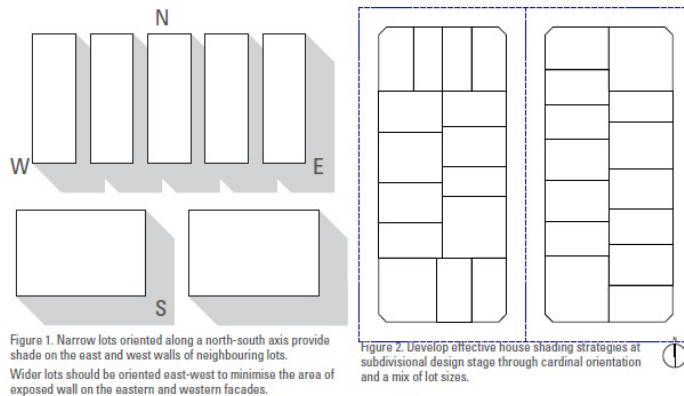
#### Site Responsive Design Requirements

2.9 Requirement 5.3 – Amended as follows:

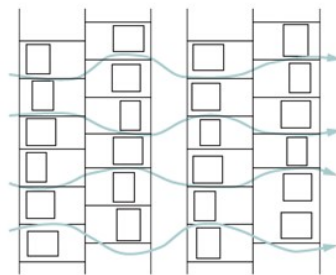
The street and lot layout is to be consistent with the following principles:

- (i) All urban areas should be designed with a grid pattern distribution of streets with street bocks orientated so the longest length is north-south orientated;
- (ii) Lots on the north/south orientation should be narrow to reduce the potential for solar gain;
- (iii) Staggered blocks are preferable to enhance airflow.

The below figures show design elements that should be incorporated into subdivisions to achieve energy efficiency.



Source: Kimberley Vernacular Handbook – prepared by CODA on behalf of LandCorp; 2014



Source: Kimberley Vernacular Handbook – prepared by CODA on behalf of LandCorp; 2014

- 2.10 Part 1 of the Structure Plan, under section 6 'Other Requirements' the applicant must demonstrate how lot shape, size and orientation would be implemented to achieve climate responsive design and energy efficient buildings. This can include principal building typologies that are proposed to accommodate climate responsive design.
- 2.11 If it is deemed that to achieve climate responsive design, variations to the 'Deemed to Comply' criteria of the R-Codes should be implemented, the applicant must set out under Part 1, section 7 'Additional Information' that a Local Planning Policy would be prepared prior to subdivision clearance to implement such variations.

#### Element 5 – Public Open Space

Appropriately sized, located and designed open space areas are instrumental in delivering a number of community benefits related to:

- Population health;
- Environment;
- Community development;
- Community education;
- Sense of place; and
- Respecting cultural significance.

POS areas also have a role to play in urban water management.

The provision of POS presents a number of challenges for the Shire and the community due to the ongoing management and the associated financial implications. These need to be considered in the context of ensuring usability into the future and not compromising cultural values.

The provisions below set out a different approach to that provided in Liveable Neighbourhoods. Liveable Neighbourhoods promotes higher distribution of smaller 'local parks' which overlap in catchments with larger neighbourhood parks. The Shire of Broome seeks that larger POS sites are provided interconnected by linear multiple use open space corridors.

Further, it is proposed that the regional variation provided for in Liveable Neighbourhoods in regard to the amount of the POS contribution is adopted. This would see the amount of land required for a POS contribution being reduced from 10% to 5% of the total gross subdivisible area. This together with the provisions in relation to distribution and size of POS areas would allow for adequate distribution of POS, maintenance of residential amenity and balance maintenance costs.

The policy seeks that in lieu of the additional 5% of land area that would ordinarily need to be given up as POS, a 2% cash-in-lieu contribution is made. These funds, in accordance with Appendix 4 of Liveable Neighbourhoods, would be utilised for the improvement or development of lands for parks and recreation purposes to ensure that residential amenity and district level facilities are provided for.

#### Public Open Space Function and Size Requirements

2.12 To assess whether the proposed POS function and size is appropriate a POS/landscaping management plan is to be submitted as a technical appendix to a Structure Plan and must address the following:

- A landscaping concept plan for all small, local, neighbourhood and district parks demonstrating whether the park is designed to be sport, recreation, nature, community or linear spaces;
- Key design principles and themes;
- Connectivity to existing open spaces areas and reserves;
- Areas of vegetation to be retained; and
- Street trees.

#### Public Open Space Provision Requirements

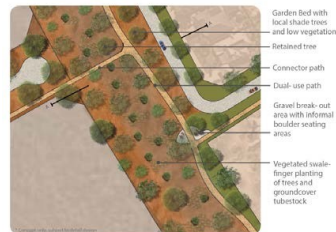
2.13 As provided for under the regional variation R9.4, the public open space contribution set out in R9.1 is varied to require:

Unless district open space is required to be provided within the Structure Plan area, a minimum contribution of five percent of the gross subdivisible area is to be given up free of cost for public open space by the subdivider providing the following are met:

- i. A 2% cash-in-lieu contribution is paid to the Shire which is to be used by the Shire for improvements or development of public open space reserves within the Broome townsite;
- ii. No portion of the five percent of public open space can include restrictive use public open space or spaces used for water management purposes;
- iii. Adequate areas are provided elsewhere for drainage, flooding, particularly overland flow and such areas are to be developed consistent with the Multiple Use Corridor (MUC) landscaping typology as set out in Clause 2.14 (note, MUC areas will not be credited as Public Open Space however will form a deduction from the gross subdivisible area);
- iv. The public open space is developed to a minimum standard including full earthworks, basic reticulation, grassing of key areas, pathways that form part of the overall pedestrian and/or cycle network and maintenance for two summers in accordance with a landscaping plan approved by the Shire;
- v. The size of public open spaces and distribution criteria in Table 1 of this Policy must be satisfied.

2.14 Any MUC to be developed shall meet the following:

- Provide a linear green network and pedestrian connections to the wider POS areas;
- Be adequate in size to accommodate required area for stormwater management and treatment;
- Must be designed such that they do not form a barrier between urban areas with connection points being provided across corridors;
- Swales must have batters no steeper than 1:6 (exceptions will be considered where swales are narrowed to provide a pedestrian crossing point or protection of significant trees) and must be revegetated to improve stormwater quality;
- Have low maintenance break-out areas or small parks (not turfed) designed as a nature/recreation function with low maintenance nature play (as set out in Table 1 of this Policy). (note: only the area of the small park can be credited toward POS contribution and the remaining land area will be a deduction from the gross subdivisible area).



Indicative concept design for MUC Source: Local Development Plan 3 Broome North



Indicative cross-section for MUC Source: Local Development Plan 3 Broome North

- 2.15 Additional Requirement – the following criteria and direction should be referenced when preparing a Structure Plan and POS/landscaping management plan:

Table 1 – POS Distribution and Development Criteria

Type of POS	Description and Purpose	Other criteria	Unacceptable Criteria	Minimum Development Requirement	
				Required	Optional
Small Parks (breakout parks)	Small parcels of POS provided within a neighbourhood that primarily serve an amenity function, although they are generally too small and not developed sport or recreation function. They are developed along MUC's and may also be a place for relaxation or rest along linear paths. They often retain significant vegetation or cultural and physical landmarks.  Such parks should not exceed 1000sqm in area.	<ul style="list-style-type: none"> <li>May incorporate significant trees or other vegetation.</li> <li>May be provided to improve accessibility to POS in areas where larger spaces are not feasible.</li> <li>May play a connectivity role as part of a linear POS network.</li> </ul>	<ul style="list-style-type: none"> <li>Breakout areas proposed at the expense of the appropriate provision of other POS types in the hierarchy.</li> <li>POS parcels where the principal purpose is an Entry Statement into a subdivision.</li> <li>Turf spaces</li> </ul>	<ul style="list-style-type: none"> <li>Vegetation retention and shade trees</li> <li>Seating areas in the form of rocks or natural elements</li> </ul>	<ul style="list-style-type: none"> <li>Drink fountains</li> <li>Bins</li> <li>Interpretative signage</li> <li>Public art</li> <li>Exercise equipment</li> </ul>
Local Parks	Service the regular smaller-scale recreation and/or nature function to the immediate surrounding population (e.g. dog walking, children's play, relaxation). They provide opportunity to reflect local character and sense of place through retention of significant trees/bushland, cultural and physical landmarks.	<ul style="list-style-type: none"> <li>Located on pedestrian networks to maximise access.</li> <li>Located throughout neighbourhoods.</li> <li>Located adjacent to residences to maximise passive surveillance.</li> <li>May play a connectivity role as part of a linear POS network.</li> </ul>	<ul style="list-style-type: none"> <li>POS parcels where the principal purpose is an Entry Statement into a subdivision.</li> </ul>	<ul style="list-style-type: none"> <li>Earthworks and retaining if required</li> <li>Vegetation retention</li> <li>Large established trees</li> <li>Park Furniture</li> <li>Shared paths</li> <li>Minimum 2,000 sqm consolidated lawn area (hydrozoned irrigation) to allow for recreational pursuits.</li> <li>Bins</li> </ul>	<ul style="list-style-type: none"> <li>Basketball/netball ring &amp; hardstand (up to ½ court size)</li> <li>Sports goals</li> <li>Artificial / Synthetic turf</li> <li>Public Art</li> <li>Skateable objects</li> <li>Children's playspace (note sand pits must be shaded).</li> <li>Shade structures but natural shade preferred.</li> <li>Waterwise landscaping/low maintenance garden beds</li> <li>Drink fountains</li> <li>Lighting</li> </ul>
Neighbourhood Park	Are similar to local parks but are generally larger and capable of performing both nature and recreation function. They are more of a destination for the local community incorporating children play areas	<ul style="list-style-type: none"> <li>Located central to neighbourhoods to maximise accessibility.</li> </ul>	<ul style="list-style-type: none"> <li>Sites which are fenced.</li> </ul>	<ul style="list-style-type: none"> <li>Earthworks and retaining as required</li> <li>Shaded paths</li> <li>Hydrozoned irrigated turf – minimum 5,000sqm</li> </ul>	<ul style="list-style-type: none"> <li>Sports goals</li> <li>Children's playspace</li> <li>Exercise equipment</li> <li>Cricket nets</li> </ul>



	and may include accessible remnant bushland or conservation areas.	<ul style="list-style-type: none"> <li>Located adjacent to residences to maximise passive surveillance.</li> </ul>		<ul style="list-style-type: none"> <li>Lighting</li> <li>Vegetation retention</li> <li>Park Furniture</li> <li>Drink fountains</li> <li>Bins</li> </ul>	<ul style="list-style-type: none"> <li>Artificial / Synthetic turf</li> <li>Garden beds</li> <li>Basketball/netball ring &amp; hardstand (up to ½ court size)</li> <li>Floodlighting</li> <li>Skateable objects</li> <li>Public Art</li> <li>BBQs and associated furniture</li> <li>Toilets</li> </ul>
District Park	Principally provide for a sport function, yet are large enough to accommodate a variety of concurrent uses including informal recreation, children's play, picnicking, dog walking, social gatherings and individual activities. District open space may also serve a nature function. Often include higher order recreation infrastructure (clubrooms, floodlights, multipurpose courts, etc)	<ul style="list-style-type: none"> <li>May be co-located with schools to create district community hubs.</li> <li>Should be located close to major roads and other community facilities.</li> <li>Should be easily accessible by pedestrians, cyclists and motor vehicles.</li> </ul>	<ul style="list-style-type: none"> <li>Spaces should be designed to minimise potential impacts of noise, traffic and light spill on residential areas.</li> </ul>	Guided by Recreation Strategy.	Guided by Recreation Strategy
Linear Open Space	<p>Open Space created to assist with connectivity, encourage pedestrian movement along park avenues and provide ecological corridors and opportunities for living streams.</p> <p>Can be aligned with an MUC, however to be credited as POS area forming the linear open space must not accommodate water management measures and the width of the linear open space must be a minimum of 15m.</p>	<ul style="list-style-type: none"> <li>Designed in accordance with Designing out Crime Guidelines.</li> <li>Overlooked by residential lots for at least 50% of the length.</li> </ul>	<ul style="list-style-type: none"> <li>Must not incorporate land used for water management purposes.</li> </ul>	<ul style="list-style-type: none"> <li>Vegetation retention and shade trees</li> <li>Seating areas in the form of rocks or natural elements</li> </ul>	<ul style="list-style-type: none"> <li>Drink fountains</li> <li>Bins</li> <li>Interpretative signage</li> <li>Public art</li> <li>Exercise equipment</li> </ul>

#### Development of Public Open Space Requirements

2.16 Where subdivision applications proposed the creation of open space, the Shire shall in its response to the WAPC, request that a condition be imposed requiring the applicant to develop the open space to the minimum standard set out in Table 1 of this Policy.

Note: District level POS must be ceded to the Crown free of cost, however it is not the applicant's responsibility to develop this level of POS to the level identified in the Recreation Strategy, with the exception of any earthworks or turf establishment.

2.17 Development of POS above minimum standards may be acceptable subject to approval by the Shire. The future of infrastructure considered to 'optional' under Table 1 of this Policy is to be agreed prior to approval of landscaping plans. Whole-of-life cost estimates must be provided at the time of submitting landscaping plans to support provision of all infrastructure items.

2.18 Landscaping plans must be submitted for assessment at the same time as subdivisional working drawings.

2.19 No clearing of vegetation or other works shall occur within the area of open space until the Shire has granted approval for the subdivisional working drawings and associated landscaping plans.

2.20 Any areas of turf, other than for formal organised sports grounds, must have maximum grades of 1:20.

2.21 All grass reticulated areas are to be setback a minimum of 2m from the edge of any area of road pavement to prevent deterioration of road pavement and promote water conservation principles.

#### Section 3 – Broome Subdivision Standards

##### Background

The *Institute of Public Works Engineers Australia* has established guidelines for subdivision development guidelines as a reference guide for developers, planners, engineers, technical consultants and contractors involved in subdivisional design and construction. The guidelines can be interpreted as setting out the minimum requirements that should be accepted by a local government in granting clearance of the engineering conditions imposed on a subdivision by the Western Australian Planning Commission (WAPC). The Commission is ultimately the subdivision approval authority in Western Australia, acting under the *Planning and Development Act 2005*.

The following section will establish provisions which vary the IPWEA Local Government Guidelines for Subdivisional Development, [2012-2017](#) (IPWEA Guidelines). These provisions will take precedence over the IPWEA Guidelines in all subdivision approvals.

With regard to bonding of subdivision works, the Shire of Broome adopts the practices outlined in the IPWEA Guidelines, except where amended below.

#### Application of the standards

4.1 The subdivision standards are intended to apply to all subdivisions within the Shire of Broome, regardless of whether or not there is a Structure Plan in place or in preparation.

#### Module No 1 – Legal Framework and Contract Administration

4.2 **Clause 1.17.4.1 Inspection for Roadworks** is deleted and replaced with the following clause:

*An inspection with the contractor, consultant and the Shire will be required as a minimum for each of the following main stages of the construction of roadworks:*

- *When the road has been boxed out and the subgrade shaped and compacted to a tightly bound homogeneous surface with no cracking or delamination.*
- *When the basecourse has been placed, graded, compacted, water bound and trimmed to the correct shape, level, specifications and finish before sealing takes place. Surface levels to be audited by licensed surveyor with survey and compaction test results provided at the inspection by the Shire prior to seal application.*
- *After sweeping of the basecourse and prior to placement of sprayed surface or asphalt wearing course;*
- *After sealing and before application of kerbing, especially inspection of all kerb keys on all curve radii.*
- *Prior to construction of any footpaths.*

4.3 **Clause 1.18 Practical Completion** the following is added:

*If requested, the contractor shall arrange for the full sweeping of all roads to remove silt, debris and surplus sealing aggregate prior to the final inspection.*

4.4 **Defects Liability – Clause 1.21.1 General** the following is added:

*It shall be deemed to be the responsibility of the developer to repair any defects resulting faulty workmanship and/or defective materials on all drainage infrastructure for a period of **24 months** from the date of practical completion – referred to as the defects liability period.*

## Module 2 – Site Preparation Guidelines

### 4.5 Clause 2.2.1.1 General paragraphs 3 & 4 are replaced with:

*Where it is necessary to fill to the boundary of a subdivision, a suitable retaining wall shall be erected immediately inside the boundary of the subdivision. Alternatively if approved by the Shire of Broome the fill shall be carried beyond the boundary for a minimum distance of 1.0m and battered to a natural ground level at a slope no greater than 1:3. The written consent of the owner of the abutting land shall be obtained before proceeding with earthworks.*

*All retaining walls proposed for construction in a subdivision shall be designed and certified by a practising structural engineer in accordance with the Building Code of Australia, R Codes and as approved by the Shire of Broome to accept all potential structural loading including construction loads. The retaining walls must also be certified post-construction by a practising structural engineer.*

### 4.6 Clause 2.2.1.2 Residential Areas replace paragraph 1 & 2 with the following:

*In all areas when subdivisional development is proposed and the Shire of Broome specifies re-contouring to take place, the gradient from back to front and across the lots boundary to boundary shall generally be from 0.5% to 1%. Any variations or exemptions to these gradients must be specifically agreed to and approved by the Shire of Broome.*

### 4.7 Clause 2.2.1.3 Industrial Areas replace paragraphs 2 & 3 with:

*In all areas when subdivisional development is proposed and the Shire of Broome specifies re-contouring to take place, the gradient from back to front and across the lots boundary to boundary shall generally be from 0.5% to 1%. Any variations or exemptions to these gradients must be specifically agreed to and approved by the Shire of Broome.*

### 4.8 Clause 2.2.1.5.3 Soil stabilisation, dust and smoke control and Clause 2.2.1.5.4 Soil stabilisation strategy the following is added:

All lots and drainage areas should be stabilised as soon as practicable following disturbance. The following minimum standards are expected:

- The batters of all drainage swales are to be stabilised through approved landscaping and the immediate application of site mulch and topsoil;
- All residential lots cleared are to be stabilised through the application of a 3m wide mulch bund measured from the back of kerb line alternatively the verges are to be excavated 50mm at 1m wide along the back of kerbs -after completion of 2% grades and proof rolled.

All topsoil and vegetation for clearing must be collected from the development site prior to bulk earthworks. All vegetation is to be mulched and stored with the top soil for reapplication/reuse on site.

#### Module No 3 – Road Guidelines

4.9 **Table 3.2 Road Classification** the provisions of this table are modified consistent with Clause 2.10 above.

4.10 **Table 3.4 Summary of Planning Criteria for Residential Roads** add in Note 12 to be read in conjunction with Table 3.4

Note 12 Generally seal carriageway widths in residential areas in the Shire of Broome are 7.4m wide with a minimum of 6m allowed on some low trafficked streets. Variations to these seal widths may be approved in some cases and these will be assessed and approved on a case by case basis with relation to the proposed road layout.

4.11 **Clause 3.3.2.1 – General** replace paragraph 3 with:

-Generally longitudinal road design grades should be no less than 0.5% minimum. However grades down to 0.35% may be accepted in difficult circumstances.

4.12 **Clause 3.3.4 Verge and Property Grades** replace paragraph 1 with:

Verge grading shall be 2% from the top of kerb to the property boundary, any lot level to verge level transitions to this grade must occur within the property itself and be graded up to surface at a maximum of 1:6.

4.13 **Clause 3.3.4 Verge and Property Grades -**

(i) add the following to paragraph 2:

The minimum kerb radius on all industrial intersections shall be 15m.

(ii) Replace IPWEA Table 3.6 with:

Generally all kerbing for subdivisions in Broome shall be as follows:

Flush Kerbing

- Adjacent to public open space, trafficable median islands, median swales and non-active areas to achieve Water Sensitive Urban Design outcomes.
- The edges of through carriageway abutting eyebrow treatments and to form an edge for brick paved thresholds etc.
- May be approved for minor access streets and laneways.

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**Mountable Kerbing**

- Outer rings of roundabouts (note: needs to be fully trenched into the pavement 100mm deep).
- Other locations specifically approved by the Shire of Broome.

**Semi-Mountable**

- All kerbing associated with roads in both urban, rural and industrial subdivisions shall be semi mountable unless specifically nominated otherwise by the Shire of Broome.

**Barrier Kerbs**

- Integrator Arterial Roads in some circumstances.
- Outside kerbs on dual carriageways.
- Roads abutting public open space.

Full details of approved kerbing profiles for the Shire of Broome are as shown on the Shire website.

4.14 **Clause 3.3.9 Urban Base Course Profiles** replace with the following:

Notwithstanding the design thickness obtained using the above guidelines, a generally accepted minimum pavement for urban subdivisional urban roads in the Shire of Broome ~~is as follows: shall be in accordance with the Shire's 2021 Standard Pavement Designs based on nature of roadway and expected traffic volumes. Further specification requirements are outlined below.~~

~~All pavement construction to consist of the preparation of existing sub grade and a base course of approved road base mix a minimum of 150mm depth and shall be constructed to 600mm behind the face of kerb.~~

**Sub Grade**

Sub grade preparation shall be carried out in all areas where pavement is to be constructed and compacted to not less than 95% MDD, all allowances shall be made with the mixing and adjustment of moisture content of the naturally occurring Pindan material to achieve the compaction required and level tolerance (-30mm + 5mm) to design levels. The final finish shall be a tightly bound homogeneous surface with no cracking or delamination. If the in situ material is of such a nature, that finish and compaction density cannot be achieved, then new "clean pindan" material shall be installed and the in situ material removed from site. Clean pindan must be free from all deleterious material and will be required to be inspected by the Shire of Broome representative prior to placement. Alternatively the existing material may be modified to obtain the required density and quality requirements.

- ~~Compaction testing (Min 95% MDD)~~

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- ~~Surface levels to be strung and inspected prior to basecourse application.~~

#### Base Course

A ~~minimum 150mm~~ layer of approved base course material (Crushed Rock)- will need to be constructed and compacted to 98% MDD and meet a tolerance of (+10 -10mm) of design levels. Surface finish shall be sufficiently dried back, tightly bound, smooth and with minimal surface irregularities ready to accept the bitumen seal coats.

- Compaction testing (Min 98% MDD) and results provided at inspection by the Shire prior to seal application.
- Surface levels to be audited by licensed surveyor and results provided at inspection by the Shire prior to seal application.

#### Bituminous Seal

(a) The seal for all roads shall consist of 3 layers of hot applied bitumen, with application rates proposed by the engineering consultant and approved by the Shire.

- A 50/50 prime
- A first coat seal poly modified binder with an application of 14mm approved aggregate (10mm for carpark construction).
- A second coat seal poly modified binder with an application of 7mm approved aggregate (10mm for industrial construction).

(b) Or a 7mm primer seal followed by an application of 25mm minimum Hot Mix Asphalt to specification.

Actual Seal and aggregate application rates achieved shall be supplied to the Shire prior to Practical Completion.

4.15 **Clause 3.3.12 Wearing Course** replace paragraph 1 with:

Generally the wearing course on urban roads in the Shire of Broome is a 3 coat bituminous seal subject to approval based on network traffic volumes. All roundabouts and Integrator intersections shall have an asphalt or paved wearing course. Asphalt and paved wearing course for roadways shall also be however is preferred if economically available and may be requested red where requested -in any case- on intersections and roads of high importance such as Integrator arterials, neighbourhood connectors, coloured parking embayment's, town centres and industrial roads. Concrete pavements may also be considered in some areas.

4.16 **Clause 3.3.13 Traffic Management Urban Roads** replace paragraph 3 with:

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Intersections except those being treated with roundabouts shall be generally designed with turning radii as indicated in Table 3.7. Some specific locations and industrial areas may need to allow for semi-trailer or higher class heavy vehicle (triple road train) access and intersection channelisation as directed by the Shire of Broome.

4.17 **Clause 3.4 Material Specifications** replace clauses 3.4.2 and 3.4.8 with the following:

As noted in the IPWEA clause 3.4 the specified guidelines refer to pavement materials generally unavailable within the Shire of Broome and consultants should use the following basecourse specifications in choosing materials for subdivision construction. IPWEA Bitumen and asphalt specifications should be used as a general guide for selection of these materials in Broome. Any specific changes such as varied sealing aggregates or bitumen classes etc. will be provided to the consultants at design approval stage.

**(A) Shire of Broome Gravel/Crushed Rock Blend Basecourse**

Blended gravel crush rock mix shall consist of durable stone in a granular soil matrix. The gravel shall be free of lumps of clay, stumps, roots, organic matter or other deleterious material and conform to the following specifications.

Basecourse material to have a minimum CBR value of 80.

**Atterberg Limits**

The portion passing 0.425mm sieve shall conform to the following requirements.

Property	Requirement	Test Method (MRWA)
Liquid Limit shall not exceed	▪ 25	▪ WA 120.2
▪ Plasticity Index shall not exceed	▪ 6	▪ WA 122.1
▪ Linear Shrinkage shall not exceed	▪ 3%	▪ WA 123.1

**Grading (Particle Size Distribution)**

Test Method MRWA 115.1

Sieve Size	Percent by weight passing
37.5mm	▪ 100%
▪ 19mm	▪ 71 – 100%
▪ 9.5mm	▪ 50 – 81%
▪ 4.75mm	▪ 36 – 66%
▪ 2.36mm	▪ 25 – 53%
▪ 1.18mm	▪ 18 – 43%
▪ 0.425mm	▪ 11 – 32%
▪ 0.075mm	▪ 4 – 19%



**Dust Ratio**

The Dust Ratio, defined as the ratio of the percentage passing by weight the 0.075mm sieve to the percentage passing by weight the 0.425mm sieve, shall not exceed 0.67.

**1.1.1 Other Limits**

Property	Requirement	Test Method (MRWA)
Maximum Dry Density	▪ 2.0t/m <sup>3</sup> min	▪ MRWA 324.1, MRWA 324.1
▪ Dry Compressive Strength	▪ 1.7Mpa min	▪ MRWA 140.1
▪ Total Soluble Salts	▪ 0.2% Max. Limit	▪ W.A. 910.1

**Module No 4 – Drainage Management Guidelines**

4.18 **Clause 4.2.2 Standards and Guidelines** add dot-points to the clause:

- Shire of Broome Guidelines for Design and Construction of Stormwater Drainage Systems detailed in Section 5 below.

4.19 **Clause 4.3.2.4 Stormwater Drainage – general principles** replace paragraphs 11 & 12 with the following:

- The Consulting Engineer shall design the drainage network using recurrence intervals and overland flow requirements as specified in the Shire of Broome Guidelines for Design and Construction of Stormwater Drainage Systems detailed in Section 5 below.

4.20 **(4.3.3.1) Drainage Systems** Replace IPWEA paragraph 1 with

- All piped drainage lines shall be designed in accordance with the recommendations of the pipe manufacturers and the appropriate Australian Standards. The minimum pipe Diameter shall be 300mm and pipes shall be a minimum of Class 2 concrete used in the road reserve or other Local Government areas. Pipe Class to be calculated based on expected construction plant loadings.

Replace IPWEA paragraph 6 with

- Approved drainage infrastructure located within property allotments as either rear or side drains shall be generally laid centrally in easements in favour of the adjacent upstream landholders. Easement widths shall be approved by the Shire of Broome and will generally be a minimum of 3m.

4.21 **Clause 4.3.3.2 Grated Gullies and Side Entry Pits** replace paragraph 1 with:

It is the Shire of Broome preference that combination type grated gully side entry pits are used in all subdivisions.

Delete paragraphs 7 & 8:

Replace all drainage typical details with those shown on the Shire of Broome website.

#### Module No 5 – Streetscape Guidelines

- 4.22 **Clause 5.3.1 Pedestrian and Bicycle Facilities** in addition to this section Developer to note the following:

Where this section refers to footpaths / shared paths, as a minimum the Shire of Broome requires "all" paths to be 2.0m wide in situ concrete. The exception to this would occur on neighbourhood connectors and other major traffic routes where a shared path on one side of the road is 2.5m, the path on the opposite side may be reduced to 1.5m. Final path widths shall generally conform with Liveable Neighbourhoods and Austroads Guide to Traffic Engineering Practice Part 14.

The developer is to only construct paths and pram ramps on curves, roundabouts etc. from TP to TP and sections along POS areas that will not be subject to house construction traffic. In most instances, the full actual installation cost (current Broome industry standard) by the Shire (plus 20% plus GST) and future reticulation reinstatement cost of the remaining paths will then need to be paid (non refundable) to the Shire of Broome prior to clearance. These paths will then be constructed in the future at completion of the majority of houses in the subdivision by the Shire, using the funds paid by the developer. The Shire of Broome however, reserves the right to advise the Developer to construct any sections of paths deemed necessary/suitable as part of the subdivision.

The installation of standard side entry pits basically can reduce the width of impact 2m paths at the pit location, Developers are to please ensure all paths are allowed to be widened appropriately at these locations to ensure 2m width is maintained (note this is not shown on the design drawings).

In nominated locations paths that cross drainage chutes may be required to be provided with steel bridged, as sections approved/requested by the Shire of Broome, not pram ramps down into and out of the chutes.

- 4.23 **Clause 5.3.8 Streetscape Maintenance Bond** replace paragraph 1 with:

Where the developer arranges for landscaping to take place it shall be supported by a maintenance and irrigation period of at least 2 years after practical completion to ensure that the vegetation is properly established. This condition shall be guaranteed by way of a bond in the form of cash or a guarantee from a financial institution acceptable to the local authority. This

*bond will be returned when the maintenance period has been satisfactorily completed. The amount of the bond is detailed in Module 1, section 1.20: Bonding Outstanding Works.*

#### **Module No 6 – Public Open Space Guidelines**

4.24 Throughout this module where it refers to “maintenance for two summers” this shall mean maintenance for a minimum of 2 years from practical completion.

4.25 **Clause 6.2.2 Standards** add additional dot point to clause:

- *Shire of Broome Guidelines and Specification for Reticulation Systems and Associated Works in Public open Spaces as set out in Section 6 below.*

#### **Section 4 – Guidelines for the Design of Stormwater Drainage Systems**

##### **Design:**

Land owners/developers subdividing or developing land for residential, commercial or industrial developments are required to provide a stormwater drainage system. The subdivision of rural land may also require the provision of a similar system and in lowlying areas, filling or other drainage may be required.

The designer shall examine the total drainage catchment area, and ensure that any upstream drainage that may pass through the particular subdivision is included in the design, and that the drainage system for the subdivision is capable of carrying the ultimate design flow from the upstream catchment, in addition to the actual subdivision or development land.

Developers are responsible for negotiating their own cost sharing arrangements, if this involves parts of a catchment owned/occupied by others, unless this has been arranged by Council as part of an overall catchment drainage plan.

Developers whose land shares a common drainage catchment have a shared responsibility for ensuring that the whole of the catchment, including the major roads, are drained. Where development is to be staged, an overall drainage plan for the whole of the catchment is required before approval will be given to any individual stage.

In cases where stormwater is proposed to be discharged into private land downstream of a subdivision or development, arrangements shall be made by the developer with the owner of the downstream land to provide an easement over the route of the drain and to construct and/or improve the drainage outlet. As directed at time of subdivision or development, the easement shall be in favour of the Shire of Broome shall be created over the affected lot. If drainage outlets are to discharge into areas forming part of the Conservation Estate, endorsement and approval from the Yawuru

Park Council, Shire of Broome and Department of Parks and Wildlife may be required to be obtained, with any downstream works to be funded by the developer. All drainage systems shall be designed to include water sensitive design and better urban water management principles.

Better urban water management shall be an integral component of all interventions in the natural or built environment. Water sensitive urban design (WSUD) should consider the overall impact of any given project to the water cycle, with intelligent design strategies to deliver downstream water outcomes to meet that of pre development. The Shire of Broome does not currently have a District Water Management Strategy available for use, therefore the developer will be required to undertake water sampling and testing prior to development to establish pre development water quality parameters. Water sampling and testing may also be required post development to demonstrate that pre development water quality parameters have been met.

For catchment areas in existing urban and greenfield developments it is necessary to adopt responsible water management objectives that are required to be sensitive to the nature of local Broome soils, climate, geology, biodiversity and vegetation patterns including reducing reliance on reticulated potable water.

Better urban water management objectives that developers need to include are:

- Limiting negative impacts on existing ecological processes and systems;
- Minimising negative impacts on natural hydrologic processes of catchments;
- Balancing downstream runoff and peak flows from urban development;
- Minimising pollution & improving quality of water discharges to the natural environment;
- Protecting and enhancing surface and ground water quality;
- Limiting demand on reticulated potable water supply systems - e.g. incorporating fit-for-purpose/ multiple options into supply and distribution planning;
- Adding value while minimising development costs and provide strategies that fundamentally integrate factors previously regarded as separate aspects of urban management (e.g. drainage infrastructure & maintenance costs, multiuse open spaces, cultural and environmental corridors);
- Integrating management practices within and between institutions responsible for waterway and open space management.

Developers shall utilise the above principles where possible and the use of innovative methods to reduce flows by way of longitudinal drains with low flow weirs, vegetated compensating basins, slowing of flows, bunds, altered land use practises or the like. Permanent wet storage basins are not considered desirable due to safety and mosquito breeding problems. However, some form of controlled outlet compensating basins should be utilised for infiltration and silt removal purposes.

All open drainage systems shall have maintenance access requirements considered in the design. Vegetation of batters with native vegetation and swale floors with native

grasses is essential for creation of a sustainable asset as well as for the removal of urban nutrient loads.

Drainage system design shall take into consideration the requirements of future maintenance activities including the provision for safe plant access for cleaning and silt removal. All systems shall be fully revegetated.

#### **Water Sensitive Design Principles**

Subdivision and Development design should ensure that:

- All components of the design form part of the 'treatment train' from onsite measures, road, swales and discharge points.
- Road alignments follow contours wherever possible in order to reduce stormwater flow velocities but do not create mid-block low points.
- Detailed consideration is given to the nature, location, effectiveness and staging of on-site stormwater management system.

#### **Design Parameters Subdivisions**

The drainage system and all associated structures including compensating basins are to be designed to collect and convey an Average Recurrence Interval (ARI) storm event of one in- 100 year storm event occurrence). Provision shall also be made for flows 100-year ARI storm such that the floor level of all buildings shall be a minimum of 400mm above the ARI 100-year flood level and be retained within the road reserve. Flows from subdivisional areas shall be compensated to predevelopment levels.

For commercial and industrial subdivisions where lots will be primarily developed as hardstand areas, the sizing of individual lot compensation basins must be provided with the detailed civil design, and constructed by the developer of the subdivision at the time of construction of the subdivision.

Proposed infill development Finished Floor Levels (FFL) must be designed to be at least 500mm above the crown of the adjacent road to which site floodwaters will discharge, where no current flood modelling exists.

All designs to generally in accordance the "Australian Rainfall & Runoff - 1995." Coefficient of runoff can be taken as 90% for road reserves, with 70% for residential sites, 30% for vegetation/bush and 90% for mixed/commercial use. A coefficient of runoff of 90% shall be used for commercial and industrial sites.

Surface roughness coefficient (n) to be generally:

- Asphalt roads  $n = 0.014$
- Bare earth channels and verges  $n = 0.030$
- Natural bush/vegetation/sports grounds  $n = 0.100$
- Concrete culverts  $n = 0.014$
- Concrete drop structures  $n = 0.014$

- Stone pitch drop structures  $n = 0.020$

General subdivisional roads are to be designed as depressed road drains capable of accommodating a 1:10 year storm event between kerbs. If this is not possible, as a last resort underground drainage should be installed to take the excess flow. Absolute minimum longitudinal grade to be 0.35%. Where it can be obtained, a 0.5% minimum grade is preferred.

A maximum water depth of 175mm at the pavement edges is to be designed for, with all flows in excess of this to be transferred to open drains or pipes as applicable. Where rear lot drainage infrastructure is included in the subdivision, these must also be capable of accommodating a 1:10 year storm event.

In areas of high pedestrian activity such as neighbourhood or town centres, a higher level of drainage service will be required, extra underground drainage may be required to lower the level of frequency of flooding in the roads. The rainfall intensity for a calculated time of concentration and recurrence interval shall be determined using Bureau of Meteorology rainfall Intensity, Frequency, Duration (IFD) charts for Broome.

Local dry basins (compensating) should attenuate design flows with base outflow to prevent long-term water retention. Compensating basins to be generally designed to retain a maximum water depth of 1.2 metres, batter slopes to be a maximum of 1:6 to allow for safe egress.

#### **Piped Drainage Systems**

Where necessary, piped stormwater drainage shall be installed incorporating grated combination side entry pits. Pipes shall not run directly under the kerb.

Combination side entry pits shall be placed at low points, the upstream side of intersections if the flow warrants it and at intermediate positions to limit flow widths.

Manholes shall be constructed at all pipe junctions and where the pipe changes direction or grade. The maximum distance between manholes shall be 90m and the location shall not unduly restrict the future access to residential lots.

Manhole covers shall be of an approved kind, but generally, to be purpose built heavy duty trafficable reinforced concrete surrounds a minimum of 150mm thick. If located in a carriageway, it shall be fitted with a cast iron frame and lid. They will be equipped with a square or circular access point with tapered inserts and approved lifting points installed.

All piped drainage lines shall be designed in accordance with the recommendations of the pipe manufacturer and the appropriate Australian Standards. The minimum pipe diameter shall be 300mm and Class 2 concrete external rubber band joint are the minimum standard to be used in the road reserves. Pipe Class and cover must take into account all loads from construction traffic.

Drainage lines within road reserves shall generally be laid on an alignment in accordance with the Utility Providers Code of Practise for Western Australia.

The minimum velocity in pipes shall be 1.0m/sec and maximum velocity 6.0m/sec.

Where a piped drain interfaces with an open drain, a suitable headwall structure with rock or concrete scour protection shall be provided to prevent entry of loose material into the pipe and the erosion of surrounding ground.

Headwalls located on outlet pipes shall include suitable erosion protection in the form of aprons and edge beams and rock pitching.

#### **Formal POS / Drainage Areas**

Drainage flow paths should not form part of the formal POS areas (local or neighbourhood open space), however if required, drainage flow paths must not impact the active recreation component of these areas

Lawn/turfed areas must be minimally graded to be free-draining to prevent the ponding of stormwater.

#### **Open drains**

In general open drains should be:

- Designed to imitate natural systems.
- Be meandering and curvilinear in design and designed to not hold stagnant water for more than 72 hours.
- Be designed as a series of natural landscape features utilising natural materials where possible.
- Be designed as a series of smaller interconnecting compensation basins with low flow outlets installed between each.
- Batter slopes to be ideally no steeper than 1:6, with 3m wide floors and grades of drains generally to be no steeper than 1:700. Grades may be adjusted by drop structures along the length of the drain if required.
- Maintenance of drains to be carried out by slashing and silt removal at weir structures at nominate drop out locations with access for plant provided.
- All batter slopes to be fully mulched and revegetated with natural endemic species to prevent erosion
- Mortared stone pitching or geolink pavers shall be provided at all structures, junctions and bends.
- Ensure that drains are graded uniformly to ensure no low points are created that will result in standing pools of water and an increase in mosquito breeding areas.
- Nutrient stripping and sediment drop out
- Batters of open drains should be stabilised immediately following construction through application of mulch.

#### Stormwater Basins in Subdivisions

Retardation or compensating basins shall be provided at suitable locations to reduce peak flow rates to the downstream facilities to predevelopment flows and to provide silt traps prior to the outlet. All basins shall be designed for the 1:100 storm event.

All drainage basins shall be designed to blend in and be a feature in the landscape, be designed to be curvilinear or irregular shaped with silt traps provided to main flow outlets with access for future cleaning. All batter slopes are to be 1:6, with basin sides and floor to be fully vegetated with endemic species and have mechanisms incorporated to help with nutrient stripping and weed seed removal.

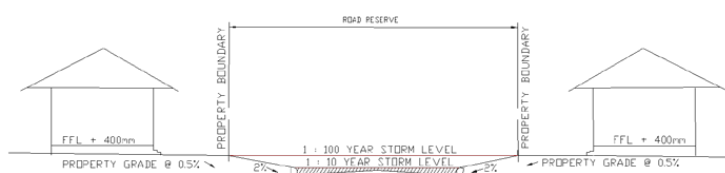
Re-vegetation of the swale systems is a critical factor for that must be adhered to. Vegetation of swales achieves the following WSUD outcomes:

- Stabilisation of swale bases and batters;
- Filtering of fine Pindan silts that adversely effect conveyance infrastructure;
- Filtering of fine Pindan silts that can bind nutrient levels in downstream marine ecologies such as Mangal environments;
- Aids in providing a natural drainage 'roughness' reducing velocity of overland flows; and
- Filters and minimises the distribution of potential contaminates including exotic weeds.

Vital to water quality, revegetation and protection of the drainage swale system is the immediate application of **site mulch** and **topsoil** collected prior to bulk earthworks. Use of local site mulch and topsoil provides a ready source endemic seed bank. Once drains have been graded mulch to be applied to disturbed sites for erosion control.

*Replace IPWEA Figure 4.4 Stormwater Infrastructure Requirements As A Function Of Road Hierarchy with the following Diagram.*





TYPICAL BROOME STORMWATER CROSS-SECTION DETAIL  
FOR SUBDIVISIONAL CONSTRUCTION  
(N.T.S)

#### Section 5 – Guidelines and Specifications for Reticulation Systems and Associated Works in Public Open Space Areas

The following specification is to be used by all Developers and other parties who are installing irrigation and associated works in public open space areas as part of their developments or subdivisions.

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A scale digitally drafted design and appropriate material schedules & data sheets are to be provided to the Shire for Approval prior to proceeding with construction.

#### Water Corporation Connection

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Developers shall arrange and install Water Corporation water supply with approved backflow preventer TYCO brand and isolation valves. The minimum requirement is 50mm supply and meter (# 11 18173 160l/min) enclosed in a pad-lockable galvanised cage.

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The Developer shall provide a water supply that can facilitate a watering schedule for all lawn areas contained in the POS, within a maximum 4 hour duration which is to include a precipitation rate of 10mm minimum per schedule.

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Should the watering schedule of approx. 4 hours for lawn areas not be able to be met from the inlet flow, then installation of one Shire approved galvanised steel tank chlorine resistant liner of the highest quality available, associated foundations with the appropriate capacity and connections is to be connected and setup as per existing Shire of Broome POS layouts.

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#### Tank, Pump & Control Units

If tanks are required as part of the project main feed line to irrigation tanks shall be PVC / CL12 all solvent weld jointed to Australian Standards, with the size to be generally 40mm or 50mm depending on hydraulic requirements. An 858 Emflow Master Valve is to be placed on main feed line between water meter and tanks. This master fill valve will be controlled via the float switch in the tank and a suitable computer software (approved by the Shire) allowing external control and programming. A hydraulic valve with and electric float switch shall be fitted on the in-fill side of the tank (if tanks are required) for overflow protection on the rising fill line.

Pump station is to be 1 x Grundfos VSDHydro Solo E pump sized to suit installation Pump and associated filter, with valves and anti syphon loop to be all heavy duty galvanised fittings.

Note – all in ground pipe work associated with the tank pump connections to be PVC Class 18 UV protected, manual Y filter to have a 80 mesh/200 micron screen.

Controller shall have software capabilities to be able to be controlled externally through wi-fi connections and be able to control pumps and tank fill requirements. The controller must also be fitted with an RCT radio receiver card and antenna kit. The Controller shall log all irrigation/faults through a software connection, and the site operate off the weather station E.I.

#### Tank and Pump & Control Units

An aluminium power/Irrigation cabinet shall be provided that is large enough to accommodate all controls including irrigation controller, any required hardware and other associated switchboard etc.

The cabinet shall be provided with (2) welded Hasp and staple type locks top and bottom suitable to accommodate the standard Shire padlocks and shall be located near to the tank and pumpsite or if no tank is required near the first solenoid valves.

A mini pillar will be required near the site to supply power to the irrigation controller/pump cubicle. The controller is to be fitted with a 240-volt plug and supplied by (2) double GPO with surge arrestor fitted. A two metre earth stake is to be installed outside the cabinet inside a separate concrete box with galvanised lid and "cadbond" connection to the cabinet main earth cable/bus bar. Resistance to earth shall be less than two ohms. The cabinet electrics must have RCD protection, fan and heat resistant special white paint.

The full area of a pump compound is to be supplied with a compacted Shire specification roadbase hardstand and shall be 2m wider than the tank and pumps and incorporate two vehicle parking spaces and turnaround.

The pump and associated electrical equipment cabinet is to be supplied with a

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structurally certified and cyclone rated pump house (similar to existing installations at POS in Januburu Six Seasons Stage 4). Minimum dimensions are to be 2.5m x 2.5m with a minimum roof height of 2.2m. Please note these dimensions are a minimum and final measurements must allow for maintenance work to be carried out. Pumphouse floor shall be 100mm thick with 200mm deep x 300mm wide thickening along all edges. final design shall be cyclone rated to category C.

#### Ring Main-SWJ

All feed lines from the pump or metered service shall be PVC / CL 12 and sized to suit the hydraulic design for each reserve. They shall all be solvent weld jointed to Australian Standards and to be formed into a continuous ring main with flushing points. All joints are to be primed with red pipe primer for inspection purposes.

#### Irrigation Components

The following irrigation components will generally be used:

- 40mm or 25mm "Rainbird" solenoid valves with PRS including brass or stainless steel valve in 1419 valve boxes. All valve boxes are to be bricked out with no load bearing surfaces on the main line. Bases of valve boxes to covered with jute matting.
- All valve box lids are to be installed at level with final turf grade. All sprinkler stations are to be designed so valve boxes are located in garden beds and not in lawn areas unless prior approval is provided.
- All solenoid valve wiring shall be laid in conduit and be continuous from the irrigation controller to the respective solenoid valve, without any joins in between. They shall be a minimum of 1.5mm<sup>2</sup>, common to be 2.5mm<sup>2</sup>. All wiring joins to be done with 3MDBY wire joiners ONLY.
- "Hunter Ultra" 120 full circle sprinkler to suit
- "Hunter Ultra" 120 part circle sprinkler to suit
- "Hunter Ultra" PG's to suit
- All lateral lines shall be class 12 PVC solvent weld jointed to Australian Standards and primed as required.
- Isolation butterfly valves and or air release valves shall be provided in 1419 valve boxes and bricked out as required. All lids to be level with finished turf grade.
- Where sprinklers run parallel to the road kerbing all PVC sprinkler feed pipe work and fittings are to be setback off the road kerb a minimum of 400mm. A separate piece of PVC pipe will then connect to the sprinkler articulated riser so that no damage occurs to any feed pipes when run over, etc. All sprinklers are to be installed on articulated risers and set level with the finished grade.

#### Trickle irrigation

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All trickle stations are to be designed so the flow rate of the sum of all drippers on each station does not exceed 90% of the flow rate supplied from the main supply to each station.

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All supply main lines for garden beds are to be 25mm class — 12PVC. All irrigation components in garden beds shall be low-density 25mm poly reducing to 19mm polypipe with "Netafim" 8 l/hr pressure compensating drippers. No smaller or larger supplying drippers are to be used unless prior approval is agreed to. If trees are singular and not in garden beds, then install drippers at three drippers per tree. The three tree drippers shall be installed in a 19mm poly pipe ring offset from the tree base. (No sprinklers to be located in garden beds).

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A 25mm brass ball valve is to be installed in a valve box at the ends of the mainlines before each valve with a standard 13mm tap connection fitted to allow for a snap on hose connection to be fitted

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Please also note that all 25mm Rain Bird Scrubber solenoid valves with PRS to garden beds shall be fed off the main tank 80/12 PVC feed line prior to the tank fill. No trickle stations to fed directly off the pump system.

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#### As Constructed Drawing.

An as constructed accurate GPS irrigation CAD drawing is required on hand over to the Shire along with a PDF copy for future reference.

The following specification is to be used by all developers and other parties who are installing irrigation and associated works in public open space areas as part of their developments or subdivisions:

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#### **1. Water Corporation Connection**

Developers shall arrange and install Water Corporation water supply with approved backflow preventer TYCO brand and isolation valves. The minimum requirement is 50mm supply and meter (# II 18173-160l/min) enclosed in a suitable below ground valve box. The developer shall provide a water supply that can facilitate a watering schedule for all lawn areas contained in the POS, within a maximum 4 hour duration which is to include a precipitation rate of 10mm minimum per schedule.

#### **2. Main Feed Line**

If tanks are required as part of the project main feed line to irrigation tanks shall be PVC / CL 9 all solvent weld jointed to Australian Standards, with the size to be generally 40mm or 80mm depending on hydraulic requirements. An 858 Emflow Master Valve is to be placed on main feed line between water meter and tanks. This master fill valve will be controlled via the float switch in the tank and via MAXICOM central control controller and programming. A hydraulic valve shall be fitted on the infill side of the tank (if tanks are required) for overflow protection on the rising fill line.

### 3. Tank and Pump & Control Units

Should the watering schedule of approx. 4 hours for lawn areas not be able to be met from the inlet flow, then installation of one Shire approved galvanised steel tank and associated foundations with the appropriate capacity and connections is to be connected and setup as per existing Shire of Broome PQS layouts.

Pump station is to be 1 x Grundfos Hydro Solo E, pump sized to suit installation Pump and associated filter, with valves and anti-syphon loop to be all heavy duty galvanised fittings.

*Note – all in ground pipe work associated with the tank pump connections to be PVC Class 18 UV protected, manual Y filter to have a 80 mesh/200 micron screen.*

Controller (Maxicom compatible) shall be "Rainbird" ESP SITE 12 Station Controller with 1 x Maxon GSM Modem with cables, antenna and Power Pack for GSM modem. The controller must also be fitted with an RCT radio receiver card and antenna kit. Allowance must be made for setting up and programming the site onto the Shire's Maxicom central control system located at the Shire depot so that all irrigation/faults can be logged, and the site operates off the weather station E.T.

An Aluminium Power/Irrigation cabinet shall be provided that is large enough to accommodate all controls including irrigation controller, CCunit, GSM Modem and other associated switchboard etc. The cabinet shall be provided with (2) welded Hasp and staple type locks top and bottom suitable to accommodate the standard Shire padlocks and shall be located near to the tank and pumphouse. A new mini pillar will also be required near the site to supply power to the irrigation controller/pump cubicle. The controller is to be fitted with a 240-volt plug and supplied by (2) double GPO with surge arrester fitted. A two metre earth stake is to be installed outside the cabinet inside a separate concrete box with galvanised lid and "cadbond" connection to the cabinet main earth cable/bus bar. Resistance to earth shall be less than two ohms. The cabinet electrics must have RCD protection, fan and heat resistant special white paint.

The full area of a pump compound is to be supplied with a compacted Shire specification roadbase hardstand and shall be 2m wider than the tank and pumps and incorporate two vehicle parking spaces and turnaround.

The pump and associated electrical equipment cabinet is to be supplied with a structurally certified and cyclone rated pump house (similar to existing installations at PQS in Januburu Six Seasons Stage 4). Minimum dimensions are to be 2.5m x 2.5m with a minimum roof height of 2.2m. Please note these dimensions are a minimum and final measurements must allow for maintenance work to be carried out. Pumphouse floor shall be 100mm thick with 200mm deep x 300mm wide thickening along all edges; final design shall be cyclone rated to category C.

### 4. Ring Main SWJ

All feed lines from pump shall be PVC / CL 9 and sized to suit the hydraulic design. They shall all be solvent weld jointed to Australian Standards and to be formed into a continuous ring main with flushing points. All joints are to be primed with red pipe primer for inspection purposes.

#### 5. Irrigation Components

The following irrigation components will generally be used:

- 40mm or 25mm "Rainbird Scrubber" solenoid valves with PRS including "Philmac" isolation poly ball valve in 1419 valve boxes. All valve boxes are to be bricked out with no load bearing surfaces on the main line. Bases of valve boxes to be covered with jute matting.

All valve box lids are to be installed at level with final turf grade. All sprinkler stations are to be designed so valve boxes are located in garden beds and not in lawn areas unless prior approval is provided.

All solenoid valve wiring shall be laid in conduit and be continuous from the irrigation controller to the respective solenoid valve, without any joins in between. They shall be a minimum of 1.5mm<sup>2</sup>, common to be 2.5mm<sup>2</sup>. All wiring joins to be done with 3MDBY wire joiners ONLY.

- "Hunter Ultra" 120 full circle sprinkler to suit
- "Hunter Ultra" 120 part circle sprinkler to suit
- "Hunter Ultra" PG's to suit
- All lateral lines shall be class 9 PVC solvent weld jointed to Australian Standards and primed as required.
- Isolation butterfly valves and/or air release valves shall be provided in 1419 valve boxes and bricked out as required. All lids to be level with finished turf grade.
- Where sprinklers run parallel to the road kerbing all PVC sprinkler feed pipe work and fittings are to be setback off the road kerb a minimum of 400mm. A separate piece of PVC pipe will then connect to the sprinkler articulated riser so that no damage occurs to any feed pipes when run over, etc. All sprinklers are to be installed on articulated risers and set level with the finished grade.

#### 6. Trickle Irrigation

- All trickle stations are to be designed so the flow rate of the sum of all drippers on each station does not exceed 90% of the flow rate supplied from the main supply to each station.
- All supply main lines for garden beds are to be 25mm class 9 PVC. All irrigation components in garden beds shall be low density 25mm poly reducing to 19mm poly pipe with "Netafim" 8 l/hr pressure compensating drippers. No smaller or larger supplying drippers are to be used unless prior approval is agreed to. If trees are singular and not in garden beds, then install drippers at three drippers per tree. The three tree drippers shall be

installed in a 19mm poly pipe ring offset from the tree base. (No sprinklers to be located in garden beds);.

- A 25mm ball valve is to be installed in a valve box at the ends of the mainlines before each valve with a standard 13mm tap connection fitted to allow for a snap on hose connection to be fitted

Please also note that all 25mm Rain Bird Scrubber solenoid valves with PRS to garden beds shall be fed off the main tank 80/9 PVC feed line prior to the tank fill. No trickle stations to fed directly off the pump system.

**7. As Constructed Drawing.**

An as constructed accurate GPS irrigation CAD drawing is required on hand over to the Shire along with a PDF copy to be recorded on a CD disk for future reference.

Checklist – Local Water Management Strategy

Local water management strategy item	Deliverable	<input checked="" type="checkbox"/>	Comments
<b>Executive summary</b>			
Summary of the development design strategy, outlining how the design objectives are proposed to be met	Table 1: Design elements and requirements for BMPs and critical control points	<input type="checkbox"/>	
<b>Introduction</b>			
Total water cycle management – principles & objectives Planning background Previous studies		<input type="checkbox"/>	
<b>Proposed development</b>			
Structure plan, zoning and land use. Key landscape features Previous land use	Site context plan Structure plan	<input type="checkbox"/> <input type="checkbox"/>	
Landscape - proposed POS areas, POS credits, water source, bore(s), lake details (if applicable), irrigation areas	Landscape Plan	<input type="checkbox"/>	
<b>Design criteria</b>			
Agreed design objectives and source of objective		<input type="checkbox"/>	
<b>Pre-development environment</b>			
Existing information and more detailed assessments (monitoring). How do the site characteristics affect the design?		<input type="checkbox"/>	
Site Conditions - existing topography/ contours, aerial photo underlay, major physical features	Site condition plan	<input type="checkbox"/>	
Geotechnical - topography, soils including acid sulfate soils and infiltration capacity, test pit locations	Geotechnical plan	<input type="checkbox"/>	
Environmental - areas of significant flora and fauna, wetlands and buffers, waterways and buffers, contaminated sites	Environmental Plan plus supporting data where appropriate	<input type="checkbox"/>	
Surface Water – topography, 100 year floodways and flood fringe areas, water quality of flows entering and leaving (if applicable)	Surface Water Plan	<input type="checkbox"/>	
Groundwater – topography, pre development groundwater levels and water quality, test bore locations	Groundwater Plan plus details of groundwater monitoring and testing	<input type="checkbox"/>	
<b>Water use sustainability initiatives</b>			
Water efficiency measures – private and public open spaces including method of enforcement		<input type="checkbox"/>	
Water supply (fit-for-purpose strategy), agreed actions and implementation. If non-potable supply, support with water balance		<input type="checkbox"/>	
Wastewater management		<input type="checkbox"/>	
<b>Stormwater management strategy</b>			
Flood protection - peak flow rates, volumes and top water levels at control points, 100 year flow paths and 100 year detentions storage areas	100yr event Plan Long section of critical points	<input type="checkbox"/> <input type="checkbox"/>	
Manage serviceability - storage and retention required for the critical 5 year ARI storm events Minor roads should be passable in the 5 year ARI event	5yr event Plan	<input type="checkbox"/>	



Local water management strategy item	Deliverable	<input checked="" type="checkbox"/>	Comments
Protect ecology – detention areas for the 1 yr 1 hr ARI event, areas for water quality treatment and types of (including indicative locations for) agreed structural and non-structural best management practices and treatment trains. Protection of waterways, wetlands (and their buffers), remnant vegetation and ecological linkages	1yr event plan Typical cross sections	<input type="checkbox"/> <input type="checkbox"/>	
<b>Groundwater management strategy</b>			
Post development groundwater levels, fill requirements (including existing and likely final surface levels), outlet controls, and subsoils areas/exclusion zones	Groundwater/subsoil Plan	<input type="checkbox"/>	
Actions to address acid sulfate soils or contamination		<input type="checkbox"/>	
<b>The next stage – subdivision and urban water management plans</b>			
Content and coverage of future urban water management plans to be completed at subdivision. Include areas where further investigations are required prior to detailed design.		<input type="checkbox"/>	
<b>Monitoring</b>			
Recommended future monitoring plan including timing, frequency, locations and parameters, together with arrangements for ongoing actions		<input type="checkbox"/>	
<b>Implementation</b>			
Developer commitments		<input type="checkbox"/>	
Roles, responsibilities, funding for implementation		<input type="checkbox"/>	
Review		<input type="checkbox"/>	

## LOCAL PLANNING POLICY

5.23

<b>TITLE:</b>	COASTAL PLANNING POLICY
<b>ADOPTED:</b>	OMC 28 February 2019 – Pages 190- 221
<b>REVIEWED:</b>	OMC 12 December 2019 – Pages 213 – 221 <a href="#">OMC XX</a>
<b>ASSOCIATED LEGISLATION:</b>	Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015
<b>ASSOCIATED DOCUMENTS:</b>	State Planning Policy 2.6 – State Coastal Policy Broome Townsite Coastal Hazard Risk Management Adaptation Plan
<b>REVIEW RESPONSIBILITY:</b>	Director Development Services
<b>DELEGATION:</b>	N/A

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### Objective:

1. To ensure land in the coastal zone is continuously provided for coastal foreshore management, public access, recreation and conservation.
2. To ensure public safety and reduce risk associated with coastal erosion and inundation.
3. To avoid inappropriate land use and development of land at risk from coastal erosion and inundation.
4. To ensure land use and development does not accelerate coastal erosion or inundation risks; or have a detrimental impact on the functions of public reserves.
5. To ensure that development addresses the Broome Townsite Coastal Hazard Risk Management and Adaptation plan prepared in accordance with State Planning Policy No. 2.6 Coastal Planning Policy (as amended).

### Policy:

### Definitions:

The words and phrases set out in this policy are in addition to those identified in State Planning Policy 2.6 – State Coastal Planning Policy (SPP2.6).

‘Australian Height Datum’ (or **AHD**) is the vertical survey datum adopted.

**‘Average Recurrence Interval’ (or ARI)** is a term used to describe an inundation or erosion event size. It is a means of describing how likely an inundation or erosion hazard is to occur in a given year.

**‘Coastal Compartments’** are areas delineated along the Broome coast with similar geomorphological characteristics, coastal processes and geographical locations of interest in accordance with Appendix 2.

**‘Habitable room’** as a room used for normal domestic activities that includes:

- a bedroom, living room, lounge room, music room, sitting room, television room, kitchen, dining room, sewing room, study, playroom, sunroom, gymnasium, fully enclosed swimming pool or patio; but excludes
- a bathroom, laundry, water closet, food storage pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes drying room, verandah and unenclosed swimming pool or patio and other spaces of a specialised nature occupied neither frequently nor for extended periods.

**‘Horizontal Shoreline Datum’ (or HSD)** defines the active limit of the shoreline under storm activity. It is the line from which a physical processes allowance will be applied from.

**‘Finished Floor Level’ (or FFL)** is the height above ground at which habitable floor levels in a commercial or residential building are constructed (datum AHD).

**‘Likelihood’** means the probability that something will occur. Likelihood is generally expressed qualitatively or quantitatively.

**‘Net lettable area’** is defined as: “...the area of all floors within the internal finished surfaces of permanent walls but excludes the following areas:

- (a) all stairs, toilets, cleaner’s cupboards, lift shafts and motor rooms, escalators, tea rooms, and plant rooms, and other service areas;
- (b) lobbies between lifts facing other lifts serving the same floor;
- (c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;
- (d) areas set aside for the provision of facilities or services to the floor or building where such facilities are not for the exclusive use of occupiers of the floor or building.”

### **Application:**

This policy applies to all land identified by the Shire as being subject to coastal erosion and inundation risk as outlined by Special Control Area No.9 (SCA9) in Shire of Broome’s Local Planning Scheme No. ~~67~~ (LPS~~67~~).

The provisions of SCA9 only consider inundation from storm surge and an elevated ocean level. It does not include any consideration of catchment-based storm water runoff.

The provisions of SCA9 do not apply where a development is proposed on land entirely outside the mapped SCA9 extent, even if a portion of the lot upon which

the development is proposed is included. For example, a lot may have a partial encroachment within the SCA boundary, however, if the proposed development is located outside the SCA area, the policy would not apply.

The boundary of SCA9 is provided in **Appendix 1**.

This policy does not apply to coastal structures identified in SPP2.6 Section 7 (e.g. Public recreation facilities with finite lifespan, Coastally dependent and easily relocatable development, Surf Lifesaving Clubs).

#### **Exempt Development:**

In accordance with ~~clause 5.2.9.2 of LPS6~~Schedule 8 of LPS7, all future development within SCA9 requires development approval with the exception of the following:

1. temporary or non-permanent structures not used for human habitation;
2. extensions to an existing single, grouped or multiple dwelling where the gross floor area of the proposed extensions is no more than 50m<sup>2</sup>; and
3. ~~change of use to a 'Permitted' use where no new structures are proposed~~a change of use where no new structures are proposed.

#### **Background:**

The Coastal Planning Policy has been developed to assist with the implementation of Special Control Area No.9 – Coastal Hazard Risk Area (SCA9).

SCA9 identifies areas in Broome townsite that are at risk from coastal hazard risk within the 2110 planning timeframe. The land subject to coastal hazard risk is either:

- Low lying areas susceptible to inundation from a storm surge event with a one-in-five hundred probability of being exceeded in any given year (500yr ARI event); or
- Coastal areas within the coastal processes allowance setback extent for erosion, calculated for the 2110 planning timeframe.

The planning requirements set out in this policy are informed by the Shire's Coastal Vulnerability Study (CVS) and subsequent Coastal Hazard Risk Management and Adaptation Plan (CHRMAP). The CVS considers the coastal inundation and erosion hazards across the Broome townsite, whilst the CHRMAP provides a holistic approach to manage and mitigate coastal hazard risk and has been developed in consultation with the local community and key stakeholders.

The Broome Townsite CHRMAP identifies nine coastal compartments based on geomorphological characteristics, coastal processes and geographical locations of interest (**Appendix 2**).

The adaptation requirements for each coastal compartment have been developed in accordance with the risk management and adaptation hierarchy as set out in SPP2.6. This policy provides guidance in the implementation of the CHRMAP adaptation strategies included in **Appendix 3**.



### Storm Surge Inundation

#### Adaptation Requirements for Properties Affected by Storm Surge Inundation

- 1.1. Where development is affected by storm surge, the applicant is required to ensure minimum Finished Floor Level for all habitable rooms or net lettable areas for commercial / retail / community buildings as outlined in Broome Town Centre (Coastal Compartment No.7) and Dampier Creek Inner (Coastal Compartment No.8).

#### Broome Town Centre (Coastal Compartment No.7)

The Broome Townsite CHRMAP identifies that a seawall is to be constructed in Broome Town Centre by 2070 to protect against storm surge inundation of the Chinatown Peninsula. This recommendation is made under the assumption that sea level rise of 0.4m will occur within the 2070 planning timeframe in accordance with SPP2.6 recommendations.

The finished Floor Level recommendation for habitable rooms or all net lettable area for commercial/ retail/ community buildings in the Chinatown Peninsula is therefore based on the 100yr-ARI storm surge level defined for the 2070 timeframe, which includes 0.4m sea level rise.

The area of Chinatown designated for inundation protection is shown in **Appendix 4** with the 2070 design FFL recommendation. For areas outside the protected area, the 2110 design FFL is required.

- 1.2. **Broome Town Centre Chinatown Peninsula Protected Area:** The Finished Floor Level for all habitable rooms (dwellings) or all net lettable area for commercial/ retail/ community buildings to achieve a minimum FFL of 5.96m AHD.

- 1.3. **Broome Town Centre Outside Protected Area:** The Finished Floor Level for all habitable rooms (dwellings) or all net lettable area for commercial/ retail/ community buildings to achieve a minimum FFL of 7.03m AHD.

#### **Dampier Creek Inner (Coastal Compartment No. 8)**

The 2110 timeframe is used as the baseline to determine the required Finished Floor Level in the Dampier Creek Inner Compartment. No protection structure is proposed for the compartment and a strategy to Accommodate storm surge is recommended in the CHRMAP.

- 1.4. **Dampier Creek Inner:** The Finished Floor Level for all habitable rooms (dwellings) or all net lettable area for commercial/ retail/ community buildings to achieve a minimum FFL of 7.03 AHD.

#### **Dampier Creek East (Coastal Compartment No. 9)**

- 1.5. **Dampier Creek East:** Avoid development of land prone to storm surge inundation.

#### **Additional Design Requirements**

- 1.6. Additional design requirements may be required depending on the difference between the storm surge inundation level and the recommended FFL for all habitable rooms or net lettable areas for commercial / retail / community buildings.
- 1.7. Design responses are not to have a detrimental impact on the amenity of adjoining properties or the amenity of the locality generally. This includes adversely impacting storm surge inundation levels on adjoining properties.
- 1.8. The minimum FFL for all habitable rooms or net lettable areas for commercial / retail / community buildings is to be achieved through either fill/ retaining (to a maximum of 0.5m above natural ground level) or building design (i.e. elevated 'Queenslander' style stilt housing).
- 1.9. Filling of the site between 500mm and 1 metre above natural ground level is to be considered where it can be demonstrated that it addresses the requirements of clause 1.7.
- 1.10. Mechanical and electrical infrastructure (e.g. pump stations, emergency generators) are to be elevated above the required FFL and / or protected from the impact of storm surge inundation.
- 1.11. Buildings are to be designed to withstand structural loads associated with a storm surge inundation.

- 1.12. Foundations and footings are to be certified by a coastal engineer as adequate to withstand potential erosive action during coastal inundation.
- 1.13. Lower levels of buildings prone to storm surge inundation are to be permeable to allow water to flow through. This would not apply if the design response includes fill to the extent that the FFL of the building is located above the identified level of inundation.

## Erosion

The current coastal erosion allowance from an extreme storm impacting the coast has been assessed by applying wave and water level conditions from a design storm consistent with the 1% ARI (100-yr) event, and adopting present sea level conditions, as recommended in SPP2.6. The current coastal erosion allowance is depicted as a yellow line in Appendix 5.

## Adaptation Requirements for Properties Affected by Coastal Erosion

- 1.14. Unless provision is made within the CHRMAP for protection, no permanent structures to be located within the coastal erosion processes setback area for the 2110 planning period. A copy of the coastal erosion processes affecting Broome Townsite can be located in **Appendix 5**.
- 1.15. Structures, including residential development that have a lifespan less than the 100-year coastal erosion planning timeframe may be permitted providing they are consistent with the CHRMAP adaptation strategies in Appendix 3 and removed once the current risk of erosion poses an unacceptable risk to a development or structure.
- 1.16. In instances where a protection option is not proposed, any approval is to be conditioned requiring all structures be removed at the cost of the land owner once the current risk of erosion poses a risk to a development or structure, as defined by the following triggers:
  - *When the distance from the most landward part of the Horizontal Shoreline Datum (HSD) to the most seaward point of a development or structure is less than the S1 allowance in the respective section of coast.*
  - *Where a public road is no longer available or able to provide legal access to the property.*
  - *When water, sewage or electricity to the lot is no longer available as they have been removed/ decommissioned by the relevant authority due to coastal hazards.*

- 1.17. Development in areas where a protection option is identified within the CHRMAP are only required to be setback landward of the current coastal erosion allowance.

#### Notification on Title

- 1.18. In its determination of development applications for land within SCA9, a notification is to be placed on the Certificate of Title, pursuant to section 70A of the Transfer of Land Act 1893:

VULNERABLE COASTAL AREA - *This lot is located in an area likely to be subject to coastal erosion and/or inundation over the 100 planning timeframe (2110).*

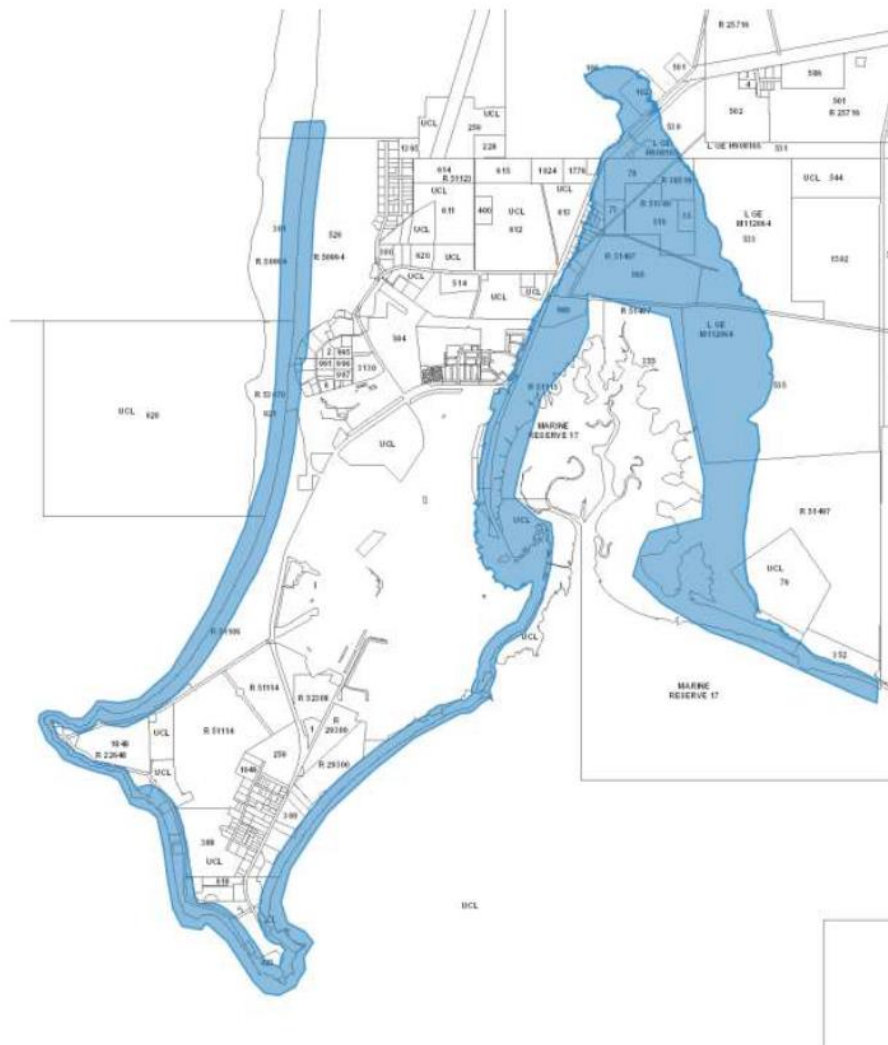
#### SHIRE OF BROOME LOCAL PLANNING SCHEME No. 7 (LPS7) – LOCAL PLANNING POLICIES

This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.

Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 clause 5 & 6 of the deemed provisions of LPS7 have been completed.



## Appendix 1: Extent of Special Control Area No.9



## Appendix 2: Coastal Compartments



### Appendix 3: CHRMAP Adaptation Strategies

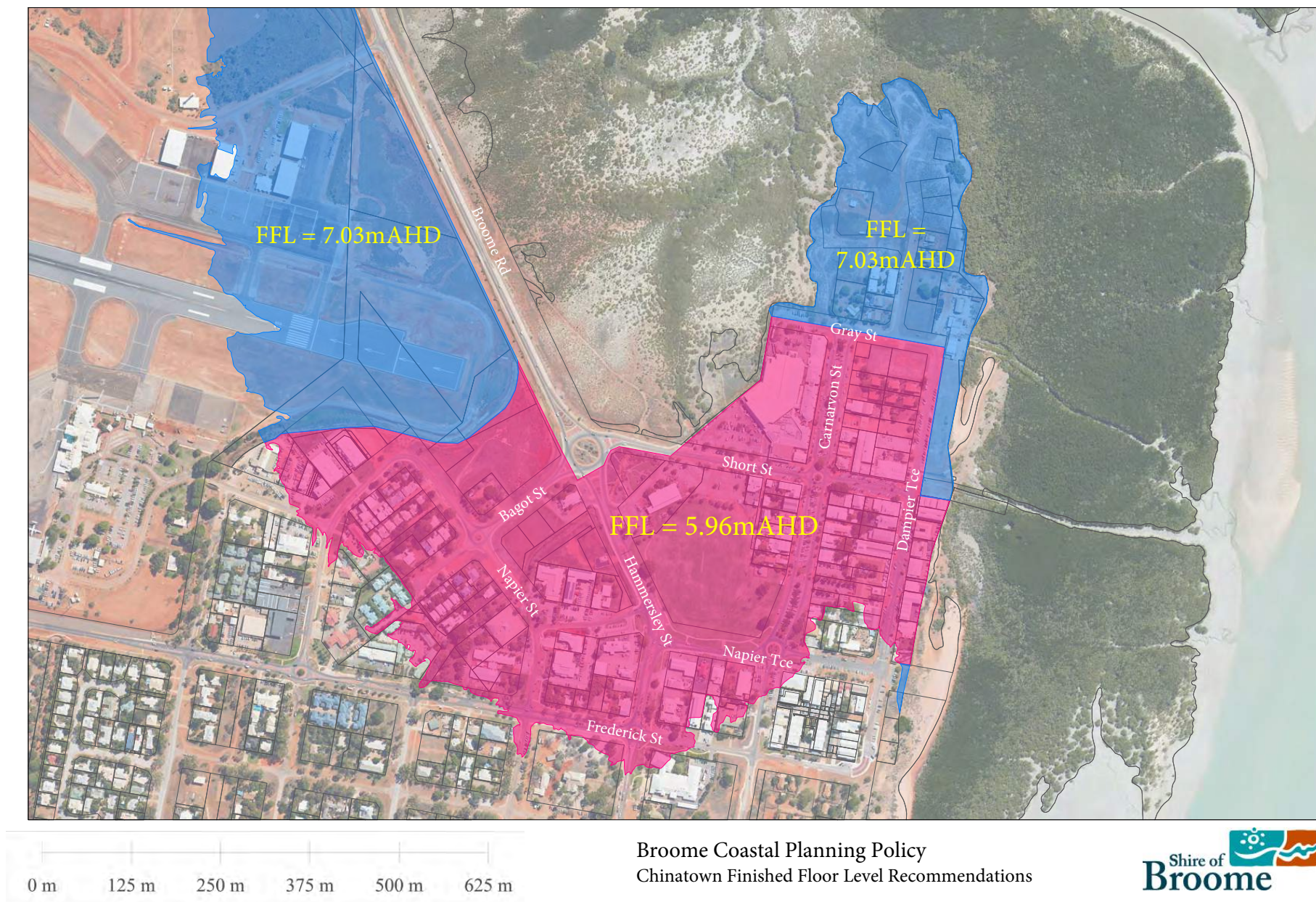
Coastal Compartment	Adaptation Strategy Recommendations
<b>Cable Beach</b>	<p><u>For areas north and south of central tourist area</u></p> <p>Planning Approach</p> <ul style="list-style-type: none"> <li><b>Avoid.</b> Any future planning approaches will need to be sited landward of the identified 2110 planning period coastal erosion hazard.</li> </ul> <p><u>For central section (Surf Club, Zanders café, Amphitheatre etc)</u></p> <p>Recommendations</p> <ul style="list-style-type: none"> <li>Further studies on a coastal protection option for up to 500m of the main foreshore area is recommended and supported through the CHRMAP with a view to adopting a <b>Protect</b> strategy for this section of coast. Will require a detailed erodibility study to determine the underlying geotechnical properties of the foreshore beneath the dune. Following the erodibility assessment, requirement for concept engineering, consultation with community/stakeholders and further economic analysis of option/s.</li> </ul> <p>Planning Approach (general)</p> <ul style="list-style-type: none"> <li><b>Avoid</b> further development of vacant land within the identified coastal erosion hazard area for areas north and south of the central tourist hub;</li> <li><b>Planned / Managed Retreat</b> for existing assets located on land prone to coastal erosion within the 2110 planning timeframe for land not proposed to be protected by a seawall; and</li> <li><b>Accommodate</b> land uses exempted by Part 7 of SPP 2.6 Schedule 1 e.g.. Community use of foreshore.</li> </ul> <p>Planning Approach for areas behind a coastal protection structure (type of coastal protection, alignment and timing to be confirmed in future studies)</p> <ul style="list-style-type: none"> <li><b>Protect</b> existing assets through a coastal protection structure.</li> </ul> <p>Shire Structures</p> <ul style="list-style-type: none"> <li><b>Managed Retreat</b> for current structures and properties within the erosion hazard area.</li> </ul>
<b>Gantheaume Cliffs</b>	<p>Planning Approach</p> <ul style="list-style-type: none"> <li><b>Avoid</b> further development within the identified 2110 coastal erosion hazard on vacant land; and</li> <li><b>Accommodate, Managed Retreat</b> for existing assets located on land prone to coastal erosion within the 2110 planning timeframe (e.g. Broome Turf Club).</li> </ul> <p>Shire Structures in foreshore areas</p> <ul style="list-style-type: none"> <li><b>Managed Retreat</b> for coastal structures and roads.</li> </ul>
<b>Reddell Beach</b>	<p>Planning Approach</p> <ul style="list-style-type: none"> <li><b>Avoid</b> further development within the identified 2110 coastal erosion hazard on vacant land; and</li> <li><b>Accommodate, Managed Retreat</b> for existing assets located on land prone to coastal erosion within the 2110 planning timeframe.</li> </ul> <p>Shire Structures in foreshore areas</p> <ul style="list-style-type: none"> <li><b>Managed Retreat</b> for coastal structures and roads.</li> </ul>
<b>Entrance Point</b>	<p>Recommendations</p> <ul style="list-style-type: none"> <li>Recommended the Kimberley Port Authority undertake a detailed erodibility study to determine the underlying geotechnical properties of the foreshore area.</li> </ul> <p>Planning Approach</p>

	<ul style="list-style-type: none"> <li>• <b>Avoid</b> further development within the identified 2110 coastal erosion hazard on vacant land; and</li> <li>• <b>Accommodate, Managed Retreat</b> for existing assets located on land prone to coastal erosion within the 2110 planning timeframe.</li> </ul> <p>Shire Structures in foreshore areas</p> <ul style="list-style-type: none"> <li>• <b>Managed Retreat</b> for coastal structures and roads.</li> </ul>
<b>Simpsons Beach</b>	<p>Planning Approach</p> <ul style="list-style-type: none"> <li>• <b>Avoid</b> further development within the identified 2110 coastal erosion hazard on vacant land; and</li> <li>• <b>Accommodate, Managed Retreat</b> for existing assets located on land prone to coastal erosion within the 2110 planning timeframe.</li> </ul> <p>Shire Structures in foreshore areas</p> <ul style="list-style-type: none"> <li>• <b>Managed Retreat</b> for coastal structures.</li> </ul>
<b>Town Beach</b>	<p>Recommendations</p> <ul style="list-style-type: none"> <li>• Further studies on construction of the Town Beach revetment (engineering, environmental and local stakeholder issues);</li> <li>• Develop an appropriate Emergency Response Plan for the Roebuck Bay caravan park;</li> <li>• Undertake a foreshore management plan; and</li> <li>• Investigate remediation of the dune in front of the properties in Demco Drive.</li> </ul> <p>Planning Approach</p> <ul style="list-style-type: none"> <li>• <b>Accommodate</b> developable land located on land prone to coastal erosion within the 2110 planning timeframe;</li> <li>• <b>Accommodate</b> Land uses exempted by Part 7 of SPP 2.6 Schedule 1 e.g. Community use of foreshore; and</li> <li>• <b>Protect</b> existing assets through a coastal protection structure for areas landward of the planned revetment / seawall north of old jetty area.</li> </ul> <p>Shire Structures in foreshore areas</p> <ul style="list-style-type: none"> <li>• <b>Managed Retreat</b> for minor structures within the erosion hazard area;</li> <li>• <b>Accommodate</b> for minor structures in the defined storm surge inundation area; and</li> <li>• <b>Protect</b> Shire assets covered by the revetment / seawall at the eroding Pindan Cliff north of Old Jetty Groyne (Pioneer Cemetery, foreshore area in Town Beach Reserve).</li> </ul>
<b>Broome Central</b>	<p>Recommendations</p> <ul style="list-style-type: none"> <li>• A coastal protection structure to <b>Protect</b> Chinatown peninsula providing storm surge immunity and coastal erosion protection is supported through CHRMAP. Further studies required to determine type, alignment and timing. At latest the structure is assumed to be constructed for the 2070 planning period.</li> </ul> <p>Planning Approach</p> <ul style="list-style-type: none"> <li>• <b>Accommodate</b> developable land located on land prone to coastal erosion within the 2110 planning timeframe;</li> <li>• <b>Accommodate</b> land prone to storm surge flooding through Special Control Area and specific requirements for planning approval of properties within the defined storm surge inundation area; and</li> <li>• <b>Accommodate</b> Land uses exempted by Part 7 of SPP 2.6 Schedule 1 e.g. Community use of foreshore.</li> </ul> <p>For areas within the Chinatown peninsula</p> <ul style="list-style-type: none"> <li>• <b>Protect</b> Existing assets.</li> </ul> <p>Shire Structures in foreshore areas</p> <ul style="list-style-type: none"> <li>• <b>Managed Retreat</b> for minor structures within the erosion hazard area; and</li> </ul>

	<ul style="list-style-type: none"> <li>• <b>Accommodate</b> for minor structures in the defined storm surge inundation area.</li> </ul>
<b>Dampier Creek Inner</b>	<p>Planning Approach</p> <ul style="list-style-type: none"> <li>• <b>Avoid</b> further development within the identified 2110 coastal erosion hazard on vacant land; and</li> <li>• <b>Accommodate</b> land prone to storm surge flooding, through Special Control Area and specific requirements for planning approval of properties within the 2110 timeframe.</li> </ul> <p>Shire Structures in foreshore areas</p> <ul style="list-style-type: none"> <li>• <b>Managed Retreat</b> for minor structures and properties within the erosion hazard area; and</li> <li>• <b>Accommodate</b> for minor structures in the defined storm surge inundation area.</li> </ul>
<b>Dampier Creek East</b>	<p>Planning Approach</p> <ul style="list-style-type: none"> <li>• <b>Avoid</b> further development within the identified 2110 coastal erosion hazard on vacant land; and</li> <li>• <b>Avoid</b> land prone to storm surge flooding.</li> </ul> <p>Shire Structures in foreshore areas</p> <ul style="list-style-type: none"> <li>• <b>Managed Retreat</b> for minor structures and properties within the erosion hazard area; and</li> <li>• <b>Accommodate</b> for minor structures in the defined storm surge inundation area.</li> </ul>

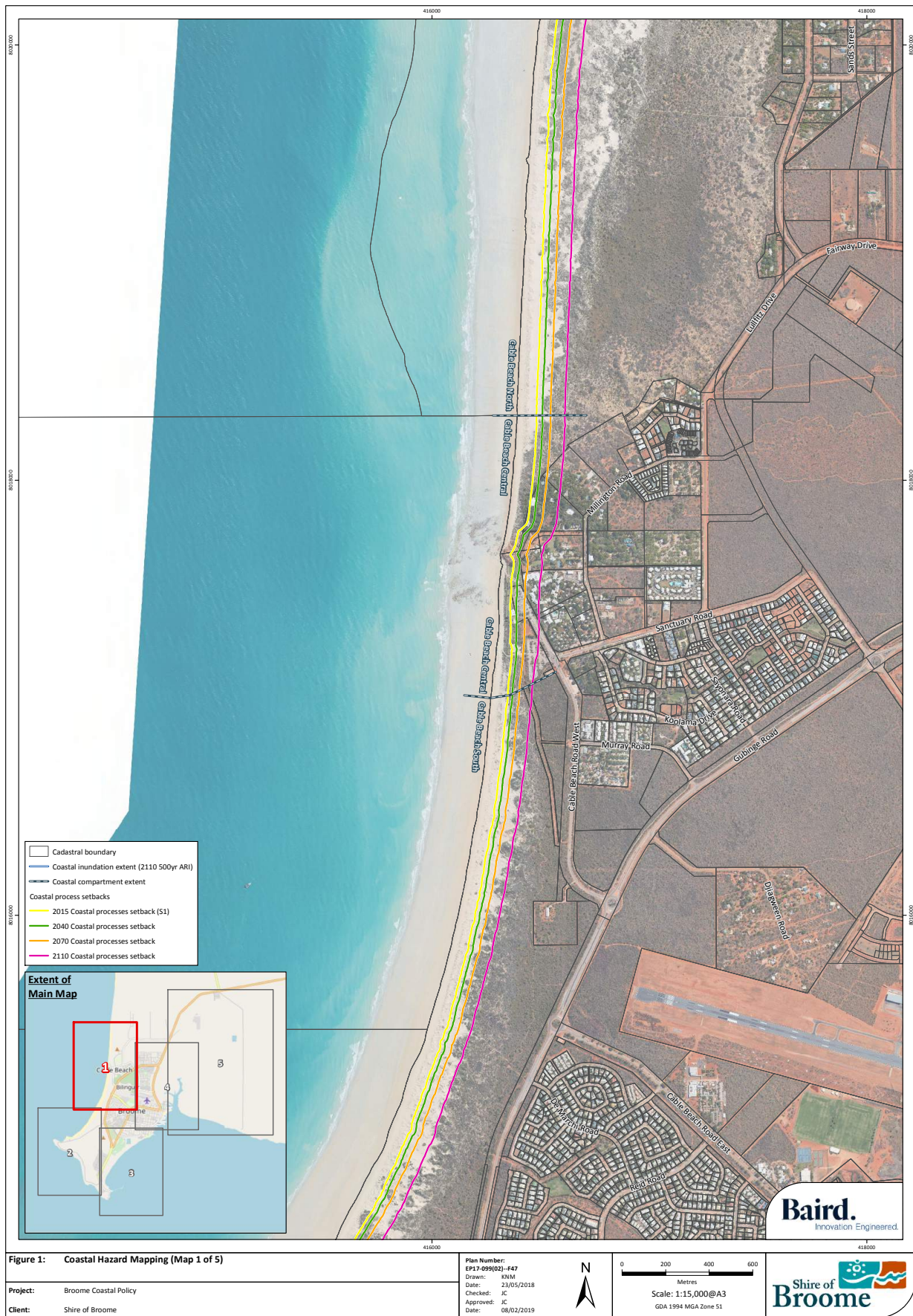
## **Appendix 4: Broome Town Centre (Chinatown) Protection Area**



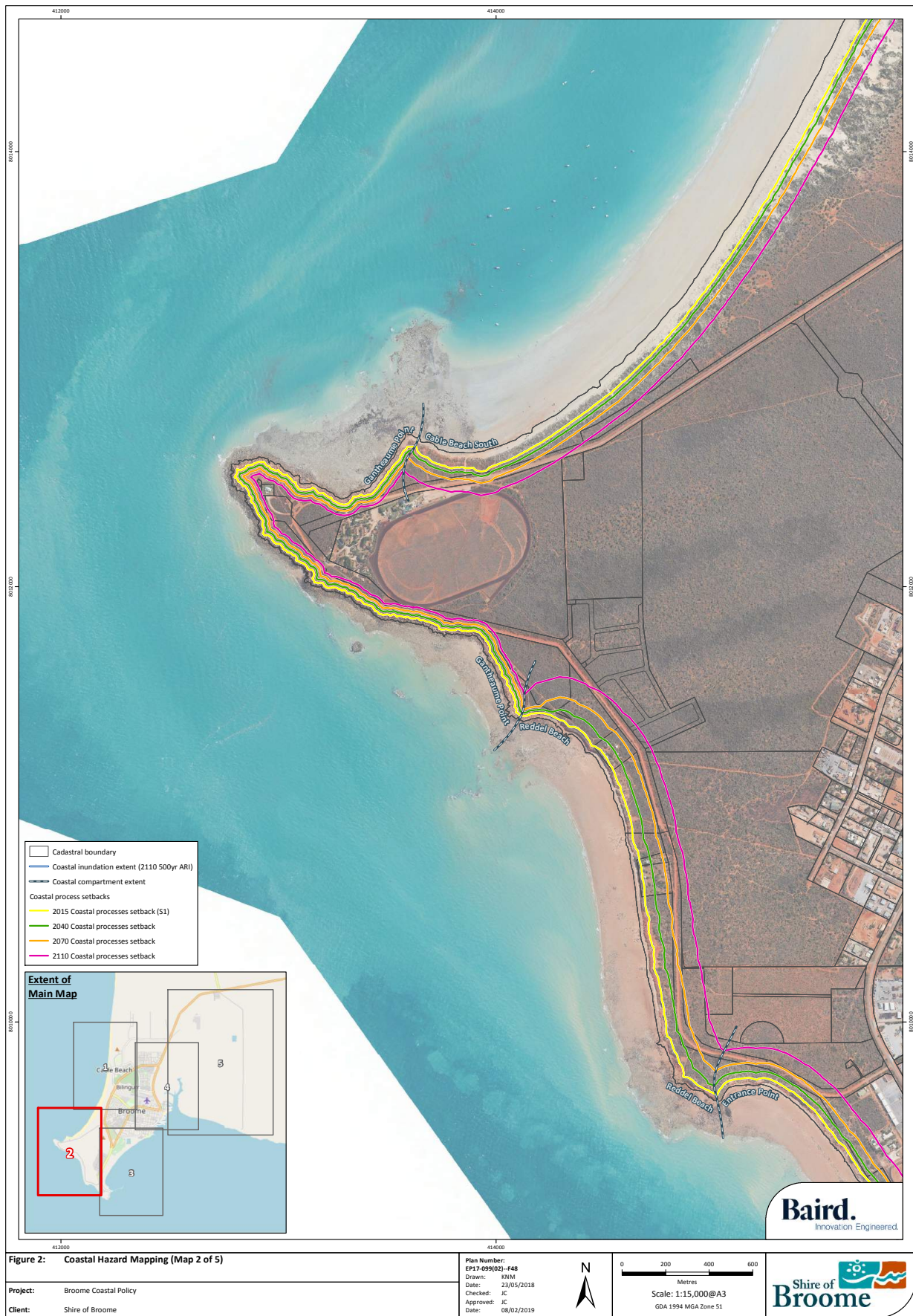


## Appendix 5: Coastal Erosion Timeframes

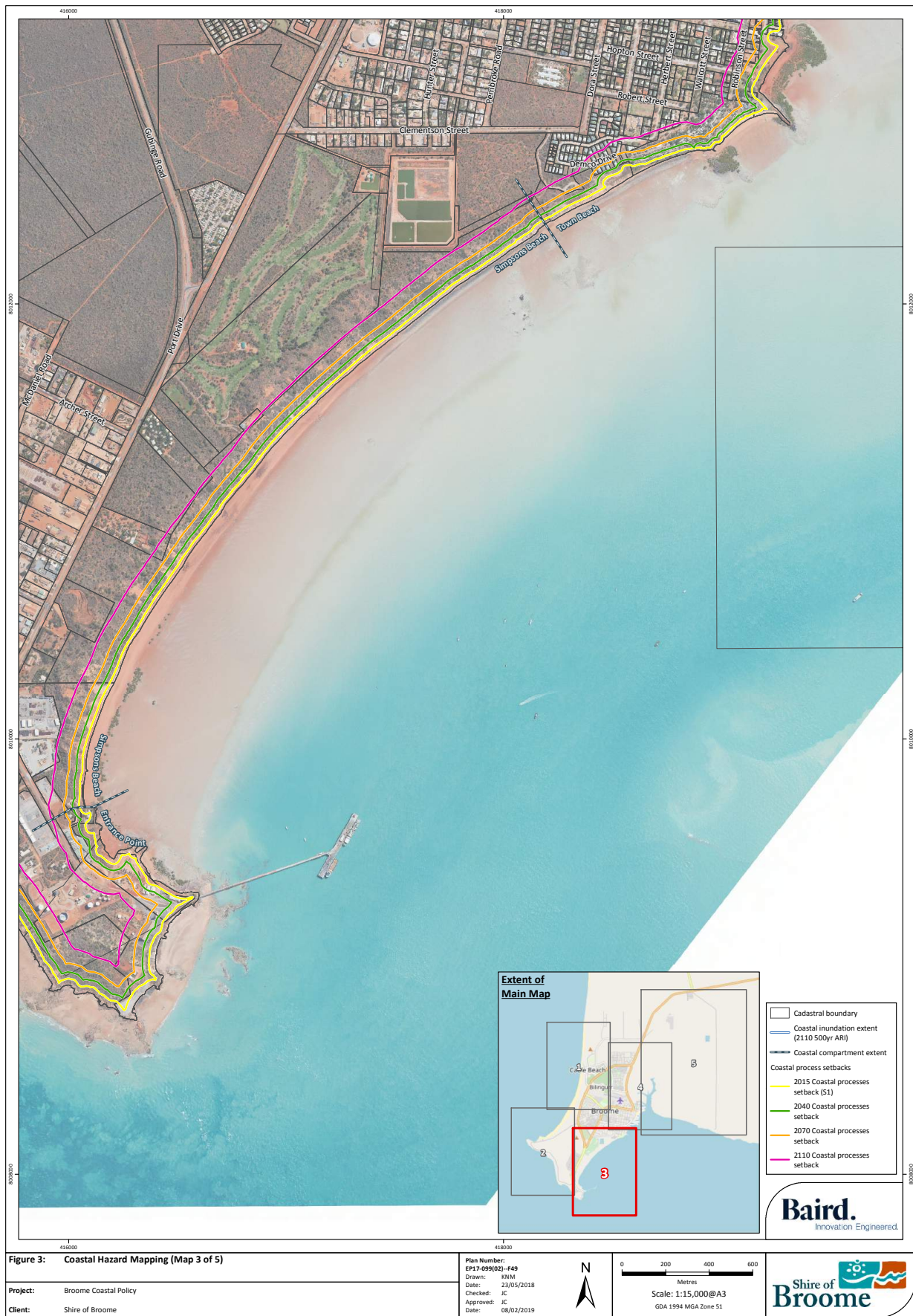




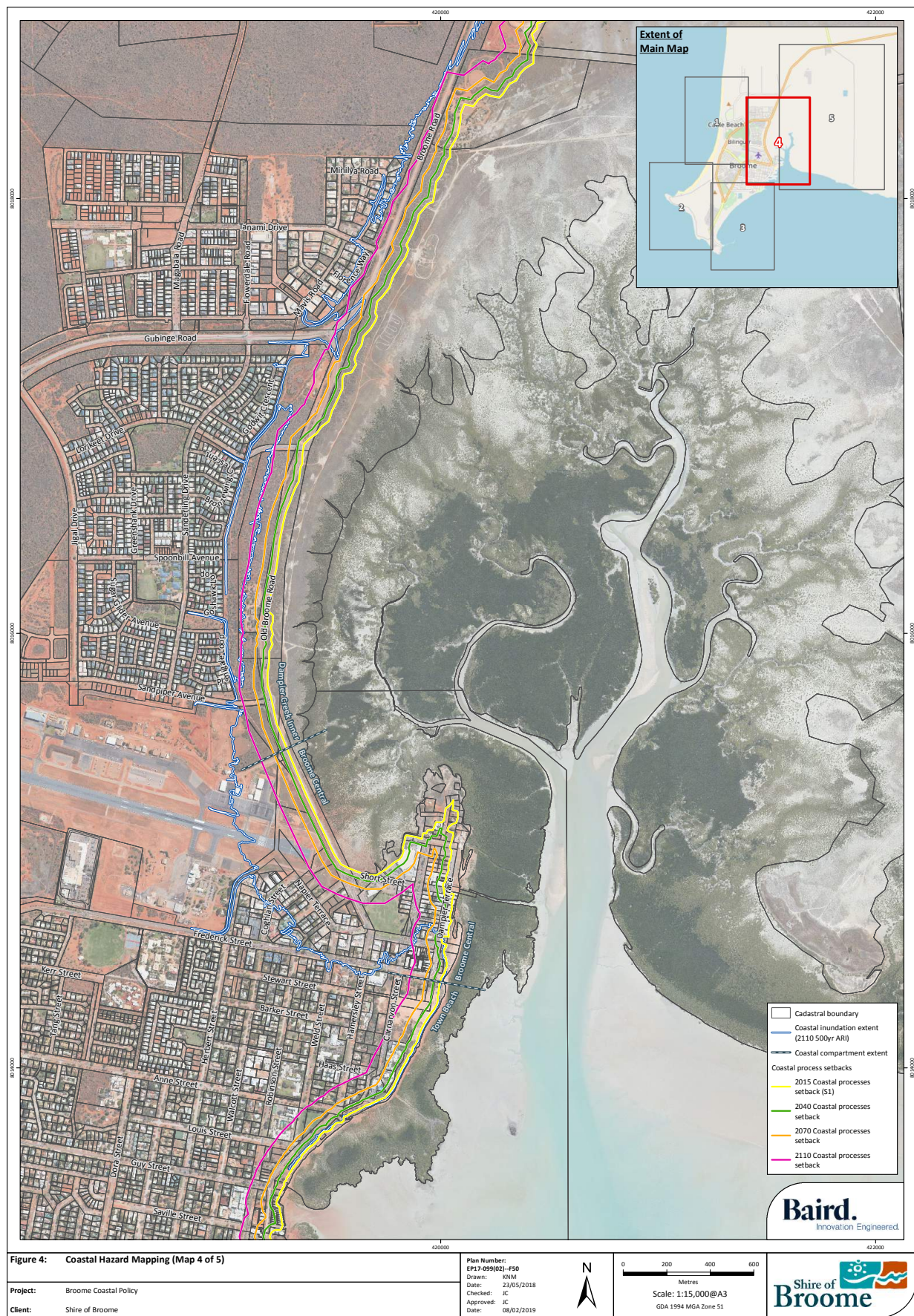




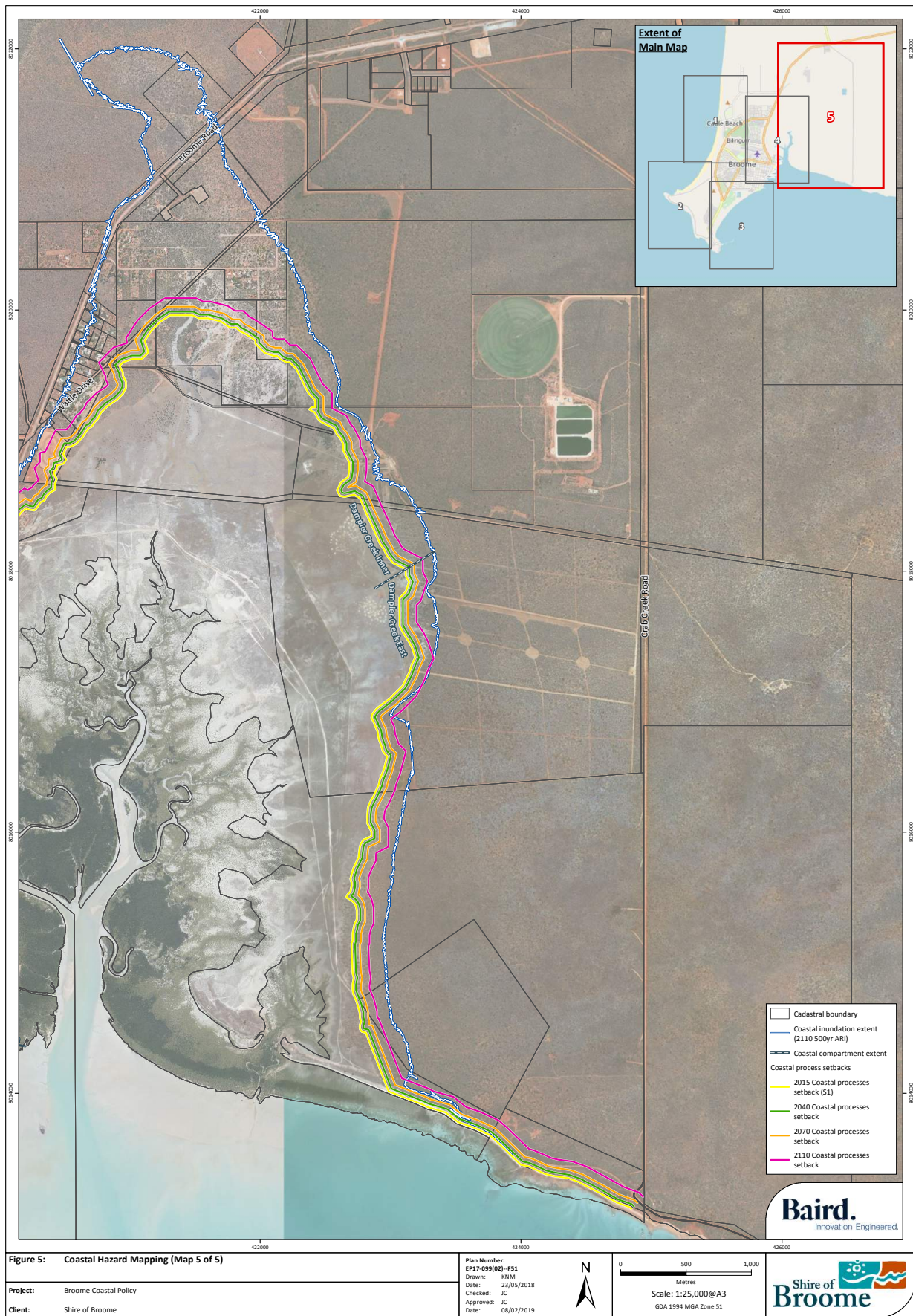












**LOCAL PLANNING POLICY****5.24****TITLE:** DESIGN REVIEW PANEL**ADOPTED:** 29 September 2022**REVIEWED:** ~~OMC~~...*Planning and Development Act 2005***ASSOCIATED  
LEGISLATION:** [Planning and Development \(Local Planning  
Schemes\) Regulations 2015](#)Shire of Broome Local Planning Scheme No ~~67~~ (LPS~~76~~)**ASSOCIATED  
DOCUMENTS:****REVIEW  
RESPONSIBILITY:** Director Development ~~Services & Community  
Services~~**DELEGATION:** Delegations are exercised in accordance with  
delegation granted in terms of Section 5.42 of the  
Local Government Act 1995 as amended or other  
statutes as applicable to specified officers.**APPLICATION** This policy applies to the LPS~~76~~ area

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**Objectives:**

1. To ensure the administration of the Shire of Broome is consistent with the process outlined by the State Government Design Review Guide.
2. To provide an independent evaluation process for proposals and processes that impact the design quality of the built environment.
3. To facilitate an improvement in urban design and the quality of the built environment within the Shire of Broome.
4. To assist in the formulation of recommendations to the Council and the Joint Development Assessment Panel, or in the determining of applications under delegated authority.

**Definitions:**

**“Design Review”** means an independent and impartial evaluation process in which experts on the built environment assess the design of a proposal.

**“Design Review Guide”** means the Department of Planning, Lands and Heritage’s *Design Review Guide – Guidance for local governments to set up and operate design review processes*.

**“Major Development”** is defined as:

- 10 or more grouped or multiple dwellings;
- Mixed use developments incorporating a residential component with an estimated construction cost of more than three million dollars (\$3,000,000); and
- Commercial Developments within all zoned and reserved land except for the Service Commercial, Industry and Light & Service Industry zones with an estimated construction cost of more than three million dollars (\$3,000,000).

**“Panel”** means a selected panel of experts who undertake a design review of a development proposal or the implementation of a new or amended document which forms part of the local planning framework.

**“Scheme”** means the Shire of Broome Local Planning Scheme No. 6.

**Policy:**

1.0 Membership

- 1.1. The Panel is to comprise a pool of up to five (5) design professionals, appointed by the Director of Development Services to fulfill the requirements outlined in this Policy.
- 1.2. The Panel shall be appointed as per the recommendations contained within Section 5 of the Department of Planning, Lands and Heritage’s Design Review Guide.
- 1.3. The term of appointment of a Panel Member will be for a maximum of three (3) years. Appointment for additional terms may be approved by the Director of Development Services.
- 1.4. The Director of Development Services may terminate the appointment of a Panel member prior to expiry of their term if it is considered that the member is not providing a positive contribution to the intended function of the Panel or if the member has not demonstrated a satisfactory level of attendance at Panel meetings.
- 1.5. One member of the Panel shall be the Chairperson of the Panel for the purpose of managing and facilitating interactive design review, discussions, identifying key recommendations for reporting. The Chairperson will also be responsible for minute taking of each meeting.
- 1.6. Where a vacancy in the Panel occurs, eligible persons shall be drawn from previous nominations, and shall be presented to the Director of Development Services for selection and approval. Failing this, the Shire shall seek additional expressions of interest in accordance with clause 1.2 above.

- 2.0 Items to be Referred to the Panel
- 2.1 Development applications and pre-application development submissions for Major Development.
- 2.2 Non-major development proposals may be referred to the Panel for review at the discretion of the Director of Development Services, with the prior agreement of the proponent.
- 2.3 Strategies, policies, master plans, local development plans, structure plans, precinct structure plans, local planning schemes and amendments or other matters relating to the strategic and statutory local planning frameworks that have the ability to inform the future built form within the Shire.
- 3.0 Operational requirements
- 3.1 Panel meetings will follow the meeting procedures, roles and responsibilities recommended by the *Design Review Guide*.
- 3.2 The Panel will take into consideration the design principles set out in State Planning Policy 7.0 Design of the Built Environment
- 3.3 A Panel meeting cannot proceed unless a quorum comprising a minimum of two panel members is in attendance.
- 3.4 Notes of the Panel meeting should be maintained and reported in accordance with Clause 6.6 of the Design Review Guide.
- 3.5 Proponents are encouraged to request the Shire to refer proposals to the Panel early in the design concept stage, prior to the submission of a development application. Several referrals to the Panel may be required depending on the complexity of the proposal.
- 3.6 Panel meetings are to be held at the Shire of Broome Administration Centre. Where proponents and Panel Members are unable to attend in person or are not locally based, the meeting shall be undertaken by video teleconference.
- 4.0 Fees
- 4.1 A fee is payable to each member of the Panel for preparation and attendance at a Panel meeting.
- 4.2 If the Director of Development Services requests a Panel member to appear on the Shire's behalf as an expert witness at the State Administrative Tribunal, the member is to be paid at a mutually agreed hourly rate between the member and the Shire.



5.0 Conflict of Interest

5.1 Where a member of the DRP has a financial interest (as defined by the Local Government Act 1995) in a matter to be considered by the Panel, the member must disclose the interest to the convenor of the meeting (in writing) and must not participate in or be present during any discussion on the matter.

5.2 Where a member of the Panel has an impartiality interest in a matter to be considered by the Panel (an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest arising from kinship, friendship or membership of an association), the member must disclose the nature of the interest to the convenor of the meeting, prior to any discussion on the matter.

5.3 A person who is currently employed by, or who is an Elected Member of the Shire, is not eligible for appointment as a member.

6.0 Confidentiality

6.1 Proceedings of a meeting, supporting information, agendas and minutes of any proposal presented to the Panel are to remain confidential unless such details are disclosed in an authorised manner by an officer to the proponent or applicant, or presented in a report which is available to the public.

7.0 Code of Conduct

7.1 All Panel members are required to review and agree to the Shire's Code of Conduct.

**SHIRE OF BROOME LOCAL PLANNING SCHEME No. ~~16~~ (LPS~~16~~) – LOCAL PLANNING POLICIES**

This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.

Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 of the deemed provisions of LPS7 have been completed.

~~This Policy is a Local Planning Policy adopted pursuant to Part 2, clause 4 of the deemed provisions of LPS6. LPS6 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS6 was gazetted and came into operation on the 30 January 2015.~~

~~Planning policies adopted under LPS6 may be amended or rescinded after the procedures set out in Part 2 clause 5 & 6 of the deemed provisions of LPS6 have been completed.~~

## LOCAL PLANNING POLICY 5.25

**TITLE:** HOLIDAY HOUSE

**ADOPTED:** 28 September 2023

**REVIEWED:**

**ASSOCIATED  
LEGISLATION:**

Planning and Development Act 2005

[Planning and Development \(Local Planning Schemes\)  
Regulations 2015](#)

Local Planning Scheme No7 (LPS7)

**ASSOCIATED  
DOCUMENTS:**

**REVIEW**

Director Development Services

**RESPONSIBILITY:**

**DELEGATION:**

Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.

**APPLICATION:**

This policy applies to the LPS7 area.

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[Previous Policy Number N/A](#)

**Objectives:**

1. To support Holiday House land uses while managing the social impacts of this use.
2. To establish development standards for Holiday House land uses to avoid off-site impacts and maintain the desired amenity of the zone.
3. To provide for the safety of users who may be less familiar with the dwelling and surrounding environment.
4. To establish minimum management obligations for the operation of Holiday House's to ensure their compatibility with the desired amenity and objectives of the zone.

**Definitions:**

**"Holiday House Standard"** means a single dwelling on one lot used to provide short term accommodation for no more than six people but does not include a bed and breakfast.

**"Holiday House Large"** means a single dwelling on one lot used to provide short-term accommodation for more than six people but less than twelve people accommodation at any one time and does not include a bed and breakfast.

**"Residential built-out area"** a lot that has access to reticulated water and is within or contiguous with, an urban area or town (or similar).

**Policy:**1 Dwelling Requirements

1.1 The Holiday House is within an existing lawful dwelling and has:

a. Legal access to a public road ~~and~~

~~b. Has a minimum of 350m<sup>2</sup> of total site area for exclusive use of the dwelling.~~

1.2 For a Holiday House, within a Grouped or Multiple Dwelling, written support has been received by the local government from the majority of owners of properties in the complex or development within which the Holiday House is to be located (excluding the owner of the site subject of the application, unless the applicant owns all of the properties in the complex or development).

1.3 Bedrooms and car parking in a Holiday House are provided in accordance with the following rates:

Number of Occupants	Minimum Number of Bedrooms	Number of Car Parking Bays
1-2	1 bedroom or studio room	2
3-4	2	2
5-8	3	3
9-12	4	4

*Note: the Local Planning Scheme establishes that the maximum number of occupants in a Holiday House, regardless of the number or size of bedrooms, is 12. The Shire has no discretion to approve Holiday Houses with maximum occupant numbers higher than those limits.*

2 Management of Holiday Houses

- 2.1 Every application for a Holiday House land use must be accompanied by a Management Plan which as a minimum, incorporates the following:
- a. Nomination of a manager of the Holiday House and their contact details. The approved manager must reside or have their office within 15 minutes driving distance of the Holiday House.
  - b. The hours the manager can be contacted which as a minimum must be between 9am and 5pm Monday to Saturday (excluding public holidays) and 9am to 12pm on Sunday and public holidays.
  - c. Details on how the premises will be managed on a day-to-day basis (including how keys are easily available for late entry, providing on-site assistance to occupiers of the Holiday House and confirming arrangements for cleaning (including garden/waste management).
  - d. Control of noise and other disturbances;
  - e. Control of anti-social behaviour;
  - f. A complaints procedure which as a minimum establishes that any complaints from adjacent residents are responded to as soon as reasonable and practicable and within a maximum of 12 hours;
  - g. A code of conduct for guests, which must be displayed within the Holiday House, and as a minimum incorporates the following:
    - i. Maximum number of guests permitted to stay in the Holiday House;
    - ii. Rules for use of outdoor areas to minimise noise and amenity impacts on adjacent properties;
    - iii. Management of visitors to the site;
    - iv. Parking controls, including that guests and any visitors must park on site; and
    - v. The use of amplified music.

It will be a condition of development approval that the owner/operator must comply with the management plan at all times.

- 2.2 A sign must be erected on-site and clearly visible from the street that has the current manager's name and contact details ([Standards pertaining to sign dimension are as per the Local Planning Policy 5.10\).](#)

### 3 Public Consultation

- 3.1 An application for a Holiday House land use will be advertised for public comment for a minimum comment period of 21 days. The owners of properties adjoining the application site and those on the other side of any street immediately opposite will be consulted in writing.

### 4 Holiday House in Bushfire Prone Areas

- 4.1 Where a holiday house is proposed in a bushfire prone area and is in a residential built-out area, it will be deemed minor development under State Planning Policy 3.7 – Planning in Bushfire Prone Areas, subject to the submission of an acceptable:

4.1.1 Simplified Emergency Evacuation Plan; and

4.1.2 Simplified Bushfire Management Plan.

*Note: a template for the preparation of the above, can be [accessed here](#).*

- 4.2 Where a holiday house is proposed in a bushfire prone area and is not a residential built-out area, it must satisfy State Planning Policy 3.7 – Planning for Bushfire Prone Areas.

### 5 Term of Approval

- 5.1 Development approvals for a Holiday House shall be limited to a maximum period of 24 months, after which the further renewal of the approval by the local government is required. **This is the responsibility of the applicant and the local government will not automatically re-issue approvals.**

### 6 Shire Register of Approved Holiday Houses

- 6.1 The Shire will maintain a register of approved holiday houses which will be made available on the Shire's website and will include the following information:
- a) Property address;
  - b) Approved Manager and contact details;
  - c) Maximum number of guests approved;
  - d) Approval term.

SHIRE OF BROOME LOCAL PLANNING SCHEME No. 7 (LPS7) – LOCAL PLANNING POLICIES

This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.

Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 of the deemed provisions of LPS7 have been completed.

## 9.2 PLACE

### 9.2.1 BARDI JAWI NIIMIDIMAN ABORIGINAL CORPORATION: SHARED COUNTRY - SHARED VOICE PROJECT

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Bardi Jawi Niimidiman Aboriginal Corporation
<b>FILE:</b>	PLA107
<b>AUTHOR:</b>	Land Tenure Officer
<b>CONTRIBUTOR/S:</b>	Manager Planning and Building Services
<b>RESPONSIBLE OFFICER:</b>	Director Development Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

#### SUMMARY:

The Bardi Jawi Niimidiman Aboriginal Corporation (BJNAC) are submitting a grant application for the federal Regional Precincts and Partnerships Program (rPPP) and have requested that the Shire commits to working with BJNAC to work towards formalising a partnership with the corporation as part of their proposed Shared Country – Shared Voice project.

This report recommends that Council requests the Chief Executive Officer to work with BJNAC to facilitate Shire involvement in the proposed project.

## BACKGROUND

The Bardi Jawi Niimidiman Aboriginal Corporation (BJNAC) approached Shire officers in February 2024 with an invitation to join with them in partnership for the activation of 6 parcels of land that are currently held by the Aboriginal Lands Trust (ALT).

The Project objective is to develop an investment ready precinct plan for select parcels of land that are currently held by the Aboriginal Lands Trust (ALT Estate) and are within the Native title determination area for the Bardi and Jawi People.

The main priority of the project is for the parcels of land to be divested from the ALT and vested with the native title holders to allow for activation of the land and economic benefit of the native title holders. A map of the land parcels is attached as Attachment 2. The land area covered by the proposal does include the Ardyaloon and Djarindjin community, but does not include Lombadina. Beagle Bay does not form part of the project as it is not in the BJNAC native title area.

At the time of receiving the initial correspondence in March 2024, BJNAC had not received responses or support from other agencies, government body or groups.

**Attachments 1 – 4** include this initial correspondence and supporting documents, including the land parcels currently in the ALT estate, a draft governance structure and a preliminary project outline.

Since that initial invitation Shire officers have met with representatives from the project team and BJNAC and discussed in more detail the aspirations of the project and put questions to

the team to better understand the role of the Shire and what resources from the Shire would be required to participate in the partnership as well as long term implications for the Shire.

## COMMENT

Shire officers reviewed the invitation to participate in the project and associated documentation and met with the project team in early March 2024. Officers have raised the following considerations with the project team:

- Whether the State had fully committed to the partnership;
- Whether the communities of Ardyaloon, Lombadina and Djarindjin had committed to the partnership;
- Clarity around the deliverables of the project so the Shire could have an understanding of resource commitments.
- Reference is made to the Bidgyadanga Land Activation Project in the preliminary project outline. This project is a State lead initiative with significant resource commitment and budget, which commenced in December 2020 and is yet to deliver tenure reforms with the Shire yet to be informed of resolution of key governance, land use planning and infrastructure considerations. What is the funding sought for the delivery of this project and have the project milestones been informed by experiences of the Bidgyadanga Land Activation Project.

Since meeting with Shire Officers BJNAC have received correspondence from the Minister for Education, Aboriginal Affairs; Citizenship and Multicultural Interests the Honourable Dr Tony Buti and the Deputy Premier, Treasurer, Minister for Transport and Tourism the Honourable Rita Saffioti both offering their support for the project. See **Attachments 5 – 6**.

Discussion with the BJNAC have confirmed that the project is principally seeking divestment of the ALT land parcels that exist within the native title determination area and for these parcels of land to be vested with the native title holders. This is proposed to allow for activation of the land and economic benefit of the native title holders. The project will be supported by investigations to into heritage, environmental, bushfire, coastal planning/inundation studies and other planning informing actions so future development opportunities can be identified.

The resourcing required from the Shire to participate still remains unclear and the governance framework would need to be updated if the project is successful in the rPPP grant application. Initial discussions have confirmed that if successful, some funds would be allocated to ensure the Shire could review technical planning and infrastructure documentation requiring external expertise (such as coastal and bushfire reports) however it is unlikely that the Shire would receive compensation for officers time to participate in meetings. It should be noted that the Shire would need to play a role in the project regardless of the decision to be part of the partnership or not due to the planning and development implications. It is preferable to inform the outcomes prior to resolution than try to influence decisions after they have been made.

Given the Shire's expertise and experience it would be a missed opportunity for the Shire to not be involved in the project and to not play a role on a working group or committee, even in an advisory capacity. A criticism of other divestment programs in the past has been insufficient local government engagement or involvement.

Shire Officers also note that objective 9.3 of the Shire's Corporate Business Plan is to support the activation of the Dampier Peninsula. While the action is for the Shire to Advocate to



State and Federal Government to provide increased business support services to Dampier Peninsula communities, this initiative is seeking that same outcome, albeit over discreet parcels of land.

The project is not intended to resolve or address the issue of municipal services in the communities. While this is noted and it is understood that the project is intended to resolve land tenure only, it is recommended that the Shire highlight at this point that the resolution of tenure needs to give consideration to future land needs should municipal services transition from the current State Government function to becoming a local government responsibility. Should these future land needs not be considered at this stage, it could potentially inhibit the ability of the Shire being able to provide municipal services to communities.

To provide completeness to the project it recommended that consideration be given to include non-ALT land parcels within the BJNAC determination area.

### **Land Parcels**

The 6 Land Parcels identified for the project (see **Attachment 2**) represent parcels that are both within the exclusive Bardi and Jawi native title determined area and parcels that were excluded from the final determination area. They include a large parcel that includes the One Arm Point Reserve, an island of the coast of Ardyaloon and 4 discreet land parcels in and around the community of Djarindjin.

### **Governance Structure**

The proposed governance structure includes a Steering Committee, working groups, BJNAC rPPP Team, and an Advisory Panel. Each member will be afforded equal representation across all groups.

It must be noted that this is a traditional owner led initiative which is markedly different to the process that successive State governments have been trying to implement for many years.

### **Summary**

The request from BJNAC is to seek a commitment from the Shire to work towards formalising a partnership to develop an investment ready precinct plan. Partnership early in the project inception is positive. It is recommended the Council thank BJNAC for the invitation to participate and provide in-principal support to committing to developing a partnership. Subject to the town site communities confirming their participation, and clarity around the Shire's roles and resourcing commitments being provided.

It is also recommended that Council raise the issue of delivery of municipal services and future land needs, so the State and other partnership partners are aware that land needs associated with service delivery should be considered as part of the project.

### **CONSULTATION**

Bardi Jawi Niimidiman Aboriginal Corporation

### **STATUTORY ENVIRONMENT**

Not applicable

### **POLICY IMPLICATIONS**

Nil

## FINANCIAL IMPLICATIONS

The financial implications for the Shire are not known at this stage.

## RISK

The Shire has been requested to commit to work towards establishing a partnership with BJNAC at the inception of the project. The Shire will have intersection with the project regardless of whether it is a partner and it is considered that being a partner should result in improved outcomes and representation of Shire's perspectives throughout project delivery.

If the Shire is not willing to be involved in the partnership there is a reputational risk to the Shire and there is also a risk that the Shire's interests will not be represented.

## STRATEGIC ASPIRATIONS

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

**Outcome 5 - Responsible management of natural resources**

**Objective** 5.3 Adopt and encourage sustainable practices.

**Outcome 6 - Responsible growth and development with respect for Broome's natural and built heritage**

**Objective** 6.1 Promote sensible and sustainable growth and development.

## VOTING REQUIREMENTS

*Simple Majority*

### **COUNCIL RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Minute No. C/0524/069**

**Moved: Cr P Taylor**

**Seconded: Cr S Cooper**

**That Council:**

- 1. Thanks the Bardi Jawi Niimidiman Aboriginal Corporation Registered Native Title Body Corporate for invitation to participate in the partnership to divest the Aboriginal Lands Trust properties within the Bardi and Jawi Land Estate.**
- 2. Provide in-principal support to the project and commits to works towards the formalisation of the partnership with Bardi Jawi Niimidiman Aboriginal Corporation subject to clarification of the following:**
  - (a) The project receives full support from the communities of Ardyaloon, Lombadina and Djarindjin;**
  - (b) Confirmation of the partnerships final governance structure and expected resourcing commitment; and**

**(c) Whether non-Aboriginal Lands Trust land parcels can be included within the project to provide completeness to the proposed precinct planning.**

- 3. Request that the project partners give consideration to future land needs to support delivery of municipal services in the respective communities as part of the resolution of land tenure.**

**For: Shire President C Mitchell, Cr D Male, Cr J Lewis, Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper.**

**CARRIED UNANIMOUSLY 7/0**

### **Attachments**

1. Invitation to Activate Partnership to Divest ALT Properties - 26 Feb 2024 (*Confidential to Councillors and Directors Only*)  
**This attachment is confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains "a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government".**
2. Annexure A – 6 Bardi and Jawi Aboriginal Lands Trust (ALT) properties (*Confidential to Councillors and Directors Only*)  
**This attachment is confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains "a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government".**
3. Annexure B – draft Governance Structure (*Confidential to Councillors and Directors Only*)  
**This attachment is confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains "a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government".**
4. Annexure C – draft Preliminary Project Outline (*Confidential to Councillors and Directors Only*)  
**This attachment is confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains "a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government".**
5. Minister Buti Response to Invitation (*Confidential to Councillors and Directors Only*)  
**This attachment is confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains "a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government".**
6. Minister Saffioti Response to Invitation (*Confidential to Councillors and Directors Only*)  
**This attachment is confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains "a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government".**

### 9.3 PROSPERITY

**Cr Cooper declared an Impartiality Interest in item 9.3.1, the reason being “I am the Vice President of Broome Chamber of Commerce and Industry which has involvement with Cruise”.**

**Cr Virgo declared an Impartiality Interest in item 9.3.1, the reason being “I am a Committee Member of Cruise Broome.**

**Cr Taylor declared an Impartiality Interest in item 9.3.1, the reason being “I am a Volunteer Member Cruise Broome.**

#### 9.3.1 APPLICATION FOR FUNDING TOURISM ADMINISTRATION POLICY 2024/25

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	FEC105
<b>AUTHOR:</b>	Economic Development Coordinator
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Development Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

#### SUMMARY:

Council is requested to review applications for funding through the Tourism Administration Program for 2024/25.

### BACKGROUND

#### Previous Considerations

OMC 29 April 2021	9.3.2
OMC16 December 2021	9.2.1
OMC 30 March 2023	9.3.2
OMC 24 April 2024	9.3.3

The Shire of Broome has established the Tourism Administration Policy 3.4.9 **(TAP)** to support the tourism sector. The TAP guides Council's role within the tourism industry, including the extent of Council's direct financial assistance to tourism initiatives. The objective of TAP is to realise the benefits from tourism, promote coordination, infrastructure sharing opportunities and integration of tourism with other business sectors to optimise benefits and minimise any adverse impacts to the community and other industries.

The TAP stipulates that allocations of financial resources will be achieved through formal consideration of applications from nominated organisations at an Ordinary Meeting of Council **(OMC)**.

Broome Visitors Centre **(BVC)**, Australia's North West Tourism **(ANW)** and Cruise Broome are organisations whose mandates align with the objectives of funding as per the TAP. BVC provides visitor servicing, ANW works collaboratively to provide destination marketing for the

Broome local government area (and the wider North West) and Cruise Broome responds to the opportunities offered by the cruise ship industry.

BVC and ANW's applications for funding were considered by Council at the OMC 30 March 2023. At this time, Council allocated in the municipal budget for 2023/2024 and 2024/2025 \$40,000 (ex GST) to ANW and \$250,000 (ex GST) to BVC.

As BVC and ANW have already been allocated funding for 2024/25, one application for funding from Cruise Broome Inc has been prepared for Council consider for funding for the 2024/2025 budget. The allocations for BVC and ANW are already made commensurate to the 30 March 2023 resolution of Council:

**COUNCIL RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Minute No. C/0323/001**

**Moved: Cr P Taylor**

**Seconded: Cr C Mitchell**

**That Council:**

- 1. Consider for inclusion in the Municipal Budget for 2023/2024 and 2024/2025 the allocation of \$40,000 (ex GST) in each year to Australia's North West Tourism and enters into a funding agreement with the following conditions:**
  - a) Written confirmation of Tourism WA financial support to Australia's North West Tourism.**
  - b) Operational and financial updates are provided to the Shire of Broome every six months (or as requested) to monitor the impact on Broome's tourism sector and approach to destination marketing.**
- 2. Consider for inclusion in the Municipal Budget for 2023/2024 and 2024/2025 the allocation of \$250,000 (ex GST) in each year of the agreement to the Broome Visitor Centre and enters into a funding agreement with the following conditions:**
  - a) Payments are to be made of up to \$125,000 (ex GST) paid in November, and a second instalment of up to \$125,000 (ex GST) paid in April, dependant on the financial position of the Broome Visitor Centre demonstrating a need for financial support at that point in time.**
- 3. Consider for inclusion in the Municipal Budget for 2023/2024 and 2024/2045 the allocation of \$30,000 (ex GST) for Ad Hoc funding for further applications through the Tourism Administration Policy.**
- 4. Reserves the right to withdraw or increase funding should the need to respond to economic impacts or disruptions.**

**CARRIED UNANIMOUSLY 5/0**

An item was presented to Council at the 24 April 2024 OMC to consider the 2024/2025 application submitted by Cruise Broome. The item was deferred to allow for further consideration of this matter and allow for workshops with Council:

**Defer Item:**

**Minute No. C/0424/002**

**Moved: Cr D Male    Seconded: Cr P Taylor**

**That item be referred back to Council at the next most suitable meeting of Council.**

**For: Shire President C Mitchell, Cr D Male, Cr J Lewis, Cr J Mamid, Cr P Matsumoto, Cr E Smith, Cr M Virgo, Cr P Taylor, Cr S Cooper.**

**CARRIED UNANIMOUSLY 9/0****Tourism Administration Policy (TAP)**

The TAP Policy objective is:

*To realise the benefits from tourism, promote coordination, infrastructure sharing opportunities and integration of tourism with other business sectors to optimise benefits and minimise any adverse impacts to the community and other industries. Ensuring a sustainable tourism industry that has balance between environmental, cultural and heritage values, and community lifestyle.*

The Policy requires that funding will focus on the following areas:

1. Visitor Information Services  
Council will work collaboratively with the Broome Visitors Centre for the provision of visitor servicing and determining of high-level tourism priorities for the Shire of Broome.
2. Destination Marketing
  1. Council will work collaboratively with Australia's North West (ANW) for the promotion of the Broome local government area as a visitor destination to external markets and determining of associated high-level tourism priorities for the Shire of Broome.
3. Cruise Ship Services
  2. Council will work collaboratively with Cruise Broome to respond to the opportunities offered by cruise shipping, including servicing the visitation of passengers and working to attract more cruise ships annually.

**Background to Cruise Broome Inc.**

Cruise Broome Inc was established in 2018 to oversee and advise on the implementation of Broome's Cruise Ship entry Strategic Plan. Cruise Broome is a small not-for-profit that is primarily funded by the Shire of Broome.

The Committee of Cruise Broome Inc comprises representation from the following categories:

- Kimberley Port Authority
- Shire of Broome
- Broome Chamber of Commerce
- Broome International Airport
- Broome Visitor Centre
- Local Retail industry representatives
- One representative from each of WA's active cruise destinations. Representative may be from any of the following organisations – Local Government Authority, port authority, visitor centre, chamber of commerce or regional cruise tourism committee

The Cruise Broome Inc Chairman is appointed for a two year term, nominated by the Committee, and is required to be a member of one of the above organisations.

In previous years Cruise Broome has received funding as per the Tourism Administration Policy (TAP). Cruise Broome received \$40k funding in the 2022/23 financial year. Cruise Broome did not receive funding in the 2023/24 financial year as no application was received. Previous funding since incorporation was as follows:

Year	Amount Allocated	Comment
2018/2019	\$27,000	
2019/2020	\$44,000	
2020/2021	Nil	No funding allocated due to COVID
2021/2022	Nil	No funding allocated due to COVID
2022/2023	\$40,000	
2023/2024	Nil	No application submitted

Cruise Broome has applied for funding in the 2024/25 financial year.

It is a requirement that applicants must successfully acquit previous grants before they are eligible for future funding. Organizations must submit an Acquittal and Evaluation report to the Shire of Broome at the conclusion of the funding period. The acquittal report is a written record detailing how the funding has been spent in accordance with its intended purpose.

The detail required for grant acquittal and for future funding agreements is commensurate with the expectations of the community for use of ratepayer funds as well the level required for the Shire's audit processes. The acquittal process is an opportunity for the applicant to provide strong rationale and evidence that the activities are a good use of ratepayer funding. The acquittal report must include enough detail that evidences that the Key Performance Indicator (**KPI**) metrics have been met.

### **Acquittal 2022/23**

The requirements for acquitting a grant were in the Cruise Broome application and funding agreement. They are copied below, and review of each section is then provided.

#### **1. Acquittal**

- a. A detailed overview to Council in relation to the expenditure of the awarded funds.
- b. Outcomes measured against key set performance indicators and the high-level priorities previously set for the funding period (e.g. outlined in application form).
- c. Detailed overview of the acknowledgement that the Shire has received for the financial assistance.
- d. Other information or data that was agreed to as part of the award of funding through this policy.

#### **Section 1.a Detailed overview of expenditure:**

Cruise Broome's financial reporting is complicated by the fact that it operates on a calendar year and not a financial year. The TAP stipulates that the applicant must provide the organisation's year end audited financial statements for the preceding year providing assurance that the organisation is viable.

However, as a not for profit Cruise Broome is not required to provide audited financial statements as part of its regular incorporation reporting. The cost of the audit would be prohibitive for the organisation, so officers asked for and reviewed original invoices. .

In the TAP Application for 2022/23 Cruise Broome provided the following information:

Proposed use of funding:

*Cruise Broome contracts a coordinator to facilitate the day to day communications and information between the cruise industry and agents to stakeholders to retailers, tour operators etc.*

A coordinator was not retained directly by Cruise Broome, though Kimberley Special Events (KSE) was engaged to coordinate visitor day services. As the expectations of the Cruise sector around the greetings service are maintained it is evident that engagement of a contractor and staff is required to provide this service and that utilising volunteers is unsustainable. The expenses incurred towards the \$40,000 provided by the Shire of Broome are summarised below. Officers reviewed invoices and confirmed these eligible expenses were expended in the 2022/23 financial year.

Advertising & Marketing	\$5,359.00
Cruise Day Costs	\$4,973.10
Printing & Design	\$3,829.00
Kimberley Special Events	\$27,148.00
Total eligible invoices	\$41,309.10

### **Section 1. b Outcomes measured against KPIs**

In the 2022/23 Funding Agreement it is a condition that Cruise Broome must meet the high level priorities set for the funding period as outlined in the application form and Key Performance Indicators **(KPI)** These include:

- Increased volunteer participation,
- Input to strategic planning and investment at the Broome Port for ship passenger processing and development of the Kimberley Marine Supply Base.

It is unclear what activities Cruise Broome conducted over the funding period related to these KPI's Cruise Broome provided data on the Cruise Ship industry in general, which relate to the broader economic impact of cruising. Outcomes were not specific to activities conducted, organized or financially contributed to by Cruise Broome.

### **Section 1.c Acknowledgement of Shire Funding**

Cruise Broome did not provide evidence of acknowledgement of Shire funding so officers checked Facebook and the website. As a result of this review, Cruise Broome Inc was informed by letter that their acknowledgement of Shire of Broome funding needed to be improved. Suggestions were made including increasing mentions on social media, providing photos of the set up on Cruise Day, acknowledgement of volunteers or other free marketing tools and putting the Shire of Broome logo on the website.

Shire of Broome was acknowledged in the Cruise Broome email signature and the Shire logo is on maps provided to visitors.

### **Section 1.d Other information agreed to be provided**

As a condition of funding, operational and financial updates were to be provided to the Shire of Broome every six months (or as requested). Operational and financial updates were not provided on a 6 monthly basis or when requested. In June 2023 this clause of the agreement was provided via email to Cruise Broome and operational and financial updates were specifically requested.

In November 2023, when Cruise Broome submitted a funding application for the 2024/25 financial year, Cruise Broome were informed that they had not successfully acquitted the



previous year's grant. The financial statements that were provided were not accepted as they lacked sufficient detail. However, at the request of officers, a thorough review of all of the invoices was completed over several months and officers met with Cruise Broome to discuss their acquittal and the new application.

As a result of this in-depth review, Cruise Broome is now considered to have successfully acquitted the \$40,000 it received from the Shire of Broome for coordination services in the 2022/23 period.

### **Cruise Broome - Traffic Management 2022/23**

On cruise ship days, Cruise Broome closes parking bays on Napier Terrace in order to safely facilitate the visitors movement on and off tour buses. In order to get approval for the closure, Cruise Broome is required to fill out an Application for a Road Closure and Occupiers' Consent. Under the Main Roads WA *Traffic Management for Events Code of Practice* this requires consent from at least two thirds of the adjacent land owners to be obtained as well as an Application for Road Closure approval.

Cruise Broome did not have approval to close the parking bays for most of 2023.

The physical set up on the day was also not in line with the Traffic Management Plan Cruise Broome submitted and Cruise Broome were informed by email, phone and in person that a traffic management plan that reflected the reality of the set up was required.

The situation was corrected in early 2024, and now Cruise Broome is operating under an approved TMP with appropriate permissions from the nearest businesses.

### **Application for funding for 2024/25**

Cruise Broome has applied for \$60,000 funding for the 2024/25 year through the TAP.

The application included the following key activities:

1. Facilitate meet and greet volunteers for cruise ship days on the wharf and drop off in the centre of town.
2. *Cruise Broome hires a coordinator to manage communications and information exchange between the cruise industry, agents, stakeholders, retailers and tour operators. The coordinator's responsibilities include providing meet and greet services to passengers at the Napier Terrace drop off point in Broome on cruise ship arrival days. Including the coordinator charges of \$2600 per day for large cruise ships and \$1200 per day for approximately 84 expedition ships calls coming to Broome 2023/2024 season.*
3. *Costs of associated Memberships such as the Australian Cruise Association, Marketing and Promotion, Insurance and Cruise Ship Day expenses e.g. water, ice etc are additional costs associated with the funding.*

### **COMMENT**

#### **Funding of Cruise Sector**

As a result of identified difficulties in acquitting grant funding, officers reviewed the funding guidelines and assessed mechanisms to determine how to improve the funding arrangements. Officers referred to the Local Governments to assess how they provide funding and services to the cruise sector. This provided some insight, with the following

overview of Cruise Ship services compared to other local government areas (LGAs) and research into the Cruise Ship industry. Cruise Broome's application for funding in 2024/25 is assessed below with a recommended approach moving forward for Council's consideration.

### **Other LGA's response to Cruising**

Western Australia has eleven cruise port destinations. In early January, the Economic Development Coordinator (**EDC**) reached out to her counterpart at the local governments of Geraldton, Exmouth, Busselton and Esperance. Only Geraldton and Busselton responded in time.

### **City of Greater Geraldton (CGG)**

Within the CGG administration, cruise ship services are managed by Tourism Officers. There is an agreement between the CGG and the Midwest Port Authority (MWPA) to half share the cost of coordinating cruise ship land-side welcome activities including welcome events at a Welcome Hub (shade domes, furniture, volunteers, visitor centre staff with a mobile van, shuttle buses, hop-on-hop-off buses and market stalls) for ships with 600+ passengers.

CGG also has a 2- year contract with an external service provider to coordinate cruise ship welcome events along with CBD activation activities.

Geraldton received 11 ship visits in 2022/23 season and the total cost of the welcome events was \$100,000, CGG paid the full cost following each event and the MWPA reimbursed the CGG 50% of the lumpsum at the end of the season.

The other service delivery costs are the individual and direct obligations of the MWPA and CGG, such as cost of volunteers engagement and training is covered by the MWPA, cost of traffic and waste management at the Welcome Hub is covered by CGG.

In addition to general visitor service, Geraldton Visitor Centre provides 1-2 staff with a mobile van at the Welcome Hub for each event.

The MWPA provided the following information on their charges to cruise ships:

- MWPA does not currently charge a per passenger fee (PAX). Commonly, ports would charge cruise vessels when there is landside infrastructure provided (e.g. the passenger terminal at Fremantle).
- MWPA charges are for use of the channel only (Ship Charge, which is inclusive of pilotage and mooring, but exclusive of towage which is a third party service).
- Ship Charge is based on GRT (Gross Registered Tonnes for cargo vessels or Gross Tonnage for passenger vessels) is the vessel's size (based on the internal volume of the vessel).
- MWPA provides a discounted rate of \$0.75 per GRT (excl GST) for cruise vessels.
- MWPA waives standard Berth Hire Charge of \$259.69 per hour for cruise vessels.
- The only other charges to cruise vessels are any incidentals such as freshwater supply.

For the bus transportation of cruise ship passengers into town, this is a private contract between the Cruise ship companies (the agent) and a local bus company.

## Busselton

At the City of Busselton, the Manager of Events and Culture oversees the cruise ship operations. Busselton is unique as that it does not have an actual port. Busselton facilitates cruise ship stop overs by tenders coming into a landing platform at the Busselton Jetty. Busselton has a management order over the Jetty, however day to day operations including Underwater Observatory, Jetty train etc are managed by the not for profit organisation Busselton Jetty Inc.

The cruise ships have to submit a berthing permit to Busselton prior to landing, so they can liaise with the Jetty to factor into their daily operations. Busselton has a schedule two years out of cruise stopovers, so can plan ahead.

Busselton's operation costs consist of:

1. Local Tourism Association: Margaret River Busselton Tourism Association (MRBTA) are paid a fee to manage specialised Cruise Ship Visitor Services (over and above their main visitor servicing fee paid to them by Busselton)
  - a. Cruise Visitor Servicing is paid per cruise ship stopover, on a sliding scale dependant on passenger numbers : e.g. 2000 plus passengers \$3000, 1000 passengers or under \$1500 Includes volunteer organisation, marquee greeting site, printed copies of CBD maps etc
  - b. City Hopper Bus provision (shuttle bus from Jetty to CBD locations) paid per cruise ship stopover, on a sliding scale dependant on passenger numbers 2000 plus passengers \$1012, 1000 passengers or under: \$506
  - c. Golf cart (mule) on Busselton Jetty for accessibility challenged passengers \$340 per ship
1. Traffic management: Busselton needs to close down one road near Jetty to accommodate all of the tour coaches for the larger ships
  3.
    - a. 2000 plus passengers \$900,
    - b. 1000 passengers or under: \$0 (no road closure)

Total operation fees Busselton charge cruise ships:

1. Tender Berthing Permit Fee: \$3000 per ship.
2. Passenger facilitation fee: paid per cruise ship stopover, on a sliding scale dependant on passenger numbers: 2000 plus passengers \$3000, 1000 passengers or under: \$1000.

Presently, Busselton says they are generating enough from fees and charges to cover the visitor servicing and other administrative costs.

## Kimberley Port Authority (KPA)

Given the involvement of Port Authority's in other regional locations, officers took the information provided by MWPA and CGG and rewrote it into a series of questions to the Kimberley Port Authority. KPA officers declined to give exact figures but responded:

*"The KPA fees are based on use of infrastructure and labour. We charge berthage (use of the berth), port dues (harbour management, provision of Port security etc), equipment hire (gangways, cranes, forklifts etc), stevedoring labour and water (if they take water). There are no discounts offered to the cruise industry."*

*In terms of support to the cruise industry since 2019 we've invested approximately \$17M in infrastructure specific to the cruise industry. This includes channel upgrades, new gangways, navigation aids and First Port of Entry (FPOE) infrastructure to try and encourage international calls. We are also currently seeking funding to further improve the FPOE infrastructure which will include a permanent passenger processing facility. In addition KPA are members of the Cruise Association and regularly attend cruise conferences around Australia to facilitate the cruise trade."*

Officers used publicly available information on vessel GRT to estimate what the 12 vessels arriving in Broome would pay if the KPA charged 0.43c (taken from information on the KPA website). These are the vessels that are in excess of 600 passengers. This does not include any other fees that are charged.

06/01/2024	REGATTA	\$ 13,019.11
30/03/2024	Crystal Serenity	\$ 22,102.00
12/02/2024	Volendam	\$ 26,322.02
03/12/2024	Westerdam	\$ 35,409.64
01/09/2024	Coral Princess	\$ 39,399.61
09/09/2024	Coral Princess	\$ 39,399.61
01/11/2024	Queen Elizabeth	\$ 39,087.00
06/04/2024	Pacific Explorer	\$ 33,299.63
28/04/2024	Pacific Explorer	\$ 33,299.63
19/06/2024	Pacific Explorer	\$ 33,299.63
29/11/2024	Resilient Lady	\$ 47,300.00
10/11/2024	Crown Princess	\$ 48,831.23
		<b>\$ 361,937.88</b>

### **Cruise Ship Industry Benefits**

In 2023, TourismWA launched the *Western Australian Cruise Tourism Strategic Plan 2023-2033*. The Kimberley, and Broome, feature frequently in the report, with a focus on 'shoreside destination development'. The report states that Broome is 11<sup>th</sup> in a table of the 15 top Australian destinations for Port/Destination ship visits.

*"In Western Australia, Broome was the second most frequented port and is also a key port for expedition cruise ships. For the Kimberley directly, ACIL Allen (2018) estimated that expedition cruise tourism directly generated \$24.3 million in Gross Value Added (GVA) to the Kimberley region in 2016– 17. This included \$17 million from international cruise lines and the remainder by Australian operators. A further \$12.2 million worth of flow-on value added was generated, resulting in a total GVA to the Kimberley's economy of \$36.5 million in 2016– 17. This level of activity supported 222 direct and indirect Full Time-Equivalent (FTE) jobs."*

The following KPI's were also mentioned which referenced Local Governments as being one of the responsible organisations:

- Support local cruise committees to develop destination welcome plans (non-port) for each destination to identify gaps to improve the welcome experience.
- Advocate for the resources to meet destination improvements.
- Enhance and support cruise ship welcome logistics including ground transport.

To date, TourismWA has not indicated what is requested of the Shire of Broome to further these objectives.

### **Conclusion and Recommendation on funding**

It is clear from this review that Broome has tremendous potential for cruising, and with the establishment of FPOE this will only accelerate.

However, Broome may not be taking full advantage of the opportunity and Broome is an outlier in not having an agreement with their relevant port authority to support cruise ship visitation services.

Further to this, there have been confidential complaints that there is a gap in awareness of cruise ship visitation amongst business owners and concern about the quality of Broome's service and the marketing of the area. This was exacerbated by Cruise Broome not receiving any funding from 2023/24.

Due to the complex and burdensome process on both Cruise Broome and Shire staff to acquit TAP funding, and as a result of the review of other LGAs support for cruise ship services, officers are recommending a change to the way financial support is provided to Cruise Broome. The changes proposed will offer a simpler process for allocation and acquittal of funding while also providing a transparent and accountable funding arrangement that streamlines processes for both parties.

Officers are proposing that instead of a lump sum amount for 'cruise ship services', funding instead be provided based on the number of cruise ships that visit Broome, dependant on the size of the vessel and number of passengers. This also reflects Cruise Broome's change from hiring an employee coordinator to using a contractor to deliver the service, who is also paid per ship visit.

Cruise Broome has reviewed the 2024 Cruise Ship Schedule and provided the amounts that are requested for the remainder of this year. The 2025 Cruise Ship Schedule has not been confirmed at this time so it has been estimated based on what has been provided and the length of the vessel. An additional allocation of \$418 for Traffic Management has been included for 2025, if adjustments to the TMP are required. The total cost for the coordinator services and TMP are calculated at \$36,918, based on visitation.

The cruise ship schedule, with vessel size, date of arrival and passenger numbers has been listed as **Appendix 1**. This also shows where the calculation of proposed funding of \$36,918 has come from.

Further, officers will review with the Kimberley Port Authority the level of support provided to cruise ship services and report back to Council before the next round of TAP Applications which will occur prior to November 2024.

### **CONSULTATION**

Officers requested TourismWA's feedback on 28 January, 2024, but they were unable to provide a response. Conversations about the broader implications and benefits of the cruising industry on Broome and tourism were had with the Chief Executive Officers of Australia's North West, Broome Visitor Centre and the Broome Chamber of Commerce and Industry.

Officers also discussed Cruise Ship services with other local governments (as described earlier) and the Kimberley Ports Authority.

Officers have met with and engaged with Cruise Broome chairperson on multiple occasions, and have also had some conversations with some Cruise Broome board members as a result of enquiries.

Workshops were held with Council on Tuesday 7, Tuesday 14 and Tuesday 21 May. This included representation from Cruise Broome at the 14 May workshop.

## STATUTORY ENVIRONMENT

Council has the right to grant funding and develop procedures to award such funding.

## POLICY IMPLICATIONS

Assessed in accordance with the Tourism Administration Policy 3.4.9.

## FINANCIAL IMPLICATIONS

Differential rating is applied to Commercial and Tourism rated properties in Broome to raise funds for the financial support offered under the TAP.

The TAP policy does not provide guidance or include recommended budget allocations. Budget allocations are made by a decision of Council.

Cruise Broome's allocation of \$36,918 will be added to the existing budget allocation, meaning a total request for TAP in 2024/25 is \$360,000. This is an increase from \$320,000 in 2023/24, where Cruise Broome were not allocated any funds, but is in line with prior years.

## RISK

Option	Risk	Type	Rank	Mitigation
Community dissatisfaction with allocations	Perception that Shire process for providing funding is not fair and equitable	Reputational	Low	Allocations are at the discretion of Council.
Funding recipient dissatisfaction with allocations	Perception that Shire is not maximising the opportunity to support organisations providing social and economic benefits.	Reputational	Low	
Poor return on investment	Services provided do not meet industry	Financial	Medium	If successful, the applicant to provide regular update reports. Once the agreement is finalised, it will be acquitted.

	and visitor requirements			There will be scheduled payments, made retrospectively on provision of invoices for cruise day services.
Funding recipient doesn't make any changes to business operating model	Ongoing reliance on the Shire to provide funding to maintain service levels	Financial	High	Agenda item includes recommendation that Shire officers begin conversations with KPA.
Lack of clarity round Cruise Broome's activities and expenses.				<p>Where Cruise Broome has provided logistic, administrative or other in-kind support to another organisation, this can be included as an outcome, but Cruise Broome's role must be transparent.</p> <p>Payments will be linked to the Cruise Ship services provided on Cruising days, and in line with the size of the vessel, as per the annual Cruise schedule.</p>

## STRATEGIC ASPIRATIONS

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

**Outcome 9 - A strong, diverse and inclusive economy where all can participate**

**Objective** 9.1 Increase Broome's domestic and international trade in tourism, agriculture, aquaculture, minerals and energy, culture and the arts, and other emerging industries.

## VOTING REQUIREMENTS

*Simple Majority*

### **COUNCIL RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Minute No. C/0524/070**

**Moved: Cr D Male**

**Seconded: Cr M Virgo**

**That Council:**

- 1. Consider for inclusion in the Municipal Budget for 2024/2025 an allocation of \$36,918 (ex GST) to Cruise Broome Inc. and enters into a funding agreement with the following conditions:**

- (a) Payments shall be linked to provision of cruise ship visitation services for the arrival of a certain size of cruise ship vessel and the delivery of cruise ship services on the date of vessel arrival and/or departure;**
  - (b) Where visitation services are not provided for a specified vessel, no funding shall be provided;**
  - (c) Funding will not be provided for management and operational costs of Cruise Broome for such items as insurance and industry membership; and**
  - (d) Operational updates are provided to the Shire of Broome every six months (or as requested by officers)**
  - (e) A Traffic Management Plan must be submitted to and approved by the Shire of Broome prior to commencement of any use of any public road or parking space for delivery if any services**
  - (f) Shire of Broome support should be acknowledged on Cruise Broome's web site, Facebook Page and any other social media platforms, as well as any physical forms such as logos on portable shade structures, printed maps and brochures, with all acknowledgement to be recorded and reported during acquittal of the grant funding**
  - (g) Any other conditions applicable to meet the funding criteria in the Tourism Administration Policy guidelines.**
- 2. Reserves the right to withdraw or increase funding should the need to respond to economic impacts or disruptions.**
- 3. Requests the Chief Executive Officer reports back to Council with recommendations about future funding arrangements for support of the Cruise Ship industry in Broome, including consideration of funding from the Kimberley Ports Authority, cruise ship operators and other key stakeholders, as well as opportunities to streamline funding to ensure that the burden of acquittal of grant funding is transparent, accountable and simple, prior to the next round of Tourism Administration Program funding applications, which is currently scheduled for October 2024.**

**For: Shire President C Mitchell, Cr D Male, Cr J Lewis, Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper.**

**CARRIED UNANIMOUSLY 7/0**

### **Attachments**

1. Attachment 1: Cruise Ship Schedule 2024\_2025
2. Attachment 2: Cruise Broome TAP Application 2024\_2025
3. Attachment 3: Cruise Broome Budget 2024\_2025 (Confidential to Councillors and Directors Only)

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



Date	Ship	All Fast	Agent.	LOA	PAX	Hub Y/N	Visitor servicing fee (KSE)	Schedule 2025				Visitor servicing fee (KSE)
09/07/2024	Silver Cloud	700	WSS	157	257	N					50 to 299	
11/07/2024	Le Jacques Cartier	630	WSS	131	184	N		Date	Ship	Last Port	LOA	
11/07/2024	Nat Geo Orion	800	ISS	102	102	N						
12/07/2024	Seabourn Pursuit	700	ISS	172.3	264	N		08/11/2025	Silver Nova	BENOA	243	\$ 2,500.00
15/07/2024	Coral Discoverer	800	CE	63	72	N		09/11/2025	Silver Nova	BENOA	243	\$ 2,500.00
15/07/2024	Heritage Adventurer	700	WSS	124.8	100	N		25/11/2025	Riviera	BENOA	240	\$ 2,500.00
19/07/2024	Coral Adventurer	800	CE	93.4	120	N		11/03/2025	oral Adventure	Darwin	93	
19/07/2024	Scenic Eclipse 2	500	ISS	166	264	N		05/04/2025	oral Adventure	Darwin	93	
20/07/2024	Coral Geographer	800	CE	93.4	120	N		18/04/2025	oral Geograph	Darwin	93	
23/07/2024	Le Laperouse	630	WSS	131	264	N		23/04/2025	oral Discoverer	Darwin	63	
27/07/2024	Nat Geo Orion	800	ISS	102	102	N		26/04/2025	oral Adventure	Darwin	93	
29/07/2024	Silver Cloud	700	WSS	157	257	N		29/04/2025	Crown Princess	Darwin	289.6	\$ 2,500.00
31/07/2024	Le Jacques Cartier	630	WSS	131	184	N		09/05/2025	oral Geograph	Darwin	93	
01/08/2024	Seabourn Pursuit	700	ISS	172.3	264	N		14/05/2025	oral Discoverer	Darwin	63	
02/08/2024	Heritage Adventurer	700	WSS	124.8	100	N		17/05/2025	oral Adventure	Darwin	93	
05/08/2024	Coral Discoverer	800	CE	63	72	N		21/05/2025	Seabourn Pursu	Darwin	170	\$ 2,500.00
08/08/2024	Scenic Eclipse 2	500	ISS	166	264	N		26/05/2025	oral Discoverer	Darwin	63	
09/08/2024	Coral Adventurer	800	CE	93.4	120	N		30/05/2025	oral Geograph	Darwin	93	
10/08/2024	Coral Geographer	800	CE	93.4	120	N		03/06/2025	Le Jacques Carti	Darwin	131	
12/08/2024	Le Laperouse	630	WSS	131	264	N		07/06/2025	oral Adventure	Darwin	93	
16/08/2024	True North	800	NSC	50	36	N		09/06/2025	Seabourn Pursu	Darwin	170	\$ 2,500.00
18/08/2024	The World	1000	WSS	196.35	50	N		16/06/2025	oral Discoverer	Darwin	63	
20/08/2024	Le Jacques Cartier	630	WSS	131	184	N		20/06/2025	oral Geograph	Darwin	93	
21/08/2024	Heritage Adventurer	700	WSS	124.8	100	N		23/06/2025	Le Jacques Carti	Darwin	131	
26/08/2024	Coral Discoverer	800	CE	63	72	N		27/06/2025	Seabourn Pursu	Darwin	170	\$ 2,500.00
28/08/2024	Scenic Eclipse 2	500	ISS	166	264	N		28/06/2025	oral Adventure	Darwin	93	
30/08/2024	Coral Adventurer	800	CE	93.4	120	N		07/07/2025	oral Discoverer	Darwin	63	
01/09/2024	Coral Princess	700	ISS	293	1970	Y	\$ 2,500.00	08/07/2025	Heritage Adventu	Darwin	125	
01/09/2024	Le Laperouse	830	WSS	131	264	N		11/07/2025	oral Geograph	Darwin	93	
06/09/2024	True North	800	NSC	50	36	N		13/07/2025	Le Jacques Carti	Darwin	131	
09/09/2024	Coral Princess	700	ISS	293	1970	Y	\$ 2,500.00	16/07/2025	Seabourn Pursu	Darwin	170	\$ 2,500.00
09/09/2024	Le Jacques Cartier	830	WSS	131	184	N		19/07/2025	oral Adventure	Darwin	93	
12/09/2024	True North	800	NSC	50	36	N		26/07/2025	Heritage Adventu	Darwin	125	
16/09/2024	Coral Discoverer	800	CE	63	72	N		28/07/2025	oral Discoverer	Darwin	63	
17/09/2024	True North	800	NSC	50	36	N						\$ 20,000.00
19/09/2024	Le Laperouse	800	WSS	131	264	N						
21/09/2024	Le Laperouse	630	WSS	131	264	N						
22/09/2024	Coral Adventurer	800	CE	93.4	120	N						
28/09/2024	Coral Discoverer	800	CE	63	72	N						
29/09/2024	Le Jacques Cartier	630	WSS	131	184	N						
01/11/2024	Queen Elizabeth	700	ISS	294	2081	Y	\$ 2,500.00					
10/11/2024	Crown Princess	700	ISS	289.6	3080	Y	\$ 3,500.00					
29/11/2024	Resilient Lady	900	ISS	277.2	2770	Y	\$ 3,000.00					
03/12/2024	Westerdam	800	ISS	285.2	1916	Y	\$ 2,500.00					
							\$ 16,500.00	Traffic Management		\$ 20,000.00		
										\$ 418.00		
										<b>\$ 36,918.00</b>		



## Tourism Administration Policy Funding Program Application form

ABN 94 526 654 007  
27 Weld Street  
PO Box 44, Broome  
Western Australia 6725  
(08) 9191 3456  
shire@broome.wa.gov.au  
broome.wa.gov.au

Organisation:

Contact person:

Position:

Postal Address:

Phone:

Mobile:

Email:

Is your organisation registered for GST: Yes ☐ No ☒

Is your organisation a not-for-profit or charity organisation: Yes ☒ No ☐

Please tick the box below which best describes your initiative:

Visitor Servicing ☐ Destination Marketing ☐

Cruise Ship Servicing ☒ Other Tourism Initiative ☐

The following section can be completed on this form or in a separate submission attached.

### Preliminary Report:

A preliminary report against KPI achievements set for the previous financial year:

Priority	Measurable Outcome
Servicing & Visitation	<p>Facilitate meet and greet volunteers for cruise ship days on the wharf and drop off in the centre of town.</p> <p>Facilitate the logistics with Cruise companies and agents with crew changes, crew shuttles and any other requirements that the ships need on the day.</p> <p>Planning and developing new coach drop-off and pickup area in Napier Terrace to facilitate the increase of cruise passengers with the bigger ships coming to Broome.</p>
Attract more cruise ships annually	The organisation actively participates in industry meetings and conferences,

	organises events, and collaborates with stakeholders to promote cruise tourism in Broome and the Kimberley. They are also focused on infrastructure development to accommodate larger cruise ships.
Working collaboratively with local industries	Cruise Broome plays a role in facilitating and assisting local tourist operators in preparing their tour products to cater to the cruise industry. Cruise Broome collaborates with organizations such as BVC (Broome Visitor Centre), BCCI (Broome Chamber of Commerce and Industry), and ANW (Australia's Northwest) to strengthen Broome and the Kimberley's position within the cruise industry.

**Funding being requested:**

Please complete the following table:

Organisation	Amount	Status
Shire of Broome	\$ 60,000.00	
Other Applications	\$ 25,000.00	Unconfirmed
Total	\$ 85,000.00	

**Proposed use of funding:**

Cruise Broome hires a coordinator to manage communications and information exchange between the cruise industry, agents, stakeholders, retailers and tour operators. The coordinator's responsibilities include providing meet and greet services to passengers at the designated drop off point in Broome on cruise ship arrival days.

Purpose of grant for 2024/2025 season includes Coordinator wages, Memberships, Marketing & Promotion, Printing, Conferences, Website upgrade, Insurance and Cruise Ship Day expenses eg water, ice etc are additional costs associated with the funding.

**Please outline how will the initiative will benefit Broome:**

To further enhance the passenger experience and continue to attract major cruise ship liners and accommodate larger number of passengers. The economic impact to Broome for the 2022/23 financial year was an Output of \$31 million, wages income of 8.6 million with the equivalent of 77 full time jobs created as shown on the Western Australia Cruising Snapshot attached.

**Proposed deliverables**

Please list the key performance indications of the funding period and how these will be evaluated at the completion of this period. It is important to ensure that outcomes are measurable to assist with the assessment of the success.

KPI	Measurable Outcome
Servicing & Visitation	Part of Cruise Broome advocacy is to enhance Cruise passengers experience which include meet and greet, cruise ship pickups and drop off locations, transport & logistics with luggage. Providing information, maps & marketing material to passengers on their embarkation days with local information regarding the town tours and services.
Attracting more cruise ships annually	By attending the National and International Conferences annually. Hosting famils with cruise ship executives, cruise ship agents.
Working collaboratively with local industries	Regular communication, notices of cruise ship arrivals and expectations of cruise ship passengers to local traders & stakeholders. Upgrade current Cruise Broome website.
Enhance passenger experiences	Encourage at the drop off points the major Broome Events that are happening on that day or around that period.
Measurable indications	Table of Cruise Ship arrivals and whether is it disembarking or embarking passengers on each cruise ship day.

**Required Information:**

Please provide the following information with your application:

- The organisations strategic / business plan to allow Council consideration of the strategic direction of the organisation.
- A copy of the organisation's year end audited financial statements for the preceding year and provide assurance that the organisation is viable;
- An outline Identifying the activities/projects of expenditure proposed to be funded by the Shire.

**Declaration:**

This declaration is made by the applicant:

- I declare that I am currently authorised to sign legal documents on behalf of the organisation

- I declare that all information provided in this application, including attachments, are true and correct
- I declare that the organisation is financially viable and are able to meet all accountability requirements
- If funding is provided, I am aware of the requirements of the Tourism Administration Policy that will apply.
- If funding is provided, I agree to ensure that appropriate insurances are in place (eg worker's compensation, volunteers, professional indemnity, public liability, motor vehicle etc).
- If funding is provided, I agree to run the project as stated and provide:
  - a final acquittal report within the acquittal term specified in the funding agreement; and
  - a statement of income and expenditure for the project (signed by the authorised signatory);
  - to the Shire of Broome by the agreed date, to demonstrate how the funds were - expended.

Name:

Position:

Signature:



Date:

Please submit your completed application to:

**Shire of Broome**

Development and Community

PO Box 44

Broome WA 6725

Phone: (08) 9191 3456

Fax: (08) 9191 3455

Email: [shire@broome.wa.gov.au](mailto:shire@broome.wa.gov.au)



# WESTERN AUSTRALIA CRUISING SNAPSHOT

## WESTERN AUSTRALIA REGIONAL ECONOMIC IMPACTS OF THE CRUISE INDUSTRY IN 2022-23

	Output (\$ million)	Wages income (\$ million)	Full time equivalent jobs	Value Added* (\$ million)
Fremantle	285.5	91.1	924	147.6
<b>Broome</b>	<b>31</b>	<b>8.6</b>	<b>77</b>	<b>15.8</b>
Geraldton	5.2	1.4	14	2.6
Busselton	3.2	1.2	12	1.8
Albany	2.6	0.8	9	1.4
Exmouth	1.9	0.7	8	1.1
Kuri Bay	1.8	0.5	6	0.9
Wyndham	1.6	0.5	4	0.8
Esperance	0.2	0.1	1	0.1
Dampier	0.1	0	0	0.1
Port Hedland	0.1	0	0	0.1
Bunbury	0.1	0	0	0.1
<b>Total WA</b>	<b>333.5</b>	<b>105.1</b>	<b>1055</b>	<b>172.4</b>

Sources: 1. AEC Group on behalf of Australian Cruise Association. Economic Impact Assessment of Cruise Tourism in Australia, 2022-23.

\* Value Added: The change in consumption, investment and government expenditure, plus exports of goods and services, minus imports of goods and services due to the industry.

## CRUISING FACTS

### WESTERN AUSTRALIA

- Cruise industry generated an economic impact in WA of **\$333.5 million** in 2022-23<sup>1</sup>
- 151,739** passengers visited WA port destinations in 2022-23, (+) 19% from 2018-19, supporting **1,055 full time equivalent jobs**<sup>1</sup>
- 153** cruise ship visits to WA port destinations in 2022-23, (+) 18% from 2018-19<sup>1</sup>

### AUSTRALIA

- Cruise sector total output of **\$5.6 billion** in Australia in 2022-23<sup>1</sup>
- The accommodation sector was the biggest beneficiary from cruise passenger spend in Australia in 2022-23, receiving about **\$457 million**<sup>1</sup>
- The cruise industry supported **18,225 full time equivalent jobs** in Australia in 2022-23<sup>1</sup>

Fremantle Port <sup>1</sup>	2015-16	2016-17	2017-18	2018-19	2022-23
Cruise ships	58	60	43	35	33
Passengers processed	152,000	150,000	83,400	59,500	72,500



WESTERN AUSTRALIA



**Shire President Cr Mitchell declared an Impartiality Interest in item 9.3.2, the reason being “I am a member of Native Animal Rescue Broome and hold the unpaid voluntary position of coordinator for the group”.**

**Cr Male declared a Financial Interest in item 9.3.2, the reason being “One of the Applicants is a direct client.”**

**Cr Virgo declared a Financial Interest in item 9.3.2, the reason being “One of the applicants is a paid member of the BVC (Matso’s)”.**

**Cr Cooper declared an Indirect Financial Interest in item 9.3.2, the reason being “Matso’s is relying on my quote.”**

**Due to lack of quorum, Item 9.3.2 was deferred.**

### **9.3.2 COMMUNITY DEVELOPMENT FUND APPLICATIONS 2024/25**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	GPC16
<b>AUTHOR:</b>	Economic Development Coordinator
<b>CONTRIBUTOR/S:</b>	Place Activation & Engagement Coordinator
<b>RESPONSIBLE OFFICER:</b>	Director Development Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

#### **SUMMARY:**

Council is requested to consider proposals for the Community Development Fund that have been received from organisations in response to the recent call for applications. Funding decisions will allow for allocations in the 2024/25 financial year and allocations for the Annual Budget in 2024/25.

## **BACKGROUND**

### Previous Considerations

OMC 27 April 2023	Item 13.1
OMC 30 March 2023	Item 9.3.1
OMC 15 December 2022	Item 9.3.1
OMC 28 April 2022	Item 9.3.2
SMC 21 December 2021	Item 5.3.1

The Community Development Fund (CDF) program funds organisations within the Shire of Broome to develop and run initiatives and events that deliver long-term social or economic benefits to the local community. The CDF Guidelines were adopted at the 15 December 2022 Ordinary Meeting of Council (OMC), following the amalgamation of the Events Development Fund (EDF) and the Annual Community Matched Fund (ACMF). This is the second year of CDF.

Community Development Fund Stream 1 applications are funded through a combination of Shire budgeted funds and Energy Developments Limited—West Kimberley Community

Fund (EDL) grant funding. Stream 2 and 3 applications are allocated through the Shire's annual budget.

The CDF is separated into 3 streams.

- Stream 1 is for community projects and initiatives seeking a funding contribution of \$500 - \$10,000;
- Stream 2 is for events seeking a funding contribution of \$1,000 - \$40,000;
- Stream 3 is for PEARL events seeking a funding contribution of more than \$40,000 per year (invite only).

The application deadline for CDF closed on March 20, 2024. A total of 33 CDF applications were received. In this report, officers have summarised each application received and the recommended funding allocation for Council consideration.

## **COMMENT**

### Application Assessment Process

Each application was assessed in line with the CDF guidelines endorsed by Council. This involved:

After the closing date;

1. Applications are reviewed for eligibility.
2. Applications are scored against the following criteria by an internal panel made up of community engagement and economic development officers:
  - a) Quality of the project or event, taking into account the extent to which the application complements other activity planned or proposed in Broome and the legacy of the project for the Broome community.
  - b) The extent to which the event, project or initiative addresses the fund objectives as per Section 2.
  - c) The credibility of the project budget and project delivery plan.
  - d) Value for money in terms of impact, other funding sources secured and organisational need.

Officers will also use the following balancing criteria if required. These will not be scored but may be taken into account when making final recommendations:

- e) balance of projects recommended for funding across type of project and demographics of beneficiaries.
- f) The initiative is a new activity within the Shire that helps fill a gap in current activity (i.e.: a new activity for an audience demographic currently under-catered for).
- g) New projects and organisations that have not received funding, or projects and organisations experiencing growth, may be prioritised over projects that have received funding previously for similar activity.
- h) The level of recognition that the Shire will receive for its funding of the project.

Officers will present recommendations to a working group made up of elected members before submitting them to Council for approval at the Ordinary Meeting of Council in April 2024.

Officers with expertise in club development, place activation, and economic development convened to review applications against the criteria and recommend funding, following Steps 1 and 2 of the assessment process. Recommendations from this process are included



under the Officer Recommendations column in the CDF Recommendations Table **Attachment 1**.

Step 3 (the Working Group) was streamlined this year to reduce the administrative burden on Council and Shire officers. Instead of a specific working group, Step 3 was undertaken through a Special Council Workshop, held on 8 April 2024. The workshop was attended by Cr Cooper, Cr Lewis, Cr Male, Cr Mitchell, Cr Smith, Cr Taylor, and Cr Virgo. A second workshop was held at the Shire on 21 May, 2024. This was attended by Cr Cooper, Cr Lewis, Cr Male, Cr Mitchell, Cr Smith and Cr Virgo.

Of the sponsorship applications received, 24 were reviewed under Stream 1, and 18 are recommended for funding.

In Stream 2, 9 applications were reviewed, and 7 were recommended for funding. A request for additional funding from Shinju Matsuri was considered under Stream 3.

As indicated below, some applications are not recommended due to non-compliance with the guidelines or other concerns.

#### Stream 1 Applications

Please see **Attachment 1** for a detailed project description and the officer's assessment of the application against the guidelines.

#### **Broome Bullets Netball Club Inc**

New Uniforms and Story of Our Club Culture

Requested: \$2,000

Recommended: \$2,000

Funds were requested for new netball club uniforms. Due to the small funding request, the full amount is recommended. The applicant is required to include the Shire Logo on uniforms as recognition for the Shire's funding support.

#### **Sammy the Dragon Broome**

Sammy the Dragon 2024

Requested: \$5,000

Recommended: \$2,500

Funds were requested for volunteer t-shirts and soft drinks. Due to Stream 1 budget constraints, the recommendation is to provide funding towards the volunteer t-shirts only through a one-year funding allocation. The applicant is required to incorporate the Shire Logo onto t-shirts, where space allows, as a gesture of recognition for the Shire's funding support.

#### **Broome Town Band**

Broome Town Band to Perform at Community Events

Requested: \$3,923.40

Recommended: \$3,000

Funds were requested to purchase band scores and music stands. Due to Stream 1 budget constraints, a reduced amount is recommended.

#### **Broome Catholic Church**

Christmas Nativity Play

Requested: \$3,716.50  
Recommended: \$2,500

Funds were requested for event costs. The recommendation is to provide funding for the hire costs of the Broome Civic Centre, including hall hire, cleaning, facilities assistant, and sound and lighting technician, at a one-year funding allocation. Due to Stream 1 budget constraints, catering and lolly bags funding was not recommended.

### **Pearl Coast Gymnastics' Club**

Broome Gymnastic Competition  
Requested: \$8,755  
Recommended: \$6,000

Competition in Broome with pathways to the State Championships in Perth in October 2024. Funds were requested for event costs, including venue hire, catering, and medals. Due to Stream 1 budget constraints, a reduced amount is recommended.

### **Broome Tri Club**

Project – Next Level  
Requested: \$9,350  
Recommended: \$6,000

Funds were requested for uniforms, venue hire, trailer renovation, flights, and accommodation (Juniors representing Broome at the Secondary Champion Schools Triathlon in Perth). As a condition of funding support, the applicant must provide a Traffic Management Plan for their Triathlon event in Broome. The applicant is also required to include the Shire Logo on uniforms, space permitting, to acknowledge the Shire funding contribution. Due to Stream 1 budget constraints, a reduced amount is recommended.

### **Judo Broome**

Judo Broome – Establishing a new Judo Club in Broome  
Requested: \$10,000  
Recommended: \$5,000

Funds were requested for equipment, marketing, venue hire, and contracting a fitness instructor. The recommendation is to provide funding for equipment costs and venue hire. Marketing funding was not supported, and a request for a fitness instructor was not recommended (ineligible expense).

### **Broome Little Athletics Centre**

WA State Junior Track & Field Championships 2025 (Perth Competition held March 2025)  
Requested: \$10,000  
Recommended: \$6,000

Funds were requested for flight costs and registration fees for athletes aged 8-12 to attend the Perth Championships. Due to Stream 1 budget constraints, a reduced amount is recommended.

### **Broome Squash Club**

Broome Squash Cub Invitational  
Requested: \$7,900  
Recommended: \$3,000

Multi-year funds were requested for event costs for the Opening and Closing Ceremonies. The recommendation is to fund the budget expenses for the Opening Ceremony, excluding the welcome packs; this includes venue hire costs, catering, and photographer. Due to Stream 1 budget constraints, providing funding for the additional Closing Ceremony was not recommended.

**Broome Historical Society Inc**

Oral History Training

Requested: \$2,794.30

Recommended: \$2,794.30

Funds were requested for training fees. Due to the small budget request, the full amount is recommended.

**Incredible Edible Broome Incorporated**

Grooves in the Garden: Cultivating Sustainable Food Communities

Requested: \$10,000

Recommended: \$6,000

Funds were requested for event costs. The recommended amount is to contribute towards performer costs, equipment hire, and consumables. The applicant has incorrectly listed income as an expense, reducing their financial contribution. Funding for project administration and management was not recommended (ineligible expense).

**Broome Men's Shed Inc**

BMS 'Restoration of Chinese Rickshaws'

Requested: \$4,000

Recommended: \$2,500

Funds were requested for materials, sandblasting, and upholstery. Due to Stream 1 budget constraints, a recommendation for decreased funding was made. The applicant must sign an agreement to confirm expenditures in the 2024/25 financial year.

**Helping Minds**

Coming Together

Requested: \$10,000

Recommended: \$6,000

Funds were requested for art supplies and materials, catering, and the artist's fee. Due to Stream 1 budget constraints, a recommendation for decreased funding was made. The mural design and location are pending Shire's approval.

**Sharing Stories Foundation Limited**

Sharing Stories Media Hub

Requested: \$9973.86

Recommended: \$6,000

Funds were requested for media equipment. Due to Stream 1 budget constraints, a recommendation for decreased funding is made.

**Broome Towns Sports Club**

Broome Towns Sports Club upgrade of resources

Requested: \$7079

Recommended: \$1,500

Funds were requested for a gazebo and ice machine, venue and lighting, and on-site physio. The applicant has not matched the grant; \$1500 was provided in-kind, with no cash contribution. Recommend funding \$1500 towards the ice machine.

**RSPCA WA**

RSPCA WA Community Action Day

Requested: \$9700

Recommended: \$6,000

Funds were requested for pet food, pest treatments, microchips, marketing, flights, and accommodation. This is a recommendation for decreased funding due to Stream 1 budget constraints. The recommended amount contributes to parasite treatments, microchips and online registration costs, marketing, and flight costs. Due to concerns raised by a local business, it is recommended that funding for dog and cat food is not supported.

**Broome Soccer Association**

Development Camp and Northwest Championship

Requested: \$27,200 (Originally Stream 2 application)

Recommended: \$6,000

Applicant applied under Stream 2. Officers recommend it be accessed under Stream 1 as it better aligns with the Stream 1 guidelines. Low cash contribution but eligible applicant and project. Funds were requested for uniforms, catering, accommodation, registration fees, and bus hire.

**Floorball Broome**

Broome Floorball Development Camp

Requested: \$12,500

Recommended: \$6,000

Applicant applied under Stream 2. Officers recommend it be accessed under Stream 1 as it better aligns with the Stream 1 guidelines. The project is a three-day intensive training camp scheduled from May 1st to May 5th, 2025. Recommend funding for Floorball WA Camp facilitation fees (State coaches, referees and goal keepers).

Not Recommended**Ashoka**

Ashoka Golf Clinic Sport

Requested: \$1,877

Reason: Applicant did not meet the eligibility criteria due to not being an incorporated local organisation and project dates not aligning with grant guidelines.

**Native Animal Rescue Broome Inc**

NARB Marine Turtle 'Solar Monitoring and Security Project'

Requested: \$10,000

Reason: The property is a Parks and Wildlife-owned site leased to NARB. Consideration given to guidelines criteria on ineligible expenses: leasehold improvements.

**The Skill Engineer Ltd**

The Blackman Block Project

Requested: \$10,000

Reason: This project has value from a youth development perspective, but the applicant owns the property; therefore, this project, which involves fabricating a fence, can be seen as property improvement. Consideration is given to this plus annual turnover criteria.

**Pilbara Kimberley University Centres (Broome)**

STEM in Sport: research Human Energy Systems

Requested: \$10,000

Reason: It is not recommended due to the applicant's annual turnover and uncertainty surrounding the Shire's role in engaging with the school curriculum.

**Spaghetti Confetti**

Spaghetti Confetti in Bidyadanga and Beyond

Requested: \$2000

Reason: Applicant did not meet the eligibility criteria due to being a business operating outside of Broome.

**Cancer Council**

The Life Now Program: Supportive Care for People Impacted by Cancer

Requested: \$5730.08

Reason: Applicant did not meet the eligibility criteria due to not being based in Broome and consideration of annual turnover criteria.

**Stream Two Applications**

Please see **Attachment 2** for a detailed project description and the officer's assessment of the application against the guidelines.

**Broome Performing Arts Co**

End of Year BPAC Concert - (Fergully 2024)

Requested: \$10,000

Recommended: \$7,185

BPAC'S annual end of year concert. Shire of Broome was recommended to fund the cost of Civic Centre rental (\$7,185).

**Broome Bowling Club**

Broome Bowling Events 2024/ 2025

Requested: \$20,257

Recommended: \$15,000

The Broome Bowling Club is seeking funding to host two events the annual Shinju Matsuri Open Tournament, and the second is the Broome Open Pairs Championship. Both are three—to four-day events that see competitors and 32 teams from across Australia compete for prizes and recognition. Shire financial support was requested for the opening ceremony, entertainment, the presentation dinner and competition shirts.

**Matso's Broome Brewery**

Matso's Street Festival

Requested: \$40,000

Recommended: \$10,000

Matso's uses Carnarvon Street to create a street style festival with multiple food cans, pop up bars, and a large curtain sider truck to be used as a stage, providing live entertainment.

Matso's Food Truck Fumiko and five additional food vendors will be operating, with live music from 11am -10pm (bands and DJs).

Matso's is a commercial operator but this aligns with the Stream 2 TAP guidelines. Matso's requested support for toilets and security. Reduced support was offered because it is the first event the Shire has supported from this applicant.

**Theatre Kimberley**

Sandfly Circus End of Year Show

Requested: \$ 23,900

Recommended: \$19,191

The Sandfly Circus annual production will feature a six-week residency, involving participation from local students from Broome and Beagle Bay. Shire support was requested for rental of the BRAC, professional fees and production costs. Some expenses were not considered eligible.

**Touch Football Australia**

Requested: \$ 5,500

Recommended: \$2,500

Beach Touch Footy is an annual one - day event that is held on Cable Beach. Shire is supporting venue hire and permits, equipment hire, staff travel and accommodation, promotion, food and stationary. Some expenses were not considered eligible.

**Bidyadanga Aboriginal Community La Grange (BACLG)**

Bidyadanga Music Week

Requested: \$10,000

Recommended: \$10,000

BACLG will hold an event at the Bidyadanga Oval from 2pm-9pm on Wednesday September 25th 2024. Shire of Broome will support artist payment, petrol, Perth-based flights, and local businesses providing services. The second event will take place at the Roey 'Oasis Bar' from 8pm on Friday September 27th. This event is for everyone in Broome to witness the show.

**Broome Circle**

Requested: \$30,112.90

Recommended: \$10,671

Shire Officers are recommending support for Broome Circle to host two events; the Harmony Week Dinner, an annual event that celebrates the rich cultural diversity of Broome, fostering a sense of belonging and community cohesion. The second event recommended for support is the *Dance through the Era's* –an event held at the Civic Centre for seniors to celebrate music styles over time.

Shire supports the Civic Centre venue hire, catering, cleaning, and other local business services. Some expenses and activities that were not considered 'events' were not considered eligible.

Not Recommended**Broome Barracudas Swimming Club**

Swim Clinic Broome

Requested: \$20,000

Broome Barracudas is seeking funding to get a trained coach to run a swim clinic in Broome, for a weekend 2-day camp.

Reason: No cash contribution towards the project and incomplete application.

**Edith Cowan University**

Tax Clinic

Requested: \$15,000

Reason: Ineligible project.

**REQUEST FOR ADDITIONAL FUNDING UNDER STREAM 3– SHINJU MATSURI INC.**

Shinju Matsuri Inc. has requested increased funding due to the challenges of inflation and rising costs. They have requested an extra \$20,000 in addition to the amount already allocated for 2024/25 (\$77,500).

**Festival Finale Drone Show – \$10,000**

Last year, the fireworks show was cancelled due to costs and environmental concerns. Shinju Matsuri believes a drone show can draw visitors back. To fund the \$30,000 drone show, they are seeking \$10,000 from the Shire of Broome, in addition to the \$20,000 secured from the Broome International Airport.

Shinju Matsuri plans to use preexisting content from their preferred drone supplier, Stellar Lights and hopes to include unique elements specific to Broome in the show. Funding this initiative will not only enhance the Festival Finale but also contribute to Broome's cultural richness. Officers will confirm whether the Shire will have naming rights to the Drone show.

**\$10,000 - Festival Hub Enhancement**

Shinju has requested \$10,000 to improve the infrastructure at the Festival Hub, including equipment for the bar container and extra furniture. In 2022, funding from the Shire helped Shinju acquire and modify two shipping containers for the bar and storage. The aim now is to make these containers and the hub area safer and more compliant, with improved functionality and service offerings.

The enhancements, like custom furniture and storage, will expand the food and beverage offerings at the hub, which has been requested by visitors and ensure compliance with food safety standards and event permits.

Officers recommend that the Shire of Broome support both requests for funding.

**CONSULTATION**

The CDF program was open from 10 January to 20 March 2024.

The CDF program was advertised via the Shire website, Facebook, the Shire News section in the Broome Advertiser, Radio ads, and targeted emails to community and sporting groups. Previous applicants were also notified of the rounds' opening and closing dates.

Shire officers provided feedback to seven community groups before the closing date.

## STATUTORY ENVIRONMENT

Nil.

## POLICY IMPLICATIONS

Council has the right to determine funding allocations as per the CDF Guidelines.

## FINANCIAL IMPLICATIONS

The Community Development Fund for Streams 1, 2, and 3 is allocated through the annual budget. Council has the right to determine the funding allocations annually and across each stream depending on the quality and quantity of funding applications.

### Attachment 1. Stream 1

Community Development Fund Stream 1 applications are funded through Shire budgeted funds and Energy Developments Limited—West Kimberley Community Fund (EDL) grant funding.

EDL funding is provided through Reserve Funding, which currently has a balance of \$26,628. Should the officer's recommendations be supported, applications will be recommended to EDL for funding if they meet the EDL-specific guidelines. Funding for projects determined to be eligible through EDL will be assigned to that relative account.

The Shire signed a Memorandum of Understanding with EDL on 8 August 2011; according to the agreement, the monies must be fully distributed within fifteen years. Through consultation with Shire officers, EDL has generously agreed to contribute an additional \$50,000 to the West Kimberley Community Fund, which will be used for the final two years of the MOU agreement, 2025-26 and 2026-27.

The table below outlines the recommendations to the Council with a requested Shire budget allocation of \$69,894.30 and a total EDL contribution of \$26,500.00.

Applicant	Funding Source	2024-25	2025-26
Broome Sports Association (multi-year)	Shire	\$10,000.00	\$10,000.00
Broome Lotteries House (multi-year)	Shire	\$7,600.00	\$7,600.00
Broome Bullets Netball Club Inc	Shire	\$2,000.00	
Sammy the Dragon Broome	Shire	\$2,500.00	
Broome Town Band	Shire	\$3,000.00	
Broome Catholic Church	4. Shire	5. \$2,500.00	
Pearl Coast Gymnastics' Club	Shire	\$6,000.00	
Judo Broome	Shire	\$5,000.00	
Broome Little Athletics Centre	6. Shire	7. \$6,000.00	
Broome Squash Club	8. Shire	9. \$3,000.00	\$3,000.00



Broome Historical Society Inc	Shire	\$2,794.30	
Broome Towns Sports Club	Shire	\$1,500.00	
RSPCA WA	Shire	\$6,000.00	
Broome Soccer Association	Shire	\$6,000.00	
Floorball Broome	Shire	\$6000.00	
Incredible Edible Broome Incorporated	EDL	\$6,000.00	
Broome Men's Shed Inc	EDL	\$2,500.00	
Helping Minds	EDL	\$6,000.00	
Sharing Stories Foundation Limited	EDL	\$6,000.00	
Broome Tri Club	EDL	\$6,000.00	
<b>TOTAL</b>		<b>\$96,394.30</b>	<b>\$20,600</b>

## Attachment 2. Stream 2 & 3

Community Development Fund for Streams 2 and 3 is allocated through the annual budget, with \$265,000 typically allocated in previous years. Council has the right to determine the funding allocations every year, and across every stream depending on the quality and quantity of applications for funding. Funding for eligible Stream 2 projects that are approved will inform the final 2024/25 Annual Budget.

Proposed for inclusion in the 2024/5 Annual Budget are pre-approved projects that were already allocated:

- Broome Aboriginal Media Association NAIDOC - \$10,000 (3 years funding) approved allocated from Stream 2 (*Minute No. C/0422/016*)
- Shinju Matsuri Inc - \$77,500 approved March OMC allocated from Stream 3 (*Minute No C/0323/025*)
- Kimberley Arts Network for the Broome Fringe Festival, \$11,035 a year for 3 years (*Minute No. C/0423/027*)
- Ramu Productions for the event Cinefest Oz Broome for \$30,000 for 2 years. (*Minute No. C/0423/027*)

With the new proposed funding for events of \$94,547 this will result in a total spend of \$223,082 for 2024/25 in CDF Stream 2 and 3.

<b>Event &amp; Organiser</b>	<b>2024-25</b>	<b>2025-26</b>
Kimberley Arts Network - Broome Fringe Festival	\$11,035.00	\$11,035.00
Broome Aboriginal Media Association - NAIDOC	\$10,000.00	
RAMU Productions - Cinefest Oz	\$30,000.00	
Shinju Matsuri Festival	\$77,500.00	
Broome Performing Arts Co - Ferngully 2024	\$7,185.00	

Broome Bowling Club - Events 2024/25	\$15,000.00	
Matso's Broome Brewery - Matso's Streetfest	\$10,000.00	
Theatre Kimberley - Sandfly Circus	\$19,190.00	
Touch Football Australia - Beach Touch Footy	\$2,500.00	
Bidyadanga Aboriginal Community La Grange (BACLG) - Music Week	\$10,000.00	
Broome Circle - Harmony Week	\$10,671	
Shinju Matsuri 2024	\$20,000.00	
<b>TOTAL</b>	<b>\$223,082.00</b>	<b>\$11,035</b>

## RISK

	Risk	Type	Rank	Mitigation
<b>Community dissatisfaction with allocations</b>	Perception the Shire is not maximising opportunity to support organisations providing social and economic benefits	Reputational	Medium	Most applications were funded at the requested amount. Where insufficient detail was provided or ineligible expenses were requested then officers will follow up with applicants for future years.
<b>Funding recipient dissatisfaction with allocations</b>	Perception the Shire is not maximising opportunity to support organisations providing social and economic benefits.	Reputational	Low	Guidelines have been put in place establishing eligibility criteria.

## STRATEGIC ASPIRATIONS

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

**Outcome 9 - A strong, diverse and inclusive economy where all can participate**

**Objective** 9.1 Increase Broome's domestic and international trade in tourism, agriculture, aquaculture, minerals and energy, culture and the arts, and other emerging industries.

## VOTING REQUIREMENTS

*Simple Majority*

### REPORT RECOMMENDATION:

*That Council:*

1. Recognises the success of the Shire's ongoing collaboration with Energy Developments Limited and requests that a letter of thank you be drafted from the Shire President to Energy Developments Limited, with acknowledgement posted in the Shire newsletter and social media.

2. Approves the allocation of the following amounts to the applicants under Stream 1 of the Community Development Fund and considers for inclusion in the 2024/25 annual budget:
  - (a) Broome Bullets Netball Club Inc, for New Uniforms \$2,000
  - (b) Sammy the Dragon Broome, for Sammy the Dragon 2024 \$2,500
  - (c) Broome Town Band, for Broome Town Band to Perform at Community Events \$3,000
  - (d) Broome Catholic Church, for Christmas Nativity Play \$2,500
  - (e) Pearl Coast Gymnastics' Club, for Broome Gymnastic Competition \$6,000
  - (f) Broome Tri Club, for Project – Next Level, \$6,000
  - (g) Judo Broome, for Judo Broome \$5,000
  - (h) Broome Little Athletics Centre, for WA State Junior Track & Field Championships 2025 \$6,000
  - (i) Broome Squash Club, for Broome Squash Club Invitational \$3,000 as two-year agreement
  - (j) Broome Historical Society, for Oral History Training \$2,794.30
  - (k) Incredible Edible Broome Incorporated, for Grooves in the Garden \$6,000
  - (l) Broome Men's Shed Inc, for BMS 'Restoration of Chinese Rickshaws' \$2,500
  - (m) Helping Minds, for Coming Together \$6,000
  - (n) Sharing Stories Foundation Limited, for Sharing Stories Media Hub \$6,000
  - (o) Broome Towns Sports Club, for Broome Towns Sports Club upgrade of resources \$1,500
  - (p) RSPCA WA, RSPCA WA Community Action Day, \$6000
  - (q) Broome Soccer Association, Development Camp and Northwest Championships, \$6000
  - (r) Floorball Broome, Floorball Development Camp, \$6000
  
3. Approves the allocation of the following amounts to the applicants under Stream 2 of the Community Development Fund and considers for inclusion in the 2024/25 annual budget:
  - (a) Broome Performing Arts Cooperative, for the End of Year BPAC Concert - (Fergully 2024) Event for \$7,185; and
  - (b) Broome Bowling Club for the Broome Bowling Events 2024/24 for \$15,000; and
  - (c) Matso's Broome Brewery for the event Matso's Street Festival for \$10,000; and
  - (d) Theatre Kimberley for the Sandfly Circus Event for \$19,191; and
  - (e) Touch Football Australia for the Beach Touch Footy Event for \$2,500; and
  - (f) Bidyadanga Aboriginal Community La Grange (BACLG) for the Bidyadanga Music Week Event for \$10,000; and
  - (g) Broome Circle for the Harmony Week Community Dinner for \$10,671.
  
4. Approves the allocation of the following amount to the applicant under Stream 3 of the Community Development Fund and considers for inclusion in the 2024/25 annual budget:
  - a) Shinju Matsuri Inc for the 2024 Shinju Matsuri festival an additional \$20,000.

**Due to lack of quorum, Item 9.3.2 was deferred.**

#### **Attachments**

1. ATTACHMENT 1. CDF RECOMMENDATIONS SPREADSHEET SLIPSTREAM 1
2. ATTACHMENT 2. CDF RECOMMENDATIONS SPREADSHEET SLIPSTREAM 2 & 3

PROPOSER	PROJECT	DESCRIPTION	GUIDELINES CRITERIA MET Y/N	ANNUAL TURNOVER EXCEEDS \$500K	TOTAL PROGRAM COST	CASH CONTRIBUTION	IN - KIND CONTRIBUTION	THEIR CASH CONTRIBUTION	MULTI YEAR Y/N	AMOUNT REQUESTED	OFFICERS RECOMMENDATION	Stream 1
Broome Bullets Netball Club Inc	New Uniforms and Story of our Club Culture	The Club recently designed new uniforms but doesn't have the funding to change all our teams at once. Last year some teams were fortunate to be the first to wear our newly designed uniforms. This year we hope to raise enough funds to outfit all the teams in 2024, which makes everyone feel fully connected to the club. Uniforms were designed by Hayley Shadforth, a club member and talented young athlete. The design tells a story about our club and its family-orientated culture in Hayley's words. <b>Uniforms and training equipment.</b>	Yes, local incorporated organisation.	No	\$ 5,500.00	\$ 2,800.00	\$ 700.00	51%	N	\$ 2,000.00	2,000.00	The applicant and project meet the grant guidelines criteria. <b>Recommended.</b>
Sammy the Dragon Broome	Sammy the Dragon 2024	Every year through July, August and September, dozens of Broome community volunteers from all walks of life come together to prepare Sammy for Shinju Matsuri. Weeks of practice for the "head", "legs", "drummers" and "little lions" culminates in a series of performances across the two weeks of Shinju Matsuri. <b>Sammy T-shirts and soft drinks for volunteers.</b>	Local applicant is registered with Australian Charities and NFP Commission.	No	\$ 12,465.00	\$ 7,465.00		60%	Y - Applicant has been successful through ORG.	\$ 5,000.00	2,500.00	Applicant has incorrectly listed cash contribution in Pg2 summary - Put as in-kind contribution. Funding request is matched with INPEX contribution. Funding request towards soft drinks (\$1535) is excessive considering there is already a \$1000 misc budget. <b>Recommended \$2500 towards uniforms 1 year funding.</b>
Broome Town Band	Broome Town Band to Perform at Community Events	Broome Town Band looks forward to expanding its membership in 2024 and building its repertoire through weekly rehearsals to perform at community events in Broome including Shinju Matsuri Festival, Broome Pride, Broome Shire Carols, Broome Courthouse Markets, and Broome Youth and Family Hub events including their Christmas Party. We also hope to expand our community performances into new areas as public awareness of our band grows. <b>Band scores and music stands.</b>	Yes, local incorporated organisation.	No	\$ 14,097.16	\$ 4,353.76	\$ 5,820.00	31%	N	\$ 3,923.40	3,000.00	The applicant and project meet the grant guidelines criteria. <b>Recommended, reduced funding due to limited budget.</b>
Broome Catholic Church	Christmas Nativity Play 2024-2026	Through our children's nativity play event, we aim to engage the younger generation in our faith tradition, enriching their lives with the values of kindness, generosity, and understanding. This event is more than a performance; it's an opportunity for community building, education, and celebrating the essence of togetherness and the joy of the Christmas story. <b>Civic Centre venue hire, lolly bags, catering and sound lighting tech.</b>	Local applicant registered with Australian Charities and NFP Commission.	No	\$ 10,416.50	\$ 1,700.00	\$ 5,000.00	16%	Y - Applicant was successful through ORG.	\$ 3,716.50	2,500.00	As the applicant has not been successful through the larger grant programs before it is <b>Recommended funding 1 year only. Removed lollies and catering due to low cash contribution.</b>
Pearl Coast Gymnastics' Club	Broome Gymnastic Competition	PCGC is holding a gymnastic competition here in Broome on 11th – 13th Oct 2024. PCGC will have up to 200 gymnasts competing at this competition. We will be bringing up a WA recognized judge to support our local judges and coaches with scoring and help lead pathways to the State Championships in Perth late Oct. <b>Venue hire, staff from Perth, canteen, flights, medals floor mat, trailer and physiotherapist.</b>	Yes, local incorporated organisation.	N	28,980.00	7,950.00	12,275	27%	N	8,755	6,000.00	The applicant and project meet the grant guidelines criteria. <b>Recommend reduced funding due to limited budget</b>

PROPOSITOR	PROJECT	DESCRIPTION	GUIDELINES CRITERIA MET Y/N	ANNUAL TURNOVER EXCEEDS \$500K	TOTAL PROGRAM COST	CASH CONTRIBUTION	IN - KIND CONTRIBUTION	THEIR CASH CONTRIBUTION	MULTI YEAR Y/N	AMOUNT REQUESTED	OFFICERS RECOMMENDATION	Stream 1	
Broome Tri Club	Project – Next Level	Broome Tri Club is reaching upwards! Our membership numbers are growing, the talent levels are lifting, especially in our juniors, our events are diversifying, and we are looking to step up to the Next Level! So what do we want to see at the Next Level. •Our competitive members will be fitted out in club suits when representing Broome Tri Club and our town in statewide events. •Our juniors will be representing Broome in the Secondary Champion Schools Triathlon in October 2024 in Perth. •We will add two additional events to our club calendar here in Broome, including our successfully trialed Run/Bike/Run on Cable Beach format. •We will incorporate use of the new Surf Club facilities to lift the professionalism of our events, as well as supporting the Surf Club business. •We will renovate our equipment storage trailer, to improve its user safety, roadworthiness, and functionality. <b>Uniforms, venue hire, Water safety services, trailer renovation, flights and accommodation,</b>	Yes, local incorporated organisation.	N	19,382.00	6,672.00	3,360	34%	N	9,350	\$	6,000.00	The applicant and project meet the grant guidelines criteria. <b>Recommended with reduced funding due to limited budget</b>
Judo Broome	Judo Broome	The judo club is going to be developed in two ways: 1)up-skilling people: 2 of our members will be flown to Perth in different occasions to attend, caching courses and grading. A coach from Judo Australia will come to Broome to help with coaching and discuss strategies to increase members. We are also going to hire a fitness instructor to do strength and conditioning courses once a month 2)participation: offering a wide range of classes for any age group and making it more affordable with the help of grants and volunteering. <b>Equipment, marketing, venue hire and contracted fitness instructor (ineligible)</b>	Yes, local incorporated organisation.	No	32,600	13600	9000	42%	N	10,000	\$	5,000.00	The applicant and project meet the grant guidelines criteria. The budget for fitness instructor is ineligible due to the length of time using contractor its seen as ongoing wages. Marketing also not supported as Shire can provide support through existing channels. <b>Recommend funding \$5000.</b>
Broome Little Athletics Centre	WA State Junior Track & Field Championships 2025	Our primary objective is to provide a return resident airfare from Broome to Perth for each athlete from Broome Little Athletics Centre (BLAC) aged under 13 (8-12 years old) who qualify for the WA State Junior Track and Field Championships. The Championships will be held in Perth over 3 days in March 2025. Athletes are required to qualify through the 24/25 season to be invited to compete at the event. <b>Flights and registration fees.</b>	Yes, local incorporated sports club.	No	31,895.00	4,895.00	17,000	15%	N	\$ 10,000.00	\$	6,000.00	The applicant and project meet the grant guidelines criteria. <b>Recommended with reduced funding due to limited budget .</b>
Broome Squash Club	BROOME SQUASH CLUB INVITATIONAL	Broome Squash Club Invitational is a nationally recognized tournament. Players come from all over the country (mainly WA) to compete in multiple divisions. The event runs over 3 full days of squash plus an opening and closing/presentation which showcases local venues to visiting participants and their families. <b>Venue hire, food, photographer, trophies and welcome packs.</b>	Yes, local incorporated sports club.	N	14,400.00	3,000.00	3500	21%	Y - applicant has been successful through previous AMF previously	7900	\$	3,000.00	The applicant and project meet the grant guidelines criteria. Lack of details on what is included for welcome packs. <b>Recommend supporting opening ceremony (not funding closing ceremony) excluding welcome packs and for two year allocation.</b>
Broome Historical Society Inc.	Oral History Training	The Broome Historical Society is initiating a program to train volunteers in collecting oral histories from the Broome community. Through comprehensive training sessions, volunteers will be equipped with the skills to conduct interviews, document narratives, and curate a rich oral history archive representing the diverse voices of Broome. Partnering with Goolarri Media Enterprises, we will deliver a comprehensive two-day nationally accredited training session. <b>Workshop fees.</b>	Yes, local incorporated organisation.	N	5,588.60	1,994.30	800	36%	N	2794.3	\$	2,794.30	The applicant and project meet the grant guidelines criteria. <b>Recommended.</b>

PROPOSER	PROJECT	DESCRIPTION	GUIDELINES CRITERIA MET Y/N	ANNUAL TURNOVER EXCEEDS \$500K	TOTAL PROGRAM COST	CASH CONTRIBUTION	IN - KIND CONTRIBUTION	THEIR CASH CONTRIBUTION	MULTI YEAR Y/N	AMOUNT REQUESTED	OFFICERS RECOMMENDATION	Stream 1
Incredible Edible Broome Incorporated	Grooves in the Garden: Cultivating Sustainable Food Communities	Grooves in the Garden: Cultivating Sustainable Food Communities is a community event celebrating local food, fostering connections, and promoting sustainability. This family-friendly event, at the Lions Outback Vision garden will be a testament to our commitment to making local food accessible and enjoyable. It offers live music from local artists (including Indigenous artists), delicious food from locally sourced ingredients, and a unique Trading Space where attendees can exchange quality items without monetary transactions. <b>Performers, equipment hire, consumables, project admin (ineligible) and project management (ineligible)</b>	Yes, local incorporated organisation.	N	25,000.00	5,500.00	19,500	22%	N	10,000	6,000	The applicant and project meet the grant guidelines criteria. Budget items project admin / management not eligible. <b>Recommend funding \$6000.</b>
Broome Men's Shed Inc	BMS 'Restoration of Chinese Rickshaws'	Broome Men's Shed members are restoring two Chinese Rickshaws that are believed to be 100 years old. The Rickshaws were used in Broome in the 1920s by Chinese immigrants. As some of the restoration is very old methods then members will be learning new skills. One of the Rickshaws will be donated to the Broome Visitor Centre for display. <b>Materials, sandblasting and upholstery.</b>	Yes, local incorporated organisation.	N	10,000.00	2,000.00	4,000	20%	N	4,000	2,500	The applicant meets the eligibility criteria. If successful applicant needs to be made aware that no funding is provided till 2024-25. Budget lacks clarity on what materials are to be purchased. <b>Recommended \$2500 pending confirmation of timeline.</b>
Helping Minds	Coming Together	"Coming Together" is an engaging community mural painting initiative, led by local mural artist Aisha Valenti and in collaboration with local Broome mental health organisation, HelpingMinds. This project aims to highlight the strength of community unity by inviting individuals to participate in creating a vibrant mural together. Project led by local artist Aisha Valenti and supported by mental health organisation HelpingMinds, this initiative centers around a Broome-themed mural, designed by Aisha and awaiting the colourful contributions of community members. <b>Water and food, materials, Artist fee</b>	Auspice arrangement between sole trader and Helping Minds.	Organisation is auspicing grant for sole trader.	\$21,500	\$ 10,000.00	\$ 1,500.00	47%	N	\$ 10,000.00	6,000	Supportive of funding this initiative but the applicant should have clearly explained the how the artist labour has been calculated ie hourly rate x how many hours <b>Recommended \$7000.</b>
Sharing Stories Foundation Limited	Sharing Stories Media Hub	At the community's request, SSF is establishing a Regional Media Hub & Mentoring Program in Broome, designed to empower the next generation of Aboriginal content creators & creative leaders. Co-designed with and led by Djagun-Yawuru filmmaker Michael Jalaru Torres, the Hub will provide Aboriginal creatives access to mentoring, training & state-of-the-art media equipment. We are seeking additional funding for the purchase of two state-of-the-art computers for the hub space as we are in need of these computers to run the program to its full potential and we're not able to apply for funding for computers through our existing funding channels. <b>Computers and media equipment.</b>	Incorporated organisation with centre based in Broome.	SharingStories Foundation's annual turnover is more than \$500,000 per year. Our turnover is currently running creative programs across 20 communities around Australia.	157551.38	134969.52	12608	86%	N	9973.86	6,000	Niche project that stands out. Local development. Strong letters of support from community. <b>Recommended with reduced funding due to limited budget.</b>
Broome Towns Sports Club	Broome Towns Sports Club upgrade of resources	1.Funding to purchase gazebos to provide a sun-safe environment during training and games for players, spectators, volunteers, and sponsors. 2.Funding for lighting and venue hire for our netball and football teams 3. Funding is needed to purchase an ice machine that will be used to provide cold refreshments during training sessions and games for players, sponsors, spectators, and volunteers. Additionally, the ice machine will serve as a crucial tool for facilitating safe injury management in case of injuries. <b>Gazebos, ice machine, venue and lighting, Broome Physio.</b>	Yes, local incorporated sports club.	No	8579		1500	0% N		7079	1500	Applicant has not matched the grant. \$1500 in in-kind provided only, no cash contribution. Otherwise eligible applicant and project. <b>Recommend funding \$1500 towards ice machine.</b>

PROPOSER	PROJECT	DESCRIPTION	GUIDELINES CRITERIA MET Y/N	ANNUAL TURNOVER EXCEEDS \$500K	TOTAL PROGRAM COST	CASH CONTRIBUTION	IN - KIND CONTRIBUTION	THEIR CASH CONTRIBUTION	MULTI YEAR Y/N	AMOUNT REQUESTED	OFFICERS RECOMMENDATION	Stream 1
RSPCA WA	RSPCA WA COMMUNITY ACTION DAY	RSPCA Community Action Days are free events to support local community members who are struggling financially to look after their pets. We provide pet health advice, practical assistance and education about responsible pet ownership. e offer these free community events to help people who are struggling financially to look after their pets. We provide free health checks & microchipping for dogs, free parasite treatments and pet food for dogs and cats. <b>Pet food, pest treatments, microchips, marketing, staff flights and accommodation.</b>	RSPCA WA is a registered Charity with Australian Charities and Not-for-profits Commission (ACNC).	Yes - It costs RSPCA WA around \$12 million per annum to carry out its animal welfare operations. RSPCA WA receives less than 20% of its funds from the government and relies on the support of our community to fund the remaining 80% of costs necessary	25682.15	15019.91	960	58%	Yes - funded through previous CDF round.	9700	6000	See value in project but reduced funding due to limited budget and annual turnover.
Broome Soccer Association	BROOME SOCCER DEVELOPMENT CAMP AND NORTH WEST CHAMPIONSHIPS	The first annual Broome Soccer Development camp for players wanting to be selected in representative teams started up in 2024. More than 100 players attended the March weekend of Junior Development, including skill and strategy training. Information on nutrition, recovery and team culture, connections with the wider soccer community and lots of fun. The NW championships are also an annual event where the BSA usually has 4 teams (U9, U11, U13 and U15) attending and competing with teams from the NW.	Yes, local incorporated sports club.	No	\$ 36,200.00	\$ 2,000.00	7000		N	27200	6000	Applicant applied under Stream 2. Recommend it be accessed under Stream 1 as it better aligns to the guidelines. Low cash contribution but eligible applicant and project.
Floorball Broome	BROOME FLOORBALL DEVELOPMENT CAMP	The Event is a three-day intensive training camp scheduled from May 1st to May 5th, 2025. The camp, aimed to cater to enthusiasts and aspiring athletes of all skill levels and will foster talent and promote floorball as an inclusive, low-cost, fun, friendly and fast-growing sport within the community	Yes, local incorporated sports club.	No	\$ 22,596.00	\$ 7,286.00	\$ 5,560.00	\$ 12,846.00	N	\$ 12,250.00	6000	Applicant applied under Stream 2. Recommend it be accessed under Stream 1 as it better aligns to the guidelines.
Pilbara Kimberley University Centres (Broome)	STEM in Sport: Research Human Energy Systems	The Pilbara Kimberley University Centres will be facilitating a research program in Broome for high school students looking at the correlation between STEM and Sport. This research study will be composed over 20 weeks (Terms 2 and 3). The STEM in Sport research program will help link academics to a future career, as well as linking careers for athletes in their life after sport. Local Broome high school students will be conducting a research study on the use of STEM in Sport. Utilising athletes from local Broome sporting clubs, students will undertake testing and measure the role that the human energy systems play in athletic performance. <b>Equipment hire, facilitator fee, t-shirts, sports vouchers, travel vouchers and nursery prizes.</b>	Incorporated organisation with centre based in Broome.	Yes - The PKUC's core operations are funded by the Federal Government of Education. The PKUC must seek funding from third party organizations in order for it to deliver this programme.	\$ 23,542.00	\$ 13,542.00	\$ -	58%	N	\$ 10,000.00		See value in project but only recommend should funding be available due to organisations turnover. Shire involvement in School curriculum is questionable
Native Animal Rescue Broome Inc	NARB Marine Turtle 'Solar Monitoring and Security Project'	The NARB Marine Turtle Rehabilitation Facility is a totally environmentally 'Green' project. This grant project will help complete the Marine Turtle Rehabilitation Facility by ensuring offsite monitoring of the facility by volunteers when marine turtles are in care. It will also provide 24 hour security for the facility utilising CCTV cameras. <b>CCTV and Lighting System.</b>	Yes, local incorporated organisation.	N	61623.26	41623.26	10000	68%	N	10000		The site is a Parks and Wildlife 'Wildlife Rehabilitation site' and has been leased to NARB. As per guidelines: ineligible expense: leasehold improvements where the improvements are the responsibility of the leaseholder.

PROPOSITOR	PROJECT	DESCRIPTION	GUIDELINES CRITERIA MET Y/N	ANNUAL TURNOVER EXCEEDS \$500K	TOTAL PROGRAM COST	CASH CONTRIBUTION	IN - KIND CONTRIBUTION	THEIR CASH CONTRIBUTION	MULTI YEAR Y/N	AMOUNT REQUESTED	OFFICERS RECOMMENDATION	Stream 1
The Skill Engineer Ltd.	The Blackman Block Project	The Blackman Block project supports First Nations youth disengaged from education with low economic and social aspirations to partake in vocational skill sets that take them out of the classroom, relocating to a workshop where they learn Welding, commercial cookery, horticulture, and rural skills sets are the key vocational skills to be acquired. Funding is required for fabrication of the block's front fence, a project for participants to assemble. Applicant is owner of the block. <b>Metal fabrication of fence and transport to Broome.</b>	Incorporated company registered Australian Charities and Not-for-profits Commission (ACNC) with with centre based in Broome.	Yes - The organisation receives grants for specific purposes and therefore there is no capacity to operate outside of the funding schedule and no surplus allowed for contingency or future planning.	32070	7070	15000	22% N		10000		See value in the project from a youth development perspective but land is owned by applicant and therefore this project can be seen property improvement. <b>Not recommended due to this consideration plus annual turnover.</b>
Ashoka LLP	Just Do It	Just Do IT' operates for children & young people with physical or mental disabilities. Golf game in which the player has to move the ball closer to the pins by moving his/her mind and body precisely. Through the game, they experience a sense of achievement, which in turn builds their confidence.	The company is based overseas. Broome AIBN is under Australian Private Company - Local Appliance Rentals Broome.	No	\$ 7,957.00	\$ 3,877.00	\$ 2,203.00	49% N		\$ 1,877.00		The applicant does not meet the local incorporated organisation requirement. Project dates do not align with the grant timeline. There is clearly a dispute with the applicant and the Broome Golf Club that should be resolved through mediation. <b>Not recommended.</b>
Spaghetti Confetti	Spaghetti Confetti in Bidyadanga and Beyond	Spaghetti Confetti play kids' music for people of all ages and are based on Gadigal / Wangal country in Sydney. They are bringing their tie-dye, fun and pun-filled show to the Kimberley to engage families in performances and workshops across multiple dates and locations in July. After the live performances, Spaghetti Confetti will facilitate workshops for small groups. During these workshops, children will investigate a range of instruments and learn how sounds can be made by scraping, shaking and striking a range of instruments including clap sticks, tambourines, maracas and Boomwackers. They will then be involved in the joint construction of an original song that encourages the identification and promotion of identity.	Applicant is a sole trader based in Sydney. Contact person is BACLG which is an eligible applicant. Project to be delivered at BIDY Family Centre.	No	2000	2000		100% N		2000		Small funding request for eligible initiative in BIDY. If applicant was BACLG the project would be eligible. <b>Not recommended.</b>
Cancer Council	The Life Now Program: Supportive Care for People Impacted by Cancer	The Life Now program is designed to support the health and wellbeing of individuals who have been affected by a cancer diagnosis, and also their primary carer. Shire of Broome residents always have access to the online Life Now courses, but many people prefer being able to meet up in person.	Not local based organisation. Seeking to employ local facilitator to deliver program in Broome.	Yes - Life Now program is currently supported by generous grants from the Stan Perron Charitable Foundation and Yoga for Good Foundation, but with your help we will be able to bring more services to Broome specifically.	84800.08		79070	0% N		5730		Applicant is not a local organisation and has exceeded the annual turnover. <b>Not recommended.</b>



PROPONENT	PROJECT	DESCRIPTION		TOTAL PROGRAM COST	CASH CONTRIBUTION	IN - KIND CONTRIBUTION	AMOUNT REQUESTED	CASH CONT	AMOUNT	RECOMMENDATION
Broome Barracudas Swimming Club	Swim Clinic in Broome	Broome Barracudas is seeking funding to get a trained coach to run a swim clinic in Broome, travelling to Broome for a weekend 2-day camp.	Incorporated entity based in Broome.	\$ 40,000.00	\$ -	\$ 20,000.00	\$ 20,000.00	0%		Not Supported due to no cash contribution.
Broome Performing Arts Co	End of Year BPAC Concert - (Fergully 2024)	BPAC has an annual end of year concert. It is the only dance, drama and performing arts school in Broome and is an important event for Broome children, teens and adults who have the chance to perform over two nights to a packed house.	Yes, local incorporated organisation.	\$ 20,000.00	\$ 10,000.00		\$ 10,000.00	50%	\$ 7,185.00	Shire of Broome best placed to support the cost of civic centre rental (\$7,185).
Broome Bowling Club	BROOME BOWLING EVENTS 2024/ 2025	The Broome Bowling Club is seeking funding to host two events the annual Shinju Matsuri Open Tournament, and the second is the Broome Open Pairs Championship. Both are three—to four-day events that see competitors and 32 teams from across Australia compete for prizes and recognition. Shire financial support was requested for the opening ceremony, entertainment, the presentation dinner and competition shirts.	Yes, local incorporated organisation.	\$ 73,857.00	\$ 45,800.00	\$ 7,800.00	\$ 20,257.00	62%	15,000	Two events, both worth supporting. Organisation has shown strong growth and clear direction towards hosting events.
Matso's Broome Brewery	Matso's Street Festival	Using Matso's on Camarvon street to create a street style festival with multiple food cans, pop up bars, and a large curtain slider truck to be used as a stage, providing live entertainment. Event is family friendly and has been organized as an annual street fest providing live entertainment, with multiple bars and food vans operating. The event is now been expanded taking the event over 2 days, bringing international artists/musicians, opening for more attendance.	Australian owned organization with links to Broome	\$ 250,000.00	\$ 180,000.00		\$40,000.00	72%	10,000	Commercial operator but aligns with the TAP guidelines to increase economic activity.
Theatre Kimberley	Sandfly Circus	Theatre Kimberley's Act Belong Commit Sandfly Circus shows are a Broome calendar highlight for the young & the young at heart. Bringing together some of the country's most experienced circus makers to work with our local team and students. Includes students attending from Beagle Bay.	Yes, local incorporated organisation.	\$ 142,007.00	\$ 97,377.00	\$ 20,730.00	23900	69%	19,191	Their cash contribution is positive relative to total project cost. Shire contribution would support: rigger, designer, photography, videography, venue hire staging, equipment hire. Some expenses deemed ineligible. Letters of support provided.
EDITH COWAN UNIVERSITY	Free Tax Clinic	The ECU Tax Clinic in partnership with the Money Management Team at Broome Circle is delivering "Free Tax Clinic" for the community in Broome, and outreach communities (Bidyadanga, Ardyaloon, Djarindjin and Lambadina). As one of the most successful Pro Bono projects, vulnerable community members can obtain free tax assistance, including lodgement of tax returns.		\$ 40,000.00	\$ 5,000.00	\$ 15,000.00	\$ 20,000.00	13%	\$ -	Not an eligible project.
Touch Football Australia	Beach Touch Footy	Beach Touch Footy is an annual one - day event that is held on Cable Beach. It is a social event that is targeted at engaging the surrounding regional towns and those residing in Broome. Venue hire and permits, equipment hire, staff travel and accommodation, promotion, food and stationary.	Incorporated company based in Perth partnering with local Beach Touch Footy.	\$ 17,542.00	\$ 10,607.24	\$ 1,434.76	\$ 5,500.00	60%	\$ 2,500.00	A well attended event that showcases Cable Beach.

Bidayadanga Aboriginal Community La Grange (BACLG)	Bidayadanga Music Week	Our first event will take place at the Bidayadanga Oval from 2pm-9pm on Wednesday September 25th 2024. This event is exclusively open to all community members of Bidayadanga. The second event will take place at the Roey 'Oasis Bar' from 8pm on Friday September 27th. This event is for everyone in Broome to witness the show on the biggest stage in Broome. Artist payment, petrol, Perth based flights, PAKAM services.	BACLG is incorporated NFP organisation. Events manger has listed their ABN and NFP STATUS.	\$ 21,500.00	\$ 10,000.00	\$ 1,500.00	\$ 10,000.00	47%	\$ 10,000.00	Well written application, provided good rationale and quotes. Well supported by local organisations. - Event being held in September 2024. Broome event open to the public.
Broome CIRCLE	HARMONY WEEK COMMUNITY DINNER & DANCE THROUGH THE ERAS	The Harmony Week Dinner is an annual event that celebrates the rich cultural diversity of Broome, fostering a sense of belonging and community cohesion. Scheduled for March 2025, this event aims to bring together people from all walks of life to share meals, stories, and performances that reflect the myriad cultures within our community. The second event recommended for support is the Dance through the Era's event held at the Civic Centre for seniors to celebrate music styles over time. Civic centre venue hire, catering, cleaning, Misc, audio tech, administration (ineligible)	Yes, local incorporated organisation.	\$ 10,671.00	\$ 6,388.00	\$ 3,554.00	\$ 10,671.00	60%	\$ 10,671.00	Amounts in this spreadsheet are just reflective of the 2 events assessed as events. The other activities are not considered events.
Shinju Matsuri	Additional expenses for Shinju Matsuri 2024	Festival Finale Drone Show - \$10,000, and \$10,000 for equipment for the bar container and extra furniture. The enhancements, like custom furniture and storage, will expand the food and beverage offerings at the hub.	Yes, local incorporated organisation.	\$ 20,000.00			20,000		\$ 20,000.00	Concern that this is an application received while under a multi-year agreement, however it is supported due to unprecedented situation of the fireworks being cancelled.
									\$ 94,547.00	

## 9.4 PERFORMANCE

### 9.4.1 MONTHLY PAYMENT LISTING - APRIL 2024

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	FRE02
<b>AUTHOR:</b>	Coordinator Financial Operations
<b>CONTRIBUTOR/S:</b>	Manager Financial Services
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

#### SUMMARY:

This report recommends that Council receives the list of payments made under delegated authority, as per the attachment to this report, for April 2024.

#### BACKGROUND

The Chief Executive Officer (CEO) has delegated authority via Delegation 1.2.20 Payments from the Municipal or Trust Funds, to make payments from the Municipal and Trust funds as per budget allocations and in line with applicable policies.

#### COMMENT

The Shire provides payments to suppliers by Electronic Funds Transfer (EFT and BPAY), cheque, credit card or direct debit. Attachment 1 provides a list of all payments processed under delegated authority in April 2024.

#### CONSULTATION

Nil.

#### STATUTORY ENVIRONMENT

##### ***Local Government (Financial Management) Regulations 1996***

12. *Payments from municipal fund or trust fund, restrictions on making*
  - (1) *A payment may only be made from the municipal fund or the trust fund —*
    - (a) *if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
    - (b) *otherwise, if the payment is authorised in advance by a resolution of the council.*
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; and*
  - (b) *the amount of the payment; and*
  - (c) *the date of the payment; and*
  - (d) *sufficient information to identify the transaction.*
- (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.*

#### *13A. Payments by employees via purchasing cards*

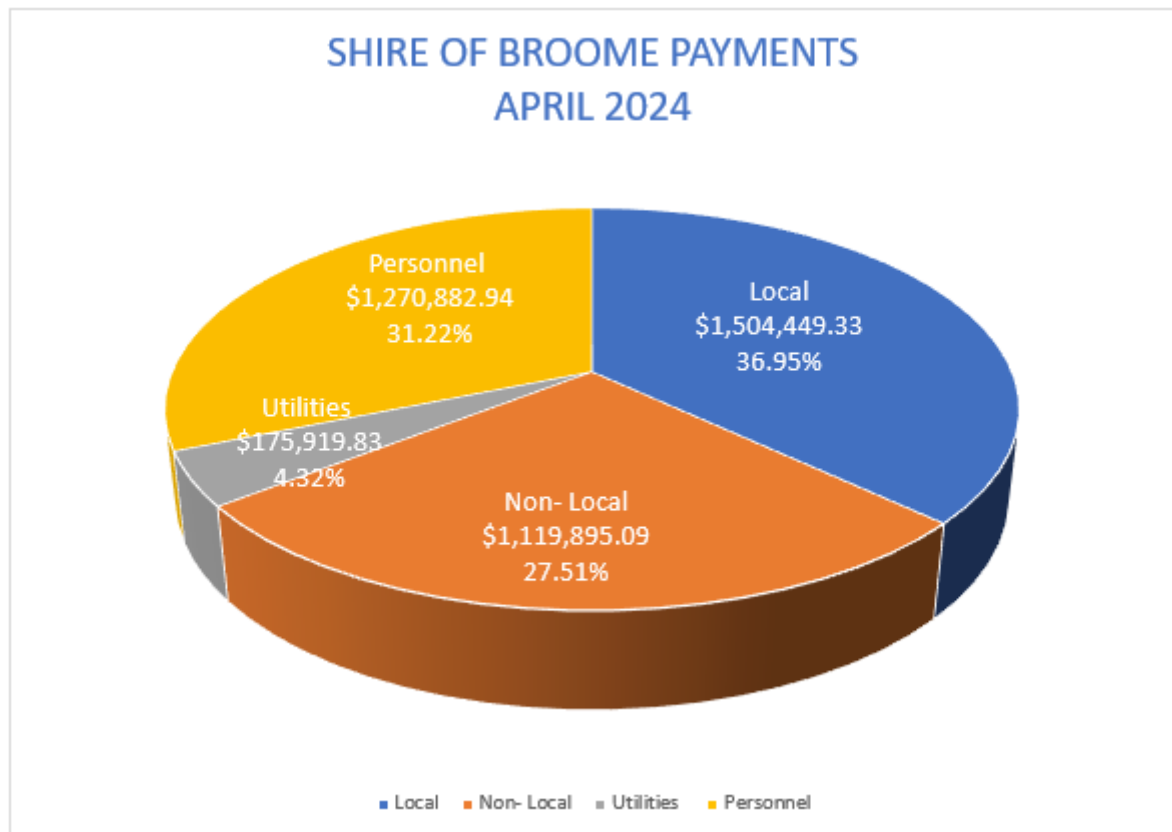
- (1) *If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —*
  - (a) *the payee's name;*
  - (b) *the amount of the payment;*
  - (c) *the date of the payment;*
  - (d) *sufficient information to identify the payment.*
- (2) *A list prepared under sub regulation (1) must be —*
  - (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
  - (b) *recorded in the minutes of that meeting.*

#### **POLICY IMPLICATIONS**

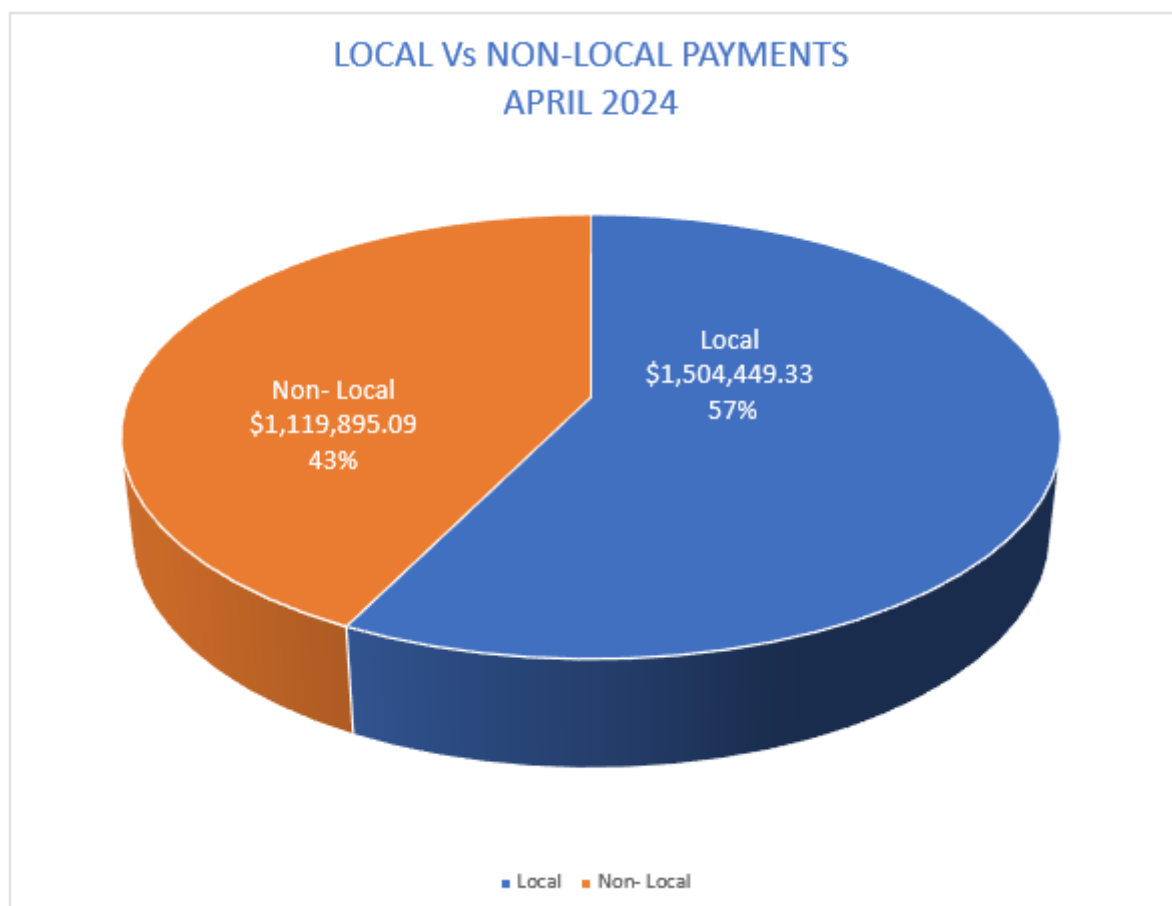
Nil.

#### **FINANCIAL IMPLICATIONS**

List of payments made in accordance with budget and delegated authority. Payments can also be analysed as follows:



Note: Personnel payments in this analysis include payroll, superannuation (contained within Direct Debit type payments), payroll tax and other deductions (contained within the EFT Payments type payments).



The above graph shows the percentage of local spend in comparison to non-local and recoupable spend for April 2024 after \$1,270,882.94 in personnel payments, \$175,919.83 in utilities and other non-local sole suppliers were excluded.

## YEAR TO DATE CREDITOR PAYMENTS

The below table summarises the total payments made to creditors year to date:

Month	Cheques	EFT Payments	Direct Debit	Credit Card	Trust	Payroll	Total Creditors
Jul-23	\$ 1,441.39	\$ 2,026,138.15	\$ 157,064.40	\$ 31,160.48	\$ -	\$ 749,538.21	\$ 2,965,342.63
Aug-23	\$ -	\$ 3,636,229.61	\$ 458,162.41	\$ 36,953.74	\$ -	\$ 745,258.30	\$ 4,876,604.06
Sep-23	\$ 2,180.90	\$ 2,958,635.14	\$ 156,890.04	\$ 34,952.54	\$ -	\$ 728,212.05	\$ 3,880,870.67
Oct-23	\$ 2,500.00	\$ 3,614,698.05	\$ 243,802.39	\$ 33,365.63	\$ -	\$ 772,473.06	\$ 4,666,839.13
Nov-23	\$ 631.40	\$ 3,793,083.11	\$ 268,860.67	\$ 45,962.05	\$ -	\$ 1,164,818.38	\$ 5,273,355.61
Dec-23	\$ 50.00	\$ 3,002,660.80	\$ 324,868.44	\$ 39,840.31	\$ -	\$ 765,510.89	\$ 4,132,930.44
Jan-24	\$ -	\$ 3,563,736.38	\$ 352,800.17	\$ 23,895.33	\$ -	\$ 755,908.70	\$ 4,696,340.58
Feb-24	\$ 523.23	\$ 2,425,258.66	\$ 195,833.62	\$ 33,882.74	\$ -	\$ 781,867.68	\$ 3,437,365.93
Mar-24	\$ -	\$ 2,865,663.83	\$ 289,942.65	\$ 29,044.05	\$ -	\$ 762,074.12	\$ 3,946,724.65
Apr-24	\$ 7,759.51	\$ 3,056,940.88	\$ 205,176.53	\$ 29,777.38	\$ -	\$ 771,492.89	\$ 4,071,147.19
<b>TOTAL</b>	<b>\$ 15,086.43</b>	<b>\$ 30,943,044.61</b>	<b>\$ 2,653,401.32</b>	<b>\$ 338,834.25</b>	<b>\$ -</b>	<b>\$ 7,997,154.28</b>	<b>\$ 41,947,520.89</b>

## 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 ASPIRATIONS

**Performance - We will deliver excellent governance, service & value for everyone.**

**Outcome 12 - A well informed and engaged community**

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

## VOTING REQUIREMENTS

*Simple Majority*

### **COUNCIL RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Minute No. C/0524/071**

**Moved: Cr M Virgo**

**Seconded: Cr P Taylor**

**That Council:**

- 1. Receives the list of payments made from the Municipal and Trust Accounts in April 2024 totalling in \$4,071,147.19 (Attachment 1) per the requirements of Regulation 12 of the Local Government (Financial Management) Regulations 1996 covering:**
  - a) EFT Vouchers EFT74289 – EFT74813 totalling \$3,056,940.88;**
  - b) Municipal Cheque Vouchers 57830 - 57831 totalling \$7,759.51;**
  - c) Trust Cheque Vouchers 00000 - 00000 totalling \$0.00; and**
  - d) Municipal Direct Debits DD33237 – DD33270 including payroll totalling \$976,669.42.**
- 2. Receives the list of payments made by credit cards in April 2024 totalling \$29,777.38 (contained within Attachment 1) per the requirements of Regulation 13A of the Local Government (Financial Management) Regulations 1996 covering EFT Vouchers EFT74870 – EFT74896.**
- 3. Notes the local spend of \$1,504,449.33 included in the amount above, equating to 57% of total payments excluding personnel, utility and other external sole supplier costs.**

**For: Shire President C Mitchell, Cr D Male, Cr J Lewis, Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper.**

**CARRIED UNANIMOUSLY 7/0**

#### **Attachments**

- 1. MONTHLY PAYMENT LISTING - APRIL 2024**

PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024				
PAYMENT #	Date	Name	Description	Amount
MUNICIPAL & TRUST ELECTRONIC TRANSFERS - APRIL 2024				
EFT #	Date	Name	Description	Amount
EFT74519	12/04/2024	ABLE ELECTRICAL (WA) PTY LTD	Lighting Servicing & Maintenance- Town Beach Water Park	\$ 935.00
EFT74586	16/04/2024	ABLE ELECTRICAL (WA) PTY LTD	Installation Lighting- Town Beach QSOB 110901	\$ 27,500.00
EFT74651	18/04/2024	ABLE ELECTRICAL (WA) PTY LTD	Father McMahon Oval Lighting- BRAC	\$ 132.00
EFT74748	29/04/2024	ABLE ELECTRICAL (WA) PTY LTD	Remove Existing Genset & Install New Genset- BRAC	\$ 6,160.00
EFT74520	12/04/2024	ACURIX NETWORKS PTY LTD	Wi-Fi Services- Library	\$ 490.60
EFT74587	16/04/2024	AFGRI EQUIPMENT AUSTRALIA PTY LTD	Machinery Parts & Maintenance- Depot	\$ 227.95
EFT74749	29/04/2024	AIT SPECIALISTS PTY LTD	Audit Fees- Fuel Tax Credit Review	\$ 5,359.20
EFT74521	12/04/2024	AMANDA COLLINS	Umpiring- Mixed Netball	\$ 175.00
EFT74711	22/04/2024	AMANDA MCINERNEY	Rebates- Home Composting & Dual Bin	\$ 124.50
EFT74522	12/04/2024	AMBER RANN	Umpiring- Mixed Netball	\$ 280.00
EFT74750	29/04/2024	ANA TAMANUI	Youth Engaging- A Sporting Chance	\$ 250.00
EFT74652	18/04/2024	ASSORTED SIGNS	Marketing- BRAC Facility Signage	\$ 505.90
EFT74588	16/04/2024	AUSSIE BROADBAND LIMITED	NBN- Shire Facilities	\$ 2,079.33
EFT74589	16/04/2024	AUSTRALIA POST	Postage & Freight- Administration	\$ 344.88
EFT74298	05/04/2024	AUSTRALIAN SERVICES UNION - WA BRANCH	Payroll Deductions/Contributions	\$ 609.50
EFT74694	19/04/2024	AUSTRALIAN SERVICES UNION - WA BRANCH	Payroll Deductions/Contributions	\$ 609.50
EFT74299	05/04/2024	AUSTRALIAN TAXATION OFFICE	Payroll Deductions/Contributions	\$ 141,445.00
EFT74695	19/04/2024	AUSTRALIAN TAXATION OFFICE	Payroll Deductions/Contributions	\$ 134,050.00
EFT74751	29/04/2024	AUTOPRO BROOME (GAFF HOLDINGS PTY LTD)	Workshop Parts- Depot	\$ 95.95
EFT74307	08/04/2024	AVERY AIRCONDITIONING PTY LTD	Air-Conditioning Repair- Library	\$ 1,780.12
EFT74590	16/04/2024	AVERY AIRCONDITIONING PTY LTD	Replace Faulty Air-Conditioning Unit- Foundations Care	\$ 6,841.53
EFT74752	29/04/2024	AVERY AIRCONDITIONING PTY LTD	Pizza Fridge Maintenance- Cable Beach House	\$ 313.50
EFT74469	10/04/2024	AVERY AIRCONDITIONING PTY LTD	Air-Conditioning Repairs- Shire Administration	\$ 612.88
EFT74712	22/04/2024	AVERY AIRCONDITIONING PTY LTD	Degassing Fridges & Air-Conditioners- WMF	\$ 594.00
EFT74470	10/04/2024	AVIAIR	Sponsorship- Inter-regional Air Services	\$ 17,678.10
EFT74591	16/04/2024	BEHIND PTY LTD	Performance Production Expenses- Civic Centre	\$ 6,875.00
EFT74713	22/04/2024	BEST IT & BUSINESS SOLUTIONS PTY LTD	Monthly Printer Costs- IT	\$ 361.33
EFT74308	08/04/2024	BIDFOOD	Kiosk Stock- BRAC	\$ 2,558.94
EFT74753	29/04/2024	BIDFOOD	Kiosk Stock- BRAC	\$ 1,110.76
EFT74471	10/04/2024	BK SIGNS (HALLIDAY ENTERPRISES PTY LTD)	Warnings & Maintenance Signage- Various Locations	\$ 1,735.40
EFT74714	22/04/2024	BK SIGNS (HALLIDAY ENTERPRISES PTY LTD)	Tides & Regulations- Surf Club Signage	\$ 2,261.34
EFT74309	08/04/2024	BLACK SWAN STATE THEATRE COMPANY	Performance Production Expenses- Civic Centre	\$ 5,500.00
EFT74310	08/04/2024	BLACKWOODS	Tools & Equipment- P&G	\$ 174.39



PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024				
PAYMENT #	Date	Name	Description	Amount
EFT74523	12/04/2024	BLACKWOODS	Lifebuoy Cabinets & Covers- Town Beach Coastal Maintenance	\$ 1,812.82
EFT74592	16/04/2024	BLACKWOODS	Uniforms- Depot	\$ 1,396.31
EFT74754	29/04/2024	BLACKWOODS	Welding Consumables- WMF	\$ 466.55
EFT74311	08/04/2024	BOC LIMITED	First Aid Medical Oxygen- BRAC	\$ 275.35
EFT74715	22/04/2024	BOC LIMITED	Oxygen Supply- WMF	\$ 22.56
EFT74755	29/04/2024	BOC LIMITED	Oxygen Supply- Depot	\$ 80.81
EFT74312	08/04/2024	BP AUSTRALIA PTY LTD - FUEL	Diesel Supply- Depot	\$ 15,762.22
EFT74653	18/04/2024	BP AUSTRALIA PTY LTD - FUEL	Diesel Supply- Depot	\$ 22,180.75
EFT74313	08/04/2024	BRENNAN IT PTY LTD	Software Annual Licensing Maintenance Support Fees- IT	\$ 23,658.15
EFT74756	29/04/2024	BRENNAN IT PTY LTD	Microsoft Annual Server Licensing- IT	\$ 3,880.69
EFT74757	29/04/2024	BROOKS HIRE	Watercart Hire- Fairway Drive Road Maintenance	\$ 4,569.51
EFT74314	08/04/2024	BROOME ALI WORX	Aluminium Benching & Consumables- Nursery	\$ 1,604.35
EFT74524	12/04/2024	BROOME ALI WORX	Plant & Equipment Maintenance- BRAC	\$ 2,981.00
EFT74315	08/04/2024	BROOME BASKETBALL ASSOCIATION INC	Community Sponsorship- Broome Basketball Association	\$ 1,000.00
EFT74747	23/04/2024	BROOME BOLT SUPPLIES WA PTY LTD	Materials- Concrete Footpath Joint Sealing	\$ 5,170.00
EFT74758	29/04/2024	BROOME BUSH SODAS	Catering Drinks- Skate Youth Week Event	\$ 500.00
EFT74593	16/04/2024	BROOME CAMPUS NORTH REGIONAL TAFE	Course Fees- A Sporting Chance	\$ 397.30
EFT74759	29/04/2024	BROOME CAMPUS NORTH REGIONAL TAFE	Chainsaw Skill Set- Organisational Training	\$ 1,717.80
EFT74594	16/04/2024	BROOME CHAMBER OF COMMERCE & INDUSTRY (INC) - BCCI	Community Sponsorship Program- Quick Response Grant	\$ 1,100.00
EFT74316	08/04/2024	BROOME CLEANAWAY	Waste Removal Services- Kimberley Regional Office	\$ 3,572.74
EFT74525	12/04/2024	BROOME CLEANAWAY	Bin Collection- BRAC	\$ 1,761.98
EFT74716	22/04/2024	BROOME CLEANAWAY	Kerbside Recycling Collection	\$ 135,419.02
EFT74595	16/04/2024	BROOME DOCTORS PRACTICE PTY LTD	Recruitment Expenses- Pre Employment Medicals	\$ 924.00
EFT74654	18/04/2024	BROOME DOCTORS PRACTICE PTY LTD	Recruitment Expenses- Pre Employment Medicals	\$ 528.00
EFT74655	18/04/2024	BROOME MOVIES (SUN CINEMAS - THE TWIN CINEMAS)	Easter Eggstravaganza Venue Hire	\$ 350.00
EFT74317	08/04/2024	BROOME PLUMBING & GAS	New Backflow Device- Civic Centre	\$ 900.00
EFT74472	10/04/2024	BROOME PLUMBING & GAS	Shower Wash Leak- Town Beach Water Park	\$ 1,548.00
EFT74656	18/04/2024	BROOME PLUMBING & GAS	Replacement Portable Gas BBQ- BRAC	\$ 850.00
EFT74760	29/04/2024	BROOME PLUMBING & GAS	Toilet Repairs- BRAC	\$ 1,897.00
EFT74318	08/04/2024	BROOME PROGRESSIVE SUPPLIES	Office Consumables- Depot	\$ 1,061.70
EFT74526	12/04/2024	BROOME PROGRESSIVE SUPPLIES	Milk- Shire Administration	\$ 56.49
EFT74596	16/04/2024	BROOME PROGRESSIVE SUPPLIES	Milk- Shire Administration	\$ 74.87
EFT74657	18/04/2024	BROOME PROGRESSIVE SUPPLIES	Kiosk Stock- BRAC	\$ 264.08

PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024				
PAYMENT #	Date	Name	Description	Amount
EFT74761	29/04/2024	BROOME PROGRESSIVE SUPPLIES	Kiosk Stock- BRAC	\$ 205.90
EFT74319	08/04/2024	BROOME SCOOTERS PTY LTD (KIMBERLEY MOWERS & SPARES)	Vacuum- Infrastructure	\$ 7,797.00
EFT74527	12/04/2024	BROOME SCRAP METAL	Refund- Creditors	\$ 9,043.65
EFT74300	05/04/2024	BROOME SHIRE INSIDE STAFF SOCIAL CLUB	Payroll Deductions/Contributions	\$ 740.00
EFT74696	19/04/2024	BROOME SHIRE INSIDE STAFF SOCIAL CLUB	Payroll Deductions/Contributions	\$ 740.00
EFT74301	05/04/2024	BROOME SHIRE OUTDOOR STAFF SOCIAL CLUB	Payroll Deductions/Contributions	\$ 930.00
EFT74697	19/04/2024	BROOME SHIRE OUTDOOR STAFF SOCIAL CLUB	Payroll Deductions/Contributions	\$ 870.00
EFT74320	08/04/2024	BROOME SMALL ENGINE SERVICES	Generator Servicing- Depot	\$ 323.50
EFT74321	08/04/2024	BROOME SURF LIFE SAVING CLUB INC	Venue Hire- Shire Christmas Party	\$ 2,425.00
EFT74717	22/04/2024	BROOME TOWING & SALVAGE	Vehicle Removal & Impounding	\$ 150.00
EFT74597	16/04/2024	BROOME TOYOTA	Vehicle Servicing- Depot	\$ 290.00
EFT74528	12/04/2024	BROOME TRAVEL CENTRE	Accommodation- Councillor Delegation To Taiji April 2024	\$ 5,245.24
EFT74762	29/04/2024	BROOME TRAVEL CENTRE	Transfer Delay Fee- Councillor Delegation To Taiji April 2024	\$ 47.54
EFT74718	22/04/2024	BROOME TV PTY LTD	Equipment Hire- Skate Park Event	\$ 1,500.00
EFT74763	29/04/2024	BROOME TV PTY LTD	Racing Simulator & Big Screen Hire- A Sporting Chance	\$ 1,100.00
EFT74473	10/04/2024	BROOME VETERINARY HOSPITAL	Vet Services- Pound Fees, Animal Destruction & Disposal	\$ 2,259.00
EFT74719	22/04/2024	BROOME VETERINARY HOSPITAL	Pound Facility- Monthly Rental	\$ 11,971.50
EFT74474	10/04/2024	BROOME VISITOR CENTRE	April Funding 2024 Payment- Visitor Centre	\$ 137,500.00
EFT74322	08/04/2024	BROOME CRETE	Rapid Set Concrete- Sign Maintenance	\$ 1,144.00
EFT74529	12/04/2024	BROOME CRETE	Concrete Sealer- Works	\$ 1,980.00
EFT74658	18/04/2024	BROOME CRETE	Concrete Sealant Gloss- Works Maintenance RFT22/02	\$ 4,807.00
EFT74720	22/04/2024	BROOME CRETE	Concrete Sealant Gloss- Works Maintenance RFT22/02	\$ 3,960.00
EFT74764	29/04/2024	BUNNINGS BROOME	Equipment- P&G	\$ 727.84
EFT74530	12/04/2024	BUSHY'S PIZZA	Catering- Youth Skate Week	\$ 2,017.00
EFT74765	29/04/2024	CABLE BEACH ELECTRICAL SERVICE	PowerPoint Repair- Nursery	\$ 528.00
EFT74531	12/04/2024	CABLE BEACH PAINTING SERVICES PTY LTD	Exterior Painting- Town Beach	\$ 3,580.00
EFT74721	22/04/2024	CABLE BEACH PAINTING SERVICES PTY LTD	Doors & Facia Painting- Civic Centre	\$ 1,000.00
EFT74766	29/04/2024	CABLE BEACH PAINTING SERVICES PTY LTD	ANZAC Memorial Paint Works- Bedford Park	\$ 4,000.00
EFT74475	10/04/2024	CABLE BEACH TYRE SERVICE PTY LTD ( GOODYEAR AUTOCARE BROOME )	Vehicle Tyre Fitting & Disposal- Depot	\$ 520.00
EFT74599	16/04/2024	CABLE BEACH TYRE SERVICE PTY LTD ( GOODYEAR AUTOCARE BROOME )	Wheel Alignment- Depot	\$ 140.00
EFT74767	29/04/2024	CABLE BEACH TYRE SERVICE PTY LTD ( GOODYEAR AUTOCARE BROOME )	Tipper Truck Tyre Fitting & Disposal- Depot	\$ 1,028.50

PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024				
PAYMENT #	Date	Name	Description	Amount
EFT74768	29/04/2024	CARIS TALBOT	Reimbursements- Staff	\$ 2,000.00
EFT74722	22/04/2024	CARPET PAINT & TILE CENTRE	Footpath Maintenance Chemicals- Town Beach	\$ 66.00
EFT74600	16/04/2024	CATALYSE RESEARCH & STRATEGY	Consultants- Animal Management Plan Development	\$ 18,425.00
EFT74323	08/04/2024	CBCA WA BRANCH (INC) CHILDRENS BOOK COUNCIL OF AUSTRALIA	Children's Book Council Australia Membership- Library	\$ 75.00
EFT74723	22/04/2024	CBRE PTY LTD	Consultancy Fees- Town Beach Cafe Redevelopment	\$ 4,950.00
EFT74703	22/04/2024	CHARTER PROPERTY GROUP PTY LTD	Staff Rent- May 2024	\$ 3,693.45
EFT74601	16/04/2024	CHEF ELBY	Catering- Civic Centre	\$ 6,150.00
EFT74602	16/04/2024	CHERIE SIBOSADO	Refund- Bond Civic Centre	\$ 1,050.00
EFT74302	05/04/2024	CHILD SUPPORT AGENCY	Payroll Deductions/Contributions	\$ 1,129.96
EFT74698	19/04/2024	CHILD SUPPORT AGENCY	Payroll Deductions/Contributions	\$ 1,129.96
EFT74289	04/04/2024	CHRISTOPHER MITCHELL	Monthly Councillor Sitting Fee & Allowances	\$ 8,493.75
EFT74769	29/04/2024	CJD EQUIPMENT PTY LTD	Machinery Parts & Maintenance- Depot	\$ 792.67
EFT74603	16/04/2024	CLARK EQUIPMENT SALES PTY LTD	Machinery Parts & Maintenance- Depot	\$ 377.45
EFT74324	08/04/2024	CLARK POOLS & SPAS BROOME ( NEW)	Pool Servicing- Staff Housing	\$ 76.14
EFT74325	08/04/2024	COAST & COUNTRY ELECTRICS	Light Panel Replacement- Shire Administration	\$ 12,764.29
EFT74476	10/04/2024	COAST & COUNTRY ELECTRICS	Replace Damaged Pit- Male Oval Lighting	\$ 1,478.40
EFT74532	12/04/2024	COAST & COUNTRY ELECTRICS	Plot Lighting Upgrades/Repairs- Civic Centre	\$ 898.26
EFT74604	16/04/2024	COAST & COUNTRY ELECTRICS	Lighting Replacements- Cemetery	\$ 3,636.92
EFT74659	18/04/2024	COAST & COUNTRY ELECTRICS	Replacement Ethernet Switch- Nipper Roe Field Lights	\$ 121.00
EFT74724	22/04/2024	COAST & COUNTRY ELECTRICS	Exhaust Fan Replacements- WMF	\$ 1,186.12
EFT74770	29/04/2024	COAST & COUNTRY ELECTRICS	Street Lighting Repairs- Various Locations	\$ 3,307.70
EFT74660	18/04/2024	COCA COLA AMATIL (HOLDINGS) LTD	Kiosk Stock- BRAC	\$ 519.68
EFT74771	29/04/2024	COCA COLA AMATIL (HOLDINGS) LTD	Kiosk Stock- BRAC	\$ 2,101.73
EFT74506	11/04/2024	CONNECT CALL CENTRE SERVICES	Call Centre License Maintenance & Support - IT	\$ 321.71
EFT74725	22/04/2024	CONNECT CALL CENTRE SERVICES	Call Centre License Maintenance & Support - IT	\$ 287.94
EFT74661	18/04/2024	CORPUS CONTRACTING	Shade Structure Repairs- Gantheaume Point	\$ 1,200.00
EFT74326	08/04/2024	CORSIGN WA PTY LTD	Signage- Works Maintenance	\$ 6,693.50
EFT74534	12/04/2024	CORSIGN WA PTY LTD	Signage- Works Maintenance	\$ 1,492.70
EFT74772	29/04/2024	COSSEYS EARTHWORKS	Machinery Hire- Conti Foreshore Footpath Works	\$ 1,386.00
EFT74773	29/04/2024	COURTNEY WATERS	Refund- Rates	\$ 4,061.13
EFT74327	08/04/2024	CS LEGAL	Debt Collection Fees- RFQ19-37	\$ 4,897.73
EFT74726	22/04/2024	DAMIEN SMITH DESIGN PTY LTD	Sam Male Lugger- Conservation Recommendation Report	\$ 800.00
EFT74605	16/04/2024	DATAFUEL FINANCIAL SYSTEMS PTY LTD	Software Annual License- IT	\$ 544.50
EFT74535	12/04/2024	DECKNICIANS WA PTY LTD	Floor Polishing- Civic Centre	\$ 462.00

PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024				
PAYMENT #	Date	Name	Description	Amount
EFT74774	29/04/2024	DEHUMIDIFIERS AUSTRALIA PTY LTD	Dehumidifier- Library	\$ 4,756.40
EFT74328	08/04/2024	DENCO DIESEL AND TURBO	Plant & Equipment Maintenance & Repairs- Depot	\$ 3,735.07
EFT74502	11/04/2024	DEPARTMENT OF MINES, INDUSTRY AND SAFETY - BUILDING & ENERGY (PREVIOUSLY BUILDING COMMISSION)	Building Services Levy - February 2024	\$ 20,650.67
EFT74504	11/04/2024	DEPARTMENT OF MINES, INDUSTRY AND SAFETY - BUILDING & ENERGY (PREVIOUSLY BUILDING COMMISSION)	Building Services Levy - March 2024	\$ 8,030.78
EFT74507	11/04/2024	DEPARTMENT OF MINES, INDUSTRY AND SAFETY - BUILDING & ENERGY (PREVIOUSLY BUILDING COMMISSION)	Building Service Levy Amendment - November 2023	\$ 3.01
EFT74290	04/04/2024	DESIREE MALE	Monthly Councillor Sitting Fee & Allowances	\$ 3,687.40
EFT74329	08/04/2024	DMK - THE KITCHEN	Catering- Ordinary Council Meeting	\$ 221.00
EFT74536	12/04/2024	DOMINIC RANN	Umpiring- Mixed Netball	\$ 245.00
EFT74775	29/04/2024	DUANE COLEMAN	Refund- Rates	\$ 1,315.88
EFT74330	08/04/2024	E & M J ROSHER PTY LTD	Scarifying Knives- Depot	\$ 1,848.60
EFT74606	16/04/2024	E & M J ROSHER PTY LTD	Turf Renovator Mower- Depot RFQ 22-31	\$ 82,661.60
EFT74303	05/04/2024	EASISALARY PTY LTD T/A EASI	Payroll Deductions/Contributions	\$ 7,590.57
EFT74699	19/04/2024	EASISALARY PTY LTD T/A EASI	Payroll Deductions/Contributions	\$ 6,382.28
EFT74331	08/04/2024	EFTSURE PTY LTD	Annual Subscriptions- IT	\$ 6,029.96
EFT74662	18/04/2024	ELGAS LTD	Gas Cylinder Supply- BRAC	\$ 241.99
EFT74776	29/04/2024	ELIZABETH MANERA	Rebates- Compost & Dual Bin	\$ 124.50
EFT74291	04/04/2024	ELLEN SMITH	Monthly Councillor Sitting Fee & Allowances	\$ 2,314.17
EFT74607	16/04/2024	EQUAL ACCESS GROUP PTY LTD	Blue Bollards for ACROD Parking- Chinatown	\$ 3,618.00
EFT74332	08/04/2024	ETC SOLUTIONS	Irrigation Redesign Documentation- Cable Beach Foreshore Upgrade	\$ 1,309.00
EFT74333	08/04/2024	FIRE & SAFETY SERVICES COMPANY	Routine Fire Equipment Servicing- Civic Centre	\$ 876.15
EFT74537	12/04/2024	FIRE & SAFETY SERVICES COMPANY	Routine Fire Equipment Servicing- Civic Centre	\$ 220.00
EFT74508	11/04/2024	FIRST NATIONAL REAL ESTATE BROOME	Staff Rent- May 2024	\$ 3,571.50
EFT74704	22/04/2024	FIRST NATIONAL REAL ESTATE BROOME	Staff Rent- May 2024	\$ 10,080.95
EFT74727	22/04/2024	FIRST NATIONAL REAL ESTATE BROOME	Electricity Charges- Staff Housing	\$ 129.51
EFT74705	22/04/2024	FIRST NATIONAL REAL ESTATE BROOME - COMMERCIAL TRUST	Shire Storage Rent- May 2024	\$ 300.00
EFT74334	08/04/2024	FIT2WORK	Police Clearance Checks- HR	\$ 704.00
EFT74608	16/04/2024	FIT2WORK	Police Clearance Checks- HR	\$ 440.00

PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024				
PAYMENT #	Date	Name	Description	Amount
EFT74304	05/04/2024	FLEET NETWORK	Payroll Deductions/Contributions	\$ 631.65
EFT74700	19/04/2024	FLEET NETWORK	Payroll Deductions/Contributions	\$ 631.65
EFT74335	08/04/2024	FOCUS NETWORKS (PROGRESSIVE CREATIVE SOLUTIONS)	Support Contract Consultants- IT	\$ 902.00
EFT74538	12/04/2024	FOOTPRINT CLEANING (EMPOWER3 PTY LTD)	Toilet Roll Dispensers- Town Beach, Cable Beach & Civic Centre	\$ 3,356.14
EFT74609	16/04/2024	FOOTPRINT CLEANING (EMPOWER3 PTY LTD)	Full Vacate Clean- Staff Housing	\$ 793.10
EFT74728	22/04/2024	FOOTPRINT CLEANING (EMPOWER3 PTY LTD)	Footpath Clean and Seal - Chinatown Works Maintenance RFQ24-04	\$ 30,360.00
EFT74777	29/04/2024	FOOTPRINT CLEANING (EMPOWER3 PTY LTD)	Sealing & Pressure Cleaning- Streeter Jetty	\$ 5,030.25
EFT74336	08/04/2024	FORCH WA PTY LTD	Workshop Consumables- Depot	\$ 11.83
EFT74610	16/04/2024	FUEL TRANS AUSTRALIA PTY LTD T/A RECHARGE PETROLEUM (BP BROOME CENTRAL)	Unleaded Petrol- Depot	\$ 1,394.80
EFT74611	16/04/2024	FULTON HOGAN INDUSTRIES PTY LTD / PIONEER ROAD SERVICES	Pothole Repairs- Cable Beach	\$ 3,590.40
EFT74337	08/04/2024	FUNERGY (DIX INITIATIVES PTY LTD)	DJ- Youth Week Skate Friday Event	\$ 2,332.00
EFT74663	18/04/2024	FUNERGY (DIX INITIATIVES PTY LTD)	Easter Bunny & Easter Basket Making- Eggstravaganza Event	\$ 1,760.00
EFT74778	29/04/2024	G. BISHOPS TRANSPORT SERVICES PTY LTD	Freight Charges- Multiple Depot, Works & P&G Orders	\$ 3,162.78
EFT74706	22/04/2024	GARRY & JACQUELINE KING	Staff Rent- May 2024	\$ 3,764.33
EFT74539	12/04/2024	GLENN BARWICK	Umpiring- Mixed Netball	\$ 175.00
EFT74540	12/04/2024	GO GO MEDIA	FM Radio Service- BRAC	\$ 198.00
EFT74779	29/04/2024	GOOD EARTH GARDEN PRODUCTS PTY LTD	Potting Mix- Nursery	\$ 644.99
EFT74612	16/04/2024	HAMES SHARLEY	Broome Precinct Structure Plans- Cable Beach & Chinatown/Old Broome	\$ 1,567.50
EFT74477	10/04/2024	HANG ME U.P. BROOME	Macrame Workshop- BRAC	\$ 250.00
EFT74478	10/04/2024	HARMONY HORTICULTURE	Herbicide Application- P&G	\$ 6,506.50
EFT74541	12/04/2024	HARMONY HORTICULTURE	Weed Control- Sector 1 Drainage Network RFQ 23-01	\$ 715.00
EFT74729	22/04/2024	HARMONY HORTICULTURE	Weed Control- Wattle Drive Remediation Site RFQ 23-01	\$ 12,083.50
EFT74780	29/04/2024	HERBERT SMITH FREEHILLS	Legal Expenses- Lease Renewal	\$ 1,533.18
EFT74613	16/04/2024	HOIST SALES & HYDRAULIC REPAIRS PTY LTD	Pin Kits- Depot	\$ 716.10
EFT74664	18/04/2024	HOLDFAST FLUID POWER NW PTY LTD	Machinery Parts & Maintenance- Depot	\$ 96.77
EFT74338	08/04/2024	HORIZON POWER (ELECTRICITY USAGE)	Electricity Charges- BRAC Administration	\$ 13,552.00
EFT74479	10/04/2024	HORIZON POWER (ELECTRICITY USAGE)	Electricity Charges- Street Lighting	\$ 92,062.28
EFT74542	12/04/2024	HORIZON POWER (ELECTRICITY USAGE)	Electricity Usage- KRO	\$ 19,785.46
EFT74614	16/04/2024	HORIZON POWER (ELECTRICITY USAGE)	Electricity Usage- BRAC	\$ 4,992.76
EFT74665	18/04/2024	HORIZON POWER (ELECTRICITY USAGE)	Electricity Usage- Haynes Oval	\$ 1,592.46

PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024				
PAYMENT #	Date	Name	Description	Amount
EFT74509	11/04/2024	HOST CORPORATION PTY LTD	Dishwasher Replacement- Civic Centre	\$ 4,728.90
EFT74480	10/04/2024	HT CLEANING SERVICES PTY LTD	Cleaning Services- BRAC	\$ 6,108.04
EFT74510	11/04/2024	HT CLEANING SERVICES PTY LTD	Event Cleaning- Civic Centre	\$ 505.38
EFT74543	12/04/2024	HT CLEANING SERVICES PTY LTD	Cleaning Services- Shire Administration	\$ 3,237.30
EFT74615	16/04/2024	HT CLEANING SERVICES PTY LTD	Event Cleaning- Civic Centre	\$ 849.49
EFT74666	18/04/2024	HT CLEANING SERVICES PTY LTD	Cleaning Consumables- Various Shire Locations	\$ 5,405.31
EFT74781	29/04/2024	HT CLEANING SERVICES PTY LTD	Cleaning Services- Various Shire Facilities	\$ 48,194.86
EFT74707	22/04/2024	HUTCHINSON REAL ESTATE	Staff Rent- May 2024	\$ 10,971.71
EFT74339	08/04/2024	INDUSTRIAL AUTOMATION GROUP	Lighting Repairs & Maintenance- Father McMahon Oval	\$ 446.60
EFT74340	08/04/2024	INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALIA LTD	Professional Certificate in Asset Management- Organisational Training	\$ 3,410.00
EFT74544	12/04/2024	IP & ST ELSON PTY LTD	Crossover Subsidies- Infrastructure	\$ 1,000.00
EFT74292	04/04/2024	JANET LEWIS	Monthly Councillor Sitting Fee & Allowances	\$ 2,314.17
EFT74341	08/04/2024	JANI MURPHY & ASSOCIATES	Email Mastery Online Course- Organisational Training	\$ 3,245.00
EFT74616	16/04/2024	JAPANESE TRUCK AND BUS SPARES PTY LTD	Vehicle Parts- Depot	\$ 179.60
EFT74667	18/04/2024	JAPANESE TRUCK AND BUS SPARES PTY LTD	Replacement Parts- Tipper Truck	\$ 350.15
EFT74511	11/04/2024	JAYE SMOKER ( UNBOUND SOUND )	Sound Equipment and Labor- Civic Centre	\$ 2,447.50
EFT74617	16/04/2024	JAYE SMOKER ( UNBOUND SOUND )	Performance Production Expenses- Civic Centre	\$ 1,100.00
EFT74342	08/04/2024	JENNIFER BROWN	Catering- A Sporting Chance	\$ 150.00
EFT74618	16/04/2024	JENNIFER BULLEN	Refund- Rates	\$ 828.72
EFT74293	04/04/2024	JOHANI MAMID	Monthly Councillor Sitting Fee & Allowances	\$ 2,314.17
EFT74343	08/04/2024	JTAGZ PTY LTD	Tags- Animal Control	\$ 260.98
EFT74782	29/04/2024	JUST RECYCLE IT PTY LTD	Green Waste Mulching- WMF RFT 22-11	\$ 17,442.15
EFT74344	08/04/2024	KAON SECURITY (Custom House Financial (UK) Ltd)	Subscription- IT	\$ 40.00
EFT74545	12/04/2024	KARRATHA ASPHALT (CORPS & MANNING PAVEMENT SERVICES PTY LTD )	Reseal Program As Per Contract- Works CON 22-03	\$ 274,973.85
EFT74619	16/04/2024	KARRATHA ASPHALT (CORPS & MANNING PAVEMENT SERVICES PTY LTD )	Seal & Prime Pavement Works- Cable Beach Redevelopment CON 22-03	\$ 21,653.78
EFT74546	12/04/2024	KCTT	Safety Audit Traffic Assessment- BRAC	\$ 3,541.18
EFT74345	08/04/2024	KENNARDS HIRE	Excavator Hire Drain Maintenance- Works	\$ 2,153.72
EFT74783	29/04/2024	KENNARDS HIRE	Excavator Hire- Works Maintenance	\$ 4,241.43
EFT74668	18/04/2024	KIMBERLEY CONTRACTING	Supply & Application Daily Landfill Cover- WMF RFT 23-07	\$ 36,300.00
EFT74730	22/04/2024	KIMBERLEY CONTRACTING (MCKENO BLOCKS & PAVERS)	Tyre Shredding & Transport Bags- WMF	\$ 23,458.60
EFT74669	18/04/2024	KIMBERLEY FITNESS & SUPPORT SERVICES	Group Fitness Instructor- BRAC	\$ 1,452.00



PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024				
PAYMENT #	Date	Name	Description	Amount
EFT74670	18/04/2024	KIMBERLEY FUEL & OIL SERVICES	Consumables- Depot	\$ 445.30
EFT74784	29/04/2024	KIMBERLEY FUEL & OIL SERVICES	Vehicle Parts & Maintenance- Depot	\$ 456.92
EFT74346	08/04/2024	KIMBERLEY SECURITY SYSTEMS	Security System Repairs- Civic Centre	\$ 143.00
EFT74731	22/04/2024	KIMBERLEY SECURITY SYSTEMS	Alarm System Repairs- Civic Centre	\$ 231.15
EFT74547	12/04/2024	KIMBERLEY TRAFFIC MANAGEMENT - KTM	Traffic Management- Gantheaume Point Road	\$ 15,686.00
EFT74671	18/04/2024	KIMBERLEY TRAFFIC MANAGEMENT - KTM	Traffic Management- Shire Reseal Program And Line Marking	\$ 20,930.25
EFT74732	22/04/2024	KIMBERLEY TREE CARE	Tree Lopping- Cable Beach Car Park & Grass Area	\$ 5,720.00
EFT74347	08/04/2024	KIMBERLEY TRUSS (NORTRUSS (NT) PTY LTD)	Form Ply- Works Maintenance	\$ 515.02
EFT74733	22/04/2024	KIMBERLEY TRUSS (NORTRUSS (NT) PTY LTD)	Protective Equipment- P&G	\$ 586.80
EFT74548	12/04/2024	KO CONTRACTING PTY LTD	Line Marking & Give Way Signs- Works Maintenance	\$ 3,481.50
EFT74620	16/04/2024	KO CONTRACTING PTY LTD	Kerbing Reinstating- McPherson Street	\$ 8,690.00
EFT74734	22/04/2024	KO CONTRACTING PTY LTD	ACROD Bays- Chinatown (Streeters)	\$ 3,058.00
EFT74481	10/04/2024	KOLORS PTY LTD (PINDAN PRINTING)	Warning Signs Maintenance- Rangers	\$ 339.33
EFT74621	16/04/2024	KOLORS PTY LTD (PINDAN PRINTING)	Branded Notepads- Community Engagement Stall Promotional Material	\$ 1,531.20
EFT74672	18/04/2024	KOLORS PTY LTD (PINDAN PRINTING)	Street Number Reflective Stickers- Works Maintenance	\$ 110.00
EFT74735	22/04/2024	KOLORS PTY LTD (PINDAN PRINTING)	Vinyl Stickers Clean Up & Dogs On Leash- Ranger Services	\$ 1,464.28
EFT74785	29/04/2024	KOLORS PTY LTD (PINDAN PRINTING)	Corflute Printing- Plan Festival	\$ 299.20
EFT74549	12/04/2024	KRISTY BECKINGHAM	Umpiring- Mixed Netball	\$ 140.00
EFT74622	16/04/2024	LAIRD TRAN STUDIO	Consultant Services - Administration Office Layout	\$ 440.00
EFT74348	08/04/2024	LANDGATE	Broome Townsite Imagery- IT	\$ 221.10
EFT74550	12/04/2024	LAUREN PLUMMER	Umpiring- Mixed Netball	\$ 140.00
EFT74482	10/04/2024	LEISURE INSTITUTE OF WA AQUATICS (INC) LIWA	Aquatics Membership- BRAC	\$ 140.00
EFT74305	05/04/2024	LGRCEU	Payroll Deductions/Contributions	\$ 88.00
EFT74701	19/04/2024	LGRCEU	Payroll Deductions/Contributions	\$ 88.00
EFT74623	16/04/2024	LHM FABRICATION & FENCING	Fencing- BOSSCA	\$ 5,500.00
EFT74673	18/04/2024	LHM FABRICATION & FENCING	Fencing, Gates & Bollards Installations- Various Locations	\$ 19,387.50
EFT74736	22/04/2024	LIFT 'N' RIG PTY LTD	Crane Hire- WMF	\$ 935.00
EFT74786	29/04/2024	LIGHT APPLICATION PTY LTD	Remote Access- Civic Centre Building Renewal	\$ 6,957.70
EFT74787	29/04/2024	LINDA ZANOLINI	Travel Reimbursement- Staff	\$ 592.73
EFT74788	29/04/2024	LINMAC BEARING EQUIPMENT	Machinery Parts & Maintenance- Depot	\$ 401.51
EFT74674	18/04/2024	LOCK & LOAD LASER TAG	Laser Tag- BRAC	\$ 660.00
EFT74624	16/04/2024	LO-GO APPOINTMENTS	Relief Staff- Rangers	\$ 27,800.30
EFT74625	16/04/2024	M KELLY AIRCONDITIONING	Replacement Air-Conditioning Units- Visitor Centre RFQ 23-18	\$ 90,895.38
EFT74626	16/04/2024	MAMMOTH SECURITY PTY LTD	Security Monitoring Services- Shire Administration	\$ 163.52

PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024				
PAYMENT #	Date	Name	Description	Amount
EFT74675	18/04/2024	MAMMOTH SECURITY PTY LTD	Security Alarm Monitoring- Shire Facilities	\$ 1,039.24
EFT74737	22/04/2024	MANDALAY TECHNOLOGIES PTY LTD	Subscription Renewal- Waste Management Software	\$ 38,214.52
EFT74349	08/04/2024	MARK RENWICK	Rebates- Compost Subsidy	\$ 122.50
EFT74350	08/04/2024	MARKETFORCE(OMNICOM)	Newspaper Advertising	\$ 891.64
EFT74551	12/04/2024	MARKETFORCE(OMNICOM)	Newspaper Advertising	\$ 699.13
EFT74789	29/04/2024	MARKETFORCE(OMNICOM)	West Australian Advertising- Local Government Notices	\$ 870.19
EFT74790	29/04/2024	MBC PLUMBING	Drain Blockage Repairs- Lotteries House	\$ 709.50
EFT74351	08/04/2024	MCCORRY BROWN EARTHMOVING PTY LTD	Boat Ramp Construction- Town Beach Redevelopment RFT 23-07	\$ 8,761.17
EFT74552	12/04/2024	MCCORRY BROWN EARTHMOVING PTY LTD	Boat Ramp Construction- Town Beach Redevelopment RFT 23-08	\$ 22,335.50
EFT74352	08/04/2024	MCINTOSH & SON	Machinery Parts & Maintenance- Depot	\$ 968.10
EFT74353	08/04/2024	MCMULLEN NOLAN GROUP PTY LTD (MNG)	Cable Beach Carpark- Works Maintenance RFT20/02	\$ 1,705.00
EFT74294	04/04/2024	MELANIE VIRGO	Monthly Councillor Sitting Fee & Allowances	\$ 2,314.17
EFT74554	12/04/2024	MELISSA MARTIN	Training Reimbursements- Transport & Meals	\$ 381.43
EFT74354	08/04/2024	MINETRANS PTY LTD	Machinery Parts & Maintenance- WMF	\$ 6,352.50
EFT74676	18/04/2024	MINETRANS PTY LTD	Machinery Parts & Maintenance- Depot	\$ 195.80
EFT74627	16/04/2024	MIRLI MIRLI PTY LTD TRADING AS OFFICE NATIONAL BROOME	Replacement Register- Library	\$ 874.53
EFT74677	18/04/2024	MIRLI MIRLI PTY LTD TRADING AS OFFICE NATIONAL BROOME	Register Rolls & Disposable Cups- Library	\$ 45.11
EFT74738	22/04/2024	MIRLI MIRLI PTY LTD TRADING AS OFFICE NATIONAL BROOME	Office Furniture- Depot	\$ 590.00
EFT74628	16/04/2024	MITCHELL FRANKLYN-FOWLER	Manager For Seventh Wonder Event- Civic Centre	\$ 385.00
EFT74791	29/04/2024	MOORE AUSTRALIA AUDIT (WA)	Consultants- Long Term Financial Planning Review	\$ 391.33
EFT74739	22/04/2024	NEIL MANSELL TRANSPORT PTY LTD	Consumables- WMF	\$ 69.52
EFT74629	16/04/2024	NINTEX PTY LTD	Promapp Enterprise Package- IT Annual Licence	\$ 32,132.10
EFT74355	08/04/2024	NORTH WEST COAST SECURITY	Security Services- Shire Administration	\$ 132.00
EFT74484	10/04/2024	NORTH WEST COAST SECURITY	Security Services- Shire Facilities	\$ 10,595.84
EFT74512	11/04/2024	NORTH WEST COAST SECURITY	Security Services- Library	\$ 2,288.00
EFT74555	12/04/2024	NORTH WEST COAST SECURITY	Security Services- Library	\$ 2,574.00
EFT74630	16/04/2024	NORTH WEST COAST SECURITY	Security Services- Civic Centre Events	\$ 2,109.25
EFT74678	18/04/2024	NORTH WEST COAST SECURITY	Security Services- Various Shire Facilities	\$ 7,827.92
EFT74356	08/04/2024	NORTH WEST LOCKSMITHS	Service & Repair Locks- Civic Centre	\$ 380.00
EFT74740	22/04/2024	NORTH WEST LOCKSMITHS	Bilock Padlock- Animal Control Expenses	\$ 130.00
EFT74679	18/04/2024	NORTH WEST MOTOR GROUP PTY LTD - BROOME TOYOTA	Vehicle Replacement- Depot RFQ 22-34	\$ 62,796.38



PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024				
PAYMENT #	Date	Name	Description	Amount
EFT74792	29/04/2024	NORTH WEST MOTOR GROUP PTY LTD - BROOME TOYOTA	Vehicle Replacement- Depot RFQ 22-34	\$ 185,857.39
EFT74741	22/04/2024	NORTHERN LANDSCAPES WA	Fence Repair- Rangers	\$ 2,222.00
EFT74485	10/04/2024	NORWEST MONUMENTAL	Granite Slopes- Cemetery Works	\$ 9,197.10
EFT74357	08/04/2024	NORWEST PEST MANAGEMENT	Palm Beetle Treatment- P&G	\$ 3,537.60
EFT74631	16/04/2024	NUTRIEN AG SOLUTIONS	Liquid Herbicide Supply- P&G Maintenance	\$ 3,480.61
EFT74358	08/04/2024	NYAMBA BURU YAWURU LTD	Reconciliation Week Markets- Welcome to Country & Smoking Ceremony	\$ 1,375.00
EFT74556	12/04/2024	OFFICE NATIONAL BROOME	Equipment Maintenance & Supplies- IT	\$ 549.23
EFT74680	18/04/2024	ONCELL SYSTEMS INC	Software Subscription- IT	\$ 2,495.00
EFT74742	22/04/2024	OPTEON PROPERTY GROUP PTY LTD	Market Rental Valuation- Staff Housing	\$ 1,980.00
EFT74681	18/04/2024	PEARL COAST DISTRIBUTORS	Kiosk Stock- BRAC	\$ 2,096.32
EFT74793	29/04/2024	PEARL COAST DISTRIBUTORS	Kiosk Stock- BRAC	\$ 728.39
EFT74557	12/04/2024	PERFORMANCE TINTING	John Deere Mower Windscreen Replacement- Depot	\$ 1,650.00
EFT74794	29/04/2024	PERTH PLAYGROUND & RUBBER PTY LTD	Replacement of Existing Softfall- Town Beach & Tanami Park RFQ23-28	\$ 125,026.00
EFT74708	22/04/2024	PETER RULAND & SARAH LLOYD-MOSTYN	Staff Rent- May 2024	\$ 2,607.14
EFT74295	04/04/2024	PETER TAYLOR	Monthly Councillor Sitting Fee & Allowances	\$ 2,314.17
EFT74296	04/04/2024	PHILLIP MATSUMOTO	Monthly Councillor Sitting Fee & Allowances	\$ 2,314.17
EFT74486	10/04/2024	POOL WISDOM	Water Testing- Town Beach Water Park	\$ 550.00
EFT74558	12/04/2024	POOL WISDOM	Pool Chemicals- BRAC	\$ 1,732.50
EFT74632	16/04/2024	POOL WISDOM	Pool Chemicals- BRAC	\$ 1,458.60
EFT74682	18/04/2024	POOL WISDOM	Pool Chemicals- BRAC	\$ 2,565.20
EFT74795	29/04/2024	POOL WISDOM	Pool Chemicals- BRAC	\$ 4,247.54
EFT74709	22/04/2024	PRD NATIONWIDE	Staff Rent- May 2024	\$ 4,106.25
EFT74359	08/04/2024	PRINTING IDEAS	Signage- Cable Beach Redevelopment	\$ 1,550.23
EFT74559	12/04/2024	PRINTING IDEAS	Career Expo 2024 Signs	\$ 77.00
EFT74796	29/04/2024	PRITCHARD FRANCIS CONSULTING PTY LTD	Structural Engineering Consultancy Services- Catalina Retaining Wall	\$ 2,062.50
EFT74360	08/04/2024	Q.S. SERVICES	Consultants Engineering- BRAC	\$ 1,705.00
EFT74361	08/04/2024	QUEEN TIDE CREATIVE	Event Photography- Youth Skate Event	\$ 330.00
EFT74487	10/04/2024	QUEEN TIDE CREATIVE	Photography- Chinatown Easter Eggstravaganza Event	\$ 660.00
EFT74560	12/04/2024	QUEEN TIDE CREATIVE	Portrait Photography- Council Executives	\$ 715.00
EFT74633	16/04/2024	QUEEN TIDE CREATIVE	Video Ad Campaign- A Future For Everyone	\$ 8,486.50
EFT74683	18/04/2024	QUEEN TIDE CREATIVE	Event Photography	\$ 660.00

PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024				
PAYMENT #	Date	Name	Description	Amount
EFT74797	29/04/2024	QUEEN TIDE CREATIVE	Portrait Photography- Councillors	\$ 396.00
EFT74561	12/04/2024	R WOODWARD CONSTRUCTIONS PTY LTD	Pond Wall Repairs- Cable Beach House	\$ 5,335.00
EFT74710	22/04/2024	RAY WHITE BROOME (STAFF RENTAL PAYMENTS)	Staff Rent- May 2024	\$ 3,823.81
EFT74362	08/04/2024	RED DIRT AUTO ELECTRICAL PTY LTD	Wheel Loader Air-Conditioner Repairs- Depot	\$ 1,549.35
EFT74634	16/04/2024	RED DIRT AUTO ELECTRICAL PTY LTD	Fuel Shut Down Solenoid- Depot	\$ 656.20
EFT74743	22/04/2024	RED DIRT AUTO ELECTRICAL PTY LTD	Machinery Parts & Maintenance- Depot	\$ 203.95
EFT74798	29/04/2024	RED DIRT AUTO ELECTRICAL PTY LTD	Equipment- Depot	\$ 431.85
EFT74562	12/04/2024	RM SURVEYS PTY LTD	Survey, Telstra Service Location- RRRP Site PRP-2941	\$ 12,551.00
EFT74563	12/04/2024	ROEBUCK BAY HOTEL	Refreshments & Receptions- Council Members	\$ 91.78
EFT74635	16/04/2024	ROEBUCK BAY HOTEL	Alcohol Stock- Civic Centre	\$ 3,826.79
EFT74488	10/04/2024	ROEBUCK TREE SERVICE	Removal of Shire Tree & Stump- Old Broome	\$ 528.00
EFT74564	12/04/2024	ROEBUCK TREE SERVICE	Tree Maintenance- Cable Beach	\$ 1,540.00
EFT74565	12/04/2024	ROYAL LIFE SAVING SOCIETY - WA	Learn to Swim Program- BRAC	\$ 99.60
EFT74811	29/04/2024	ROYAL LIFE SAVING SOCIETY - WA	Swim Teaching Course- BRAC	\$ 1,440.00
EFT74636	16/04/2024	SALVATORE MASTROLEMBO	Reimbursements- Staff	\$ 1,239.71
EFT74297	04/04/2024	SEAN COOPER	Monthly Councillor Sitting Fee & Allowances	\$ 2,762.07
EFT74566	12/04/2024	SEAT ADVISOR PTY LTD	Ticket Sales- Civic Centre	\$ 286.11
EFT74567	12/04/2024	SECUREPAY PTY LTD	Security- Civic Centre	\$ 51.98
EFT74568	12/04/2024	SECUREX SECURITY PTY LTD	Security Systems Upgrade- Library	\$ 5,364.13
EFT74684	18/04/2024	SECUREX SECURITY PTY LTD	Security Swipe Cards- Administration Building	\$ 77.00
EFT74489	10/04/2024	SEEK LIMITED	Recruitment Expenses- Advertising	\$ 2,799.50
EFT74637	16/04/2024	SEEK LIMITED	Recruitment Expenses- Advertising	\$ 1,083.50
EFT74799	29/04/2024	SEEK LIMITED	Recruitment Expenses- Advertising	\$ 775.50
EFT74685	18/04/2024	SERIOUS AIR	Equipment Parts & Maintenance- Depot	\$ 661.00
EFT74513	11/04/2024	SHANE HUGHES	Oral History Interview By Shane Hughes- Library	\$ 840.00
EFT74490	10/04/2024	SHENTON ENTERPRISES PTY LTD T/A JOHN SHENTON PUMPS	Water Testing- Town Beach Water Park	\$ 265.00
EFT74569	12/04/2024	SHENTON ENTERPRISES PTY LTD T/A JOHN SHENTON PUMPS	Pool Parts & General Maintenance- BRAC	\$ 1,210.00
EFT74800	29/04/2024	SHENTON ENTERPRISES PTY LTD T/A JOHN SHENTON PUMPS	Dosing Pump Replacement- BRAC	\$ 6,982.80
EFT74570	12/04/2024	SHINJU MATSURI INC COMMITTEE	Refund- Creditors	\$ 1,058.95
EFT74503	11/04/2024	SHIRE OF BROOME	Building Services Levy - February 2024	\$ 140.00
EFT74505	11/04/2024	SHIRE OF BROOME	Building Services Levy - March 2024	\$ 140.00

PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024				
PAYMENT #	Date	Name	Description	Amount
EFT74801	29/04/2024	SITE ENVIRONMENTAL & REMEDIATION SERVICES PTY LTD (SERS)	Detailed Site Investigation- BRAC RFQ 23/07	\$ 151,723.00
EFT74638	16/04/2024	SOUTH METROPOLITAN TAFE	Organisational Training- Cert III in Parks and Gardens	\$ 441.50
EFT74491	10/04/2024	SOUTHERN CROSS AUSTEREO (SCA)	Radio Advertising- Fight The Bite Campaign	\$ 1,600.50
EFT74514	11/04/2024	SOUTHERN CROSS AUSTEREO (SCA)	Radio Advertising- Civic Centre	\$ 1,126.40
EFT74639	16/04/2024	SOUTHERN CROSS AUSTEREO (SCA)	Radio Advertising- Fight The Bite Campaign	\$ 2,119.70
EFT74686	18/04/2024	SOUTHERN CROSS AUSTEREO (SCA)	Radio Advertising- Triple M And Hit FM	\$ 1,853.50
EFT74306	05/04/2024	SPA SALARY PACKAGING AUSTRALIA	Payroll Deductions/Contributions	\$ 603.22
EFT74702	19/04/2024	SPA SALARY PACKAGING AUSTRALIA	Payroll Deductions/Contributions	\$ 603.22
EFT74640	16/04/2024	SPACETOCO PTY LTD	Partner Pro Bundle- IT	\$ 1,650.00
EFT74802	29/04/2024	SPORTS STAR TROPHIES	Replacement Medal Plaques- BRAC Mixed Netball Program	\$ 70.00
EFT74803	29/04/2024	SPORTSPOWER BROOME	New Rashies- BRAC Swim School Staff	\$ 510.00
EFT74744	22/04/2024	ST JOHN AMBULANCE AUSTRALIA (WA) INC	Staff Training- First Aid Mental Health	\$ 4,968.00
EFT74641	16/04/2024	STATE LIBRARY OF WA	Sierra System Recoup- Library	\$ 9,242.47
EFT74515	11/04/2024	STRATAGREEN (FORMERLY GREENWAY ENTERPRISES)	Weed Control Supplies- Nursery	\$ 1,435.86
EFT74571	12/04/2024	STRATAGREEN (FORMERLY GREENWAY ENTERPRISES)	Tools & Equipment- P&G	\$ 1,955.84
EFT74572	12/04/2024	STRATCO WA PTY LTD	Sign Maintenance- Works	\$ 3,021.05
EFT74573	12/04/2024	STREETER & MALE PTY MITRE 10	Newspapers- Library	\$ 93.50
EFT74642	16/04/2024	STUART CUMMING	Refund- Building Permit	\$ 171.65
EFT74643	16/04/2024	T - QUIP	Equipment Parts & Maintenance- P&G	\$ 482.81
EFT74687	18/04/2024	T - QUIP	Machinery Parts & Maintenance- Depot	\$ 957.45
EFT74492	10/04/2024	TALIS CONSULTANTS	Monocell Filling Closure Plan- Community Recycling Centre	\$ 16,181.00
EFT74493	10/04/2024	TAPPED PLUMBING & GAS PTY LTD	Plumbing Repairs- Staff Housing	\$ 145.20
EFT74574	12/04/2024	TAPPED PLUMBING & GAS PTY LTD	Plumbing Repairs- Staff Housing	\$ 1,998.70
EFT74812	29/04/2024	TAPPED PLUMBING & GAS PTY LTD	Plumbing Works- BRAC & Various Roundabouts	\$ 7,326.00
EFT74804	29/04/2024	TEAM GLOBAL EXPRESS PTY LTD (TOLL PRIORITY)	Freight- Depot Equipment Parts	\$ 577.05
EFT74644	16/04/2024	TECHNOLOGY ONE LTD	SaaS Fee- IT	\$ 26,800.62
EFT74645	16/04/2024	TELSTRA	Service & Equipment Rental- IT	\$ 3,315.93
EFT74688	18/04/2024	TELSTRA	Service & Equipment Rental- IT	\$ 2,658.26
EFT74494	10/04/2024	THE AARLI	Catering- Taiji Civic Reception	\$ 411.10
EFT74805	29/04/2024	THE BROOME FLORIST	Flower Wreath- Anzac Day	\$ 200.00
EFT74495	10/04/2024	THE GELATO CART BROOME	Catering- Youth Development Programme Easter Event	\$ 2,050.00
EFT74575	12/04/2024	THE GELATO CART BROOME	Catering- Youth Skate Event	\$ 450.00
EFT74576	12/04/2024	THE GREEN FAIRY CRAFT & ENTERTAINMENT	Face Painting- Chinatown Easter Eggstravaganza Event	\$ 630.00
EFT74806	29/04/2024	THE GREEN FAIRY CRAFT & ENTERTAINMENT	Face Painting - Youth Skate Event Friday Night Finale	\$ 375.00

PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024				
PAYMENT #	Date	Name	Description	Amount
EFT74496	10/04/2024	THINK WATER BROOME	Reticulation Part Repairs- P&G	\$ 1,142.75
EFT74577	12/04/2024	THINK WATER BROOME	Bore Drill Pump Test- WMF	\$ 13,200.19
EFT74646	16/04/2024	THINK WATER BROOME	Reticulation Parts- P&G	\$ 4,779.10
EFT74689	18/04/2024	THINK WATER BROOME	Haynes Oval- P&G	\$ 2,750.68
EFT74497	10/04/2024	THINKON AUSTRALIA	Storage & Backup Software- IT	\$ 1,997.01
EFT74745	22/04/2024	THINKON AUSTRALIA	Storage & Backup Software- IT	\$ 1,639.25
EFT74578	12/04/2024	TNT AUSTRALIA PTY LTD	Freight- Health	\$ 328.43
EFT74579	12/04/2024	TONON LEGAL PTY LTD (T/A DANIELA TONON LEGAL	Legal Advice- Boating Facility Project	\$ 2,420.00
EFT74498	10/04/2024	TOTALLY WORKWEAR	Uniforms- Elected Member	\$ 129.80
EFT74580	12/04/2024	TOTALLY WORKWEAR	Uniforms- Rangers	\$ 179.60
EFT74647	16/04/2024	TOTALLY WORKWEAR	Uniforms- HR	\$ 399.20
EFT74690	18/04/2024	TOTALLY WORKWEAR	Uniforms- Staff	\$ 324.80
EFT74746	22/04/2024	TOTALLY WORKWEAR	Uniforms- Staff	\$ 119.80
EFT74581	12/04/2024	TRAFFIC FORCE	Routine Maintenance- Sector 7 LIA, HIA & Port Drive	\$ 957.00
EFT74648	16/04/2024	TURBOTECH	Machinery Parts & Maintenance- Depot	\$ 2,014.07
EFT74691	18/04/2024	VERAISON TRAINING & DEVELOPMENT	Leadership Transformation Program- Executive & Managers	\$ 5,170.00
EFT74807	29/04/2024	VERBAL JUDO AUSTRALIA	Staff Training - Administration	\$ 4,840.00
EFT74516	11/04/2024	VESTONE CAPITAL PTY LIMITED	IT Laptop & Desktop Replacement - Equipment & Software Leases RFQ23-04	\$ 40,442.56
EFT74582	12/04/2024	VIAJE STRATEGIC	Consultants- Annual Budget 2024-25 Instalment	\$ 10,083.34
EFT74499	10/04/2024	VISIMAX	Equipment & Consumables- Rangers	\$ 297.54
EFT74583	12/04/2024	VOCUS COMMUNICATIONS	Telephone Charges- IT	\$ 1,008.48
EFT74517	11/04/2024	VORGEE PTY LTD	Equipment Stock- BRAC	\$ 1,911.36
EFT74808	29/04/2024	WATER CORPORATION	Water Use & Service Charge- Various	\$ 2,891.18
EFT74813	29/04/2024	WATER CORPORATION	Water Usage- Residential	\$ 233.45
EFT74649	16/04/2024	WATERTORQUE	Replacement & Removal Tank Lid & Liners- BRAC RFQ-24-05	\$ 29,337.36
EFT74584	12/04/2024	WEST AUSTRALIAN NEWSPAPERS	Advertising- Broome Advertiser	\$ 2,719.20
EFT74692	18/04/2024	WEST COAST CONTRACTORS	Supply & Install Concrete Laydown Pad- WMF	\$ 25,480.59
EFT74585	12/04/2024	WEST COAST ON HOLD (ON HOLD ONLINE)	Subscriptions- On Hold Messages	\$ 77.00
EFT74500	10/04/2024	WESTBOOKS	Miscellaneous Books- Library	\$ 524.03
EFT74809	29/04/2024	WESTBOOKS	Book Supply- Library	\$ 534.54
EFT74650	16/04/2024	WESTERN DIAGNOSTIC PATHOLOGY	Instant Drug & Alcohol Testing- New & Existing Staff Members	\$ 705.16
EFT74810	29/04/2024	WESTRAC	Machinery Parts & Maintenance- Depot	\$ 1,017.79
EFT74693	18/04/2024	YAWURU JARNDU ABORIGINAL CORPORATION	Quick Response Grant Application- Nagula Jarndu	\$ 1,256.00
EFT74518	11/04/2024	ZANDERS AT CABLE BEACH	Insurance Reimbursement	\$ 3,331.99

### PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024

PAYMENT #	Date	Name	Description	Amount
<b>MUNICIPAL ELECTRONIC FUNDS TRANSFER TOTAL:</b>				<b>\$ 3,056,940.88</b>

#### MUNICIPAL CHEQUES - APRIL 2024

Cheque #	Date	Name	Description	Amount
57830	16/04/2024	RIO TINTO EXPLORATION PTY LTD	Refund- Rates	\$ 7,502.76
57831	19/04/2024	SHIRE OF BROOME	Library- Petty Cash	\$ 256.75
<b>MUNICIPAL CHEQUES TOTAL:</b>				<b>\$ 7,759.51</b>

#### TRUST CHEQUES - APRIL 2024

Cheque #	Date	Name	Description	Amount
				\$ -
<b>TRUST CHEQUES TOTAL:</b>				<b>\$ -</b>

#### PAYROLL - APRIL 2024

DD #	Date	Name	Description	Amount
EFT	04/04/2024	Payroll	Payroll Fortnight Ending 02/04/2024	\$ 387,461.35
EFT	09/04/2024	Payroll	Offcycle Payroll	\$ 2,422.08
EFT	18/04/2024	Payroll	Payroll Fortnight Ending 16/04/2024	\$ 381,609.46
<b>PAYROLL TOTAL:</b>				<b>\$ 771,492.89</b>

#### MUNICIPAL CREDIT CARD PAYMENTS - APRIL 2024

EFT #	Date	Card	Description	Amount
EFT74870	18/04/2024	Administration Officer - Environmental Health and Events	PAYMENT	\$ 740.55
X00000000000000003870	02/04/2024	COLES	Mosquito Trap- Test Equipment	\$ 12.09
X00000000000000003871	02/04/2024	STREETER & MALE HARDWARE	Table and Chair- Bleeding chickens	\$ 64.98
X00000000000000003868	08/04/2024	PAYPAL	Food Thermometers	\$ 638.00
X00000000000000003914	15/04/2024	BUNNINGS	Tape Measure	\$ 8.98
X00000000000000003915	15/04/2024	Office National Broome	Packaging Tape- Pool samples	\$ 16.50
EFT74871	18/04/2024	Asset and Building Coordinator	PAYMENT	\$ 228.00
X00000000000000003733	18/03/2024	BUNNINGS GROUP LTD	Decking Oil- Staff Housing	\$ 228.00
EFT74872	18/04/2024	BRAC Operations Supervisor	PAYMENT	\$ 276.21

PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024				
PAYMENT #	Date	Name	Description	Amount
X0000000000000003746	22/03/2024	WOOLWORTHS	Milk & Sugar - Kiosk Stock	\$ 28.15
X0000000000000003743	25/03/2024	INTNL TRANSACTION FEE	International Transaction Fee	\$ 6.05
X0000000000000003747	25/03/2024	ZOOMSHIFT SUBSCRIPTION	Zoomshift Online Rostering	\$ 242.01
EFT74873	18/04/2024	Business Support Officer	PAYMENT	\$ 1,942.85
X0000000000000003731	19/03/2024	Office National Broome	Toner for Printer	\$ 180.20
X0000000000000003732	20/03/2024	BUNNINGS	Swivel Brake	\$ 129.92
X0000000000000003819	25/03/2024	DISCOUNT SAFETY SIGN	Safety Stickers	\$ 393.36
X0000000000000003820	27/03/2024	RED DIRT AUTO ELECTRIC	Bosch Battery	\$ 517.90
X0000000000000003821	27/03/2024	J BLACKWOOD & SON P/L	Safety Vests	\$ 44.14
X0000000000000003822	04/04/2024	BROOME BOLT SUPPLIES	Broome Bolts	\$ 107.45
X0000000000000003893	08/04/2024	KMART	Kitchen Items for Depot	\$ 72.00
X0000000000000003894	09/04/2024	J BLACKWOOD & SON P/L	Parts- Isuzu Truck with Hook loader Truck	\$ 37.31
X0000000000000003895	09/04/2024	RED DIRT AUTO ELECTRIC	Toro Mini Track Loader Expenses	\$ 193.10
X0000000000000003891	10/04/2024	CLARK RUBBER BROOME	Toro Mini Track Loader Expenses	\$ 11.90
X0000000000000003890	11/04/2024	CLARK RUBBER BROOME	Toro Mini Track Loader Expenses	\$ 5.00
X0000000000000003892	11/04/2024	BUNNINGS	Nursery Items	\$ 59.91
X0000000000000003896	11/04/2024	Office National Broome	Nursery Items	\$ 143.35
X0000000000000003947	15/04/2024	NWH Solution Pty Ltd	Toro Ground Master Expenses	\$ 47.31
EFT74874	18/04/2024	Civic Centre Coordinator	PAYMENT	\$ 3,339.25
X0000000000000003728	18/03/2024	BUNNINGS	Chairs for the Pigram Theatre	\$ 904.20
X0000000000000003727	21/03/2024	BROOME COURT-DOJ	Occasional Liquor License	\$ 123.00
X0000000000000003837	26/03/2024	BUNNINGS	Pigram Garden Theatre Chairs	\$ 1,150.80
X0000000000000003840	26/03/2024	HOST	Tablecloths	\$ 371.80
X0000000000000003884	28/03/2024	COLES	Kiosk Stock	\$ 142.24
X0000000000000003839	04/04/2024	BROOME PROGRESSIVE SUPPLIES	Kiosk Stock	\$ 114.02
X0000000000000003838	06/04/2024	COLES	Kiosk Stock	\$ 3.99
X0000000000000003907	10/04/2024	PATHWEST LABORATORY	DAS Testing- Employee Costs	\$ 49.50
X0000000000000003885	11/04/2024	Office National Broome	Stationery Supplies	\$ 58.06
X0000000000000003886	11/04/2024	COLES ONLINE	Kiosk Stock	\$ 235.14
X0000000000000003887	11/04/2024	BUNNINGS	Batteries	\$ 11.98
X0000000000000003888	11/04/2024	FACEBOOK	Social Media Advertising	\$ 158.04
X0000000000000003889	13/04/2024	FACEBOOK	Social Media Advertising	\$ 3.49
X0000000000000003908	15/04/2024	Spotify	Music Streaming Service	\$ 12.99
EFT74875	18/04/2024	Director Corporate Services	PAYMENT	\$ 847.56
X0000000000000003778	25/03/2024	BP BROOME	Fuel Expenses	\$ 101.19

PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024				
PAYMENT #	Date	Name	Description	Amount
X00000000000000003927	09/04/2024	Microsoft	Microsoft Azure- License charges	\$ 746.37
EFT74876	18/04/2024	Director Infrastructure	PAYMENT	\$ 856.41
X00000000000000003811	28/03/2024	PUMA ENERGY SOUTH HEDLAND	Fuel Expenses	\$ 272.14
X00000000000000003812	02/04/2024	PUMA ENERGY SOUTH HEDLAND	Fuel Expenses	\$ 270.30
X00000000000000003814	02/04/2024	Shell PARDOO	Fuel Expenses	\$ 89.86
X00000000000000003813	03/04/2024	AMPOL BROOME	Fuel Expenses	\$ 224.11
EFT74877	18/04/2024	Executive Assistant to the Chief Executive Officer	PAYMENT	\$ 4,113.17
X00000000000000003773	18/03/2024	OASIS EATERY	Refreshments- Exec Workshop	\$ 82.50
X00000000000000003756	19/03/2024	THE GOOD CARTEL BROOME	Refreshments- Exec Workshop	\$ 87.50
X00000000000000003767	20/03/2024	QANTAS AIRWAYS LIMITED	Booking Fee- Ranger Services	\$ 50.00
X00000000000000003768	20/03/2024	QANTAS AIRWAYS LIMITED	Flights Broome-Perth- Ranger Services	\$ 1,001.49
X00000000000000003771	20/03/2024	QANTAS AIRWAYS LIMITED	Return Flight WALGA Conference - A Clarke	\$ 549.62
X00000000000000003769	21/03/2024	CORPORATE TRAVEL MANAGEMENT	Booking Fee- Ranger Services	\$ 5.46
X00000000000000003772	21/03/2024	CORPORATE TRAVEL MANAGEMENT	Booking Fee WALGA Conference - A Clarke	\$ 5.46
X00000000000000003774	25/03/2024	SHORT ST CAFE	Refreshments- CEO & Shire President	\$ 46.95
X00000000000000003809	27/03/2024	VIRGIN	Flight Perth-Broome- IT Manager	\$ 99.00
X00000000000000003810	28/03/2024	CORPORATE TRAVEL MANAGEMENT	Booking Fee- IT Manager	\$ 20.60
X00000000000000003983	03/04/2024	VIRGIN	Flights Perth-Broome- Ranger Services	\$ 65.00
X00000000000000003984	03/04/2024	VIRGIN	Flights Perth-Broome	\$ 221.80
X00000000000000003985	04/04/2024	CORPORATE TRAVEL MANAGEMENT	Booking Fee- Ranger Services	\$ 5.46
X00000000000000003989	05/04/2024	CORPORATE TRAVEL MANAGEMENT	Accommodation Perth Staff Training- Governance	\$ 816.00
X00000000000000003990	05/04/2024	CORPORATE TRAVEL MANAGEMENT	Booking Fee- Governance	\$ 11.02
X00000000000000003991	05/04/2024	CORPORATE TRAVEL MANAGEMENT	Booking Credit Card Fee- Governance	\$ 10.42
X00000000000000003981	09/04/2024	VIRGIN	Flights Broome-Perth-Broome- IT Manager	\$ 443.60
X00000000000000003982	10/04/2024	CORPORATE TRAVEL MANAGEMENT	Booking Fee- IT Manager	\$ 5.46
X00000000000000004001	11/04/2024	COLES	Citizenship Ceremony	\$ 160.99
X00000000000000003986	16/04/2024	CORPORATE TRAVEL MANAGEMENT	Booking Fee- Ranger Services	\$ 5.46
X00000000000000003987	16/04/2024	QANTAS AIRWAYS LIMITED	Flights Broome-Perth- Ranger Services	\$ 369.38
X00000000000000003988	16/04/2024	QANTAS AIRWAYS LIMITED	Flights Broome Perth- Ranger Services	\$ 50.00
EFT74878	18/04/2024	Executive Support Officer - Infrastructure	PAYMENT	\$ 1,420.76
X00000000000000003804	03/04/2024	COLES	Refreshments for CEO60	\$ 194.30
X00000000000000003805	03/04/2024	Roebuck Bay Hotel	Refreshments for CEO60	\$ 139.98
X00000000000000003807	03/04/2024	CHI MAYI KITCHEN	Catering- Council Meeting	\$ 596.50
X00000000000000003808	03/04/2024	Roebuck Bay Hotel	Refreshments for CEO60	\$ 139.98
X00000000000000003836	08/04/2024	CHI MAYI KITCHEN	Catering- Council Meeting	\$ 350.00



PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024				
PAYMENT #	Date	Name	Description	Amount
EFT74879	18/04/2024	Library Coordinator	PAYMENT	\$ 609.28
X0000000000000003729	22/03/2024	AMAZON	Book Set- Library	\$ 69.99
X0000000000000003781	25/03/2024	AMAZON	Book Set for Program- Library	\$ 59.05
X0000000000000003818	03/04/2024	ILF INDIGENOUSLITER	Kimberley First Nations Books	\$ 398.79
X0000000000000003826	04/04/2024	COLES	Miscellaneous items- Book Processing	\$ 47.47
X0000000000000003864	10/04/2024	AMAZON	Special dice set- Youth Week Library	\$ 33.98
EFT74880	18/04/2024	Manager - Community Facilities	PAYMENT	\$ 194.30
X0000000000000003714	18/03/2024	Office National Broome	Kiosk Till Rolls	\$ 95.70
X0000000000000003827	05/04/2024	COLES	Kiosk Stock	\$ 6.50
X0000000000000003828	05/04/2024	WOOLWORTHS	Kiosk Stock	\$ 42.00
X0000000000000003829	05/04/2024	DOT - LICENSING	Licensing- Lifeguard Trailer	\$ 50.10
EFT74881	18/04/2024	Manager Information Services	PAYMENT	\$ 1,046.76
X0000000000000003909	15/04/2024	INTNL TRANSACTION FEE	International Transaction Fee	\$ 25.53
X0000000000000003913	15/04/2024	CBT NUGGETS LLC	IT Training Subscription	\$ 1,021.23
EFT74882	18/04/2024	Manager People & Culture	PAYMENT	\$ 44.66
X0000000000000003865	25/03/2024	BK SIGNS	Trophy Engraving- 10k step challenge	\$ 44.66
EFT74883	18/04/2024	Marketing & Communications Coordinator	PAYMENT	\$ 853.69
X0000000000000003783	21/03/2024	WANEWSDTI	WEST AUSTRALIAN DIGITAL SUBSCRIPTION	\$ 28.00
X0000000000000003794	22/03/2024	FACEBOOK	FIGHT THE BITE FACEBOOK ADS	\$ 10.66
X0000000000000003795	22/03/2024	FACEBOOK	FIGHT THE BITE FACEBOOK ADS	\$ 100.00
X0000000000000003784	28/03/2024	CAMPAIGNMONITOR	CAMPAIGN MONITOR SUBSCRIPTION	\$ 218.90
X0000000000000003848	03/04/2024	HARBY ENTERPRISES	DOMAIN RENEWAL cablebeachredevelopment.au	\$ 156.70
X0000000000000003849	03/04/2024	HARBY ENTERPRISES	Domain Name Renewal 1yr broomeboatingfacility.com.au	\$ 156.70
X0000000000000003850	04/04/2024	Canva	MONTHLY CANVA SUBSCRIPTION	\$ 20.99
X0000000000000003851	05/04/2024	NEWS PTY LIMITED	THE AUSTRALIAN DIGITAL SUBSCRIPTION	\$ 40.00
X0000000000000003852	09/04/2024	BROOME LOTTERY CENTRE	GIFT WRAPPING FOR TAIJI GIFTS	\$ 15.99
X0000000000000003853	09/04/2024	KMART	GIFT BAGS FOR TAIJI GIFTS	\$ 5.75
X0000000000000003929	15/04/2024	FACEBOOK	FACEBOOK AD FIGHT THE BITE	\$ 100.00
EFT74884	18/04/2024	Operations Coordinator	PAYMENT	\$ 215.02
X0000000000000003730	18/03/2024	REPCO	Mirror Replacement	\$ 61.75
X0000000000000003785	28/03/2024	NORTRUSS BUILDING SUPPLIES	Pegs for Nursery	\$ 144.87
X0000000000000003959	12/04/2024	STREETER & MALE HARDWARE	Chain for Tipper	\$ 8.40
EFT74885	18/04/2024	PLACE ACTIVATION & ENGAGEMENT OFFICER	PAYMENT	\$ 48.64
X0000000000000003964	16/04/2024	WOOLWORTHS	YAC Meeting Supplies	\$ 48.64
EFT74886	18/04/2024	Parks Supervisor	PAYMENT	\$ 1,055.13



PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024				
PAYMENT #	Date	Name	Description	Amount
X00000000000000003718	18/03/2024	CLARK RUBBER BROOME	Kerb Ramps- Trailer	\$ 131.90
X00000000000000003719	18/03/2024	BUNNINGS	Nuts, bolts, washers & glue- Eye Wash Pump	\$ 44.62
X00000000000000003717	20/03/2024	NORTH WEST LOCKSMITHS	Horizon Power Key- Retic in shared cabinets	\$ 216.00
X00000000000000003740	22/03/2024	BUNNINGS	Assorted tools- P&Gs	\$ 94.91
X00000000000000003741	22/03/2024	BUNNINGS	Screws & Driver heads- Cable Beach playground	\$ 144.90
X00000000000000003742	22/03/2024	WOOLWORTHS	Hand wash & insect surface spray- Work Depot Vehicles	\$ 52.80
X00000000000000003775	26/03/2024	KIMBERLEY CONTRACTING	Concrete blocks- Turf Aerator	\$ 44.00
X00000000000000003776	27/03/2024	BROOME SCOOTERS	2 Stroke Oil for Mixing Fuels- Depot	\$ 120.00
X00000000000000003882	02/04/2024	STREETEER & MALE HARDWARE	Shovels & Rakes- P&Gs	\$ 206.00
EFT74887	18/04/2024	Place Activation & Engagement Coordinator	PAYMENT	\$ 155.00
X00000000000000003873	06/04/2024	12 MILE POTTERY BARN	Taiji Gift	\$ 155.00
EFT74888	18/04/2024	Place Activation & Engagement Officer (Events)	PAYMENT	\$ 705.22
X00000000000000003790	28/03/2024	KMART	Easter Eggs- Extravaganza Chocolate Event	\$ 27.00
X00000000000000003791	30/03/2024	COLES	Easter Eggs- Extravaganza Chocolate Event	\$ 91.25
X00000000000000003815	04/04/2024	RED DOT STORES BROOME	Plastic Containers- Store Event Equipment	\$ 10.00
X00000000000000003816	04/04/2024	KMART	Prizes- Skate Youth Event	\$ 284.95
X00000000000000003817	04/04/2024	WOOLWORTHS	Catering- Skate Youth Event	\$ 60.20
X00000000000000003856	05/04/2024	KMART	Basket- Prize for Skate Event	\$ 26.50
X00000000000000003855	08/04/2024	BROOME INTERNATIONAL AIRPORT	Broome Airport Parking	\$ 9.00
X00000000000000003857	09/04/2024	WOOLWORTHS	Catering- Skate Workshop	\$ 19.20
X00000000000000003858	09/04/2024	KMART	Incidentals- Skate Youth Week	\$ 21.00
X00000000000000003859	09/04/2024	EG GROUP	Catering- Skate Workshop	\$ 10.00
X00000000000000003860	10/04/2024	WOOLWORTHS	Catering- Skate Workshop	\$ 39.38
X00000000000000003861	10/04/2024	EG GROUP	Catering- Skate Workshop	\$ 17.00
X00000000000000003862	11/04/2024	WOOLWORTHS	Catering- Skate Workshop	\$ 31.00
X00000000000000003863	11/04/2024	EG GROUP	Catering- Skate Workshop	\$ 12.00
X00000000000000003897	12/04/2024	WOOLWORTHS	Catering- Skate Workshop	\$ 24.24
X00000000000000003898	12/04/2024	EG GROUP	Catering- Skate Workshop	\$ 12.00
X00000000000000003899	12/04/2024	KMART	Catering- Skate Workshop	\$ 10.50
EFT74889	18/04/2024	Program Coordinator - A Sporting Chance	PAYMENT	\$ 1,953.18
X00000000000000003735	15/03/2024	MACAS TAKEAWAY	Catering- A Sporting Chance	\$ 119.00
X00000000000000003736	22/03/2024	Office National Broome	Activities- Harmony week	\$ 53.35
X00000000000000003779	27/03/2024	WOOLWORTHS	Easter Activities- A Sporting Chance	\$ 85.10
X00000000000000003786	27/03/2024	COLES	Catering- A Sporting Chance	\$ 247.14
X00000000000000003787	28/03/2024	BP SHINJU 6738	Catering- A Sporting Chance	\$ 6.50

PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024				
PAYMENT #	Date	Name	Description	Amount
X000000000000000003788	30/03/2024	COLES	Catering- A Sporting Chance	\$ 24.00
X0000000000000000003789	30/03/2024	COLES EXPRESS	Catering- A Sporting Chance	\$ 9.90
X0000000000000000003823	04/04/2024	RED DOT STORES BROOM	Art Activities- A Sporting Chance	\$ 29.99
X0000000000000000003824	04/04/2024	KMART	Remote Sporting chance - Bidyadanga art activities	\$ 389.55
X0000000000000000003825	04/04/2024	COLES	Catering- A Sporting Chance	\$ 268.60
X0000000000000000003877	05/04/2024	DUNNINGS BROOME	Catering- A Sporting Chance	\$ 6.50
X0000000000000000003878	07/04/2024	COLES	Catering Bidyadanga- A Sporting Chance	\$ 206.23
X0000000000000000003879	08/04/2024	BUNNINGS	Rachet ties- A Sporting Chance (Remote)	\$ 36.50
X0000000000000000003880	08/04/2024	COLES EXPRESS	Catering- A Sporting Chance (Remote)	\$ 20.40
X0000000000000000003910	08/04/2024	THE BIDYADANGA GENERAL	Catering Bidyadanga- A Sporting Chance	\$ 21.00
X0000000000000000003881	10/04/2024	COLES	Catering Bidyadanga- A Sporting Chance	\$ 150.00
X0000000000000000003911	12/04/2024	COLES	Catering- A Sporting Chance	\$ 237.47
X0000000000000000003912	12/04/2024	WOOLWORTHS	Catering- A Sporting Chance	\$ 41.95
EFT74890	18/04/2024	Property Maintenance Officer	PAYMENT	\$ 3,237.04
X0000000000000000003737	18/03/2024	NORTH WEST LOCKSMITHS	Service Faulty Locks- Staff Housing	\$ 175.00
X0000000000000000003744	21/03/2024	THE BLINDMAN BROOME	Bowls Club- Repair Shutter	\$ 1,566.95
X0000000000000000003738	22/03/2024	BUNNINGS	Repair Locks- Foundations Care	\$ 62.52
X0000000000000000003847	25/03/2024	NORTH WEST LOCKSMITHS	Key Cutting- Staff Housing	\$ 15.00
X0000000000000000003936	28/03/2024	FOOTPRINT CLEANING	Replace toilet roll holder- Male Oval	\$ 155.54
X0000000000000000003937	28/03/2024	FOOTPRINT CLEANING	Replace toilet roll holder- Town beach	\$ 155.54
X0000000000000000003845	02/04/2024	HARVEY NORMAN AV/IT	Coffee Machine Service Kits- Administration Office	\$ 169.00
X0000000000000000003846	02/04/2024	TRADELINK	Replace Damaged Toilet seats- Medlend Pavilion	\$ 287.65
X0000000000000000003844	04/04/2024	TRADELINK	Replace damaged toilet seat- Library	\$ 95.88
X0000000000000000003842	08/04/2024	STREETER & MALE HARDWARE	Cable Beach- Maintenance	\$ 111.10
X0000000000000000003843	08/04/2024	BUNNINGS	Cable beach- Paint Over Graffiti	\$ 89.99
X0000000000000000003841	09/04/2024	BUNNINGS	Medlend Pavilion- Replace toilet toll holders	\$ 41.03
X0000000000000000003992	10/04/2024	BUNNINGS	Cable Beach Toilets- Graffiti Repairs	\$ 138.48
X0000000000000000003925	11/04/2024	BUNNINGS	Depot Chemical Shed- Replace Hose Reels	\$ 99.00
X0000000000000000003933	11/04/2024	J BLACKWOOD & SON P/L	Depot Chem shed - replace eye wash sign	\$ 46.96
X0000000000000000003938	11/04/2024	STREETER & MALE HARDWARE	Medlend Pavilion- Repair Toilet Roll Holders	\$ 27.40
EFT74891	18/04/2024	Senior Administration & Governance Officer	PAYMENT	\$ 936.19
X0000000000000000003734	20/03/2024	CHI MAYI KITCHEN	Catering- Swearing In Ceremony	\$ 400.00
X0000000000000000003782	22/03/2024	COLES	Catering- Council Meeting	\$ 66.40
X0000000000000000003806	28/03/2024	LOMBADINA ABORIGINAL	Extraordinary Election Voting	\$ 240.00
X0000000000000000003866	08/04/2024	COLES	Catering - Council Workshop & Meeting	\$ 81.79

PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024				
PAYMENT #	Date	Name	Description	Amount
X00000000000000003867	09/04/2024	OASIS EATERY	Council Workshop - April	\$ 148.00
EFT74892	18/04/2024	Senior Customer Service Officer	PAYMENT	\$ 897.23
X00000000000000003777	26/03/2024	DEPARTMENT OF TRANSPOR	Shire of Broome- Number plate	\$ 200.00
X00000000000000003801	02/04/2024	DEPARTMENT OF TRANSPOR	Shire of Broome- Number plate	\$ 200.00
X00000000000000003872	10/04/2024	Office National Broome	Stationery Supplies	\$ 161.53
X00000000000000003883	10/04/2024	COLES	Administration Office Kitchen Supplies	\$ 135.70
X00000000000000003921	17/04/2024	DEPARTMENT OF TRANSPOR	Shire of Broome- Number plate	\$ 200.00
EFT74893	18/04/2024	Senior Property & Leasing Officer	PAYMENT	\$ 10.00
X00000000000000003869	08/04/2024	SQ *NORTH WEST LOCKSMI	Key cutting- Staff Housing	\$ 10.00
EFT74894	18/04/2024	Sport & Recreation Facility Coordinator	PAYMENT	\$ 1,236.90
X00000000000000003750	20/03/2024	WOOLWORTHS	Milk- Kiosk Supplies	\$ 6.20
X00000000000000003751	21/03/2024	REPCO	Battery- Pool Vacuum	\$ 309.00
X00000000000000003752	25/03/2024	BROOME POST SHOP	Freight- Recalibrate Palintest	\$ 16.69
X00000000000000003748	25/03/2024	Sportspower Broome	Netballs	\$ 72.00
X00000000000000003749	26/03/2024	STREETER & MALE HARDWARE	Parts- Chemical Dosing Pump	\$ 27.23
X00000000000000003797	27/03/2024	WOOLWORTHS	Milk- Kiosk Supplies	\$ 6.20
X00000000000000003800	27/03/2024	KMART	Pool Noodles- Pool Equipment	\$ 120.00
X00000000000000003796	28/03/2024	J BLACKWOOD & SON P/L	No Entry Sign	\$ 20.23
X00000000000000003798	01/04/2024	BUNNINGS	Cleaning Cloths- Kiosk	\$ 20.00
X00000000000000003799	01/04/2024	WOOLWORTHS	Kiosk Stock	\$ 34.65
X00000000000000003830	03/04/2024	BUNNINGS	WD40- Pool Maintenance	\$ 9.98
X00000000000000003831	03/04/2024	WOOLWORTHS	Milk- Kiosk Supplies	\$ 6.20
X00000000000000003832	04/04/2024	WOOLWORTHS	Insulated Shopping Bag	\$ 33.69
X00000000000000003833	04/04/2024	BROOME PROGRESSIVE SUPPLIES	240lt Garbage bags- Kiosk	\$ 200.74
X00000000000000003834	04/04/2024	Office National Broome	Stationary- Kiosk	\$ 22.67
X00000000000000003835	04/04/2024	BUNNINGS	Ant Spray- Field light boxes	\$ 19.88
X00000000000000003874	10/04/2024	SQ *NORTH WEST LOCKSMI	Keys- Tennis switchboard	\$ 15.00
X00000000000000003876	10/04/2024	WOOLWORTHS	Milk & Coffee Supplies	\$ 53.10
X00000000000000003875	11/04/2024	BUNNINGS	Weather Proof Extension Cord	\$ 6.97
X00000000000000003903	12/04/2024	DUNNINGS BROOME	Fuel Expenses	\$ 65.37
X00000000000000003904	12/04/2024	BUNNINGS	Vandal Proof Tap Key	\$ 14.90
X00000000000000003905	15/04/2024	WOOLWORTHS	Milk- Kiosk Supplies	\$ 6.20
X00000000000000003906	15/04/2024	COLES	Balloons- Kiosk	\$ 18.00
X00000000000000003941	16/04/2024	BUNNINGS	Trestle Tables	\$ 132.00
EFT74895	18/04/2024	Waste Supervisor	PAYMENT	\$ 849.68

PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024				
PAYMENT #	Date	Name	Description	Amount
X0000000000000003725	19/03/2024	HOLDFAST FLUID POWER	Hydraulic fittings- Volvo loader	\$ 96.30
X0000000000000003726	19/03/2024	J BLACKWOOD & SON P/L	Parts- Air Compressor	\$ 68.54
X0000000000000003902	05/04/2024	AMPOL BROOME	Fuel Expense - High pressure washer & compressor	\$ 82.05
X0000000000000003900	10/04/2024	BROOME PROGRESSIVE SUPPLIES	Consumables and Refreshments- Waste Facility	\$ 412.04
X0000000000000003901	10/04/2024	HOLDFAST FLUID POWER	Replace Hydraulic Hose	\$ 190.75
EFT74896	18/04/2024	Works Supervisor	PAYMENT	\$ 1,964.70
X0000000000000003712	19/03/2024	BUNNINGS	Pave Lock- Paver install on pram ramps	\$ 15.59
X0000000000000003713	19/03/2024	Autopro Broome	Hard case- UHF Earmuffs	\$ 144.95
X0000000000000003715	20/03/2024	STREETER & MALE HARDWARE	Caulking 12v gun- Footpath maintenance	\$ 439.00
X0000000000000003716	20/03/2024	BUNNINGS	Pave lock- Textiles in pram ramps	\$ 233.85
X0000000000000003780	25/03/2024	NWH Solution Pty Ltd	Pipes- Water spare	\$ 6.68
X0000000000000003745	25/03/2024	TOTALLY WORKWEAR BROOME	Personal Protective Equipment- Depot	\$ 68.29
X0000000000000003792	02/04/2024	CARPET PAINT AND TILE	Sealant Rollers- Sealing Town Beach foot paths	\$ 522.00
X0000000000000003793	02/04/2024	80 MILE BEACH CARAVAN PARK	Accommodation- Road inspection	\$ 166.00
X0000000000000003802	03/04/2024	BUNNINGS	Garden hose- Footpath maintenance	\$ 79.98
X0000000000000003803	03/04/2024	WOOLWORTHS	Supplies- Overnight road inspection of 80-Mile	\$ 55.60
X0000000000000003854	08/04/2024	BROOME BOLT SUPPLIES	Tyre inflator- Works plant	\$ 206.58
X0000000000000003916	16/04/2024	NWH Solution Pty Ltd	Parts- Maintenance Truck Water Tank	\$ 26.18
<b>MUNICIPAL CREDIT CARD TOTAL:</b>				<b>\$ 29,777.38</b>

MUNICIPAL DIRECT DEBIT - APRIL 2024				
DD #	Date	Name	Description	Amount
DD33237.1	19/04/2024	INLOGIK PTY LTD	PROMASTER ESSENTIALS USER FEES	\$ 423.72
DD33239.1	05/04/2024	SUPER EMPLOYEE PAYMENT DEFINITIV	SUPERANNUATION	\$ 86,334.56
DD33239.2	10/04/2024	SUPER EMPLOYEE PAYMENT DEFINITIV	SUPERANNUATION	\$ 136.86
DD33250.1	18/04/2024	SUPER EMPLOYEE PAYMENT DEFINITIV	SUPERANNUATION	\$ 84,453.82
DD33258.1	02/04/2024	WATER CORPORATION	Water Use and Service Charge- Various	\$ 17,291.94
DD33258.2	03/04/2024	WATER CORPORATION	Water Use and Service Charge- Various	\$ 3,180.21
DD33258.3	05/04/2024	WATER CORPORATION	Water Use and Service Charge- Various	\$ 3,690.65
DD33258.4	11/04/2024	WATER CORPORATION	Water Use and Service Charge- Various	\$ 539.00
DD33270.1	30/04/2024	WATER CORPORATION	Water Use and Service Charge- Various	\$ 9,125.77
<b>MUNICIPAL DIRECT DEBIT TOTAL:</b>				<b>\$ 205,176.53</b>

PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - APRIL 2024				
PAYMENT #	Date	Name	Description	Amount
MUNICIPAL ELECTRONIC TRANSFER TOTAL \$				3,056,940.88
MUNICIPAL CHEQUES TOTAL \$				7,759.51
PAYROLL TOTAL \$				771,492.89
TRUST CHEQUE TOTAL \$				-
MUNICIPAL CREDIT CARD TOTAL \$				29,777.38
MUNICIPAL DIRECT DEBIT TOTAL \$				205,176.53
TOTAL PAYMENTS APRIL 2024 \$				4,071,147.19
Key for Delegation of Authority:			CEO- Chief Executive Officer	
			DCS- Director Corporate Services	
			MFS- Manager Financial Services	

Local Government (Financial Management) Regulations 13 & 13A.

Each payment must show on a list the payees name, the amount of the payment, the date of the payment & sufficient information to identify the transaction.

This report incorporates the Delegation of Authority Local Government (Administration) Regulations 19.

**9.4.2 MONTHLY FINANCIAL REPORT - APRIL 2024**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	FRE02
<b>AUTHOR:</b>	Senior Finance Officer
<b>CONTRIBUTOR/S:</b>	Manager Financial Services
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**

Council is required under Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996 (FMR)* to consider and adopt the Monthly Financial Report for the period ended 30 April 2024.

**BACKGROUND**

Council is provided with the Monthly Financial Report, which has been prepared in line with statutory reporting obligations and includes the:

- Statement of Financial Activity by nature classifications (satisfying Regulation 34 of the *FMR*);
- Statement of Financial Position (satisfying Regulation 35 of the *FMR*);
- Basis of Preparation;
- Statement of Financial Activity Information - the adjustments to the Statement of Financial Activity and Net Current Assets Position which agree to the surplus/deficit position (satisfying Regulation 32 of the *FMR*), and
- Explanation of material variances to year-to-date budget (satisfying Regulation 34 of the *FMR*);

Supplementary information has been provided per Regulation 34(2) of the *FMR* to provide Council with a holistic overview of the operations of the Shire of Broome. The Supplementary Information notes include:

- Cash and financial assets;
- Reserve accounts;
- Capital acquisitions – summarised by asset class, detailed to project, plant disposals;
- Aged payables;
- Borrowings;
- Grants – detailed listing of operating grants, capital grants and contributions;
- Detailed list of Council adopted Budget amendments – by nature classification.

**COMMENT**

The 2023/24 Annual Budget was adopted at the Special Meeting of Council on 11 July 2023. The following are key indicators supporting the year to-date budget position with respect to the Annual Forecast Budget:

Budget Year elapsed	83.33%
Total Rates Raised Revenue	100% (of which 95.55% has been collected)

Total Other Operating Revenue	83%
Total Operating Expenditure	76%
Total Capital Revenue	32%
Total Capital Expenditure	32%
Total Sale of Assets Revenue	60%

More detailed explanations of variances are contained in Note 3 of the Monthly Financial Report. The commentary identifies material variations between the expected year-to-date budget position and the position at the reporting date.

Based on the 2023/24 Annual Budget presented at the Special Meeting of Council on 11 July 2023, Council adopted a balanced budget to 30 June 2024. The 2022/23 final end-of-year position was adopted by Council at the SMC on 21 December 2023, through the 2022/23 Annual Financial Statements.

The Amended Annual Budget reflects all Council adopted budget amendments to date, including quarter 1, 2 and quarter 3 reviews, and budget amendments adopted by Council through individual agenda items. The amended budget forecasts a deficit position at 30 June 2023 of \$256,013 as presented through the quarter 3 Finance and Costing Review. It is noted that this is a forecast, and the true final closing position for 2023/24 will be arrived at following end of year adjustments and the conclusion of the external audit process.

The structure and format of the April 2024 Monthly Financial Report and upcoming monthly reports has been prepared to comply with the current FMR standards. The layout of the report and supporting notes is intended to be consistent with other statutory reporting requirements including the annual budget, budget review and annual report. The statutory reporting requirements are presented at the beginning of the report, followed by supporting notes, and is intended to provide an easy to read snapshot of the operations of the Shire and monthly progress against the annual budget. Officers will review the reporting layout periodically as industry and regulatory changes evolve.

### Budget Amendments

A contract appointment has been engaged to cover the Director of Corporate Services' long service leave, which spans both the 2023/24 and 2024/25 financial years. Council are requested to approve the transfer of \$23,566 from the leave reserve to fund the cost of the contractor appointment, for the 2023/24 portion of this contract. This requires an absolute majority as these are budget amendments:

Transfer \$23,566 from account GL 101423200 Transfer From Leave Reserve to account GL 101422310 \$23,566 Consultants Corporate Services.

## **CONSULTATION**

Nil.

## **STATUTORY ENVIRONMENT**

The *Local Government (Financial Management) Regulations 1996* were amended (SL2023/106) and published on 30 June 2023. The changes, effective from 1 July 2023, have an impact on the reporting of the financial activity statement required each month (Section 34). The below outlines the new reporting requirement under Section 34:

- 34(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22 (1)(d), for the previous month (the "relevant 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); and
  - (b) budget estimates to the end of the relevant month; and
  - (c) actual amounts of expenditure, revenue and income to the end of the relevant month; and
  - (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 relevant month and a note containing a summary explaining the composition of the net current assets.
- 34(1B) The detail included under subregulation (1)(e) must be structured in the same way as the detail included in the annual budget under regulation 31(1) and (3)(a).
- 34(1C) Any information relating to exclusions from the calculation of a budget deficiency that is included as part of the budget estimates referred to in subregulation (1)(a) or (b) must be structured in the same way as the corresponding information included in the annual budget.
- 34(2) Each statement of financial activity is to be accompanied by documents containing-
- (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
  - (c) such other supporting information as is considered relevant by the local government.
- 34(3) The information in a statement of financial activity may be shown according to nature classification.
- 34(4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —
- (a) presented at an ordinary meeting of the council within 2 months after the end of the relevant month; and
  - (b) recorded in the minutes of the meeting at which it is presented.
- 34(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.

An amendment to the *Local Government (Financial Management) Regulations 1996*, effective from 1 August 2023, is the addition of Regulation 35, with Local Governments now required to report a financial position statement each month. The additional Regulation 35 is as follows:

- 35(1) A local government must prepare each month a statement of financial position showing the financial position of the local government as at the last day of the previous month (the previous month) and —
- (a) the financial position of the local government as at the last day of the previous financial year; or
  - (b) if the previous month is June, the financial position of the local government as at the last day of the financial year before the previous financial year.



- 35(2) A statement of financial position must be —
- (a) presented at an ordinary meeting of the council within 2 months after the end of the previous month; and
  - (b) recorded in the minutes of the meeting at which it is presented.

**Local Government Act 1995**

Section 6.4 – Financial report

Section 6.8 – Expenditure from municipal fund not included in the budget.

The attached report aligns to the statutory requirements of monthly reporting to Council, including the presentation of the statement of financial position.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The Monthly Financial Report is a retrospective summary of the Shire's operations to the end of the preceding month, presenting the current budget adopted by Council and actual results. The financial implications associated with adopting the Monthly Financial Report are therefore nil.

All budget amendments are approved through Council by absolute majority, and the full list of adopted budget amendments for the financial year are contained within Supplementary Information Note 15 of the Monthly Financial Report.

The audited opening position for the 2023/24 financial year is presented in the attachment as adopted by Council at the SMC on 21 December 2023.

The two proposed budget amendments will increase materials and contracts (operating expenditure) and increase transfers from reserve (inflow from financing activities).

**RISK**

The Monthly Financial 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 ASPIRATIONS**

**Performance - We will deliver excellent governance, service & value for everyone.**

### **Outcome 11 - Effective leadership, advocacy and governance**

**Objective** 11.2 Deliver best practice governance and risk management.

### **Outcome 12 - A well informed and engaged community**

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

### **Outcome 13 - Value for money from rates and long term financial sustainability**

**Objective** 13.1 Plan effectively for short- and long-term financial sustainability

**Objective** 13.2 Improve real and perceived value for money from rates.

### **Outcome 14 - Excellence in organisational performance and service delivery**

**Objective** 14.3 Monitor and continuously improve performance levels.

## **VOTING REQUIREMENTS**

*Absolute Majority*

### **COUNCIL RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Minute No. C/0524/072**

**Moved: Cr D Male**

**Seconded: Shire President C Mitchell**

**That Council:**

- 1. Receives the Monthly Financial Report for the period ended 30 April 2024 as attached; and**
- 2. Approves budget amendments of \$23,566 from Account 101423200.26 Transfer From Leave Reserve to Account 101422310.34 Consultants Corporate Services, to support the contract appointment covering employee long service leave.**

**For: Shire President C Mitchell, Cr D Male, Cr J Lewis, Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper.**

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 7/0**

## **Attachments**

1. Monthly Financial Report - April 2024

**SHIRE OF BROOME**  
**MONTHLY FINANCIAL REPORT**  
(Containing the required statement of financial activity and statement of financial position)  
**For the period ended 30 April 2024**

**LOCAL GOVERNMENT ACT 1995**  
**LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996**

**TABLE OF CONTENTS**

***Statements required by regulation***

Statement of Financial Activity	2
Statement of Financial Position	3
Note 1      Basis of Preparation	4
Note 2      Statement of Financial Activity Information	5
Note 3      Explanation of Material Variances	6

**SHIRE OF BROOME**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 30 APRIL 2024**

	Supplementary Information	Amended Budget Estimates (a) \$	YTD Budget Estimates (b) \$	YTD Actual (c) \$	Variance* \$ (c) - (b)	Variance* % ((c) - (b))/(b)	Var.
<b>OPERATING ACTIVITIES</b>							
<b>Revenue from operating activities</b>							
General rates	9	26,586,643	26,586,643	26,586,138	(505)	(0.00%)	
Grants, subsidies and contributions	12	1,366,304	1,216,730	703,310	(513,420)	(42.20%)	▼
Fees and charges		10,987,854	9,758,795	9,150,402	(608,393)	(6.23%)	▼
Interest revenue		1,868,268	1,560,346	2,410,949	850,603	54.51%	▲
Other revenue		1,714,972	1,393,130	1,152,343	(240,787)	(17.28%)	▼
Profit on asset disposals	6	103,734	86,380	94,645	8,265	9.57%	
		<b>42,627,775</b>	<b>40,602,024</b>	<b>40,097,787</b>	<b>(504,237)</b>	<b>(1.24%)</b>	
<b>Expenditure from operating activities</b>							
Employee costs		(17,431,421)	(14,231,463)	(14,598,238)	(366,775)	(2.58%)	▼
Materials and contracts		(14,524,957)	(11,744,521)	(8,614,568)	3,129,953	26.65%	▲
Utility charges		(2,231,419)	(1,858,200)	(1,858,236)	(36)	(0.00%)	
Depreciation		(15,510,953)	(12,920,440)	(13,045,673)	(125,233)	(0.97%)	▼
Finance costs		(279,008)	(168,727)	(158,580)	10,147	6.01%	▲
Insurance		(879,464)	(781,010)	(807,532)	(26,522)	(3.40%)	▼
Other expenditure		(1,808,632)	(1,518,547)	(1,105,335)	413,212	27.21%	▲
Loss on asset disposals	6	(57,034)	(47,500)	(100,920)	(53,420)	(112.46%)	▼
		<b>(52,722,888)</b>	<b>(43,270,408)</b>	<b>(40,289,082)</b>	<b>2,981,326</b>	<b>6.89%</b>	
Non-cash amounts excluded from operating activities	Note 2(b)	15,497,961	12,881,560	13,051,948	170,388	1.32%	▲
<b>Amount attributable to operating activities</b>		<b>5,402,848</b>	<b>10,213,176</b>	<b>12,860,653</b>	<b>2,647,477</b>	<b>25.92%</b>	
<b>INVESTING ACTIVITIES</b>							
<b>Inflows from investing activities</b>							
Proceeds from capital grants, subsidies and contributions	13	15,957,925	13,201,331	5,071,361	(8,129,970)	(61.58%)	▼
Proceeds from disposal of assets	6	822,144	352,000	494,745	142,745	40.55%	▲
Proceeds from financial assets at amortised cost - self supporting loans		96,154	48,077	48,077	0	0.00%	
		<b>16,876,223</b>	<b>13,601,408</b>	<b>5,614,183</b>	<b>(7,987,225)</b>	<b>(58.72%)</b>	
<b>Outflows from investing activities</b>							
Payments for property, plant and equipment	5	(10,803,943)	(6,101,579)	(3,753,620)	2,347,959	38.48%	▲
Payments for construction of infrastructure	5	(24,081,907)	(18,875,931)	(7,402,228)	11,473,703	60.78%	▲
<b>Amount attributable to investing activities</b>		<b>(18,009,627)</b>	<b>(11,376,102)</b>	<b>(5,541,664)</b>	<b>5,834,438</b>	<b>51.29%</b>	
<b>FINANCING ACTIVITIES</b>							
<b>Inflows from financing activities</b>							
Proceeds from new debentures	10	3,963,717	0	0	0	0.00%	
Transfer from reserves	4	7,042,855	0	0	0	0.00%	
		<b>11,006,572</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00%</b>	
<b>Outflows from financing activities</b>							
Repayment of borrowings	10	(551,028)	(274,157)	(274,157)	0	0.00%	
Transfer to reserves	4	(5,889,886)	0	(1,147,994)	(1,147,994)	0.00%	▼
		<b>(6,440,914)</b>	<b>(274,157)</b>	<b>(1,422,151)</b>	<b>(1,147,994)</b>	<b>(418.74%)</b>	
<b>Amount attributable to financing activities</b>		<b>4,565,658</b>	<b>(274,157)</b>	<b>(1,422,151)</b>	<b>(1,147,994)</b>	<b>(418.74%)</b>	
<b>MOVEMENT IN SURPLUS OR DEFICIT</b>							
<b>Surplus or deficit at the start of the financial year</b>		7,785,108	7,785,108	7,785,108	0	0.00%	
Amount attributable to operating activities		5,402,848	10,213,176	12,860,653	2,647,477	25.92%	▲
Amount attributable to investing activities		(18,009,627)	(11,376,102)	(5,541,664)	5,834,438	51.29%	▲
Amount attributable to financing activities		4,565,658	(274,157)	(1,422,151)	(1,147,994)	(418.74%)	▼
<b>Surplus or deficit after imposition of general rates</b>		<b>(256,013)</b>	<b>6,348,025</b>	<b>13,681,946</b>	<b>7,333,921</b>	<b>115.53%</b>	▲

**KEY INFORMATION**

▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.

\* Refer to Note 3 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 POSITION**  
**FOR THE PERIOD ENDED 30 APRIL 2024**

	Supplementary Information	30 June 2023	30 April 2024
		\$	\$
<b>CURRENT ASSETS</b>			
Cash and cash equivalents	3	50,477,249	56,702,681
Trade and other receivables		1,813,447	1,884,913
Other financial assets		96,154	48,077
Inventories	7	30,354	13,137
Other assets	7	160,912	1,465
<b>TOTAL CURRENT ASSETS</b>		<b>52,578,116</b>	<b>58,650,273</b>
<b>NON-CURRENT ASSETS</b>			
Trade and other receivables		82,550	82,550
Other financial assets		1,255,708	1,255,708
Property, plant and equipment		87,047,673	86,602,056
Infrastructure		324,369,191	322,425,926
<b>TOTAL NON-CURRENT ASSETS</b>		<b>412,755,122</b>	<b>410,366,240</b>
<b>TOTAL ASSETS</b>		<b>465,333,238</b>	<b>469,016,513</b>
<b>CURRENT LIABILITIES</b>			
Trade and other payables	8	3,264,285	2,346,785
Other liabilities	11	7,356,858	7,356,858
Borrowings	10	551,033	276,875
Employee related provisions	11	1,772,619	1,767,484
Other provisions	11	234,420	234,420
<b>TOTAL CURRENT LIABILITIES</b>		<b>13,179,215</b>	<b>11,982,422</b>
<b>NON-CURRENT LIABILITIES</b>			
Borrowings	10	7,235,712	7,235,712
Employee related provisions		302,961	302,961
Other provisions		2,833,275	2,833,275
<b>TOTAL NON-CURRENT LIABILITIES</b>		<b>10,371,948</b>	<b>10,371,948</b>
<b>TOTAL LIABILITIES</b>		<b>23,551,163</b>	<b>22,354,370</b>
<b>NET ASSETS</b>		<b>441,782,075</b>	<b>446,662,143</b>
<b>EQUITY</b>			
Retained surplus		153,126,798	156,858,871
Reserve accounts	4	35,137,161	36,285,154
Revaluation surplus		253,518,116	253,518,117
<b>TOTAL EQUITY</b>		<b>441,782,075</b>	<b>446,662,142</b>

This statement is to be read in conjunction with the accompanying notes.

## NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 APRIL 2024

### 1 BASIS OF PREPARATION AND SIGNIFICANT ACCOUNTING POLICIES

#### BASIS OF PREPARATION

This prescribed financial report has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

##### *Local Government Act 1995 requirements*

Section 6.4(2) of the *Local Government Act 1995* read with the *Local Government (Financial Management) Regulations 1996*, prescribe that the financial report be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

*Local Government (Financial Management) Regulations 1996*, regulation 34 prescribes contents of the financial report. Supporting information does not form part of the financial report.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

#### THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 14 to these financial statements.

#### Judgements and estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

The balances, transactions and disclosures impacted by accounting estimates are as follows:

- estimated fair value of certain financial assets
- impairment of financial assets
- estimation of fair values of land and buildings, infrastructure and investment property
- estimation uncertainties made in relation to lease accounting
- estimated useful life of intangible assets

#### SIGNIFICANT ACCOUNTING POLICIES

Significant accounting policies utilised in the preparation of these statements are as described within the 2023-24 Annual Budget. Please refer to the adopted budget document for details of these policies.

#### PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 16 May 2024

**SHIRE OF BROOME**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 30 APRIL 2024**

**2 STATEMENT OF FINANCIAL ACTIVITY INFORMATION**

		Amended Budget Opening 30 June 2023	Last Year Closing 30 June 2023	Year to Date 30 April 2024
<b>(a) Net current assets used in the Statement of Financial Activity</b>				
<b>Current assets</b>		\$	\$	\$
Cash and cash equivalents	3	38,183,621	50,477,249	56,702,681
Trade and other receivables		909,447	1,813,447	1,884,913
Other financial assets		96,154	96,154	0
Inventories	7	30,354	30,354	13,137
Other assets	7	79,000	160,912	1,465
		39,298,576	52,578,116	58,602,196
<b>Less: current liabilities</b>				
Trade and other payables	8	(1,060,285)	(3,264,285)	(2,346,785)
Other liabilities	11	(6,485,771)	(7,356,858)	(7,356,858)
Borrowings	10	(608,961)	(551,033)	(276,875)
Employee related provisions	11	(1,738,911)	(1,772,619)	(1,767,484)
Other provisions	11	(234,420)	(234,420)	(234,420)
		(10,128,348)	(13,179,215)	(11,982,422)
<b>Net current assets</b>		<b>29,170,228</b>	<b>39,398,901</b>	<b>46,619,774</b>
<b>Less: Total adjustments to net current assets</b>	ote 2(i)	<b>(31,375,277)</b>	<b>(31,613,793)</b>	<b>(32,937,827)</b>
<b>Closing funding surplus / (deficit)</b>		<b>(2,205,049)</b>	<b>7,785,108</b>	<b>13,681,947</b>

**(b) Non-cash amounts excluded from operating activities**

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with *Financial Management Regulation 32*.

		Amended Budget \$	YTD Budget (a) \$	YTD Actual (b) \$
<b>Non-cash amounts excluded from operating activities</b>				
<b>Adjustments to operating activities</b>				
Less: Profit on asset disposals	6	(103,734)	(86,380)	(94,645)
Add: Loss on asset disposals	6	57,034	47,500	100,920
Add: Depreciation		15,510,953	12,920,440	13,045,673
Movement in current employee provisions associated with restricted cash		33,708		
<b>Total non-cash amounts excluded from operating activities</b>		<b>15,497,961</b>	<b>12,881,560</b>	<b>13,051,948</b>

**(c) Current assets and liabilities excluded from budgeted deficiency**

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation 32* to agree to the surplus/(deficit) after imposition of general rates.

		Amended Budget Opening 30 June 2023	Last Year Closing 30 June 2023	Year to Date 30 April 2024
<b>Adjustments to net current assets</b>				
Less: Reserve accounts	4	(35,137,161)	(35,137,161)	(36,285,155)
Less: Financial assets at amortised cost - self supporting loans	7	(96,154)	(96,154)	(48,077)
Add: Current liabilities not expected to be cleared at the end of the year:				
- Current portion of borrowings	10	608,961	551,033	276,875
- Current portion of contract liability held in reserve		1,881,760	1,701,173	1,706,458
- Current portion of employee benefit provisions held in reserve	4	1,367,316	1,367,316	1,412,071
<b>Total adjustments to net current assets</b>	ote 2(i)	<b>(31,375,277)</b>	<b>(31,613,793)</b>	<b>(32,937,827)</b>

**CURRENT AND NON-CURRENT CLASSIFICATION**

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

**SHIRE OF BROOME**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 30 APRIL 2024**

**3 EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.

The material variance adopted by Council for the 2023-24 year is \$10,000 or 10.00% whichever is the greater.

Description	Var. \$	Var. %	
	\$	%	
<b>Revenue from operating activities</b>			
<b>Grants, subsidies and contributions</b>	(513,420)	(42.20%)	▼
Awaiting grants for Sanctuary Road detailed design, DRFAWA Natural & Disaster Main Road street light subsidy. Received unbudgeted animal welfare grant		Permanent	
<b>Fees and charges</b>	(608,393)	(6.23%)	▼
Waste facility income is below what was budget for the financial year. Rented staff housing income is less than budget as fewer than anticipated staff are salary sacrificing rent		Permanent	
<b>Interest revenue</b>	850,603	54.51%	▲
Interest on Muni funds more than anticipated due to higher than expected interest rates. Reserve interest higher than budgeted due to higher than anticipated interest rates		Permanent	
<b>Other revenue</b>	(240,787)	(17.28%)	▼
Broome Visitor Centre rent subsidized, reimbursement for tenancy 10B and 11 less than budgeted.		Timing	
<b>Expenditure from operating activities</b>			
<b>Employee costs</b>	(366,775)	(2.58%)	▼
Salaries and Superannuation more than budgeted, 3 pays reconised in April but the 3 pays were budgeted in May. Timing issue which will ressolve in May		Timing	
<b>Materials and contracts</b>	3,129,953	26.65%	▲
Contaminated site remediation, refuse and recycling, kerbside collection less than budgeted. Parks and reserves under spent compared to budget. Detailed design for Sanctuary Road Caravan Park is ongoing, road maintenance is ongoing, no works have started for the McMahon Local Structure Plan		Timing	
<b>Depreciation</b>	(125,233)	(0.97%)	▼
Depreciation on plant is more than budgeted		Permanent	
<b>Finance costs</b>	10,147	6.01%	▲
Loan fees and interest less than budgeted		Permanent	

| 6



**SHIRE OF BROOME**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 30 APRIL 2024**

**3 EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.

The material variance adopted by Council for the 2023-24 year is \$10,000 or 10.00% whichever is the greater.

Description	Var. \$ \$	Var. % %	
<b>Insurance</b>	(26,522)	(3.40%)	▼
Actuals are more than budgeted due to timing		Timing	
<b>Other expenditure</b>	413,212	27.21%	▲
Broome Visitor Centre in kind donations for the year not occurred yet.		Timing	
<b>Loss on asset disposals</b>	(53,420)	(112.46%)	▼
More assets disposed than budgeted		Permanent	
<b>Non-cash amounts excluded from operating activities</b>	170,388	1.32%	▲
Year to date depreciation, profit on asset sales and losses have resulted in a variance between what was budgeted		Permanent	
<b>Inflows from investing activities</b>			
<b>Proceeds from capital grants, subsidies and contributions</b>	(8,129,970)	(61.58%)	▼
Not all grant funding has been received for Cable Beach Stage 1. Contribution from Broome Senior High Schools not yet received. BARC tennis court surface renewal income not yet received		Timing	
<b>Proceeds from disposal of assets</b>	142,745	40.55%	▲
Disposals to be carried out throughout the year as per the asset replacement plan		Timing	
<b>Outflows from investing activities</b>			
<b>Payments for property, plant and equipment</b>	2,347,959	38.48%	▲
Town Beach Café Redevelopment has only utilised a small portion of the budget to date. BRAC design works are continuing. Kimberley Regional Office 1, capital works have not yet commenced as per the asset management plan. Male Oval toilet renewal hasn't started. Admin Building air-conditioning renewal is under review. No expenses occurred against the Western Football Commission Grant		Timing	
Plant replacement occurs throughout the year, not all plant replacement will occur this financial year		Timing	
Kimberley Regional Office 1 & 2 plant & equipment replacement and upgrades have not yet commenced. No expenses have occurred against the waste sorted infrastructure grant		Timing	

| 7

**SHIRE OF BROOME**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 30 APRIL 2024**

**3 EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.

The material variance adopted by Council for the 2023-24 year is \$10,000 or 10.00% whichever is the greater.

**Description**

Reviewing the finalisation of implementation for the Altus payroll system and final payment.

**Payments for construction of infrastructure**

Roads and Footpaths to be completed throughout the financial year

Cable Beach Stage 1 works are continuing throughout the year, BRAC renewal have only spent a small portion of allocated budget

Tourist bay signage on Cape Leveque Road not complete. Under budget for mobile bin replacement, No expense occurred against the Sanctuary Road IDF grant

**Outflows from financing activities**

**Transfer to reserves**

Transfer will occur at the end of the financial year

**Surplus or deficit after imposition of general rates**

Due to variances described above

Var. \$	Var. %	
\$	%	
	Timing	
<b>11,473,703</b>	<b>60.78%</b>	<b>▲</b>
	Timing	
	Timing	
	Timing	
<b>(1,147,994)</b>	<b>0.00%</b>	<b>▼</b>
	Timing	
<b>7,333,921</b>	<b>115.53%</b>	<b>▲</b>

**SHIRE OF BROOME**  
**SUPPLEMENTARY INFORMATION**  
**TABLE OF CONTENTS**

1	N1 Key Information	10
2	N2 Key Information - Graphical	11
3	N3 Cash and Financial Assets	12
4	N4 Reserve Accounts	13
5	N5 Capital Acq	14
6	N5 Capital Acq (Cont.)	15
7	N6 Disposal of Assets	17
8	N8 Other Current Assets	18
9	N9 Payables	19
10	N10 Rate Revenue	20
11	N11 Borrowings	21
12	N12 Other Current Liabilities	22
13	N12 Grants & Contri.	23
14	N12 Cap Grants & Cont.	24
15	N13 Trust Fund	25
16	N14 Budget Amendments	26

SHIRE OF BROOME  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

## 1 KEY INFORMATION

## Funding Surplus or Deficit Components

Funding surplus / (deficit)				
	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$7.79 M	\$7.79 M	\$7.79 M	\$0.00 M
Closing	(\$0.26 M)	\$6.35 M	\$13.68 M	\$7.33 M
Refer to Statement of Financial Activity				

Cash and cash equivalents		
	\$	% of total
Unrestricted Cash	\$56.70 M	36.0%
Restricted Cash	\$20.42 M	36.0%
Restricted Cash	\$36.29 M	64.0%
Refer to 3 - Cash and Financial Assets		

Payables		
	\$	% Outstanding
Trade Payables	\$2.35 M	
0 to 30 Days	\$0.62 M	80.1%
Over 30 Days		19.9%
Over 90 Days		4.0%
Refer to 8 - Payables		

Receivables		
	\$	% Collected
Rates Receivable	\$0.48 M	94.9%
Trade Receivable	\$1.22 M	
Over 30 Days	\$0.48 M	32.9%
Over 90 Days		14.0%
Refer to 8 - Payables		

## Key Operating Activities

Amount attributable to operating activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$5.40 M	\$10.21 M	\$12.86 M	\$2.65 M
Refer to Statement of Financial Activity			

Rates Revenue		
YTD Actual	\$	% Variance
\$26.59 M	\$26.59 M	(0.0%)
YTD Budget	\$26.59 M	
Refer to 9 - Rate Revenue		

Grants and Contributions		
YTD Actual	\$	% Variance
\$0.70 M	\$1.22 M	(42.2%)
YTD Budget	\$1.22 M	
Refer to 12 - Grants and Contributions		

Fees and Charges		
YTD Actual	\$	% Variance
\$9.15 M	\$9.76 M	(6.2%)
YTD Budget	\$9.76 M	
Refer to Statement of Financial Activity		

## Key Investing Activities

Amount attributable to investing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$18.01 M)	(\$11.38 M)	(\$5.54 M)	\$5.83 M
Refer to Statement of Financial Activity			

Proceeds on sale		
YTD Actual	\$	%
\$0.49 M	\$0.82 M	(39.8%)
Amended Budget	\$0.82 M	
Refer to 6 - Disposal of Assets		

Asset Acquisition		
YTD Actual	\$	% Spent
\$7.40 M	\$24.08 M	(69.3%)
Amended Budget	\$24.08 M	
Refer to 5 - Capital Acquisitions		

Capital Grants		
YTD Actual	\$	% Received
\$5.07 M	\$15.96 M	(68.2%)
Amended Budget	\$15.96 M	
Refer to 5 - Capital Acquisitions		

## Key Financing Activities

Amount attributable to financing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$4.57 M	(\$0.27 M)	(\$1.42 M)	(\$1.15 M)
Refer to Statement of Financial Activity			

Borrowings	
Principal repayments	(\$0.27 M)
Interest expense	(\$0.11 M)
Principal due	\$7.51 M
Refer to 10 - Borrowings	

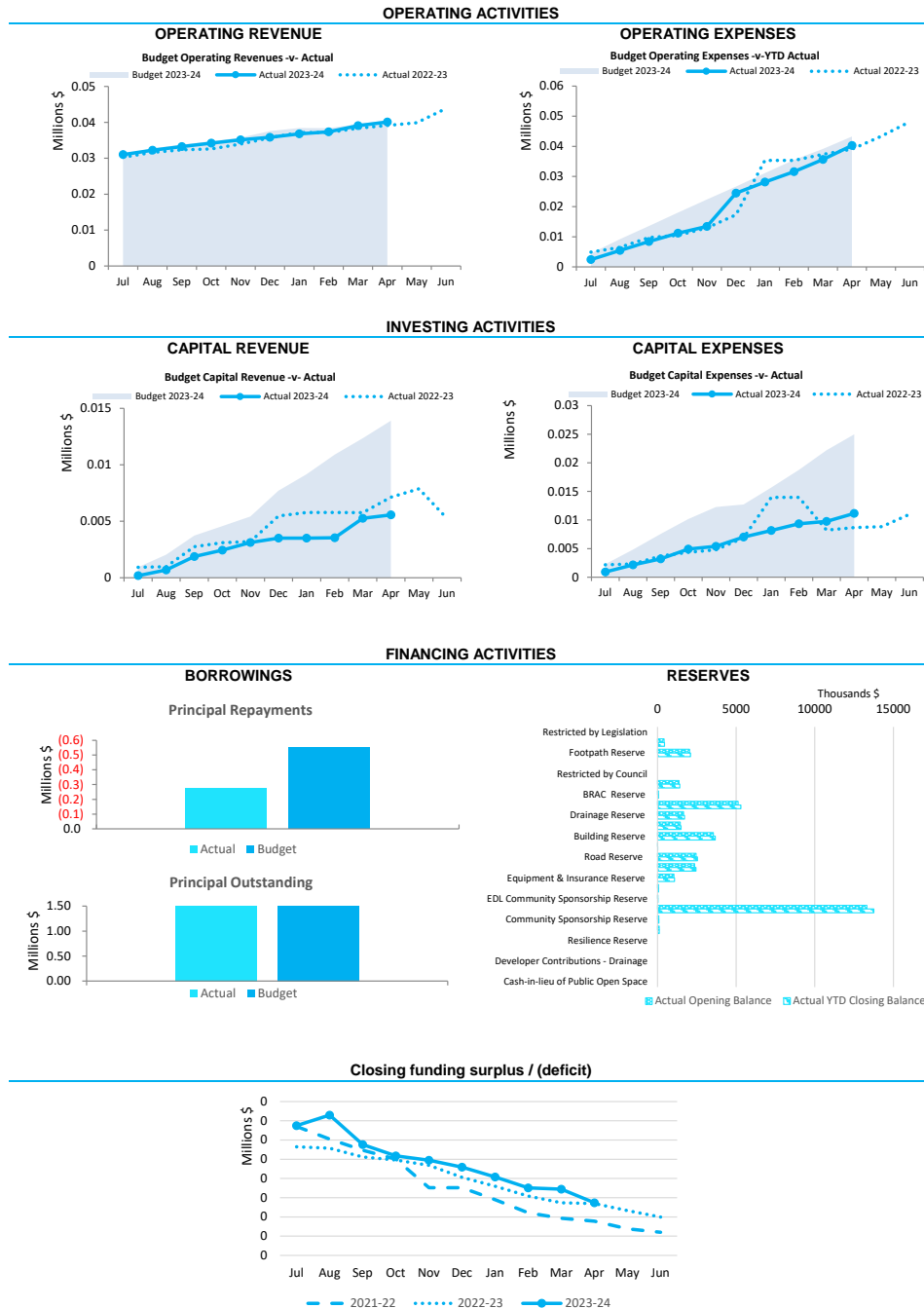
  

Reserves	
Reserves balance	\$36.29 M
Interest earned	\$1.15 M
Refer to 4 - Cash Reserves	

This information is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF BROOME  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

2 KEY INFORMATION - GRAPHICAL



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

**SHIRE OF BROOME**  
**SUPPLEMENTARY INFORMATION**  
**FOR THE PERIOD ENDED 30 APRIL 2024**

**3 CASH AND FINANCIAL ASSETS**

Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution	Interest Rate	Maturity Date
		\$	\$	\$	\$			
Municipal Bank Account	Cash and cash equivalents	6,794,056		6,794,056		CommBank	3.85%	At Call
Business Online Saver	Cash and cash equivalents	8,412,548		8,412,548		CommBank	4.35%	At Call
Reserve Bank Account	Cash and cash equivalents	0	2,911,806	2,911,806		CommBank	4.35%	At Call
Trust Bank Account	Cash and cash equivalents	0			206,771	CommBank	0.00%	At Call
Grants Bank Account	Cash and cash equivalents	206,723		206,723		CommBank	4.35%	At Call
ESCROW - Trust	Cash and cash equivalents	0	3,373,348	3,373,348		Perpetual	0.00%	At Call
Cash On Hand	Cash and cash equivalents	4,200		4,200		N/A	Nil	On Hand
Term Deposit	Cash and cash equivalents	0	30,000,000	30,000,000		WBC	5.07%	21/06/2024
Term Deposit	Cash and cash equivalents	5,000,000		5,000,000		WBC	5.07%	21/06/2024
<b>Total</b>		<b>20,417,527</b>	<b>36,285,154</b>	<b>56,702,681</b>	<b>206,771</b>			
<b>Comprising</b>								
Cash and cash equivalents		20,417,527	36,285,154	56,702,681	206,771			
		<b>20,417,527</b>	<b>36,285,154</b>	<b>56,702,681</b>	<b>206,771</b>			

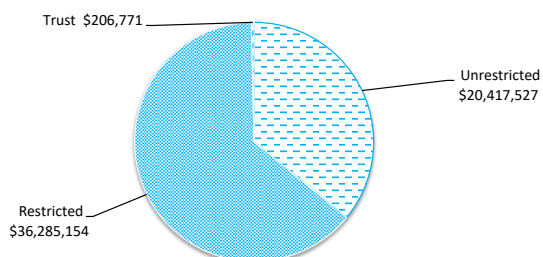
**KEY INFORMATION**

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other



**SHIRE OF BROOME**  
**SUPPLEMENTARY INFORMATION**  
**FOR THE PERIOD ENDED 30 APRIL 2024**

**4 RESERVE ACCOUNTS**

Reserve name	Budget Opening Balance	Budget Interest Earned	Budget Transfers In (+)	Budget Transfers Out (-)	Budget Closing Balance	Actual Opening Balance	Actual Interest Earned	Actual Transfers In (+)	Actual Transfers Out (-)	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Restricted by Legislation</b>										
Carpark Reserve	424,719	9,960	56,187	(105,188)	385,678	424,719	13,902	0	0	438,621
Footpath Reserve	2,032,606	47,184	135,294	(760,528)	1,454,556	2,032,606	66,532	(0)	0	2,099,138
<b>Restricted by Council</b>										
Leave Reserve	1,367,316	33,708	0	0	1,401,024	1,367,316	44,755	0	0	1,412,071
BRAC Reserve	60,541	1,494	0	(41,114)	20,921	60,541	1,982	(0)	0	62,523
Public Open Space Reserve	5,126,978	96,451	397,211	(1,629,053)	3,991,587	5,126,978	167,818	(0)	0	5,294,796
Drainage Reserve	1,659,384	41,411	22,692	(34,423)	1,689,064	1,659,384	54,315	0	0	1,713,699
Plant Reserve	1,446,090	36,730	1,123,338	(353,284)	2,252,874	1,446,090	47,334	(0)	0	1,493,424
Building Reserve	3,556,699	83,720	572,010	(1,151,463)	3,060,966	3,556,699	116,419	0	0	3,673,118
Public Art Reserve	6,428	159	0	0	6,587	6,428	210	0	0	6,638
Road Reserve	2,451,865	48,153	712,384	(231,981)	2,980,421	2,451,865	80,255	0	0	2,532,120
Refuse Site Reserve	2,367,508	65,521	300,551	(1,321,141)	1,412,439	2,367,508	77,494	0	0	2,445,002
Equipment & Insurance Reserve	1,039,887	23,834	139,000	(15,500)	1,187,221	1,039,887	34,038	(0)	0	1,073,925
Restricted Cash Reserve	65,000	0	379,328	0	444,328	65,000	0	0	0	65,000
EDL Community Sponsorship Reserve	28,133	1,584	0	0	29,717	28,133	921	(0)	0	29,054
Regional Resource Recovery Pk Resource	13,313,641	198,903	200,000	(1,189,180)	12,523,364	13,313,641	435,786	0	0	13,749,427
Community Sponsorship Reserve	84,289	2,080	0	0	86,369	84,289	2,759	(0)	0	87,048
Kimberley Zone Reserve	106,077	10,075	0	0	116,152	106,077	3,472	0	0	109,549
Resilience Reserve	0	0	96,465	0	96,465	0	0	0	0	0
Developer Contributions - Footpaths	0	0	782,630	(210,000)	572,630	0	0	0	0	0
Developer Contributions - Drainage	0	0	91,243	0	91,243	0	0	0	0	0
Cash-in-lieu of Carparking	0	0	0	0	0	0	0	0	0	0
Cash-in-lieu of Public Open Space	0	0	180,587	0	180,587	0	0	0	0	0
	<b>35,137,161</b>	<b>700,967</b>	<b>5,188,919</b>	<b>(7,042,855)</b>	<b>33,984,192</b>	<b>35,137,161</b>	<b>1,147,992</b>	<b>2</b>	<b>0</b>	<b>36,285,155</b>

SHIRE OF BROOME  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

INVESTING ACTIVITIES

5 CAPITAL ACQUISITIONS

	Amended Budget	YTD Budget	YTD Actual	YTD Actual Variance
	\$	\$	\$	\$
<b>Capital acquisitions</b>				
Buildings - non-specialised	6,981,151	3,303,711	1,680,850	(1,622,861)
Furniture and equipment	353,151	332,803	225,071	(107,732)
Mobile Plant and Equipment	3,361,194	2,363,813	1,838,814	(524,999)
Fixed Plant and Equipment	108,447	101,252	8,885	(92,367)
Disposal Of Assets	(539,144)	(466,350)	1,965	466,350
<b>Acquisition of property, plant and equipment</b>	<b>10,803,943</b>	<b>6,101,579</b>	<b>3,753,620</b>	<b>(2,347,959)</b>
Infrastructure - Roads	3,566,944	3,124,022	2,478,339	(645,683)
Infrastructure - Footpaths, carparks & bridges	420,258	347,007	147,943	(199,064)
Infrastructure - Drainage	25,000	0	0	0
Infrastructure - Recreation areas	19,296,380	14,739,312	4,555,102	(10,184,210)
Infrastructure - Others	773,325	665,590	220,843	(444,747)
<b>Acquisition of infrastructure</b>	<b>24,081,907</b>	<b>18,875,931</b>	<b>7,402,228</b>	<b>(11,473,703)</b>
<b>Total capital acquisitions</b>	<b>34,885,850</b>	<b>24,977,510</b>	<b>11,155,848</b>	<b>(13,821,662)</b>
<b>Capital Acquisitions Funded By:</b>				
Capital grants and contributions	15,957,925	13,201,331	5,071,361	(8,129,970)
Borrowings	3,963,717	0	0	0
Other (disposals & C/Fwd)	822,144	352,000	494,745	142,745
Reserve accounts				
Carpark Reserve	105,188	(87,620)	0	87,620
Footpath Reserve	760,528	(42,500)	0	42,500
BRAC Reserve	41,114	(34,240)	0	34,240
Public Open Space Reserve	1,629,053	(152,020)	0	152,020
Drainage Reserve	34,423	(28,690)	0	28,690
Plant Reserve	353,284	(294,280)	0	294,280
Building Reserve	1,151,463	(286,300)	0	286,300
Road Reserve	231,981	(66,640)	0	66,640
Refuse Site Reserve	1,321,141	(1,100,750)	0	1,100,750
Equipment & Insurance Reserve	15,500	0	0	0
Regional Resource Recovery Pk Resource	1,189,180	(1,119,170)	0	1,119,170
Developer Contributions - Footpaths	210,000	(174,930)	0	174,930
Contribution - operations	7,099,209	14,811,319	5,589,741	(9,221,578)
<b>Capital funding total</b>	<b>34,885,850</b>	<b>24,977,510</b>	<b>11,155,848</b>	<b>(13,821,662)</b>

**SIGNIFICANT ACCOUNTING POLICIES**

Each class of fixed assets within either plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Financial Management Regulation 17A (5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

**Initial recognition and measurement for assets held at cost**

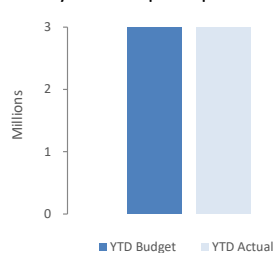
Plant and equipment including furniture and equipment is recognised at cost on acquisition in accordance with *Financial Management Regulation 17A*. Where acquired at no cost the asset is initially recognise at fair value. Assets held at cost are depreciated and assessed for impairment annually.

**Initial recognition and measurement between**

**mandatory revaluation dates for assets held at fair value**

In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Payments for Capital Acquisitions





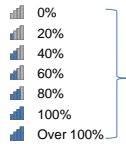
SHIRE OF BROOME  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

## INVESTING ACTIVITIES

## 5 CAPITAL ACQUISITIONS - DETAILED

## Capital expenditure total

## Level of completion indicators



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

Level of completion indicator, please see table at the end of this note for further detail.

				Amended		Variance
Account	Job	Account Description	Budget	YTD Budget	YTD Actual	(Under)/Over
			\$	\$	\$	\$
<b>Land and Buildings</b>						
53239		Surf Club Building Upgrade (Inc Plant & Furniture) Cap Exp-Law Ord & PS	155,720	155,720	155,815	(95)
0095810	095810	Staff housing 8 & 11/ 6 Ibis Way - fit out- Cap Ex	22,919	19,100	16,026	3,074
0095810	095811	Staff housing - 96 Robinson Street - Cap Ex	4,400	2,200	2,115	85
0095810	095812	Shire Key Worker Housing - Capex New 2023/24	2,966,000	0	636	(636)
101555	101559	WMF - Sea Container & Dome Work Area Shade	33,968	28,290	0	28,290
101896	101897	Community Recycling Centre - RRP - Cap Exp	897,738	617,966	760,296	(142,330)
101896	101898	RRRP Waste Facility - Yr 1 CRC	0	0	79,489	(79,489)
107666	107765	Town Beach Toilet Block Renewal Inc Furn & Services - Build Cap Exp	8,000	5,332	4,714	618
101516		Building New Const - Cap Exp - Sanitation Gen Refuse	81,664	48,999	83,662	(34,663)
0117024	117025	BRAC Gym and Fitness Facility - Detailed Design / Tender Package- Cap Ex	852,438	710,370	309,625	400,745
0117315	117316	BRAC Building Renewal - Cap Exp - BRAC Dry	166,400	166,400	0	166,400
0113755		Civic Centre Building Renewal (Inc Plant & Furn) - Cap Exp - Public Halls	135,000	112,500	80,530	31,970
0116201		Museum Building Renewal- Cap Exp - Other Cult	92,600	74,080	17,082	56,998
115460	115460	Broome Public Library - Kitchen Fit Out- Cap Ex	20,000	16,660	21,064	(4,404)
0132129		Visitor Centre Renewal (Inc plant & Furn) - Cap Bldg Exp	85,000	83,000	83,863	(863)
0147057		Town Beach Cafe Redevelopment - Cap Exp	590,163	491,600	0	491,600
0146662		BOSCCA Building Renewal (Inc Plant & Furn) - Cap Exp - Com Fac Leased	4,400	3,660	2,752	908
0147374		KRO1 Building Renewal - Cap Exp - Office Prop Leased	98,600	82,130	0	82,130
0148003	148007	Depot Building Const Renewal - Cap Exp - Depot Operations	32,000	26,670	35,225	(8,555)
112057	112057	Town Beach Kiosk Cap Build New Const-Cap Exp-Other Build Lea	100,000	83,300	23,925	59,375
147100	147100	Admin Building - Packaged Plant- Cap Ex	349,141	290,734	850	289,884
0107675	107676	Male Oval Toilets Renewal Cap Exp	225,000	225,000	3,182	221,818
117400	FC02	Western Australian Football Commission Grant Expenditure - Medland	60,000	60,000	0	60,000
<b>Infrastructure Assets - Roads &amp; Footpaths</b>						
1181403		Town Beach Redevelopment - Catalina Boat Ramp - Cap Exp	182,500	152,020	38,472	113,548
121100	121716	Port Drive - Guy Street Intersection Upgrade	914,122	914,122	976,028	(61,906)
121100	RU229	De Marchi Road Black Spot - Cap Exp	350,993	292,490	82,975	209,515
121101	121549	Urban Maint Reseals Renewal Works Cap Exp	834,414	695,060	411,187	283,873
121101	121562	Capital Works Program Projects - Upgrade (stewart St)- Cap Ex	0	0	8,624	(8,624)
125000	125045	State Blackspot - Frederick Street off-street carpark Cap (Broome SH5) Exp	1,284,915	1,070,330	961,053	109,277
125140	125172	Footpaths - Various	(11,045)	(11,045)	(10,491)	(554)
125140	125277	Broome North Subdivision - New Footpath construction	244,576	202,512	158,435	44,077
125300	VARPATH	Various Footpath Renewals - Cap Exp	186,727	155,540	0	155,540
<b>Infrastructure Assets - Recreation Areas</b>						
0113131	CB02	Cable Beach Stage 1 - Other	1,112,270	876,890	1,058,656	(181,766)
0117397	TC01	Tennis Court Surface Renewal Expenditure	248,537	207,110	178,449	28,661
0113551	113795	Parks & Gardens Works Renewal Infra - Cap Exp	186,065	155,050	123,699	31,351
0113552	113617	Haynes Oval Infra Upgrade Const by P&G - Cap Exp - Pks & Ovl	15,000	12,490	0	12,490
0117450	117452	BRAC Oval Upgrade of Infra - Cap Exp	419,565	30,000	28,920	1,080
0113551	133796	RUBBERISED MATS - Cap Exp	117,300	97,710	113,660	(15,950)
0113131	CB01	Cable Beach Stage 1 RTR/RPG Grant Expenditure - Cable Beach Road West	1,356,000	1,040,832	1,352,990	(312,158)
1181425	1181426	Cable Beach Foreshore Upgrade	312,547	260,460	74,995	185,465
1181425	1181428	MOLA Mapping	50,000	41,650	0	41,650
114105	114105	Tennis Court Lighting Renewal- Cap Ex	24,659	20,550	12,588	7,962
1181427		Cable Beach Redevelopment (Construction) - Cap Exp	349,908	349,908	349,908	0
113027	113029	Skatepark New Infrs Const - Cap Exp - Other Rec & Sport	(2,370)	(2,370)	(2,370)	0
113131	CB03	Cable Beach Stage 1 PACP Grant Expenditure	3,210,000	2,175,840	1,038	2,174,802
113131	CB04	Cable Beach Stage 1 BBRF Grant Expenditure	3,849,307	2,928,204	905,820	2,022,384
113131	CB05	Cable Beach Stage 1 LRCI Grant Expenditure Phase 3	1,225,872	1,021,560	0	1,021,560
113131	CB06	Cable Beach Stage 1 Lotterywest Grant Expenditure	1,000,000	833,330	1,323	832,007
113131	CB07	Cable Beach Stage 1 "TBC" Grant Expenditure	750,000	625,000	0	625,000
113131	CB08	Cable Beach Stage 1 Loan Expenditure	2,350,507	1,958,760	0	1,958,760
113131	CB09	Cable Beach Stage 1 Reserve Expenditure	1,754,722	1,462,270	1,871	1,460,399
113131	CB10	Cable Beach Stage 1 LRCI Grant Expenditure Phase 4	966,491	644,068	353,555	290,513
<b>Infrastructure Assets - Drainage</b>						

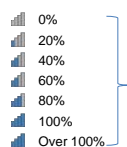
SHIRE OF BROOME  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

## INVESTING ACTIVITIES

## 5 CAPITAL ACQUISITIONS - DETAILED

## Capital expenditure total

## Level of completion indicators



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

Level of completion indicator, please see table at the end of this note for further detail.

			Amended		YTD Actual	Variance (Under)/Over
Account	Job	Account Description	Budget	YTD Budget		
			\$	\$	\$	\$
104600	104796	Drainage Grate Improvements	25,000	0	0	-
					0	-
					0	-
		<b>Infrastructure Assets - Other</b>				
101550	101552	Mobile Garbage Bin Replacement - Cap Exp - San Gen Refuse	207,011	172,430	83,133	89,297
107550	107550	Japanese Cemetery New Infra by P & G - Cap Exp	34,768	28,500	28,421	79
116125	116132	Cape Leveque Tourist Bay and Signage	35,000	29,170	2,243	26,927
125225	125232	Street Lighting at Various Locations - Renewal	90,836	39,000	38,870	130
0132142	132143	Sam Male Lugger Restoration- Cap EX	55,200	45,980	1,600	44,380
132029	132040	Broome Visitor Centre - Packaged Plant Cap Ex	66,576	66,576	66,576	(0)
132315	SRIDF01	Sanctuary Road - IDF - 01 CAP Ex Grant Exp	283,934	283,934	0	283,934
						-
		<b>Mobile Plant and Equipment</b>				
0023571		Vehicle & Mobile Plant Renewal (Replacement) Cap Exp - Other Gov	60,000	49,980	72,817	(22,837)
106184		Vehicle & Mobile Plant Renewal (Replacement) Cap Exp - Dev Services	242,698	202,150	111,794	90,356
1042510		Mobile Plant & Equipment Renewal (Replacement) - Cap Exp - Sanitation Ot	448,000	373,180	0	373,180
117398		Vehicle & Mobile Plant Renewal (Replacement) -Cap Exp- BRAC General	0	0	67,335	(67,335)
0148108		Mobile Plant & Equipment New - Eng Office - Cap Exp	16,500	13,740	0	13,740
0142550		Vehicle & Mobile Plant New -Cap Exp- Corp Gov	122,642	102,150	68,310	33,840
0148021		Vehicle & Mobile Plant New - Cap Exp - Depot Ops	220,000	183,260	55,463	127,797
0143610		Vehicle & Plant Renewal(Replacement) - Cap Exp - P&G Operations	961,985	801,330	704,783	96,547
0148004		Vehicle & Mobile Plant Renewal(Replacement)- Cap Exp - Eng Office	235,000	195,750	180,265	15,485
0148611		Vehicle & Mob Plant Renewal(Replacement) - Cap Exp - Works Ops	1,054,369	442,273	578,047	(135,774)
						-
		<b>Fixed Plant and Equipment</b>				
101535	101536	Fixed Plant & Equip New Cap Exp - San Gen Refuse	65,422	65,422	6,445	58,977
0147376		KRO2 Fixed Plant & Equip Upgrade - Cap Exp - Office Properties Leased	40,000	33,320	2,440	30,880
147350	1482447	KRO 2 - air-conditioning units- Cap Ex	3,025	2,510	0	2,510
					0	-
		<b>Furniture and Equipment</b>				
102556		Furniture & Equip New Cap Exp - San Gen Refuse	125,500	125,500	125,500	-
117399	117422	BRAC Outdoor Court Scoreboard - Cap Ex	55,934	55,934	55,934	(0)
117399	117420	BRAC Grid Solar Connection	2,726	2,726	5,609	(2,883)
0146120		Equip & H'Ware > \$5000 Cap Exp - IT	59,500	48,546	15,469	33,077
0146122		Software Cap Exp - IT (dont use)	73,926	64,532	(12,832)	77,364
147354		KRO 1 & 2 Security Screens- Cap Exp	35,565	35,565	32,172	3,393
117399	117421	BRAC Water Fountain and Entrance - DCS202206	0	0	3,218	(3,218)
			<b>34,885,851</b>	<b>24,977,510</b>	<b>11,155,848</b>	<b>13,821,662</b>

SHIRE OF BROOME  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

## OPERATING ACTIVITIES

## 6 DISPOSAL OF ASSETS

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book				Net Book			
		Value	Proceeds	Profit	(Loss)	Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
P11116	Mitsubishi Triton - Health (BM29322)	0	0	0	0	8,930	11,818	2,888	0
P118	Holden Colorado Rangers- (1GND061)	33,786	22,000	0	(11,786)	23,598	10,364	0	(13,234)
P817	Mitsubishi Triton - BRAC Manager (Replaces Toyota Hilux P810) BM29323	16,405	13,000	0	(3,405)	0	0	0	0
P4614	HINO 3 WAY SIDE TIPPER (1EU239)	95,707	70,000	0	(25,707)	82,000	123,182	41,182	0
P10518	John Deere Ride on Mower 1585 with Cab - 1GOK099	18,409	10,000	0	(8,409)	6,000	12,650	6,650	0
P3818	Holden Colorado Parks Supervisor - 1GND051	23,524	22,000	0	(1,524)	0	0	0	0
P2718	Holden Colorado - Depot - 1GNC990	23,167	22,000	0	(1,167)	0	0	0	0
P13616	Hino 300 Series 921 XXlong Auto Truck Crew Cab Caged Tipper (CFC) (1GEU286) (Replaced P3611)	82,461	83,144	683	0	0	0	0	0
P7419	Toyota Prado T/D 5 Door WGN A/T GXL (CEO) REGO 1GXA344	53,856	45,000	0	(8,856)	48,688	46,364	0	(2,325)
P16319	Toyota Prado DSL Wagon GX - Director Corporate Services	37,441	50,000	12,559	0	35,188	36,364	1,176	0
P12118	Holden Colorado MCD 1GNC999	15,721	22,000	6,279	0	13,785	5,364	0	(8,421)
P4418	Holden Colorado (MPB) - 1GNC980	20,241	22,000	1,759	0	0	0	0	0
P10118	Holden Colorado - Health - 1GNC988	19,385	22,000	2,615	0	0	0	0	0
P7518	Holden Colorado Crew Cab 4WD Tray Top (Manager P&C)	19,013	22,000	2,987	0	0	0	0	0
P11318	Holden Colorado Manager Engineering 1GNC993	19,965	22,000	2,035	0	0	0	0	0
P2817	Isuzu D-Max LSM 4x4 Crew Cab	18,056	22,000	3,944	0	13,636	21,091	7,455	0
P7216	Bobcat T650 Compact Tract Loader (1GAY388)	0	0	0	0	66,217	37,500	0	(28,717)
P15511	Bobcat Planer (Profiler) AttachmentM18PLA (Refer to Bobcat P7211) (Works)	0	0	0	0	0	3,182	3,182	0
P1416	Isuzu D-Max Dual Cab - Works	0	0	0	0	20,909	16,636	0	(4,273)
P1616	Isuzu D-Max Dual Cab - Works Construction (1GD1723)	0	0	0	0	13,636	15,818	2,182	0
P14410	Forklift 2.5T 2WD 4.3mtr 3 stage mast. Toyota model 42-7FG25	0	4,000	4,000	0	0	5,000	5,000	0
P3017	Isuzu D-Max 4x4 Space Cab/Chassis - Workshop	14,797	22,000	7,203	0	0	0	0	0
P83705	Trailer Dean Caged/Tipper BM11767	0	0	0	0	3,000	4,818	1,818	0
P2916	Isuzu D-Max Extra Cab - P&G Spray Ute	9,330	22,000	12,670	0	7,272	20,091	12,819	0
P11615	900lt SILVAN TRACTOR MOUNTED FERTILIZER SPREADER	0	0	0	0	3,503	232	0	(3,271)
P17218	Toro Groundmaster 360 4WD Centre Deck Ride on Mower (refer P17214 old unit)	0	0	0	0	10,000	7,273	0	(2,727)
P6818	Holden Colorado P&G Retic 2 - 1GNS960	0	0	0	0	17,818	18,636	819	0
P18118	Holden Colorado Community Clean Up 1GND050 (replaced P1611)	17,880	22,000	4,120	0	0	0	0	0
P16108	Generator (standby) mega - gen DVAS 165E	0	15,000	15,000	0	0	0	0	0
P11419	Isuzu DMax 4x4 SX Single Bed with Dog Pod - Rangers	13,434	20,000	6,566	0	0	0	0	0
P7620	Prado GX Toyota - Director Infrastructure	0	50,000	50,000	0	37,070	42,273	5,203	0
P8202	Scrapper CAT 613B 8.4m3 (Purchased second hand (1992)) BM9112	22,939	30,000	7,061	0	34,451	34,091	0	(360)
P1719	Isuzu D-MAX 4x4 SX Crew Cab Utility	13,362	20,000	6,638	0	0	0	0	0
P11418	Holden Colorado - Planning Coordinator	14,875	15,000	125	0	0	0	0	0
P1917	UD Nissan 8T Tipper Truck	43,989	30,000	0	(13,989)	0	0	0	0
P16713	Ransome MTD5 5 Gang Reel Mower (Tractor Mounted) (P&Gs)	0	10,000	10,000	0	0	0	0	0
P88518	Trimax Stealth 340 Series 3 Mower	9,475	5,000	0	(4,475)	0	0	0	0
P7901	Aerator Tractor Mounted	0	3,000	3,000	0	0	0	0	0
P1016	Hardi NK600 Spray Unit	5,157	5,000	0	(157)	5,320	1,364	0	(3,956)
P218	Holden Colorado Retic 3 1GLT640	14,657	20,000	5,343	0	0	0	0	0
P12616	Hino 2630 500 series Truck with OHR IT20 Hooklift	98,413	60,000	0	(38,413)	0	0	0	0
P8412	Water Truck Hino 500 Series 1628 Auto (P&Gs) 1EAR805 (see P4712 for tank)	0	0	0	0	50,000	16,364	0	(33,636)
P6601	Trailer Polmac Caged/Tipper 1TCX086	0	0	0	0	0	4,273	4,273	0
		<b>775,445</b>	<b>822,144</b>	<b>103,733</b>	<b>(57,034)</b>	<b>501,020</b>	<b>494,745</b>	<b>94,647</b>	<b>(100,920)</b>

**SHIRE OF BROOME  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024**

**OPERATING ACTIVITIES**

**7 OTHER CURRENT ASSETS**

	Opening Balance 1 July 2023	Asset Increase	Asset Reduction	Closing Balance 30 April 2024
	\$	\$	\$	\$
<b>Other current assets</b>				
<b>Other financial assets at amortised cost</b>				
Financial assets at amortised cost - self supporting loans	96,154	0	(48,077)	48,077
<b>Inventory</b>				
Fuel and materials	20,025	358,926	(368,917)	10,035
BRAC Stock	10,329	(198)	(7,029)	3,102
<b>Other assets</b>				
Prepayments	160,912	0	(159,447)	1,465
<b>Total other current assets</b>	<b>287,420</b>	<b>358,728</b>	<b>(583,470)</b>	<b>62,678</b>
<b>Amounts shown above include GST (where applicable)</b>				

**KEY INFORMATION**

**Other financial assets at amortised cost**

The Shire classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

**Inventory**

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

**SHIRE OF BROOME  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024**

**OPERATING ACTIVITIES**

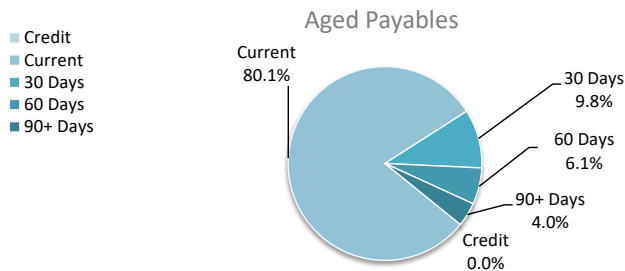
**8 PAYABLES**

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	481,991	58,957	36,645	24,089	601,683
Percentage	0.0%	80.1%	9.8%	6.1%	4.0%	
<b>Balance per trial balance</b>						619,074
Sundry creditors						485,358
Accrued salaries and wages						636,465
Bonds and deposits held						165,256
Accrued liabilities						440,632
Prepaid rates						
<b>Total payables general outstanding</b>						<b>2,346,785</b>

Amounts shown above include GST (where applicable)

**KEY INFORMATION**

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.



SHIRE OF BROOME  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

## OPERATING ACTIVITIES

## 9 RATE REVENUE

## General rate revenue

RATE TYPE	Rate in	Number of	Rateable	Rate	Budget	Total	Rate	YTD Actual	Total
	\$ (cents)	Properties	Value	Revenue	Reassessed	Revenue	Revenue	Reassessed	Revenue
				\$	\$	\$	\$	\$	\$
<b>Gross rental value</b>									
GRV - Residential	8.7268	5,095	165,274,307	14,423,156	186,175	14,609,331	14,423,156	186,099	14,609,255
GRV - Residential - Vacant	18.4795	161	2,895,550	535,082		535,082	535,082		535,082
GRV - Commercial/Industrial	11.8501	558	59,709,080	7,076,094		7,076,094	7,075,589		7,075,589
GRV - Tourism	14.1405	577	21,759,799	3,076,935		3,076,935	3,076,935		3,076,935
<b>Unimproved value</b>									
UV -Rural	0.8510	54	17,809,000	151,563		151,563	151,563		151,563
UV -Mining	14.3945	39	1,400,067	201,532		201,532	201,532		201,532
UV -Commercial Rural	3.5580	22	10,810,860	384,653		384,653	384,653		384,653
<b>Sub-Total</b>		<b>6,506</b>	<b>279,658,663</b>	<b>25,849,015</b>	<b>186,175</b>	<b>26,035,190</b>	<b>25,848,510</b>	<b>186,099</b>	<b>26,034,609</b>
<b>Minimum payment</b>									
<b>Gross rental value</b>									
GRV - Residential	1,268	45	588,460	57,060		57,060	57,060		57,060
GRV - Residential - Vacant	1,268	154	701,738	195,272		195,272	195,272		195,272
GRV - Commercial/Industrial	1,268	22	153,862	27,896		27,896	27,896		27,896
GRV - Tourism	1,268	247	782,931	313,196		313,196	313,196		313,196
<b>Unimproved value</b>									
UV -Rural	1,268	4	191,300	5,072		5,072	5,072		5,072
UV -Mining	520	20	37,669	10,400		10,400	10,400		10,400
UV -Commercial Rural	1,268	1	3,300	1,268		1,268	1,268		1,268
<b>Sub-total</b>		<b>493</b>	<b>2,459,260</b>	<b>610,164</b>	<b>0</b>	<b>610,164</b>	<b>610,164</b>	<b>0</b>	<b>610,164</b>
Concession						(58,635)			(58,635)
<b>Total general rates</b>						<b>26,586,719</b>			<b>26,586,138</b>

SHIRE OF BROOME  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

## FINANCING ACTIVITIES

## 10 BORROWINGS

## Repayments - borrowings

## Information on borrowings

Particulars	Loan No.	New Loans			Principal Repayments		Principal Outstanding		Interest Repayments	
		1 July 2023	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
Town Beach Redevelopment	197	1,187,316			(45,027)	(90,419)	1,142,289	1,096,897	(8,757)	(18,829)
Chinatown Revitalisation Loan	196	1,058,108			(83,686)	(168,163)	974,422	889,945	(9,398)	(19,207)
Chinatown Revitalisation Stage 2	198	1,575,930			(53,548)	(107,618)	1,522,382	1,468,312	(15,113)	(30,209)
China Town Contingency	201	1,715,391			(43,819)	(88,674)	1,671,572	1,626,717	(38,552)	(80,524)
Cable Beach Stage 1	TBA	0		997,717	0	0	0	997,717	0	0
Staff Housing	TBA	0		2,966,000	0	0	0	2,966,000	0	0
		5,536,745	0	3,963,717	(226,080)	(454,874)	5,310,665	9,045,588	(71,821)	(148,769)
<b>Self supporting loans</b>										
Broome Golf Club	199	1,250,000	0	0	(48,077)	(96,154)	1,201,923	1,153,846	(12,012)	(23,955)
Broome Surf Life Saving Club	200	1,000,000	0	0	0	0	1,000,000	1,000,000	(22,876)	(47,843)
		2,250,000	0	0	(48,077)	(96,154)	2,201,923	2,153,846	(34,888)	(71,798)
<b>Total</b>		<b>7,786,745</b>	<b>0</b>	<b>3,963,717</b>	<b>(274,157)</b>	<b>(551,028)</b>	<b>7,512,588</b>	<b>11,199,434</b>	<b>(106,709)</b>	<b>(220,567)</b>
Current borrowings		551,028					276,875			
Non-current borrowings		7,235,717					7,235,713			
		<b>7,786,745</b>					<b>7,512,588</b>			

All debenture repayments were financed by general purpose revenue.  
Self supporting loans are financed by repayments from third parties.

## New borrowings 2023-24

Particulars	Amount Borrowed		Institution	Loan Type	Term Years	Total Interest & Charges	Interest Rate	Amount (Used)		Balance Unspent
	Actual	Budget						Actual	Budget	
	\$	\$				\$	%	\$	\$	\$
Cable Beach Stage 1	0	997,717	WATC	Semi-annual	16	84,709	4.7843	(1,000,000)	(690,746)	309,254
Staff Housing	0	2,966,000	WATC	Semi-annual	10	0		0	0	0
	<b>0</b>	<b>3,963,717</b>				<b>84,709</b>		<b>-1,000,000</b>	<b>-690,746</b>	<b>309,254</b>

## KEY INFORMATION

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature. Non-current borrowings fair values are based on discounted cash flows using a current borrowing rate.

**SHIRE OF BROOME  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024**

**OPERATING ACTIVITIES**

**11 OTHER CURRENT LIABILITIES**

	Note	Opening Balance 1 July 2023 \$	Liability transferred from/(to) non current \$	Liability Increase \$	Liability Reduction \$	Closing Balance 30 April 2024 \$
<b>Other current liabilities</b>						
<b>Other liabilities</b>						
Capital grant/contributions liabilities		5,489,456	0	0	0	5,489,456
Developer contributions		1,867,402	0	0	0	1,867,402
<b>Total other liabilities</b>		<b>7,356,858</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7,356,858</b>
<b>Employee Related Provisions</b>						
Provision for annual leave		1,000,118	0	0	0	1,000,118
Provision for long service leave		696,913	(24,256)	0	(5,135)	691,778
Employment on-costs		75,588	24,256	0	0	75,588
<b>Total Provisions</b>		<b>1,772,619</b>	<b>0</b>	<b>0</b>	<b>(5,135)</b>	<b>1,767,484</b>
<b>Other Provisions</b>						
Provision for remediation costs		234,420	0	0	0	234,420
<b>Total Other Provisions</b>		<b>234,420</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>234,420</b>
<b>Total other current liabilities</b>		<b>9,363,897</b>	<b>0</b>	<b>0</b>	<b>(5,135)</b>	<b>9,358,762</b>

Amounts shown above include GST (where applicable)

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 13

**KEY INFORMATION**

**Provisions**

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured. Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

**Employee Related Provisions**

**Short-term employee benefits**

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

**Other long-term employee benefits**

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

**Contract liabilities**

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer.

**Capital grant/contribution liabilities**

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.



SHIRE OF BROOME  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

## OPERATING ACTIVITIES

## 12 GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Grant	Grant Purpose	Unspent grant, subsidies and contributions liability					Grants, subsidies and contributions revenue					
			Liability	Increase in Liability	Decrease in Liability (As revenue)	Liability	Current Liability	Amended Budget Revenue	YTD Budget	Annual Budget	Budget Variations	Expected	YTD Revenue Actual
			1 July 2023			30 Apr 2024	30 Apr 2024						
			\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Grants and subsidies</b>													
WA Grants Commission	Financial Assistance Grant (FAGS)	General Purpose	0	0	0	0	0	82,975	62,232	1,859,543	(1,776,568)	82,975	62,231
Department of Health	Broome CLAG Funding		0	0	0	0	0	7,000	7,000	7,000	0	7,000	7,169
Rio Tinto - Pilbara Iron Company Pty Ltd	Youth Partnership Agreement 2022-2025		0	0	0	0	0	65,000	65,000	60,000	5,000	65,000	68,000
Gaming and Wagering Commission	Every Club Scheme Funding (DLGSC)	Club Development and Support	0	0	0	0	0	45,000	37,480	45,000	0	45,000	909
Department of Local Government, Sport and Culture	In the House	Performance, production and staffing funding	0	0	0	0	0	60,000	50,000	30,000	30,000	60,000	30,000
State Library of WA	Travel Grant	Library staff member to travel to SLWA training	0	0	0	0	0	3,154	2,620	3,154	0	3,154	1,099
WA Grants Commission	Financial Assistance Grant (FAGS)	Roads unfed	0	0	0	0	0	55,106	41,331	637,070	(581,964)	55,106	41,330
Main Roads WA	Street Lighting Subsidy	Annual Street Lighting Subsidy on Main Roads / H	0	0	0	0	0	43,000	43,000	43,000	0	43,000	0
Main Roads WA	Direct Grant	Annual Direct Grant Allocation	0	0	0	0	0	166,166	166,166	185,000	(18,834)	166,166	168,136
Department of Fire and Emergency Services	DRFAWA / WANDRRA	AGRN 793 Broome - Simpsons/Demco Beach	0	0	0	0	0	309,897	309,897	0	309,897	309,897	76,131
Department of Justice	A Sporting Chance		0	0	0	0	0	50,878	41,060	87,034	(36,156)	50,878	82,419
Department of Local Government, Sport & Culture	A Sporting Chance		0	0	0	0	0	48,500	39,140	82,966	(34,466)	48,500	0
Library Various grants			0	0	0	0	0	30,694	30,694	9,500	21,194	30,694	32,068
Scitech	Science Week Grant	Inspiring Western Australia 2023 STEM	0	0	0	0	0				0	0	5,885
State Library of WA	Better Beginnings Round 3	Little Bubba Yarns Story Time	0	0	0	0	0				0	0	19,485
Children's Book Council of Australia - WA Branch	Children's Book Week	Author Expenses	0	0	0	0	0				0	0	4,698
Good Things Foundation Ltd	Get Online Week Grant 2023	Get Online Week events	0	0	0	0	0				0	0	1,000
Meerilinga	Young Children's Week Grant	Children's Week events	0	0	0	0	0				0	0	1,000
Department of Planning, Lands and Heritage	Coastal Management Plan Assistance Program 202	Coastal Hazard Risk Management and Adaptation	0	0	0	0	0	15,000	12,490	15,000	0	15,000	0
Department of Planning, Lands and Heritage	Inclusion Development Fund	Sanctuary Road Detailed Design, Headworks and F	0	0	0	0	0	283,934	236,620	400,000	(116,066)	283,934	0
Intex Ichtyis Pty Ltd		Support for Shire community events	0	0	0	0	0	30,000	30,000	10,000	20,000	30,000	30,000
National Australia Day Council	Australia Day Community Grant	Community Event	0	0	0	0	0				0		10,000
Kimberley Development Commission	Remote Chance Project		0	0	0	0	0	70,000	42,000	0	70,000	70,000	70,000
Lotterywest	Lotterywest	Cable Beach Water Park Detailed Design	0	0	0	0	0	0	0	300,000	(300,000)	0	0
Department of Communities	Podcast Exhibition		0	0	0	0	0	0	0	23,000	(23,000)	0	8,000
Council on the Ageing (COTA)	Group Fitness by BRAC		0	0	0	0	0	0	0	0	0	0	818
Department of Primary Industries and Regional De	Animal Welfare Program	Fee-free desexing	0	0	0	0	0	0	0	0	0	0	25,000
			0	0	0	0	0	1,366,304	1,216,730	3,797,267	(2,430,963)	1,366,304	703,310

SHIRE OF BROOME  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

## INVESTING ACTIVITIES

## 13 CAPITAL GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Grant	Grant Purpose	Capital grant/contribution liabilities						Capital grants, subsidies and contributions revenue						YTD Revenue Actual
			Liability	Liability	Increase in	Decrease in	Liability	Current	Amended	YTD	Annual	Budget	Expected		
			1 July 2022	1 July 2023	Liability	Liability	30 Apr 2024	Liability	Budget Revenue	Budget	Budget	Variations			
			\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Capital grants and subsidies</b>															
National Emergency Management Australia	Preparing Australian Commu	Cable Beach (Walmanyjun) Coa	2,318,000	2,318,000	0	0	2,318,000	2,318,000	545,221	545,221	0	545,221	545,221	0	0
Main Roads	Black Spot	Frederick Street Carpark	0	312,000	0	0	312,000	312,000	1,316,983	1,160,723	935,650	381,333	1,316,983	823,532	823,532
Main Roads	RPG	Stewart St, Port Guy intersection	0	0	0	0	0	0	299,399	299,399	0	299,399	299,399	299,399	299,399
Department of Water & Environmental Regulations	E-waste Infrastructure Milesto	For the construction of dedicat	0	0	0	0	0	0	140,586	140,586	0	140,586	140,586	140,586	140,586
Main Roads	RTR/RPG	Cable Beach Stage 1 - Cable Bea	0	0	0	0	0	0	1,356,000	1,138,664	1,276,000	80,000	1,356,000	1,355,099	1,355,099
National Emergency Management Australia	Preparing Australian Commu	Cable Beach (Walmanyjun) Coa	0	0	0	0	0	0	3,210,000	2,175,840	1,000,000	2,210,000	3,210,000	0	0
Department of Infrastructure	Building Better Regions Fund	Cable Beach Stage 1 - Detailed	0	1,566,521	0	0	1,566,521	1,566,521	4,182,803	3,485,680	4,182,803	0	4,182,803	528,280	528,280
Department of Infrastructure	Local Roads & Community Infr	Cable Beach Stage 1 - LRCI Phas	0	612,936	0	0	612,936	612,936	1,225,872	1,021,570	1,225,872	0	1,225,872	0	0
Lotterywest	Cable Beach Stage 1	Cable Beach Stage 1	0	0	0	0	0	0	1,000,000	1,000,000	1,000,000	0	1,000,000	1,000,000	1,000,000
National Emergency Management Australia	Preparing Australian Commu	Cable Beach (Walmanyjun) Coa	0	0	0	0	0	0	750,000	625,010	750,000	0	750,000	0	0
Department of Infrastructure	Local Roads & Community Infr	Cable Beach Stage 1 - LRCI Phas	0	0	0	0	0	0	966,491	644,068	0	966,491	966,491	579,895	579,895
Community Sporting & Recreation Facilities	BRAC	Tennis Court Surface Renewal	0	0	0	0	0	0	50,000	50,000	99,684	(49,684)	50,000	0	0
Department of Communities	Changing Places	Cable Beach	45,454	169,999	0	0	169,999	169,999	0	0	0	0	0	0	0
Western Australian Football Commission			0	0	0	0	0	0	60,000	60,000	0	60,000	60,000	0	0
				4,979,456	0	0	4,979,456	4,979,456	15,103,355	12,346,761	10,470,009	4,633,346	15,103,355	4,726,791	4,726,791
<b>Capital contributions</b>															
Roebuck Estate Development Pty Ltd	Drainage Headworks	WAPC 155527 STAGE 11C 2022	0	0	0	0	0	0	15,000	15,000	0	(15,000)	(15,000)	15,000	15,000
Roebuck Estate Development Pty Ltd	Footpath Contribution	WAPC 155527 STAGE 11C 2022	0	0	0	0	0	0	148,983	148,983	0	(148,983)	(148,983)	148,983	148,983
Education Department of Western Australia	Frederick Street Carpark	Contribution towards parking at	0	510,000	0	0	510,000	510,000	510,000	510,000	0	(510,000)	(510,000)	0	0
Roebuck Estate Development Pty Ltd	Cash-in-lieu of public open spa	WAPC REF NO. 160671	0	0	0	0	0	0	180,587	180,587	180,587	0	180,587	180,587	180,587
				510,000	0	0	510,000	510,000	854,570	854,570	180,587	(673,983)	(493,396)	344,570	344,570
<b>TOTALS</b>				5,489,456	0	0	5,489,456	5,489,456	15,957,925	13,201,331	10,650,596	3,959,363	14,609,959	5,071,361	5,071,361

**SHIRE OF BROOME**  
**SUPPLEMENTARY INFORMATION**  
**FOR THE PERIOD ENDED 30 APRIL 2024**

**14 TRUST FUND**

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

Description	Opening Balance 1 July 2023	Amount Received	Amount Paid	Closing Balance 30 Apr 2024
	\$	\$	\$	\$
Town Planning Related Bond Deposits	106,562	0	0	106,562
Cash In Lieu Of Public Open Space	100,209	0	0	100,209
	<b>206,771</b>	<b>0</b>	<b>0</b>	<b>206,771</b>

SHIRE OF BROOME  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

15 BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
			\$	\$	\$	\$
<b>Budget adoption</b>						2,138,369
Transfer to P.O.S Reserve	SMC 21/12/23	Capital expenses			(397,211)	1,741,158
Loans Received Cable Beach Foreshore Upgrades- Cap Inc - Other Recreation & SMC 21/12/23		Capital Income			(883,435)	857,723
<b>Operating Revenues</b>						857,723
<b>Fees &amp; Charges Levied Rec'd</b>						857,723
Sundry (ORV Etc) Fines & Penalties - Op Inc - Other Law Order & Public Safety	OMC - 14/12/23 FACR 1	Operating Income		42,180		899,903
Health Licences - Op Inc - Preventive - Inspection/Admin	OMC - 29/02/24 FACR 2	Operating Income		15,000		914,903
Rented Staff Housing Annual Operating Income - Staff housing	OMC - 29/02/24 FACR 2	Operating Income			(50,000)	864,903
11/6 Ibis Way - Rent & Recoup Income - Op Inc	OMC - 29/02/24 FACR 2	Operating Income			(10,000)	854,903
2/46 Tanami Drive - Rent & Recoup Income - Op Inc	OMC - 29/02/24 FACR 2	Operating Income			(10,000)	844,903
4/46 Tanami Drive - Rent & Recoup Income - Op Inc	OMC - 29/02/24 FACR 2	Operating Income			(25,000)	819,903
Kerbside collection - Op Inc - Sanitation Gen Refuse	OMC - 29/02/24 FACR 2	Operating Income		17,287		837,190
C'van Pk & Additional Services - Op Inc - Sanitation Gen Refuse	OMC - 29/02/24 FACR 2	Operating Income		10,264		847,454
EDL Lease - Op Inc - Sanitation Gen Refuse	OMC - 29/02/24 FACR 2	Operating Income		5,580		853,034
Multipurpose Room Hire Inc - BRAC	OMC - 29/02/24 FACR 2	Operating Income			(18,000)	835,034
Inflatable Hire Fees - Op Inc - BRAC Aquatic	OMC - 29/02/24 FACR 2	Operating Income			(5,000)	830,034
Entry Fees and Spectator Fees - Op Inc - BRAC Aquatic	OMC - 29/02/24 FACR 2	Operating Income		40,000		870,034
Broome Civic Centre Venue Income - Op Income - Bme Civic Centre	OMC - 29/02/24 FACR 2	Operating Income		10,000		880,034
Roebuck Bay CP - Rent & Recoup Income - Op Inc	OMC - 29/02/24 FACR 2	Operating Income			(150,000)	730,034
Health Licences - Op Inc - Preventive - Inspection/Admin	OMC - 24/04/2024 FACR 3	Operating Income		8,000		738,034
2/46 Tanami Drive - Rent & Recoup Income - Op Inc	OMC - 24/04/2024 FACR 3	Operating Income		10,000		748,034
4/46 Tanami Drive - Rent & Recoup Income - Op Inc	OMC - 24/04/2024 FACR 3	Operating Income			(5,308)	742,726
Cemetery Fees Inc GST - Op Inc - Other Community Amenities	OMC - 24/04/2024 FACR 3	Operating Income		5,000		747,726
Planning Fees (GST Free) - Op Inc - Town Planning/Regional Devel	OMC - 24/04/2024 FACR 3	Operating Income		30,000		777,726
Group Fitness by BRAC Inc - Aquatic	OMC - 24/04/2024 FACR 3	Operating Income		10,000		787,726
Subdivision Engineering Supervision Charges - Op Inc - Eng Off	OMC - 24/04/2024 FACR 3	Operating Income		99,355		887,081
<b>Interest Rec'd From All Sources</b>						887,081
Interest Rec on Muni Investment - Op Inc - General Administration O'Heads	OMC - 14/12/23 FACR 1	Operating Income		121,566		1,008,647
Interest Rec on Muni Investment - Op Inc - General Administration O'Heads	OMC - 29/02/24 FACR 2	Operating Income		50,000		1,058,647
McMahon Estate Business Case Grant Income	OMC - 24/04/2024 FACR 3	Operating Income		8,500		1,067,147
Interest Rec on Muni Investment - Op Inc - General Administration O'Heads	OMC - 24/04/2024 FACR 3	Operating Income		415,000		1,482,147
<b>Operating Grants, Subsidies, Contributions, &amp; Reimb Rec'd</b>						1,482,147
Grants For Community Programs - Op Inc - Community Services	OMC - 14/12/23 FACR 1	Operating Income		5,000		1,487,147
Grant Program Income - Op Inc - Library (Expense in 115280)	OMC - 14/12/23 FACR 1	Operating Income		7,500		1,494,647
State Direct MRWA/RRG Rd Maint Op Grant Rec'd	OMC - 14/12/23 FACR 1	Operating Income			(18,834)	1,475,813
A Sporting Chance Grants - Op Inc - Economic Services Special Projects	OMC - 14/12/23 FACR 1	Operating Income		29,378		1,505,191
A Sporting Chance Grants - Op Inc - Economic Services Special Projects	OMC - 14/12/23 FACR 1	Operating Income			(100,000)	1,405,191
Place Activation Income	OMC - 14/12/23 FACR 1	Operating Income		10,000		1,415,191
Grant Income - Comm Services	SMC 21/12/23 - C/Fwd	Operating Income			(23,000)	1,392,191
DRFAWA Natural Disaster Grant - Op Grants	SMC 21/12/23 - C/Fwd	Operating Income		309,897		1,702,088
McMahon Estate Business Case Grant Income	OMC - 29/02/24 FACR 2	Operating Income			(4,498)	1,697,590
Broome Civic Centre Operational Grants & Contributions - Op Inc - Bme Civic Centre	OMC - 29/02/24 FACR 2	Operating Income		30,000		1,727,590
Grant Program Income - Op Inc - Library (Expense in 115280)	OMC - 29/02/24 FACR 2	Operating Income		13,694		1,741,284
Sanctuary Road Detailed Design 23-24 Income	OMC - 29/02/24 FACR 2	Operating Income			(116,066)	1,625,218
Place Activation Income	OMC - 29/02/24 FACR 2	Operating Income		10,000		1,635,218
Remote Chance Project - Grant Income	OMC - 29/02/24 FACR 2	Operating Income		70,000		1,705,218
Grants Commission - Op Inc - Other General Purpose Funding	OMC - 29/02/24	Operating Income			(1,776,568)	(71,350)
WALGGC Road Grants Untied Op Grant Rec'd	OMC - 29/02/24	Operating Income			(581,964)	(653,314)
McMahon Estate Business Case Grant Income	OMC - 29/02/24	Operating Income			(200,000)	(853,314)
McMahon Estate Business Case Grant Income	OMC - 24/04/2024 FACR 3	Operating Income		4,498		(848,816)
Cable Beach Waterpark Detailed Design Income	OMC - 24/04/2024 FACR 3	Operating Income			(300,000)	(1,148,816)
<b>Other Revenue Rec'd</b>						(1,148,816)
Reimbursement of Insurable Claimable Costs - Op Inc - Unclassified General	OMC - 14/12/23 FACR 1	Operating Income		17,000		(1,131,816)
Revenue Share - E-Scooters - Op Inc - Ranger Operations	OMC - 29/02/24 FACR 2	Operating Income		20,000		(1,111,816)
Sundry Income (Inc. GST) - Op Inc - Sanitation Gen Refuse	OMC - 29/02/24 FACR 2	Operating Income		50,000		(1,061,816)
Reimbursement of Insurable Claimable Costs - Op Inc - Unclassified General	OMC - 29/02/24 FACR 2	Operating Income		178,612		(883,204)
Reimbursement Property Dept Legal Fee - Op Inc - Corp Gov & Supp (Legal ope	OMC - 29/02/24 FACR 2	Operating Income			(10,000)	(893,204)
BOSCCA - Rent & Recoup Income - Op Inc	OMC - 29/02/24 FACR 2	Operating Income		8,000		(885,204)
Legal Expense Recovery No GST - Op Inc - Rates	OMC - 24/04/2024 FACR 3	Operating Income		10,000		(875,204)
Revenue Share - E-Scooters - Op Inc - Ranger Operations	OMC - 24/04/2024 FACR 3	Operating Income		5,000		(870,204)
Surf Club - Rent & Recoup Income - Op Inc	OMC - 24/04/2024 FACR 3	Operating Income			(7,000)	(877,204)
Sundry Income (Inc. GST) - Op Inc - Sanitation Gen Refuse	OMC - 24/04/2024 FACR 3	Operating Income		10,000		(867,204)
All Employee Paid Parental Leave Reimb - Op Inc - Gen Admin O'Heads	OMC - 24/04/2024 FACR 3	Operating Income		20,000		(847,204)
Reimb Received No GST Incl Diesel Fuel Rebate & Insurance - Op Inc	OMC - 24/04/2024 FACR 3	Operating Income		25,000		(822,204)
Reimbursement of Insurable Claimable Costs - Op Inc - Unclassified General	OMC - 24/04/2024 FACR 3	Operating Income		112,696		(709,508)
<b>Rates Rec'd</b>						(709,508)
Rates Concessions - Op Inc - Rates	OMC - 29/02/24 FACR 2	Operating Income			(10,732)	(720,240)
Back Rates - Op Inc - Rates	OMC - 29/02/24 FACR 2	Operating Income		12,770		(707,470)
Interim Rates Broome - Op Inc - Rates	OMC - 24/04/2024 FACR 3	Operating Income		23,405		(684,065)
<b>Transfer From Reserves (Cap Accts)</b>						(684,065)
Broome Civic Centre Venue Income - Op Income - Bme Civic Centre	OMC - 14/12/23 FACR 1	Operating Income		10,000		(674,065)
<b>Operating Expense</b>						(674,065)
<b>Materials &amp; Contracts</b>						(674,065)
Council Newsletter & Community Info Op Exp - Other Governance	OMC - 14/12/23 FACR 1	Operating Expenditure			(7,000)	(681,065)
Consultants - Op Exp - Other Governance	OMC - 14/12/23 FACR 1	Operating Expenditure		95,000		(586,065)
McMahon Estate Business Case Grant Expenditure	OMC - 14/12/23 FACR 1	Operating Expenditure			(50,000)	(636,065)
Youth Development Programme & Working Group - Op Exp - Other Governance	OMC - 14/12/23 FACR 1	Operating Expenditure			(5,000)	(641,065)

SHIRE OF BROOME  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

15 BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
			\$	\$	\$	\$
Conferences Travel & Accom Op Exp - Members	OMC - 14/12/23 FACR 1	Operating Expenditure			(10,000)	(651,065)
Consultants - Op Exp - Animal Control	OMC - 14/12/23 FACR 1	Operating Expenditure			(45,000)	(696,065)
Relief Staff Exp - Op Exp - Ranger Operations	OMC - 14/12/23 FACR 1	Operating Expenditure			(173,000)	(869,065)
Town Beach Ablutions (New) - Operating Expense - Op Exp	OMC - 14/12/23 FACR 1	Operating Expenditure		8,000		(861,065)
Male Oval Ablutions - Operating Expense - Op Exp	OMC - 14/12/23 FACR 1	Operating Expenditure		15,000		(846,065)
Cable Beach Ablutions - Operating Expense - Op Exp	OMC - 14/12/23 FACR 1	Operating Expenditure		8,000		(838,065)
Gantheaume Point Ablutions - Operating Expense - Op Exp	OMC - 14/12/23 FACR 1	Operating Expenditure			(5,000)	(843,065)
Male Oval Ablutions - Reactive Maint - Op Exp	OMC - 14/12/23 FACR 1	Operating Expenditure			(6,000)	(849,065)
Relieving Staff Exp - Op Exp - BRAC Aquatic	OMC - 14/12/23 FACR 1	Operating Expenditure			(15,000)	(864,065)
Performance Production Expenses - Broome Civic - Op Exp	OMC - 14/12/23 FACR 1	Operating Expenditure			(10,000)	(874,065)
Grant Program Expenses - Op Exp - Library (Income in 115480)	OMC - 14/12/23 FACR 1	Operating Expenditure			(7,500)	(881,565)
Community Storage Shed Expenditure	OMC - 14/12/23 FACR 1	Operating Expenditure			(9,700)	(891,265)
Public BBQs Cleaning - Op Exp	OMC - 14/12/23 FACR 1	Operating Expenditure			(8,744)	(900,009)
Pressure washing of public Infrastructure - Op Exp	OMC - 14/12/23 FACR 1	Operating Expenditure			(35,361)	(935,370)
Water Park Cleaning - Op Exp	OMC - 14/12/23 FACR 1	Operating Expenditure			(15,404)	(950,774)
Library - Operating Expense - Op Exp	OMC - 14/12/23 FACR 1	Operating Expenditure		10,000		(940,774)
Broome Civic Centre - Operating Expense - Op Exp	OMC - 14/12/23 FACR 1	Operating Expenditure		10,000		(930,774)
Operational Expenses - Broome Civic Centre - Production/Events	OMC - 14/12/23 FACR 1	Operating Expenditure			(16,000)	(946,774)
BRAC - Operating Expense, Security & Insurance - Op Exp	OMC - 14/12/23 FACR 1	Operating Expenditure		5,000		(941,774)
Townbeach Coastal Infrastructure Maint - Op Exp - Other Rec & Sport	OMC - 14/12/23 FACR 1	Operating Expenditure			(11,320)	(953,094)
Medland Pavilion - Operating Expense - Op Exp	OMC - 14/12/23 FACR 1	Operating Expenditure			(3,000)	(956,094)
Program Annual Events - Op Exp - BRAC Dry	OMC - 14/12/23 FACR 1	Operating Expenditure		3,000		(953,094)
Haynes Oval Pavilion - Planned Maint & Minor Works - Op Exp	OMC - 14/12/23 FACR 1	Operating Expenditure			(5,000)	(958,094)
Equipment Renewal - Op Exp - Bme Civic Centre	OMC - 14/12/23 FACR 1	Operating Expenditure			(55,000)	(1,013,094)
A Sporting Chance - Op Exp - Economic Services Special Projects	OMC - 14/12/23 FACR 1	Operating Expenditure		88,004		(925,090)
Place Activation Plan	OMC - 14/12/23 FACR 1	Operating Expenditure			(10,000)	(935,090)
Economic Development Program Expense - Op Exp - Other Economic Services	OMC - 14/12/23 FACR 1	Operating Expenditure			(10,000)	(945,090)
Broome Visitor Centre - Reactive Maint - Op Exp	OMC - 14/12/23 FACR 1	Operating Expenditure			(10,000)	(955,090)
Consultants Corp Serv - Op Exp - Corp Gov Support	OMC - 14/12/23 FACR 1	Operating Expenditure			(85,000)	(1,040,090)
IT Contract Consultants - Exp	OMC - 14/12/23 FACR 1	Operating Expenditure			(240,000)	(1,280,090)
Haas St Office - Operating Expense - Op Exp	OMC - 14/12/23 FACR 1	Operating Expenditure		15,000		(1,265,090)
KRO - Operating Expense - Op Exp	OMC - 14/12/23 FACR 1	Operating Expenditure		5,000		(1,260,090)
Depot - Operating Expense - Op Exp	OMC - 14/12/23 FACR 1	Operating Expenditure		22,500		(1,237,590)
Sister City Relations/Japanese Youth Ambassador - Op Exp - Other Governance	OMC - 14/12/23	Operating Expenditure			(5,000)	(1,242,590)
Election Expenses Op Exp - Members	OMC - 14/12/23	Operating Expenditure			(31,909)	(1,274,499)
Inflatable Expenses - AQUATIC	OMC 19/10/23	Operating Expenditure			(17,000)	(1,291,499)
Consultants - Op Exp - Other Governance	SMC 21/12/23 - C/Fwd	Operating Expenditure		2,195		(1,289,304)
Audit Fees Op Exp - Other Governance	SMC 21/12/23 - C/Fwd	Operating Expenditure		120,000		(1,169,304)
Home composting / Waste Education - Op Exp	SMC 21/12/23 - C/Fwd	Operating Expenditure		95		(1,169,209)
Minor Assets - Op Exp - Bme Civic Centre	SMC 21/12/23 - C/Fwd	Operating Expenditure		1,350		(1,167,859)
Minor Assets - Op Exp - Bme Civic Centre	SMC 21/12/23 - C/Fwd	Operating Expenditure			(30,000)	(1,197,859)
Minor Assets - Op Exp - Bme Civic Centre	SMC 21/12/23 - C/Fwd	Operating Expenditure			(12,500)	(1,210,359)
Grant Program Expenses - Op Exp - Library (Income in 115480)	SMC 21/12/23 - C/Fwd	Operating Expenditure			(4,000)	(1,214,359)
Public Art Masterplan-Op Exp - Other Culture	SMC 21/12/23 - C/Fwd	Operating Expenditure			(9,043)	(1,223,402)
Club Development Officer Programs Exp - Rec Services	SMC 21/12/23 - C/Fwd	Operating Expenditure		22,500		(1,200,902)
A Sporting Chance - Op Exp - Economic Services Special Projects	SMC 21/12/23 - C/Fwd	Operating Expenditure		28,495		(1,172,407)
Place Activation Plan	SMC 21/12/23 - C/Fwd	Operating Expenditure		12,726		(1,159,681)
Town Beach Café preliminary site investigation - Op Exp	SMC 21/12/23 - C/Fwd	Operating Expenditure		4,500		(1,155,181)
Executive Travel & Accom - Op Exp - Other Governance	OMC - 29/02/24 FACR 2	Operating Expenditure		10,000		(1,145,181)
Quarterly Marketing Campaigns - CEO202209 - Op Exp	OMC - 29/02/24 FACR 2	Operating Expenditure		30,000		(1,115,181)
Relief Staff Exp - Op Exp - Ranger Operations	OMC - 29/02/24 FACR 2	Operating Expenditure			(15,000)	(1,130,181)
Security Beach Patrols - Op Exp - Ranger Operations	OMC - 29/02/24 FACR 2	Operating Expenditure			(5,000)	(1,135,181)
Relief Staff Expenses - Op Exp - Preventive - Inspection/Admin	OMC - 29/02/24 FACR 2	Operating Expenditure			(30,000)	(1,165,181)
General CCTV & Wireless Network Maint - Op Exp - Other Comm Amen	OMC - 29/02/24 FACR 2	Operating Expenditure			(65,000)	(1,230,181)
Town Beach Foreshore Management and Implementation Plan	OMC - 29/02/24 FACR 2	Operating Expenditure			(13,808)	(1,243,989)
Public Open Space Strategy	OMC - 29/02/24 FACR 2	Operating Expenditure			(43,000)	(1,286,989)
Aquatic Building & Pool General Maint Exp	OMC - 29/02/24 FACR 2	Operating Expenditure			(10,000)	(1,296,989)
General Building & Facility Maint - BRAC Dry - Op Exp	OMC - 29/02/24 FACR 2	Operating Expenditure			(25,000)	(1,321,989)
Group Fitness Program - Op Exp - BRAC - Aquatic	OMC - 29/02/24 FACR 2	Operating Expenditure			(15,000)	(1,336,989)
Broome Civic Centre Building General Maint Exps - Op Exp Bme Civic Centre	OMC - 29/02/24 FACR 2	Operating Expenditure			(36,000)	(1,372,989)
Minor Assets - Op Exp - Bme Civic Centre	OMC - 29/02/24 FACR 2	Operating Expenditure		50,000		(1,322,989)
Performance Production Expenses - Broome Civic - Op Exp	OMC - 29/02/24 FACR 2	Operating Expenditure			(28,000)	(1,350,989)
Haynes Oval Pavilion General Maint - Op Exp	OMC - 29/02/24 FACR 2	Operating Expenditure			(15,000)	(1,365,989)
Father McMahon Oval Lighting - Reactive Maint - Op Exp	OMC - 29/02/24 FACR 2	Operating Expenditure			(134,000)	(1,499,989)
Grant Program Expenses - Op Exp - Library (Income in 115480)	OMC - 29/02/24 FACR 2	Operating Expenditure			(13,694)	(1,513,683)
Library Reactive Maint - Op Exp	OMC - 29/02/24 FACR 2	Operating Expenditure			(7,500)	(1,521,183)
Carpark - Works Maint	OMC - 29/02/24 FACR 2	Operating Expenditure		10,000		(1,511,183)
Sector 1 Chinatown - Works Maint	OMC - 29/02/24 FACR 2	Operating Expenditure			(30,000)	(1,541,183)
Sector 6 Broome North / Blue Haze - Works Maint	OMC - 29/02/24 FACR 2	Operating Expenditure		15,000		(1,526,183)
Sector 7 LIA, HIA and Port - Works Maint	OMC - 29/02/24 FACR 2	Operating Expenditure		15,000		(1,511,183)
Sector 2 Cable Beach - Works Maint	OMC - 29/02/24 FACR 2	Operating Expenditure		25,000		(1,486,183)
Mtce Streets, Rds - Rural Summary Budget Only -No Post-Op Exp	OMC - 29/02/24 FACR 2	Operating Expenditure			(75,000)	(1,561,183)
Sanctuary Caravan Park Op Exp - Tourism & Area Promotion	OMC - 29/02/24 FACR 2	Operating Expenditure		78,066		(1,483,117)
Place Activation Plan	OMC - 29/02/24 FACR 2	Operating Expenditure			(10,000)	(1,493,117)
Remote Chance Project - Grant Expenditure	OMC - 29/02/24 FACR 2	Operating Expenditure			(70,000)	(1,563,117)
Relief Staff - Op Exp - Finance - Corp. Gov. & Support	OMC - 29/02/24 FACR 2	Operating Expenditure			(18,000)	(1,581,117)
Consultants Administration Dept - Op Exp - Corp Gov Support	OMC - 29/02/24 FACR 2	Operating Expenditure			(40,000)	(1,621,117)
Works Protective Clothing - Op Exp - Works Operations	OMC - 29/02/24 FACR 2	Operating Expenditure		10,000		(1,611,117)
Workshop Consumables Exp - Depot	OMC - 29/02/24 FACR 2	Operating Expenditure			(19,000)	(1,630,117)

| 27

SHIRE OF BROOME  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

15 BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
			\$	\$	\$	\$
Consultants Engineering Office	OMC - 29/02/24 FACR 2	Operating Expenditure			(20,000)	(1,650,117)
Haas St Office - Reactive Maint - Op Exp	OMC - 29/02/24 FACR 2	Operating Expenditure			(21,500)	(1,671,617)
3KRO2 - Reactive Maint - Op Exp	OMC - 29/02/24 FACR 2	Operating Expenditure			(8,500)	(1,680,117)
BOSCCA - Reactive Maint - Op Exp	OMC - 29/02/24 FACR 2	Operating Expenditure			(16,000)	(1,696,117)
Debt Collection Recovery	OMC - 24/04/2024 FACR 3	Operating Expenditure			(10,000)	(1,706,117)
General Expenditure - Op Exp - Rates	OMC - 24/04/2024 FACR 3	Operating Expenditure		10,000		(1,696,117)
Consultants - Op Exp - Other Governance	OMC - 24/04/2024 FACR 3	Operating Expenditure		10,000		(1,686,117)
Executive Travel & Accom - Op Exp - Other Governance	OMC - 24/04/2024 FACR 3	Operating Expenditure		7,000		(1,679,117)
Subscriptions Op Exp - Members	OMC - 24/04/2024 FACR 3	Operating Expenditure			(5,000)	(1,684,117)
McMahon Estate Business Case Grant Expenditure	OMC - 24/04/2024 FACR 3	Operating Expenditure			(8,500)	(1,692,617)
Youth Development Programme & Working Group - Op Exp - Other Governance	OMC - 24/04/2024 FACR 3	Operating Expenditure		10,000		(1,682,617)
Audit Fees Op Exp - Other Governance	OMC - 24/04/2024 FACR 3	Operating Expenditure			(33,000)	(1,715,617)
Rangers Equipment - Op Exp - Ranger Operations	OMC - 24/04/2024 FACR 3	Operating Expenditure			(5,000)	(1,720,617)
Legal Expenses - Development Services	OMC - 24/04/2024 FACR 3	Operating Expenditure		5,000		(1,715,617)
Planning Appeals - Op Exp - Town Planning/ Regional Devel	OMC - 24/04/2024 FACR 3	Operating Expenditure			(5,000)	(1,720,617)
Kerbside Refuse Collection - Op Exp - Sanitation Gen Refuse	OMC - 24/04/2024 FACR 3	Operating Expenditure		50,000		(1,670,617)
Kerbside Recycling Collection -Op Exp - San Gen Refuse	OMC - 24/04/2024 FACR 3	Operating Expenditure		120,000		(1,550,617)
Transfer Station Tyres	OMC - 24/04/2024 FACR 3	Operating Expenditure			(80,000)	(1,630,617)
Transfer Station Concrete	OMC - 24/04/2024 FACR 3	Operating Expenditure		200,000		(1,430,617)
Transfer Satation Steel - Op Exp	OMC - 24/04/2024 FACR 3	Operating Expenditure		10,000		(1,420,617)
Waste Facility Operations -Op Exp - San Gen Ref	OMC - 24/04/2024 FACR 3	Operating Expenditure			(35,000)	(1,455,617)
Licence and Operations Expense - Sanitation Gen Refuse	OMC - 24/04/2024 FACR 3	Operating Expenditure			(34,000)	(1,489,617)
Urban Rubbish Bins Servicing - CCC Maint	OMC - 24/04/2024 FACR 3	Operating Expenditure		10,000		(1,479,617)
Plant & Equip Maint - Aquatic	OMC - 24/04/2024 FACR 3	Operating Expenditure			(24,000)	(1,503,617)
Aquatic Building & Pool General Maint Exp	OMC - 24/04/2024 FACR 3	Operating Expenditure			(5,000)	(1,508,617)
Chemicals - chemical related expenses Aquatic	OMC - 24/04/2024 FACR 3	Operating Expenditure			(10,000)	(1,518,617)
Medland Pavilion - Reactive Maint - Op Exp	OMC - 24/04/2024 FACR 3	Operating Expenditure			(7,000)	(1,525,617)
Library Reactive Maint - Op Exp	OMC - 24/04/2024 FACR 3	Operating Expenditure			(5,000)	(1,530,617)
Performance Production Expenses - Broome Civic - Op Exp	OMC - 24/04/2024 FACR 3	Operating Expenditure		10,000		(1,520,617)
General Operating Exp - Swim Areas & Beach Life Guard	OMC - 24/04/2024 FACR 3	Operating Expenditure			(30,000)	(1,550,617)
Palm Leaf Beetle- P&G Maint	OMC - 24/04/2024 FACR 3	Operating Expenditure			(10,000)	(1,560,617)
Matsumoto Courts - P&G Maint	OMC - 24/04/2024 FACR 3	Operating Expenditure			(5,000)	(1,565,617)
Palmer Road Park Maintenance - Op Ex - Parks	OMC - 24/04/2024 FACR 3	Operating Expenditure			(4,000)	(1,569,617)
Bedford Park - P&G Maint	OMC - 24/04/2024 FACR 3	Operating Expenditure		5,000		(1,564,617)
China Town - P&G Maint	OMC - 24/04/2024 FACR 3	Operating Expenditure		10,000		(1,554,617)
Town Beach - P&G Maint	OMC - 24/04/2024 FACR 3	Operating Expenditure		45,000		(1,509,617)
Demco Park - P&G Maint	OMC - 24/04/2024 FACR 3	Operating Expenditure		2,500		(1,507,117)
Herbert St Park - P&G Maint	OMC - 24/04/2024 FACR 3	Operating Expenditure			(55,500)	(1,562,617)
Weed Control- P&G Maint	OMC - 24/04/2024 FACR 3	Operating Expenditure			(23,000)	(1,585,617)
BRAC Ovals - P&G Maint	OMC - 24/04/2024 FACR 3	Operating Expenditure		10,000		(1,575,617)
Public Art, Monument & Plaque- P&G Maint	OMC - 24/04/2024 FACR 3	Operating Expenditure		20,000		(1,555,617)
Streeters Jetty Park - P&G Maint	OMC - 24/04/2024 FACR 3	Operating Expenditure		5,000		(1,550,617)
Sector 7 LIA, HIA & Port - P&G Maint	OMC - 24/04/2024 FACR 3	Operating Expenditure			(15,000)	(1,565,617)
Roundabouts - P&G Maint	OMC - 24/04/2024 FACR 3	Operating Expenditure		5,000		(1,560,617)
Lighting - Works Maint	OMC - 24/04/2024 FACR 3	Operating Expenditure			(88,000)	(1,648,617)
Sanctuary Caravan Park Op Exp - Tourism & Area Promotion	OMC - 24/04/2024 FACR 3	Operating Expenditure		283,934		(1,364,683)
Promotional Signage Structures Maint Exp	OMC - 24/04/2024 FACR 3	Operating Expenditure		4,500		(1,360,183)
Town Beach Café preliminary site investigation - Op Exp	OMC - 24/04/2024 FACR 3	Operating Expenditure		20,577		(1,339,606)
Relief Staff - Op Exp - Finance - Corp. Gov. & Support	OMC - 24/04/2024 FACR 3	Operating Expenditure			(26,500)	(1,366,106)
License Maint and Support - IT Exp	OMC - 24/04/2024 FACR 3	Operating Expenditure			(100,000)	(1,466,106)
Works Protective Clothing - Op Exp - Works Operations	OMC - 24/04/2024 FACR 3	Operating Expenditure		10,000		(1,456,106)
Plant Tyres & Tubes - Op Exp - Plant Operation	OMC - 24/04/2024 FACR 3	Operating Expenditure		25,000		(1,431,106)
Protective Clothing & Equip Uniforms & Boots - Op Exp - P & G Ops	OMC - 24/04/2024 FACR 3	Operating Expenditure		12,000		(1,419,106)
3KRO2 - Reactive Maint - Op Exp	OMC - 24/04/2024 FACR 3	Operating Expenditure			(8,000)	(1,427,106)
Cable Beach House - Planned Maint & Minor Works - Op Exp	OMC - 24/04/2024 FACR 3	Operating Expenditure			(6,500)	(1,433,606)
Cable Beach Restaurant - Reactive Maint - Op Ex	OMC - 24/04/2024 FACR 3	Operating Expenditure			(27,000)	(1,460,606)
Haas St Office - Planned Maint & Minor Works - Op Exp	OMC - 24/04/2024 FACR 3	Operating Expenditure			(10,000)	(1,470,606)
<b>Employee Exps (Inc Workers Comp, Excl. Overheads)</b>						(1,470,606)
Salaries - Op Exp - Fire Prevention	OMC - 14/12/23 FACR 1	Operating Expenditure		136,000		(1,334,606)
Salaries - Op Exp - Fire Prevention	OMC - 14/12/23 FACR 1	Operating Expenditure		15,000		(1,319,606)
Salaries - Op Exp - Animal Control	OMC - 14/12/23 FACR 1	Operating Expenditure			(38,000)	(1,357,606)
Salaries - Op Exp - Animal Control	OMC - 14/12/23 FACR 1	Operating Expenditure			(4,180)	(1,361,786)
Salary - Lifeguard - Op Exp - BRAC Aquatic	OMC - 14/12/23 FACR 1	Operating Expenditure		15,000		(1,346,786)
A Sporting Chance - Op Exp - Economic Services Special Projects	OMC - 14/12/23 FACR 1	Operating Expenditure		17,458		(1,329,328)
A Sporting Chance - Op Exp - Economic Services Special Projects	OMC - 14/12/23 FACR 1	Operating Expenditure		1,920		(1,327,408)
A Sporting Chance - Op Exp - Economic Services Special Projects	OMC - 14/12/23 FACR 1	Operating Expenditure		622		(1,326,786)
Salary - Op Exp - IT	OMC - 14/12/23 FACR 1	Operating Expenditure		195,072		(1,131,714)
Salary - Op Exp - IT	OMC - 14/12/23 FACR 1	Operating Expenditure		44,928		(1,086,786)
Salary - Op Exp - Other Governance	OMC - 29/02/24 FACR 2	Operating Expenditure		101,181		(985,605)
Salary - Op Exp - Other Governance	OMC - 29/02/24 FACR 2	Operating Expenditure		11,130		(974,475)
Salaries - Op Exp - Fire Prevention	OMC - 29/02/24 FACR 2	Operating Expenditure		30,000		(944,475)
Salary - Op Exp - Broome Civic Centre - Op Exp	OMC - 29/02/24 FACR 2	Operating Expenditure			(32,000)	(976,475)
Sector 1 Chinatown - Works Maint	OMC - 29/02/24 FACR 2	Operating Expenditure		30,000		(946,475)
Mtce Strees, Rds - Rural Summary Budget Only -No Post-Op Exp	OMC - 29/02/24 FACR 2	Operating Expenditure		75,000		(871,475)
Salary - Op Exp - Human Resources	OMC - 29/02/24 FACR 2	Operating Expenditure			(11,130)	(882,605)
Salary - Op Exp - Human Resources	OMC - 29/02/24 FACR 2	Operating Expenditure			(101,181)	(983,786)
Salary - Op Exp - Finance	OMC - 29/02/24 FACR 2	Operating Expenditure		13,000		(970,786)
Salary - Op Exp - Finance	OMC - 29/02/24 FACR 2	Operating Expenditure		5,000		(965,786)
Salary - Op Exp - Gen Admin	OMC - 29/02/24 FACR 2	Operating Expenditure		40,000		(925,786)

SHIRE OF BROOME  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

15 BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
			\$	\$	\$	\$
Salary - Op Exp - IT	OMC - 29/02/24 FACR 2	Operating Expenditure		3,428		(922,358)
Salary - Op Exp - IT	OMC - 29/02/24 FACR 2	Operating Expenditure		24,909		(897,449)
Salary - Op Exp - Records	OMC - 29/02/24 FACR 2	Operating Expenditure		17,920		(879,529)
Salary - Op Exp - Records	OMC - 29/02/24 FACR 2	Operating Expenditure		2,185		(877,344)
Relief Staff Exp - Op Exp - Ranger Operations	OMC - 24/04/2024 FACR 3	Operating Expenditure			(5,000)	(882,344)
All Employee Centrelink Paid Parental Leave - Op Exp - Gen Admin O'Heads	OMC - 24/04/2024 FACR 3	Operating Expenditure			(30,000)	(912,344)
Organisational Training - General	OMC - 24/04/2024 FACR 3	Operating Expenditure		20,000		(892,344)
Salary - Op Exp - Finance	OMC - 24/04/2024 FACR 3	Operating Expenditure		20,000		(872,344)
Other Employment Costs - Finance	OMC - 24/04/2024 FACR 3	Operating Expenditure		6,500		(865,844)
Salary - Op Exp - Gen Admin	OMC - 24/04/2024 FACR 3	Operating Expenditure		30,000		(835,844)
Salary - Op Exp - IT	OMC - 24/04/2024 FACR 3	Operating Expenditure		10,000		(825,844)
<b>Other Expenses</b>						(825,844)
Statutory fees and taxes - Op Exp - General Administration O'Heads	OMC - 14/12/23 FACR 1	Operating Expenditure			(43,594)	(869,438)
Tourism Development - Op Exp - Tourism & Area Promotion	OMC - 14/12/23 FACR 1	Operating Expenditure		40,000		(829,438)
Community Sponsorship Program (Community Development Fund Stream 1, Q	OMC - 29/02/24 FACR 2	Operating Expenditure		102,010		(727,428)
Contribution to Kimberley Zone Secretariat	OMC - 29/02/24 FACR 2	Operating Expenditure		5,000		(722,428)
Event Development Fund (EDF) (Stream 2 and 3 Community Development Fund)	OMC - 29/02/24 FACR 2	Operating Expenditure			(15,075)	(737,503)
Statutory fees and taxes - Op Exp - General Administration O'Heads	OMC - 29/02/24 FACR 2	Operating Expenditure			(16,460)	(753,963)
Fees & Commission on Plant Sales - Depot Operations	OMC - 29/02/24 FACR 2	Operating Expenditure			(20,000)	(773,963)
Statutory Contrib for Crossovers - Op Exp - Crossovers & General	OMC - 24/04/2024 FACR 3	Operating Expenditure			(5,000)	(778,963)
Broome Visitor Centre - Operating Expense - Op Exp	OMC - 24/04/2024 FACR 3	Operating Expenditure			(23,671)	(802,634)
<b>Utilities Expenses</b>						(802,634)
Broome Visitor Centre Complex- Op Exp - Tourism & Area Promotion	OMC - 29/02/24 FACR 2	Operating Expenditure		12,117		(790,517)
<b>Capital Revenues</b>						(790,517)
<b>Non Operating Grants &amp; Subsidies Rec'd</b>						(790,517)
Capital Works Program Projects - Upgrade (Stewart St) Non Op Grant	OMC - 14/12/23 FACR 1	Capital Income		80,188		(710,329)
Dev Contrib - Footpaths	OMC - 14/12/23 FACR 1	Capital Income		30,018		(680,311)
Cable Beach Stage 1 RTR/RPG Grant Income - Cable Beach Road West	SMC 21/12/23	Capital Income		80,000		(600,311)
Cable Beach Stage 1 PACP Grant Income	SMC 21/12/23	Capital Income		2,100,000		1,499,689
Cable Beach Stage 1 LRCI Grant Income Phase 4	SMC 21/12/23	Capital Income		966,491		2,466,180
Cable Beach - Non Op Grant - Other Recreation & Sport - CAP INC	SMC 21/12/23 - C/Fwd	Capital Income		228,809		2,694,989
Cable Beach - Non Op Grant - Other Recreation & Sport - CAP INC	SMC 21/12/23 - C/Fwd	Capital Income		316,412		3,011,401
Black Spot State Non Op Grant	SMC 21/12/23 - C/Fwd	Capital Income			(2,667)	3,008,734
Capital Works Program Projects - Upgrade (Stewart St) Non Op Grant	SMC 21/12/23 - C/Fwd	Capital Income		219,211		3,227,945
Black Spot State Non Op Grant	SMC 21/12/23 - C/Fwd	Capital Income		384,000		3,611,945
Contribution Non Op - Broome SHS Carparking	SMC 21/12/23 - C/Fwd	Capital Income		510,000		4,121,945
Non-Operating Grant - Sanitation - General Refuse	OMC - 29/02/24 FACR 2	Capital Income		81,664		4,203,609
Headworks Contribution - Non Op Inc - Urban Stormwater Drainage	OMC - 29/02/24 FACR 2	Capital Income		15,000		4,218,609
Tennis Court Surface Renewal Income	OMC - 29/02/24 FACR 2	Capital Income			(49,684)	4,168,925
Cable Beach Stage 1 PACP Grant Income	OMC - 29/02/24 FACR 2	Capital Income		110,000		4,278,925
Dev Contrib - Footpaths	OMC - 29/02/24 FACR 2	Capital Income		118,965		4,397,890
Non-Operating Grant - Sanitation - General Refuse	OMC - 24/04/2024 FACR 3	Capital Income		58,922		4,456,812
Western Australian Football Commission Grant Income - Medland	OMC - 24/04/2024 FACR 3	Capital Income		60,000		4,516,812
<b>Transfer From Reserves (Cap Accts)</b>						4,516,812
Transfer From Building Reserve - Tourism & Area Pro	OMC - 14/12/23 FACR 1	Capital Income		10,000		4,526,812
Transfer From Equipment & Insurance Reserve	OMC - 14/12/23 FACR 1	Capital Income		15,500		4,542,312
Transfer From Regional Resource Recovery Reserve - Cap Inc - Reg Res Reconv	OMC - 14/12/23	Capital Income		770,000		5,312,312
<b>Loan Funds Rec'd of All types</b>						5,312,312
Loan Received - Cap Inc - Staff Housing	OMC 31/08/2023	Capital Income		2,966,000		8,278,312
<b>Fees &amp; Charges Levied Rec'd</b>						8,278,312
Transfer From Building Reserve Leased Comm Facilities - Un Clas	SMC 21/12/23 - C/Fwd	Capital Income			(170,356)	8,107,956
Transfer From Building Reserve - Cap Inc - Other Buildings Leased	OMC - 29/02/24 FACR 2	Capital Income		225,000		8,332,956
Transfer From Building Reserve - Cap Inc - BRAC Dry	OMC - 29/02/24 FACR 2	Capital Income		62,000		8,394,956
Loans Received Cable Beach Foreshore Upgrades- Cap Inc - Other Recreation & OMC 24/04/24		Capital Income			(469,355)	7,925,601
<b>Proceeds on the Sale of Assets.</b>						7,925,601
Proceeds from Sale of Assets - Cap Inc - Parks & Gardens Operations	SMC 21/12/23 - C/Fwd	Capital Income		33,500		7,959,101
Proceeds from Sale of Assets - Cap Inc - Works Operations	SMC 21/12/23 - C/Fwd	Capital Income		70,000		8,029,101
<b>Capital Expenses</b>						8,029,101
<b>Transfer to Reserve (Cap Accts)</b>						8,029,101
Transfer to Road Reserve - Cap Exp - Cons Streets Roads Bridges Dep	OMC - 14/12/23 FACR 1	Capital Expenditure			(80,000)	7,949,101
Transfer to Developer Contributions Footpaths Reserve - Cap Exp	OMC - 14/12/23 FACR 1	Capital Expenditure			(30,018)	7,919,083
Transfer to Restricted Cash Reserve - Cap Exp - Economic Services Special Proj	OMC - 14/12/23 FACR 1	Capital Expenditure			(37,382)	7,881,701
Transfer to Developer Contributions Drainage Reserve - Cap Exp	SMC 21/12/23 - C/Fwd	Capital Expenditure			(41,820)	7,839,881
Transfer to Developer Contributions Footpaths Reserve - Cap Exp	SMC 21/12/23 - C/Fwd	Capital Expenditure			(81,951)	7,757,930
Transfer to Refuse Reserve - Cap Exp - Sanitation Gen Refuse	OMC - 29/02/24 FACR 2	Capital Expenditure			(49,551)	7,708,379
Transfer to Developer Contributions Footpaths Reserve - Cap Exp	OMC - 29/02/24 FACR 2	Capital Expenditure			(118,965)	7,589,414
Transfer to Restricted Cash Reserve - Cap Exp - Other Governance	OMC - 29/02/24	Capital Expenditure			(341,946)	7,247,468
Transfer to Developer Contributions Drainage Reserve - Cap Exp	OMC - 24/04/2024 FACR 3	Capital Expenditure			(15,000)	7,232,468
Transfer to Refuse Reserve - Cap Exp - Sanitation Gen Refuse	OMC - 24/04/2024 FACR 3	Capital Expenditure			(251,000)	6,981,468
<b>Materials &amp; Contracts</b>						6,981,468
Fixed Plant & Equip New Cap Exp - San Gen Refuse	OMC - 14/12/23 FACR 1	Capital Expenditure			(6,500)	6,974,968
Bme Civic Centre Other Infrastructure Renewal - Cap Exp	OMC - 14/12/23 FACR 1	Capital Expenditure		35,000		7,009,968
Cable Beach Stage 1 BBRF Grant Expenditure	OMC - 14/12/23 FACR 1	Capital Expenditure		333,496		7,343,464
Cable Beach Stage 1 - Other	OMC - 14/12/23 FACR 1	Capital Expenditure			(300,000)	7,043,464
Cable Beach Redevelopment (Construction) - Cap Exp	OMC - 14/12/23 FACR 1	Capital Expenditure			(33,496)	7,009,968
Port Drive - Guy Street Intersection Upgrade	OMC - 14/12/23 FACR 1	Capital Expenditure			(10,184)	6,999,784
Equip & H'Ware > \$5000 Cap Exp - IT	OMC - 14/12/23 FACR 1	Capital Expenditure			(15,500)	6,984,284
Town Beach Toilet Block Renewal Inc Furn & Services - Build Cap Exp	OMC - 14/12/23 FACR 1	Capital Expenditure			(8,000)	6,976,284



SHIRE OF BROOME  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

15 BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
			\$	\$	\$	\$
Community Recycling Centre - RRP - Cap Exp	OMC - 14/12/23	Capital Expenditure			(770,000)	6,206,284
Cable Beach Stage 1 RTR/RPG Grant Expenditure - Cable Beach Road West	SMC 21/12/23	Capital Expenditure			(80,000)	6,126,284
Cable Beach Stage 1 PACP Grant Expenditure	SMC 21/12/23	Capital Expenditure			(2,100,000)	4,026,284
Cable Beach Stage 1 LRCI Grant Expenditure Phase 4	SMC 21/12/23	Capital Expenditure			(966,491)	3,059,793
Surf Club Building Upgrade (Inc Plant & Furniture) Cap Exp-Law Ord & PS	SMC 21/12/23 - C/Fwd	Capital Expenditure		100,049		3,159,842
Community Recycling Centre - RRP - Cap Exp	SMC 21/12/23 - C/Fwd	Capital Expenditure		10,816		3,170,658
BRAC Gym and Fitness Facility - Detailed Design / Tender Package- Cap Exp	SMC 21/12/23 - C/Fwd	Capital Expenditure		66,269		3,236,927
Cable Beach Redevelopment (Construction) - Cap Exp	SMC 21/12/23 - C/Fwd	Capital Expenditure			(40,802)	3,196,125
Cable Beach Foreshore Upgrade	SMC 21/12/23 - C/Fwd	Capital Expenditure		50,000		3,246,125
Skatepark New Infrs Const - Cap Exp - Other Rec & Sport	SMC 21/12/23 - C/Fwd	Capital Expenditure		10,000		3,256,125
Cape Leveque Tourist Bay and Signage	SMC 21/12/23 - C/Fwd	Capital Expenditure		35,000		3,291,125
Broome North Subdivision - New Footpath construction	SMC 21/12/23 - C/Fwd	Capital Expenditure		7,298		3,298,423
Footpaths - Various	SMC 21/12/23 - C/Fwd	Capital Expenditure		52,464		3,350,887
Port Drive – Guy Street Intersection Upgrade	SMC 21/12/23 - C/Fwd	Capital Expenditure		3,564		3,354,451
Vehicle & Mob Plant Renewal(Replacement) - Cap Exp - Works Ops	SMC 21/12/23 - C/Fwd	Capital Expenditure			(42,273)	3,312,178
Admin Building - Packaged Plant- Cap Ex	SMC 21/12/23 - C/Fwd	Capital Expenditure		586		3,312,764
Software Cap Exp - IT (dont use)	SMC 21/12/23 - C/Fwd	Capital Expenditure			(17,732)	3,295,032
Building New Const - Cap Exp - Sanitation Gen Refuse	OMC - 29/02/24 FACR 2	Capital Expenditure			(81,664)	3,213,368
Furniture & Equip New Cap Exp - San Gen Refuse	OMC - 29/02/24 FACR 2	Capital Expenditure			(28,000)	3,185,368
Male Oval Toilets Renewal Cap Exp	OMC - 29/02/24 FACR 2	Capital Expenditure			(225,000)	2,960,368
Cable Beach Foreshore Upgrade	OMC - 29/02/24 FACR 2	Capital Expenditure			(83,738)	2,876,630
Tennis Court Surface Renewal Expenditure	OMC - 29/02/24 FACR 2	Capital Expenditure		49,684		2,926,314
BRAC Outdoor Court Scoreboard - Cap Ex	OMC - 29/02/24 FACR 2	Capital Expenditure			(14,820)	2,911,494
Civic Centre Building Renewal (Inc Plant & Furn) - Cap Exp - Public Halls	OMC - 29/02/24 FACR 2	Capital Expenditure		20,000		2,931,494
Skatepark New Infrs Const - Cap Exp - Other Rec & Sport	OMC - 29/02/24 FACR 2	Capital Expenditure		8,264		2,939,758
Cable Beach Stage 1 PACP Grant Expenditure	OMC - 29/02/24 FACR 2	Capital Expenditure			(110,000)	2,829,758
BRAC Building Renewal - Cap Exp - BRAC Dry	OMC - 29/02/24 FACR 2	Capital Expenditure			(62,000)	2,767,758
BRAC Grid Solar Connection	OMC - 29/02/24 FACR 2	Capital Expenditure		22,500		2,790,258
De Marchi Road Black Spot - Cap Exp	OMC - 29/02/24 FACR 2	Capital Expenditure			(11,228)	2,779,030
Port Drive – Guy Street Intersection Upgrade	OMC - 29/02/24 FACR 2	Capital Expenditure		11,228		2,790,258
Equip & H'Ware > \$5000 Cap Exp - IT	OMC - 29/02/24 FACR 2	Capital Expenditure			(26,000)	2,764,258
Japanese Cemetery New Infra by P & G - Cap Exp	OMC - 24/04/2024 FACR 3	Capital Expenditure		15,000		2,779,258
Fixed Plant & Equip New Cap Exp - San Gen Refuse	OMC - 24/04/2024 FACR 3	Capital Expenditure			(58,922)	2,720,336
Cable Beach Waterpark Detailed Design 23-24 Expenditure	OMC - 24/04/2024 FACR 3	Capital Expenditure		300,000		3,020,336
Tennis Court Lighting Renewal- Cap Ex	OMC - 24/04/2024 FACR 3	Capital Expenditure		20,000		3,040,336
Western Australian Football Commission Grant Expenditure - Medland	OMC - 24/04/2024 FACR 3	Capital Expenditure			(60,000)	2,980,336
Parks & Gardens Works Renewal Infra - Cap Exp	OMC - 24/04/2024 FACR 3	Capital Expenditure		75,000		3,055,336
BRAC Oval Upgrade of Infra - Cap Exp	OMC - 24/04/2024 FACR 3	Capital Expenditure			(80,000)	2,975,336
Footpaths - Various	OMC - 24/04/2024 FACR 3	Capital Expenditure		17,281		2,992,617
Street Lighting at Various Locations - Renewal	OMC - 24/04/2024 FACR 3	Capital Expenditure			(33,696)	2,958,921
Sanctuary Road - IDF - 01 CAP Ex Grant Exp	OMC - 24/04/2024 FACR 3	Capital Expenditure			(283,934)	2,674,987
Visitor Centre Renewal (Inc plant & Furn) - Cap Bldg Exp	OMC - 24/04/2024 FACR 3	Capital Expenditure		25,000		2,699,987
Depot Building Const Renewal - Cap Exp - Depot Operations	OMC - 24/04/2024 FACR 3	Capital Expenditure		10,000		2,709,987
Shire Key Worker Housing - Capex New 2023/24	OMC 31/08/2023	Capital Expenditure			(2,966,000)	(256,013)
				15,325,683	(17,720,065)	(2,394,382)



**The Director Corporate Services advised there was a typographical error in the Attachment, relating to delegations under Section 9.2 Local Planning Scheme No.7. These corrections were actioned administratively and are reflected in the minutes.**

#### **9.4.3 ANNUAL REVIEW OF DELEGATION OF AUTHORITY REGISTER**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	ARE02
<b>AUTHOR:</b>	Senior Administration & Governance Officer
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

#### **SUMMARY:**

The purpose of this report is for Council to consider the 2023/24 annual review of delegations across various legislations.

#### **BACKGROUND**

##### Previous Considerations

OMC 30 March 2023	Item 9.4.2
OMC 28 September 2023	Item 9.2.3

The Register of Delegated Authority was last presented to Council for a full review on 30 March 2023. Minor amendments were adopted by Council on the 28 September 2023 relating to Delegation 9.2 Local Planning Scheme No.7.

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 Chief Executive Officer (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**

Due to the work done in updating the Register of Delegated Authority over the past 2 – 3 years and transitioning to the Attain Governance system to administer the delegation register there is one minor administrative update recommended as detailed below.

It is noted that some changes have occurred to sub-delegations however these are not required to be approved by Council. These changes are track changed in Attachment1 for Council's information.

Delegation	Local Government Act 1995	Comments
1.2.21	Defer, Grant Discounts, Waive or Write Off Debts	10. Administrative update removing CEO Adhoc Sponsorship and replacing with Quick Response Grants.

## CONSULTATION

WALGA

## STATUTORY ENVIRONMENT

### 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 2023/24 financial year.

**STRATEGIC ASPIRATIONS**

**Performance - We will deliver excellent governance, service & value for everyone.**

**Outcome 11 - Effective leadership, advocacy and governance**

**Objective** 11.2 Deliver best practice governance and risk management.

**VOTING REQUIREMENTS**

*Absolute Majority*

**COUNCIL RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Minute No. C/0524/073**

**Moved: Cr M Virgo**

**Seconded: Cr S Cooper**

**That Council:**

- 1. Notes the review of delegations; and**
- 2. Adopts the Register of Delegated Authority 2023/24 as contained in Attachment 1 inclusive of the amendment outlined within this report.**

**For: Shire President C Mitchell, Cr D Male, Cr J Lewis, Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper.**

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 7/0**

**Attachments**

1. DRAFT - Shire of Broome Delegation Register



## Shire of Broome Delegations Register

## REVIEW

Reviewed by	Date approved	References
Council	25 Mar 2021	2020/21 Annual Council Review C/0321/009
Council	29 Jul 2021	New Behaviour Complaints Committee Delegation 1.1.1 - C/0721/028
Council	28 Apr 2022	2021/2022 Annual Council Review - C/0422/017
Council	25 Aug 2022	Reinstatement Delegation 5.1.10 - Grant Exemption as to Number of Dogs Kept at Premises C/0822/109
Council	30 Mar 2023	Annual Review of Delegations
Council	28 Sep 2023	Amended Delegations 9.2.1, 9.2.3, 9.2.6 and 9.2.7 to retire Local Planning Scheme 6 and apply Local Planning Scheme No. 7 following Ministerial approval

DRAFT

## 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 .....	9
01.2 Council to CEO .....	11
1.2.1 - Performing Functions Outside the District .....	11
1.2.2 - Compensation for Damage Incurred when Performing Executive Functions .....	12
1.2.3 - Powers of Entry .....	13
1.2.4 - Declare Vehicle is Abandoned Vehicle Wreck .....	15
1.2.5 - Confiscated or Uncollected Goods .....	16
1.2.6 - Disposal of Sick or Injured Animals .....	18
1.2.7 - Close Thoroughfares to Vehicles .....	20
1.2.8 - Control Reserves and Certain Unvested Facilities .....	22
1.2.9 - Obstruction of Footpaths and Thoroughfares .....	24
1.2.10 - Gates Across Public Thoroughfares .....	26
1.2.11 - Public Thoroughfare – Dangerous Excavations .....	28
1.2.12 - Crossing – Construction, Repair and Removal .....	30
1.2.13 - Private Works on, over or under Public Places .....	32
1.2.14 - Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift .....	34
1.2.15 - Expressions of Interest for Goods and Services .....	36
1.2.16 - Tenders for Goods and Services .....	38
1.2.17 - Panels of Pre-Qualified Suppliers for Goods and Services .....	41
1.2.18 - Application of Regional Price Preference Policy .....	43
1.2.19 - Disposing of Property .....	44
1.2.20 - Payments from the Municipal or Trust Funds [DRAFT] .....	46
1.2.21 - Defer, Grant Discounts, Waive or Write Off Debts [DRAFT] .....	48
1.2.22 - Power to Invest and Manage Investments .....	50
1.2.23 - Rate Record Amendment .....	52
1.2.24 - Agreement as to Payment of Rates and Service Charges .....	53
1.2.25 - Determine Due Date for Rates or Service Charges .....	55
1.2.26 - Recovery of Rates or Service Charges .....	56
1.2.27 - Recovery of Rates Debts – Require Lessee to Pay Rent .....	57
1.2.28 - Recovery of Rates Debts - Actions to Take Possession of the Land .....	58
1.2.29 - Rate Record – Objections .....	60
1.2.30 - Renewal or Extension of Contracts during a State of Emergency .....	62
1.2.31 - Procurement of Goods or Services required to address a State of Emergency .....	64

01.3 CEO to Employees .....	66
1.3.1 - Determine if an Emergency for Emergency Powers of Entry .....	66
1.3.2 - Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare .....	67
1.3.3 - Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares.....	69
1.3.4 - Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places .....	71
1.3.5 - Electoral Enrolment Eligibility Claims and Electoral Roll .....	73
1.3.6 - Destruction of Electoral Papers [DRAFT] .....	75
1.3.7 - Appoint Authorised Persons .....	76
1.3.8 - Information to be Available to the Public .....	78
1.3.9 - Financial Management Systems and Procedures .....	80
1.3.10 - Audit – CEO Review of Systems and Procedures .....	82
1.3.11 - Infringement Notices – Withdrawal and Extension of Time .....	83
01.4 Local Law Delegations to CEO .....	85
1.4.1 - Cemeteries Local Law 2012 .....	85
1.4.2 - Local Government Property and Public Places Local Law 2016 .....	87
1.4.3 - Trading, Outdoor Dining and Street Entertainment Local Law 2016 .....	90
02 Building Act 2011 Delegations .....	93
02.1 Council to CEO .....	93
2.1.1 - Grant a Building Permit .....	93
2.1.2 - Demolition Permits .....	95
2.1.3 - Occupancy Permits or Building Approval Certificates .....	97
2.1.4 - Designate Employees as Authorised Persons .....	99
2.1.5 - Building Orders .....	101
2.1.6 - Inspection and Copies of Building Records .....	103
2.1.7 - Referrals and Issuing Certificates .....	104
2.1.8 - Private Pool Barrier – Alternative and Performance Solutions .....	105
2.1.9 - Smoke Alarms – Alternative Solutions .....	106
2.1.10 - Appointment of approved officers and authorised officers .....	107
03 Bush Fires Act 1954 Delegations .....	109
03.1 Council to CEO, Mayor and Bush Fire Control Officer .....	109
3.1.1 - Make Request to FES Commissioner – Control of Fire .....	109
3.1.2 - Prohibited Burning Times - Vary .....	110
3.1.3 - Prohibited Burning Times – Control Activities .....	111
3.1.4 - Restricted Burning Times – Vary and Control Activities .....	113
3.1.5 - Control of Operations Likely to Create Bush Fire Danger .....	115
3.1.6 - Burning Garden Refuse / Open Air Fires .....	116
3.1.7 - Firebreaks .....	118
3.1.8 - Appoint Bush Fire Control Officer/s and Fire Weather Officer .....	119
3.1.9 - Control and Extinguishment of Bush Fires .....	120
3.1.10 - Recovery of Expenses Incurred through Contraventions of this Act .....	121

3.1.11 - Prosecution of Offences .....	122
04 Cat Act 2011 Delegations .....	123
04.1 Council to CEO .....	123
4.1.1 - Cat Registrations .....	123
4.1.2 - Cat Control Notices .....	125
4.1.3 - Approval to Breed Cats .....	126
4.1.4 - Recovery of Costs – Destruction of Cats .....	128
4.1.5 - Reduce or Waiver Registration Fee .....	129
04.2 Cat Act Delegations - CEO to Employees .....	130
4.2.1 - Infringement Notices – Extensions and Withdrawals .....	130
05 Dog Act 1976 Delegations .....	131
05.1 Dog Act Delegations Council to CEO .....	131
5.1.1 - Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons .....	131
5.1.2 - Refuse or Cancel Registration .....	133
5.1.3 - Kennel Establishments .....	135
5.1.4 - Recovery of Moneys Due Under this Act .....	136
5.1.5 - Dispose of or Sell Dogs Liable to be Destroyed .....	137
5.1.6 - Declare Dangerous Dog .....	138
5.1.7 - Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke .....	139
5.1.8 - Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice .....	141
5.1.9 - Determine Recoverable Expenses for Dangerous Dog Declaration .....	142
5.1.10 - Grant Exemption as to Number of Dogs Kept at Premises .....	144
06 Food Act 2008 Delegations .....	146
06.1 Council to CEO .....	146
6.1.1 - Determine Compensation .....	146
6.1.2 - Prohibition Orders .....	148
6.1.3 - Food Business Registrations .....	149
6.1.4 - Appoint Authorised Officers and Designated Officers .....	150
6.1.5 - Debt Recovery and Prosecutions .....	152
6.1.6 - Abattoir Inspections and Fees .....	153
6.1.7 - Food Businesses List – Public Access .....	154
07 Graffiti Vandalism Act 2016 Delegations .....	155
07.1 Council to CEO .....	155
7.1.1 - Give Notice Requiring Obliteration of Graffiti .....	155
7.1.2 - Notices – Deal with Objections and Give Effect to Notices .....	157
7.1.3 - Obliterate Graffiti on Private Property .....	158
7.1.4 - Powers of Entry .....	159
08 Public Health Act 2016 Delegations .....	160
08.1 Council to CEO .....	160
8.1.1 - Appoint Authorised Officer or Approved Officer (Asbestos Regs) .....	160
8.1.2 - Enforcement Agency Reports to the Chief Health Officer .....	161



8.1.3 - Designate Authorised Officers .....	162
8.1.4 - Determine Compensation for Seized Items .....	164
09 Planning and Development Act 2005 Delegations .....	165
09.1 Council to CEO .....	165
9.1.1 - Illegal Development .....	165
09.2 Local Planning Scheme No. 7 – Council to CEO .....	167
9.2.1 - PLA1 Built Strata Certificate of Approval – Forms 24 and 26 .....	167
9.2.2 - PLA4 Delegation to Waive/Refund Planning Fees .....	168
9.2.3 - PLA5 Determine Development Application .....	169
9.2.4 - PLA8 Local Development Plans .....	172
9.2.5 - PLA9 Structure Plans .....	174
9.2.6 - PLA10 Subdivision and Amalgamation Applications and Clearance .....	176
9.2.7 - PLA11 Submit Responsible Authority Report .....	178
10 Statutory Authorisations and Delegations to Local Government from State Government Entities .....	180
10.1 Environmental Protection Act 1986 .....	180
10.1.1 - Noise Control - Environmental Protection Notices [Reg.65(1)] .....	180
10.1.2 - Noise Management Plans - Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events.....	182
10.1.3 - Noise Management Plans - Constructions Sites .....	184
10.2 Planning and Development Act 2005 .....	185
10.2.1 - Sign Development Applications for Crown Land as Owner - Local Government CEOs - Instrument of Authorisation.....	185
10.2.2 - WA Planning Commission - Powers of Local Governments - s.15 of the Strata Titles Act 1985 (DEL.2020/01) ..	188
10.3 Main Roads Act 1930 .....	190
10.3.1 - Traffic Management - Events on Roads .....	190
10.3.2 - Traffic Management - Road Works .....	193
10.4 Road Traffic (Vehicles) Act 2012 .....	195
10.4.1 - Approval for Certain Local Government Vehicles as Special Use Vehicles .....	195
AMENDMENTS .....	197

## 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.

### 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.

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## DELEGATIONS

## 01 Local Government Act 1995 Delegations

Local Government Act 1995

## 01.1 Council to Committees of Council

<b>Delegation</b>	<b>1.1.1 Behaviour Complaints Committee</b>
<b>Category</b>	Council to Committee
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.16 Delegation of some powers and duties to certain committees
<b>Express power or duty delegated</b>	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
<b>Function</b>	<ol style="list-style-type: none"> <li>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 &amp; MCC.cl.12(1) and (3)] In making any finding the Committee must also determine reasons for the finding [CoC &amp; MCC.cl.12(7)]</li> <li>Where a finding is made that a breach has occurred, authority to: <ol style="list-style-type: none"> <li>take no further action [CoC &amp; MCC.cl.12(4(a)); or</li> <li>prepare and implement a plan to address the behaviour of the person to whom the complaint relates [CoC &amp; MCC.cl.12(4)(b), (5) and (6)]</li> </ol> </li> <li>Authority to dismiss a complaint and if dismissed, the Committee must also determine reasons for the dismissal [CoC &amp; MCC.cl.13(1) and (2)]</li> </ol>
<b>Delegates</b>	Behavioural Complaints Committee

<b>Conditions</b>	<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>
<b>Statutory framework</b>	<p><a href="#">Code of Conduct for Council Members, Committee Members and Candidates</a></p> <p>Council - Behaviour Complaints Committee Terms of Reference</p> <p><a href="#">Local Government Act 1995</a></p> <p><a href="#">Local Government (Model Code of Conduct) Regulations 2021</a></p>
<b>Policy</b>	<a href="#">Code of Conduct Behaviour Complaints Management</a>
<b>Record keeping</b>	Committee Minutes shall record the details of each decision made under this delegation in accordance with the requirements of Administration Regulation 19.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	27 February 2023

## 01.2 Council to CEO

<b>Delegation</b>	<b>1.2.1 Performing Functions Outside the District</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.3.20(1) Performing functions outside district
<b>Function</b>	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)].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	27 February 2023

<b>Delegation</b>	<b>1.2.2 Compensation for Damage Incurred when Performing Executive Functions</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.3.22(1) Compensation s.3.23 Arbitration
<b>Function</b>	<ol style="list-style-type: none"> <li>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)].</li> <li>2. Where compensation is unable to be determined and agreed between parties, give effect to arbitration in accordance with s.3.23.</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Delegation is limited to settlements which do not exceed a material value of \$10,000.</li> <li>▪ Council shall be informed of the details whenever this delegation is exercised.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's documents management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	27 February 2023

<b>Delegation</b>	<b>1.2.3 Powers of Entry</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>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].</li> <li>2. Authority to give notice of entry [s.3.32].</li> <li>3. Authority to seek and execute an entry under warrant [s.3.33].</li> <li>4. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)].</li> <li>5. Authority to give notice and effect entry by opening a fence [s.3.36].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Development Services Director Infrastructure Manager Engineering Manager Environmental Health, Emergency and Rangers Manager Operations
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's documents management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017



Shire of Broome

<b>Last reviewed</b>	14 March 2023
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<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
13 Mar 2023	Amended delegation	Manager Engineering added as a subdelegate approved by the CEO.	---

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<b>Delegation</b>	<b>1.2.4 Declare Vehicle is Abandoned Vehicle Wreck</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.3.40A(4) Abandoned vehicle wreck may be taken
<b>Function</b>	1. Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>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.</li> <li>Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Development Services Manager Environmental Health, Emergency and Rangers
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the subdelegates.
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's documents management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	27 February 2023

<b>Delegation</b>	<b>1.2.5 Confiscated or Uncollected Goods</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>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]</li> <li>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].</li> <li>3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government Act 1995</a>: 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><a href="#">Parking and Parking Facilities Local Law 2012</a></p>
<b>Record keeping</b>	<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

<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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<b>Delegation</b>	<b>1.2.6 Disposal of Sick or Injured Animals</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of
<b>Function</b>	<ol style="list-style-type: none"> <li>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)].</li> <li>2. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.</li> <li>▪ Must comply with all relevant Policies</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers
<b>Subdelegate conditions</b>	<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"> <li>a. Because of the state of the animal, destroying it is urgent; or</li> <li>b. The Shire has taken reasonable steps to notify the owner and has complied with statutory requirements.</li> </ol>
<b>Statutory framework</b>	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Dog Local Law 2012</a></p>
<b>Record keeping</b>	<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>
<b>Date adopted</b>	28 April 2022
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Shire of Broome

Last reviewed	27 February 2023
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<b>Delegation</b>	<b>1.2.7 Close Thoroughfares to Vehicles</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>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)].</li> <li>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"> <li>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</li> <li>2. consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)].</li> </ol> </li> <li>3. Authority to revoke an order to close a thoroughfare [s.3.50(6)].</li> <li>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]</li> <li>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].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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)].</li> <li>▪ Maintain access to adjoining land [s.3.52(3)] (relevant only to townsites).</li> <li>▪ Must comply with all relevant Policies</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Infrastructure Manager Engineering Manager Operations
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.

Shire of Broome

<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	14 March 2023

Amendments			
Date	Type	Amendment	References
13 Mar 2023	Amended delegation	Manager Engineering added as subdelegate approved by CEO.	---

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<b>Delegation</b>	<b>1.2.8 Control Reserves and Certain Unvested Facilities</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>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)].</li> <li>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 <a href="#">Parks and Reserves Act 1895</a>. [s.3.54(1)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ Must comply with all relevant Policies</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Development Services Manager Community Facilities Manager Environmental Health, Emergency and Rangers
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Property and Public Places Local Law 2016</a></p> <p><a href="#">Local Planning Policy 5.10</a> - Signs</p> <p><a href="#">Alcohol Management Policy</a></p> <p><a href="#">Events Policy</a></p>
<b>Record keeping</b>	<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>
<b>Date adopted</b>	28 April 2022

Shire of Broome

<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	27 February 2023

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<b>Delegation</b>	<b>1.2.9 Obstruction of Footpaths and Thoroughfares</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<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)
<b>Function</b>	<ol style="list-style-type: none"> <li>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"> <li>a. prevent damage to the footpath; or</li> <li>b. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)].</li> </ol> </li> <li>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)].</li> <li>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)].</li> <li>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].</li> <li>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].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>▪ Permission may only be granted where, the proponent has: <ul style="list-style-type: none"> <li>◦ Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction.</li> <li>◦ 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.</li> <li>◦ Provided evidence of sufficient Public Liability Insurance.</li> <li>◦ Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ul> </li> <li>▪ Must comply with all relevant Policies</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Subdelegates</b>	Director Infrastructure Manager Engineering Manager Operations
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.2 – Public Thoroughfare Obstruction – Determine Conditions  <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>  Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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Amendments			
Date	Type	Amendment	References
13 Mar 2023	Amended delegation	Manager Engineering added as a subdelegate approved by CEO	---

<b>Delegation</b>	<b>1.2.10 Gates Across Public Thoroughfares</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.9 Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1)
<b>Function</b>	<ol style="list-style-type: none"> <li>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)].</li> <li>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)].</li> <li>3. Authority to impose conditions on granting permission [ULP r.9(4)].</li> <li>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)].</li> <li>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)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Actions under this Delegation must comply with procedural requirements detailed in the <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>.</li> <li>▪ 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).</li> <li>▪ Must comply with all relevant Policies</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Infrastructure Manager Engineering Manager Operations
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a></p>

Shire of Broome

<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
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<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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Amendments			
Date	Type	Amendment	References
13 Mar 2023	Amended delegation	Manager Engineering added as a subdelegate approved by CEO	---

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<b>Delegation</b>	<b>1.2.11 Public Thoroughfare – Dangerous Excavations</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>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)].</li> <li>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)].</li> <li>3. Authority to impose conditions on granting permission [ULP r.11(6)].</li> <li>4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>▪ Permission may only be granted where, the proponent has: <ul style="list-style-type: none"> <li>◦ 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.</li> <li>◦ 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.</li> <li>◦ Provided evidence of sufficient Public Liability Insurance.</li> <li>◦ Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ul> </li> <li>▪ Must comply with all relevant Policies</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Infrastructure Manager Engineering Manager Operations
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.

<b>Statutory framework</b>	<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><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a></p>
<b>Record keeping</b>	<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>
<b>Date adopted</b>	28 April 2022
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<b>Last reviewed</b>	14 March 2023

Amendments			
Date	Type	Amendment	References
13 Mar 2023	Amended delegation	Manager Engineering added as a subdelegate approved by CEO.	---



<b>Delegation</b>	<b>1.2.12 Crossing – Construction, Repair and Removal</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<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)
<b>Function</b>	<ol style="list-style-type: none"> <li>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)].</li> <li>2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)].</li> <li>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)].</li> <li>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)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Infrastructure Manager Engineering Manager Operations
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a></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

<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
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<b>Last reviewed</b>	14 March 2023

Amendments			
Date	Type	Amendment	References
13 Mar 2023	Amended delegation	Manager Engineering added as a subdelegate approved by CEO.	---

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<b>Delegation</b>	<b>1.2.13 Private Works on, over or under Public Places</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> r.17 Private works on, over, or under public places – Sch.9.1 cl.
<b>Function</b>	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)].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.</li> <li>▪ Permission may only be granted where, the proponent has: <ul style="list-style-type: none"> <li>◦ 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.</li> <li>◦ 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.</li> <li>◦ Provided evidence of sufficient Public Liability Insurance.</li> <li>◦ Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ul> </li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Infrastructure Manager Engineering Manager Operations
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.

Shire of Broome

<b>Statutory framework</b>	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – 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 <a href="#">Local Government Act 1995</a></p>
<b>Record keeping</b>	<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>
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	14 March 2023

Amendments			
Date	Type	Amendment	References
13 Mar 2023	Amended delegation	Manager Engineering added as subdelegate approved by CEO.	---

<b>Delegation</b>	<b>1.2.14 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Local Government (Uniform Local Provisions) 1996:</i> r.21(1) Wind erosion and sand drifts – Sch.9.1 cl.12
<b>Function</b>	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)].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	▪ Must comply with all relevant Policies
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Infrastructure Manager Engineering Manager Operations
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures  Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	14 March 2023

Shire of Broome

Amendments			
Date	Type	Amendment	References
13 Mar 2023	Amended delegation	Manager Engineering added as subdelegate approved by CEO.	---

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<b>Delegation</b>	<b>1.2.15 Expressions of Interest for Goods and Services</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&amp;G r.21].</li> <li>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&amp;G r.23].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Expressions of Interest may only be called where there is an adopted budget for the proposed goods or services.</li> <li>▪ Must comply with Council's Purchasing Policy.</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Corporate Services Director Development Services Director Infrastructure
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures</p> <p><a href="#">WALGA Subscription Service</a> – Procurement Toolkit</p> <p><a href="#">Council Policy - Purchasing</a></p>
<b>Record keeping</b>	<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>
<b>Date adopted</b>	28 April 2022

Shire of Broome

<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	27 February 2023

DRAFT



Shire of Broome

<b>Delegation</b>	<b>1.2.16 Tenders for Goods and Services</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<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

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<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to call tenders [F&amp;G r.11(1)].</li> <li>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&amp;G r.11(f)].</li> <li>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&amp;G.r.11 (2)].</li> <li>4. Authority to invite tenders although not required to do so [F&amp;G r.13].</li> <li>5. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&amp;G r.14(2a)].</li> <li>6. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&amp;G r.14(4)(a)].</li> <li>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&amp;G r.14 (5)].</li> <li>8. Authority to evaluate tenders, by written evaluation, and decide which is the most advantageous [F&amp;G r.18(4)].</li> <li>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&amp;G r.18(2) and (4)].</li> <li>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&amp;G r.20(1) and (3)].</li> <li>11. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&amp;G r.18(4a)].</li> <li>12. Authority to decline any tender [F&amp;G r.18(5)].</li> <li>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&amp;G r.20(2)]</li> <li>14. Authority to: <ol style="list-style-type: none"> <li>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.</li> <li>ii. Exercise an extension option that was included in the original tender specification and contract in accordance with r.11(2)(j). [F&amp;G r.21A].</li> </ol> </li> <li>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&amp;G r.18(6) &amp; (7)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer

<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Sole supplier arrangements may only be approved where a record is retained that evidences: <ul style="list-style-type: none"> <li>◦ A detailed specification;</li> <li>◦ The outcomes of market testing of the specification;</li> <li>◦ The reasons why market testing has not met the requirements of the specification; and</li> <li>◦ Rationale for why the supply is unique and cannot be sourced through other suppliers;</li> </ul> </li> <li>▪ 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"> <li>◦ proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government,</li> <li>◦ current supply contract expiry is imminent,</li> <li>◦ value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and</li> <li>◦ The tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council.</li> </ul> </li> <li>▪ 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.</li> <li>▪ Must comply with the Council's Purchasing Policy.</li> </ul>
<b>Express power to subdelegate</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Corporate Services Director Development Services Director Infrastructure
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures  <a href="#">WALGA Subscription Service</a> – Procurement Toolkit
<b>Policy</b>	<a href="#">Council Policy - Purchasing</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	9 March 2022

<b>Delegation</b>	<b>1.2.17 Panels of Pre-Qualified Suppliers for Goods and Services</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>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&amp;G r.24AC(1)(b)].</li> <li>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&amp;G r.24AD(3)].</li> <li>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&amp;G r.24AD(6)].</li> <li>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&amp;G r.24AH(2)].</li> <li>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&amp;G r.24AH(3)].</li> <li>6. Authority to request clarification of information provided in a submission by an applicant [F&amp;G r.24AH(4)].</li> <li>7. Authority to decline to accept any application [F&amp;G r.24AH(5)].</li> <li>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&amp;G r.24AJ(1)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ Must comply with Council's Purchasing Policy</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Corporate Services Director Development Services Director Infrastructure

Shire of Broome

<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures  <a href="#">WALGA Subscription Service – Procurement Toolkit</a>
<b>Policy</b>	<a href="#">Council Policy - Purchasing</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	9 March 2023

DRAFT

<b>Delegation</b>	<b>1.2.18 Application of Regional Price Preference Policy</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Local Government (Functions and General) Regulations 1996:</i> r.24G Adopted regional price preference policy, effect of
<b>Function</b>	1. Authority to decide when not to apply the regional price preference policy to a particular future tender [F&G r.24G].
<b>Delegates</b>	Chief Executive Officer
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Corporate Services Director Development Services Director Infrastructure
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Policy</b>	<a href="#">Council Policy - Purchasing</a> <a href="#">Council Policy - Regional Price Preference</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	28 February 2023

<b>Delegation</b>	<b>1.2.19 Disposing of Property</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.3.58(2) & (3) Disposing of Property
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to dispose of property to: <ol style="list-style-type: none"> <li>a. the highest bidder at public auction [s.3.58(2)(a)].</li> <li>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)]</li> </ol> </li> <li>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)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ 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.</li> <li>▪ When determining the method of disposal:</li> <li>▪ Where a public auction is determined as the method of disposal: <ul style="list-style-type: none"> <li>◦ Reserve price has been set by independent valuation.</li> <li>◦ 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.</li> </ul> </li> <li>▪ 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.</li> <li>▪ Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to: <ul style="list-style-type: none"> <li>◦ Negotiate the sale of the property up to a -10% variance on the valuation; and</li> <li>◦ Consider any public submissions received and determine if to proceed with the disposal, ensuring reasons for the decision are recorded.</li> </ul> </li> <li>▪ Where the market value of the property is determined as being less than \$20,000 (F&amp;G r.30(3) excluded disposal) may be undertaken: <ul style="list-style-type: none"> <li>◦ Without reference to Council for resolution; and</li> <li>◦ 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.</li> </ul> </li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Shire of Broome

<b>Subdelegates</b>	Director Corporate Services Director Development Services Director Infrastructure
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government Act 1995</a> – s.3.58 Disposal of Property  <a href="#">Local Government (Functions and General) Regulations 1995</a> – r.30 Dispositions of property excluded from Act s. 3.58
<b>Policy</b>	<a href="#">Council Policy - Disposal of Assets</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	9 March 2023



<b>Delegation</b>	<b>1.2.20 Payments from the Municipal or Trust Funds [DRAFT]</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Local Government (Financial Management) Regulations 1996:</i> r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
<b>Function</b>	1. Authority to make payments from the municipal or trust funds [r.12(1)(a)].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>Authority to make payments is subject to annual budget limitations.</li> <li>Must comply with all relevant Policies</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	<p><b>Senior Finance Officer</b> Coordinator Financial Services Director Corporate Services Director Development Services Director Infrastructure Manager Financial Services</p>
<b>Subdelegate conditions</b>	<ul style="list-style-type: none"> <li>Delegates must comply with the Procedures approved by the CEO in accordance with Financial Management Regulation 5.</li> <li>Payments by Cheque and EFT transactions must be approved jointly by two Delegates.</li> <li>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.</li> <li>Must comply with all relevant Policies</li> </ul>
<b>Statutory framework</b>	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government Act 1995</a></p> <p><a href="#">Local Government (Financial Management) Regulations 1996</a> - refer specifically r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.</p> <p><a href="#">Local Government (Audit) Regulations 1996</a></p>
<b>Policy</b>	<p><a href="#">Department of Local Government, Sport and Cultural Industries Operational Guideline No.11 – Use of Corporate Credit Cards</a></p> <p><a href="#">Department of Local Government, Sport and Cultural Industries: Accounting Manual</a></p>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Shire's document management system.

Shire of Broome

Amendments			
Date	Type	Amendment	References
12 Sep 2023	Amended delegation	Added Senior Finance Officer as a sub delegate temporarily until the role of the Coordinator of Financial Services has been filled.	Approved by Sam Mastrolembo CEO 12.09.2023

DRAFT

<b>Delegation</b>	<b>1.2.21 Defer, Grant Discounts, Waive or Write Off Debts [DRAFT]</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.6.12 Power to defer, grant discounts, waive or write off debts
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Waive a debt which is owed to the Shire of Broome [s.6.12(1)(b)].</li> <li>2. Grant a concession in relation to money which is owed to the Shire of Broome [s.6.12(1)(b)].</li> <li>3. Write off an amount of money which is owed to the Shire of Broome [s.6.12(1)(c)]</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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"> <li>◦ Limited to individual debts valued below \$2,000 (GST exclusive). Write off of debts greater than these values must be referred for Council decision.</li> </ul> </li> <li>▪ The waiving or refunding of fees and charges for applications made under the following legislation and local laws administered by the Development Services Directorate must comply with Council's Policy – Waiving and Refunding of Fees: <ul style="list-style-type: none"> <li>◦ <i>Building Act 2011</i></li> <li>◦ <i>Bush Fires Act 1954</i></li> <li>◦ <i>Food Act 2008</i></li> <li>◦ <i>Local Government Act 1995</i></li> <li>◦ <i>Planning and Development Act 2005</i></li> <li>◦ <i>Public Health Act 2016</i></li> <li>◦ Local Government Property and Public Places Local Law 2012</li> <li>◦ Trading, Outdoor Dining and Street Entertainment Local Law 2003</li> </ul> </li> <li>▪ Amounts provided via the <b>CEO Quick Adhoc Response Sponsorship Budget Grants</b> are to be reported to Council on a quarterly basis via the Councillor Information Bulletin.</li> <li>▪ Sundry debtor write offs must comply with Council's Policy – Debt Recovery.</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	<p>Director Corporate Services  Director Development Services  Manager Environmental Health, Emergency and Rangers  Manager Financial Services  Manager Planning and Building Services</p>

<b>Subdelegate conditions</b>	<ul style="list-style-type: none"> <li>Conditions on the Delegate also apply to the Subdelegates.</li> <li>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.</li> <li>Sundry Debtor write offs must comply with Council's Policy - Debt Recovery</li> </ul>
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Policy</b>	<a href="#">Council Policy - Debt Recovery</a> <a href="#">Council Policy - Waiving and Refunding of Fees</a>
<b>Record keeping</b>	<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>

Amendments			
Date	Type	Amendment	References
8 Dec 2022	Amended delegation	Manager Financial Services added as sub delegate to provide operational efficiency.	CEO approved (See Synergy Record N221213-50609)
30 Mar 2023	Amended delegation	Update of Director Title following restructure at condition 2	

<b>Delegation</b>	<b>1.2.22 Power to Invest and Manage Investments</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>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)].</li> <li>2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ All investment activity must comply with the Financial Management Regulation 19C and Council Investment Policy.</li> <li>▪ 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.</li> <li>▪ 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]</li> <li>▪ Must comply with Council's Investment Policy</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Coordinator Financial Services Director Corporate Services Director Development Services Director Infrastructure Manager Financial Services
<b>Subdelegate conditions</b>	<ul style="list-style-type: none"> <li>▪ Conditions on the Delegate also apply to the Subdelegates.</li> <li>▪ A decision to invest must be jointly confirmed by two Delegates.</li> </ul>
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Financial Management) Regulations 1996</a> – refer r.19C Investment of money, restrictions on (Act s.6.14(2)(a))
<b>Policy</b>	<a href="#">Council Policy - Investment</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Shire's document management system.

Shire of Broome

<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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DRAFT

<b>Delegation</b>	<b>1.2.23 Rate Record Amendment</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.6.39(2)(b) Rate record
<b>Function</b>	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)].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>Delegates must comply with the requirements of s.6.40 of the Act.</li> <li>Must comply with all relevant Policies</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Coordinator Financial Services Director Corporate Services Manager Financial Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#"><i>Local Government Act 1995</i></a> – 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>
<b>Record keeping</b>	<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>
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	28 February 2023

<b>Delegation</b>	<b>1.2.24 Agreement as to Payment of Rates and Service Charges</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.6.49 Agreement as to payment of rates and service charges
<b>Function</b>	1. Authority to make an agreement with a person for the payment of rates or service charges [s.6.49].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	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.
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Coordinator Financial Operations Director Corporate Services Manager Financial Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Policy</b>	<a href="#">Council Policy - Debt Collection</a>  Business Operating Procedure - Financial Hardship
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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Shire of Broome

Amendments			
Date	Type	Amendment	References
8 Dec 2022	Amended delegation	Coordinator Financial Operations added as sub delegate to provide operational efficiency.	Approved by CEO (See Synergy record N221213-50609)

DRAFT

<b>Delegation</b>	<b>1.2.25 Determine Due Date for Rates or Service Charges</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.6.50 Rates or service charges due and payable
<b>Function</b>	1. Authority to determine the date on which rates or service charges become due and payable to the Shire of Broome [s.6.50].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Corporate Services Manager Financial Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record keeping</b>	Delegations exercised are to be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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<b>Delegation</b>	<b>1.2.26 Recovery of Rates or Service Charges</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.6.56 Rates or service charges recoverable in court s.6.64(3) Actions to be taken
<b>Function</b>	<ol style="list-style-type: none"> <li>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)].</li> <li>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)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Decisions under this delegation must comply with Council Policy – Debt Collection</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Corporate Services Manager Financial Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Policy</b>	<a href="#">Council Policy - Debt Collection</a>  Business Operating Procedure - Financial Hardship
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
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<b>Delegation</b>	<b>1.2.27 Recovery of Rates Debts – Require Lessee to Pay Rent</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.6.60 Local Government may require lessee to pay rent
<b>Function</b>	<ol style="list-style-type: none"> <li>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)].</li> <li>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)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Decisions under this delegation must comply with Council Policy – Debt Collection.</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Corporate Services Manager Financial Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government Act 1995</a> – refer sections 6.61 and 6.62 and Schedule 6.2 prescribe procedures relevant to exercise of authority under s.6.60.</p>
<b>Policy</b>	<a href="#">Council Policy - Debt Collection</a>
<b>Record keeping</b>	<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>
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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<b>Delegation</b>	<b>1.2.28 Recovery of Rates Debts - Actions to Take Possession of the Land</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>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: <ol style="list-style-type: none"> <li>lease the land, or</li> <li>sell the land; or where land is offered for sale and a contract of sale has not been entered into after 12 months: <ol style="list-style-type: none"> <li>cause the land to be transferred to the Crown [s.6.71 and s.6.74]; or</li> <li>cause the land to be transferred to the Shire of Broome [s.6.71].</li> </ol> </li> </ol> </li> <li>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)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>Decisions under this delegation must comply with Council Policy – Debt Collection.</li> <li>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 / charges 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.</li> <li>Exercise of this delegation must comply with the procedures set out in Schedule 6.3 of the <i>Local Government Act 1995</i>.</li> <li>Council Members are to be informed as soon as practicable after the exercise of this delegation.</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Corporate Services Manager Financial Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.

Shire of Broome

<b>Statutory framework</b>	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government Act 1995</a> – Part 6, Division 6 Subdivision 6 and Schedule.6.3 prescribe procedures relevant to exercise of authority under this delegation.</p> <p><a href="#">Local Government (Financial Management) Regulations 1996</a> – regulations 72 – 78 prescribe forms and procedures relevant to exercise of authority under this delegation.</p>
<b>Policy</b>	<a href="#">Council Policy - Debt Collection</a>
<b>Record keeping</b>	<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>
<b>Date adopted</b>	28 April 2022
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DRAFT

<b>Delegation</b>	<b>1.2.29 Rate Record – Objections</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.6.76 Grounds of objection
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to extend the time for a person to make an objection to a rate record [s.6.76 (4)].</li> <li>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)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ New rate exemptions are to be reported to Council via the Councillor Information Bulletin.</li> <li>▪ Must comply with all relevant Policies</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Corporate Services Manager Financial Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	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
<b>Policy</b>	<a href="#">Council Policy - Rating</a>  <a href="#">Council Policy - Rate Exemption Charitable Use</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
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Shire of Broome

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DRAFT



<b>Delegation</b>	<b>1.2.30 Renewal or Extension of Contracts during a State of Emergency</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<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)
<b>Function</b>	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"> <li>• 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</li> <li>• contracts formed through a public tender.</li> </ul>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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"> <li>◦ It is exercised at the sole discretion of the Local Government;</li> <li>◦ It is in the best interests of the Local Government;</li> <li>◦ It is deemed necessary to facilitate the role of Local Government in relation to the State of Emergency declaration;</li> <li>◦ It has potential to promote local and/or regional economic benefits.</li> </ul> </li> <li>▪ This authority may only be exercised where the total consideration for the renewal or extension is \$500,000 or less.</li> <li>▪ 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).</li> <li>▪ The decision to extend or renew a contract must be made in accordance with the objectives of the Purchasing Policy.</li> <li>▪ The CEO cannot sub-delegate this authority.</li> </ul>
<b>Statutory framework</b>	<a href="#"><i>Local Government (Functions and General) Regulations 1996</i></a>
<b>Policy</b>	<a href="#">WALGA Subscription Service – Procurement Toolkit</a> <a href="#">Council Policy - Purchasing</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.

Shire of Broome

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DRAFT

<b>Delegation</b>	<b>1.2.31 Procurement of Goods or Services required to address a State of Emergency</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<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)
<b>Function</b>	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)].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ 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.</li> <li>▪ 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.</li> <li>▪ 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.</li> <li>▪ The CEO cannot sub-delegate this authority.</li> </ul>
<b>Statutory framework</b>	<a href="#"><i>Local Government (Functions and General) Regulations 1996</i></a>
<b>Policy</b>	<a href="#">WALGA Subscription Service – Procurement Toolkit</a>  <a href="#">Council Policy - Purchasing</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.

Shire of Broome

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DRAFT

## 01.3 CEO to Employees

<b>Delegation</b>	<b>1.3.1 Determine if an Emergency for Emergency Powers of Entry</b>
<b>Category</b>	CEO to Employees
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Chief Executive Officer
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.3.34(2) Entry in emergency
<b>Function</b>	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)].
<b>Delegates</b>	Director Corporate Services Director Development Services Director Infrastructure Manager Environmental Health, Emergency and Rangers
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ The Delegate is to inform the CEO and Council Members as soon as practicable after the exercise of this delegation.</li> <li>▪ Must comply with all relevant Policies</li> </ul>
<b>Express power to subdelegate</b>	Nil
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
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<b>Delegation</b>	<b>1.3.2 Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare</b>
<b>Category</b>	CEO to Employees
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Chief Executive Officer
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<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)
<b>Function</b>	<p>When determining to grant permission to obstruct a public footpath or thoroughfare under Delegated Authority 1.2.9:</p> <ol style="list-style-type: none"> <li>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)].</li> <li>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)].</li> <li>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)].</li> </ol>
<b>Delegates</b>	<p>Director Infrastructure Manager Engineering Manager Operations</p>
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 1.2.9 Obstruction of Footpaths and Thoroughfares.</li> <li>▪ Actions under this Delegation must comply with the procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.</li> <li>▪ Must comply to all relevant Policies</li> </ul>
<b>Express power to subdelegate</b>	Nil
<b>Statutory framework</b>	<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><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a></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>
<b>Record keeping</b>	<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

<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	14 March 2023

Amendments			
Date	Type	Amendment	References
13 Mar 2023	Amended delegation	Manager Engineering added as subdelegate approved by CEO	---

DRAFT

<b>Delegation</b>	<b>1.3.3 Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares</b>
<b>Category</b>	CEO to Employees
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Chief Executive Officer
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<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
<b>Function</b>	When determining to grant permission for a dangerous excavation under Delegated Authority 1.2.11:  <ol style="list-style-type: none"> <li>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)].</li> <li>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)].</li> <li>3. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily.</li> </ol>
<b>Delegates</b>	Director Infrastructure Manager Engineering Manager Operations
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 1.2.11 Public Thoroughfares – Dangerous Excavations.</li> <li>▪ Actions under this Delegation must comply with the procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.</li> <li>▪ Must comply with all relevant Policies</li> </ul>
<b>Express power to subdelegate</b>	Nil
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  This delegated authority is effective only in alignment with Delegated Authority 1.2.11 Public Thoroughfares – Dangerous Excavations.  <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>  Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.



Shire of Broome

<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	14 March 2023

Amendments			
Date	Type	Amendment	References
13 Mar 2023	Amended delegation	Manager Engineering added as a subdelegate approved by CEO	---

DRAFT

<b>Delegation</b>	<b>1.3.4 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places</b>
<b>Category</b>	CEO to Employees
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Chief Executive Officer
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>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)].</li> <li>2. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily. [r.17(6)(c)].</li> </ol>
<b>Delegates</b>	Director Infrastructure Manager Engineering Manager Operations
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Must comply to all relevant Policies</li> </ul>
<b>Express power to subdelegate</b>	Nil
<b>Statutory framework</b>	<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>
<b>Record keeping</b>	<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>
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	14 March 2023

Shire of Broome

Amendments			
Date	Type	Amendment	References
13 Mar 2023	Amended delegation	Manager Engineering added as a subdelegate approved by CEO	---

DRAFT

<b>Delegation</b>	<b>1.3.5 Electoral Enrolment Eligibility Claims and Electoral Roll</b>
<b>Category</b>	CEO to Employees
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Chief Executive Officer
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<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)
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to require the written notice for co-owners or co-occupiers to be incorporated into Form 2 [r.11(1a)].</li> <li>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)].</li> <li>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.4.32(5A)].</li> <li>4. Authority to make any enquiries necessary in order to make a decision on an eligibility claim [s.4.32(5)].</li> <li>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)].</li> <li>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)].</li> <li>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].</li> <li>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.</li> <li>9. Authority to determine to take any action necessary to give effect to advice received from the Electoral Commissioner [s.4.35(5)].</li> <li>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)].</li> </ol>
<b>Delegates</b>	Director Corporate Services Manager Governance, Strategy & Risk
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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).</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	Nil

Shire of Broome

<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <a href="#">Department of Local Government, Sport and Cultural Industries: Returning Officer Manual</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	30 March 2023
<b>Adoption references</b>	Item 9.4.2 Minute No. C/0323/028
<b>Last reviewed</b>	30 March 2021

Amendments			
Date	Type	Amendment	References
30 Mar 2023	Amended delegation	Correction to legislative reference at function point 3.	

DRAFT

<b>Delegation</b>	<b>1.3.6 Destruction of Electoral Papers [DRAFT]</b>
<b>Category</b>	CEO to Employees
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Chief Executive Officer
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<i>Local Government (Elections) Regulations 1996:</i> r.82(4) Keeping election papers – s4.84(a)
<b>Function</b>	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)].
<b>Delegates</b>	<a href="#">Senior Administration and Governance Officer</a> Director Corporate Services Manager Governance, Strategy & Risk
<b>Conditions</b>	▪ Must comply to all relevant Policies
<b>Express power to subdelegate</b>	Nil
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <a href="#">Department of Local Government, Sport and Cultural Industries: Returning Officer Manual</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.

<b>Delegation</b>	<b>1.3.7 Appoint Authorised Persons</b>
<b>Category</b>	CEO to Employees
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Chief Executive Officer
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<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"> <li>a. <a href="#">Local Government Act 1995</a> 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..</li> <li>b. <i>Caravan Parks and Camping Grounds Act 1995</i>;</li> <li>c. <i>Cat Act 2011</i>;</li> <li>d. <i>Cemeteries Act 1986</i>;</li> <li>e. <i>Control of Vehicles (Off-road Areas) Act 1978</i>;</li> <li>f. <i>Dog Act 1976</i>;</li> <li>g. <a href="#">Graffiti Vandalism Act 2016</a> – refer s.15; and</li> <li>h. any other legislation prescribed for the purposes of s.9.10 of the <i>Local Government Act 1995</i>.</li> </ul> <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 <a href="#">Building Regulations 2012</a> and section 6(b) of the <i>Criminal Procedure Act 2004</i>.</p>
<b>Delegates</b>	Director Corporate Services Director Development Services Director Infrastructure
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ A register of Authorised Persons is to be maintained as a Local Government Record.</li> <li>▪ Only persons who are appropriately qualified and trained may be appointed as Authorised persons.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	Nil
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.

Shire of Broome

<b>Record keeping</b>	<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>
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	1 March 2023

DRAFT



<b>Delegation</b>	<b>1.3.8 Information to be Available to the Public</b>
<b>Category</b>	CEO to Employees
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Chief Executive Officer
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<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.5.95(1)(b) & (3)(b) Limits on right to inspect local government information
<b>Function</b>	<ol style="list-style-type: none"> <li>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)].</li> <li>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)].</li> <li>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].</li> <li>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.5.95(1)(b)].</li> <li>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)].</li> </ol>
<b>Delegates</b>	Director Corporate Services Manager Governance, Strategy & Risk
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	Nil
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	30 March 2023
<b>Adoption references</b>	Item 9.4.2 Minute No. C/0323/028
<b>Last reviewed</b>	30 March 2023

Shire of Broome

Amendments			
Date	Type	Amendment	References
30 Mar 2023	Amended delegation	Correction to legislative reference under Power or duty.	

DRAFT

<b>Delegation</b>	<b>1.3.9 Financial Management Systems and Procedures</b>
<b>Category</b>	CEO to Employees
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Chief Executive Officer
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<i>Local Government (Financial Management) Regulations 1996:</i> r.5 CEO's Duties as to financial management
<b>Function</b>	<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"> <li>i. Collection of money owed to the Shire of Broome;</li> <li>ii. Safe custody and security of money collected or held by the Shire of Broome;</li> <li>iii. Maintenance and security of all financial records, including payroll, stock control and costing records;</li> <li>iv. Proper accounting of the Municipal and Trust Funds, including revenue, expenses and assets and liabilities;</li> <li>v. Proper authorisation of employees for incurring liabilities, including authority for initiating Requisition Orders, Purchase Orders and use of Credit and Transaction Cards;</li> <li>vi. Making of payments in accordance with Delegated Authority 1.2.20;</li> <li>vii. Preparation of budgets, budget reviews, accounts and reports as required by legislation or operational requirements.</li> </ul>
<b>Delegates</b>	Director Corporate Services Manager Financial Services
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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</li> <li>▪ 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]</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	Nil
<b>Statutory framework</b>	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government Act 1995</a></p> <p><a href="#">Local Government (Financial Management) Regulations 1996</a></p> <p><a href="#">Local Government (Audit) Regulations 1996</a></p> <p><a href="#">Department of Local Government, Sport and Cultural Industries Operational Guideline No.11 – Use of Corporate Credit Cards</a></p>

Shire of Broome

<b>Record keeping</b>	Delegations exercised are to be recorded in the Shire's document management system.
<b>Date adopted</b>	30 March 2023
<b>Adoption references</b>	Item 9.4.2 Minute No. C/0323/028
<b>Last reviewed</b>	30 March 2023

Amendments			
Date	Type	Amendment	References
30 Mar 2023	Amended delegation	Administrative correction to delegated authority reference at function 1.vi	

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<b>Delegation</b>	<b>1.3.10 Audit – CEO Review of Systems and Procedures</b>
<b>Category</b>	CEO to Employees
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Chief Executive Officer
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<i>Local Government (Audit) Regulations 1996:</i> r.17 CEO to review certain systems and procedures
<b>Function</b>	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)].
<b>Delegates</b>	Director Corporate Services Manager Governance, Strategy & Risk
<b>Conditions</b>	<ul style="list-style-type: none"> <li>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.</li> <li>Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	Nil
<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <a href="#">Local Government (Audit) Regulations 1996</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.3 Minute No. C/0321/009
<b>Last reviewed</b>	1 March 2023

<b>Delegation</b>	<b>1.3.11 Infringement Notices – Withdrawal and Extension of Time</b>
<b>Category</b>	CEO to Employees
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Chief Executive Officer
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>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)].</li> <li>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].</li> <li>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].</li> </ol>
<b>Delegates</b>	Director Development Services Manager Environmental Health, Emergency and Rangers Manager Planning and Building Services
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ 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"> <li>◦ <b>Director Development Services</b></li> <li>◦ <b>Manager Environmental Health, Emergency and Rangers</b></li> </ul> </li> <li>▪ 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"> <li>◦ <b>Director Development Services</b></li> <li>◦ <b>Manager Planning and Building</b></li> </ul> </li> </ul> <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"> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	Nil

Shire of Broome

<b>Statutory framework</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Parking and Parking Facilities Local Law 2012</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	1 March 2023

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## 01.4 Local Law Delegations to CEO

<b>Delegation</b>	<b>1.4.1 Cemeteries Local Law 2012</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>
<b>Express power or duty delegated</b>	<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>
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. refuse an application for a single funeral permit [cl.4.3]</li> <li>2. grant approval to conduct a funeral by the Board (Shire of Broome) [cl.5.6]</li> <li>3. grant permission for ashes to be disposed [cl.5.7]</li> <li>4. approve removal of sand, soil or loam [cl.7.5]</li> <li>5. approve hours of work [cl.7.6]</li> <li>6. approve use of wood [cl.7.8]</li> <li>7. approve applications for monumental mason's licence [cl.7.16(1)]</li> <li>8. approve conditions on monumental mason's licence [cl.7.16(2)]</li> <li>9. authorise monumental work other than by the holder or employee of a current monumental mason's licence [cl.7.18(c)]</li> <li>10. cancel a monumental mason's licence [cl.7.20(1)]</li> <li>11. approve the removing of objects [cl.8.3]</li> <li>12. approve application to advertise or carry on any trade, business or profession within the cemetery and determine any conditions [cl.8.6 (1) &amp; (2)]</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>• Must comply with conditions contained in the Cemeteries Local Law 2012</li> <li>• Must comply with all relevant Policies</li> </ul>



Shire of Broome

<b>Express power to subdelegate</b>	<i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Corporate Services Director Infrastructure Manager Governance, Strategy & Risk
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	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.
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System  Any supporting information should be recorded in the Shire's record management system
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	1 March 2023

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<b>Delegation</b>	<b>1.4.2 Local Government Property and Public Places Local Law 2016</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<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

<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. erect a sign to give notice of the effect of a determination [cl.2.3]</li> <li>2. exempt a person from needing a permit [cl.3.2(3)]</li> <li>3. require an applicant to provide additional information for a permit application [cl.3.5(3)]</li> <li>4. require applicant to give local public notice of the application for a permit [cl.3.5(5)]</li> <li>5. refuse to consider an application for a permit which is not in accordance with subclause (2) [cl.3.5(5)]</li> <li>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)]</li> <li>7. vary the conditions of a permit [cl.3.9(2)]</li> <li>8. approve the transfer of a permit [cl.3.12(2)]</li> <li>9. cancel a permit [cl.3.14(1)]</li> <li>10. where the hire of local government property is cancelled, authorise refund of part or all of the amount paid [cl.4.7(2)]</li> <li>11. erect a sign specifying any conditions of use which apply [cl.4.8(1)]</li> <li>12. approve applications to hire local government property [cl.5.1(1)]</li> <li>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)]</li> <li>14. determine which, if any applicant will be granted an approval to hire where 2 or more applicants [cl.5.2]</li> <li>15. approve closure of pool premises [cl.6.8(1) &amp; (2)]</li> <li>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]</li> <li>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]</li> <li>18. issue notice to repair or replace that portion of the thoroughfare damaged [cl.10.1]</li> <li>19. require payment of a bond [cl.12.1(1)]</li> <li>20. issue breach notice and require rectification within specified time [cl.13.1(1)]</li> <li>21. remedy breach where approval holder or person fails to do so [cl.13.1(3)]</li> <li>22. recover costs from approval holder or person for remedying breach [cl.13.1(4)]</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>• Must comply with conditions contained in the Local Government Property and Public Places Local Law 2016</li> <li>• Must comply with all relevant Policies</li> </ul>
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegates</b>	<p>Director Corporate Services Director Development Services Director Infrastructure Manager Community Facilities Manager Engineering Manager Environmental Health, Emergency and Rangers Manager Operations Manager Planning and Building Services</p>
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	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

<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System Any supporting information should be recorded in the Shire's record management system
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<b>Last reviewed</b>	14 March 2023

Amendments			
Date	Type	Amendment	References
13 Mar 2023	Amended delegation	Manager Engineering added as a subdelegate approved by CEO	---

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<b>Delegation</b>	<b>1.4.3 Trading, Outdoor Dining and Street Entertainment Local Law 2016</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	01 Local Government Act 1995 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<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

<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. approve licence application [cl.2.3.1(b)]</li> <li>2. refuse licence application [cl.2.3.1(a)]</li> <li>3. determine licence conditions [cl.2.3.3]</li> <li>4. vary the terms and conditions of a licence [cl.2.4.4]</li> <li>5. approve the renewal of a licence [cl.2.5.1]</li> <li>6. cancel a licence [cl.2.7(a) - (g)] *</li> <li>7. suspend a licence [cl.2.8.2] *</li> <li>8. approve the transfer of an outdoor trading licence [cl.3.2.1(b)] *</li> <li>9. approve the commencement of outdoor dining [cl.3.4.2]</li> <li>10. cancel an outdoor dining licence [cl.3.6.1] *</li> <li>11. approve the transfer of a market licence [cl.4.2.1] *</li> <li>12. approve the post market stall area return condition [cl.4.6.3]</li> <li>13. approve the transfer of a trading licence [cl.5.2.1] *</li> <li>14. cancel or vary a street entertainment licence [cl.6.7] *</li> <li>15. determine when a bond, bank guarantee or other form of security required [cl.7.1.1]</li> <li>16. determine the amount of bond, bank guarantee or other form of security [cl.7.1.3] *</li> <li>17. issue a notice requiring restoration and reinstatement work [cl.7.2.1]</li> <li>18. complete restoration and reinstatement work where licensee fails to do so [cl.7.2.1] *</li> <li>19. recover costs of restoration and reinstatement work from licensee [cl.7.2.2]</li> <li>20. apply the proceeds from security held towards costs incurred [cl.7.2.3] *</li> <li>21. issue a notice to licensee to remedy breach [cl.8.2.1]</li> <li>22. remedy breach where licensee fails to do so [cl.8.2.3] *</li> <li>23. recover costs from licensee for remedying breach [cl.8.2.4]</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>• Must comply with conditions contained in the Trading, Outdoor Dining and Street Entertainment Local Law 2016.</li> <li>• Must comply with Council's Trading in Public Places Policy</li> <li>• Must comply with Council's Local Planning Policy - Outdoor Dining</li> <li>• 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.</li> </ul>
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegates</b>	<p>Coordinator Planning Services Director Development Services Manager Environmental Health, Emergency and Rangers Manager Planning and Building Services</p>
<b>Subdelegate conditions</b>	<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>
<b>Statutory framework</b>	Note - Decisions exercised under this delegation may be referred for review by the State Administrative Tribunal
<b>Policy</b>	<p><a href="#">Trading, Outdoor Dining and Street Entertainment Local Law 2016</a>  <a href="#">Trading in Public Places Policy</a>  <a href="#">Local Planning Policy - Outdoor Dining</a></p>

Shire of Broome

<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System Any supporting information should be recorded in the Shire's record management system
<b>Date adopted</b>	28 April 2022
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## 02 Building Act 2011 Delegations

Building Act 2011

## 02.1 Council to CEO

<b>Delegation</b>	<b>2.1.1 Grant a Building Permit</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	02 Building Act 2011 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<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))
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)].</li> <li>2. Authority to grant or refuse to grant a building permit [s.20(1) &amp; (2) and s.22].</li> <li>3. Authority to impose, vary or revoke conditions on a building permit [s.27(1) and(3)].</li> <li>4. Authority to determine an application to extend time during which a building permit has effect [r.23]. <ol style="list-style-type: none"> <li>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)]</li> <li>ii. Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)].</li> </ol> </li> <li>5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Coordinator Building Services Director Development Services Manager Planning and Building Services



<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegate.
<b>Statutory framework</b>	<p><a href="#"><i>Building Act 2011</i></a>  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><a href="#"><i>Building Regulations 2012</i></a> – 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>
<b>Record keeping</b>	Delegations exercised are to be recorded to the property file within the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	9 March 2023

<b>Delegation</b>	<b>2.1.2 Demolition Permits</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	02 Building Act 2011 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<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))
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s.18(1)].</li> <li>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) &amp; (2) and s.22].</li> <li>3. Authority to impose, vary or revoke conditions on a demolition permit [s.27(1) and (3)].</li> <li>4. Authority to determine an application to extend time during which a demolition permit has effect [r.23]. <ol style="list-style-type: none"> <li>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)]</li> <li>ii. Authority to impose any condition on the demolition permit extension that could have been imposed under s.27 [r.24(2)].</li> </ol> </li> <li>5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Coordinator Building Services Director Development Services Manager Planning and Building Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.

Shire of Broome

<b>Statutory framework</b>	<a href="#"><u>Building Act 2011</u></a> s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit  <i>Building Services (Complaint Resolution and Administration) Act 2011</i> -- Part 7, Division 2  <i>Building and Construction Industry Training Levy Act 1990</i>  <i>Heritage Act 2018</i>
<b>Record keeping</b>	Delegations exercised are to be recorded to the property file within the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	9 March 2023

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<b>Delegation</b>	<b>2.1.3 Occupancy Permits or Building Approval Certificates</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	02 Building Act 2011 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<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)
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s.55].</li> <li>2. Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58].</li> <li>3. Authority to impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and (3)].</li> <li>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].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Coordinator Building Services Director Development Services Manager Planning and Building Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.

Shire of Broome

<b>Statutory framework</b>	<a href="#"><u>Building Act 2011</u></a> s.59 time for granting occupancy permit or building approval certificate s.60 Notice of decision not to grant occupancy permit or grant building approval certificate s.121 Occupancy permits and building approval certificates – application for review by SAT  <i>Building Services (Complaint Resolution and Administration) Act 2011 – Part 7, Division 2</i>  <i>Building and Construction Industry Training Levy Act 1990</i>  <i>Heritage Act 2018</i>
<b>Record keeping</b>	Delegations exercised are to be recorded to the property file within the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	9 March 2023

DRAFT

<b>Delegation</b>	<b>2.1.4 Designate Employees as Authorised Persons</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	02 Building Act 2011 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<i>Building Act 2011:</i> s.96(3) authorised persons s.99(3) Limitation on powers of authorised person
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to designate an employee as an authorised person [s.96(3)].</li> <li>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)].</li> </ol> <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>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Decisions under this delegated authority should be in accordance with r.5 of the <i>Building Regulations 2012</i>.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Director Corporate Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegate.
<b>Statutory framework</b>	<i>Building Act 2011:</i> s.97 each designated authorised person must have an identity card. r.5A Authorised persons (s.3) – definition
<b>Record keeping</b>	<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>
<b>Date adopted</b>	28 April 2022

Shire of Broome

<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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DRAFT

<b>Delegation</b>	<b>2.1.5 Building Orders</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	02 Building Act 2011 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>Authority to make Building Orders in relation to: <ol style="list-style-type: none"> <li>Building work</li> <li>Demolition work</li> <li>An existing building or incidental structure [s.110(1)].</li> </ol> </li> <li>Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)].</li> <li>Authority to revoke a building order [s.117].</li> <li>If there is non-compliance with a building order, authority to cause an authorised person to: <ol style="list-style-type: none"> <li>take any action specified in the order ; or</li> <li>commence or complete any work specified in the order; or</li> <li>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)].</li> </ol> </li> <li>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)].</li> <li>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>.</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>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>.</li> <li>Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Coordinator Building Services Director Development Services Manager Planning and Building Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates,



Shire of Broome

<b>Statutory framework</b>	<a href="#"><u>Building Act 2011:</u></a> 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
<b>Record keeping</b>	Delegations exercised are to be recorded to the property file within the Shire's document management system
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	9 March 2023

DRAFT

<b>Delegation</b>	<b>2.1.6 Inspection and Copies of Building Records</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	02 Building Act 2011 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<i>Building Act 2011:</i> s.131(2) Inspection, copies of building records
<b>Function</b>	1. Authority to determine an application from an interested person to inspect and copy a building record [s.131(2)].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Coordinator Building Services Director Development Services Manager Planning and Building Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	<a href="#">Building Act 2011</a> - s.146 Confidentiality
<b>Record keeping</b>	Delegations exercised are to be recorded to the property file within the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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<b>Delegation</b>	<b>2.1.7 Referrals and Issuing Certificates</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	02 Building Act 2011 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<i>Building Act 2011:</i> s.145A Local Government functions
<b>Function</b>	<ol style="list-style-type: none"> <li>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)].</li> <li>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)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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>.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Coordinator Building Services Director Development Services Manager Planning and Building Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Record keeping</b>	Delegations exercised are to be recorded to the property file within the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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<b>Delegation</b>	<b>2.1.8 Private Pool Barrier – Alternative and Performance Solutions</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	02 Building Act 2011 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<i>Building Regulations 2012:</i> r.51 Approvals by permit authority
<b>Function</b>	<ol style="list-style-type: none"> <li>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)]</li> <li>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)]</li> <li>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)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Coordinator Building Services Director Development Services Manager Planning and Building Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Record keeping</b>	Delegations exercised are to be recorded to the property file within the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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<b>Delegation</b>	<b>2.1.9 Smoke Alarms – Alternative Solutions</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	02 Building Act 2011 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<i>Building Regulations 2012:</i> r.55 Terms Used (alternative building solution approval) r.61 Local Government approval of battery powered smoke alarms
<b>Function</b>	<ol style="list-style-type: none"> <li>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].</li> <li>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].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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>.</li> <li>▪ Must comply with all relevant Policies</li> </ul>
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Coordinator Building Services Director Development Services Manager Planning and Building Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Record keeping</b>	Delegations exercised are to be recorded to the property file within the Shire's document management system.
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<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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<b>Delegation</b>	<b>2.1.10 Appointment of approved officers and authorised officers</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	02 Building Act 2011 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<i>Building Regulations 2012:</i> r.70 Approved officers and authorised officers
<b>Function</b>	<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>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Must comply with all relevant Policies</li> </ul>
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Director Corporate Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegate.
<b>Statutory framework</b>	<i>Building Regulations 2012:</i> r 70(3) each authorised officer must be issued a certificate of appointment
<b>Record keeping</b>	<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>
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017

Shire of Broome

Last reviewed	9 March 2023
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## 03 Bush Fires Act 1954 Delegations

Bush Fires Act 1954

## 03.1 Council to CEO, Mayor and Bush Fire Control Officer

<b>Delegation</b>	<b>3.1.1 Make Request to FES Commissioner – Control of Fire</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	03 Bush Fires Act 1954 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954:</i> s.13(4) Duties and powers of bush fire liaison officers
<b>Function</b>	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)].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Must comply with all relevant Polices.</li> </ul>
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Statutory framework</b>	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.
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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<b>Delegation</b>	<b>3.1.2 Prohibited Burning Times - Vary</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	03 Bush Fires Act 1954 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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))
<b>Express power or duty delegated</b>	<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
<b>Function</b>	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)].
<b>Delegates</b>	Chief Bush Fire Control Officer Shire President
<b>Conditions</b>	<ul style="list-style-type: none"> <li>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).</li> <li>Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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<b>Delegation</b>	<b>3.1.3 Prohibited Burning Times – Control Activities</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	03 Bush Fires Act 1954 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15].</li> <li>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].</li> <li>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)].</li> <li>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)].</li> <li>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)].</li> <li>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)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017

Shire of Broome

Last reviewed	9 March 2023
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<b>Delegation</b>	<b>3.1.4 Restricted Burning Times – Vary and Control Activities</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	03 Bush Fires Act 1954 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>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"> <li>Authority to determine to prohibit burning on Sundays or specified days that are public holidays in the District [r.15C].</li> </ol> </li> <li>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)].</li> <li>Authority to determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [r.15].</li> <li>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)].</li> <li>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].</li> <li>Authority to determine, during a Restricted Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B].</li> <li>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)].</li> <li>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)].</li> <li>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)].</li> </ol>

Shire of Broome

<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"><li>▪ Must comply with all relevant Policies.</li></ul>
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
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DRAFT

<b>Delegation</b>	<b>3.1.5 Control of Operations Likely to Create Bush Fire Danger</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	03 Bush Fires Act 1954 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>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"> <li>a person operating a bee smoker device during a prescribed period [r.39CA(5)].</li> <li>a person operating welding apparatus, a power operated abrasive cutting disc [r.39C(3)].</li> <li>a person using explosives [r.39D(2)].</li> <li>a person using fireworks [r.39E(3)].</li> </ol> </li> <li>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.</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Record keeping</b>	<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>
<b>Date adopted</b>	28 April 2022
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<b>Delegation</b>	<b>3.1.6 Burning Garden Refuse / Open Air Fires</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	03 Bush Fires Act 1954 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>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)].</li> <li>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"> <li>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)].</li> <li>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].</li> </ol> </li> <li>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"> <li>a. camping or cooking [s.25(1)(a)].</li> <li>b. conversion of bush into charcoal or for the production of lime, in consultation with an authorised CALM Act officer [s.25(1)(b)].</li> </ol> </li> <li>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)].</li> <li>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)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Must comply to all relevant Policies</li> </ul>
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Record keeping</b>	<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>
<b>Date adopted</b>	28 April 2022

Shire of Broome

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<b>Last reviewed</b>	9 March 2023

DRAFT



<b>Delegation</b>	<b>3.1.7 Firebreaks</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	03 Bush Fires Act 1954 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954:</i> s.33 Local government may require occupier of land to plough or clear fire-breaks
<b>Function</b>	<p>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:</p> <ul style="list-style-type: none"> <li>a. clearing of firebreaks as determined necessary and specified in the notice; and</li> <li>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</li> <li>c. as a separate or coordinated action with any other person carry out similar actions [s.33(1)].</li> </ul> <p>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)].</p> <ul style="list-style-type: none"> <li>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)].</li> </ul>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Must comply to all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Record keeping</b>	<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>
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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<b>Delegation</b>	<b>3.1.8 Appoint Bush Fire Control Officer/s and Fire Weather Officer</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	03 Bush Fires Act 1954 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954:</i> s.38 Local Government may appoint bush fire control officer
<b>Function</b>	<ol style="list-style-type: none"> <li>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"> <li>a. Of those Officers, appoint one as the Chief Bush Fire Control Officer and one as the Deputy Chief Bush Fire Control Officer; and</li> <li>b. Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)].</li> </ol> </li> <li>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)]</li> <li>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"> <li>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)].</li> </ol> </li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Record keeping</b>	<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>
<b>Date adopted</b>	28 April 2022
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<b>Delegation</b>	<b>3.1.9 Control and Extinguishment of Bush Fires</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	03 Bush Fires Act 1954 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954:</i> s.46 Bush fire control officer or forest officer may postpone lighting fire
<b>Function</b>	<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>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Record keeping</b>	<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>
<b>Date adopted</b>	28 April 2022
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Shire of Broome

<b>Delegation</b>	<b>3.1.10 Recovery of Expenses Incurred through Contraventions of this Act</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	03 Bush Fires Act 1954 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954:</i> s.58 General penalty and recovery of expenses incurred
<b>Function</b>	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].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	▪ Must comply with all relevant Policies
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
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<b>Last reviewed</b>	9 March 2023

Page 121 of 198

<b>Delegation</b>	<b>3.1.11 Prosecution of Offences</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	03 Bush Fires Act 1954 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954:</i> s.59 Prosecution of offences s.59A(2) Alternative procedure – infringement notices
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59].</li> <li>2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer Director Development Services Manager Environmental Health, Emergency and Rangers
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Statutory framework</b>	<i>Bush Fires Act 1954:</i> s.65 Proof of certain matters s.66 Proof of ownership or occupancy
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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## 04 Cat Act 2011 Delegations

Cat Act 2011

## 04.1 Council to CEO

<b>Delegation</b>	<b>4.1.1 Cat Registrations</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	04 Cat Act 2011 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9(1)].</li> <li>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)].</li> <li>3. Authority to cancel a cat registration [s.10].</li> <li>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)].</li> <li>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)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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>.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Subdelegates</b>	Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers Senior Ranger
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.

Shire of Broome

<b>Statutory framework</b>	<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> .
<b>Record keeping</b>	Delegations exercised are to be recorded in the Shire's document management system.
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<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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DRAFT

<b>Delegation</b>	<b>4.1.2 Cat Control Notices</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	04 Cat Act 2011 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express power or duty delegated</b>	<i>Cat Act 2011:</i> s.26 Cat control notice may be given to cat owner
<b>Function</b>	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].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	▪ Must comply with all relevant Policies.
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Subdelegates</b>	Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	<i>Cat Regulations 2012</i> – r.20 Cat control notice [s.23(3)], prescribes the Form of the notice.
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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<b>Delegation</b>	<b>4.1.3 Approval to Breed Cats</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	04 Cat Act 2011 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s.37 (1) and (2)].</li> <li>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)].</li> <li>3. Authority to cancel an approval to breed cats [s.38].</li> <li>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)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Subdelegates</b>	Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	<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))
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017

Shire of Broome

Last reviewed	10 March 2023
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DRAFT

<b>Delegation</b>	<b>4.1.4 Recovery of Costs – Destruction of Cats</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	04 Cat Act 2011 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express power or duty delegated</b>	<i>Cat Act 2011:</i> s.49(3) Authorised person may cause cat to be destroyed
<b>Function</b>	1. Authority to recover the amount of the costs associated with the destruction and the disposal of a cat [s.49(3)].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	▪ Must comply with all relevant Policies.
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Subdelegates</b>	Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Record keeping</b>	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.
<b>Date adopted</b>	28 April 2022
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<b>Delegation</b>	<b>4.1.5 Reduce or Waiver Registration Fee</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	04 Cat Act 2011 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express power or duty delegated</b>	<i>Cat Regulations 2012:</i> Schedule 3 Fees clause 1(4)
<b>Function</b>	1. Authority to reduce or waiver a fee payable under Schedule 3 clauses (2) or (3) in respect to any individual cat.
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	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.
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Record keeping</b>	Delegations exercised are to be recorded in the Shire's document management system.
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<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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## 04.2 Cat Act Delegations - CEO to Employees

<b>Delegation</b>	<b>4.2.1 Infringement Notices – Extensions and Withdrawals</b>
<b>Category</b>	CEO to Employees
<b>Head of power</b>	04 Cat Act 2011 Delegations
<b>Delegator</b>	Chief Executive Officer
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Express power or duty delegated</b>	<i>Cat Act 2011:</i> s.64 Extension of time s.65 Withdrawal of notice
<b>Function</b>	<ol style="list-style-type: none"> <li>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].</li> <li>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].</li> </ol>
<b>Delegates</b>	Director Development Services Manager Environmental Health, Emergency and Rangers
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	Nil
<b>Statutory framework</b>	<i>Cat Regulations 2012:</i> r.28 Withdrawal of infringement notice (s.65(1))
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's record management system.
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## 05 Dog Act 1976 Delegations

Dog Act 1976

## 05.1 Dog Act Delegations Council to CEO

<b>Delegation</b>	<b>5.1.1 Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	05 Dog Act 1976 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> s.10A Payments to veterinary surgeons towards costs of sterilisation
<b>Function</b>	<ol style="list-style-type: none"> <li>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)].</li> <li>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)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Council extends the sterilisation subsidy to <b>Cats</b> for eligible persons under the same conditions as contained in the <i>Dog Act 1976</i> [s.10A.]</li> <li>b. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].</li> </ol>
<b>Express power to subdelegate</b>	<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)
<b>Subdelegates</b>	Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers Senior Ranger
<b>Statutory framework</b>	<a href="#">Dogs Local Law 2012</a>  <a href="#">Cat Act 2011 - cl 18 Cats to be sterilised</a>
<b>Policy</b>	<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>
<b>Record keeping</b>	<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

<b>Date adopted</b>	28 April 2022
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DRAFT

<b>Delegation</b>	<b>5.1.2 Refuse or Cancel Registration</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	05 Dog Act 1976 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)].</li> <li>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"> <li>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</li> <li>ii. the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease or</li> <li>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</li> <li>iv. the dog is required to be microchipped but is not microchipped; or</li> <li>v. the dog is a dangerous dog [s.16(3) and s.17A(2)].</li> </ol> </li> <li>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)].</li> <li>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)].</li> <li>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)]</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<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)
<b>Subdelegates</b>	Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers
<b>Subdelegate conditions</b>	Conditions on the Delegate apply to the Subdelegates.



Shire of Broome

<b>Statutory framework</b>	<i>Dog Act 1976</i> <ul style="list-style-type: none"><li>▪ s.17A If no application for registration made – procedure for giving notice of decision under s.16(3)</li><li>▪ Note – Decisions under this delegation may be referred for review by the State Administration Tribunal – s.16A, s.17(4) and (6)</li></ul> <a href="#">Dogs Local Law 2012</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance Software.  Any supporting information should be recorded in the Shire's record management system.
<b>Date adopted</b>	28 April 2022
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DRAFT

<b>Delegation</b>	<b>5.1.3 Kennel Establishments</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	05 Dog Act 1976 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> s.27 Licensing of approved kennel establishments <i>Dogs Local Law 2012:</i> Part 4 - Approved Kennel Establishments
<b>Function</b>	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)]
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>Subject to conditions contained within Schedule 2 - <i>Dog Local Law 2012</i></li> <li>Variation applications to Schedule 2 - <i>Dog Local Law 2012</i> are to be referred to Council for decision.</li> <li>The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].</li> <li>Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<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)
<b>Subdelegates</b>	Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal <a href="#">Dogs Local Law 2012</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	10 March 2023

<b>Delegation</b>	<b>5.1.4 Recovery of Moneys Due Under this Act</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	05 Dog Act 1976 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> s.29(5) Power to seize dogs
<b>Function</b>	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)].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<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)
<b>Subdelegates</b>	Director Development Services Manager Environmental Health, Emergency and Rangers
<b>Subdelegate conditions</b>	<ul style="list-style-type: none"> <li>▪ Conditions on the Delegate also apply to the Subdelegates.</li> <li>▪ The Subdelegate is to inform the CEO prior to the exercise of this delegation.</li> </ul>
<b>Statutory framework</b>	<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><a href="#">Dogs Local Law 2012</a></p>
<b>Record keeping</b>	<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>
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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<b>Delegation</b>	<b>5.1.5 Dispose of or Sell Dogs Liable to be Destroyed</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	05 Dog Act 1976 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> s.29(11) Power to seize dogs
<b>Function</b>	1. Authority to dispose of or sell a dog which is liable to be destroyed [s.29(11)].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].</li> <li>▪ Proceeds from the sale of dogs are to be directed into the Municipal Fund.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<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)
<b>Subdelegates</b>	Director Development Services Manager Environmental Health, Emergency and Rangers
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	<a href="#">Dogs Local Law 2012</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's record management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	10 March 2023

<b>Delegation</b>	<b>5.1.6 Declare Dangerous Dog</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	05 Dog Act 1976 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> s.33E(1) Individual dog may be declared to be dangerous dog (declared)
<b>Function</b>	1. Authority to declare an individual dog to be a dangerous dog [s.33E(1)].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].</li> </ul>
<b>Express power to subdelegate</b>	<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)
<b>Subdelegates</b>	Coordinator Community Safety & Ranger Services Manager Environmental Health, Emergency and Rangers
<b>Statutory framework</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal  <a href="#">Dogs Local Law 2012</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's record management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	10 March 2023

<b>Delegation</b>	<b>5.1.7 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	05 Dog Act 1976 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s.33F(6)].</li> <li>2. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s.33G(4)].</li> <li>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)]</li> <li>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)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].</li> <li>▪ 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.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<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)
<b>Subdelegates</b>	Director Development Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegate.
<b>Statutory framework</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal  <a href="#">Dogs Local Law 2012</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's record management system.
<b>Date adopted</b>	28 April 2022

Shire of Broome

<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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<b>Delegation</b>	<b>5.1.8 Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	05 Dog Act 1976 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> s.33H(5) Local government may revoke declaration or proposal to destroy
<b>Function</b>	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
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]</li> <li>▪ 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)</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<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)
<b>Subdelegates</b>	Director Corporate Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegate.
<b>Statutory framework</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal <a href="#">Dogs Local Law 2012</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's record management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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<b>Delegation</b>	<b>5.1.9 Determine Recoverable Expenses for Dangerous Dog Declaration</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	05 Dog Act 1976 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> s.33M(1)(a) Local Government expenses to be recoverable
<b>Function</b>	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)].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ The Chief Executive Officer permitted to sub-delegate to suitably capable employees [s.10AA(3)].</li> <li>▪ 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.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<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)
<b>Subdelegates</b>	Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal <a href="#">Dog Regulations 2013</a> - Reg 31 Local government expenses as to dangerous dogs <a href="#">Dogs Local Law 2012</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance Software.  Any supporting information should be recorded in the Shire's record management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	10 March 2023

<b>Delegation</b>	<b>5.1.10 Grant Exemption as to Number of Dogs Kept at Premises</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	05 Dog Act 1976 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> s.26(3) Limitation as to numbers
<b>Function</b>	1. Authority to approve, and determine conditions that apply to, an exemption as to the limit to the number of dogs that can be kept at a premises [s.26(3)].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].</p> <p>b. Decisions under this delegation must comply with the <i>Dog Act 1976</i> and the <i>Shire of Broome Dogs Local Law 2012</i>, including:</p> <ul style="list-style-type: none"> <li>Consider and be satisfied that for any particular premises the provisions of the <i>Dog Act 1976</i> relating to kennel establishments need not be applied in the circumstances [s.26(3)].</li> <li>Apply the provisions of s.26(4).</li> </ul> <p>c. Conditions that must be applied to an approved exemption, include:</p> <ul style="list-style-type: none"> <li>Fencing at the premises must be adequate and maintained to prevent the dogs from leaving the premises, to the satisfaction of the CEO.</li> <li>Registrations for each dog subject of the approved exemption must be current and maintained.</li> <li>An exemption applies only to the dogs registered and listed in the approval and as such cannot be transferred to another dog.</li> </ul> <p>d. Must comply with all relevant Policies</p>
<b>Express power to subdelegate</b>	<i>Dog Act 1976</i> s.10AA(3) Delegation of local government powers and duties
<b>Subdelegates</b>	Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	Note - Decisions under this delegation may be referred for review by the State Administrative Tribunal. <a href="#">Dogs Local Law 2012</a>
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's record management system.
<b>Date adopted</b>	25 August 2022

Shire of Broome

<b>Adoption references</b>	C/0822/109
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## 06 Food Act 2008 Delegations

Food Act 2008

## 06.1 Council to CEO

<b>Delegation</b>	<b>6.1.1 Determine Compensation</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	06 Food Act 2008 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Food Act 2008:</i> s.56(2) Compensation to be paid in certain circumstances s.70(2) and (3) Compensation
<b>Function</b>	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)].
<b>Delegates</b>	Chief Executive Officer Director Development Services
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.</li> <li>▪ 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.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.
<b>Statutory framework</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's record management system.
<b>Date adopted</b>	28 April 2022
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Shire of Broome

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<b>Delegation</b>	<b>6.1.2 Prohibition Orders</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	06 Food Act 2008 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>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)].</li> <li>2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66].</li> <li>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)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer Coordinator Environmental Health & Event Approval Environmental Health Officer Manager Environmental Health, Emergency and Rangers
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.
<b>Statutory framework</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's record management system.
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<b>Delegation</b>	<b>6.1.3 Food Business Registrations</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	06 Food Act 2008 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<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
<b>Function</b>	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].
<b>Delegates</b>	Chief Executive Officer Coordinator Environmental Health & Event Approval Environmental Health Officer Manager Environmental Health, Emergency and Rangers
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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"> <li>◦ Food Act 2008 Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA</li> <li>◦ Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1</li> <li>◦ WA Priority Classification System</li> <li>◦ Verification of Food Safety Program Guideline</li> </ul> </li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	NIL – Food Regulations 2009 do not provide for sub-delegation
<b>Statutory framework</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record keeping</b>	Delegations exercised are to be recorded in the Shire's record management system.
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<b>Delegation</b>	<b>6.1.4 Appoint Authorised Officers and Designated Officers</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	06 Food Act 2008 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Food Act 2008:</i> s.122(1) Appointment of authorised officers s.126(6), (7) and (13) Infringement Officers
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122(2)].</li> <li>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)].</li> <li>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)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer Director Development Services
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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"> <li>◦ Appointment of Authorised Officers as Meat Inspector</li> <li>◦ Appointment of Authorised Officers</li> <li>◦ Appointment of Authorised Officers – Designated Officers only</li> <li>◦ Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer</li> </ul> </li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.
<b>Statutory framework</b>	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
<b>Record keeping</b>	<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>



Shire of Broome

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<b>Delegation</b>	<b>6.1.5 Debt Recovery and Prosecutions</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	06 Food Act 2008 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Food Act 2008:</i> s.54 Cost of destruction or disposal of forfeited item s.125 Institution of proceedings
<b>Function</b>	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].
<b>Delegates</b>	Chief Executive Officer Director Development Services
<b>Conditions</b>	<ul style="list-style-type: none"> <li>In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.</li> <li>Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's record management system.
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<b>Last reviewed</b>	10 March 2023

<b>Delegation</b>	<b>6.1.6 Abattoir Inspections and Fees</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	06 Food Act 2008 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Food Regulations 2009:</i> r.43 Local government may require security r.45 Withdrawal of inspection services
<b>Function</b>	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].
<b>Delegates</b>	Chief Executive Officer Coordinator Environmental Health & Event Approval Manager Environmental Health, Emergency and Rangers
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's record management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	10 March 2023

<b>Delegation</b>	<b>6.1.7 Food Businesses List – Public Access</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	06 Food Act 2008 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Food Regulations 2009:</i> r.51 Enforcement agency may make list of food
<b>Function</b>	1. Authority to decide to make a list of food businesses maintained under s.115(a) or (b) publicly available [r.51].
<b>Delegates</b>	Chief Executive Officer Coordinator Environmental Health & Event Approval Manager Environmental Health, Emergency and Rangers
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	NIL – <i>Food Regulations 2009</i> do not provide for sub-delegation.
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's record management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	10 March 2023

## 07 Graffiti Vandalism Act 2016 Delegations

Graffiti Vandalism Act 2016

## 07.1 Council to CEO

<b>Delegation</b>	<b>7.1.1 Give Notice Requiring Obliteration of Graffiti</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	07 Graffiti Vandalism Act 2016 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
<b>Express power or duty delegated</b>	<i>Graffiti Vandalism Act 2016:</i> s.18(2) Notice requiring removal of graffiti s.19(3) & (4) Additional powers when notice is given
<b>Function</b>	<ol style="list-style-type: none"> <li>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)].</li> <li>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)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
<b>Subdelegates</b>	Coordinator Community Safety & Ranger Services Manager Environmental Health, Emergency and Rangers Senior Ranger
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's record management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	10 March 2023

<b>Delegation</b>	<b>7.1.2 Notices – Deal with Objections and Give Effect to Notices</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	07 Graffiti Vandalism Act 2016 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
<b>Express power or duty delegated</b>	<i>Graffiti Vandalism Act 2016:</i> s.22(3) Objection may be lodged s.24(1)(b) & (3) Suspension of effect of notice
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to deal with an objection to a notice [s.22(3)].</li> <li>2. Authority, where an objection has been lodged, to: <ol style="list-style-type: none"> <li>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</li> <li>ii. to give notice to the affected person, before taking the necessary actions [s.24(3)].</li> </ol> </li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
<b>Subdelegates</b>	Director Corporate Services Director Development Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Statutory framework</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's record management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	10 March 2023

<b>Delegation</b>	<b>7.1.3 Obliterate Graffiti on Private Property</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	07 Graffiti Vandalism Act 2016 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
<b>Express power or duty delegated</b>	<i>Graffiti Vandalism Act 2016:</i> s.25(1) Local government graffiti powers on land not local government property
<b>Function</b>	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)].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Subject to exercising Powers of Entry.</li> <li>▪ Must comply with all relevant Policies</li> </ul>
<b>Express power to subdelegate</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
<b>Subdelegates</b>	Director Development Services Manager Environmental Health, Emergency and Rangers
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's record management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	10 March 2023

<b>Delegation</b>	<b>7.1.4 Powers of Entry</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	07 Graffiti Vandalism Act 2016 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
<b>Express power or duty delegated</b>	<i>Graffiti Vandalism Act 2016:</i> s.28 Notice of entry s.29 Entry under warrant
<b>Function</b>	<ol style="list-style-type: none"> <li>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].</li> <li>2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
<b>Subdelegates</b>	Director Development Services Manager Environmental Health, Emergency and Rangers
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's record management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	10 March 2023



## 08 Public Health Act 2016 Delegations

Public Health Act 2016

## 08.1 Council to CEO

<b>Delegation</b>	<b>8.1.1 Appoint Authorised Officer or Approved Officer (Asbestos Regs)</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	08 Public Health Act 2016 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Health (Asbestos) Regulations 1992:</i> r.15D(7) Infringement Notices
<b>Express power or duty delegated</b>	<i>Health (Asbestos) Regulations 1992:</i> r.15D(5) Infringement Notices
<b>Function</b>	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)].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>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)]</li> <li>Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	Nil – the <i>Health (Asbestos) Regulations 1992</i> do not provide a power to sub-delegate.
<b>Statutory framework</b>	<i>Criminal Procedure Act 2004 – Part 2</i>
<b>Record keeping</b>	<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>
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	10 March 2023

<b>Delegation</b>	<b>8.1.2 Enforcement Agency Reports to the Chief Health Officer</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	08 Public Health Act 2016 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express power or duty delegated</b>	<i>Public Health Act 2016</i> s.22 Reports by and about enforcement agencies
<b>Function</b>	<ol style="list-style-type: none"> <li>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)]</li> <li>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)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	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)].
<b>Statutory framework</b>	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies.
<b>Record keeping</b>	<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>
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	10 March 2023

<b>Delegation</b>	<b>8.1.3 Designate Authorised Officers</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	08 Public Health Act 2016 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express power or duty delegated</b>	<i>Public Health Act 2016</i> s.24(1) and (3) Designation of authorised officers
<b>Function</b>	<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"> <li>i. The <i>Public Health Act 2016</i> or other specified Act</li> <li>ii. Specified provisions of the <i>Public Health Act 2016</i> or other specified Act</li> <li>iii. Provisions of the <i>Public Health Act 2016</i> or another specified Act, other than the specified provisions of that Act.</li> </ul> <p>Including:</p> <ul style="list-style-type: none"> <li>a. an environmental health officer or environmental health officers as a class; OR</li> <li>b. a person who is not an environmental health officer or a class of persons who are not environmental health officers, OR</li> <li>c. a mixture of the two. [s.24(1) and (3)].</li> </ul>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ Subject to each person so appointed being; <ul style="list-style-type: none"> <li>◦ Appropriately qualified and experienced [s.25(1)(a)]; and</li> <li>◦ Issued with a certificate, badge or identity card identifying the authorised officer [s.30 and 31].</li> </ul> </li> <li>▪ A Register (list) of authorised officers is to be maintained in accordance with s.27.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	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)].

<b>Statutory framework</b>	<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>
<b>Record keeping</b>	<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>
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	10 March 2023

<b>Delegation</b>	<b>8.1.4 Determine Compensation for Seized Items</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	08 Public Health Act 2016 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express power or duty delegated</b>	<i>Public Health Act 2016</i> s.264 Compensation
<b>Function</b>	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].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ Must comply with all relevant Policies.</li> </ul>
<b>Express power to subdelegate</b>	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)].
<b>Statutory framework</b>	<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
<b>Record keeping</b>	Delegations exercised are to be recorded in the Attain Compliance System.  Any supporting information should be recorded in the Shire's record management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	10 March 2023

## 09 Planning and Development Act 2005 Delegations

Planning and Development Act 2005

## 09.1 Council to CEO

<b>Delegation</b>	<b>9.1.1 Illegal Development</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	09 Planning and Development Act 2005 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Express power or duty delegated</b>	<i>Planning and Development Act 2005:</i> Section 214(2), (3) and (5)
<b>Function</b>	<ol style="list-style-type: none"> <li>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;</li> <li>2. Give a written direction to the owner or any other person who undertook an unauthorised development: <ol style="list-style-type: none"> <li>a. to remove, pull down, take up, or alter the development; and</li> <li>b. to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority.</li> </ol> </li> <li>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.</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>• The Chief Executive Officer is to have regard to the Compliance and Enforcement Policy</li> </ul>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Development Services
<b>Subdelegate conditions</b>	The Director Development Services is to have regard to the Compliance and Enforcement Policy
<b>Statutory framework</b>	Part 13 of the <a href="#">Planning and Development Act 2005</a>
<b>Policy</b>	<a href="#">Council Policy - Compliance and Enforcement</a>
<b>Record keeping</b>	<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>

Shire of Broome

<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	10 March 2023

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## 09.2 Local Planning Scheme No. 7 – Council to CEO

<b>Delegation</b>	<b>9.2.1 PLA1 Built Strata Certificate of Approval – Forms 24 and 26</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	09 Planning and Development Act 2005 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 cl.82
<b>Express power or duty delegated</b>	<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
<b>Function</b>	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).
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Any applications are to be determined be in accordance with Local Planning Scheme No 6.
<b>Subdelegates</b>	Coordinator Planning Services Director Development Services Manager Planning and Building Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Record keeping</b>	Documentation to be recorded to the relevant property or strata subdivision file within the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.2.3 Minute No. C/0923/005
<b>Last reviewed</b>	31 March 2022



<b>Delegation</b>	<b>9.2.2 PLA4 Delegation to Waive/Refund Planning Fees</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	09 Planning and Development Act 2005 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Planning and Development Act 2005</i> s.261 Local government fees for planning matters etc., regulations as to
<b>Express power or duty delegated</b>	<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
<b>Function</b>	1. Authority to waive or refund, in whole or in part, payment of a fee for a planning service
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Waiving and Refunding of Fees must be in accordance with the Council adopted Policy and schedule of fees and charges.
<b>Express power to subdelegate</b>	<i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Coordinator Planning Services Director Development Services Manager Planning and Building Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Policy</b>	Waiving and Refunding of Fees
<b>Record keeping</b>	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.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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Shire of Broome

<b>Delegation</b>	<b>9.2.3 PLAS Determine Development Application</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	09 Planning and Development Act 2005 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 Division 2 - Delegations Clause 82 Delegations by local government
<b>Express power or duty delegated</b>	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 Deemed Provisions  <i>Local Planning Scheme No.7</i> Clause 18 Interpretation of the Zoning Table Clause 23 Change of Non-Conforming Use Clause 26 Modification of R-Codes Clause 34 Variations to site and development requirements Schedule 4 Car parking Schedule 4 Service areas Schedule 4 Height of buildings Schedule 4 Urban Design Schedule 4 Inappropriate or incongruous development Schedule 4 Landscaping and existing trees

Page 169 of 198

<b>Function</b>	<ul style="list-style-type: none"> <li>• Make determinations on the sufficiency of information provided with applications for development approval pursuant to clause 63 of the Deemed Provisions.</li> <li>• Advertise and provide notice of applications for development approval or consent pursuant to clause 64 of the Deemed Provisions.</li> <li>• Determine applications pursuant to clause 68 of the Deemed Provisions of LPS7 for development approval or refusal including: <ul style="list-style-type: none"> <li>◦ Any conditions to be imposed or reasons for refusal;</li> <li>◦ The period of validity; and</li> <li>◦ The scope of the development approval.</li> </ul> </li> <li>• Allow for the extension of the term of any development approval in accordance with clause 71 of the Deemed Provisions.</li> <li>• Determine applications where variations to Development Requirements of LPS7 pursuant to clauses, 23 (Change of Non-Conforming Use), 26 Modification of R-Codes, 34 (Variation to Site and Development Requirements) including variations to Schedule 4 Additional site and development requirements that apply to the scheme area) (Car Parking), (Service Areas), (Height of Buildings), (Urban Design), (Inappropriate or incongruous development), and (Landscaping and Tree Retention) are proposed.</li> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• Determine any amendment applications pursuant to clause 77 (Amending or cancelling development approval) of the Deemed Provisions.</li> <li>• Determine any retrospective application pursuant to clause 65 (Subsequent approval of development) of the Deemed Provisions.</li> <li>• 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.</li> <li>• Determining applications in accordance with Structure Plans pursuant to clause 27 of the Deemed Provisions.</li> <li>• In accordance with clause 75(1)(c) of the Deemed Provisions agree to the extension of the Deemed Refusal time frame.</li> <li>• Make any determination and exercise any discretionary powers contained in LPS7 and its Schedules and the Deemed Provisions.</li> <li>• Determine the land use pursuant to clause 18 of LPS7.</li> <li>• Determine development applications which modifies or varies a Local Development Plan pursuant to clause 56 of the Deemed Provisions.</li> </ul>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<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"> <li>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.</li> <li>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.</li> </ol>

Shire of Broome

<b>Express power to subdelegate</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Coordinator Planning Services Director Development Services Manager Planning and Building Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Policy</b>	<a href="#">Local Planning Policies</a>
<b>Record keeping</b>	Delegations exercised are to be recorded to the relevant property or reserve file within the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.2.3 Minute No. C/0923/005
<b>Last reviewed</b>	31 March 2022

DRAFT

Page 171 of 198

<b>Delegation</b>	<b>9.2.4 PLA8 Local Development Plans</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	09 Planning and Development Act 2005 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 Division 2 - Delegations Clause 82 Delegations by local government
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ul style="list-style-type: none"> <li>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).</li> <li>Determine under clause 50(3) whether the local development plan is to be advertised.</li> <li>Consider submissions and take such actions as may be required under clause 51.</li> <li>Determine whether the local development plan is approved, is required to be modified or resubmitted or refused under clause 52.</li> </ul>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<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>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Development Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegate.
<b>Record keeping</b>	Delegations exercised are to be recorded to the relevant property or subject file within the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017

Shire of Broome

Last reviewed	10 March 2023
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DRAFT

<b>Delegation</b>	<b>9.2.5 PLA9 Structure Plans</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	09 Planning and Development Act 2005 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 Division 2 - Delegations Clause 82 Delegations by local government
<b>Express power or duty delegated</b>	<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
<b>Function</b>	<ol style="list-style-type: none"> <li>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).</li> <li>2. Advertise the structure plan in accordance with clause 18.</li> <li>3. Consider submissions and take such actions as may be required under clause 19.</li> <li>4. Prepare a report on the proposed structure plan and provide it to the Western Australian Planning Commission in accordance with clause 20.</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<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>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995</i> s.544 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Coordinator Planning Services Director Development Services Manager Planning and Building Services
<b>Subdelegate conditions</b>	<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>
<b>Policy</b>	Local Planning Policy 5.22 <a href="#">Shire of Broome Structure Plan and Subdivision Standards</a>
<b>Record keeping</b>	Delegations exercised are to be recorded to the relevant property or subject file within the Shire's document management system.

Shire of Broome

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<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
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DRAFT



<b>Delegation</b>	<b>9.2.6 PLA10 Subdivision and Amalgamation Applications and Clearance</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	09 Planning and Development Act 2005 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 Division 2 - Delegations Clause 82 Delegations by local government
<b>Express power or duty delegated</b>	<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
<b>Function</b>	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.
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<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 7 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>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Coordinator Planning Services Director Development Services Manager Planning and Building Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates.
<b>Policy</b>	Local Planning Policy - 5.22 <a href="#">Shire of Broome Structure Plans and Subdivision Standard</a>
<b>Record keeping</b>	Delegations exercised are to be recorded to the relevant subdivision file within the Shire's document management system.
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.2.3 Minute No. C/0923/005

Shire of Broome

Last reviewed	31 March 2022
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DRAFT

<b>Delegation</b>	<b>9.2.7 PLA11 Submit Responsible Authority Report</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	09 Planning and Development Act 2005 Delegations
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 Division 2 - Delegations Clause 82 Delegations by local government
<b>Express power or duty delegated</b>	<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
<b>Function</b>	Authority to submit the Responsible Authority Report to the presiding member of the Development Assessment Panel (DAP)
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	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.
<b>Express power to subdelegate</b>	<i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Development Services Manager Planning and Building Services
<b>Subdelegate conditions</b>	Conditions on the Delegate also apply to the Subdelegates
<b>Policy</b>	<a href="#">Local Planning Policies</a>
<b>Record keeping</b>	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.
<b>Date adopted</b>	28 April 2022

Shire of Broome

<b>Adoption references</b>	Item 9.2.3 Minute No. C/0923/005
<b>Last reviewed</b>	31 March 2022

DRAFT

## 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

<b>Delegation</b>	<b>10.1.1 Noise Control - Environmental Protection Notices [Reg.65(1)]</b>
<b>Head of power</b>	10 Statutory Authorisations and Delegations to Local Government from State Government Entities
<b>Delegator</b>	Department of Water and Environmental Regulation
<b>Express power or duty delegated</b>	<p>Published by: GOVERNMENT GAZETTE No.47. 19-Mar-2004 Environment Western Australia Page 919</p> <p>-----</p> <p><b>EV401</b></p> <p><b>ENVIRONMENTAL PROTECTION ACT 1986</b></p> <p><b>Section 20</b></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>
<b>Delegates</b>	Chief Executive Officer
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017

Shire of Broome

Last reviewed	10 March 2023
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DRAFT

<b>Delegation</b>	<b>10.1.2 Noise Management Plans - Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events</b>
<b>Head of power</b>	10 Statutory Authorisations and Delegations to Local Government from State Government Entities
<b>Delegator</b>	Department of Water and Environmental Regulation
<b>Express power or duty delegated</b>	<p>Published by: <b>GOVERNMENT GAZETTE</b> No.232. 20-Dec-2013 Environment Western Australia Page: 6282</p> <hr/> <p><b>EV402</b></p> <p><b>ENVIRONMENTAL PROTECTION ACT 1986</b> <b>Delegation No. 112</b></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>
<b>Delegates</b>	Chief Executive Officer
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	10 March 2023

<b>Delegation</b>	<b>10.1.3 Noise Management Plans - Constructions Sites</b>
<b>Head of power</b>	10 Statutory Authorisations and Delegations to Local Government from State Government Entities
<b>Delegator</b>	Department of Water and Environmental Regulation
<b>Express power or duty delegated</b>	<p>Published by: GOVERNMENT GAZETTE No.71. 16-May-2014 Environment Western Australia Page: 1548</p> <p>-----</p> <p><b>EV405</b></p> <p><b>ENVIRONMENTAL PROTECTION ACT 1986</b> <b>Delegation No. 119</b></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>
<b>Delegates</b>	Chief Executive Officer
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	10 March 2023



## 10.2 Planning and Development Act 2005

<b>Delegation</b>	<b>10.2.1 Sign Development Applications for Crown Land as Owner - Local Government CEOs - Instrument of Authorisation</b>
<b>Head of power</b>	10 Statutory Authorisations and Delegations to Local Government from State Government Entities
<b>Delegator</b>	Department of Planning, Lands and Heritage
<b>Express power to delegate</b>	<b>Column 2</b> Shire of Broome
<b>Express power or duty delegated</b>	<p><b>DoL FILE 1738/2002v8; 858/2001v9</b></p> <p><b>PLANNING AND DEVELOPMENT ACT 2005</b></p> <p><b>INSTRUMENT OF AUTHORISATION</b></p> <p>I, <b>Donald Terrence Redman MLA</b>, 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><b>HON DONALD TERRENCE REDMAN MLA</b> <b>MINISTER FOR LANDS</b></p>

<b>Function</b>	<p><b>This is the Schedule referred to in an Instrument of Authorisation relating to Development Applications under the <i>Planning and Development Act 2005</i></b></p> <p><b>Column 1</b></p> <p>The power to sign as owner in respect of Crown land that is:</p> <ul style="list-style-type: none"> <li>• 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</li> <li>• 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.</li> </ul> <p>in respect of development applications being made under or referred to in:</p> <ul style="list-style-type: none"> <li>i. 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);</li> <li>ii. 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);</li> <li>iii. 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);</li> <li>iv. 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);</li> <li>v. 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);</li> <li>vi. 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;</li> <li>vii. 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).</li> </ul>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p><b>Column 3</b></p> <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>

Shire of Broome

<b>Date adopted</b>	28 April 2022
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DRAFT

<b>Delegation</b>	<b>10.2.2 WA Planning Commission - Powers of Local Governments - s.15 of the Strata Titles Act 1985 (DEL.2020/01)</b>
<b>Head of power</b>	10 Statutory Authorisations and Delegations to Local Government from State Government Entities
<b>Delegator</b>	Western Australian Planning Commission
<b>Express power or duty delegated</b>	<p>29 January 2021 <b>GOVERNMENT GAZETTE, WA</b> 449</p> <p>-----</p> <p><b>PL402</b></p> <p><b>PLANNING AND DEVELOPMENT ACT 2005</b> 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><b>Preamble</b> 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><b>Resolution under section 16 of the Act (delegation)</b> 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>

<b>Function</b>	<p style="text-align: center;"><b>Schedule 1</b></p> <p><b>1. Applications made under section 15 of the <i>Strata Titles Act 1985</i></b> 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"> <li>a. propose the creation of a vacant lot;</li> <li>b. propose vacant air stratas in multi-tiered strata scheme developments;</li> <li>c. propose the creation of postponement of a leasehold scheme;</li> <li>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>);</li> <li>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"> <li>i. a type of development; and/or</li> <li>ii. land within an area,</li> </ul> </li> </ul> <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><b>2. Applications under section 21 and 22 of the <i>Strata Titles Act 1985</i></b> Power to determine applications under-</p> <ul style="list-style-type: none"> <li>a. section 21 of the <i>Strata Titles Act 1985</i>;</li> <li>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.</li> </ul> <p><b>3. Reporting requirements</b> 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>
<b>Delegates</b>	<p>Chief Executive Officer Coordinator Planning Services Director Development Services Manager Planning and Building Services</p>
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	10 March 2023

Shire of Broome

### 10.3 Main Roads Act 1930

<b>Delegation</b>	<b>10.3.1 Traffic Management - Events on Roads</b>
<b>Head of power</b>	10 Statutory Authorisations and Delegations to Local Government from State Government Entities
<b>Delegator</b>	Main Roads Western Australia

DRAFT

Page 190 of 198

Express power or duty delegated	<p style="text-align: center;"><b>WESTERN AUSTRALIA</b>  <b>ROAD TRAFFIC CODE 2000</b>  <b>REGULATION 297(2)</b>  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"> <li>i. "event" subject to an order from the Commissioner of Police pursuant to Part VA of the <i>Road Traffic Act 1974</i>;</li> <li>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</li> <li>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>;</li> </ul> <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 <a href="http://www.mainroads.wa.gov.au">www.mainroads.wa.gov.au</a> 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> <ol style="list-style-type: none"> <li>1) any prior Instrument of Authorisation from the Commissioner of Main Roads for the purposes of undertaking traffic management for works on roads; and</li> <li>2) any powers and responsibilities of any relevant local government provided in regulation 9 of the Road Traffic (Events on Roads) Regulations 1991.</li> </ol>
Delegates	Chief Executive Officer Director Infrastructure Manager Engineering Manager Operations

Shire of Broome

<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	14 March 2023

Amendments			
Date	Type	Amendment	References
31 Mar 2023	Amended delegation	Manager Engineering added as a delegate.	---

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<b>Delegation</b>	<b>10.3.2 Traffic Management - Road Works</b>
<b>Head of power</b>	10 Statutory Authorisations and Delegations to Local Government from State Government Entities
<b>Delegator</b>	Main Roads Western Australia
<b>Express power or duty delegated</b>	<p style="text-align: center;"><b>WESTERN AUSTRALIA ROAD TRAFFIC CODE 2000 REGULATION 297(2) INSTRUMENT OF AUTHORISATION</b></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"> <li>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 <a href="#">Main Roads Website</a> or by contacting Main Roads by phone;</li> <li>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</li> <li>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.</li> </ol> <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>
<b>Delegates</b>	Chief Executive Officer Director Infrastructure Manager Engineering Manager Operations
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017

Shire of Broome

<b>Last reviewed</b>	14 March 2023
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<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
13 Mar 2023	Amended delegation	Manager Engineering added as subdelegate approved by CEO	---

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## 10.4 Road Traffic (Vehicles) Act 2012

<b>Delegation</b>	<b>10.4.1 Approval for Certain Local Government Vehicles as Special Use Vehicles</b>
<b>Head of power</b>	10 Statutory Authorisations and Delegations to Local Government from State Government Entities
<b>Delegator</b>	Department of Transport
<b>Express power or duty delegated</b>	<p style="text-align: center;"><b>ROAD TRAFFIC (VEHICLES) ACT 2012</b>  <i>Road Traffic (Vehicles) Regulations 2014</i>  <b>RTVR-2017-202046</b></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"> <li>a. the <i>Local Government Act 1995</i>;</li> <li>b. regulations made under the <i>Local Government Act 1995</i>;</li> <li>c. a local law;</li> <li>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</li> <li>e. any combination of the above paragraphs (a) to (d);</li> </ul> <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><a href="http://transport.wa.gov.au">Approval for ranger vehicles to fit and use yellow flashing lights (transport.wa.gov.au)</a></p>
<b>Delegates</b>	Chief Executive Officer Coordinator Community Safety & Ranger Services Director Development Services Manager Environmental Health, Emergency and Rangers

<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Those lights must emit rotating, flashing yellow coloured light(s) and must not be a strobe light.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>5. An on/off switch for the flashing lights must be installed so as to be easily operated from the driver's seat.</li> <li>6. Any additional equipment fitted to the vehicle must not interfere with the overall safe operation of the vehicle.</li> <li>7. Any vehicle fitted with flashing lights for the purposes of this approval must: <ol style="list-style-type: none"> <li>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; and</li> <li>b. 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.</li> </ol> </li> </ol> <p>This condition 7 is not intended to prevent the use of additional words on the vehicle.</p>
<b>Date adopted</b>	28 April 2022
<b>Adoption references</b>	Item 9.4.1 Minute No. C/0422/017
<b>Last reviewed</b>	10 March 2023

## AMENDMENTS

Delegation	Date	Type	Amendment	References
1.2.3 Powers of Entry	13 Mar 2023	Amended delegation	Manager Engineering added as a subdelegate approved by the CEO.	Nil
1.2.7 Close Thoroughfares to Vehicles	13 Mar 2023	Amended delegation	Manager Engineering added as subdelegate approved by CEO.	Nil
1.2.9 Obstruction of Footpaths and Thoroughfares	13 Mar 2023	Amended delegation	Manager Engineering added as a subdelegate approved by CEO	Nil
1.2.10 Gates Across Public Thoroughfares	13 Mar 2023	Amended delegation	Manager Engineering added as a subdelegate approved by CEO	Nil
1.2.11 Public Thoroughfare – Dangerous Excavations	13 Mar 2023	Amended delegation	Manager Engineering added as a subdelegate approved by CEO.	Nil
1.2.12 Crossing – Construction, Repair and Removal	13 Mar 2023	Amended delegation	Manager Engineering added as a subdelegate approved by CEO.	Nil
1.2.13 Private Works on, over or under Public Places	13 Mar 2023	Amended delegation	Manager Engineering added as subdelegate approved by CEO.	Nil
1.2.14 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift	13 Mar 2023	Amended delegation	Manager Engineering added as subdelegate approved by CEO.	Nil
1.2.20 Payments from the Municipal or Trust Funds	12 Sep 2023	Amended delegation	Added Senior Finance Officer as a sub delegate temporarily until the role of the Coordinator of Financial Services has been filled.	Approved by Sam Mastrolembro CEO 12.09.2023
1.2.21 Defer, Grant Discounts, Waive or Write Off Debts	8 Dec 2022	Amended delegation	Manager Financial Services added as sub delegate to provide operational efficiency.	CEO approved (See Synergy Record N221213 -50609)
1.2.21 Defer, Grant Discounts, Waive or Write Off Debts	30 Mar 2023	Amended delegation	Update of Director Title following restructure at condition 2	
1.2.24 Agreement as to Payment of Rates and Service Charges	8 Dec 2022	Amended delegation	Coordinator Financial Operations added as sub delegate to provide operational efficiency.	Approved by CEO (See Synergy record N221213-50609)

Delegation	Date	Type	Amendment	References
1.3.2 Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare	13 Mar 2023	Amended delegation	Manager Engineering added as subdelegate approved by CEO	Nil
1.3.3 Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares	13 Mar 2023	Amended delegation	Manager Engineering added as a subdelegate approved by CEO	Nil
1.3.4 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places	13 Mar 2023	Amended delegation	Manager Engineering added as a subdelegate approved by CEO	Nil
1.3.5 Electoral Enrolment Eligibility Claims and Electoral Roll	30 Mar 2023	Amended delegation	Correction to legislative reference at function point 3.	
1.3.8 Information to be Available to the Public	30 Mar 2023	Amended delegation	Correction to legislative reference under Power or duty.	
1.3.9 Financial Management Systems and Procedures	30 Mar 2023	Amended delegation	Administrative correction to delegated authority reference at function 1.vi	
1.4.2 Local Government Property and Public Places Local Law 2016	13 Mar 2023	Amended delegation	Manager Engineering added as a subdelegate approved by CEO	Nil
10.3.1 Traffic Management - Events on Roads	31 Mar 2023	Amended delegation	Manager Engineering added as a delegate.	Nil
10.3.2 Traffic Management - Road Works	13 Mar 2023	Amended delegation	Manager Engineering added as subdelegate approved by CEO	Nil

## 10. REPORTS OF COMMITTEES

### 10.1 MINUTES AND RECOMMENDATIONS FROM THE JOINT MEETING OF KIMBERLEY ZONE OF WALGA AND KIMBERLEY REGIONAL GROUP HELD ON 19 APRIL 2024

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Executive Assistant to Chief Executive Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil

#### SUMMARY:

This report presents for Council endorsement the Minutes from the joint meeting of the Kimberley Zone of the Western Australian Local Government Association (WALGA) and Kimberley Regional Group held on 19 April 2024.

#### BACKGROUND

A copy of the minutes from the Kimberley Zone of WALGA (Kimberley Zone) and the Kimberley Regional Group (KRG) meeting held 19 April 2024 are attached for Council consideration (**Attachments 1 and 2**).

As a result of a past decision of the group, both the Kimberley Zone and KRG meetings occur consecutively.

It should be remembered that the Kimberley Zone is a group established to represent regional issues to the State Council of 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.

#### 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 – 19 April 2024

##### Reports from Representatives

- WALGA –
  - Karen Chappel, President,
  - Nick Sloan, CEO
  - Emma Heys, Governance Specialist

- Department of Communities, Renee Gioffre, Kimberley Executive Director
- RDA Kimberley – Janine Hatch, Director
- Australia's North West Tourism – Bill Tatchell, CEO
- Department of Local Govt, Sport and Cultural Industries – Tom Chapman, Regional Manager Kimberley (Written report attached)
- Kimberley Development Commission - Chuck Berger, CEO

### Reports from Kimberley Country Zone

The following table provides a summary of Matters for Decision that will be considered at the WALGA State Meeting on 1 May 2024, and provides an update on Matters for Noting.

	<b>Matters for Decision</b>	<b>WALGA Recommendation</b>
7.1	<b>Waste Levy Advocacy Position</b>	<p>That State Council:</p> <ol style="list-style-type: none"> <li>1. Replace the existing WALGA Waste Levy Policy Statement and Advocacy Position 7.4 Waste Management Funding:</li> </ol> <p>Local Government considers that:</p> <ol style="list-style-type: none"> <li>1. Waste Avoidance and Resource Recovery Levy funds should be hypothecated to strategic waste management activities in line with the State Waste Strategy and strongly opposes the application of the Levy to non-waste management related activities, such as funding State Government core activities; and</li> <li>2. The Levy should not be applied to licensed landfills outside the metropolitan area.</li> </ol> <p>2. Endorse a new Waste Levy Advocacy Position as follows:</p> <p>The Waste Avoidance and Resource Recovery Levy (the Levy) was established in WA to fund programs relating to the management, reduction, reuse, recycling, monitoring or measurement of waste and administering the fund. The current Levy is applied to waste generated, or landfilled, in the Perth metropolitan area. Currently, only 25% of the collected funds are retained for strategic waste management activities, 75% are allocated to the ongoing operations of the Department responsible for administration of the Levy.</p> <p>Local Government considers that:</p> <ol style="list-style-type: none"> <li>1. The Waste Avoidance and Resource Recovery Levy funds must be fully hypothecated to strategic waste management activities in line with the State Waste Strategy and not be used for non-waste management related activities, such as funding State Government core activities.</li> <li>2. Strategic waste management activities funded by the State Government should:</li> </ol>



		<p>a. Provide adequate funding and support for Regional Councils, non-metropolitan and metropolitan Local Governments;</p> <p>b. Reflect the targets and priorities within the Waste Strategy;</p> <p>c. Fully fund and acknowledge the life cycle costs of infrastructure and services; and</p> <p>d. Facilitate the development, implementation and ongoing operation of Product Stewardship Schemes.</p> <p>3. The Levy should not be applied to waste generated in the non-metropolitan area as it is not feasible, or appropriate, to implement the Levy in areas with a limited rate base, access to markets for recycled materials, economic growth and resources to manage such a change.</p> <p>4. The Levy should not be applied to waste received at premises undertaking licensed activities whose primary purpose is resource recovery.</p> <p>5. The Levy must be supported by a clear, evidence-based rationale to demonstrate the suitability of how charges are set, how and where funds are allocated, and the extent to which it is delivering on its objectives.</p> <p><b>EXECUTIVE SUMMARY</b></p> <ul style="list-style-type: none"> <li>• The Waste Levy and Strategic Waste Funding Policy Statement was first endorsed in 2008 and was amended in 2018.</li> <li>• The Statement outlines the Local Government position on levies charged on the weight or volume of waste received at licensed premises and the application of those funds to waste management activities.</li> <li>• In 2023, the WA Government published the findings of a Review of the Waste Avoidance and Resource Recovery (WARR) Levy. The consultation summary report and supporting consultant report can be accessed on the Department of Water and Environmental Regulation (DWER) website.</li> <li>• Key outcomes of the Levy Review included a five-year schedule of increases and a commitment to investigate extending the levy boundary to regional areas. <ul style="list-style-type: none"> <li>- The new Waste Levy Advocacy Position uses contemporary language emphasises: Full hypothecation of the Levy;</li> <li>- The key areas of expenditure for the Levy;</li> <li>- Opposition to the expansion of the Levy's geographic application;</li> </ul> </li> </ul>
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		<ul style="list-style-type: none"> <li>- Opposition to the application of the Levy to resource recovery activities; and</li> <li>- The need for a clear evidence-based rationale for setting and expending the Levy.</li> </ul> <p>The Municipal Waste Advisory Council (MWAC) endorsed the new Advocacy Position in February 2024.</p> <p>ATTACHMENT</p> <ul style="list-style-type: none"> <li>• Waste Levy Policy Statement</li> </ul>
8.1	<b>Environment Policy Team Report</b>	<p>That State Council note the matters considered by the Environment Policy Team at its meeting on 6 March 2024.</p> <p>1. PORTFOLIO UPDATES</p> <p>The Policy Team was provided with updates on:</p> <ul style="list-style-type: none"> <li>• Urban Forests o The release of WALGA's model Tree Retention Local Planning Policy (LPP);</li> <li>• Round One of the Local Government Urban Greening Grant Program; and</li> <li>• The State Government's announcement of the development of a Perth and Peel Urban Forest Strategy.</li> <li>• Polyphagous Shot Hole Borer;</li> <li>• The State Government's consideration of the Report of the Independent Panel's Review of the Biosecurity and Agriculture Management Act 2007 ;</li> <li>• Local Government planning fees and charges – the Minister for Planning; Lands; Housing; Homelessness has agreed to a comprehensive review; and</li> <li>• Native vegetation clearing permit assessment timeframes.</li> </ul>
8.2	<b>Governance Policy Team Report</b>	<p>That State Council note the report from the Governance Policy Team.</p> <p>The Governance Policy Team have not held a meeting since the last State Council meeting in March.</p> <p>A meeting of the Governance Policy Team will be scheduled to occur in May, where the following key items of business will be presented:</p> <ul style="list-style-type: none"> <li>• Standardised Meeting Procedures Submission</li> <li>• Elections Review Report</li> </ul>
8.3	<b>Infrastructure Policy Team Report</b>	<p>That State Council note the matters considered by the Infrastructure Policy Team at its meeting on 6 March 2024.</p> <p><b>1. MATTERS FOR STATE COUNCIL DECISION</b></p> <p>Nil</p>

		<p><b>2. MATTERS FOR STATE COUNCIL NOTING</b></p> <p>The Policy Team noted the Zone Resolutions and Composite resolution for the item on the 6 March 2024 State Council agenda for decision – Separation and Edge Line Markings by Local Government on Low Volume Rural Roads.</p> <p>The Policy Team progressed actions and advocacy in relation to:</p> <ul style="list-style-type: none"> <li>• Regulating heavy vehicle road access conditions; Extended lead time for quotes from Western Power for headworks and changes to infrastructure;</li> <li>• Royalty payments for mine site materials used in road construction and maintenance;</li> <li>• Regional Telecommunication Independent Review;</li> <li>• Review of Main Road Cross over Policy;</li> <li>• Required changes to the Disaster Recovery Funding Arrangements; and</li> <li>• Local Government Active Transport Working Group</li> </ul> <p>The team noted that ALGA has accepted the invitation to hold the National Local Roads, Transport and Infrastructure Congress in Western Australia in December 2024.</p> <p><b>3. PORTFOLIO UPDATES</b></p> <p>The Policy Team</p>
8.4	<b>People and Place Policy Team Report</b>	<p>That State Council note the matters considered by the People and Place Policy Team at its meeting on 6 March 2024.</p> <p><b>1. MATTERS FOR STATE COUNCIL DECISION</b></p> <p>Nil</p> <p><b>2. MATTERS FOR STATE COUNCIL NOTING</b></p> <p>The Policy Team discussed the following items for noting on the 6 March 2024 State Council agenda: • 2024-25 Federal Budget Submission; and • Emergency Management Sector Adaptation Plan (EM-SAP) Local Government Consultation Project.</p> <p><b>3. MATTERS REFERRED BY ZONES</b></p> <p>Murchison Country Zone: Improving the Patient Assisted Travel Scheme (PATS)</p>

		<p>At the People and Place Policy Team Meeting on 7 February 2024, the Policy Team considered the following resolution of the Murchison Country Zone: That WALGA advocate for improvements to the Patient Assisted Travel Scheme (PATS) for regional Western Australia particularly around fuel and accommodation subsidies.</p> <p>The People and Place Policy Team resolved to:</p> <ol style="list-style-type: none"> <li>1. Note the request from the Murchison Country Zone.</li> <li>2. Request that WALGA write to the Minister for Health to seek a review of the Patient Assisted Travel Scheme.</li> </ol> <p>At the People and Place Policy Team Meeting on 6 March 2024, the Policy Team amended to the recommendation to:</p> <ol style="list-style-type: none"> <li>1. Note the request from the Murchison Country Zone.</li> <li>2. Request that WALGA write to the Minister for Health to seek a review of the current level of the Patient Assisted Travel Scheme with the intention to increase it to reflect current costs, including an annual CPI increase.</li> </ol> <p>South East Metropolitan Zone: Mitigating public health implications of increasing temperatures, frequent heatwaves coupled with accelerated depletion of tree canopy.</p> <p>East Metropolitan Zone: Public health planning for climate change (heat) risks</p> <p>The People and Place Policy team considered the following resolutions of the East and South East Metropolitan Zones:</p> <p>The South East Metropolitan Zone is seeking WALGA:</p> <ul style="list-style-type: none"> <li>• Develop Model Text Provisions for the sector to address increasing risks to community public health generated by escalating heat wave conditions and Urban Heat Island effects coupled with accelerated loss of tree canopy; and</li> <li>• As a matter of urgency, advocates to the state government to establish additional funding to enable local governments to implement intensive, widespread measures to mitigate the major public health implications of increasing temperatures, frequent heatwaves coupled with accelerated depletion of tree canopy, particularly in urban areas.</li> </ul> <p>The East Metropolitan Zone is seeking WALGA:</p> <ul style="list-style-type: none"> <li>• Develop draft model actions to guide Public Health Plans to address increasing risks to</li> </ul>
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		<p>community public health generated by escalating heat wave conditions and Urban Heat Island effects coupled with accelerated loss of tree canopy; and</p> <ul style="list-style-type: none"> <li>As a matter of urgency, advocates to the state government to establish additional funding to enable local governments to implement intensive, widespread measures to mitigate the major public health implications of increasing temperatures, frequent heatwaves coupled with accelerated depletion of tree canopy, particularly in urban areas.</li> </ul> <p>The People and Place Policy Team resolved:</p> <ol style="list-style-type: none"> <li>To note the resolutions of the South East and the East Metropolitan Zones.</li> <li>The ongoing WALGA advocacy regarding the implementation of Stage 5 of the Public Health Act 2016, as stated in Advocacy Position 3.2.1.</li> <li>That WALGA will continue to advocate for sector support, advice and funding for Public Health Plan drafting and implementation.</li> </ol> <p>Gascoyne Zone: Challenges with Aboriginal Heritage Matters</p> <p>The People and Place Policy Team was provided with an update on action arising from the resolution of the Gascoyne Country Zone:</p> <p>That the Gascoyne Country Zone requests that WALGA schedules a Teams meeting between the Gascoyne Zone delegates and the relevant Policy Team to discuss the issues the Zone faces in complying with Aboriginal Heritage Legislation and establishing indigenous Land Use Agreements.</p> <p>On 22 February 2024, WALGA convened an Aboriginal Cultural Heritage Roundtable for the Gascoyne Zone in Carnarvon. The aim of the roundtable was to gain a shared understanding of the requirements under the amended Aboriginal Heritage Act 1972 and its interaction with heritage surveys, Standard Heritage Agreements, and Indigenous Land Use Agreements; and to share Local Government feedback and progress implementation solutions applicable across the Local Government Sector in partnership with the Department of Planning, Lands and Heritage (DPLH). The discussion provided some practical solutions and proposals which WALGA is seeking to progress with DPLH, aligned to the State Government's commitment to guidance and support for the sector.</p>
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		<p>President Eddie Smith hosted the Roundtable in Carnarvon and informed the Policy Team that it was very informative and worthwhile. The People and Place Policy Team resolved to encourage zones that are inclined to host a roundtable on the Aboriginal Heritage Act with involvement from DWER and DPLH.</p> <p>4. PORTFOLIO UPDATE</p> <p>The Policy Team was provided with updates on the:</p> <ul style="list-style-type: none"> <li>• WALGA Emergency Management Survey;</li> <li>• Power and Telecommunications Roundtable held on 20 February; and</li> <li>• LEMA Improvement Project.</li> </ul>
8.5	<b>Municipal Waste Advisory Council (MWAC) Report</b>	<p><b>That State Council note the resolutions of the 21 February 2024 Municipal Waste Advisory Council Meeting.</b></p> <p><b>1. MATTERS FOR DECISION</b></p> <p>Waste Levy Advocacy Position MWAC resolved to rescind the existing Waste Levy Policy Statement and Advocacy Position 7.4 Waste Management Funding and endorse a new Waste Levy Advocacy Position (State Council Item 7.1 for Decision refers).</p> <p>Waste Levy Advocacy Position MWAC, through WALGA, resolved to write to the Minister for Energy; Environment and Climate Action:</p> <ul style="list-style-type: none"> <li>• Expressing Local Governments' concern about the impacts of the e-waste to landfill ban regarding the e-waste to Landfill Band the need for further funding and effective product stewardship in line with WALGA's advocacy position on Landfill Bans; and</li> <li>• Seeking an update on the outcomes of the consultation on the Container Deposit Scheme expansion, timeframe for the expansion and reiterating Local Governments' strong support for the expansion of the Scheme to include wine and spirit bottles as a minimum.</li> </ul> <p><b>2. MATTERS FOR DISCUSSION</b></p> <p>MWAC considered Waste Advocacy Priorities for 2024:</p> <ul style="list-style-type: none"> <li>• Increase the proportion of the Waste Levy being provided to Local Government to assist the sector in meeting the State Waste Strategy targets and provide investment certainty;</li> <li>• Achieve regulatory certainty through provision of the Waste Derived Materials Framework, new DWER Regulatory Framework in place providing a risk-based approach to regulation, and the completion of the WARR Strategy Review and revised State Waste Strategy;</li> </ul>

		<ul style="list-style-type: none"> <li>• Ensure the State Waste Infrastructure Plan is fit for purpose across WA, with a specific focus on ensuring sufficient regional infrastructure;</li> <li>• The implementation of effective product stewardship schemes for electrical and electronic waste, packaging, tyres and mattresses which address WALGA's 10 Principles for Product Stewardship.</li> <li>• Development of a WALGA Circular Economy Policy Position; and</li> <li>• Research and engagement with Local Government on key issues with asbestos, including illegal dumping, Local Government infrastructure, emergency management and community need to identify priority action areas and funding required.</li> </ul> <p>MWAC also discussed the importance of ensuring high quality services were in place and ensuring different community needs were met, particularly for CALD communities and different types of development (e.g. multi-residential vs single unit dwellings).</p>
9.1	<b>WALGA 2023 Emergency Management Survey</b>	<p>That State Council note the results of the 2023 Local Government Emergency Management Survey.</p> <p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> <li>• 102 (75%) of the 137 mainland WA Local Governments responded to WALGA's 2023 Emergency Management Survey.</li> <li>• Key issues raised by Local Governments included: community preparedness and resilience; capacity to respond to and manage recovery; management of Bush Fire Brigades; inadequate LGGS funding; lack of emergency management resources; and challenges accessing grant funding.</li> <li>• The survey demonstrates the importance of Community Emergency Services Managers (CESMs) to Local Governments that have one and that many regional Local Governments without a CESM would like one.</li> <li>• The survey identified several issues with the Bush Fires Act 1954 that Local Governments would like to see resolved in the proposed Consolidated Emergency Services Legislation.</li> <li>• The survey results will inform WALGA's policy development and advocacy on behalf of the sector, including the WALGA 2024-25 State Budget Submission, and in the lead up to the next State and Federal elections.</li> <li>• A summary of the survey results was presented at the State Council Information Forum on 3 April, and in a Sector webinar was held on 11 April 2024.</li> </ul>

9.2	<b>Tree Retention Model Local Planning Policy</b>	<p>That State Council note the Tree Retention Model Local Planning Policy.</p> <p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> <li>• WALGA's model Tree Retention Local Planning Policy (LPP) was released in March 2024.</li> <li>• The LPP aims to create a consistent regulatory framework for tree protection across WA.</li> <li>• The LPP stipulates the circumstances in which a development approval is required to remove a tree and guides the assessment of these applications and other planning proposals.</li> </ul>
9.3	<b>Local Emergency Management Arrangements (LEMA) Improvement Plan Implementation</b>	<p><b>That State Council note the Local Emergency Management Arrangement Improvement Project update.</b></p> <p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> <li>• In December 2023, the State Emergency Management Committee (SEMC) endorsed a Local Emergency Management Arrangements (LEMA) Improvement Plan, including funding to deliver the first phase of the Plan.</li> <li>• The LEMA Improvement Plan aims to progress the local emergency management reforms recommended by Local Governments in the LEMA Review and will be delivered as a partnership between WALGA and the Department of Fire and Emergency Services (DFES).</li> <li>• WALGA has been allocated \$356,000 to employ a LEMA Project Lead to work directly with Local Governments to develop and pilot new LEMA approaches over an 18-month period.</li> </ul>
9.4	<b>Planning and Building Performance Monitoring Project</b>	<p>That State Council note the results of the 2022-23 Local Government Performance Monitoring Project.</p> <p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> <li>• WALGA's Local Government Performance Monitoring Project has been undertaken annually since 2017.</li> <li>• WALGA uses the findings of the project to support advocacy and policy development, particularly around planning and building regulation reform.</li> <li>• 42 Local Governments participated in the 2022-23 Project, representing approximately 90% of Western Australia's population and 94% of the State's total population growth between 2021 and 2022.</li> <li>• The 2022-23 data shows that Local Governments have maintained high levels of performance in undertaking their strategic and statutory planning and building functions.</li> <li>• The findings of the Project are incorporated into an online interactive dashboard publicly available through the WALGA website.</li> </ul>



9.5	<b>2024 WALGA Aboriginal Engagement Forum</b>	<p>That State Council note the report on the 2024 Aboriginal Engagement Forum.</p> <p>EXECUTIVE SUMMARY</p> <p>The WALGA Aboriginal Engagement Forum was held on 20 March 2024 at the State Reception Centre in Kaarta Gar-up (Kings Park).</p> <p>The Forum provides an opportunity for the WA Local Government sector and partners to embrace the principles of reconciliation, through respectful Aboriginal and community engagement.</p> <p>Feedback from speakers, attendees, WALGA Executive and State Councillors has been overwhelmingly positive, with 93 per cent of survey respondents saying they would attend future Forums.</p>
10.1.1	<b>Report on Key Activities, Infrastructure Portfolio</b>	<p>That State Council note the Key Activity Report from the Infrastructure Portfolio for May 2024.</p> <p>Activities:</p> <p>Roads:</p> <ul style="list-style-type: none"> <li>• Local Government Transport and Roads Research and Innovation Program (LGTRRIP)</li> <li>• Condition Assessment of Roads of Regional Significance</li> <li>• Road Rail Interface Agreements</li> <li>• Update of User Guides for calculating the cost of road wear for defined freight tasks</li> </ul> <p>Funding:</p> <ul style="list-style-type: none"> <li>• State Road Funds to Local Government Agreement 2023/24 – 2027/28</li> <li>• Multi-Criteria Assessment (MCA) Model Revisions</li> </ul> <p>Transport:</p> <ul style="list-style-type: none"> <li>• Regional Freight Strategy</li> <li>• Bus Stop Infrastructure</li> </ul> <p>Utilities:</p> <ul style="list-style-type: none"> <li>• Underground Power</li> <li>• Streetlighting</li> </ul> <p>Road Safety:</p> <ul style="list-style-type: none"> <li>• Road Safety Council Update</li> <li>• RoadWise Councils</li> <li>• RoadWise Recognised</li> </ul> <p>Asset Management:</p> <ul style="list-style-type: none"> <li>• 2022/23 Road Assets and Expenditure Report</li> </ul>

10.1.3	<b>Report on Key Activities, Member Services Portfolio</b>	<p>That State Council note the Key Activity Report from the Member Services Portfolio to the 1 May 2024 State Council meeting.</p> <p>Activities:</p> <p>Governance and Procurement:</p> <ul style="list-style-type: none"> <li>Standardised Meeting Procedures Discussion Paper</li> </ul> <p>Commercial:</p> <ul style="list-style-type: none"> <li>Preferred Supplier Program (PSP) Development</li> <li>Sustainable Energy Project</li> </ul> <p>Employee Relations:</p> <ul style="list-style-type: none"> <li>WA Industrial Relations Commission applications</li> <li>WALGA Salary and Workforce Survey 2023</li> <li>People and Culture Seminar</li> </ul> <p>Training:</p> <ul style="list-style-type: none"> <li>LGA30120 Certificate III in Local Government</li> </ul> <p>Course offerings:</p> <ul style="list-style-type: none"> <li>Report Writing for Informed Decision Making</li> <li>Delegation and Authorisation – Essentials</li> <li>Prevent Sexual Harassment &amp; Psychosocial Hazards in the Workplace (Senior Leaders' Workshop)</li> <li>Active Bystanders (Train the Trainer)</li> </ul>
10.1.4	<b>Report on Key Activities, Policy Portfolio</b>	<p>That State Council note the Key Activity Report from the Policy Portfolio to the May 2024 State Council meeting.</p> <ul style="list-style-type: none"> <li>Activities:</li> <li>Economics:</li> <li>March Economic Briefing</li> <li>Updated Economic Development Framework and New templates Released</li> <li>WALGA Presentation at the Regional Development Australia WA Conference</li> </ul> <p>Environment and Waste:</p> <ul style="list-style-type: none"> <li>New Climate Change Declarations</li> <li>Regional Local Government Environmental Regulation Roundtable</li> </ul> <p>Planning and Building:</p> <ul style="list-style-type: none"> <li>Planning Fees and Charges</li> <li>Planning Information Sessions; State Planning Policy 7.3 Residential Design Codes (SPP7.3); Environmental Protection Amendment Regulations</li> <li>Urban Forests; Tree Retention model Local Planning Policy Released; Urban Greening Grants; Urban Forest Working Group Meeting</li> </ul>

		<p>Emergency Management:</p> <ul style="list-style-type: none"> <li>• Emergency management Roundtable</li> <li>• State Emergency Management Committee</li> <li>• Emergency Management Sector Adaptation Plan</li> </ul> <p>Community</p> <ul style="list-style-type: none"> <li>• Aboriginal Affairs; Local Government Reconciliation Resource Hub; Aboriginal Cultural Heritage; National Reconciliation Week Webinar</li> </ul> <p>Commencement of Part 5 of the Public Health Act 2016</p> <p>In March, the State Government announced that Part 5 of the Public Health Act 2016 will be phased in from 4 June 2024. Under Part 5 the Department of Health must finalise and publish a new State Public Health Plan by 4 June 2025 and Local governments are required to create local public health plans that are consistent with the State Public Health Plan by 4 June 2026. In addition, some low-risk public health regulations will be replaced with guidelines and improvement notices and enforcement orders will be introduced.</p> <p>The Department of Health has committed to provide updates and engage with Local Governments to ensure a collaborative and informed approach to implementation. WALGA is working with the State Government to secure support and guidance for the sector.</p> <p>Town Team Training</p> <p>WALGA is delivering a free workshop for Local Governments to learn about the establishment and facilitation of resilient places through the Town Team Movement on Monday, 20 May at WALGA. Attendees will learn how to find innovative opportunities in a Local Government context, reduce risks in place improvement and community development projects, and better engage local businesses and residents.</p>
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### CONCLUSION OF ZONE MATTERS

The Zone noted the report from the WALGA President and the circulated State Council Agenda Items and supported the recommendations in the Matters for Decision contained with the State Council Agenda and acknowledged the items for noting above and the Status Report on State Council Resolutions.

The Kimberley Zone noted the Status Report and requested the Executive Officer to keep WALGA Executive up to date on the status of KRG's Financial Assistant Grant review and submission and the Community Safety and Crime Prevention strategy development.

### ADOPTION OF POLICY AND ADVOCACY PRIORITISATION FRAMEWORK

The Kimberley Country Zone adopted the Policy and Advocacy Prioritisation Framework to determine the priority of a particular policy or advocacy issue, and guide future decision

making. Any papers submitted by the Kimberley Zone to State Council is to reflect the Policy and Advocacy Prioritisation Framework.

#### IMPORTANCE OF WALGA BECOMING A REGISTERED EMPLOYER ORGANISATION

The Zone noted the importance of WALGA becoming a registered employer organisation.

#### ENHANCED AND ALTERNATIVE EDUCATION OPPORTUNITIES FOR REGIONAL WA

The Zone supported the call to action to reduce regional disadvantage in educational opportunities and request the WALGA Secretariat to advocate to State Government on this matter.

### **Kimberley Regional Group Meeting Minutes – 19 APRIL 2024**

The following items from the Kimberley Regional Group Meeting held 19 April 2024 should be noted by Council:

#### Correspondence

The KRG noted that the correspondence was received and noted that the Chief Executive Officer could be directed on a response if required.

Correspondence in:

Date: 6 March 2024

From: Chuck Berger, CEO, Kimberley Development Commission

Topic: Kimberley Housing Roundtable

Date: 6 March 2024

From: Luke Boshier, Head of Program, Strategy and Impact Housing Australia

Topic: Kimberley Housing Roundtable

Date: 10 April 2024

From: The Hon Hannah Beazley MLA, Minister for Local Government

Topic: Key issues and actions raised at the meeting

Correspondence out:

Date: 26 February 2024

From: Michelle Mackenzie, Executive Support, Kimberley Regional Group

To: Mr Chuck Berger, Chief Executive Officer, Kimberley Development Commission

Topic: Kimberley Housing Roundtable

Date: 26 February 2024

From: Michelle Mackenzie, Executive Support, Kimberley Regional Group

To: Ms Janine Hatch; Director; Regional Development Australia Kimberley

Topic: Kimberley Housing Roundtable

Date: 26 February 2024

From: Michelle Mackenzie, Executive Support, Kimberley Regional Group

To: Luke Boshier: Head of Program, Strategy and Impact Housing Australia

Topic: Kimberley Housing Roundtable

Date: 14 March 2024

From: Paul Rosair, Executive Officer, Kimberley Regional Group

To: The Hon Don Punch MLA, Minister for Regional Development

Topic: Key issues and actions raised at the meeting

Date: 14 March 2024

From: Paul Rosair, Executive Officer, Kimberley Regional Group

To: The Hon Hannah Beazley MLA, Minister for Local Government

Topic: Key issues and actions raised at the meeting

Date: 10 April 2024

From: David Menzel, Chair, Kimberley Regional Group

To: Hon Richard Maries, Hon Clare O'Neil, Hon Pat Conroy, Hon Matt Keogh, Hon Madeleine King, Hon Kristy McBain, Hon Paul Papalia, Ms Divina D'Anna MLA

Topic: Kimberley Defence and Border Force Response

### Presentations

The following presentations were received from key stakeholders:

- Dr Allen Dale, Professor of Tropical Regional Development, CRC Northern Aust, James Cook University
- Christy Hawker, CEO Binarri Binyja Yarrowoo (BBY)
- Hon Louise Kingston, Member for the S/W Region. Shadow Minister for Regional Cities, Climate, Action, Tourism, WA National Party Opposition.

### 2024/2025 Investment Prospectus

The KRG members discussed the draft Investment Prospectus and advised changes required to the document. SDWK CEO required to provide the Executive Team their updated project information as a priority.

### Kimberley Housing Roundtable

The KRG noted the progress of the Kimberley Housing RoundTable and agreed to discuss the possible dates and location out of session. Executive will liaise with members and decide on the date and location and report back to the KRG.

### Co-operative Research Centre Northern Australia

KRG supported the Cooperative Research Centre for Northern Australia's work for activating the White Paper for Developing Northern Australia. Executive Officer to work with Alan Dale on progressing KRG's involvement in developing the White Paper.

### Advocacy Strategy Management and Maintenance of Social Housing

The KRG supports the proposed advocacy strategy to support the better management and maintenance of social housing in the Kimberley. SDWK will provide the Executive Team with the work that they have progressed. A template will be developed and circulated to members to populate to support the advocacy strategy.

### Inquiry into Local Government Sustainability

The KRG supports the framework for the submission in the Federal Inquiry into Local Government Sustainability.

Members are asked to send through case studies to illustrate the points made in the framework for the submission to the Executive Officer. The Draft submission will be circulated to members out of session for feedback prior to finalising the submission by the 31 May 2024.

#### Kimberley Regional Group Priority Action List

KRG provided an update on the progression of action items, as listed in the minutes.

#### Around the Grounds

The Group

#### KRG Position Papers

KRG noted the refreshed Position Papers and the \$720 allocated for graphic design and printing costs. The refreshed Papers will be uploaded onto the KRG website.

#### Election Strategy

The Group noted the progress on the KRG State and Federal government election strategy, with an allocation of \$7,600 plus GST allocated towards the documents.

#### Executive Officer Report

The Executive Officer Report was received and endorsed.

#### General Business

KRG confirmed responsible officers and updated comments for upcoming KRG meetings, lobbying and upcoming events.

### **CONSULTATION**

WALGA  
Kimberley Development Commission  
Kimberley Regional Development Australia

### **STATUTORY ENVIRONMENT**

#### ***Local Government Act 1995***

### **POLICY IMPLICATIONS**

Nil

### **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 7 - Safe, well connected, affordable transport options**

**Objective** 7.1 Provide safe and efficient roads and parking.

**Performance - We will deliver excellent governance, service & value for everyone.**

**Outcome 11 - Effective leadership, advocacy and governance**

**Objective** 11.1 Strengthen leadership, advocacy and governance capabilities.

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

**Outcome 9 - A strong, diverse and inclusive economy where all can participate**

**Objective** 9.5 Grow the size and depth of Broome's labour market with improved access to training and development opportunities.

## VOTING REQUIREMENTS

*Simple Majority*

### **COUNCIL RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Minute No. C/0524/074**

**Moved: Shire President C Mitchell**

**Seconded: Cr P Taylor**

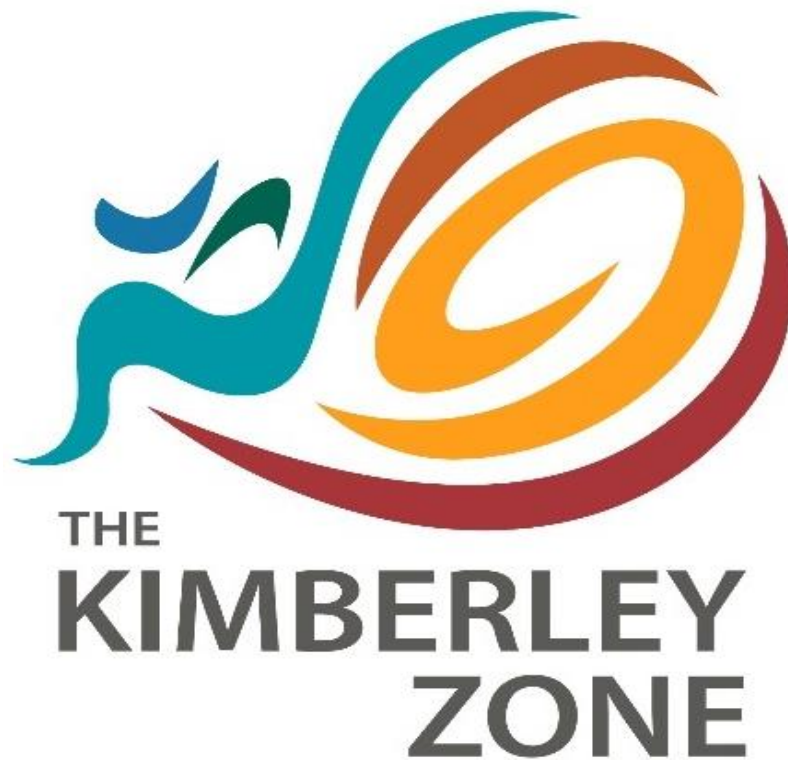
***That Council receives and endorses the resolutions of the Kimberley Zone of WALGA and the Kimberley Regional Group as attached in the Kimberley Zone of WALGA and Kimberley Regional Group Joint Meeting Minutes of 19 April 2024 en bloc***

***For: Shire President C Mitchell, Cr D Male, Cr J Lewis, Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper.***

**CARRIED UNANIMOUSLY 7/0**

## Attachments

1. KIMBERLEY ZONE MINUTES 19 APRIL 2024
2. KRG MINUTES 19 APRIL 2024



## Meeting Minutes

19 April 2024  
1 pm – 2:30pm



Kimberley Country Zone: Minutes April 2024



## Table of Content

1. KIMBERLEY COUNTRY ZONE MEETING OPEN: 1:04PM.....	3
2. ATTENDANCE AND APOLOGIES.....	3
3. DISCLOSURES, CONFLICTS AND DECLARATIONS OF INTEREST:.....	4
4. KIMBERLEY COUNTRY ZONE STATE COUNCIL AGENDA: .....	5
5. CONCLUSION OF ZONE MATTERS: .....	45
6. ADOPTION OF POLICY AND ADVOCACY PRIORITISATION FRAMEWORK.....	46
7. IMPORTANCE OF WALGA BECOMING A REGISTERED EMPLOYER ORGANISATION .....	49
8. ENHANCED AND ALTERNATIVE EDUCATION OPPORTUNITIES FOR REGIONAL WA .....	52

Kimberley Country Zone: Minutes April 2024



## 1. Kimberley Country Zone Meeting Open: 1:04pm

Chair acknowledged the Traditional Custodians of the different lands on which people are meeting today, and paid respect to all the Elders past, present and emerging.

## 2. Attendance and Apologies

Name	Shire / Council / Organisation	Method
<b>Members</b>		
Cr David Menzel	Zone Chair, and President, Shire of Wyndham East Kimberley	Zoom
Cr Peter McCumstie	President, Shire of Derby West Kimberley	Zoom
Cr Trish McKay	Deputy Shire President, Shire of Halls Creek	Zoom
<b>Observers</b>		
James Watt	Director of Corporate Services, Shire of Broome	Zoom
Geoff Haerewa	Zone Deputy & Deputy President, Shire of Derby West Kimberley	Zoom
Amanda Dexter	CEO, Shire of Derby West Kimberley	Zoom
Musa Mono	Director Health & Regulatory Services, Shire of Halls Creek	Zoom
Vernon Lawrence	CEO, Shire of Wyndham East Kimberley	Zoom
<b>Executive Support Team</b>		
Paul Rosair	Principal NAJA Business Consulting	Zoom
Michelle Mackenzie	Principal Mira Consulting	Zoom
Jane Lewis	Principal Redit Research	Zoom
Rebecca Billing	Administrative Assistant, NAJA Business Consulting	Zoom
<b>Apologies</b>		
Gordon Thomson	President, Shire of Christmas Island	
David Price	CEO, Shire of Christmas Island	
Aindil Minkom	President, Cocos (Keeling) Islands	

Kimberley Country Zone: Minutes April 2024



Name	Shire / Council / Organisation	Method
Frank Mills	CEO, Cocos (Keeling) Islands	
Tony Lacy	Cocos (Keeling) Islands	
Cr Azah Badlu	Cocos (Keeling) Islands	
Cr Chris Mitchell	President, Shire of Broome	
Sam Mastrolembo	CEO, Shire of Broome	
Cr Desiree Male	Deputy Shire President, Shire of Broome	
Cr Karen Chappel	President WALGA	
Cr Malcolm Edwards	President, Shire of Halls Creek	
Cr Tony Chafer	Deputy Shire President, Shire of Wyndham East Kimberley	
<b>Guests</b>		
Nick Sloan	CEO WALGA	Zoom
Emma Heys	Governance Specialist WALGA	Zoom
Renee Gioffre	Kimberley Executive Director, Department of Communities	Zoom
Janine Hatch	Director, Regional Development Australia - Kimberley	Zoom
Bill Tatchell	CEO Australia's Northwest	Zoom
Tom Chapman	Regional Manager, DLGSCI	Zoom
Chuck Berger	CEO Kimberley Development Commission	Zoom

### 3. Disclosures, Conflicts and Declarations of Interest:

Financial Interest / Impartiality			
Member	Item Number	Item	Nature of Interest
Nil			

Kimberley Country Zone: Minutes April 2024



#### 4. Kimberley Country Zone State Council Agenda:


Attachments:

1 President's Report

2 WALGA State Council Agenda and Report on State Council Actions (Separately Attached)

## 1.1 Presidents Report – Attachment 1

# President's Report May 2024



**Introduction**

It has been another busy couple of months in Local Government since the last round of Zone and State Council meetings. There has been the Aboriginal Engagement Forum, the launch of the WA Tree Festival (Tree Fest) for 2024, lots of discussion on planning matters, the State Government has opened a WA Hub in Canberra and much more. I will outline some of this activity in this report.

**WA Canberra Hub**

On 26 March, I was invited by the State Government to attend the official opening of the WA Canberra Hub.

The hub aims to facilitate collaboration with Commonwealth and other State and Territory Governments. Providing a space for in-person meetings, the hub is available for Member Councils, peak bodies, WA industry, Not-for-profits and advocacy organisations.

The hub will support a new way of working with the Federal Government, help to champion WALGA and the State's priorities, enhance relationships and improve outcomes for Local Governments and all Western Australians.

The opening was attended by WA Premier Roger Cook, Hon Hannah Beazley BA MLA, Hon David Michael MLA and Hon Reece Whitby MLA, and was an opportunity to celebrate the launch and new home for WA. I also took the opportunity to discuss Local Government issues with the State's leaders.

**Planning**

There has been a great deal of activity on trees in recent weeks. In early March, WALGA's model Local Planning Policy (LPP) was released, which enables Local Governments to regulate the removal of significant trees on private land. While planting trees is important, we know it is not enough to stem the loss in canopy cover. The model LPP will enable greater protection for our most significant of our canopy trees without the need for State Government approval.

Round One of the Urban Greening Grants has also been announced, with 12 Local Governments sharing in almost \$600,000 to plant 9,400 trees and 29,000 understorey species this winter. And amongst all of this there continues to be a growing awareness and concern about the impact of the Polyphagous Shot Hole Borer on our tree canopy across the metropolitan area.

I was very pleased that that the Minister for Planning; Lands; Housing; Homelessness has listened to our request for a comprehensive review of Local Government planning fees and charges. These fees have not changed in over a decade, despite State planning charges rising significantly over this time. The review is a significant first step to ensuring fees are set at cost recovery and appropriately indexed going forward.

**National Inquiry into Local Government Sustainability**

The House of Representatives Standing Committee on Regional Development, Infrastructure and Transport will inquire into and report on Local Government sustainability. Local Governments are encouraged to make a submission by the due date of Friday, 3 May 2024 and provide recommendations relating to any or all of the inquiry's terms of reference.

The Committee has prioritised a deeper understanding of Local Government financial sustainability and funding frameworks, alongside the changing infrastructure requirements and service delivery obligations for Local Governments. The Committee are seeking to understand the challenges faced by Local Governments in servicing infrastructure requirements across Australia's regional, rural, and remote locations.

Kimberley Country Zone: Minutes April 2024



They will also examine labour hire and retention trends, including the impacts of labour hire practices, to identify barriers and opportunities to support our local workforce and Local Government sustainability and service delivery obligations.

WALGA is seeking an extension for this deadline for Local Governments until Friday, 31 May 2024. Further communications will be provided if this deadline extension is approved.

I would encourage Local Governments to provide a submission where possible.

#### **Standardise Meeting Procedures**

Meeting Procedures (Standing Orders) Local Laws have been the foundation for facilitating efficient and effective Council and Committee meetings. The State Government's Local Government Reform includes the proposal for replacing local laws with Standard Meeting Procedures Regulation. The Department of Local Government, Sport and Cultural Industries is consulting on proposals, with feedback required to the Department by 29 May 2024.

WALGA has prepared a Discussion Paper that combines the Department's Consultation Paper with comment and is seeking feedback from Local Governments. This feedback will be utilised to develop a sector-wide advocacy position for submission to the Department. Responses to WALGA are requested by Monday, 29 April 2024.

Again, I would encourage all Councils to provide a submission to the Department and to WALGA.

#### **2024 Aboriginal Engagement Forum**

I was delighted to provide an opening address at the seventh WALGA Aboriginal Engagement Forum at the State Reception Centre in King's Park. It was important for me professionally and personally to acknowledge how difficult the last 12 months have been for First Nations people in my speech to the 160 plus delegates. I'm proud that WALGA and Local Government continues to learn and progress in this space.

#### **WA 2024 Tree Festival launch**

On Wednesday 27 March, WALGA collaborated with the Kings Park and Botanic Garden to launch the WA Tree Festival (Tree Fest) for 2024. The launch featured celebrity horticultural experts Trevor Cochrane and Sue McDougall in the beautiful Botanical Pavilion and Terraces in King's Park (Kaarta Gar-up).

In Western Australia, we are losing trees at a rate faster than we can replace them with the overall tree canopy in Perth at 16%; the lowest of any Australian City. Tree Fest aligns with [WALGA's State Budget Submission](#) ask for cooler cities and shadier suburbs through the creation of a State-Wide Urban Forest Strategy (\$1million) and the expansion of the Urban Greening Grant program (\$20m over 4 years).

Starting Saturday, 6 April and hosted during nature's natural planting window, the WA Tree Festival brings around 50 Local Governments and community groups together to help share the value of trees through events, activities and initiatives.

#### **Media Activity**

WALGA's Policy and Communications teams briefed me on a range of proactive and reactive media activity throughout February and March. As President, I held multiple interviews, including discussing planning reforms to R-codes, our request on more State budget money for Local Government libraries, the urban greening grants, the ARENA electric vehicle funding and emergency management funding.

Planning reforms around granny flats was the issue that sparked the most media interest.

**President Cr Karen Chappel AM JP**  
**WALGA President**

Kimberley Country Zone: Minutes April 2024



## President's Contacts

The President's contacts since 6 March 2024 and scheduled before 1 May 2024 are as follows:

### State and Commonwealth Government Relations

- Department of Energy, Mines, Industry Regulation and Safety – PoweringWA
- Western Australia Canberra Hub Opening
- National Emergency Management Ministers Meeting

### Zone Meetings

- Central Country Zone Meeting
- Murchison Country Zone Meeting

### Local Government Relations

- State Council Meetings:
  - State Council Meeting – March 6, 2024
  - WALGA Election Priorities Workshop
  - Local Government House Trust – Special Meeting x 2
  - Information Forum
  - Finance & Services Committee Meeting
  - Zone Chair Induction
- LGIS
  - JLT Management Committee
  - Offsite Board Workshop
- ALGA
  - Board Meeting
- Lord Mayors Distress Relief Fund
  - Board meeting, 11 April
- State Road Funds to Local Government Advisory Committee
- State Road Funds to Local Government Advisory Committee – Delegates Briefing and Workshop
- WALGA Aboriginal Engagement Forum
- CEO Performance Review Committee Meeting
- Inner City Group Meeting of the Mayors and CEOs
- Pre-SAC Meeting

### Conferences, Workshops, Public Relations

- Streets Alive Program Launch
- Regional Telecommunications Review Breakfast
- Pathway to Politics for Women Advisory Committee

Kimberley Country Zone: Minutes April 2024



## **1.2 Reports from Representatives**

WALGA –

- Karen Chappel, President,
- Nick Sloan, CEO
- Emma Heys, Governance Specialist

Department of Communities, Renee Gioffre, Kimberley Executive Director

RDA Kimberley – Janine Hatch, Director

Australia's North West Tourism – Bill Tatchell, CEO

Department of Local Government, Sport and Cultural Industries – Tom Chapman, Regional Manager Kimberley. (Written report attached)

Kimberley Development Commission - Chuck Berger, CEO



### 5.2.1 Reports from Department of Local Government, Sport and Cultural Industries Report



Department of  
Local Government, Sport  
and Cultural Industries

## Department of Local Government, Sport and Cultural Industries Report

April 2024

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### Local Government Act Reform

- In May 2023, the Local Government Amendment Bill 2023 was passed and the *Local Government Amendment Act 2023* was assented.
- The *Local Government Amendment Act 2023* introduced key reforms related to elections and other priority matters based on 6 key themes:
  - Earlier intervention, effective regulation and stronger penalties
  - Reducing red tape, increasing consistency and simplicity
  - Greater transparency and accountability
  - Stronger local democracy and community engagement
  - Clearer roles and responsibilities
  - Improved financial management and reporting.
- The local government reforms were divided into two tranches to ensure that the election related reforms were in place in time for the October 2023 elections.
- Regulations have been made relating to the broadcasting and recording of council meetings, owners and occupiers' enrolment eligibility, and payments for the training and professional development of elected members.
- Regulations to support the implementation of other tranche one reforms continue to be developed by the Regulatory Reform team.
- On 3 November 2023, the Salaries and Allowances Tribunal (SAT) made a variation to the *Local Government Chief Executive Officers and Elected Members Determination*, issued on 6 April 2023.
- As a result, the reform to enable the payment of fees to independent committee members commenced on 1 January 2024.
- The variation by the SAT sets the thresholds for the payment of meeting fees to independent committee members.
- The enrolment changes to the owner occupiers roll took effect on 1 January 2024 and a training workshop was conducted by the DLGSC to explain these changes on Friday, 15 December 2023.

Kimberley Country Zone: Minutes April 2024



- The DLGSC continues to provide ongoing updates to the sector on the reforms as part of LG Alerts and monthly reform webinars.
- The DLGSC conducted Reform Webinar 8 on 29 February 2024, topics covered included –
  - changes to long service leave regulations
  - payments to independent committee members
  - owners and occupiers' enrolment changes
  - consultation for standardised meetings procedures
  - tranche 2 reforms – superannuation for elected members
- A consultation paper and online survey for standardised meetings procedures are available on the DLGSC's website.
  - <https://www.dlgsc.wa.gov.au/local-government/strengthening-local-government/local-government-act-reform/standardised-meeting-procedures-consultation>
- Feedback received through the process for consultation will inform the drafting of regulations for standardised meetings procedures.
- The consultation period ends Wednesday 29 May 2024, feedback is encouraged.
- Other regulations reforms are continuing to be progressed in 2024, including integrated planning and reporting, online registers and local government CEO KPIs and reporting.
- Further information in relation to the reforms are on the DLGSC website:
  - <https://www.dlgsc.wa.gov.au/local-government/strengthening-local-government/local-government-act-reform>
- The DLGSC monthly webinars take a deep dive into specific topics regarding the reforms – look out for LG Alerts for more details. If you would like a link to recordings of previous webinars, this is available on the DLGSC website:
  - <https://www.dlgsc.wa.gov.au/local-government/strengthening-local-government/local-government-act-reform/local-government-reform-webinars>
- The DLGSC has also teamed up with LG Pro to deliver a series of monthly capacity-building webinars.

### Model Financial Statements (MFS) and Financial

- Model Financial Statements (MFS) guidelines and templates for Class 1 and 2, plus a reduced version for smaller local governments (Class 3 and 4) were published on the DLGSC website on 16 May 2023 and applied to 2022-23 annual financial statements.
- A first tranche of regulatory amendments for the MFS commenced on 1 July 2022.
- A second tranche of regulatory amendments for the MFS commenced on 1 July 2023.

Kimberley Country Zone: Minutes April 2024



- The 1 September 2023 version of the Local Government (Financial Management) Regulations 1996 includes the new credit card regulation 13A.
- On 19 October 2023, an LG Alert was issued, which also provided guidance on reporting credit card and purchasing card transactions.
- An LG Alert was issued on 9 January 2024 seeking feedback on the MFS used for 2022-23 annual financial statements report.
- Feedback closed on 9 February 2024. Feedback is currently being reviewed and the guidelines and templates are being revised to take into account some of the considerations and also the amendments made to the Local Government (Financial Management Regulations 1996 since publishing.
- The updated MFS for 2023-24 annual financial statements report will be published at the end of April 2024.
- Non-financial asset valuation guidelines are currently being prepared and a draft has been issued to sector bodies for feedback by 20 March 2024.
- A sector body workshop is being held on 22 March 2024, to identify relevant changes and confirm support for finalisation of the guidelines, which is to be published at the end of April 2024.

Contact LG Accounting for queries – [Lg.accounting@dlqsc.wa.gov.au](mailto:Lg.accounting@dlqsc.wa.gov.au)

### **Local Government (Functions and General) Amendment Regulations 1996**

- The *Local Government (Functions and General) Amendment Regulations 1996* were gazetted on Friday 19 May 2023. These amendments do the following:

#### **Rural GP and Dentists tender exemption**

- Recognising the importance of maintaining medical and dental services in our regions, a tender exemption for renewing or extending a contract with a medical or dental service is being provided to regional local governments.
- This exemption means those local governments will be able to maintain the services of an existing doctor or dentist without needing to call for public tenders.
- This exemption is only available to local governments outside the Perth Metropolitan Area and City of Mandurah.

#### **Novation of Contracts**

- An additional tender exemption is provided for where a local government novates a contract.

Kimberley Country Zone: Minutes April 2024



- As an example in the context of a dental service, this means where the dental practice is sold to another dentist, the local government can novate the existing contract with the old dentist to the new dentist.
- This improves local government contract management, allowing novation of contracts to occur, local governments should however make sure it is in their interest to novate the contract.
- This exemption is available to all local government.

**Dental leasing exemption**

- An exemption from the property disposal requirements has been provided for the leasing of land for dental services.
- This is to align with the new exemption provided for regional medical and dental services.
- This exemption is however available to all local governments, like the existing medical services exemption is.

Further queries can be directed – [actreview@dlgsc.wa.gov.au](mailto:actreview@dlgsc.wa.gov.au)

**Local Government Grants Commission**

- The WA Local Government Grants Commission (the Commission) has a full composition of members; however, as five member and deputy positions have terms that end on 31 August 2024, work has commenced for nominations. Only the deputy position of Deputy to the Deputy Chairperson remains vacant and will be filled in 2024.
- The total amount of 2023-24 Financial Assistance Grants (FA Grants) was \$393,675,581 (\$366,684,564 paid in advance). This was made up of two components:
  - \$241,099,199 for General Purpose Grants (\$230,921,687 paid in advance), and
  - \$152,576,382 for Local Roads Grants (\$135,762,877 paid in advance).
- An advance payment of the 2023-24 FFA Grants, based on a funding pool equivalent to approximately 100% of the total 2023-24 funding pool, was made to local governments on the 30 June 2023.
- Local Governments were advised that the advance payment meant remaining payments during 2023-24 would be limited and that they needed to ensure they have sufficient funds for 2023-24 to complete their planned programs.
- Due to the 100% advance, all WA local governments were either over or under paid, with the difference to be recouped from their future 2024-25 funding. All local governments with a variance of \$50,000, or greater than 2% of rates revenue, have been advised of the implications to next year's allocations.
- The Commission completed a visiting program to the Pilbara in order to conduct public hearings in October 2023, and is finalising plans to visit the Upper Great



Southern, the Eastern Goldfields-South and the Kimberley regions in April and May 2024.

### Stop Puppy Farming

- The State Government is delivering on its commitment to stop and prevent puppy farming. These reforms have overwhelming community support.
- The Dog Amendment (Stop Puppy Farming) Act 2021 requires the design and development of a centralised registration system (CRS) for dogs.
- The CRS will also assist with the registration of cats under the *Cat Act 2011*, and the development of regulations, in consultation with stakeholders.
- A Request for Tender for the implementation of the CRS was released to the market on 24 January 2023 and closed on 8 March 2023. Responses to the Request for Tender have been evaluated and the evaluation report was endorsed by the State Tender Review Committee on 13 July 2023.
- The Discovery and Design phase for the CRS is currently underway and was completed on 18 March 2024.
- DLGSC is continuing to engage local governments and other key stakeholders across the State to prepare for CRS implementation.
- A consultation paper sought further feedback from stakeholders and interested members of the community to assist in developing workable regulations. A second consultation paper on new and existing fees and charges was released to targeted stakeholders on 1 February 2024 and closed 15 March 2024. Responses are currently being analysed.
- DLGSC is working to progress the implementation stage of the CRS and associated regulations in the second half of 2024.

### Off Road Vehicles

- The ORV Committee is currently exploring opportunities to identify potential new ORV areas.
- On 13 December 2023, the Cook Government announced the end of harvesting Pine in the Gnangara State Forest due to roosting of the threatened Black Cockatoo.
- Therefore, DLGSC are in discussions with DBCA about potential investment opportunities, in Pinjar as an ORV area.
- A private proponent is currently investigating the potential of an ORV area in the south of Perth.



## Kimberley Country Zone: Minutes April 2024



### Local Government Election Commitments

- The Riverside Gardens Urban Forest development is expected to meet tree planting milestones by Winter 2024.
- The Contract Award for the Greenwood Scout and Guide Hall Refurbishment is expected in March 2024.
- Construction of the Sutherlands Park Youth Plaza development, planned for April 2024.
- The Ellenbrook Community Hub Development is at Request for Tender stage.
- The commitment to the Yellowwood Park – Skate and Parkour Facilities is on track and will provide a family friendly recreational space for the local community.
- The City of Stirling is overseeing the project for the upgrades to the Mirrabooka Village Neighbourhood Centre.
- The Birdwood Square Public Toilets and Changing Facilities project is on track, a commitment towards new facilities at Birdwood Square.
- The WA Loves Nature (Group) is managing the commitment towards the improvement of the West Perth Local Hay Street Native Bee-Scene Trail project.

### DLGSC Contacts

LG Support and Engagement	<a href="mailto:lghotline@dlgsc.wa.gov.au">lghotline@dlgsc.wa.gov.au</a>
LG Policy and Legislation	<a href="mailto:legislation@dlgsc.wa.gov.au">legislation@dlgsc.wa.gov.au</a>
CRS – Stop Puppy Farming	<a href="mailto:puppyfarming@dlgsc.wa.gov.au">puppyfarming@dlgsc.wa.gov.au</a>
Grants Commission – Financial Assistance Grants	<a href="mailto:Grants.commission@dlgsc.wa.gov.au">Grants.commission@dlgsc.wa.gov.au</a>
LG accounting enquiries	<a href="mailto:LG.accounting@dlgsc.wa.gov.au">LG.accounting@dlgsc.wa.gov.au</a>
LG Act Reform	<a href="mailto:actreview@dlgsc.wa.gov.au">actreview@dlgsc.wa.gov.au</a>
LG Advisory Board	<a href="mailto:advisoryboard@dlgsc.wa.gov.au">advisoryboard@dlgsc.wa.gov.au</a>



### 5.3 Reports from Kimberley Country Zone

The following table provides a summary of Matters for Decision that will be considered at the WALGA State Meeting on 1 May 2024, and provides an update on Matters for Noting. For full details of items, including background material and discussions, please see separately attached WALGA State Council Agenda (Attachment 2).

#### 5.3.1 Item/Matters for Decision

Item / Matters for Decision As per State Council Agenda	WALGA Recommendations
<b>7.1 Waste Levy Advocacy Position</b>	<p><b>That State Council:</b></p> <ol style="list-style-type: none"> <li>1. Replace the existing WALGA Waste Levy Policy Statement and Advocacy Position 7.4 Waste Management Funding: <ul style="list-style-type: none"> <li>Local Government considers that: <ol style="list-style-type: none"> <li>1. Waste Avoidance and Resource Recovery Levy funds should be hypothecated to strategic waste management activities in line with the State Waste Strategy and strongly opposes the application of the Levy to non-waste management related activities, such as funding State Government core activities; and</li> <li>2. The Levy should not be applied to licensed landfills outside the metropolitan area.</li> </ol> </li> </ul> </li> <li>2. Endorse a new Waste Levy Advocacy Position as follows: <p>The Waste Avoidance and Resource Recovery Levy (the Levy) was established in WA to fund programs relating to the management, reduction, reuse, recycling, monitoring or measurement of waste and administering the fund. The current Levy is applied to waste generated, or landfilled, in the Perth metropolitan area.</p> <p>Currently, only 25% of the collected funds are retained for strategic waste management activities, 75% are allocated to the ongoing operations of the Department responsible for administration of the Levy.</p> <p>Local Government considers that:</p> <ol style="list-style-type: none"> <li>1. The Waste Avoidance and Resource Recovery Levy funds must be fully hypothecated to strategic waste management activities in line with the State Waste Strategy and not be used for non-waste management related activities, such as funding State Government core activities.</li> <li>2. Strategic waste management activities funded by the State Government should:</li> </ol> </li> </ol>



Item / Matters for Decision As per State Council Agenda	WALGA Recommendations
	<p>a. Provide adequate funding and support for Regional Councils, non-metropolitan and metropolitan Local Governments;</p> <p>b. Reflect the targets and priorities within the Waste Strategy;</p> <p>c. Fully fund and acknowledge the life cycle costs of infrastructure and services; and</p> <p>d. Facilitate the development, implementation and ongoing operation of Product Stewardship Schemes.</p> <p>3. The Levy should not be applied to waste generated in the non-metropolitan area as it is not feasible, or appropriate, to implement the Levy in areas with a limited rate base, access to markets for recycled materials, economic growth and resources to manage such a change.</p> <p>4. The Levy should not be applied to waste received at premises undertaking licensed activities whose primary purpose is resource recovery.</p> <p>5. The Levy must be supported by a clear, evidence-based rationale to demonstrate the suitability of how charges are set, how and where funds are allocated, and the extent to which it is delivering on its objectives.</p> <p><b>EXECUTIVE SUMMARY</b></p> <ul style="list-style-type: none"> <li>• The Waste Levy and Strategic Waste Funding Policy Statement was first endorsed in 2008 and was amended in 2018.</li> <li>• The Statement outlines the Local Government position on levies charged on the weight or volume of waste received at licensed premises and the application of those funds to waste management activities.</li> <li>• In 2023, the WA Government published the findings of a Review of the Waste Avoidance and Resource Recovery (WARR) Levy. The consultation summary report and supporting consultant report can be accessed on the Department of Water and Environmental Regulation (DWER) <a href="#">website</a>.</li> <li>• Key outcomes of the Levy Review included a five-year schedule of increases and a commitment to investigate extending the levy boundary to regional areas.</li> <li>• The new Waste Levy Advocacy Position uses contemporary language emphasises: <ul style="list-style-type: none"> <li>◦ Full hypothecation of the Levy;</li> <li>◦ The key areas of expenditure for the Levy;</li> <li>◦ Opposition to the expansion of the Levy's geographic application;</li> <li>◦ Opposition to the application of the Levy to resource recovery activities; and</li> <li>◦ The need for a clear evidence-based rationale for setting and expending the Levy.</li> </ul> </li> <li>• The Municipal Waste Advisory Council (MWAC) endorsed the new Advocacy Position in February 2024.</li> </ul> <p><b>ATTACHMENT</b></p> <ul style="list-style-type: none"> <li>• Waste Levy Policy Statement</li> </ul>





#### 4.3.2 Policy Team and Committee Reports and Matters for Noting

Item / Matters for Noting / Information	WALGA Recommendations
<b>8.1 Environment Policy Team Report</b>	<p>That State Council note the matters considered by the Environment Policy Team at its meeting on 6 March 2024.</p> <p><b>1. PORTFOLIO UPDATES</b> The Policy Team was provided with updates on:</p> <ul style="list-style-type: none"> <li>Urban Forests <ul style="list-style-type: none"> <li>The release of WALGA's model Tree Retention Local Planning Policy (LPP);</li> <li>Round One of the Local Government Urban Greening Grant Program; and</li> <li>The State Government's announcement of the development of a Perth and Peel Urban Forest Strategy.</li> </ul> </li> <li>Polyphagous Shot Hole Borer;</li> <li>The State Government's consideration of the Report of the Independent Panel's Review of the <i>Biosecurity and Agriculture Management Act 2007</i> ;</li> <li>Local Government planning fees and charges – the Minister for Planning; Lands; Housing; Homelessness has agreed to a comprehensive review; and</li> <li>Native vegetation clearing permit assessment timeframes.</li> </ul>
<b>8.2 Governance Policy Team Report</b>	<p>That State Council note the report on the Governance Policy Team.</p> <p>The Governance Policy Team have not held a meeting since the last State Council meeting in March.</p> <p>A meeting of the Governance Policy Team will be scheduled to occur in May, where the following key items of business will be presented:</p> <ul style="list-style-type: none"> <li>Standardised Meeting Procedures Submission</li> <li>Elections Review Report</li> </ul>
<b>8.3 Infrastructure Policy Team Report</b>	<p>That State Council note the matters considered by the Infrastructure Policy Team at its meeting on 6 March 2024.</p> <p><b>1. MATTERS FOR STATE COUNCIL DECISION</b> Nil</p> <p><b>2. MATTERS FOR STATE COUNCIL NOTING</b> The Policy Team noted the Zone Resolutions and Composite resolution for the item on the 6 March 2024 State Council agenda for decision – Separation and Edge Line Markings by Local Government on Low Volume Rural Roads.</p> <p>The Policy Team progressed actions and advocacy in relation to:</p>

Kimberley Country Zone: Minutes April 2024



Item / Matters for Noting / Information	WALGA Recommendations
	<ul style="list-style-type: none"> <li>Regulating heavy vehicle road access conditions; Extended lead time for quotes from Western Power for headworks and changes to infrastructure;</li> <li>Royalty payments for mine site materials used in road construction and maintenance;</li> <li>Regional Telecommunication Independent Review;</li> <li>Review of Main Road Cross over Policy;</li> <li>Required changes to the Disaster Recovery Funding Arrangements; and</li> <li>Local Government Active Transport Working Group</li> </ul> <p>The team noted that ALGA has accepted the invitation to hold the National Local Roads, Transport and Infrastructure Congress in Western Australia in December 2024.</p> <p><b>3. PORTFOLIO UPDATES</b> The Policy Team was provided with a presentation on the areas of focus for the Infrastructure portfolio.</p>
<p><b>8.4 People and Place Policy Team Report</b></p>	<p><b>That State Council note the matters considered by the People and Place Policy Team at its meeting on 6 March 2024.</b></p> <p><b>1. MATTERS FOR STATE COUNCIL DECISION</b> Nil</p> <p><b>2. MATTERS FOR STATE COUNCIL NOTING</b> The Policy Team discussed the following items for noting on the 6 March 2024 State Council agenda:</p> <ul style="list-style-type: none"> <li>2024-25 Federal Budget Submission; and</li> <li>Emergency Management Sector Adaptation Plan (EM-SAP) Local Government Consultation Project.</li> </ul> <p><b>3. MATTERS REFERRED BY ZONES</b> <b>Murchison Country Zone: Improving the Patient Assisted Travel Scheme (PATS)</b> At the People and Place Policy Team Meeting on 7 February 2024, the Policy Team considered the following resolution of the Murchison Country Zone:</p> <p><i>That WALGA advocate for improvements to the Patient Assisted Travel Scheme (PATS) for regional Western Australia particularly around fuel and accommodation subsidies.</i></p> <p>The People and Place Policy Team resolved to:</p> <ol style="list-style-type: none"> <li>Note the request from the Murchison Country Zone.</li> <li>Request that WALGA write to the Minister for Health to seek a review of the Patient Assisted Travel Scheme.</li> </ol> <p>At the People and Place Policy Team Meeting on 6 March 2024, the Policy Team amended the recommendation to:</p>

Kimberley Country Zone: Minutes April 2024



Item / Matters for Noting / Information	WALGA Recommendations
	<ol style="list-style-type: none"> <li>Note the request from the Murchison Country Zone.</li> <li>Request that WALGA write to the Minister for Health to seek a review of the current level of the Patient Assisted Travel Scheme <i>with the intention to increase it to reflect current costs, including an annual CPI increase.</i></li> </ol> <p><b>South East Metropolitan Zone: Mitigating public health implications of increasing temperatures, frequent heatwaves coupled with accelerated depletion of tree canopy.</b></p> <p><b>East Metropolitan Zone: Public health planning for climate change (heat) risks</b></p> <p>The People and Place Policy team considered the following resolutions of the East and South East Metropolitan Zones:</p> <p><i>The South East Metropolitan Zone is seeking WALGA:</i></p> <ul style="list-style-type: none"> <li>Develop Model Text Provisions for the sector to address increasing risks to community public health generated by escalating heat wave conditions and Urban Heat Island effects coupled with accelerated loss of tree canopy; and</li> <li>As a matter of urgency, advocates to the state government to establish additional funding to enable local governments to implement intensive, widespread measures to mitigate the major public health implications of increasing temperatures, frequent heatwaves coupled with accelerated depletion of tree canopy, particularly in urban areas.</li> </ul> <p><i>The East Metropolitan Zone is seeking WALGA:</i></p> <ul style="list-style-type: none"> <li>Develop draft model actions to guide Public Health Plans to address increasing risks to community public health generated by escalating heat wave conditions and Urban Heat Island effects coupled with accelerated loss of tree canopy; and</li> <li>As a matter of urgency, advocates to the state government to establish additional funding to enable local governments to implement intensive, widespread measures to mitigate the major public health implications of increasing temperatures, frequent heatwaves coupled with accelerated depletion of tree canopy, particularly in urban areas.</li> </ul> <p>The People and Place Policy Team resolved:</p> <ol style="list-style-type: none"> <li>To note the resolutions of the South East and the East Metropolitan Zones.</li> <li>The ongoing WALGA advocacy regarding the implementation of Stage 5 of the Public Health Act 2016, as stated in Advocacy Position 3.2.1.</li> <li>That WALGA will continue to advocate for sector support, advice and funding for Public Health Plan drafting and implementation.</li> </ol> <p><b>Gascoyne Zone: Challenges with Aboriginal Heritage Matters</b></p> <p>The People and Place Policy Team was provided with an update on action arising from the resolution of the Gascoyne Country Zone:</p> <p><i>That the Gascoyne Country Zone requests that WALGA schedules a Teams meeting between the Gascoyne Zone delegates and the relevant Policy Team to discuss the issues the Zone faces in complying with Aboriginal Heritage Legislation and establishing indigenous Land Use Agreements.</i></p>



Item / Matters for Noting / Information	WALGA Recommendations
	<p>On 22 February 2024, WALGA convened an Aboriginal Cultural Heritage Roundtable for the Gascoyne Zone in Carnarvon. The aim of the roundtable was to gain a shared understanding of the requirements under the amended <i>Aboriginal Heritage Act 1972</i> and its interaction with heritage surveys, Standard Heritage Agreements, and Indigenous Land Use Agreements; and to share Local Government feedback and progress implementation solutions applicable across the Local Government Sector in partnership with the Department of Planning, Lands and Heritage (DPLH). The discussion provided some practical solutions and proposals which WALGA is seeking to progress with DPLH, aligned to the State Government's commitment to guidance and support for the sector.</p> <p>President Eddie Smith hosted the Roundtable in Carnarvon and informed the Policy Team that it was very informative and worthwhile. The People and Place Policy Team resolved to encourage zones that are inclined to host a roundtable on the Aboriginal Heritage Act with involvement from DWER and DPLH.</p> <p><b>4. PORTFOLIO UPDATE</b> The Policy Team was provided with updates on the:</p> <ul style="list-style-type: none"> <li>• WALGA Emergency Management Survey;</li> <li>• Power and Telecommunications Roundtable held on 20 February; and</li> <li>• LEMA Improvement Project.</li> </ul>
<p><b>8.5 Municipal Waste Advisory Council (MWAC) Report</b></p>	<p><b>That State Council note the resolutions of the 21 February 2024 Municipal Waste Advisory Council Meeting.</b></p> <p><b>1. MATTERS FOR DECISION</b> <b>Waste Levy Advocacy Position</b> MWAC resolved to rescind the existing Waste Levy Policy Statement and Advocacy Position 7.4 Waste Management Funding and endorse a new Waste Levy Advocacy Position (State Council <a href="#">Item 7.1</a> for Decision refers).</p> <p><b>Waste Levy Advocacy Position</b> MWAC, through WALGA, resolved to write to the Minister for Energy; Environment and Climate Action:</p> <ul style="list-style-type: none"> <li>• Expressing Local Governments' concern about the impacts of the e-waste to landfill ban regarding the e-waste to Landfill Band the need for further funding and effective product stewardship in line with WALGA's advocacy position on <a href="#">Landfill Bans</a>; and</li> <li>• Seeking an update on the outcomes of the consultation on the Container Deposit Scheme expansion, timeframe for the expansion and reiterating Local Governments' strong support for the expansion of the Scheme to include wine and spirit bottles as a minimum.</li> </ul>



Item / Matters for Noting / Information	WALGA Recommendations
	<p><b>2. MATTERS FOR DISCUSSION</b></p> <p>MWAC considered <i>Waste Advocacy Priorities for 2024</i>:</p> <ul style="list-style-type: none"> <li>• Increase the proportion of the Waste Levy being provided to Local Government to assist the sector in meeting the State Waste Strategy targets and provide investment certainty;</li> <li>• Achieve regulatory certainty through provision of the Waste Derived Materials Framework, new DWER Regulatory Framework in place providing a risk-based approach to regulation, and the completion of the WARR Strategy Review and revised State Waste Strategy;</li> <li>• Ensure the State Waste Infrastructure Plan is fit for purpose across WA, with a specific focus on ensuring sufficient regional infrastructure;</li> <li>• The implementation of effective product stewardship schemes for electrical and electronic waste, packaging, tyres and mattresses which address WALGA's 10 Principles for Product Stewardship.</li> <li>• Development of a WALGA Circular Economy Policy Position; and</li> <li>• Research and engagement with Local Government on key issues with asbestos, including illegal dumping, Local Government infrastructure, emergency management and community need to identify priority action areas and funding required.</li> </ul> <p>MWAC also discussed the importance of ensuring high quality services were in place and ensuring different community needs were met, particularly for CALD communities and different types of development (e.g. multi-residential vs single unit dwellings).</p>
<p><b>9.1 WALGA 2023 Emergency Management Survey</b></p>	<p><b>That State Council note the results of the 2023 Local Government Emergency Management Survey.</b></p> <p><b>EXECUTIVE SUMMARY</b></p> <ul style="list-style-type: none"> <li>• 102 (75%) of the 137 mainland WA Local Governments responded to WALGA's 2023 Emergency Management Survey.</li> <li>• Key issues raised by Local Governments included: community preparedness and resilience; capacity to respond to and manage recovery; management of Bush Fire Brigades; inadequate LGGS funding; lack of emergency management resources; and challenges accessing grant funding.</li> <li>• The survey demonstrates the importance of Community Emergency Services Managers (CESMs) to Local Governments that have one and that many regional Local Governments without a CESM would like one.</li> <li>• The survey identified several issues with the <i>Bush Fires Act 1954</i> that Local Governments would like to see resolved in the proposed Consolidated Emergency Services Legislation.</li> <li>• The survey results will inform WALGA's policy development and advocacy on behalf of the sector, including the WALGA 2024-25 State Budget Submission, and in the lead up to the next State and Federal elections.</li> <li>• A summary of the survey results was presented at the State Council Information Forum on 3 April, and in a Sector webinar was held on 11 April 2024.</li> </ul>



Item / Matters for Noting / Information	WALGA Recommendations
	<b>ATTACHMENT</b> <ul style="list-style-type: none"> <li><a href="#">Executive Summary – WALGA 2023 Emergency Management Survey</a></li> </ul>
<b>9.2 Tree Retention Model Local Planning Policy</b>	<p><b>That State Council note the Tree Retention Model Local Planning Policy.</b></p> <p><b>EXECUTIVE SUMMARY</b></p> <ul style="list-style-type: none"> <li>WALGA's model Tree Retention Local Planning Policy (LPP) was released in March 2024.</li> <li>The LPP aims to create a consistent regulatory framework for tree protection across WA.</li> <li>The LPP stipulates the circumstances in which a development approval is required to remove a tree and guides the assessment of these applications and other planning proposals.</li> </ul> <p><b>ATTACHMENT</b></p> <ul style="list-style-type: none"> <li><a href="#">Model Local Planning Policy: Tree Retention</a></li> <li><a href="#">Letter from the WALGA President to the Minister for Minister for Planning; Lands; Housing; Homelessness</a></li> </ul>
<b>9.3 Local Emergency Management Arrangements (LEMA) Improvement Plan Implementation</b>	<p><b>That State Council note the Local Emergency Management Arrangement Improvement Project update.</b></p> <p><b>EXECUTIVE SUMMARY</b></p> <ul style="list-style-type: none"> <li>In December 2023, the State Emergency Management Committee (SEMC) endorsed a Local Emergency Management Arrangements (LEMA) Improvement Plan, including funding to deliver the first phase of the Plan.</li> <li>The LEMA Improvement Plan aims to progress the local emergency management reforms recommended by Local Governments in the LEMA Review and will be delivered as a partnership between WALGA and the Department of Fire and Emergency Services (DFES).</li> <li>WALGA has been allocated \$356,000 to employ a LEMA Project Lead to work directly with Local Governments to develop and pilot new LEMA approaches over an 18-month period.</li> </ul>
<b>9.4 Planning and Building Performance Monitoring Project</b>	<p><b>That State Council note the results of the 2022-23 Local Government Performance Monitoring Project.</b></p> <p><b>EXECUTIVE SUMMARY</b></p> <ul style="list-style-type: none"> <li>WALGA's Local Government Performance Monitoring Project has been undertaken annually since 2017.</li> <li>WALGA uses the findings of the project to support advocacy and policy development, particularly around planning and building regulation reform.</li> </ul>

Kimberley Country Zone: Minutes April 2024



Item / Matters for Noting / Information	WALGA Recommendations
	<ul style="list-style-type: none"> <li>42 Local Governments participated in the 2022-23 Project, representing approximately 90% of Western Australia's population and 94% of the State's total population growth between 2021 and 2022.</li> <li>The 2022-23 data shows that Local Governments have maintained high levels of performance in undertaking their strategic and statutory planning and building functions.</li> <li>The findings of the Project are incorporated into an online interactive dashboard publicly available through the WALGA website.</li> </ul> <p><b>ATTACHMENT</b></p> <ul style="list-style-type: none"> <li><a href="#">Key Indicator Snapshot</a></li> <li><a href="#">Performance Monitoring Dashboard</a></li> </ul>
<p><b>9.5 2024 WALGA Aboriginal Engagement Forum</b></p>	<p><b>That State Council note the report on the 2024 Aboriginal Engagement Forum.</b></p> <p><b>EXECUTIVE SUMMARY</b></p> <p>The WALGA Aboriginal Engagement Forum was held on 20 March 2024 at the State Reception Centre in Kaarta Gar-up (Kings Park).</p> <p>The Forum provides an opportunity for the WA Local Government sector and partners to embrace the principles of reconciliation, through respectful Aboriginal and community engagement.</p> <p>Feedback from speakers, attendees, WALGA Executive and State Councillors has been overwhelmingly positive, with 93 per cent of survey respondents saying they would attend future Forums.</p>
<p><b>10.1.1 Report on Key Activities, Advocacy Portfolio</b></p>	<p><b>That State Council note the Key Activity Report from the Advocacy Portfolio to the 1 May 2024 State Council meeting.</b></p> <p><b>Activities:</b></p> <p>Marketing Communications and Media – tv, print, radio, LinkedIn, social media Government Relations Events – WALGA Aboriginal Engagement Forum, Launch of 2024 WA Tree Festival</p>
<p><b>10.1.2 Report on Key Activities, Infrastructure Portfolio</b></p>	<p><b>That State Council note the Key Activity Report from the Infrastructure Portfolio for May 2024.</b></p> <p><b>Activities:</b></p>

Kimberley Country Zone: Minutes April 2024



Item / Matters for Noting / Information	WALGA Recommendations
	<p>Roads:</p> <ul style="list-style-type: none"> <li>Local Government Transport and Roads Research and Innovation Program (LGTRRIP)</li> <li>Condition Assessment of Roads of Regional Significance</li> <li>Road Rail Interface Agreements</li> <li>Update of User Guides for calculating the cost of road wear for defined freight tasks</li> </ul> <p>Funding:</p> <ul style="list-style-type: none"> <li>State Road Funds to Local Government Agreement 2023/24 – 2027/28</li> <li>Multi-Criteria Assessment (MCA) Model Revisions</li> </ul> <p>Transport:</p> <ul style="list-style-type: none"> <li>Regional Freight Strategy</li> <li>Bus Stop Infrastructure</li> </ul> <p>Utilities:</p> <ul style="list-style-type: none"> <li>Underground Power</li> <li>Streetlighting</li> </ul> <p>Road Safety:</p> <ul style="list-style-type: none"> <li>Road Safety Council Update</li> <li>RoadWise Councils</li> <li>RoadWise Recognised</li> </ul> <p>Asset Management:</p> <ul style="list-style-type: none"> <li>2022/23 Road Assets and Expenditure Report</li> </ul>
<p><b>10.1.3 Report on Key Activities, Member Services Portfolio</b></p>	<p><b>That State Council note the Key Activity Report from the Member Services Portfolio to the 1 May 2024 State Council meeting.</b></p> <p><b>Activities:</b></p> <p>Governance and Procurement:</p> <ul style="list-style-type: none"> <li>Standardised Meeting Procedures Discussion Paper</li> </ul> <p>Commercial:</p> <ul style="list-style-type: none"> <li>Preferred Supplier Program (PSP) Development</li> <li>Sustainable Energy Project</li> </ul> <p>Employee Relations:</p> <ul style="list-style-type: none"> <li>WA Industrial Relations Commission applications</li> <li>WALGA Salary and Workforce Survey 2023</li> <li>People and Culture Seminar</li> </ul>



Kimberley Country Zone: Minutes April 2024



Item / Matters for Noting / Information	WALGA Recommendations
	<p>Training:</p> <ul style="list-style-type: none"> <li>• LGA30120 Certificate III in Local Government</li> </ul> <p>Course offerings:</p> <ul style="list-style-type: none"> <li>• Report Writing for Informed Decision Making</li> <li>• Delegation and Authorisation – Essentials</li> <li>• Prevent Sexual Harassment &amp; Psychosocial Hazards in the Workplace (Senior Leaders' Workshop)</li> <li>• Active Bystanders (Train the Trainer)</li> </ul>
<p><b>10.1.4 Report on Key Activities, Policy Portfolio</b></p>	<p><b>That State Council note the Key Activity Report from the Policy Portfolio to the May 2024 State Council meeting.</b></p> <p><b>Activities:</b></p> <p>Economics:</p> <ul style="list-style-type: none"> <li>• March Economic Briefing</li> <li>• Updated Economic Development Framework and New Templates Released</li> <li>• WALGA Presentation at the Regional Development Australia WA Conference</li> </ul> <p>Environment and Waste:</p> <ul style="list-style-type: none"> <li>• New Climate Change Declarations</li> <li>• Regional Local Government Environmental Regulation Roundtable</li> </ul> <p>Planning and Building:</p> <ul style="list-style-type: none"> <li>• Planning Fees and Charges</li> <li>• Planning Information Sessions; State Planning Policy 7.3 Residential Design Codes (SPP7.3); Environmental Protection Amendment Regulations</li> <li>• Urban Forests; Tree Retention model Local Planning Policy Released; Urban Greening Grants; Urban Forest Working Group Meeting</li> </ul> <p>Emergency Management:</p> <ul style="list-style-type: none"> <li>• Emergency management Roundtable</li> <li>• State Emergency Management Committee</li> <li>• Emergency Management Sector Adaptation Plan</li> </ul> <p>Community</p> <ul style="list-style-type: none"> <li>• Aboriginal Affairs; Local Government Reconciliation Resource Hub; Aboriginal Cultural Heritage; National Reconciliation Week Webinar</li> </ul> <p><b>Commencement of Part 5 of the Public Health Act 2016</b></p> <p>In March, the State Government announced that <a href="#">Part 5 of the Public Health Act 2016</a> will be phased in from 4 June 2024. Under Part 5 the Department of Health must finalise and publish</p>

Kimberley Country Zone: Minutes April 2024



Item / Matters for Noting / Information	WALGA Recommendations
	<p>a new State Public Health Plan by 4 June 2025 and Local governments are required to create local public health plans that are consistent with the State Public Health Plan by 4 June 2026. In addition, some low-risk public health regulations will be replaced with guidelines and improvement notices and enforcement orders will be introduced.</p> <p>The Department of Health has committed to provide updates and engage with Local Governments to ensure a collaborative and informed approach to implementation. WALGA is working with the State Government to secure support and guidance for the sector.</p> <p><b>Town Team Training</b></p> <p>WALGA is delivering a free workshop for Local Governments to learn about the establishment and facilitation of resilient places through the Town Team Movement on Monday, 20 May at WALGA. Attendees will learn how to find innovative opportunities in a Local Government context, reduce risks in place improvement and community development projects, and better engage local businesses and residents.</p>

Kimberley Country Zone: Minutes April 2024



## 5.4 Status Report on State Council Resolutions

Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
<b>6 March 2024</b> Item 7.1 Polyphagous Shot-Hole Borer (PSHB) Biosecurity Response and Implications for Local Government	That State Council note: 1. The significant threat PSHB represents to growth and retention of urban forests. 2. WALGA and Local Government's engagement in the PSHB biosecurity response. 3. The importance of shared surveillance by government, industry and community to assist with eradication efforts. 4. The need for funding for trees lost due to PSHB and ameliorate the long term urban canopy impact. RESOLUTION 003.1/2024	For noting.	Complete	Nicole Matthews Executive Manager Policy
<b>6 March 2024</b> Item 8.1 Separation (Centre) And Edge Line Markings by Local Government on Low Volume Rural Roads	That WALGA endorse the below Advocacy Position: 1. Main Roads Western Australia allow Local Governments to install edge line and separation (centre) line markings on roads that meet all relevant criteria, but do not meet the criterion on traffic volume. 2. Main Roads Western Australia to consider reducing the traffic volume threshold in the Main Roads warrant for installing separation (centre) lines to recognise the proven safety benefits. 3. For this exemption, Local Governments must adhere to the following conditions: a) The Local Government contact Main Roads via the Regional Network Manager with their intent to undertake line marking on specific roads that do not meet the traffic volume criterion, but meet all the other criteria. b) The Local Government obtain a Council resolution, committing to fund all installation and maintenance costs. c) Local Government undertake spotting/surveying. d) Main Roads to undertake an inspection following the survey/spotting work, confirm the start and finish points for the longitudinal line markings, and record the sections of road with line markings to be maintained by Local Government in the relevant database. e) Main Roads approve the final layout prior to line marking occurring. f) Local Government undertake the works. g) Local Government maintain the works in accordance with Main Roads WA standards. h) Local Government remove the lines if maintenance works are not performed to the standard.	The <a href="#">Advocacy Positions Manual</a> has been updated.	March 2024	Ian Duncan Executive Manager Infrastructure



Kimberley Country Zone: Minutes April 2024

Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
	RESOLUTION 004.1/2024			
<b>6 March 2024</b> Item 8.2 Recovered Materials Framework Advocacy Position	That WALGA: 1. Rescind the existing WALGA <i>Standards for Recycled Organics Applied to Land Policy Statement 2007</i> and Advocacy Position 7.9:  Local Government: 1. Acknowledges the benefits of applying recycled organics to land, especially as a means of diverting organic material from landfill; and, 2. Supports the development of standards for applying recycled organics to land, to ensure a fit for purpose product is developed.  2. Endorse a new <i>Recovered Materials Framework</i> Advocacy Position as follows:  The use of recovered materials, across a range of applications, is essential in reducing the use of basic raw materials, meeting State Waste Strategy Targets and increasing diversion of waste from landfill. To ensure end users have high confidence in the quality and safety of products derived from recovered materials, consistent, outcomes-based standards and investment certainty are required.  The State Government, in consultation with Local Government and the waste management industry, should take a leadership role in facilitating the use of recovered material by:	The <a href="#">Advocacy Positions Manual</a> has been updated.	March 2024	Nicole Matthews Executive Manager Policy



Kimberley Country Zone: Minutes April 2024

Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
	<ol style="list-style-type: none"> <li>1. Developing a regulatory framework which:                             <ol style="list-style-type: none"> <li>a. Outlines clear, outcomes-based specifications for individual products which take into consideration the receiving environment and allow for site-specific assessment.</li> <li>b. Minimises risk to human health and the environment from the use of recovered material.</li> <li>c. Establishes robust systems to provide quality assurance and ongoing surveillance throughout the supply chain.</li> </ol> </li> <li>2. Providing guidance and support mechanisms for the successful implementation of the framework.</li> <li>3. Supporting the development of, and access to, sustainable end markets and long-term offtake agreements through initiatives such as active engagement with potential end users and the inclusion of recovered material content targets in Government procurement and large infrastructure projects.</li> </ol> <p>RESOLUTION 005.1/2024</p>			



Kimberley Country Zone: Minutes April 2024

Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
<b>6 March 2024</b> Item 8.3 Review of Cemeteries Act 1986 and Cremation Act 1929 Discussion Paper	That WALGA: 1. Supports the intent of the Review of Cemeteries Act 1986 and Cremation Act 1929 Discussion Paper to reduce red tape, modernise legislation and standardise administrative practices; 2. Supports the intent of providing accessibility for alternative types of burials and disposal of human remains; and 3. Advocates that Local Government cemetery managers retain the capacity to impose cemetery fees and charges under Part 6 of the Local Government Act.  RESOLUTION 006.1/2024	Correspondence sent to Minister for Local Government.  The <a href="#">Advocacy Positions Manual</a> has been updated.	March 2024	Tony Brown Executive Director Member Services
<b>6 March 2024</b> Item 8.4 Selection Committee Guidelines Review	That State Council endorse the Selection Committee Guidelines – <i>Selection Process for Appointments to State Government, Federal Government, WALGA and other Boards and Committees</i> , subject to the removal of the last dot point in Part D(i) i.e. whether the nominee has been sanctioned by the Local Government Standards Panel.  RESOLUTION 008.1/2024	Guidelines have been updated.	March 2024	Tony Brown Executive Director Member Services



Kimberley Country Zone: Minutes April 2024

Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
<b>6 March 2024</b> Item 8.5 Selection Committee Minutes – 19 December 2023 and 20 February 2024	That: 1. the resolutions contained in the 19 December 2023 Special Selection Committee Meeting Minutes be noted; and 2. the recommendations contained in the 20 February 2024 Selection Committee Meeting Minutes be endorsed.  RESOLUTION 009.1/2024	Selection Committee resolutions have been actioned.	March 2024	Tony Brown Executive Director Member Services
<b>6 March 2024</b> Item 8.6 Finance and Services Committee Minutes – 21 February 2024	That the Minutes of the Finance and Services Committee meeting held on 21 February 2024 be endorsed.  RESOLUTION 010.1/2024	The WALGA Budget Plan 2024—25 is currently being implemented.  The WALGA Investment Project will be referred to the 24/25 WALGA budget for funding for a full business plan.		Tony Brown Executive Director Member Services



Kimberley Country Zone: Minutes April 2024

Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
6 March 2024 Item 8.9 LGIS Board Remuneration	That State Council approve the remuneration for LGIS Board Members be increased by 6% for the 2024-25 financial year as per the LGIS Corporate Governance Charter guidance.  RESOLUTION 013.1/2024	The remuneration increase will be implemented for the 24/25 financial year.	March 2024	Tony Brown Executive Director Member Services
6 March 2024 Item 8.11 Use of the Association's Common Seal	That State Council: 1. Approve the use of the Common Seal for the \$65.9M LGIS Bank Guarantee for 2024. 2. Note the use of the Association's common seal for the following purposes: a. Funding Agreement between Department of Water and Energy and WA Local Government Association, and b. Fifth Deed of Amendment to Facility Agreement.  RESOLUTION 015.1/2024	Noted	March 2024	Tony Brown Executive Director Member Services





Kimberley Country Zone: Minutes April 2024

Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
<b>6 March 2024</b> Item 9.2 Governance Policy Team Report	That State Council:  3. Determine to: a. retain the following Advocacy Positions unchanged: i. 2.1.8 Differential Rates ii. 2.1.16 Recovery of Mining Tenement Rates b. retire the following WALGA Advocacy Position: i. 2.5.1 Public Notices ii. 2.5.21 Recordings and Live Streaming of Council Meetings  RESOLUTION 017.1/2024	The <a href="#">Advocacy Positions Manual</a> has been updated.	March 2024	Tony Brown Executive Director Member Services
<b>6 December 2023</b> Item 7.1 2023 Annual General Meeting Resolutions	That the following resolutions from the 2023 WALGA Annual General Meeting be referred to the appropriate Policy Team for further work to be undertaken  5.1 Local Governments' representation at the State Administrative Tribunal relating to planning matters within its district  <i>That WALGA lobby the State Government for legislative reform to enable Local Governments the automatic right to be a represented party at all State Administrative Tribunal hearings related to planning matters within its district.</i>  RESOLUTION 501.5/2023	That the Environment Policy Team met on 16 February 2024 and determined:  That the Environment Policy Team: 1. Note the 2023 AGM resolution, that WALGA lobby the State Government for legislative reform to enable Local Governments the automatic right to be a represented party at all State Administrative Tribunal hearings related to planning matters within its district. 2. Note that the AGM resolution is consistent with the intent of WALGA Advocacy Position 6.3 Third Party Appeal Rights, and 6.4 Development Assessment Panels.		Nicole Matthews Executive Manager Policy



Kimberley Country Zone: Minutes April 2024

Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
		<p>3. Requests that WALGA continue to pursue advocacy consistent with these positions as part of the Planning reform process.</p> <p>The WALGA Secretariat supports in principle the motion and notes that the DAP Advocacy Position is scheduled for review later in 2024. Proposals such as those raised by the Shire of Toodyay will be considered during this review.</p>		
<p><b>6 December 2023</b> Item 7.1 2023 Annual General Meeting Resolutions</p>	<p>That the following resolutions from the 2023 WALGA Annual General Meeting be referred to the appropriate Policy Team for further work to be undertaken</p> <p>5.2 Land Use Policy <i>That WALGA establish and promote policies to protect and prioritise the preservation of agricultural land against its displacement by non-agricultural activities that lead to a net reduction of the State's productive agricultural land.</i></p> <p>RESOLUTION 501.5/2023</p>	<p>This matter was considered by the Environment Policy Team at its meeting on 16 February.</p> <p>That the Environment Policy Team:</p> <p>1. Note the Research Paper: Protection of Productive Agricultural Land and the next steps outlined in the paper.</p> <p>In response, WALGA has prepared a Research Paper: Protection of Productive Agricultural Land that provides the policy context, history of WALGA's advocacy and analysis of State and Local Government approaches to agricultural land use protections.</p>		<p>Nicole Matthews Executive Manager Policy</p>



Kimberley Country Zone: Minutes April 2024

Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
		<p>The Research Paper outlines how the Western Australian planning framework guides planning for rural land uses and assets and the current tools available to Local Governments to adapt their local planning frameworks to respond to the concerns raised at the WALGA AGM.</p> <p>WALGA will meet with the Department of Planning, Lands and Heritage (DPLH) and the Department of Primary Industries and Regional Development (DPIRD) to discuss their progress with the various initiatives being undertaken on a State level to protect priority agricultural land.</p> <p>Following this, WALGA will report back to the Policy Team on potential further actions, and WALGA should pursue taking an advocacy position on this matter, and the scope and extent to any potential advocacy position.</p>		



Kimberley Country Zone: Minutes April 2024

Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
<b>6 December 2023</b> Item 7.1 2023 Annual General Meeting Resolutions	That the following resolutions from the 2023 WALGA Annual General Meeting be referred to the appropriate Policy Team for further work to be undertaken  5.4 Regional and Remote Housing <i>That WALGA advocates to the WA State and Commonwealth Governments to address the dire shortage of affordable key worker family housing options in regional and remote towns to encourage families to live and work in regional and remote towns. Social housing is addressed at both the State and Federal levels.</i>  RESOLUTION 501.5/2023	WALGA housing advocacy ongoing.		Nicole Matthews Executive Manager Policy
<b>1 March 2023</b> Item 7.4 Submission on Draft Guideline Minimising Noise Impact from Outdoor Community Basketball Facilities	That WALGA: 1. Note that the Environment Minister has withdrawn the Draft Guideline: Minimising noise impact from outdoor community basketball. 2. Write to the Ministers for Environment, Local Government, Sport and Planning requesting the formation of a cross Government working group, including relevant representative bodies, to consider and develop solutions to balance urban density and infill, public recreation and noise management.  RESOLUTION 422.1/2023	Correspondence sent and issue raised with the Minister's office on multiple occasions. WALGA will continue to pursue a response.	Ongoing	Nicole Matthews Executive Manager Policy



Kimberley Country Zone: Minutes April 2024

Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
<b>7 December 2022</b> Item 5.1 2022 Annual General Meeting Resolutions	The following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken:  3.1 Road Traffic Issues <i>That WALGA advocate on behalf of the local government sector to the State Government and in particular, Main Roads, to increase importance and weight given to local knowledge and input regarding road traffic issues including requests for speed reduction, intersection treatments and overall preventative and traffic safety measures.</i>  RESOLUTION 394.8/2022	The Infrastructure Policy Team resolved: <i>That efforts to increase the importance given to Local Government knowledge regarding traffic issues be deferred for consideration in mid-2023 after a clear Local Government advocacy position on speed management is developed and endorsed.</i>  This matter is central to the new Speed Management Policy adopted by State Council in May 2023. Implementation strategy being considered.	Ongoing	<b>Ian Duncan</b> <b>Executive Manager Infrastructure</b> <a href="mailto:iduncan@walga.asn.au">iduncan@walga.asn.au</a> 9213 2031
<b>7 December 2022</b> Item 5.1 2022 Annual General Meeting Resolutions	The following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken: ... 3.2 Car Parking and Traffic Congestion Around Schools <i>That WALGA engages with the State Government on behalf of Local Government to review issues associated with car parking and traffic congestion around school sites including but not limited to:</i> <ol style="list-style-type: none"> <li>1. Reviewing car parking standards for schools;</li> <li>2. Ensuring sufficient land is set aside for the provision of parking on school sites;</li> <li>3. Reviewing the co-location of schools to avoid issues being exacerbated;</li> <li>4. Restricting school access from major roads;</li> <li>5. Developing plans to enable schools to manage school traffic;</li> <li>6. Develop programs to educate drivers; and</li> </ol>	The Infrastructure Policy Team resolved: <i>That WALGA uses its role at the Safe Active Travel to School Working Group to advocate for these outcomes and provide advice back to the Local Government sector.</i>	Ongoing	<b>Ian Duncan</b> <b>Executive Manager Infrastructure</b> <a href="mailto:iduncan@walga.asn.au">iduncan@walga.asn.au</a> 9213 2031



Kimberley Country Zone: Minutes April 2024

Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
	<p>7. <i>Develop options and implement initiatives to encourage alternative modes of transport to school.</i></p> <p>RESOLUTION 394.8/2022</p>			
<p><b>7 December 2022</b> Item 5.1 2022 Annual General Meeting Resolutions</p>	<p>The following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken:</p> <p>3.3 Proposal for Regional Road Maintenance Contracts with Main Roads WA <i>That WALGA assist Local Governments and work with the Hon Minister Rita Saffioti to introduce a similar program that is currently in play in Queensland and introduce a sole invitee Program for Local Governments to engage in a Road Maintenance Performance Contract with Main Roads WA.</i></p> <p>RESOLUTION 394.8/2022</p>	<p>The Infrastructure Policy Team resolved:</p> <p><i>That the opportunities and interest in contracting Local Governments to undertake maintenance and minor works on the State road network be explored in discussion with Main Roads WA.</i></p>	Ongoing	<p><b>Ian Duncan</b> <b>Executive Manager Infrastructure</b> <a href="mailto:iduncan@walga.asn.au">iduncan@walga.asn.au</a> <b>9213 2031</b></p>



Kimberley Country Zone: Minutes April 2024

Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
<b>7 December 2022</b> Item 5.1 2022 Annual General Meeting Resolutions	The following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken:  3.4 Northern Australia Beef Roads Program <i>That WALGA work with the Hon Madeleine King MP Minister for Resources and Minister for Northern Australia to make Beef Road Funding available to all Australian Local Governments north and south, or establish a Southern Australia Beef Road Funding Program to allow for equitable support across Australia's beef and agriculture industries.</i>  RESOLUTION 394.8/2022		Ongoing	Ian Duncan Executive Manager Infrastructure <a href="mailto:iduncan@walga.asn.au">iduncan@walga.asn.au</a> 9213 2031
<b>1 December 2021</b> Item 5.3 2021 Annual General Meeting	That the following resolutions from the 2021 WALGA Annual General Meeting be endorsed for action:  Cost of Regional Development <i>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.</i>  RESOLUTION 294.7/2021	In March the State Government announced the establishment of a new Infrastructure Development Fund that includes a stream to support the delivery of regional worker accommodation with applications open until September 2024. This is an infrastructure investment program to address infrastructure constraints in the water, wastewater and electricity network at a precinct or strategic site scale impacting the delivery of regional worker accommodation. Full details can be found <a href="#">here</a> .	Ongoing	Ian Duncan Executive Manager Infrastructure <a href="mailto:iduncan@walga.asn.au">iduncan@walga.asn.au</a> 9213 2031



Kimberley Country Zone: Minutes April 2024

Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
<b>3 September 2021</b> Item 6.1 Stop Puppy Farming Legislation	1. That the update on the Dog Amendment (Stop Puppy Farming) Bill 2021 be noted. 2. That: a. any additional costs incurred by a Local Government in administering the Dog Act be paid by the State Government; and b. the Fees and Charges set in Regulations are reviewed bi-annually and at minimum, be adjusted by the Local Government Cost Index.  RESOLUTION 275.5/2021	The Department of Local Government, Sport and Cultural Industries released a Consultation Paper prepared by consultants Marsden Jacob Associates on the new and existing fees and charges under the <i>Dog Act 1976</i> and <i>Cat Act 2011</i> relating to the Stop Puppy Farming initiative.  Local Governments were encouraged to consider the various fees and charges proposed to be introduced for the following approvals: <ul style="list-style-type: none"> <li>• Dog and cat registration by owners and contributions to the Centralised Registration System;</li> <li>• Dog supply approvals;</li> <li>• Approvals to breed for dogs;</li> <li>• Pet shop approvals (only applicable to dogs).</li> </ul> The consultation period closed on 15 March 2024 and WALGA provided a submission in line with State Councils advocacy position as follows:  <i>That WALGA:</i> 1. <i>Welcomes a cost modelling review of the financial impact on Local Governments to ensure that Local Government is able to fully recover costs</i>	Completed	Tony Brown Executive Director Member Services





Kimberley Country Zone: Minutes April 2024

Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
		<p>and not be disadvantaged in ensuring compliance of any new legislation to Stop Puppy Farming;</p> <p>2. Supports a centralised dog registration system that is developed, operated and maintained by State Government;</p> <p>3. Any additional costs incurred by a Local Government in administering the Dog Act be paid by the State Government; and</p> <p>4. The Fees and Charges set in Regulations are reviewed biennially and at minimum, be adjusted by the Local Government Cost Index<sup>1</sup>.</p>		



Kimberley Country Zone: Minutes April 2024

## 5.5 COMPLETE ZONE STATUS REPORT –

Agenda Item	Zone Resolution	WALGA Response	Update	WALGA Contact
2021 20 April Zone Agenda Item 11.1 <b>Disaster Relief and Recovery Funding Arrangements</b>	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.	<p>In response to requests from WALGA, DFES staff undertook a series of consultation meetings with Regional Road Groups and on-line webinars to hear issues being experienced by Local Governments dealing with the Disaster Recovery Funding Arrangements.</p> <p>WALGA has continued to highlight that there are more than 30 claims in process, some dating back to 2021 that need to be resolved and progressed. During February DFES officers met with officers from many of the impacted Local Governments to progress the claims. Finding acceptable evidence of previous condition, maintenance and impact of the event is challenging.</p> <p>There is a commitment from DFES to finalise the legacy claims by the end of the current financial year.</p> <p>Further discussions with DFES are scheduled for April to monitor progress against this commitment.</p>	<b>July 2024</b>	<b>Ian Duncan</b> <b>Executive Manager Infrastructure</b> <a href="mailto:iduncan@walga.asn.au">iduncan@walga.asn.au</a> <b>9213 2031</b>



Kimberley Country Zone: Minutes April 2024

19 April 2022 Zone Agenda Item <b>9.7</b> <b>Underground Power</b>	That the Kimberley Regional Group requests that WALGA enter into discussions with Horizon Power in relation to programs and funding to transition overhead wires to underground power.	WALGA staff met with Juliane Bush (Community Engagement Manager) and Robin John (Government Relations and Stakeholder Engagement Manager) from Horizon Power during October and raised the opportunities from underground power in Pilbara and Kimberley towns. This is now listed for discussion at the next meeting.	<b>Ongoing</b>	<b>Ian Duncan</b> <b>Executive</b> <b>Manager</b> <b>Infrastructure</b> <a href="mailto:iduncan@walga.asn.au">iduncan@walga.asn</a> <a href="mailto:iduncan@walga.asn.au">.au</a> <b>9213 2031</b>
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Kimberley Country Zone: Minutes April 2024



Link to Key Pillar/s and Strategies:		Budget Implications	
<div> <div>People</div> <div>Place</div> <div>Prosperity</div> <div>Performance</div> </div>	<div> <div>Advocate</div> <div>Partner</div> <div>Promote</div> </div> <div> <div>Facilitate</div> <div>Fund</div> <div>Monitor</div> </div>	Nil	
Resolution/s		Action(s)	
<p><b>That the Kimberley Regional Group:</b></p> <ol style="list-style-type: none"> <li>1. Notes the report from the WALGA President</li> <li>2. Notes the State Council Agenda Items as circulated</li> <li>3. Supports the recommendations in the Matters for Decision contained within the State Council Agenda</li> <li>4. Acknowledges the Items for noting</li> <li>5. Acknowledges the Status Report on State Council Resolutions</li> <li>6. Notes the Kimberley Zone Status Report</li> </ol>		<p>Executive Officer to keep WALGA Executive up-to-date on the status of KRG's Financial Assistant Grant review and submission and the Community Safety and Crime Prevention strategy development.</p>	
<b>Moved:</b>	Shire of Derby West Kimberley	<b>Responsible:</b>	Executive Officer
<b>Seconded:</b>	Shire of Halls Creek	<b>Due date:</b>	TBD
<b>Carried:</b>	3/0		

## 5. Conclusion of Zone Matters: 2:49pm



## 6. Adoption of Policy and Advocacy Prioritisation Framework

### Item For Decision

Submitted by: Kathy Robertson, Manager Association and Corporate Governance

#### BACKGROUND

State Council uses a Policy and Advocacy Prioritisation Framework to guide discussion and decision-making on policy and advocacy issues. The Framework was developed in 2020 on the request of State Council to assist State Councillors in determining the priority of a particular issue relative to existing (and competing) policy and advocacy priorities.

The Framework (included below) utilises 11 criteria to sharpen thinking (e.g. the impact on the Local Government sector, the number of Member Local Governments affected, the level of support amongst the public or other stakeholders, etc.), and encourage decision-makers to consider the wider context and impacts of the issue before settling on a pathway forward.

The Great Southern Country Zone also adopted the Prioritisation Framework not long after it was developed in 2020.

#### COMMENT

It is proposed that all Zones consider adopting the Policy and Advocacy Prioritisation Framework as included below.

If the Zone were to adopt the Prioritisation Framework, Zone Delegates could use it to guide their decision-making when determining whether or not to request action or advocacy from WALGA on a particular issue (that is, sector-wide issues). Issues that are not sufficiently prioritised (that is, regional issues) could instead be dealt with at the Zone level (e.g. through direct advocacy efforts on behalf of the Zone).

The Prioritisation Framework could also be used by Zone Delegates when drafting Agenda items and motions on policy or advocacy issues, using the criteria as prompts for what kind of information to include.

The Prioritisation Framework does not remove the need for judgements to be made and is intended to *guide*, not replace, decision-making.

## Kimberley Country Zone: Minutes April 2024



How to use the Framework:

- If the majority of the factors are towards the left column, the issue is a high priority.
- If the majority of the factors are towards the middle, the issue requires action, but is not a high priority.
- If the majority of the factors are towards the right column, the issue is a low priority.

Following prioritisation, an appropriate and proportionate policy and advocacy approach can be determined.

<b>Impact on Local Government Sector</b> Impact on Local Government sector without intervention	High	Medium	Low
<b>Reach</b> Number of member Local Governments affected	Sector-wide	Significant (multiple regions, Zones, or bands)	Few
<b>Influence</b> Capacity to influence decision makers	High	Medium	Low
<b>Principles</b> Alignment to core principles such as autonomy, funding, general competence	Strong	Partial	Peripheral
<b>Clarity</b> Policy change needed is clear and well-defined	Clear	Partial	Unclear
<b>Decision-maker support</b> Level of support among decision-makers (political and administrative)	High	Medium	Low
<b>Public support</b> Level of support among the public or other stakeholders	High	Medium	Low
<b>Positive consequences for WALGA</b> Prospect of positive consequences for WALGA. E.g. enhanced standing among members or leverage for other issues.	High	Medium	Low
<b>Negative consequences for WALGA</b> Prospect of negative consequences for WALGA for not undertaking the advocacy effort. E.g. diminished standing among members or other stakeholders.	High	Medium	Low
<b>Partnerships</b> Potential for partnerships with other stakeholders	Yes (3+)	Possibly (1-2)	No (0)

Kimberley Country Zone: Minutes April 2024



Link to Key Pillar/s and Strategies:			Budget Implications	
People Place Prosperity Performance	Advocate Partner Promote	Facilitate Fund Monitor		
Resolution/s			Action(s)	
That the Kimberley Country Zone adopt the Policy and Advocacy Prioritisation Framework to determine the priority of a particular policy or advocacy issue, and guide future decision-making.			Any papers submitted by the Kimberley Zones to state council will reflect this Policy and Advocacy Prioritisation Framework.	
Moved:	Shire of Wyndham East Kimberley		Responsible:	Executive Teram
Seconded:	Shire Derby West Kimberley		Due date:	As required
Carried:	3/0			



## 7. Importance of WALGA becoming a Registered Employer Organisation

### Item For Noting

Submitted by: Tony Brown, Executive Director, Member Services,

#### Background

Currently, WALGA is a registered industrial agent under the [Industrial Relations Act 1979 \(WA\) \(IR Act\)](#) which allows us to:

Since the mandate for Local Governments<sup>1</sup> to operate in the State industrial relations (IR) system

- appear as an agent for a WA Local Government or Regional Council (**Local Government**) in the Western Australian Industrial Relations Commission (**WAIRC**), Industrial Magistrate's Court or Industrial Appeal Court (**State Courts**); and
- provide advice or other services to Local Governments in relation to 'industrial matters' as defined in s.7 of the IR Act.

January 2023, unions<sup>2</sup> have commenced various Local Government State awards<sup>3</sup> (**LG State Awards**) variation claims in the WAIRC to amend industry employment conditions including to:

In addition the WASU, LGRCEU and other unions (such as the **Construction, Forestry, and**

- increase minimum wages for outside workers;
- introduce Fair Work standards in the State system (increase casual loading from 20 to 25%; insert casual conversion; and insert flexible working arrangements) and other conditions (insert employment equity for Aboriginal and Torres Strait Islander persons; insert cultural and ceremonial leave; and amend severance pay for regional redundancies); and
- increase industry allowance for compensation for disabilities on construction and maintenance work.

**Maritime Employees Union (CFMEU)** as 'employee organisations' can make industrial agreements with Local Government employers under the IR Act.

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<sup>1</sup> with the exception of the Shires of Christmas Island and Cocos (Keeling) Islands

<sup>2</sup> The Western Australian Municipal, Administrative, Clerical and Services Union of Employees (**WASU**) and the Local Government, Racing and Cemeteries Employees Union (WA) (**LGRCEU**)

<sup>3</sup> The [Local Government Officers' \(Western Australia\) Award 2021](#) and the [Municipal Employees \(Western Australia\) Award 2021](#). These awards have not been updated significantly since prior to the introduction of the *Fair Work Act 2009* (Cth). They were old 1999 Federal awards which were registered without amendment as interim awards in 2011 in the State system. They then became State awards in 2021. No significant amendments have been made to these awards over 23 years.



Kimberley Country Zone: Minutes April 2024



A [recent decision of the WAIRC](#) has outlined although WALGA may intervene in award matters we are unable to represent named LG State Award employers and the broader Local Government sector in our own right.

Despite WALGA's advocacy since December 2022, the State Government has not agreed a pathway for WALGA to be provided with standing as an employer organisation under the IR Act.

For WALGA to represent Local Governments' views and have the same standing as the unions under the IR Act it has become vital for WALGA to seek to amend its constitution to apply to become an employer organisation.

If WALGA was to become an employer organisation it would provide more opportunity for WALGA to modernise the LG State Awards and intervene in industrial matters concerning the Local Government sector. In addition, the WAIRC is more likely to notify WALGA of award applications or variations and industrial agreement changes reducing the risk of unions being able to change the terms and conditions of the sector, with limited to no input from Local Governments or WALGA.

**Comment**

WALGA will be looking to amend its constitution to enable WALGA to become a registered employer organisation at the 2024 AGM in October 2024.

An agenda item will be prepared for the June/July round of Zone/State Council meetings detailing the proposed amendments.

This item is for the Zones awareness of the need for WALGA to become an employer organisation and to note that constitutional amendments will be required.

For any questions about the constitutional amendment process, please contact Tony Brown, Executive Director Member Services, [tbrown@walga.asn.au](mailto:tbrown@walga.asn.au) or (08) 9213 2051.

Kimberley Country Zone: Minutes April 2024



Link to Key Pillar/s and Strategies:				Budget Implications
People Place Prosperity Performance	Advocate Partner Promote	Facilitate Fund Monitor		Nil
Resolution/s				Action(s)
That the Kimberley Country Zone note the importance of WALGA becoming a registered employer organisation				Nil
Moved:	Shire of Derby West Kimberley			Responsible: -
Seconded:	Shire of Halls Creek			Due date: -
Carried:	3/0			



## 8. Enhanced and Alternative Education Opportunities for Regional WA

### Item For Decision

Submitted by: Great Southern Country Zone

Attachment 3: Letter from Cr Scott Crosby, Chair, Great Southern Country Zone

### BACKGROUND

The Great Southern Country Zone has written to the Minister for Education, Hon. Tony Buti MLA Zone seeking support to prioritise increased State Government investment to improve regional education, including:

The Great Southern Country Zone's call to action from State Government, seeks to reduce

- Increased access to alternative programs for students disaffected by main-stream education, those at risk or who have specific learning needs, who may be disruptive, falling behind and at risk of failing to learn; providing these students with intensive support, active, empathic, and practical instruction, combined with health and other services to enable their success.
- Increased secondary education distance ATAR, VET and other WACE subject courses, if necessary supplemented by private providers, with qualified teacher mentoring and support provided in schools closest to students, supplemented with online access to subject specialist teachers to enable student success.
- Implement strategies to attract and retain quality teachers and subject specialists in remote communities, including:
  - Subsidised high standard GROH housing.
  - Increased financial bonuses, for remote locations and to encourage longer term retention.
- Providing sufficient GROH housing for State Government employees to reduce pressure on regional private rental availability and improve housing security for teachers and all Government service staff when transferring to regional locations.

disadvantage for students living in regional Western Australia, so they can access the same quality educational opportunities available in metropolitan and regional centres, without need to attend boarding schools. In addition, these strategies will also deliver substantial economic and social benefit for regional communities.

Kimberley Country Zone: Minutes April 2024



**COMMENT**

If your region also experiences disadvantage in educational opportunities, the Great Southern Country Zone now seeks your consideration of the below recommendations and if the Kimberley Country Zone accepts the recommendations below, then your Zone may use the above content to assist in developing your submissions.

Kimberley Country Zone: Minutes April 2024



Attachment 3 Letter from Cr Scott Crosby, Chair, Great Southern Country Zone

**GREAT SOUTHERN COUNTRY ZONE**  
PO Box 1544  
WEST PERTH 6872  
Ph: (08) 9213 2042  
email: ifogg@walga.asn.au



21 March 2024

Hon. Dr Tony Buti BPE DipEd MIR LLB DPhil MLA  
Minister for Education  
5th Floor, Dumas House  
2 Havelock Street  
WEST PERTH WA 6005

Dear Minister

Representing the Local Governments of:  
Albany  
Broomehill-Tambellup  
Cranbrook  
Denmark  
Gnowangerup  
Jerramungup  
Katanning  
Kent  
Kojonup  
Plantagenet  
Woodanilling

**Enhanced and Alternative Education Opportunities for Regional WA**

Thank you for attending and speaking at WALGA's Great Southern Country Zone August 2023 meeting in Albany. The information presented by yourself, and Department of Education representative Nikolai Emery, was valuable and assisted our Zone to shape our advocacy.

The Great Southern Country Zone seeks your support to prioritise increased State Government investment to improve regional education, including:

- Increased access to alternative programs for students disaffected by main-stream education, those at risk or who have specific learning needs, who may be disruptive, falling behind and at risk of failing to learn; providing these students with intensive support, active, empathic, and practical instruction, combined with health and other services to enable their success.
- Increased secondary education distance ATAR, VET and other WACE subject courses, if necessary supplemented by private providers, with qualified teacher mentoring and support provided in schools closest to students, supplemented with online access to subject specialist teachers to enable student success.
- Implement strategies to attract and retain quality teachers and subject specialists in remote communities, including:
  - o Subsidised high standard GROH housing.
  - o Increased financial bonuses, for remote locations and to encourage longer term retention.
- Providing sufficient GROH housing for State Government employees to reduce pressure on regional private rental availability and improve housing security for teachers and all Government service staff when transferring to regional locations.

Our call to action from State Government, seeks to reduce disadvantage for students living in regional Western Australia, so they can access the same quality educational opportunities available in metropolitan and regional centres, without need to attend boarding schools. In addition, these strategies will also deliver substantial economic and social benefit for regional communities.

Kimberley Country Zone: Minutes April 2024



I welcome your enquiries should you need further insights, and we look forward to your Ministerial support to achieve improved outcomes for our communities.

Yours sincerely

Cr Scott Crosby  
Chair, Great Southern County Zone

Link to Key Pillar/s and Strategies:		Budget Implications	
People Place Prosperity Performance	Advocate Partner Promote Facilitate Fund Monitor	Nil	
Resolution/s		Action(s)	
<b>That the Kimberley Country Zone:</b> 1. Support the call to action to reduce regional disadvantage in educational opportunities. 2. Request the WALGA Secretariat to advocate to State Government on this matter.		Nil	
<b>Moved:</b>	Shire of Wyndham East Kimberley	<b>Responsible:</b>	-
<b>Seconded:</b>	Shire of Derby West Kimberley	<b>Due date:</b>	-
<b>Carried:</b>	3/0		



THE  
**KIMBERLEY**  
REGIONAL GROUP

Meeting Minutes

19 April 2024



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## Table of Contents

1. MEETING OPEN: 2:50PM.....	3
2. ATTENDANCE AND APOLOGIES.....	3
3. DISCLOSURES, CONFLICTS AND DECLARATIONS OF INTEREST:.....	4
4. MINUTES OF THE LAST MEETING .....	4
5. CORRESPONDENCE .....	10
6. FORMAL PRESENTATIONS .....	30
7. 2024/25 INVESTMENT PROSPECTUS.....	31
8. KIMBERLEY HOUSING ROUNDTABLE.....	33
9. CO-OPERATIVE RESEARCH CENTRE NORTHERN AUSTRALIA .....	35
10. ADVOCACY STRATEGY MANAGEMENT AND MAINTENANCE OF SOCIAL HOUSING.....	40
11. INQUIRY INTO LOCAL GOVERNMENT SUSTAINABILITY .....	48
12. KIMBERLEY REGIONAL GROUP PRIORITY ACTION LIST.....	55
13. AROUND THE GROUNDS .....	60
14. KRG POSITION PAPERS.....	62
15. ELECTION STRATEGY.....	64
16. EXECUTIVE OFFICER REPORT.....	66
17. GENERAL BUSINESS.....	70
18. MEETING CLOSURE: 5:00PM .....	73



Kimberley Regional Group: Minutes 19 April 2024



## 1. Meeting Open: 2:50pm

Chair acknowledged the Traditional Custodians of the different lands on which people meet today, and paid respect to all the Elders past, present and emerging.

## 2. Attendance and Apologies

Name	Shire / Council / Organisation	Method
<b>Members</b>		
Cr David Menzel (Chair)	President, Shire of Wyndham East Kimberley	Zoom
Cr Peter McCumstie	President, Shire of Derby West Kimberley	Zoom
Cr Trish McKay	Deputy Shire President, Shire of Halls Creek	Zoom
<b>Observers</b>		
James Watt	Director Corporate Services, Shire of Broome	Zoom
Cr Geoff Haerewa	Deputy President, Shire of Derby West Kimberley	Zoom
Amanda Dexter	CEO, Shire of Derby West Kimberley	Zoom
Musa Mono	Acting CEO, Shire of Halls Creek	Zoom
Vernon Lawrence	CEO, Shire of Wyndham East Kimberley	Zoom
<b>Executive Support Team</b>		
Paul Rosair	Principal, NAJA Business Consulting Services	Zoom
Michelle Mackenzie	Principal, Mira Consulting	Zoom
Jane Lewis	Principal, Redit Research	Zoom
Rebecca Billing	Administrative Assistant, NAJA Business Consulting Services	Zoom
<b>Presentations</b>		
BBY	CEO, Christy Hawker	Zoom
Co-operative Research Centre for Northern Australia (CRCNA)	Chief Scientist CRCNA and Professor of Tropical Regional Development, The Cairns Institute and James Cook University, Dr Allan Dale	Zoom
Hon. Louise Kingston	Member for the South West Region. Shadow Minister for Regional Cities; Climate Action; Tourism	Zoom
<b>Apologies</b>		
Sam Mastrolembo	CEO, Shire of Broome	
Cr Chris Mitchell	President, Shire of Broome	

Kimberley Regional Group: Minutes 19 April 2024



Cr Desiree Male	Deputy Shire President, Shire of Broome	
Cr Malcolm Edwards	President, Shire of Halls Creek	
Cr Tony Chafer	Deputy Shire President, SWEK	
West Kimberley Empowered Communities	COO, Mala Haji-Ali	

### 3. Disclosures, Conflicts and Declarations of Interest:

Financial Interest / Impartiality			
Member	Item Number	Item	Nature of Interest

### 4. Minutes of the last meeting

#### Item for Decision

Submitted by: Secretariat

Attachment 1: Matters Arising and Outstanding Business

### Confirmation of Previous Minutes

Resolution/s		Action(s) / Budget Implications	
That the Minutes of the Kimberley Regional Group held on 16 February 2024, as published and circulated, be confirmed as a true and accurate record of that meeting.		See Attachment 1 – Matters Arising and Outstanding Business  Note: Treasurer's report will be provided at the June meeting.	
<b>Moved:</b>	Shire of Deby West Kimberley	<b>Responsible:</b>	See Attachment
<b>Seconded:</b>	Shire of Wyndham East Kimberley	<b>Due date:</b>	As appropriate
<b>Carried: 3/0</b>			

Kimberley Regional Group: Minutes 19 April 2024



## Attachment 1 Matters Arising and Outstanding Business

Date / Item	Action / Progress	Responsible
<b>Resilience and Recovery</b>		
15/06/2023	<p><b>Action:</b></p> <ol style="list-style-type: none"> <li>The Executive Team will seek to engage with the WALGA Working Group on behalf of the KRG</li> <li>Members note that the KRG will make a written submission to the two inquiries taking into consideration the State Emergency Services Minister's advice</li> <li>Members approve the drafting of an Emergency Services position paper</li> </ol> <p><b>Status / Progress:</b></p> <ol style="list-style-type: none"> <li>In Progress: Information sought from WALGA on how local governments can have input into the Disaster Recovery Funding Arrangements (DRFA) Review.</li> <li>2a. Complete: A submission to the Independent Review of Commonwealth Disaster Funding was lodged to the Review team and a submission lodged with the Senate Inquiry.</li> <li>2b. Complete: The WA LEMA Review, progressed by the WA Local Government Association and the Department of Fire and Emergency Services, was endorsed by SEMC in August. The plan has been uploaded to the SEMC website - <a href="https://www.wa.gov.au/government/announcements/lema-review-project-outcomes">https://www.wa.gov.au/government/announcements/lema-review-project-outcomes</a></li> <li>3. Complete: The Position Paper was endorsed 23/11/2023 and the revised Paper on the 19<sup>th</sup> April 2024</li> </ol>	Executive Officer and CEO SDWK
<b>Priority Action List</b>		
15/6/2023	<p><b>Action:</b></p> <ol style="list-style-type: none"> <li>KRG members to provide any feedback to the Executive Team before 7/7/2023.</li> <li>Executive Team allocates resources from contract hours to implement.</li> <li>Executive Team scope out project costings for additional consultancy work as required</li> </ol> <p><b>Status / Progress:</b></p> <ol style="list-style-type: none"> <li>Complete</li> <li>Complete</li> <li>In progress</li> </ol> <p>Note an updated on the Priority Action List is a standing item on the KRG agenda. See Item 13.</p>	Executive Team

5 | Page

Kimberley Regional Group: Minutes 19 April 2024



Date / Item	Action / Progress	Responsible
<b>Administrative Matters</b>		
21/02/2024	<b>Action:</b> Executive Officer to work with Dr Allan Dale regarding CRCNA  <b>Status / Progress:</b> In Progress. Dr Allan Dale to present to the members. See item 10	Executive Team
<b>State and Federal Government Election Strategy</b>		
4/10/2023	<b>Action:</b> <ol style="list-style-type: none"> <li>Executive Team to work on providing materials and methodology for the election strategy.</li> <li>Executive Team to proceed on developing the election strategy in accordance with the proposal tabled 23/11/2023</li> <li>16/02/2024 – Executive Team to follow up with Shire of Derby regarding projects for the Investment Prospectus</li> <li>16/02/2024 – Kimberley Disaster Resilience to be used as the flag ship project on the front of the Prospectus</li> <li>Executive Officer negotiating with Liz Ritchie, CEO, RAI to attend the August 13<sup>th</sup>-15<sup>th</sup> Summit in Canberra</li> </ol> <b>Status / Progress:</b> <ol style="list-style-type: none"> <li>Complete</li> <li>In Progress. See Item 16</li> <li>The Derby West Kimberley advised projects would be received following the meeting on the 19<sup>th</sup> April.</li> <li>Disaster resilience has been included at the front of the Prospectus as a flag ship project. Also a new section on Closing the Gap has been included.</li> <li>Emails sent to members regarding interest in attending and email sent to Liz Ritchie regarding sponsorship opportunities. A proposal has been received and the Executive Officer is liaising with Liz Ritchie on this proposal and will bring it to the KRG for consideration.</li> </ol>	Executive Team
<b>Kimberley Development Commission Funding Proposal</b>		
4/10/2023	<b>Action:</b> <ol style="list-style-type: none"> <li>Further research is to be conducted into the KDC data funding proposal before a decision is made</li> <li>Letter to be sent to the KDC requesting a meeting to discuss the outcomes of the research and other regional issues</li> <li>A copy of the letter sent to KDC to be sent to Cr Geoff Haerewa to follow up.</li> </ol>	Executive Team

Kimberley Regional Group: Minutes 19 April 2024



Date / Item	Action / Progress	Responsible
	<b>Status / Progress:</b> <ol style="list-style-type: none"> <li>In Progress</li> <li>Letter sent. No response received as yet</li> <li>Complete. Letter sent to Cr Geoff Haerewa 27/02/2024.</li> </ol>	
<b>Kimberley Housing Roundtable</b>		
16/02/2024	<b>Action</b> <ol style="list-style-type: none"> <li>Executive Team to write to the Kimberley Development Commission seeking \$10,000 towards the cost of the Kimberley Housing Roundtable</li> <li>Executive Team to write to Regional Development Australia Kimberley seeking up to \$5,000 towards the cost of the Kimberley Housing Roundtable</li> <li>KRG committed \$5,000 at the February 16<sup>th</sup> meeting.</li> </ol> <b>Status / Progress:</b> <ol style="list-style-type: none"> <li>Letter sent 26/02/2024. KDC approved \$10,000. See Item 9 &amp; Correspondence.</li> <li>Letter sent 26/02/2024. RDA Kimberley approved \$2,500</li> </ol>	Executive Team
<b>Advocacy Strategy Management &amp; Maintenance of Social Housing</b>		
16/02/2024	<b>Action</b> <ol style="list-style-type: none"> <li>Executive Officer to develop a strategy and discuss at the April 2024 meeting.</li> </ol> <b>Status / Progress:</b> <ol style="list-style-type: none"> <li>Strategy developed. See Item 11.</li> </ol>	Executive Team
<b>Alcohol Restrictions</b>		
16/02/2024	<b>Action</b> <p>Executive Team to work with RCAWA and Hotels Association (AHA) on advocacy and submission letter.</p> <b>Status / Progress:</b> <p>AHA has shared their Show Cause notice for Broome which with our BDR submission and position paper on management of alcohol and drugs will form the basis of a joint advocacy letter / submission to government from KRG, RCAWA and AHA.</p>	Executive Team
<b>Kimberley Volunteer Resource Centre</b>		
16/02/2024	<b>Action</b> <p>Members to take the Regional Volunteering Strategy 2020 to their individual council meetings for endorsement and to report back to the Executive Officer to action a whole of KRG endorsement.</p>	Members

Kimberley Regional Group: Minutes 19 April 2024



Date / Item	Action / Progress	Responsible
	<b>Status / Progress:</b> Email reminder with copy of the Volunteering Strategy sent to members on the 6 <sup>th</sup> of March 2024.	
<b>Review of Financial Assistance Grants (FAGs)</b>		
23/11/2023	<b>Action:</b> SWEK is running a procurement process and has issued an RFQ  <b>Status / Progress:</b> Procurement process complete. NAJA engaged to undertake this project and start date TBC.	Vernon Lawrence
<b>Community Safety and Crime Prevention Investment Package</b>		
23/11/2023	<b>Action:</b> SWEK is running a procurement process and has issued an RFQ  <b>Status / Progress:</b> Procurement process complete. NAJA engaged to undertake this project and start date TBC.	Vernon Lawrence
<b>Benchmarking</b>		
23/11/2023	<b>Action:</b> <ol style="list-style-type: none"> <li>Executive Team to approach RCAWA and request the use of the benchmarking templates.</li> <li>Executive Team to email CEO's requesting a contact to send the spreadsheet to start collecting the information.</li> </ol> <b>Status / Progress:</b> <ol style="list-style-type: none"> <li>Complete: RCAWA approved KRG to use the benchmarking template.</li> <li>In Progress: Emails sent and information received from Broome and SWEK. Derby working on providing the information by the 19<sup>th</sup> of April. Follow up email sent to Halls Creek 05/04/2024.</li> </ol>	Executive Team / Members

<b>Watching Brief</b>
Aboriginal Heritage Act: Now pending Department updates on rescinded legislation. On 15 November 2023, the <i>Aboriginal Heritage Act 1972</i> was restored as the legislation that manages Aboriginal heritage in Western Australia some amendments drawn from feedback from consultation. Approval is only required where there is potential for any harm to an Aboriginal site.
WA Development Index – response received from the Department of Local Government, Sport and Cultural Industries. To be raised with the new Minister for Local Government.
Banned Drinkers Register – Legislation passed. KRG media release issued and picked up in local papers. Implementation and outcomes will be monitored.

Kimberley Regional Group: Minutes 19 April 2024



State government funding to support young people in the Kimberley. Cr McCumstie is the KRG observer member on the Aboriginal Youth Wellbeing Steering Committee (AYWSC) and will provide updates as required. Note the Aboriginal Regional Governance Group (ARRG) has been undertaking media expressing disappointment at the lack of government commitment to implement recommendations of reports into youth suicide in the Kimberley. New \$4M community-led Immediate Response Night Space (IRNS) service for young people in Broome. There is no overarching youth justice strategy for the region.
Tanami Road funding – Letter sent to Minister Catherine King on 28/05/23. Response received. Commonwealth confirmation that the project would proceed and an additional \$200M funding announced 16/11/2023. KRG media release issues and picked up in local papers. Shire of Halls Creek leading work on a Tanami Activation Strategy.
First Point of Entry (FPOE) Wyndham and Broome - Minister King announced in February 2024 that work will be undertaken for the enhanced FPOE status for Broome. This includes working with Border Force and the Department of Agriculture, Fisheries and Forestry.
North West Defence and Border Security – April 2024 letter sent to State and Federal Government expressing concern.

Resolved
Media and Communications Policy and Stakeholder Engagement Plan
Letters of congratulations to new State Ministers
Audited statements circulated
KRG meeting dates set and circulated
Service Level Agreement
Policy Position Papers
Investment Prospectus 2023/24
Lord Mayors Distress Relief Funding
MOU finalised and signed
Insurance Costs relief as a result of flood impacts
Potential tourism opportunities for total eclipse events, provided by Kym Francesconi
Regional Road Group: Shire allocations
KRG Website and LinkedIn profile - operational
BBY and WKFEC invitation to present to KRG
National Housing and Homelessness Plan submitted 20/10/2023. Published DSS Engage Website
Service Level Agreement Assessment – 5% increase endorsed 23/11/2023
July – September quarterly report – 23 November 2023 meeting.
Simplified Governance Compliance Papers – endorsed 23 November 2023 meeting
Regional Road Group Road Projects Funding Allocation – wrote to WALGA outlining KRG's position
Emergency Management Policy Position – Wrote to Matt Reimer DFES
Members advised Cr Mitchell of their response to the Regional Road Group Project grant funding
Ministerial notes 15/02/24 – Minister Papalia, Minister Beazley, Premier. Sent to members 26/02/24
Requirements for the Deputy Chair position clarified and stands endorsed as per November 2023



## 5. Correspondence

### Item for Noting

#### Submitted by: Secretariat

- Attachment 2: Correspondence In:** Chuck Berger, CEO, Kimberley Development Commission
- Attachment 3: Correspondence In:** Luke Boshier, Head of Program, Strategy and Impact Housing Australia
- Attachment 4: Correspondence In:** Hon Hannah Beazley MLA, Minister for Local Government
- Attachment 5: Correspondence Out:** Chuck Berger, CEO, Kimberley Development Commission
- Attachment 6: Correspondence Out:** Janine Hatch, Director, Regional Development Australia Kimberley
- Attachment 7: Correspondence Out:** Luke Boshier, Head of Program Strategy and Impact Housing Australia
- Attachment 8: Correspondence Out:** Hon Roger Cook MLA, Premier
- Attachment 9: Correspondence Out:** Hon Don Punch MLA, Minister for Regional Development
- Attachment 10: Correspondence Out:** Hon Hannah Beazley MLA, Minister for Local Government
- Attachment 11: Correspondence Out:** Hon Richard Maries, Hon Clare O'Neil, Hon Pat Conroy, Hon Matt Keogh, Hon Madeleine King, Hon Kristy McBain, Hon Paul Papalia, Ms Divina D'Anna

Note: Correspondence considered of an administrative nature, such as meeting invites etcetera, will not be tabled.

Correspondence In	
Date	06/03/2024
From	Chuck Berger, CEO, Kimberley Development Commission
Topic	Kimberley Housing Roundtable
Attachment	2
Date	06/03/2024
From	Luke Boshier, Head of Program, Strategy and Impact Housing Australia
Topic	Kimberley Housing Roundtable
Attachment	3
Date	10/04/2024
From	The Hon Hannah Beazley MLA, Minister for Local Government
Topic	Key issues and actions raised at the meeting
Attachment	4



Kimberley Regional Group: Minutes 19 April 2024



Correspondence Out	
Date	26/02/2024
From	Michelle Mackenzie, Executive Support, Kimberley Regional Group
To	Mr Chuck Berger; CEO; Kimberley Development Commission
Topic	Kimberley Housing Roundtable
Attachment	5
Date	26/02/2024
From	Michelle Mackenzie, Executive Support, Kimberley Regional Group
To	Ms Janine Hatch; Director; Regional Development Australia Kimberley
Topic	Kimberley Housing Roundtable
Attachment	6
Date	01/03/2024
From	Michelle Mackenzie, Executive Support, Kimberley Regional Group
To	Luke Bosher: Head of Program, Strategy and Impact Housing Australia
Topic	Kimberley Housing Roundtable
Attachment	7
Date	14/03/2024
From	Paul Rosair, Executive Officer, Kimberley Regional Group
To	The Hon Roger Cook MLA, Premier
Topic	Key issues and actions raised at the meeting
Attachment	8
Date	14/03/2024
From	Paul Rosair, Executive Officer, Kimberley Regional Group
To	The Hon Don Punch MLA, Minister for Regional Development
Topic	Key issues and actions raised at the meeting
Attachment	9
Date	14/03/2024
From	Paul Rosair, Executive Officer, Kimberley Regional Group
To	The Hon Hannah Beazley MLA, Minister for Local Government
Topic	Key issues and actions raised at the meeting
Attachment	10
Date	10/04/2024
From	David Menzel, Chair, Kimberley Regional Group
To	Hon Richard Maries, Hon Clare O'Neil, Hon Pat Conroy, Hon Matt Keogh, Hon Madeleine King, Hon Kristy McBain, Hon Paul Papalia, Ms Divina D'Anna MLA
Topic	Kimberley Defence and Border Force Response
Attachment	11

Kimberley Regional Group: Minutes 19 April 2024



Resolution/s		Action(s) / Budget Implications	
That the Correspondence be received and noted, and that the Executive Officer be directed on a response, if required.		Nil	
Moved:	Shire of Derby West Kimberley	Responsible:	
Seconded:	Shire of Halls Creek	Due date:	
Carried: 3/0			

Kimberley Regional Group: Minutes 19 April 2024



<b>Attachment 2 Correspondence In: Kimberley Housing Roundtable</b>
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**From:** EO <[eo@kdc.wa.gov.au](mailto:eo@kdc.wa.gov.au)>  
**Sent:** Wednesday, March 6, 2024 4:04 PM  
**To:** Michelle Mackenzie <[michelle@mira-consulting.com.au](mailto:michelle@mira-consulting.com.au)>  
**Cc:** Chuck Berger <[chuck.berger@kdc.wa.gov.au](mailto:chuck.berger@kdc.wa.gov.au)>  
**Subject:** Kimberley Regional Group Housing Forum - KDC Grant Agreement

Good Afternoon Michelle,

The KDC Board have recently approved funding of \$10,000 to the Kimberley Regional Group, towards a Kimberley-wide Housing Forum.  
Please find grant agreement attached for your review, signing, and return, along with an invoice with the amount plus GST.

Please let me know if you have any questions or if we can assist further at this time.

Kind regards,

**Lexi Drygan**  
Executive Officer

7 Ebony Street, Kununurra WA 6743  
PO Box 620, Kununurra WA 6743  
M: 0429 999 395  
[eo@kdc.wa.gov.au](mailto:eo@kdc.wa.gov.au) | [kdc.wa.gov.au](http://kdc.wa.gov.au)



Kimberley Regional Group: Minutes 19 April 2024



Attachment 3 Correspondence In: Kimberley Housing Roundtable
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Hi Michelle,

Thanks again for the conversation we had last week and for this information.

A Roundtable with the relevant local governments and other stakeholders you've listed seems very useful from our perspective. Housing Australia would be pleased to attend. Just for your info, I wouldn't be able to do the week of 8 April as I'm already committed to another event in the NT. No doubt scheduling's always going to a bit tricky, but let us know where you land on proposed timing.

In addition to attending, we are also happy to contribute to the drafting of background materials around how Housing Australia can be part of the response to the housing needs and opportunities in the region.

On other support, I'm discussing this internally to see if there is an opportunity to support in some way. I will come back to you soon on that. It's not something we have done before, so I'm not sure where we will land at this stage. But will let you know as soon as I can.

On the agenda and attendees - I don't have any specific feedback. I thought it looks right from where I sit. Minderoo is the only other group I thought might be interested and helpful (Cronje or Louise), but there might be reasons you want to not have them in this particular Roundtable.

Housing Australia is most interested in the really practical part of where we go from here, how we form up a solid proposal for government (WA Gov, Housing Australia, and others) and what would be in it. That to me is the outcome of the after lunch sessions, and you might want to think about whether there's benefit in having a bit more time for that really practical pipeline and next steps discussion. I suspect there's also a subset of the overall attendees who could talk more intensively about what that looks like (the 4 LG CEOs, yourselves, KDC, us plus the Indigenous NGOs that are keen to move forward). But maybe that's a follow up conversation a week or so later with a smaller working group (or a conversation the next morning, depending on people's availability given travel/flights/etc).

Hope that helps!

Will let you know on the support front when I can, and keep us in the loop on potential/confirmed dates.

Thanks again.

-Luke

**Luke Boshier**

Head of Program Strategy and Impact | Housing Australia

**M:** 0407 020 841

**E:** [luke.boshier@housingaustralia.gov.au](mailto:luke.boshier@housingaustralia.gov.au)

**W:** [www.housingaustralia.gov.au](http://www.housingaustralia.gov.au)



Kimberley Regional Group: Minutes 19 April 2024



Attachment 4 Correspondence In: Key Issues & Actions raised at Meeting
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**Hon Hannah Beazley MLA**  
**Minister for Local Government; Youth;**  
**Minister Assisting the Minister for Training and Workforce Development**

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Our Ref: 84-00482

Mr Paul Rosair  
Executive Officer  
Kimberley Regional Group

Email: [michelle@mira-consulting.com.au](mailto:michelle@mira-consulting.com.au)

Dear Mr Rosair

**MEETING WITH THE KIMBERLEY REGIONAL GROUP**

Thank you for your letter dated 14 March 2024 following up matters discussed with the Kimberley Regional Group (the Group) in our meeting of 15 February 2024.

I note the Group's comments regarding the Commonwealth Financial Assistance (FA) Grants and appreciate the Group's views that the population component of the FA Grants can have a detrimental impact on grant funding allocated to regional local governments. I acknowledge your advice that the Kimberley Regional Group has commissioned a review of the methodology.

I am advised by the Department of Local Government, Sport and Cultural Industries (DLGSC) that FA Grant allocations to Western Australian local governments are determined by the WA Grants Commission, in line with the National Principles developed under the *Local Government (Financial Assistance) Act 1995* (the Act).

Under section 11(2) of the Act, WA local governments or associations, including Local Government regional groups, can make submissions to the WA Grants Commission, regarding matters related to the FA Grants, including the allocation methodology. Should you wish to make a submission, please contact the WA Grants Commission, by email on [Grants.Commission@dlgsc.wa.gov.au](mailto:Grants.Commission@dlgsc.wa.gov.au) or by phone to (08) 6552 1673.

I also note The Group's feedback regarding local government audits undertaken by the Office of the Auditor General (OAG).

I am advised that in 2022-2023 financial year, 133 local government audits were completed by the OAG, on time. I understand that this represents a progressive improvement on previous years.

Level 7, Dumas House, 2 Havelock Street WEST PERTH WA 6005  
Telephone: +61 8 6552 6700 Email: [Minister.Beazley@dpc.wa.gov.au](mailto:Minister.Beazley@dpc.wa.gov.au)

15 | Page

Kimberley Regional Group: Minutes 19 April 2024



However, I am also aware that some local government audits were not received by the OAG due date and, therefore, could not be finalised by the OAG in time to meet Council reporting deadlines.

As you rightly note, the OAG is an independent body and I do not have any legislative authority to intervene in its operational or administrative decisions or processes. The DLGSC has advised me that the OAG has recently appointed an Engagement Team Leader to assist local governments with matters such as those you have raised.

The OAG's Engagement Team Leader can be contacted by phone on (08) 6557 7500. If you have any issues contacting the Engagement Team Leader via telephone you can also refer your queries by email to [admintas@audit.wa.gov.au](mailto:admintas@audit.wa.gov.au).

As you note, I am unable to attend the Kimberley Regional Group and Regional Capitals Alliance joint forum in June 2024, but I wish you all my best for a successful event.

Thank you once again for raising these matters with me. It was a pleasure to meet with you, and I look forward to continuing to work collaboratively with you to achieve positive outcomes for the region and its communities.

Yours sincerely

**Hon Hannah Beazley MLA**  
**Minister for Local Government; Youth;**  
**Minister Assisting the Minister for Training and Workforce Development**

10 APR 2024

Kimberley Regional Group: Minutes 19 April 2024



Attachment 5 Correspondence Out: Kimberley Housing Roundtable
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Mr Chuck Berger  
Chief Executive Officer  
Kimberley Development Commission  
PO Box 620  
Kununurra WA 6743

Via email - [chuck.berger@kdc.wa.gov.au](mailto:chuck.berger@kdc.wa.gov.au)

26 February 2024

Dear Chuck

**Kimberley Housing Roundtable**

Congratulations again on the production of the Kimberley Residential Housing and Land Snapshot 2023. This is an important piece of work that will help inform discussions and planning to respond to housing issues across Kimberley communities.

Increasing housing supply is a key priority for the Kimberley Regional Group. We are keen to work with the Kimberley Development Commission and other key stakeholders to develop practical solutions to facilitate shovel ready housing projects across our region.

As discussed, we are keen to build on your Kimberley Housing Snapshot and to host a Kimberley Housing Roundtable which will bring together Federal, State and Local Governments along with the non-government sector and industry to discuss housing challenges and to identify collective opportunities to increase housing supply. To that end we have developed a Draft Agenda and a list of agencies to be invited to attend, and a budget for holding this event.

The Housing Roundtable concept was discussed and endorsed by members at the KRG's February meeting, and I have been tasked, in tandem with Michelle Mackenzie, to progress the event.

We would welcome the opportunity to partner with the Kimberley Development on the Roundtable. To that end, we would appreciate your feedback on the objectives of the Roundtable, draft agenda and stakeholder list. Also, we respectfully ask if you could provide \$10,000 towards the cost of holding the Roundtable. The Kimberley Development Commission would be acknowledged for their support of this event with its branding on all related materials. We are reaching out to Regional Development Australia, Kimberley for their input and to see if they could also provide financial support for this event.

Kimberley Regional Group and Kimberley Zone  
459 Albany Hwy Victoria Park | 0419 930 467 | [info@naja.com.au](mailto:info@naja.com.au)

17 | Page

Kimberley Regional Group: Minutes 19 April 2024



I look forward to hearing from you regarding the Kimberley Housing Roundtable event and if you are able to support this endeavour. In the meantime, if you have any queries please contact Michelle Mackenzie, Executive Support for the Kimberley Regional Group on 0419 931 819 or [michelle@mira-consulting.com.au](mailto:michelle@mira-consulting.com.au)

Yours sincerely

A handwritten signature in black ink, appearing to read "Paul Rosair", followed by a horizontal line.

Paul Rosair  
Executive Officer  
Kimberley Regional Group

*Attach – Kimberley Housing Roundtable Proposal*

A large, stylized logo in the bottom right corner of the page, featuring a colorful swirl design in blue, orange, and yellow, with the text "THE KIMBERLEY REGIONAL GROUP" below it.

Kimberley Regional Group and Kimberley Zone  
459 Albany Hwy Victoria Park | 0419 930 467 | [info@naia.com.au](mailto:info@naia.com.au)



Kimberley Regional Group: Minutes 19 April 2024



Attachment 6 Correspondence Out: Kimberley Housing Roundtable
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Ms Janine Hatch  
Director  
Regional Development Australia Kimberley  
PO Box 653  
Broome WA 6725

Via email - [j.hatch@rdakimberley.com.au](mailto:j.hatch@rdakimberley.com.au)

26 February 2024

Dear Janine

**Kimberley Housing Roundtable**

Congratulations on the work that Regional Development Australia Kimberley is doing to drive positive economic and social impact across Kimberley communities.

Increasing housing supply is a key priority for the Kimberley Regional Group. We are keen to work with Regional Development Australia Kimberley and other key stakeholders to develop practical solutions to facilitate shovel ready housing projects across our region.

As discussed, the Kimberley Regional Group are keen to host a Kimberley Housing Roundtable which will bring together Federal, State and Local Governments along with the non-government sector and industry to discuss housing challenges and to identify collective opportunities to increase housing supply. To that end we have developed a Draft Agenda and a list of agencies to be invited to attend, and a budget for holding this event.

The Housing Roundtable concept was discussed and endorsed by members at the KRG's February meeting, and I have been tasked, in tandem with Michelle Mackenzie, to progress the event.

We would welcome the opportunity to partner with Regional Development Australia Kimberley Development on the Roundtable. To that end, we would appreciate your feedback on the objectives of the Roundtable, draft agenda and stakeholder list. Also, we respectfully ask if you could provide up to \$5000 towards the cost of holding the Roundtable. Regional Development Australia Kimberley would be acknowledged for their support of this event with its branding on all related material. We are reaching out to the Kimberley Development Commission to see if they could also provide input and financial support for this event.

Kimberley Regional Group and Kimberley Zone  
459 Albany Hwy Victoria Park | 0419 930 467 | [info@naja.com.au](mailto:info@naja.com.au)

Kimberley Regional Group: Minutes 19 April 2024



I look forward to hearing from you regarding the Kimberley Housing Roundtable event and if you are able to support this endeavour. In the meantime, if you have any queries please contact Michelle Mackenzie, Executive Support for the Kimberley Regional Group on 0419 931 819 or [michelle@mira-consulting.com.au](mailto:michelle@mira-consulting.com.au)

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Rosair'.

Paul Rosair  
Executive Officer  
Kimberley Regional Group

*Attach – Kimberley Housing Roundtable Proposal*

A large, faint watermark of the Kimberley Regional Group logo is visible in the background of the page.

Kimberley Regional Group and Kimberley Zone  
459 Albany Hwy Victoria Park | 0419 930 467 | [info@naja.com.au](mailto:info@naja.com.au)

Kimberley Regional Group: Minutes 19 April 2024



Attachment 7 Correspondence Out: Kimberley Housing Roundtable
---

Hi Luke

It was great to catch up with you and the opportunity to pilot a new approach to delivering social and affordable housing supply in the Kimberley would be brilliant. Our thin markets, lack of a strong community housing presence and the additional costs of housing construction and operations make it difficult to attract investment to deliver the homes needed.

As mentioned, housing is a key priority for the Kimberley Regional Group and the KRG are keen to work with other agencies to address housing issues. We've been discussing with the Kimberley Development Commission and Regional Development Australia Kimberley hosting a Kimberley Housing Roundtable as a first step to align effort to deliver the homes needed across our region. We've approached both bodies for funding support and input into the agenda. We would love to have strong engagement with Housing Australia for this event and if you are able to attend that would be brilliant. Also, it would be great to get your input into the agenda so that the Roundtable hits the mark.

Also as discussed, any assistance that you could provide for the Roundtable in terms of assisting with a background paper for attendees, facilitation for the Roundtable event or funding to enable non-government attendees to participate would be very welcome.

I look forward to your feedback on the Roundtable and how the KRG can work with Housing Australia to support your mandate to deliver new homes across the Kimberley region.

Kind regards

Michelle

**Michelle Mackenzie**

Principal, Mira Consulting

Associate, NAJA Business Consulting

**M: 0419 931 819**

**E: [michelle@mira-consulting.com.au](mailto:michelle@mira-consulting.com.au)**

**W: [mira-consulting.com.au](http://mira-consulting.com.au)**

**A: PO Box 621 Halls Creek WA 6770**

Kimberley Regional Group: Minutes 19 April 2024



Attachment 8 Correspondence Out: Key Issues & Actions raised at Meeting
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The Hon Roger Cook MLA  
Premier  
13<sup>th</sup> Floor Dumas House  
2 Havelock Street  
West Perth 6005

Via email – [wa-government@dpc.wa.gov.au](mailto:wa-government@dpc.wa.gov.au)

14<sup>th</sup> March 2024

Dear Premier

**Meeting with the Kimberley Regional Group**

Thank you for meeting with the Kimberley Regional Group. We really appreciated your time and the opportunity to discuss key areas of interest. This letter is following up on key issues and actions from the meeting.

**Financial Assistance Grants**

As mentioned, the formulaic rigidity, including the population component of the Commonwealth allocation of local government financial assistance grants, has a detrimental impact on grant funds to regional local governments. We are commissioning a piece of work to examine the allocation methodology and would be pleased to provide you with a briefing and a copy of this work once completed with a view to seeing how this can be addressed.

**Natural Disaster Resilience**

Please find attached a copy of the Kimberley Regional Group's Emergency Management Position Paper. We would be pleased to learn more about the Committee of Government that you mentioned is looking into disaster resilience, along with the work undertaken by the Framework for Collaborative Resilience that is being progressed across Northern Australia.

**Water infrastructure to facilitate new homes**

As mentioned, Shires have land and investment ready for new housing, but a lack of water infrastructure is delaying development. It would be appreciated if you could raise this issue with the Minister for Water with a view to having this issue addressed as a priority by the Water Corporation.

Kimberley Regional Group and Kimberley Zone  
459 Albany Hwy Victoria Park | 0419 930 467 | [info@naja.com.au](mailto:info@naja.com.au)

22 | Page

Kimberley Regional Group: Minutes 19 April 2024



#### **20 June Forum – Kimberley Regional Group and Regional Capitals Alliance of WA**

The Kimberley Regional Group and Regional Capitals Alliance, an alliance of WA's ten regional centres, are hosting a joint forum in Perth on the 20<sup>th</sup> June. The forum will bring together Mayors, Presidents, CEOs and senior executives from across regional Western Australia and also Director's Generals and Cabinet Ministers, both Federally and State. It will be a great opportunity to meet with regional leaders in Perth to discuss the critical issues facing local government and their communities. We cordially invite you to attend this forum and a formal invitation will be sent to your office.

#### **Collaborative Forum between State, Local Government, and the NGO sector to discuss community safety and crime.**

We would welcome the opportunity to work with your government and the NGO sector on a deep piece of work to address systemic issues that are driving crime in the Kimberley, in particular youth crime. Whilst there is a collection of government led justice initiatives to our knowledge there is no overarching Kimberley strategy to holistically address the root causes of community safety and crime issues identified in government and Coronial reports. Without a clear roadmap initiatives are fragmented, unaligned and government investment is not maximised. Your concept for a new collaborative forum would be a positive step to collectively address this Kimberley wide issue.

Thank you again for meeting with us. The Kimberley Regional Group looks forward to working with your government and further exploring how we can work together to deliver positive outcomes across the Kimberley region and our State.

Your sincerely

A handwritten signature in black ink, appearing to read 'Paul Rosair'.

Paul Rosair  
Executive Officer  
Kimberley Regional Group

*Attach - Emergency Management Position Paper*

Kimberley Regional Group and Kimberley Zone  
459 Albany Hwy Victoria Park | 0419 930 467 | [info@naja.com.au](mailto:info@naja.com.au)

Kimberley Regional Group: Minutes 19 April 2024



Attachment 9 Correspondence Out: Key Issues & Actions raised at Meeting
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Hon Don Punch, MLA  
Minister for Regional Development; Disability Services; Fisheries; Seniors and Ageing  
7<sup>th</sup> Floor Dumas House  
2 Havelock Street  
WEST PERTH WA 6005

Via Email – [Minister.punch@dpc.wa.gov.au](mailto:Minister.punch@dpc.wa.gov.au)

14 March 2024

Dear Minister

**Meeting with the Kimberley Regional Group**

Thank you for meeting with the Kimberley Regional Group. We really appreciated your time and the opportunity to discuss key areas of interest. This letter is following up on key issues and actions raised at the meeting.

**Financial Assistance Grants**

As mentioned, the formulaic rigidity, including the population component of the Commonwealth allocation of local government financial assistance grants, has a detrimental impact on grant funds to regional local governments. We are commissioning a piece of work to examine the allocation methodology and would be pleased to provide you with a briefing and a copy of this work once completed with a view to seeing how this issue can be addressed.

**Natural Disaster Resilience**

Please find attached a copy of the Kimberley Regional Group's Emergency Management Position Paper. We would welcome the opportunity to learn more about the Committee of Government that you mentioned is looking into disaster resilience, along with the work undertaken by the Framework for Collaborative Resilience that is being progressed across Northern Australia.

**Water infrastructure to facilitate new housing supply**

As mentioned, Shires have land and investment ready for new housing, but a lack of water infrastructure is delaying development. It would be appreciated if you could raise this issue with the Minister for Water with a view to having this issue addressed as a priority by the Water Corporation.

Kimberley Regional Group and Kimberley Zone  
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24 | Page



Kimberley Regional Group: Minutes 19 April 2024



**20 June 2024 Forum – Kimberley Regional Group and Regional Capitals Alliance of WA**

The Kimberley Regional Group and Regional Capitals Alliance, an alliance of WA's ten regional centres, are hosting a joint forum in Perth on the 20<sup>th</sup> June 2024. The forum will bring together Mayors, Presidents, CEOs and senior executives from across regional Western Australia and also Director's Generals and Cabinet Ministers, both Federally and State. It will be a great opportunity to meet with regional leaders in Perth to discuss the critical issues facing local government and their communities. We cordially invite you to attend this forum and a formal invitation will be sent to your office.

Thank you again for meeting with us. The Department of Primary Industries and Regional Development and the Kimberley Development Commission are key partners in realising our vision. We look forward to working with you to deliver positive outcomes across the Kimberley region and our State.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Rosair'.

Paul Rosair  
Executive Officer  
Kimberley Regional Group

*Attach Emergency Management Position Paper*

A large, stylized logo in the bottom right corner, featuring a blue and orange swirl design.

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Kimberley Regional Group: Minutes 19 April 2024



Attachment 10 Correspondence Out: Key Issues & Actions raised at Meeting
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The Hon Hannah Beazley MLA  
Minister for Local Government; Youth; Minister Assisting the Minister for Training and Workforce Development  
Dumas House  
2 Havelock Street  
West Perth 6005

Via email –[Minister.Beazley@dpc.wa.gov.au](mailto:Minister.Beazley@dpc.wa.gov.au)

14 March 2024

Dear Minister

**Meeting with the Kimberley Regional Group**

Thank you for meeting with the Kimberley Regional Group (KRG). We really appreciated your time and the opportunity to discuss key areas of interest. Also, we appreciated a greater understanding of your priorities within your local government portfolio. This letter is following up on key issues and actions raised at the meeting.

**Financial Assistance Grants**

As mentioned, the formulaic rigidity, including the population component of the Commonwealth allocation of local government financial assistance grants, has a detrimental impact on grant funds to regional local governments. We are commissioning a piece of work to examine the allocation methodology and would be pleased to provide you with a briefing and a copy of this work once completed with a view to seeing how this can be addressed.

**Local Government Audits by the Office of the Auditor General**

As raised the quality of audits, their timelessness, the lack of fee transparency and the cost of audit, along with the drawdown of staff time to assist audits undertaken by the Office of the Auditor General (OAG), are of significant concern to the Kimberley Regional Group. This issue has been raised directly with the Office of the Auditor General by Councils, the KRG and WALGA.

As discussed, a recent cost of audit by the OAG for the Shire of Wyndham was \$63K a 50 percent cost increase from previous audits. The audit cost for the Shire of Derby West Kimberley was \$80K and for the Shire of Broome \$130K. The OAG refuses to provide a breakdown of their fee structure, despite this being an obligation of private audit firms. Their service to all Kimberly Councils has been inadequate. Council staff have had to spend considerable time hand holding inexperienced

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26 | Page



Kimberley Regional Group: Minutes 19 April 2024



audit teams training them in the fundamentals of local government accounts. This costs Councils considerable time and resources. For two Shires the audit was late requiring a special meeting of Council to adopt the audit, and meant that the audit could not inform the budget process. This is unacceptable.

Whilst we understand that the Office is independent and impartial, these are significant issues that need to be addressed by the OAG. It would be appreciated if you could raise this issue so that there is transparency to local governments who are required under legislation to use the OAG for their audits.

**20 June 2024 Forum – Kimberley Regional Group and Regional Capitals Alliance of WA**

The Kimberley Regional Group and Regional Capitals Alliance, an alliance of WA's ten regional centres, are hosting a joint forum in Perth on the 20<sup>th</sup> June 2024. The forum will bring together Mayors, Presidents, CEOs and senior executives from across regional Western Australia and also Director's Generals and Cabinet Ministers, both Federally and State.

Whilst we understand that you are unable to attend the forum, we would welcome a member of your staff attending. It will be a great opportunity to meet with regional leaders in Perth to discuss the critical issues facing local government and their communities. We hope that somebody from your office is able to attend.

Thank you again for meeting with us. The Kimberley Regional Group looks forward to working in partnership with you across your portfolios to deliver positive outcomes across the Kimberley region and Western Australia.

Your sincerely

A handwritten signature in black ink, appearing to read 'Paul Rosair'.

Paul Rosair  
Executive Officer  
Kimberley Regional Group

A large, stylized logo for the Kimberley Regional Group, featuring a 'K' shape formed by blue and orange waves.

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## Attachment 11 Correspondence Out: Kimberley Defence & Border Force Response



Hon Richard Marles MP  
Minister for Defence  
E: [Richard.Marles@aph.gov.au](mailto:Richard.Marles@aph.gov.au)

Hon Clare O'Neil MP  
Minister for Home Affairs  
E: [Clare.ONeil.MP@aph.gov.au](mailto:Clare.ONeil.MP@aph.gov.au)

Hon Pat Conroy MP  
Minister for Defence Industries  
E: [minister.conroy@dfat.gov.au](mailto:minister.conroy@dfat.gov.au)

Hon Matt Keogh MP  
Minister for Defence Personnel  
E: [Matt.Keogh.MP@aph.gov.au](mailto:Matt.Keogh.MP@aph.gov.au)

Hon Madeleine King MP,  
Minister for Northern Australia:  
[Minister.King@industry.gov.au](mailto:Minister.King@industry.gov.au)

Hon Kristy McBain MP,  
Minister for Regional Development,  
Local Government and Territories:  
[minister.mcbain@mo.regional.gov.au](mailto:minister.mcbain@mo.regional.gov.au)

Hon Paul Papalia MLA  
Minister for Defence Industry  
[Minister.papalia@dpc.wa.gov.au](mailto:Minister.papalia@dpc.wa.gov.au)

Ms Divina D'Anna MLA  
Member for the Kimberley  
[Divina.Danna@mp.wa.gov.au](mailto:Divina.Danna@mp.wa.gov.au)

10<sup>th</sup> April 2024

Dear Ministers

### Kimberley Defence And Border Force Response

The Kimberley Regional Group is an alliance of the four Kimberley Shires being the Shire of Broome, Derby West Kimberley, Halls Creek and Wyndham East Kimberley. In light of recent boat arrivals into the Kimberley we write to request increased Defence and Border Force resources in the Kimberley to better protect Australia's north-west coast.

The increase in people seeking asylum in the Kimberley including at the Mungallalu -Truscott Airbase in April 2024, Beagle Bay in February 2024 and Truscott in November 2023 shows how vulnerable the north-west coast is to foreign incursions. These arrivals, which seem to be well informed, targeting isolated, populated areas of the Kimberley coast exposed enormous security risks, including bio-security risks, to the nation.

We are extremely concerned at the risk of rabies, foot and mouth disease and lumpy skin disease entering Australia through unauthorised arrivals. This would have a devastating impact on our environment, agricultural and pastoral industries. We would appreciate being briefed on the border force and quarantine protocols in place to mitigate risk from introduced diseases and pests.

The Kimberley Shires, along with the four Pilbara local governments, are members of the North West Defence Alliance (NWDA), established to drive action for a greater defence presence on Australia's Northwest. This includes an increase in personnel, better utilization

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28 | Page

Kimberley Regional Group: Minutes 19 April 2024



of defence assets and increased surveillance and hardware capability. Our region is the source of around 50 percent of Australia's export value. We believe it is in the national interest for increased investment in North West defence and border forces to act as a deterrent to foreign incursions and to protect Australia's agricultural, pastoral and resources sectors.

With the current geo-political climate, it is likely that foreign incursions to our region will increase. The Kimberley Regional Group would welcome the opportunity to discuss how we can work with the Federal and State government, in partnership with the North West Defence Alliance and Aboriginal communities, to support an increased Defence and Border Force presence in our region.

We look forward to hearing from you. If you have any queries regarding this request, please contact our Executive Officer Mr. Paul Rosair on 0419930467 or [paul@naja.com.au](mailto:paul@naja.com.au).

Yours sincerely

David Menzel  
Chair  
Kimberley Regional Group

*c. North West Defence Alliance  
Senator Dean Smith, Senator for WA  
Hon Melissa Price MP, Member for Durack*



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Kimberley Regional Group: Minutes 19 April 2024



## 6. Formal Presentations

### Item for Discussion

Submitted by: Executive Team

### Purpose

To provide a forum for guests to address the KRG on relevant topics.

### Attendees

Time	Name	Position	Organisation
2.40 – 2.55pm	Dr Allan Dale	Professor of Tropical Regional Development	CRC Northern Australia The Cairns Institute, James Cook University
3:00 – 3:15pm	Christy Hawker	CEO	BBY
3:45 – 4:00pm	Hon Louise Kingston	Member for the South West Region. Shadow Minister for Regional Cities; Climate Action; Tourism	Western Australian National Party Opposition

Link to Key Pillar/s and Strategies:		Budget Implications
<div>People</div> <div>Place</div> <div>Prosperity</div> <div>Performance</div>	<div>Advocate</div> <div>Facilitate</div> <div>Partner</div> <div>Fund</div> <div>Promote</div> <div>Monitor</div>	Nil
Resolution/s		Action(s)
For noting		TBD



## 7. 2024/25 Investment Prospectus

### Item for Decision

Submitted by: Executive Team

Attachment 12: 2024/25 Kimberley Investment Prospectus (attached separately)

### Purpose

To confirm the Shire projects for the Investment Prospectus 2024/25.

### In summary

- The Kimberley Regional Group agreed to update the Investment Prospectus as part of the State and Federal Election Strategy.
- Councils were asked in December 2023 to review their projects and delete, update or include new projects.
- The Shires of Broome, Halls Creek and Wyndham East Kimberley have updated their projects. We are awaiting information from the Shire of Derby West Kimberley regarding their projects – projects from the current Prospectus have been included in the document in the absence of updated information.
- With the State and Federal government's focus on building community resilience, the Prospectus has an introduction outlining the need for investment to build disaster resilience across the Kimberley and framed individual projects as contributing to stronger and more resilient communities.
- Also included in the Prospectus is a section on how the projects contribute to Closing the Gap.
- A draft designed Prospectus is attached. Once feedback has been received from the KRG a final proofread will be undertaken by the Executive Team and it will proceed to publication.
- The final document will be available for the June 2024 Forum and will be used as an advocacy tool for the KRG election strategy. The document will be uploaded onto the KRG website.

### Background

As above

### Details

The following is a summary of projects in the current Investment Prospectus and projects for the updated Prospectus.

Shire	Project in 2022/23 Prospectus	Projects for 2024/25 Prospects
SoHC	Tanami Road Upgrade	Tamani Activation Plan
SoHC	Blueberry Hill Housing Project	Social and Affordable housing
SoHC		Zero Depth Water Splash Pad
SoHC		A Cultural Centre and Multi-Purpose Evacuation Facility

31 | Page





Kimberley Regional Group: Minutes 19 April 2024

SWEK	East Kimberley Regional Airport and Business Precinct	East Kimberley Regional Airport and Business Precinct
SWEK	Kununurra key worker housing and accommodation	Key Worker Housing Kununurra
SWEK	Wyndham Boat Ramp Foreshore Redevelopment Facility	Wyndham Boat Ramp Foreshore Redevelopment Facility
SDWK	Derby Wharf Precinct Masterplan and Redevelopment	TBA
SDWK	Fitzroy Crossing Multipurpose Complex Masterplan and Redevelopment	TBA
SDWK	Great Northern Highway to Looma Road reconstruction and reseal	TBA
Broome	Sanctuary Road Broome – Caravan Park, Key Worker and Over 55s	Cable Beach Foreshore Redevelopment
Broome	Broome Boating Facility	Broome Boating Facility
Broome	Broome Recreation and Aquatic Centre Redevelopment	Regional Resource Recovery Park

## Risk

**Reputational:** The Prospectus is not contemporary or reflective of need.

**Financial:** Lack of agreement on key Kimberley projects, and alignment with government priorities, may reduce government's confidence to invest.

Link to Key Pillar/s and Strategies:		Budget Implications	
<div> <div>People</div> <div>Place</div> <div>Prosperity</div> <div>Performance</div> </div>		<div> <div>Advocate</div> <div>Facilitate</div> <div>Partner</div> <div>Fund</div> <div>Promote</div> <div>Monitor</div> </div>	
		Up to \$3,600 has been approved for updating Prospectus including updating the text and graphic design work. Up to \$1,000 has been allocated for printing costs.	
Resolution/s		Action(s)	
That the Kimberley Regional Group members discuss the draft Investment Prospectus and advise of changes required.		SDWK CEO to provide the Executive Team their updated project information as a priority.	
Moved:	Shire of Derby West Kimberley	Responsible:	SDWK
Seconded:	Shire of Halls Creek	Due date:	April
Carried:	3/0		



## 8. Kimberley Housing Roundtable

### Item for Decision

Submitted by: Executive Team

### Purpose

To decide on a location and possible dates for the Kimberley Housing Roundtable.

### In summary

- The KRG endorsed hosting a Kimberley Housing Roundtable at the February 2024 meeting - The Roundtable is a key part of the Housing Advocacy Strategy
- The Kimberley Development Commission (KDC) has approved \$10K towards the Roundtable and Regional Development Australia (RDA) \$2.5K.
- Housing Australia is strongly supportive and whilst they cannot provide funding support, they have agreed to provide in kind support by preparing a Background Paper and engaging the Nous Group to facilitate the Roundtable and contribute to the Report and Recommendations that arise from the Roundtable.
- Housing Australia have to deliver 40,000 new homes across Australia under the Housing Australia Future Fund Facility and National Housing Accord Facility
- They see the Roundtable as a key step to increase government investment in housing across the Kimberley and are keen to use this initiative to start discussions on a new approach to increase government investment in the Kimberley through a Kimberley Housing Investment Strategy.
- Decisions need to be made by the KRG to guide the Roundtable's logistics.

### Background

As above

### Details

A number of decisions need to be made by the KRG on the Roundtable's logistics. These include:

#### Location

- A location is needed that is cost effective and will facilitate attendance by State and Federal government agencies and attendees from across the Kimberley.
- The NAJA team will work with the Shire where the Roundtable is being held on logistics such as a venue, catering, Welcome to Country etc.

#### Date

- The Roundtable needs to be held on a date that doesn't clash with key Kimberley events. Also the date needs to provide time for attendees to plan their travel and accommodation and to include travel time during working hours. Also there needs to be enough time for a background paper to be written and disseminated to attendees.
- The findings of the Roundtable can inform the State and Federal election strategy.



## Kimberley Regional Group: Minutes 19 April 2024

The following events need to be considered when choosing a date for the Roundtable:

- 15 May Executive Officer back from leave
- 17 May Ord Valley Muster, Kununurra
- 20 June Joint KRG / RCAWA Forum, Perth
- 29 June - 14 July School Holidays
- 2 - 4 July ALGA National General Assembly, Canberra
- 5 July Mowanjum Festival, Mowanjum
- 7 - 14 July NAIDOC Week
- 13 - 15 Aug Rising Regions Forum Canberra
- 17 Aug - 1 Sep Shinju Matsuri Festival, Broome
- 24 Aug Broome Cup
- 26 - 28 Aug Developing Northern Australia Conference, Karratha
- 28 - 30 Aug Kimberley Economic Forum, Kununurra
- 30 - 31 Aug Taste of the Kimberley, Kununurra

Based on available dates, holding the Roundtable the week of the 3<sup>rd</sup> or 10<sup>th</sup> of June could be considered. The date of the Roundtable will need to be confirmed with Housing Australia and the facilitator for their availability.

## Risk

**Reputational:** if the Kimberley Housing Roundtable is not a success

Link to Key Pillar/s and Strategies:		Budget Implications	
<div>People Place Prosperity Performance</div>	<div>Advocate Partner Promote</div> <div>Facilitate Fund Monitor</div>	<p>\$10K granted by the Kimberley Development Commission</p> <p>\$2.5K granted from Regional Development Australia Kimberley</p> <p>\$5K allocated by the KRG</p> <p>Housing Australia is providing a facilitator</p> <p>The Roundtable budget will be recalibrated reflect income.</p>	
Resolution/s		Action(s)	
<p>1. That the KRG note the progress of the Kimberley Housing Roundtable and</p> <p>2. Possible dates and location to be decided out of session</p>		<p>Executive to liaise with members out of session to discuss and decide on the date and location for the Kimberley Housing Roundtable and EO to report back to the KRG.</p>	
Moved:	Shire of Wyndham East Kimberley	Responsible:	Executive Team
Seconded:	Shire of Derby West Kimberley	Due date:	As appropriate
Carried:	3/0		





## 9. Co-operative Research Centre Northern Australia

### Item for Discussion with Dr Allan Dale Professor of Tropical Regional Development

Submitted by: Executive Team

#### Purpose

To provide an overview on work being done by the Co-operative Research Centre for Northern Australia on an Enabling Infrastructure Package to activate the White Paper for Developing Northern Australia.

#### In summary

- The KRG received a presentation from the Executive Officer on the work of Dr Allan Dale, Professor of Tropical Regional Development at James Cook University and the Chief Scientist for the Co-operative Research Centre for Northern Australia. (CRCNA)
- The CRCNA is undertaking an Emerging Analysis for the refreshed White Paper for Developing Northern Australia
- A focus of the CRCNA's work is the development of an Integrated Enabling Infrastructure Package which will:
  - Improve East-West Connectivity
  - Link Equity of Access to Indigenous and Remote Communities
  - Lead to More Open Supply Chains into the Indo-Pacific
- Professor Dale will present to the KRG on CRCNA's work on the White Paper refresh.
- The KRG's Investment Prospectus has reflected the work of the CRCNA for an Integrated Enabling Infrastructure Package to build social and economic resilience across the Kimberley.

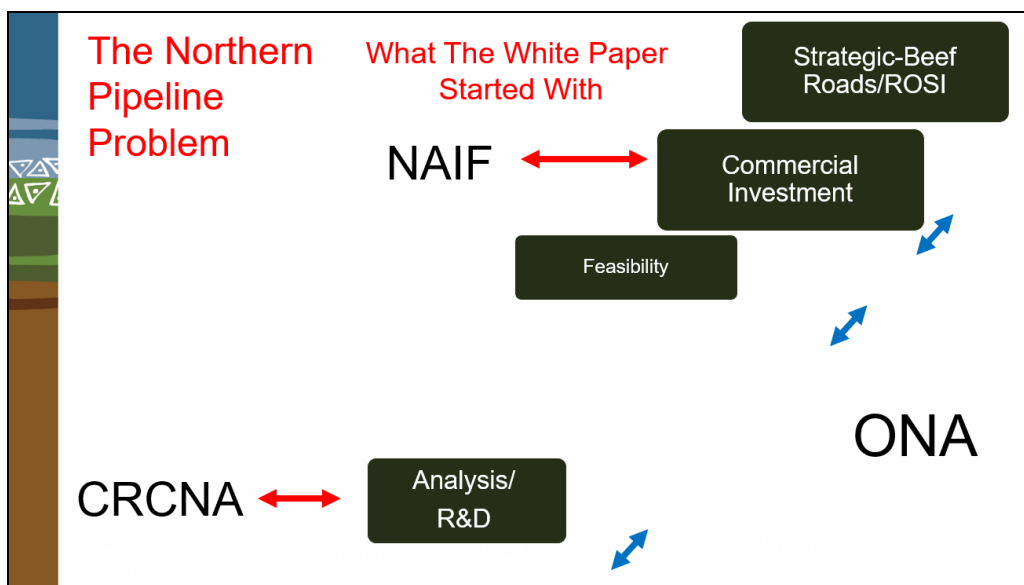
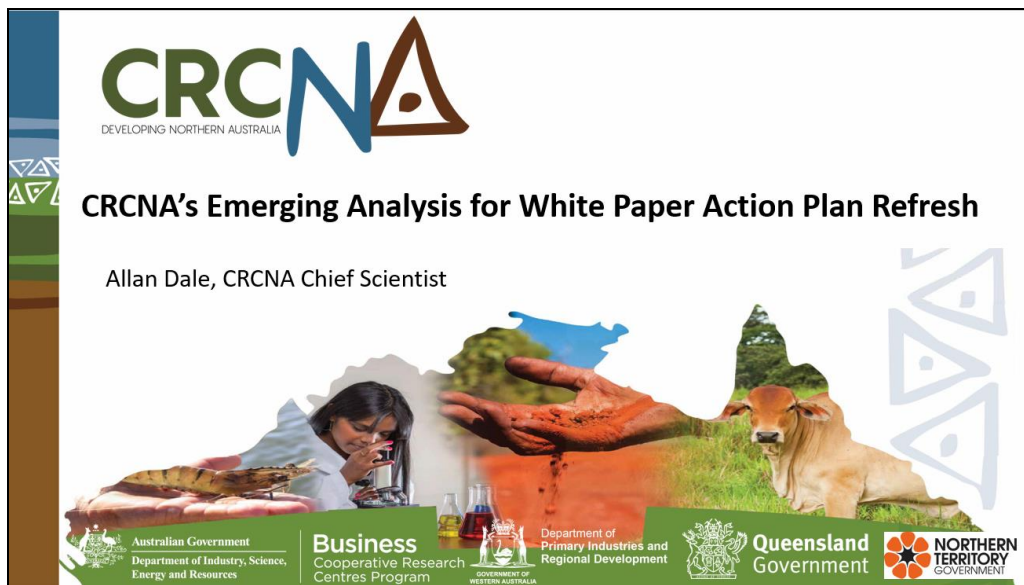
#### Background

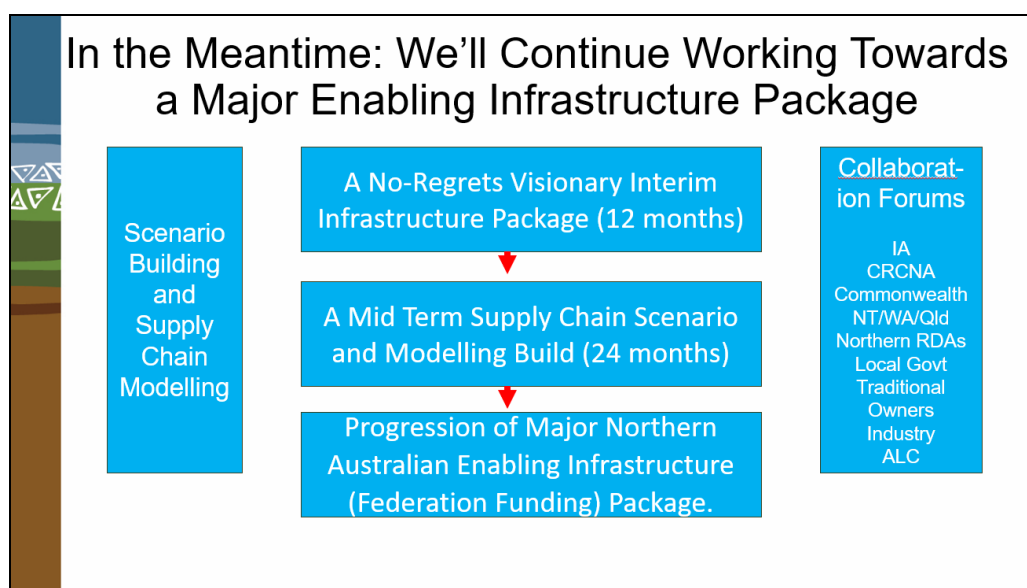
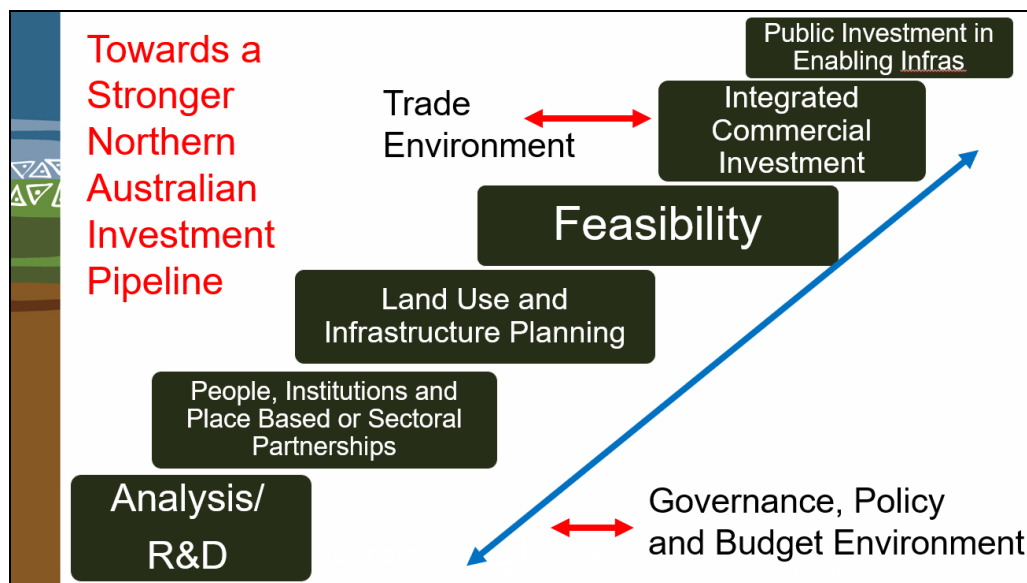
- As above

#### Details:

See powerpoint presentation below:

Kimberley Regional Group: Minutes 19 April 2024





## Focus of an Integrated No Regrets Enabling Infrastructure Package

1. Improving East-West Connectivity
2. Linked Equity of Access to Indigenous and Remote Communities
3. Leading to More Open Supply Chains into the Indo-Pacific



Map From NWQ ROC

## Emerging Key Design Principles of a No-Regrets Package?

- Emerging east-west integrated transport infrastructure pack with: (i) communications cover; (ii) EV charging cover; (iii) targeted access improvement to remote Indigenous/rural communities; (iv) multi-user line of sight to Indo Pacific supply chains; (v) defence and (vi) disaster resilience.
- Is increase East-West-North Ferry and Barge Transport worthy?
- Delivery models that build on the CYIP regional experience.
- Work with ONA, Qld, NT and WA Government and build on previous Forum outcomes. Open up discussion to wider cross Northern Forum.
- Aim for 80/20 shared budgetary influence (Commonwealth/Jurisdictions).
- Start longer term foundations for integrated supply chain modelling.
- CRCNA, Development Commissions, ROCs, REDOs, RDAs and IA work closely.
- Can be Transformational and Complex Project with strong First Nations work.

Kimberley Regional Group: Minutes 19 April 2024



**Risk:**

**Reputational:** Without linking to the work of CRCNA our advocacy may be weakened

**Financial:** Without engaging with the CRCNA Kimberley investment opportunities may be missed

Link to Key Pillar/s and Strategies:		Budget Implications	
<div>                     People Place Prosperity Performance                 </div>	<div>                     Advocate Partner Promote                 </div> <div>                     Facilitate Fund Monitor                 </div>	Nil	
Resolution/s		Action(s)	
<p><b>That the KRG support the Cooperative Research Centre for Northern Australia's work for activating the White Paper for Developing Northern Australia.</b></p>		<p>Executive Officer to work with Alan Dale on progressing KRG's involvement in developing the White Paper.</p>	
<b>Moved:</b>	Shire of Wyndham East Kimberley	<b>Responsible:</b>	Executive Officer
<b>Seconded:</b>	Shire of Halls Creek	<b>Due date:</b>	As appropriate
<b>Carried:</b>	3/0		



## 10. Advocacy Strategy Management and Maintenance of Social Housing

### Item for Discussion

Submitted by: Executive Team

### Attachment 13 – Advocacy Strategy

### Purpose

To discuss an advocacy strategy for better management of public housing by the Department of Communities.

### In summary

- The Shire of Broome at the February 2024 KRG meeting raised concerns with the management of public housing by the Department of Communities, in particular the cyclone/fire and public health risk of homes due to accumulated rubbish, lack of maintenance and the state of disrepair.
- The state of the homes leads to poor health outcomes for tenants i.e. rheumatic heart diseases
- The KRG resolved that the Executive Officer develop a strategy for discussion at the April 2024 meeting
- An 'inside track' advocacy strategy has been developed to work with the government to support better housing outcomes for tenants and communities in Kimberley.
- If the approach of working positively behind the scenes with government to get increased action and investment is not successful, the approach can be reviewed to see whether an 'outside track' more public facing advocacy approach will deliver the outcomes sought.

### Background

- Local government has powers under the Public Health Act WA, Health Local Laws, the Local Government Act, and the Emergency Management Act in relation to serious and material public health risks and habitable homes – however the Crown is not bound by many of these powers.
- Property and tenancy management (i.e. collecting of rent / housing inspections) is either undertaken by the Department or outsourced to an NGO - up to four inspections can be done annually although generally only one per year is undertaken.
- The management of maintenance is outsourced by the Department of Communities through a head maintenance contract with tenants having to contact a 1800 number to log maintenance issues. This arrangement is seen as inadequate and funding for maintenance does not meet need.

Kimberley Regional Group: Minutes 19 April 2024



- To support tenants who find it difficult to maintain their tenancies, the Department of Communities funds the THRIVE program. Nirrumbuk Aboriginal Corporation has the contract for THRIVE across the Kimberley.
- The lack of investment in social housing and preventive and reactive maintenance by government contributes to poor public housing.
- Community housing organisations provide an alternative to government property and tenancy management and maintenance. They take an integrated approach and research by the Productivity Commission shows they deliver better outcomes for tenants and communities.
- Increasing the footprint of community housing providers across the Kimberley could assist with better social housing infrastructure and service standards.

## Details

### **Department of Communities support for social housing tenants.**

The Department of Communities THRIVE program for Aboriginal housing and public housing tenants aims to assist tenant to improve their life skills, increase their ability to manage their household independently and participate in their community.

Nirrumbuk Environmental Health and Services co-ordinate a consortium of THRIVE providers across the Kimberley. Consortium providers include:

- Winun Ngari's in Derby
- Marra Worra Worra Aboriginal Corporation in Fitzroy Crossing
- Jungarni Jutiya in Halls Creek
- Waringarri Aboriginal Corporation in Kununurra and surrounds.

The key services THRIVE providers offer include:

- Referral and opt in basis
- Tailored case coordination and management that addresses the wider needs of client
- Culturally and linguistically appropriate support
- Direct support provision
- Regular home visits
- Support service navigation and referral facilitation assistance. Potentially providing the opportunity for the greater community services sector to play its part.

### **Department of Health Aboriginal Environmental Health program**

The Department of Health has funded environmental health activities in remote Aboriginal communities for many years. The program was reviewed in 2022 with the recommendation that WA Health commits to sustained investment for ongoing funding of the AEH Program. The Department has advised that it will work closely with the Aboriginal health sector and environmental health service providers to co-design the program moving forward, including its focus, expectations, outcomes and reporting requirements – all of which will be reflected in future contract tenders and terms.

Kimberley Regional Group: Minutes 19 April 2024



### Advocacy Strategy for Discussion

The advocacy strategy is attached. The Advocacy Strategy is 'inside track' working behind the scenes in partnership with other Kimberley organisations for action by government. If this approach is not successful it can be reviewed to see if a more publicly facing approach asking for government action will deliver the outcomes sought.

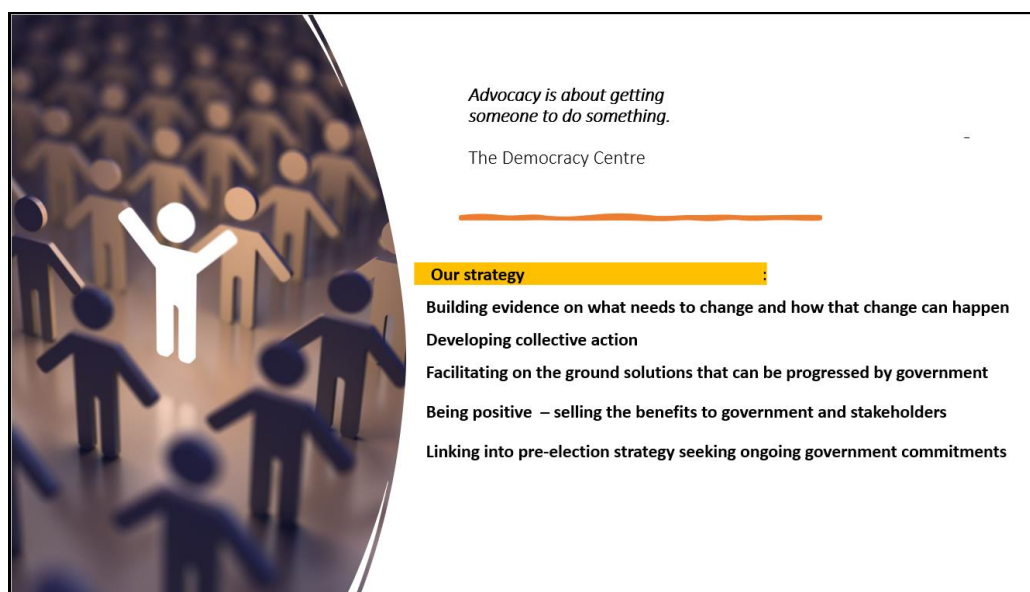
### Risk

**Reputational:** without an agreed strategy and tactics advocacy effort may be unaligned and opportunities to drive change lost.

Link to Key Pillar/s and Strategies:		Budget Implications	
<div> <div>People Place Prosperity Performance</div> <div> <div>Advocate Partner Promote</div> <div>Facilitate Fund Monitor</div> </div> </div>		TBA	
Resolution/s		Action(s)	
That the KRG support the proposed advocacy strategy to support the better management and maintenance of social housing in the Kimberley.		<ol style="list-style-type: none"> <li>SDWK to provide Executive Team with the work that they have progressed.</li> <li>EO to develop a template for members to populate to support the advocacy strategy.</li> </ol>	
<b>Moved:</b>	Shire of Derby West Kimberley	<b>Responsible:</b>	Executive Team / SDWK
<b>Seconded:</b>	Shire of Halls Creek	<b>Due date:</b>	As appropriate
<b>Carried:</b>	3/0		



Attachment 14 Advocacy Strategy





## Context

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- Homes managed by the Department of Communities are poorly maintained and are not compliant with cyclone and public health risks
- Sub standard homes lead to poor health outcomes for residents – ie rheumatic heart disease
- Public housing property and tenancy management (i.e. collecting or rent / housing inspections) is undertaken by the Department of Communities or outsourced to a NGO
- Housing maintenance is outsourced by the Department of Communities via a head maintenance contract – this contract is under review
- To support tenants the Department of Communities funds the THRIVE program - Nirrumbuk Aboriginal Corporation has the contract for THRIVE across the Kimberley.

## Thrive program – tenancy support

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Nirrumbuk lead a consortium providers –

- Winun Ngari's - Derby
- Marra Worra Worra Aboriginal Corporation - Fitzroy Crossing
- Jungarni Jutiya - Halls Creek
- Waringarri Aboriginal Corporation - Kununurra and surrounds.

### **THRIVE services**

- Referral and opt in basis
- Tailored case coordination and management that addresses the wider needs of client
- Culturally and linguistically appropriate support
- Direct support provision
- Regular home visits
- Support service navigation and referral facilitation assistance.

## Local government - powers don't bind Crown

- **Health Miscellaneous Provisions Act 1911 – Houses unfit for habitation.** The Crown is not bound by the Health Act so Dept Communities are not bound by orders
- **Health Local Laws** (these might vary across the local government authorities). Disease risk, harbourage of pests, waste and rubbish. **Provisions for containing food and wastes, measures to eradicate cockroaches, cleanliness, rats and other vectors of disease.**
- **Public Health Act 2016 – General public health duty.** The Crown is bound by this legislation, but it is not fully enacted.
- **Local Government Act 1995.** (The Crown is generally NOT bound - **Unsuitable properties provisions**)
- **Emergency Management Act 2005.** This act binds the Crown but at least in Shire of Broome, Environmental Health Officers are **NOT** authorised under this Act. Some provisions apply to cyclone areas. **Local government has power to destroy dangerous vegetation or premises in a cyclone area (under certain conditions).** Not all Kimberley local governments might be deemed cyclone risk.

## Advocacy approach – inside or outside track

**Inside track:** *The 'inside track' works within established means of appealing to decision makers and includes engaging in consultation and other practices that allow direct communication between stakeholders and policymakers/decisionmakers. The aim is to guide, inform and motivate decisionmakers through a more internal exchange of information, ideas and negotiation.*

**Outside track:** *The 'outside track' or public facing campaign uses publicly broadcast attempts to achieve policy or social change, including media, advertising, public conferences, social media, dedicated websites, calls to action to engage stakeholders and the broader public, and even rallies and protests.*



## Inside track strategy

- Develop a solution with key stakeholders
- Get the bureaucrats on side
- Get the Minister's office on side
- Supports a whole of government agenda – ie closing the gap
- Credible, well-crafted solutions.
- Positive messaging
- Get support from Aboriginal corporations



## Our theory of change

Resources	Activities	Outputs	Outcome	Impact
<b>KRG Members</b> <b>KRG Executive</b> <b>Partner agencies</b>	<ul style="list-style-type: none"> <li>• Understand the scale of the issues in each Shire</li> <li>• Meet with Nirrumbuk to understand pressures in supporting tenants</li> <li>• Determine cost estimates to address the immediate clean up issues</li> <li>• Discuss with the Department of Communities their pressures re clean ups, maintenance and healthy homes, and how they would like to address identified issues.</li> <li>• Meet with the Dept of Health to understand pressures on the Aboriginal Environmental Health Program</li> <li>• Brief Aboriginal organisations to see if they would like to undertake joint advocacy.</li> <li>• Develop costed proposal to inform advocacy and write to DGs and Ministers</li> </ul>	<ul style="list-style-type: none"> <li>• Photos from each Shire that demonstrate the issue and rough estimate of the number of houses that need to be cleaned up</li> <li>• A rough estimate                             <ul style="list-style-type: none"> <li>• To fund clean-up of yards to standard satisfactory to by 2024/25 cyclone season</li> <li>• Of additional funding to support tenants to maintain their homes</li> <li>• For ongoing maintenance</li> </ul> </li> <li>• A rough estimate for increased investment in the Aboriginal Environmental Health Program</li> <li>• Letter with proposal to Department of Communities and Ministers for Housing, Health and Emergency Management.</li> </ul>	<ul style="list-style-type: none"> <li>• Better health for tenants</li> <li>• Safer communities during natural disasters</li> </ul>	<ul style="list-style-type: none"> <li>• Vulnerability and disadvantage is reduced.</li> </ul>

## Kimberley Regional Group: Minutes 19 April 2024

Our Target				
WA Department of Communities / Minister for Housing				
Outcome				
New investment to clean up public homes to meet emergency management and health requirements.				
Tactic	Who	Additional resources	Week ending	
Shires to take photos of public homes with cyclone/emergency management and public health risks in each shire – estimate how many homes per Shire and rough cost to make compliant immediately – and for ongoing maintenance	KRG Members	N		
Meeting with Nirrumbuk to understand their issues re tenant support across region and funding needed to provide support to clean up yards / make homes healthy	KRG Executive	N		
Determine best way to do clean up i.e. Funding for Dept of Communities to manage, the Shires, or Nirrumbuk/tenants and if Shires could contribute incentives	KRG members			
Meet with the AMS and key Aboriginal organisations to get their support	KRG Executive	N		
Meet with the Kimberley Executive Director Communities and DFES to proposal and get their input into the proposal and the funding needed for ongoing maintenance of homes	KRG Executive	N		
Meet with the Aboriginal Environmental Health Branch to understand funding shortfall for	KRG Executive	N		
Develop a joint proposal to government with cost estimates	KRG Executive	N		
Develop costed proposal with a clear ask to the Director General Communities, Health, Emergency Manager and Ministers.	KRG Executive	N		
Include proposal in pre-election strategy	KRG Executive	N		



## Measuring success

- % of Aboriginal corporations working with KRG
- New funding and support from government
- If this inside track advocacy is not successful, consider an outside track advocacy approach – i.e. publicly facing campaign seeking government action



## 11. Inquiry into Local Government Sustainability

### Item for Discussion

Submitted by: Executive Team

Attachment 14 – Framework for the KRG Submission

### Purpose

To provide information on the new House of Representatives Standing Committee inquiry into local government sustainability.

### In summary

- The House of Representatives Standing Committee on Regional Development, Infrastructure and Transport has been tasked to inquire into and report on local government sustainability.
- The inquiry was adopted on 21 March 2024 following a referral from the Minister for Infrastructure, Transport, Regional Development and Local Government, the Hon Catherine King MP.
- The Committee is seeking written submissions by 3 May 2024 from organisations and individuals that provide recommendations relating to any or all of the inquiry's terms of reference.
- It was agreed out of session discussion by the KRG Chair and the secretariat that the KRG should put in a submission raising long standing sustainability issues and solutions to address these.
- The proposed framework for the submission is attached for discussion
- The submission will be progressed by the Executive Team, who will seek information from member Councils as required, and will liaise with WALGA to inform the submission.
- An extension of time has been sought from to lodge the KRG submission.
- Out of session endorsement for the final submission will be sought from KRG members prior to lodging the submission.

### Background

The committee Terms of Reference are as follows: *The House of Representatives Standing Committee on Regional Development, Infrastructure and Transport will inquire into and report on local government matters, with a particular focus on:*

- *The financial sustainability and funding of local government*
- *The changing infrastructure and service delivery obligations of local government*
- *Any structural impediments to security for local government workers and infrastructure and service delivery*
- *Trends in the attraction and retention of a skilled workforce in the local government sector, including impacts of labour hire practices*
- *The role of the Australian Government in addressing issues raised in relation to the above*
- *Other relevant issues.*



## Kimberley Regional Group: Minutes 19 April 2024

Committee members are:

- Chair - Mr Luke Gosling OAM MP – Australian Labor Party - Solom NT
- Deputy Chair - Mr Tony Pasin MP – Australian Liberal Party - Barker SA
- Mr Colin Boyce MP Liberal National Party of Queensland, Flynn QLD
- Hon Scott Buchholz MP Liberal National Party of Queensland, Wright QLD
- Ms Lisa Chesters MP Australian Labor Party, Bendigo VIC
- Dr Helen Haines MP Independent, Indi VIC
- Mr Rob Mitchell MP Australian Labor Party, McEwen VIC
- Ms Tracey Roberts MP Australian Labor Party, Pearce WA
- Ms Joanne Ryan MP Australian Labor Party, Lalor VIC
- Mr Tony Zappia MP Australian Labor Party, Makin SA

The only Western Australian sitting on the inquiry, Ms Tracey Roberts, was the former Mayor of the City of Wanneroo, President of the Western Australian Local Government Association and Vice President of the Australian Local Government Association. Details on the inquiry can be found at - [https://www.aph.gov.au/Parliamentary\\_Business/Committees/House/Regional\\_Development/Infrastructure\\_and\\_Transport/Localgovernmentsustaina](https://www.aph.gov.au/Parliamentary_Business/Committees/House/Regional_Development/Infrastructure_and_Transport/Localgovernmentsustaina).

### Details

The proposed framework for the KRG submission is attached for discussion and input.

### Risk

**Financial:** That the sustainability issues facing KRG Members are not addressed without an evidence-based submission.

**Reputational:** Without providing a submission, the KRG may not be seen as a powerful voice for the region or for local government.

Kimberley Regional Group: Minutes 19 April 2024



Link to Key Pillar/s and Strategies:		Budget Implications	
<div>                     People Place Prosperity Performance                 </div>	<div>                     Advocate Partner Promote                 </div> <div>                     Facilitate Fund Monitor                 </div>	Nil.	
Resolution/s		Action(s)	
<b>That the KRG</b> <b>1.Support the framework for the KRG submission into the Federal Inquiry into Local Government Sustainability;</b> <b>2. Provide case studies to illustrate the points made in the submission; and</b> <b>3. Note that the submission will be circulated for out of session endorsement. The end date for submission is the 31<sup>st</sup> May 2024.</b>		Members to send through case studies to illustrate the points made in attachment 14 the framework for the KRG submission to the Executive Officer.  Executive Officer to circulate draft submission to members out of session for feedback prior to finalising the submission by the 31 <sup>st</sup> May.	
<b>Moved:</b>	Shire of Wyndham East Kimberley	<b>Responsible:</b>	Members / Executive Officer
<b>Seconded:</b>	Shire of Halls Creek	<b>Due date:</b>	31 <sup>st</sup> May 2024
<b>Carried:</b>	3/0		





Attachment 14 Framework for the KRG Submission
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**Inquiry for Local Government Sustainability  
Framework for KRG Submission**

- 1. About the Kimberley Regional Group**
- 2. The outcome we seek from the inquiry**

- 3. Changing infrastructure and service delivery obligations**

**Increased level of service**

- We are required to provide these services to attract and retain a workforce through increased community amenity and liveability.
- Council case studies that illustrate the range of services that generally are not provided by metropolitan Councils.
  - Affordable and key worker/staff housing
  - Airports
  - Cultural Centres
  - Emergency Evacuation Centres
  - Community safety and crime prevention initiatives

**Increased cost of providing services**

- The cost to build and to maintain assets in the Kimberley 60 percent higher than metropolitan areas.
- Average employee expenses are higher than the metropolitan areas due a range of incentives to attract and retain staff.
- The increase in the provision of infrastructure coupled with inadequate funding of asset maintenance has significant long-term financial implications reduces the useful life of our infrastructure
- Need for increased support to enable us to reduce operating costs through green technologies such as battery and solar technology.
- NGO funding pressures – pull out / seek Council for support

- 4. Financial Assistance Grants (FAGs)**

**The pool of FAGs funding**

- Full equalisation, either vertical or horizontal is currently unachievable because the Commonwealth is not putting sufficient funds in the pool. In the first instance, the issue is not the method of distribution but measures to increase the size of the funding pool.
- Quote work by SDWK
- The Australian Local Government Association, and WA Local Government Association have long been prosecuting the case that at a minimum FAGs is restored to 1 percent of Commonwealth taxation revenue. We support this.

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## Kimberley Regional Group: Minutes 19 April 2024

### Recommendations

1. That as a minimum Financial Assistance Grants are restored to 1 percent of Commonwealth taxation revenue.
2. That consideration is given of a top up FAGs funding which is distributed to Councils with a limited revenue bases.
3. That FAGs funding remains untied.

### CPI Indexation

The quantum of the Financial Assistance Grants is indexed annually in line with changes in population and the Consumer Price Index.

The WA Regional Price Index (RPI) contrasts the cost of a common basket of goods and services at a number of regional locations to the Perth metropolitan area.

### Recommendation

1. That a Regional Price Index is used to inform the annual indexation of FAGs in rural and remote Australia.

### Commonwealth distribution formula

- The population component of the Commonwealth allocation of local government financial assistance grants, has a detrimental impact on grant funds to regional local governments as there is no representation of need in this funding allocation. It is not equitable as Councils in different States are brought up to different fiscal levels.
- The impact for Kimberley Councils of the distribution of general purpose grants between States on an equal per capita basis does not recognise the differences between local government's capacity to raise own source revenue and their different expenditure needs. This has a negative impact on Kimberley Councils due to our very low population density, relatively long lengths of road per capita, relatively high proportion of people in remote areas and people with high levels of unemployment and income support.

### Minimum grant

- The intent of the minimum grant national principle is to allocate local governments with a minimal grant as they are seen as advantaged and effectively able to support themselves. The minimum grant represents an artificial constraint on the methodology of distributing FAGs which is not aligned with equalisation principles.
- WA's high number of rural local governments which means the State average service level which local governments are compared against, is far lower in WA than other States. This means that all metropolitan local governments are seen as above average. If comparing this to other States, they have local governments within their metropolitan areas that are considered as needing a grant due to the higher average level of service.



## Kimberley Regional Group: Minutes 19 April 2024

### Recommendation

5. That the distribution of FAGs funds is not solely on a per capita allocation but informed by the principle of relative need
6. That the minimum grant requirement is removed
7. A floor placed into the methodology to assist the most disadvantaged local governments.
8. That there is funding certainty for Councils in the allocation of their FAGs grants.

### Aboriginal and Torres Strait Islander Peoples

Under the National Principles Financial assistance shall be allocated to local governments in a way that recognises the needs of Aboriginal peoples and Torres Strait Islanders within their boundaries.

### Closing the Gap

- The Aboriginal population is significantly higher than the national average
- The Kimberley level of disadvantage is significant
- Level of income support / unemployment
- Council services are critical to close the gap

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### 5. Important role of other grants

- Important. Issue – competitive – time taken to apply and be assessed
- Challenge of providing financial / in kind support for smaller Councils
- Often Level of funding not commensurate to need
  - RADS
  - Local Roads and Community Infrastructure Project extended as it gives Councils flexibility to spend where the community needs the funds spent.

### 6. Own source revenue

#### Rates

- Kimberley local governments have insufficient revenue-raising capacity to maintain or upgrade their significant infrastructure holdings or provide the level of services that their communities desire
- ALGA state nationally, local government derives nearly 90 percent of its revenue from its own sources (including rates and services charges)<sup>1</sup>. This is not the case for Kimberley Councils where own-source revenue-raising capacity – outline reasons
- Council rates are the single most important source of own-revenue for local governments. In the Kimberley rates fare poorly in the context of providing a growing source of revenue to match growing community demands for services. The returns from rates from Councils with a smaller geographic area are far greater per square kilometre than for Kimberley Councils.

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<sup>1</sup> <https://alqa.com.au/policy-centre/financial-sustainability/>



## Kimberley Regional Group: Minutes 19 April 2024

- Method of calculating rates - Gross Rental Value (GRV) or Unimproved Value (UV) - rates in non-rural areas of Western Australia are based on the net rental value of the land, while rural land is predominantly assessed on the unimproved capital value.
- Rate exemptions - Some State government agencies do not fully compensate councils for mandatory exemptions and concessions, despite the State governments being responsible for them.

### User charges

- have to balance competing efficiency and equity concerns along with the community's ability to pay for access to services.
- Many services are 'mixed goods', that is, they have characteristics of public and private goods – difficult to balance the liability for a service apportioned between the individual through user fees and the wider community through rates given the high levels of income support

## 7. Fiscal policy

- Fringe benefit relief
  - mortgage interest for Kimberley owner occupied homes can be salary sacrificed with 100% FBT exemption
- Tax offsets for remote living
  - eligibility for remote area housing salary sacrifice for rental and home ownership is reviewed to support staff attraction and retentions
  - Tax incentives specifically for remote regions such as reductions in luxury vehicle tax for 4x4 vehicles

## 8. Impact of Regulatory Reform

- a. Federal legislation
- b. State legislation

### Federal

- Community Development Program - Federal changes to CDP program impacted significantly. People no longer had to work for their benefits.

### State

- Examples – Audit, Puppy Farming, ESL Levy



## 12. Kimberley Regional Group Priority Action List

### Item for Discussion

Submitted by: Executive Team

Attachment 15 Status Report, KRG Prioritised Action List

### Purpose

To provide a status update on the progression of action items.

### In summary

- The Priority Action List for 2023/24 was developed from a November 2022 workshop, and presented to members for feedback and become a standing item on the agenda
- The Executive Team is allocating resources to drive actions, and scoping out project costings for additional consultancy work as required.
- This paper provides a status update on priority actions.
- It must be noted that the priority actions do not preclude other activities from occurring, in particular seizing opportunities as they arise.

### Background

As above

### Details

As above

### Risk

**Operational:** Without agreement on the priority work to be progressed by KRG members and the Executive Team opportunities may be missed

Kimberley Regional Group: Minutes 19 April 2024



Link to Key Pillar/s and Strategies:		Budget Implications	
People Place Prosperity Performance	Advocate Partner Promote Facilitate Fund Monitor	Additional consultancy money to progress some actions to be considered after a scope of works has been presented for endorsement	
Resolution/s		Action(s)	
1. That the KRG notes the progress of the action items		EO to commence preparations for a strategic workshop to be held later in the year which will also refresh the priority action list as a result.	
Moved:	Shire of Halls Creek	Responsible:	Executive Team
Seconded:	Shire of Derby West Kimberley	Due date:	As appropriate
Carried:	3/0		

Attachment 15 KRG Prioritised Action List Status April 2024

Ongoing	Complete	On track	Pending	Behind
Type of Activity	Actions		Within contract scope	Status Update
Facilitate and partner	Develop a collective Kimberley Housing Investment Strategy and pitch that outlines what's been done to date and future opportunities including: <ul style="list-style-type: none"> <li>List of priority projects</li> <li>Cost to deliver these homes and partnership opportunities.</li> <li>Funding strategy to implement identified projects.</li> </ul>		No	<ul style="list-style-type: none"> <li>Housing Advocacy Strategy endorsed at November 2023 meeting.</li> <li>Housing Roundtable a key step in developing a collective Kimberley Housing Investment Strategy. Roundtable endorsed at February 2024 meeting</li> </ul>
Facilitate and Partner	<ul style="list-style-type: none"> <li>Host a Kimberley Housing Roundtable</li> </ul>		No	<ul style="list-style-type: none"> <li>\$10K received from KDC</li> <li>\$2.5K received from RDA Kimberley</li> <li>Housing Australia agreed to participate and to provide in kind support</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Housing Maintenance Advocacy Strategy</li> </ul>		Yes	<ul style="list-style-type: none"> <li>Strategy to be developed for KRG endorsement</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Tanami Activation Strategy</li> </ul>		No	<ul style="list-style-type: none"> <li>KDC is leading this work Likely a funding application for a precinct plan will be lodged</li> </ul>

Kimberley Regional Group: Minutes 19 April 2024



			<ul style="list-style-type: none"> <li>KRG will continue to liaise with KDC and Shire of Halls Creek</li> <li>Activation strategy is included in the Investment Prospectus and Election Strategy</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Review the KRG land policy and strategy</li> <li>Advocate for policy changes to the transfer of Crown land to freehold for the provision of housing, with savings allocated for headworks or other activities to facilitate development.</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Adopted paper to be updated</li> </ul>
Partner	<ul style="list-style-type: none"> <li>Develop a joint project to quantify shire expenditure on vandalism/property crime.</li> <li>Develop a Local Government community safety package for Ministers Winton, Carey and Papalia – i.e., Street lighting (LED), CCTV, infrastructure, policing, child centred – preventative services and wrap around services.</li> </ul>	No	<ul style="list-style-type: none"> <li>Scope of works endorsed at November 2023 meeting.</li> <li>RFQ released by SWEK for consultants</li> <li>NAJA engaged to undertake this project and start date TBC.</li> </ul>
Improve performance	<ul style="list-style-type: none"> <li>Improving performance by learning from others (Benchmarking Project)</li> <li>All services provided to improve efficiencies and learning from others</li> </ul>	No	<ul style="list-style-type: none"> <li>Benchmarking project endorsed at November 2023 meeting.</li> <li>Emails sent to CEO's requesting a contact for the information.</li> <li>Information received from SWEK and Broome. Derby working to provide information by the 19<sup>th</sup> of April.</li> </ul>
Monitor and Advocate	<ul style="list-style-type: none"> <li>Develop scope of works and commission research to understand the funding shortfall facing Kimberley Councils to inform an advocacy strategy for increased financial assistance (FAGS) from state and federal government.</li> </ul>	No	<ul style="list-style-type: none"> <li>Scope of works endorsed at November 2023 meeting.</li> <li>RFQ released by SWEK for consultants.</li> <li>NAJA engaged to undertake this project and start date TBC.</li> </ul>
Advocate	Execute Pre-election strategy		
	<ul style="list-style-type: none"> <li>Gather government election priorities</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Review government commitments</li> </ul>
	<ul style="list-style-type: none"> <li>Create Investment Prospectus 2024</li> </ul>	No	<ul style="list-style-type: none"> <li>Funding allocated by KRG.</li> <li>Information sought from Councils. Item of April 2024 agenda. for endorsement</li> </ul>
	<ul style="list-style-type: none"> <li>Develop pre-election summary document</li> </ul>	No	<ul style="list-style-type: none"> <li>Develop pitch and layout</li> </ul>
	<ul style="list-style-type: none"> <li>Develop communication and advocacy plan</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Key messages / key stakeholders</li> </ul>
	<ul style="list-style-type: none"> <li>Launch Pre-election document</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Joint meeting in Perth</li> </ul>



Kimberley Regional Group: Minutes 19 April 2024



	<ul style="list-style-type: none"> <li>Undertake advocacy</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Meetings in Perth and Canberra</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Potential summit with Regional Australia Institute, 14-15 August, Canberra</li> </ul>	Yes	<ul style="list-style-type: none"> <li>NAJA negotiating reduced conference package and opportunities</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Submission to the Federal Inquiry into Local Government Sustainability.</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Submission Framework on the April 2024 agenda for discussion and input.</li> <li>Submissions due 3<sup>rd</sup> May 2024.</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Expansion of mental health services.</li> <li>Expansion of family and domestic violence services.</li> <li>Expansion of aged care services.</li> <li>Health facilities that are fit for purpose in Aboriginal communities.</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Data needed – an opportunity to lead joint advocacy with NGOs</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Advocate for whole of family approach and wrap around services to be located in the Kimberley.</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Roll into pre-election strategy.</li> <li>Benchmarking exercise to assist with this.</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Develop a stakeholder engagement, communications and advocacy strategy in line with the Policy Papers</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Roll into pre-election strategy.</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Develop advocacy strategies to encourage economic diversification including mining; tourism; agriculture; defence; creative Industries; small business; Indigenous business growth</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Ongoing advocacy and engagement</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Advocate for MOG initiatives around better place based regional service delivery to be progressed.</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Ongoing advocacy and engagement.</li> </ul>
Advocate Facilitate	<ul style="list-style-type: none"> <li>Update KRG Investment Prospectus</li> </ul>	90%	<ul style="list-style-type: none"> <li>Complete</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Develop White Paper with clear positions</li> </ul>	Yes	<p>Complete – Instead of White Paper individual Position Papers Developed-</p> <ul style="list-style-type: none"> <li>Prosperous and Diverse Economy</li> <li>Housing</li> <li>Management of Alcohol and Other Drugs</li> <li>Juvenile Justice</li> <li>Community Safety and Crime Prevention</li> <li>Provision of Government Services</li> <li>Emergency Management</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Increase support for mitigation measures, infrastructure replacement to be more resilient.</li> <li>Removal of the distinction between ordinary and additional costs in NDR payments.</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Independent Review of Commonwealth Disaster Funding Submission endorsed and submitted.</li> <li>Senate Inquiry submission endorsed and submitted.</li> <li>EM Policy Paper endorsed and submitted.</li> </ul>



Kimberley Regional Group: Minutes 19 April 2024



	<ul style="list-style-type: none"> <li>Streamlined contracting and procurement processes, surety to payments, and immediate access to NDR funds.</li> </ul>		<ul style="list-style-type: none"> <li>These points included in submissions and EM Policy Paper.</li> </ul>
Facilitate and Partner	<ul style="list-style-type: none"> <li>Develop strong relationships with NHFIC (National Housing Finance Investment Corporation), Development WA and the Department of Communities – invite CEOs to KRG meeting to discuss partnership opportunities.</li> </ul>	Yes	<ul style="list-style-type: none"> <li>NHFIC, now Housing Australia, attended November 2023 meeting.</li> <li>Will be engaged through Housing Advocacy Strategy.</li> </ul>
Advocate	<p>Develop a stakeholder engagement and communications plan, and advocacy strategy, to drive the actions identified in the Housing Policy Position, i.e.:</p> <ul style="list-style-type: none"> <li>State and federal social and affordable housing investment programs target the Kimberley</li> <li>Community housing partnerships.</li> <li>The DPLH support Shires to review housing needs in each town.</li> <li>Changes to Government Regional Officer Housing and Home Ownership Subsidy Scheme policies</li> <li>Government incentives for new supply</li> <li>Changes to finance lending practices for home purchase</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Item for November 2023 meeting</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Submission to Aviation Green Paper</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Submission endorsed at November 2023 meeting and submitted</li> </ul>
Performance	<ul style="list-style-type: none"> <li>Review KRG Governance Documents</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Governance documents endorsed at November 2023 meeting.</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Submission to National Housing and Homelessness Plan</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Submission lodged based on Housing Policy Position</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>First Port of Entry Status</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Letters sent to State and Federal Government Ministers – continued to be raised in meetings with government.</li> <li>Expanded FPOE status being progressed for Broome</li> </ul>



## 13. Around the Grounds

### Item for Discussion

Submitted by: Executive Team

### Purpose

This session provides an opportunity for members to share information of a local or regional nature that may provide opportunities for collaboration or may serve the purposes of sharing a learning that could impact the region as a whole.

### In summary

- Since the inception of this agenda item in February 2023, two events were deemed major enough to steer discussion: the floods and the Canberra visit.
- For this meeting, it has been left to each Shire to introduce a topic/s of their choice that they deem relevant for the group. It is the intention that each Shire can hold the floor for up to 5 minutes, after which the item can either be followed up out of session or raised as an agenda item for the next meeting.

### Issues discussed

Bridge issues

SDWK raised that there either is or likely to be a significant "weight restrictions" placed on the Willare Bridge, and we assume Minnie. This is causing issues between West and East Kimberley and further to the NT.

The Shire of Halls Creek raised issues with the closure of the Tanami Road due to flooding and the Stuart Creek Bridge being underwater. The remote communities of Mulan, Billiluna and Balgo have been cut off by road for weeks with people being stuck in Halls Creek contributing to chronic overcrowding of homes. This work needs to be prioritised as part of the Tanami Road upgrade.

SWEK raised issues regarding bushfire management across the Kimberley and advised that Grey Mackay from the Land Alliance heads up a group of key players in this space. He has funding to facilitate coordination and communication with key stakeholders like shire Rangers, Indigenous Rangers, Pastoralists and DFES Staff. It was suggested that Mr Mackay present at the October KRG meeting.

### Risk

**Operational and reputational:** if key issues facing KRG members are not understood by the KRG.

Kimberley Regional Group: Minutes 19 April 2024



Link to Key Pillar/s and Strategies:		Budget Implications
People Place Prosperity <b>Performance</b>	<b>Advocate</b> Partner <b>Promote</b>	<b>Facilitate</b> Fund <b>Monitor</b>
Resolution/s		Action(s)
For information only		<p>SWEK and SoHC to send through bridge issues to the EO. The KRG write to State and Federal Government raising these issues.</p> <p>That Grey Mackay from the Land Alliance be invited to the October KRG meeting to present on bushfire issues in the Kimberley.</p>



## 14. KRG Position Papers

### Item for Noting

Submitted by: Executive Team

**Attachment 16: Position Paper – Management of Alcohol and other Drugs** (attached separately)

**Attachment 17: Position Paper – Community Safety and Crime Prevention** (attached separately)

**Attachment 18: Position Paper – Housing** (attached separately)

**Attachment 19: Position Paper – Juvenile Justice** (attached separately)

**Attachment 20: Position Paper – Prosperous Diverse Economy** (attached separately)

**Attachment 21: Position Paper – Provision of Government Services** (attached separately)

**Attachment 22: Position Paper – Emergency Management** (attached separately)

### Purpose

That the Kimberley Regional Group notes the refreshed set of Position Papers which will be used for advocacy as part of the State and Federal Election Strategy.

### In summary

- In February 2023 the Kimberley Regional Group endorsed six position papers with a seventh paper on Emergency Management endorsed in November 2023 -
  1. Management of Alcohol and Other Drugs;
  2. Community Safety and Crime Prevention;
  3. Housing;
  4. Juvenile Justice;
  5. Prosperous Diverse Economy;
  6. Provision of Government Services; and
  7. Emergency Management
- The Position Papers are located on the KRG website and have been used to inform KRG submissions to government, and for advocacy purposes and have been well received.
- The Position Papers have been refreshed to ensure that they remain contemporary.

### Background

As above

### Details

Minor changes have been made to most Position Papers. The context of the Housing Position Paper has been changed to align with the Kimberley Development Commission's Residential Housing and Land Snapshot November 2023 and to include advocacy points relating to the eligibility for remote area housing salary sacrifice for rental and home ownership and the salary sacrifice and FBT exemptions of mortgage interest for Kimberley owner occupied homes. The Management of Alcohol and Other Drugs has been updated to reflect changes to Banned Drinkers Legislation.

Kimberley Regional Group: Minutes 19 April 2024



## Risk

**Reputational:** lack of alignment on key policy positions across the Kimberley Shires and engagement and advocacy is not evidence based.

Link to Key Pillar/s and Strategies:		Budget Implications	
<b>People</b> Place Prosperity <b>Performance</b>	<b>Advocate</b> Partner <b>Promote</b>	<b>Facilitate</b> Fund Monitor	\$720 allocated for graphic design and printing costs.
Resolution/s		Action(s)	
That the KRG notes the refreshed Position Papers.		Refreshed Papers to be uploaded onto the KRG Website	
<b>Moved:</b>	Shire of Wyndham East Kimberley	<b>Responsible:</b>	As required
<b>Seconded:</b>	Shire of Derby West Kimberley	<b>Due date:</b>	As required
<b>Carried:</b>	3/0		

Kimberley Regional Group: Minutes 19 April 2024



## 15. Election Strategy

### Item for Noting

Submitted by: Executive Team

### Purpose

To provide an update on the Kimberley Regional Group State and Federal government election strategy.

### In summary

- The KRG endorsed an election strategy at the November 2023 meeting – the aim of the strategy is pre-election commitments for new investment in Kimberley infrastructure and services
- Up to \$7600 was allocated by the KRG towards this strategy.
- This paper provides a progress update of the election strategy
- The State and Federal Government 2024/25 budgets will be announced in May 2024. These budgets will inform the KRG election requests.

### Background

As above

### Details

#### Election strategy actions and timetable status update

The following is a status update of the pre-election strategy

Action	When	Material Required / comments	Status update
Gather federal and state priorities for the Kimberley	January 2024	Research undertaken.	Complete
Update Investment Prospectus	March 2024	An item to endorse the Prospectus is in the April 2024 agenda papers.	Awaiting information
Refresh Position Papers	March 2024	An item to endorse the updated papers in in the April 2024 agenda papers.	On track
Develop an Election Summary document to front the election pack	April / May 2024	2-4 page document summarising Kimberley statistics and compelling election asks from the prospectus and position paper. To be finalised after State and Federal Government budgets are handed down.	On track

64 | Page

Kimberley Regional Group: Minutes 19 April 2024



Action	When	Material Required / comments	Status update
Develop key messages and a communication plan	May /June 2024	Under current contract	On track
Develop an advocacy and engagement plan	May / June 2024	Under current contract	On track
Launch Pre-Election document	June 2024	Potential to launch at the 20 June Perth Joint Forum with the RCAWA.	On track
Undertake advocacy and engagement	July 2024 – March 2025	Need to link this with KRG Canberra visit	TBD

## Risk

**Operational and Reputational:** Without a pre-election strategy, opportunities to drive the KRG's policy and advocacy agenda may be missed.

Link to Key Pillar/s and Strategies:		Budget Implications	
<div> <div>People</div> <div>Place</div> <div>Prosperity</div> <div>Performance</div> </div>	<div> <div>Advocate</div> <div>Partner</div> <div>Promote</div> </div> <div> <div>Facilitate</div> <div>Fund</div> <div>Monitor</div> </div>	Up to \$7,600 plus GST has been allocated towards the documents for the election strategy.	
Resolution/s		Action(s)	
That the KRG note the progress of the election strategy			
<b>Moved:</b>	Shire of Derby West Kimberley	<b>Responsible:</b>	-
<b>Seconded:</b>	Shire of Halls Creek	<b>Due date:</b>	-
<b>Carried:</b>	3/0		

Kimberley Regional Group: Minutes 19 April 2024



## 16. Executive Officer Report

### Item for Noting

Submitted by: Executive Officer

Attachment 23: EO Report March 2024

### Purpose

To update the KRG on the Executive Officer services provided for the period January 2024 inclusive.

### Background

The attached report provides information about the services provided, activities undertaken and time allocation over the past two months.

### Details

As in included attachment.

### Risk

Nil

Link to Key Pillar/s and Strategies:		Budget Implications	
People Place Prosperity Performance	Advocate Partner Promote	Facilitate Fund Monitor	
Resolution/s		Action(s)	
That the Executive Officers Report be received and endorsed			
Moved:	Shire of Wyndham East Kimberley	Responsible:	
Seconded:	Shire of Derby West Kimberley	Due date:	
Carried:	3/0		



Kimberley Regional Group: Minutes 19 April 2024



## Attachment 23: EO Report – March 2024

### Project Work / Activity

Refer to business arising and KRG action lists for all activities the Executive is working on.

Project / Activity	Status	Item
Administrative Matters and Meetings	Ongoing	-
Website and social media	LinkedIn posts continuing	-
State and Federal Government Election Strategy	Implementing Strategy	15
Strategic Planning	Implementation of the KRG Prioritised Action List	12
Advocacy Strategy Management of Social Housing	Implementing Strategy	10
Kimberley Housing Roundtable	Funding received and roundtable progressing	8
Office of Northern Australia White Paper	Dr Allan Dale to present to the members.	9
Submission to the Federal Inquiry into Local Government Sustainability	Framework for the submission in the April 2024 Agenda Papers.	11
General Stakeholder Engagement	Ongoing – see Stakeholder list	16
Benchmarking	Preparation of material	-

Kimberley Regional Group: Minutes 19 April 2024



## Stakeholders

Stakeholders	Purpose
Chuck Berger, CEO KDC	Election Strategy, Investment Prospectus, Kimberley Housing Roundtable Tanami Activation Strategy
Janine Hatch, Director, RDA Kimberley	Kimberley Housing Roundtable
Luke Bosher, Head of Program, Strategy, Impact Housing Australia	Kimberley Housing Roundtable
KRG members	Investment Prospectus, Housing Australia Funding, Regional Precinct Funding
KRG Secretariat	Agenda items, advocacy discussions, finance administrative matters
Anthony Kannis, Director General, Department of Planning, Lands and Heritage	KRG matters update
Louise Kingston, Shadow Minister for Climate Action, Regional Cities, Tourism	Presentation to members at the April meeting
Allan Dale, Co-operative Research Centre Northern Australia (CRCNA) Chief Scientist	Northern Australia White Paper Action Plan Refresh
Liz Ritchie, CEO, Regional Australia Institute	Regions Rising 2024 National Summit Canberra 13th-15th August
Paul Ferrante, Manager Regional North, DevelopmentWA	KRG matters update
Tim Fraser, Executive Director Local Government, DLGSC	KRG matters update
Michael Andrew, Membership & Licensing Manager, Australian Hotels Association	Joint advocacy letter / submission to government from KRG, RCAWA and AHA
David MacLennan, CEO, City of Vincent	20th June 2024 Government Forum

Kimberley Regional Group: Minutes 19 April 2024



## Time Allocation September 2022 – March 2024

Total 2-Yearly Contract: 1,728 Hours: Monthly from 8<sup>th</sup> of the month to 7<sup>th</sup> of the next month

	Paul Rosair		Michelle Mackenzie		Jane Lewis		Support	
	Contract	Actual	Contract	Actual	Contract	Actual	Contract	Actual
Sep 22	32	34	20	18	23	29	4	2
Oct 22	32	22	20	8	23	24	4	1
Nov 22	32	40	20	36	23	28	4	0
Dec 22	15	12.5	10	26.25	10	1.5	2	0
Jan 23	15	19	10	11	10	36	2	0
Feb 23	32	15.5	20	9	23	25.5	4	0
Mar 23	32	34	20	9.25	23	14.5	4	0
Apr 23	32	19	20	9.5	23	24	4	0
May 23	32	35	20	23.5	23	18.5	4	0
June 23	32	37.5	20	21.25	23	27	4	0
July 23	32	46	20	14.25	23	45	4	0
Aug 23	32	54.5	20	35	23	58	4	6
Sep 23	29	34.5	22	21.25	26	13	4	0
Oct 23	29	30	22	27.5	26	25	4	8
Nov 23	29	26	22	14.75	26	41.5	4	4
Dec 23	15	18	11	12.50	14	6.5	2	10
Jan 24	15	12	11	12	14	5	2	13.5
Feb 24	29	35.5	22	22.75	26	17	4	11.5
Mar 24	29	28	22	22.25	26	9	4	12
<b>TOTALS</b>	<b>525</b>	<b>553</b>	<b>352</b>	<b>354</b>	<b>408</b>	<b>448</b>	<b>68</b>	<b>68</b>
<b>OVERALL CONTRACT: 1353 ACTUALS: 1423</b>								

Note: as can be seen from the hours above, there has been a lot of time invested in determining the KRG strategic agenda, getting a prospectus in place, organising the governance documents, producing policy papers, writing submissions, organising and attending external meetings as well as the general running of the KRG and Zone meetings. With 63 hours over budgeted time, the Executive Team has negotiated for these hours to be paid out to reset the baseline of monthly hours.

The Executive Team have laid the foundations for future work, which will entail some core hours, and hours that will be deemed as project work outside of core hours. Moving forward the allocation of core and non-core hours will be managed acknowledging that some project work (whether completed by NAJA as extra work or by an external supplier) cannot be accommodated within budgeted Executive Officer hours.

## 17. General Business

Item	Responsible	Comments /Actions Arising
Canberra Visit 2024	Vernon Lawrence	Place holder calendar invite sent for 13-15 <sup>th</sup> August 2024 to align with Regional Australia Institute. 3 attendees confirmed.
Guests / representatives to be invited to the Zone or KRG meetings in 2024	Members	Executive Team requested by CEO group to bring this topic up for discussion. Who the members would like to have reports from on a regular basis at the Zone meetings. Currently: <ul style="list-style-type: none"> <li>• WALGA</li> <li>• Regional Development Australia</li> <li>• Kimberley Development Commission</li> <li>• Australia's Northwest</li> <li>• DLGSCI</li> <li>• Roads – position currently vacant</li> </ul>
June Forum	Executive Team	Invitations have been sent to 66 people (Federal Ministers, State Ministers, Departments, Local Government and Industry and Peak bodies). Room booked at the City of Vincent.
Regions Rising 2023 National Summit Program	Executive Team	Proposal received from Regional Australia Institute (RAI) for attendance by KRG. Executive Officer discussing proposal with RAI prior to presenting to KRG for consideration.
Alan Dale Northern Australia Refresh	Executive Team	Presentation to April 2024 KRG Meeting. See Item 10
Hon Melissa Price MP KRG Meeting request - Member for Durack	Executive Team	Melissa Price has expressed interest in attending a meeting.
Housing and Childcare Lobbying	James Watt, Shire of Broome	Attachment 24 – Housing and Childcare Advocacy The KRG supported progressing this work and the EO will update the action list and come back to the KRG with a proposal on how to progress this.
Government Kimberley Resilience Package	Executive Team Michelle Mackenzie	Here is the link to the media statement: New multimillion-dollar program to build Kimberley resilience - Read more <a href="#">here</a>

Kimberley Regional Group: Minutes 19 April 2024



**Attachment 24 Housing and Childcare Advocacy – Broome email**

Good morning guys,

I hope you are both well?

I've been meaning to table this one for a while, but time has escaped me!

As you are aware, the 2 biggest issues we are facing in the Kimberley are housing and childcare. As Local Government, we are not immune to these challenges and it is significantly impacting staff attraction and retention.

To that end the Shire of Broome has recently resolved to construct 5 staff houses, from borrowings (outside of our annual budget process). We currently own 8 houses and are hoping to reach 18 over the next few years.

We currently offer salary sacrifice to our staff for rental. If staff rent through the private market directly, they can salary sacrifice with 50% FBT exemption. If the Shire holds the headlease and subleases to the employee, they can salary sacrifice with 100% FBT exemption. We used to offer the latter to just level 5 and above, but I have opened it up to all staff a couple of years back. There is a bit of an admin burden, but we really don't have many staff taking up the offer – I think due to lack of understanding of the benefit.

We also offer salary sacrifice for home owners. Mortgage interest can be salary sacrifice with 50% FBT exemption. There has been much discussion over the years as to whether the mortgage principal can also be salary sacrificed. We were doing this some 12 years back but killed it due to uncertainty on the legalities. Ideally, if we could lobby the federal govt to open this up to 100% FBT exemption for both interest and principal – it would make a massive difference.

Further to this, I attended a salary sacrifice workshop last year, and there was some discussion on salary sacrificing of childcare expenses. My understanding is this could only be done if the Shire ran the childcare and employed the childcare workers direct. I feel there may be opportunities to clarify this or consider other models.

I'm wondering if there is some work we could do here through the Kim Zone, which could lead into a lobbying effort in Canberra later in the year....

My thoughts:

1. Can we seek some tax advice on the status quo regarding eligibility for remote area housing salary sacrifice for rental and home ownership (clarifying eligibility (or not) for mortgage principal repayments)
2. Can we undertake some case study modelling to understand the impact of increasing the FBT exemption from 50 to 100%? Possibly lobbying opportunity.
3. Stamp Duty – could we lobby to have exemptions for stamp duty in remote areas?
4. Can we seek tax advice on the current eligibility of childcare expense salary sacrifice options
5. Can we consider some case studies and modelling on childcare provision to lobby for appropriate changes

Let me know your thoughts,

Thanks

Sam



**Sam Mastrolemba | Chief Executive Officer**

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Kimberley Regional Group: Minutes 19 April 2024

Attachment 25 2024 Meeting dates

CEO Ringaround	In Person Meetings	Zoom meetings	State Council
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Month	Meeting	Date	Time	Location	Notes
February	CEO Ringaround	9/2/24	8.30am – 9.00am	Zoom	
	Dinner	15/2/24	6.30-9.30pm	Perth - TBD	Parliament sitting 13-15 Meetings to be organised
	Kimberley Zone	16/2/24	9-10.30am		
	KRG		10.30am-12.30pm		
March	State Council meeting	6/3/24	-	WALGA	
April	CEO Ringaround	12/4/24	8.30am – 9.00am	Zoom	
	Kimberley Zone	19/4/24	1-2.30pm	Zoom	
	KRG		2.30am-4.30pm		
May	State Council meeting	1/5/24	-	North Metropolitan Zone	

CEO Ringaround	In Person Meetings	Zoom meetings	State Council
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Month	Meeting	Date	Time	Location	Notes
June	CEO Ringaround	13/6/24	8.30am – 9.00am	Zoom	
	KRG	20/6/24	9-10.30am	City of Vincent	
	Kimberley Zone		10.30am-12.00		
June	Government Forum	20/6/24	12 – 2pm	City of Vincent	
	Dinner		6.30-9.30pm	Le Vivant or similar	
July	State Council meeting	3/7/24	-	WALGA	
August	CEO Ringaround	8/8/24	8.30am – 9.00am	Zoom	
	Kimberley Zone	15/8/24	1pm - 2.30am	Zoom	
	KRG		2.30pm – 4.30pm		
September	State Council meeting	5-6/9/24	-	<u>South West</u> Country Zone	

Kimberley Regional Group: Minutes 19 April 2024



CEO Ringaround	In Person Meetings	Zoom meetings	State Council
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Month	Meeting	Date	Time	Location	Notes
October	CEO Ringaround	3/10/24	8.30am – 9.00am	Zoom	
	KRG	9/10/24	9am - 5pm	Shire of Halls Creek	Travel
		10/10/24	9 – 11.00am		Strategic Planning
			11.30-3pm		Meeting and lunch
			3-5pm		Tour
			6-10pm		Dinner
		11/11/24	9am - 5pm		Travel
November	Kimberley Zone	15/11/24	1-3.30pm	Zoom	
December	State Council meeting	4/12/24	-	WALGA	

**Meeting Closure: 5:00pm**

<b>11. NOTICES OF MOTION WITH NOTICE</b>
--

Nil.

<b>12. NOTICE OF MOTION WITHOUT NOTICE</b>
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Nil.



**13. BUSINESS OF AN URGENT NATURE****13.1 COUNCIL CONSIDERATION OF PUBLIC SUBMISSIONS ON INTENTION TO IMPOSE DIFFERENTIAL RATES AND MINIMUM PAYMENTS FOR THE 2024/25 ANNUAL BUDGET**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	ARA01; ARA12
<b>AUTHOR:</b>	Manager Financial Services
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**

The report presents to Council the outcome of the statutory local public notice period before adopting the 2024/25 Annual Budget. Council is also requested to authorise the Chief Executive Officer to apply to the Minister for Local Government to approve the differential rates that require exemption from section 6.33(3) of the *Local Government Act 1995*.

**BACKGROUND**Previous Considerations

OMC 24 April 2024

Item 9.4.3

The "Notice of intention to impose 2024/2025 differential rates" report presented to Council at the 24 April 2024 Ordinary Meeting of Council (OMC) summarised the following matters:

- The 2024/25 budget process to date including revenue required to be raised from rates as per the 2024/25 draft budget;
- Proposed Gross Rental Value (GRV) and Unimproved Value (UV) rating categories and corresponding valuations;
- Proposed rate in the dollar (RID) for each rating category reflecting a 5.97% increase from the preceding year, plus an additional 0.959% for GRV Commercial properties;
- Minimum payments proposed at \$1,344 for all rate categories with the exception of the GRV Vacant and UV Mining categories which were proposed to have lesser minimum payments of \$1,264 and \$958 respectively;
- The statutory requirement to advertise certain rating information through public notice; and
- The statutory requirement to consider submissions received concerning the proposed rates.

Through this report, Council resolved the following:

**COUNCIL RESOLUTION:**  
**C/0424/013**

**Moved: Cr P Taylor**  
**Smith**

**That Council:**

**Minute No.**

**Seconded: Cr E**

**1. Publishes a local public notice proposing the 2024/25 differential general rates and minimum payments set out in the table below and invites electors or ratepayers to lodge submissions about this proposal within 21 days from the date of notice:**

<b>DIFFERENTIAL RATE CATEGORY</b>	<b>MINIMUM PAYMENT</b>	<b>RATE IN THE DOLLAR (cents)</b>
<b>Residential (GRV)</b>	<b>\$1,344</b>	<b>9.2478</b>
<b>Vacant (GRV)</b>	<b>\$1,264</b>	<b>20.0813</b>
<b>Commercial (GRV)</b>	<b>\$1,344</b>	<b>12.6712</b>
<b>Tourism (GRV)</b>	<b>\$1,344</b>	<b>14.9846</b>
<b>Commercial Rural (UV)</b>	<b>\$1,344</b>	<b>3.7704</b>
<b>Mining (UV)</b>	<b>\$958</b>	<b>15.2538</b>
<b>Rural (UV)</b>	<b>\$1,344</b>	<b>0.9019</b>

**2. Adopts the Objects and Reasons presented in Attachment 2 for each of the proposed differential general rates and minimum payments in point 1 above; and**

**3. Following the close of the public submission period, requests the Chief Executive Officer to report back to Council, presenting any submissions for formal consideration, before seeking Ministerial Approval under section 6.33(3) of the Local Government Act 1995 to impose differential rates which are more than twice the lowest differential rate in the GRV Vacant, UV Mining and UV Commercial Rural differential rating categories.**

**For: Shire President C Mitchell, Cr D Male, Cr J Lewis, Cr J Mamid, Cr P Matsumoto, Cr E Smith, Cr M Virgo, Cr P Taylor, Cr S Cooper.**

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 9/0**

Following the 24 April 2024 OMC, a public notice inviting submissions on proposed differential rates was advertised in the 1 May 2024 edition of The West Australian Newspaper, with the 21-day submission period ending 4pm 22 May 2024. A further advertisement was placed in the Broome Advertiser issued on 2 May 2024. Public notices were also placed on noticeboards located at the Shire of Broome Administration Centre and Library. A digital public notice was published on the Shire of Broome's website with a link to the Objects and Reasons for the Differential Rates and Minimum Payments for the 2024/25 Financial Year. This complies with the statutory requirements under section 6.36 of the *Local Government Act 1995* (the Act).

The Shire also wrote to the 23 properties in the UV Commercial Rural rating category, inviting public comments on the proposed differential rates according to the Department of Local Government, Sport and Cultural Industries (DLGSC) requirement for rating categories with less than 30 ratepayers.

In addition to the local public notice requirements, Ministerial approval is required if a differential rate is more than twice the lowest differential rate in either UV or GRV properties (s6.33 of the Act). Approval will be sought for the GRV Vacant category which is more than twice the base GRV Residential rate, and the UV Commercial Rural and UV Mining categories which are both more than twice the base UV Rural rate.

The Minister requires evidence of Council consideration of any submissions received before considering the Shire's application for exemption from section 6.33 of the Act.

## **COMMENT**

### Submissions

During the 21 day submission period, there were no submissions received.

### Property and Valuation Changes

The "Notice of intention to impose 2024/2025 differential rates" report presented to Council at the 24 April 2024 OMC modelled differential rates based on all property valuations current at the time. GRV properties are revalued every three (3) years, with the last valuations taking effect 1 July 2022. UV properties are revalued annually by the Valuer-General, and new valuations (effective from 1 July 2024) had not been received at the time of the report. Officers considered that any variances which would significantly affect the outcome of the proposed rates model would be presented to Council and treated in accordance with the Act. During the advertising period other minor interim schedule changes were also processed to ensure the most up to date rates ledger for budget considerations and billing.

#### *UV Properties*

The Valuer-General, through Landgate, completed the rural assessments for all properties as of the Date of Valuation, 1 August 2023. These valuations become effective on 1 July 2024, so are necessary to include in the proposed 2024/25 rates model. The changes observed in the assessed values for the 2023/24 period resulted in an average overall change of 7.73%.

Landgate provided that the analysis of sales at and around the date of valuation supported an increase in unimproved values for most broadacre irrigation land, and some smallholding land, with no significant change to unimproved values for the remainder of properties in the Shire. Some variations to individual assessments may have occurred either as a product of the valuation process and/or inclusion of updated information.

All current UV valuations have now been received and incorporated into the 2024/25 rates model. The total UV valuations have increased by \$2,375,057, above the valuations included in the rates model presented at the April OMC. This equates to a \$51,880 increase in rates levies. Contained within these revaluations are movements in the UV Mining category - a combination of dead, new and revalued mining tenements. The variance from the rates model presented at the April OMC to the current valuations are presented in **Attachment 2**.

#### *GRV Properties*

During the advertising period other minor updates to property valuations were made in accordance with interim valuation schedules provided by Landgate, as well as the completion of a review by the Shire's planning department to ensure any properties with an approved change in property use were appropriately re-categorised in the final rates model. The review identified 17 properties which were realigned to the GRV Tourism category, and one property realigned to the GRV Commercial category, with all 18 properties originally modelled under the GRV Residential category. The movement of GRV properties increased the rates to be levied by \$40,141, since the April OMC.

### Rates Model Changes

The rates model approved for advertising at the 24 April 2024 OMC, factored in \$300,000 of interim rates, being double that of the 2023/24 adopted interim rates (\$150,000). The intent of this increase acknowledged, firstly, Council's intent of a manageable RID change across the rating categories, and secondly, recognised the expectation that UV revaluations, changes in property use, and property developments would impact the rates levied. The UV revaluations and some property use changes are now known, which have an impact of \$92,021. These have been recognised in the attached rates model, as required for the application to the Minister. The intent is not to raise additional rates income above the advertised model, so this has been proposed to offset the interim rates. Reducing the proposed interim rates to \$207,979. The net effect to the proposed rates model is \$0 as presented at **Attachment 3**.

A summary of the changes to valuations and rates modelling since the previously reported model (OMC 24 April 2024) is provided in **Attachment 2**. An updated Statement of Objects and Reasons for 2024/25 reflecting any changes is provided in **Attachment 1**.

### Ministerial Approval

Ministerial approval must be sought under section 6.33 of the Act for the proposed GRV Vacant rating category, as the rate in the dollar for this category is more than twice the GRV Residential rate.

A separate application for approval under section 6.33 of the Act must also be sought for UV Mining and UV Commercial differential rating categories which are more than twice the lowest UV Rural general rate. This has been the case for UV Mining and UV Commercial categories for some years, and recognises the higher costs associated with maintaining infrastructure and the rural road network (including, extreme weather conditions, heavier transport utilising roads and higher traffic volumes).

Applications for both GRV and UV is consistent with prior years and Officers recommend that Council authorise the Chief Executive Officer (CEO) to apply to the Minister seeking approval under section 6.33 of the Act for the proposed rate in the dollar for the GRV Vacant, UV Mining and UV Commercial differential rating categories.

### Conclusion

As no submissions have been received on the advertised rates in the dollar and minimum payments proposed for 2024/25, it is recommended that Council adopts the Objects and Reasons, differential rates and minimum rates strategy as previously advertised, and seeks Ministerial approval to impose differential rates for those rates that are more than twice the lowest differential rate as required under section 6.33(3) of the Act.

### **CONSULTATION**

Local public notice was provided and direct correspondence issued to property owners as required under section 6.36 of the Act. No submissions were received during the 21-day statutory notice period.

The Valuer-General and Landgate provided the current property valuations in the proposed 2024/25 rates model, via the valuation rolls and interim valuation schedules.

## STATUTORY ENVIRONMENT

### **Local Government Act 1995**

s6.26	Rateable land
s6.28	Basis of Rates
s6.32	Rates and service charges
s6.33	Differential general rates
s6.34	Limit on revenue or income from general rates
s6.35	Minimum payment

The rate in the dollar and minimum payments applicable to each differential rating category proposed for the 2024/25 annual budget have been developed with full consideration for the Act, specifically the sections referenced above.

s1.7	Local public notice
s6.36	Local government to give notice of certain rates

The Shire has complied with the statutory requirement to give public notice in at least three ways (state-wide and local newspapers, Shire administration and Library notice boards, Shire website) from 1 May, for at least 21 days, stating the proposed differential rates and minimum payments for each rating category, providing suitable access to the Objectives and Reasons, and considering all submissions to Council through this report.

## POLICY IMPLICATIONS

### *Rating Policy*

The Rating Policy outlines the Council's principles and methodology when exercising the Council's discretionary powers to determine the level and structure of rates levied under the Act.

## FINANCIAL IMPLICATIONS

The proposed differential rates and minimum payments for the 2024/25 financial year will raise an estimated rates revenue of \$28.49M. A detailed draft rates model is in **Attachment 3**, featuring the rate in the dollar and minimum payment for all rating categories as per Council resolution C/0424/013 made at the 24 April 2024 OMC, and valuations received from the Valuer-General for all properties within the Shire of Broome (GRV properties applying from 1 July 2022, UV properties applying from 1 July 2024).

## RISK

Risks associated with the consideration of submissions received and the general endorsement of the proposed rates model include:

- Rejection of the proposed differential rates, minimum payment and/or associated statement of objectives and reasons by the DLGSC, which could result in delays in adopting the 2024/25 annual budget.
  - Delays to the 2024/25 annual budget adoption could affect cash flow and delay the commencement of significant capital projects.
- Delay in the timing of issuance of the annual rates notices, leaving less time for ratepayers to pay rates by 30 June 2025.

These risks are assessed as extreme. The treatment and mitigation of these risks have been identified through controls including analysis and review of the rate-setting strategy, compliance with all related legislation and DLGSC guidelines and consultation with DLGSC and ratepayers.

## STRATEGIC ASPIRATIONS

**Performance - We will deliver excellent governance, service & value for everyone.**

### **Outcome 12 - A well informed and engaged community**

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

### **Outcome 13 - Value for money from rates and long term financial sustainability**

**Objective** 13.1 Plan effectively for short- and long-term financial sustainability

**Objective** 13.2 Improve real and perceived value for money from rates.

## VOTING REQUIREMENTS

*Simple Majority*

### **COUNCIL RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Minute No. C/0524/075**

**Moved: Cr D Male**

**Seconded: Cr P Taylor**

**That Council:**

1. **Notes that no submissions were received in response to Council's intention to impose the 2024/25 differential rates and minimum payments under section 6.36(4) of the Local Government Act 1995 during the public submission period of 21 days;**
2. **Endorses the following proposed Differential General Rates and Minimum Payments for 2024/25:**

<b>DIFFERENTIAL RATE CATEGORY</b>	<b>MINIMUM PAYMENT</b>	<b>RATE IN THE DOLLAR (cents)</b>
<b>Residential (GRV)</b>	<b>\$1,344</b>	<b>9.2478</b>
<b>Vacant (GRV)</b>	<b>\$1,264</b>	<b>20.0813</b>
<b>Commercial (GRV)</b>	<b>\$1,344</b>	<b>12.6712</b>
<b>Tourism (GRV)</b>	<b>\$1,344</b>	<b>14.9846</b>
<b>Commercial Rural (UV)</b>	<b>\$1,344</b>	<b>3.7704</b>
<b>Mining (UV)</b>	<b>\$958</b>	<b>15.2538</b>
<b>Rural (UV)</b>	<b>\$1,344</b>	<b>0.9019</b>

3. **Adopts the 2024/25 Rating Objects and Reasons for each of the proposed differential general rates and minimum payments in point 2 above as contained in Attachment 1; and**

- 4. Requests the Chief Executive Officer to seek the Minister for Local Government's approval under section 6.33(3) of the Local Government Act 1995 to impose differential rates for the:**
- (a) GRV Vacant differential rating category, which is proposed to be more than twice the lowest GRV Residential differential rate; and**
  - (b) UV Commercial Rural and UV Mining differential rating categories, which are proposed to be more than twice the lowest UV Rural differential rate.**

**For: Shire President C Mitchell, Cr D Male, Cr J Lewis, Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper.**

**CARRIED UNANIMOUSLY 7/0**

#### **Attachments**

1. Attachment 1 - 2024/25 Objects and Reasons for the Differential Rates and Minimum Payments - Updated
2. Attachment 2 - 2024/25 Summary of Changes to Rates Valuations and Modelling
3. Attachment 3 - 2024/25 Proposed Draft Rates Model for Budget Adoption

SHIRE OF BROOME  
PROPOSED DRAFT RATES MODEL  
30 JUNE 2025

RATE TYPE	2024/25						2023/24					
	Rate in \$ as cents	Number of Properties	Rateable Value New	2024/25 Budgeted Rate Revenue \$	2024/25 Budgeted Interim Rates \$	2024/25 Budgeted Total Revenue	Rate in \$ as cents	Number of Properties	Rateable Value New	2023/24 Budgeted Rate Revenue \$	2023/24 Budgeted Interim Rates \$	2023/24 Actual Total Revenue
Differential general rate												
Gross Rental Valuations												
GRV Residential	9.2478	5,118	166,098,639	15,360,470	207,979	15,568,449	8.7268	5,095	165,274,307	14,423,586	150,000	14,573,586
GRV Vacant	20.0813	173	3,246,770	651,994		651,994	18.9500	161	2,895,550	548,707		535,082
GRV Commercial	12.6712	558	59,937,332	7,594,779		7,594,779	11.8501	558	59,709,080	7,075,589		7,075,589
GRV Tourism	14.9846	605	22,611,039	3,388,174		3,388,174	14.1405	577	21,759,799	3,076,935		3,076,935
Unimproved Value Valuations						0						
UV Commercial Rural	3.7704	22	11,152,293	420,486		420,486	3.5580	22	10,810,860	384,653		384,653
UV Mining	15.2538	29	1,501,724	229,070		229,070	14.3945	39	1,400,067	201,532		201,532
UV Rural	0.9019	54	19,691,000	177,593		177,593	0.8510	54	17,809,000	151,563		151,563
<b>Sub-Totals</b>		<b>6,559</b>	<b>284,238,797</b>	<b>27,822,566</b>	<b>207,979</b>	<b>28,030,545</b>		<b>6,506</b>	<b>279,658,663</b>	<b>25,862,564</b>	<b>150,000</b>	<b>25,998,939</b>
Minimum payment	Minimum \$						Minimum \$					
Gross Rental Valuations												
GRV Residential	1344	44	578,580	59,136		59,136	1268	45	588,460	57,060		57,060
GRV Vacant	1264	171	795,308	216,144		216,144	1268	154	701,738	195,272		195,272
GRV Commercial	1344	22	153,862	29,568		29,568	1268	22	153,862	27,896		27,896
GRV Tourism	1344	247	782,931	331,968		331,968	1268	247	782,931	313,196		313,196
Unimproved Value Valuations						0						
UV Commercial Rural	1344	1	3,300	1,344		1,344	1268	1	3,300	1,268		1,268
UV Mining	958	28	79,959	26,824		26,824	520	20	37,669	10,400		10,400
UV Rural	1344	4	196,300	5,376		5,376	1268	4	191,300	5,072		5,072
<b>Sub-Totals</b>		<b>517</b>	<b>2,590,240</b>	<b>670,360</b>	<b>0</b>	<b>670,360</b>		<b>493</b>	<b>2,459,260</b>	<b>610,164</b>	<b>0</b>	<b>610,164</b>
Total amount raised from general rates		7,076	286,829,037	28,492,926	207,979	28,700,905		6,999	282,117,923	26,472,728	150,000	26,609,103
Discounts						(51,496)						(47,903)
<b>Total Rates</b>		<b>7,076</b>	<b>286,829,037</b>	<b>28,492,926</b>	<b>207,979</b>	<b>28,649,409</b>		<b>6,999</b>	<b>282,117,923</b>	<b>26,472,728</b>	<b>150,000</b>	<b>26,561,200</b>



2024/25 BUDGET - SUMMARY OF CHANGES TO VALUATIONS AND RATES MODELLING

	Advertised				Minister Approval				Variance			
	Rate in \$/Min	No. Properties	Valuations	Total Rates	Rate in \$/Min	No. Properties	Valuations	Total Rates	Rate in \$/Min	No. Properties	Valuations	Total Rates
<b>NON-MINIMUMS</b>												
GRV Residential	0.092478	5,136	166,809,999	\$ 15,426,255	0.092478	5,118	166,098,639	\$ 15,360,470	0	-18	-711,360	-\$ 65,785
GRV Vacant	0.200813	173	3,246,770	\$ 651,994	0.200813	173	3,246,770	\$ 651,994	0	0	0	\$ -
GRV Commercial	0.126712	557	59,898,332	\$ 7,589,837	0.126712	558	59,937,332	\$ 7,594,779	0	1	39,000	\$ 4,942
GRV Tourism	0.149846	588	21,937,119	\$ 3,287,190	0.149846	605	22,611,039	\$ 3,388,174	0	17	673,920	\$ 100,984
UV Commercial Rural	0.037704	22	10,810,860	\$ 407,613	0.037704	22	11,152,293	\$ 420,486	0	0	341,433	\$ 12,873
UV Mining	0.152538	30	1,357,284	\$ 207,037	0.152538	29	1,501,724	\$ 229,070	0	-1	144,440	\$ 22,033
UV Rural	0.009019	54	17,809,000	\$ 160,619	0.009019	54	19,691,000	\$ 177,593	0	0	1,882,000	\$ 16,974
<b>Total Non Minimums</b>		<b>6,560</b>	<b>281,869,364</b>	<b>\$ 27,730,545</b>		<b>6,559</b>	<b>284,238,797</b>	<b>\$ 27,822,566</b>	<b>0</b>	<b>-1</b>	<b>2,369,433</b>	<b>\$ 92,021</b>
<b>MINIMUMS</b>												
GRV Residential	\$ 1,344	44	578,580	\$ 59,136	\$ 1,344	44	578,580	\$ 59,136	0	0	0	\$ -
GRV Vacant	\$ 1,264	171	795,308	\$ 216,144	\$ 1,264	171	795,308	\$ 216,144	0	0	0	\$ -
GRV Commercial	\$ 1,344	22	153,862	\$ 29,568	\$ 1,344	22	153,862	\$ 29,568	0	0	0	\$ -
GRV Tourism	\$ 1,344	247	782,931	\$ 331,968	\$ 1,344	247	782,931	\$ 331,968	0	0	0	\$ -
UV Commercial Rural	\$ 1,344	1	3,300	\$ 1,344	\$ 1,344	1	3,300	\$ 1,344	0	0	0	\$ -
UV Mining	\$ 958	28	77,775	\$ 26,824	\$ 958	28	79,959	\$ 26,824	0	0	2,184	\$ -
UV Rural	\$ 1,344	4	191,300	\$ 5,376	\$ 1,344	4	196,300	\$ 5,376	0	0	5,000	\$ -
<b>Total Minimums</b>		<b>517</b>	<b>2,583,056</b>	<b>\$ 670,360</b>		<b>517</b>	<b>2,590,240</b>	<b>\$ 670,360</b>	<b>0</b>	<b>0</b>	<b>7,184</b>	<b>\$ -</b>
<b>TOTAL ALL PROPERTIES</b>												
GRV Residential		5,180	167,388,579	\$ 15,485,391		5,162	166,677,219	\$ 15,419,606	0	-18	-711,360	-\$ 65,785
GRV Vacant		344	4,042,078	\$ 868,138		344	4,042,078	\$ 868,138	0	0	0	\$ -
GRV Commercial		579	60,052,194	\$ 7,619,405		580	60,091,194	\$ 7,624,347	0	1	39,000	\$ 4,942
GRV Tourism		835	22,720,050	\$ 3,619,158		852	23,393,970	\$ 3,720,142	0	17	673,920	\$ 100,984
UV Commercial Rural		23	10,814,160	\$ 408,957		23	11,155,593	\$ 421,830	0	0	341,433	\$ 12,873
UV Mining		58	1,435,059	\$ 233,861		57	1,581,683	\$ 255,894	0	-1	146,624	\$ 22,033
UV Rural		58	18,000,300	\$ 165,995		58	19,887,300	\$ 182,969	0	0	1,887,000	\$ 16,974
<b>Total</b>		<b>7,077</b>	<b>284,452,420</b>	<b>\$ 28,400,905</b>		<b>7,076</b>	<b>286,829,037</b>	<b>\$ 28,492,926</b>	<b>0</b>	<b>-1</b>	<b>2,376,617</b>	<b>\$ 92,021</b>



## Statement of Objects and Reasons

### 2024/25 Differential Rates and Minimum Payments

Under section 6.36 of the *Local Government Act 1995*, the Objects and Reasons for implementing Differential Rates must be published by the Shire of Broome.

#### **Overall Objective**

The purpose of the levying of rates is to meet the Shire's budget requirements each financial year to deliver services and community infrastructure. The Valuer-General provides the property valuations as the basis for the calculation of rates each year. Section 6.33 of the *Local Government Act 1995* provides the ability to differentially rate properties based on zoning or land use as determined by the Shire of Broome. Properties are grouped according to town planning zonings or predominant land use. Each rating category has a separately calculated rate in the dollar to achieve equity across all sectors.

Council has considered the key values contained within the Rating Policy: Differential Rates (s.6.33) released by the Department of Local Government, Sport and Cultural Industries, being:

- Objectivity
- Fairness and Equity
- Consistency
- Transparency and Administrative Efficiency

A copy of this policy can be obtained from this link:

<https://www.dlgsc.wa.gov.au/departments/publications/publication/rating-policy-differential-rates>.

Council determines the required rates yield by reviewing all revenue sources, expenditure and efficiency measures as part of its budget deliberations, and for the 2024/25 financial year a budget deficiency of \$28.4M has been identified. To achieve a balanced budget the rate-in-dollar is proposed to be increased by 5.97% across all rating categories with an additional 0.959% for the GRV Commercial (6.93%) rating category as a result of Council's resolution to support Inter Regional Flight Network costs.

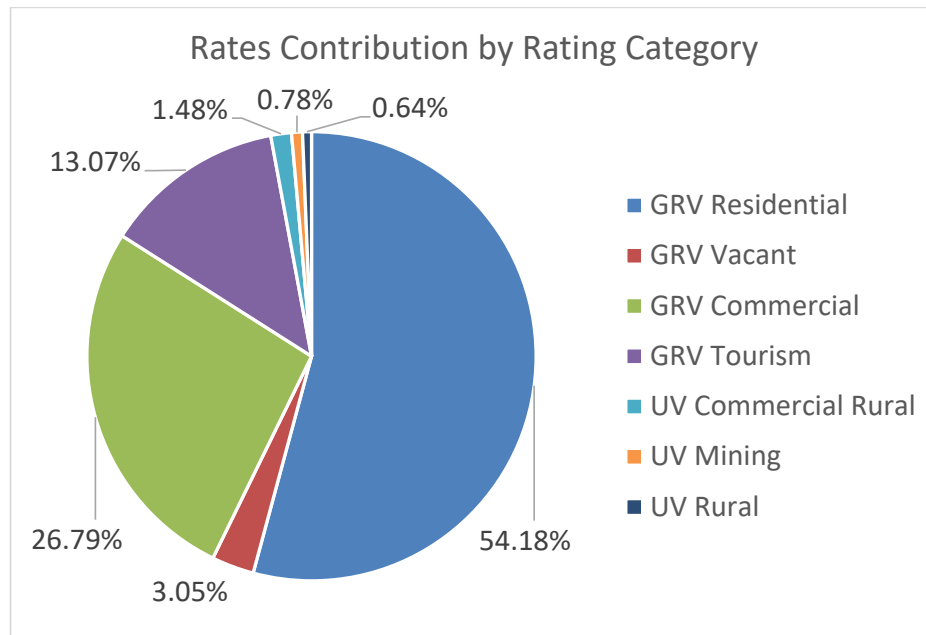
Below is a summary of the proposed Minimum Payments and Rates in the Dollar for 2024/25:

Differential Rate Category	Minimum Payment	Rate in the \$ (Cents)
GRV – Residential	\$1,344	9.2478
GRV – Vacant	\$1,264	20.0813
GRV – Commercial	\$1,344	12.6712
GRV – Tourism	\$1,344	14.9846
UV – Commercial Rural	\$1,344	3.7704
UV – Mining	\$958	15.2538
UV – Rural	\$1,344	0.9019

### **Rates Contribution Based by Rating Category:**

In September 2021, the Valuer General's Office commenced reviewing all GRV properties within the Shire, with revised valuations becoming effective from 1 July 2022. The next valuation review of GRV properties is expected to be effective from 1 July 2025.

The following chart details the rates contribution as a percentage of total rates revenue for each rating category:



### **Gross Rental Value (GRV)**

The *Local Government Act 1995* determines that properties of a non-rural purpose be rated using the Gross Rental Valuation (GRV) as the basis for the calculation of annual rates. The Valuer-General determines the GRV for all properties within the Shire of Broome. Under section 22 of the *Valuation of Land Act 1978*, the Valuer-General also determines the frequency of general valuations. The Valuer-General undertakes a GRV revaluation every three to five years, with the most recent valuation occurring in September 2021 and effective from 1 July 2022. Factors such as age, construction, size, car shelters, pools and location influence the rental value for a house or other GRV property. Interim valuations are provided fortnightly to the Shire by the Valuer-General for properties where changes have occurred (i.e. subdivisions or strata title of a property, amalgamations, building constructions, demolition, additions and/or property rezoning). In such instances, the Shire recalculates the rates for the affected properties and issues interim rates notices.

GRV properties contribute about 97.09% of the total rates as the properties in this category generally have a much higher demand for Shire resources.

## **GRV – Residential (The Base Rate for Gross Rental Value)**

This rating category consists of properties that have a predominant residential use. This rating category is the base GRV rate by which all other GRV rated properties are assessed. The reason for the rate in the dollar for this category is to reflect the level of rating required to raise the necessary revenue to operate efficiently and provide the diverse range of services and programs and associated infrastructure/facilities required for developed residential and urban areas.

Council is focused on sustainably managing its community and infrastructure assets through the funding of renewal and replacement asset programs. These programs include but are not limited to investment in the resealing of roads, replacement and development of footpath networks, refurbishing public ablutions and other building maintenance programs. The rates from this category are expected to meet the community needs and service levels for properties under this category within the Shire of Broome. This category contains 72.96% of all properties within the Shire, accounting for 58.15% of total property value, and generating 54.18% of the rates revenue raised in 2024/25.

## **GRV – Commercial**

This rating category covers the town centre, commercial business, shopping centres, telecom tower sites and the airport. All properties rated under this category are zoned Commercial under the Town Planning Scheme, excluding properties with tourism use. This rating category recognises the impact of commercial properties on infrastructure and the environment within the Shire. This category recognises the more significant share of costs associated with providing additional services like economic development, maintaining car park infrastructure, landscaping, environmental health, light industrial area infrastructure, inter regional flight network costs and other amenities. The total rate in the dollar has increase 6.93% in this category. The rate in the dollar for this category is 37.02% higher than the GRV – Residential base rate. This category contains 8.20% of all properties within the Shire, accounting for 20.97% of total property value and is expected to contribute 26.79% of the total rates to be raised for 2024/25.

## **GRV – Tourism**

This rating category consists of properties with operations related to tourism inclusive of un-hosted Holiday Homes. This category recognises the impact of such properties on infrastructure and the environment within the Shire. This rating category recognises the more significant share of costs associated with the provision of services in addition to the services provided in the GRV Commercial category. Some additional costs contribute to economic development, tourism promotion and marketing activities, environmental health, public safety and law enforcement during the tourist season. The rate in the dollar for this category is 62.03% higher than the GRV – Residential base rate. This category contains 12.04% of all properties within the Shire, accounting for 8.16% of total property value, and is expected to contribute 13.07% of the total rates to be raised for 2024/25.

## **GRV – Vacant**

This rating category consists of vacant properties zoned Residential, Tourist, Commercial or Industrial under the Shire's Local Planning Scheme. The object of the rate for this category is to signify the Council's preference for land to be developed rather than left vacant. Development is encouraged due to its importance and positive effect on local employment and economic diversity. Further community returns are also expected from population-linked investment in the region by both State and Federal funding bodies. The rate is also higher than the base rate to distribute the rates burden equitably considering the different method used for the valuation of vacant land as compared to other GRV properties. The rate is also intended to discourage land investors from land banking and discourage excessive vacant land leaving subdivisions barren and aesthetically unappealing which may provide prospects for potential antisocial behaviour. The rate in the dollar

for this category is 117.15% higher than the GRV – Residential base rate. This category contains 4.86% of all properties within the Shire, accounting for 1.41% of total property value, and is expected to contribute 3.05% of the total rates to be raised for 2024/25.

### **Unimproved Value (UV)**

Properties that are predominantly used for rural purposes are assigned an Unimproved Value supplied and updated by the Valuer-General on an annual basis. The rate in the dollar set for the UV-Rural category forms the basis for calculating all other UV differential rates.

UV properties contribute about 2.85% of the total rates as the number of properties in these categories is low and they generally have a much lower demand on Shire resources.

#### **UV - Rural (The Base Rate for Unimproved Value)**

This rating category consists of properties that are exclusively for rural use. This category is the base UV rate by which all other UV rated properties are assessed. Other UV rating categories have a higher demand for Shire resources than properties in the UV - Rural rating category. This category contains 0.82% of all properties within the Shire, accounting for 6.94% of total property value, and is expected to contribute 0.64% of the total rates to be raised for 2024/25.

#### **UV - Commercial Rural**

This rating category consists of properties with a commercial use outside of the townsite and inclusive of pearling leases, pastoral leases or other properties with pastoral use.

This category recognises the increased rates required to operate efficiently and provide for rural infrastructure and services. The above services are in addition to the urban services, programs, and infrastructure available to the properties in this category. The Shire incurs higher costs of infrastructure maintenance and renewal of the rural road network due to its vulnerability to extreme weather conditions, further increasing due to extra vehicle movements and activities associated with these properties. The rate in the dollar for this category is 318.05% higher than the UV–Rural base rate. This category contains 0.33% of all properties within the Shire, accounting for 3.89% of total property value, and is expected to contribute 1.48% of the total rates to be raised for 2024/25.

#### **UV – Mining**

This rating category consists of properties for mining, exploration or prospecting purposes. The object of the rate for this category is to reflect the impact on utilisation of rural infrastructure (compared to pastoral) by heavy transport and associated higher traffic volumes. Also, these properties have access to all other services and facilities provided by the Shire. This category is rated higher than UV-Commercial due to the higher road infrastructure maintenance costs to the Shire from frequent heavy vehicle use over extensive lengths of Shire roads throughout the year. The rate in the dollar for this category is 1591.30% higher than the UV–Rural base rate. This category contains 0.79% of all properties within the Shire, accounting for 0.48% of total property value, and is expected to contribute 0.78% of the total rates to be raised for 2024/25.

### **Minimum Payments**

Every property, regardless of size, value, and use, receives some minimum level of benefit from the Shire's works and services. Minimum rates ensure that all ratepayers make a reasonable contribution to essential services and infrastructure. A minimum payment of \$1,344 is proposed for all categories except the GRV – Vacant category, for which a minimum payment of \$1,264 is proposed and the UV – Mining category, for which a minimum payment of \$958 is proposed.

UV of mining properties ranges from \$260 to over \$588,000, with an average of \$24,351. The \$958 minimum rate for the UV-Mining category is set at a lower level than the other rating categories to ensure compliance with section 6.35 of the *Local Government Act 1995* which requires that less than 50% of the properties in any category are on the minimum rate. Given the lower valuation figure assigned to small mining tenements, a lower minimum payment will also ensure that the rate burden is distributed equitably between all other property owners paying the minimum amount.

Yours Faithfully,

**Sam Mastrolembro**  
**Chief Executive Officer**

<b>14. MEETING CLOSED TO PUBLIC</b>
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Nil.

<b>15. MEETING CLOSURE</b>
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There being no further business the Chairperson declared the meeting closed at 3.25pm.