



CONFIRMED MINUTES

OF THE

ORDINARY COUNCIL MEETING

27 JUNE 2024

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

Signed:

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

SHIRE OF BROOME
ORDINARY COUNCIL MEETING
THURSDAY 27 JUNE 2024
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**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE SHIRE OF BROOME,
HELD IN THE COUNCIL CHAMBERS, CORNER WELD AND HAAS STREETS, BROOME,
ON THURSDAY 27 JUNE 2024, COMMENCING AT 5.00PM.**

1. OFFICIAL OPENING

The Chairperson welcomed Councillors, officers and members of the public and declared the meeting open at 5.06pm.

2. ATTENDANCE AND APOLOGIES

ATTENDANCE

Councillors:	Shire President C Mitchell Cr S Cooper Cr J Lewis Cr J Mamid Cr P Matsumoto Cr E Smith Cr P Taylor Cr M Virgo	Shire President <i>via Teams as per LG Administration Regulation 14C(5)</i>
Apologies:	Nil	
Leave of Absence:	Leave of absence was previously granted to Cr D Male.	
Officers:	Mr S Mastrolembo Mr J Hall Ms K MacClure Mr K Williams Ms R Doyle Ms L French Mr D Bonnici Mr A Clark-Hale Mr A Waters Mrs M Martin Ms T Pomery Ms R Wells	Chief Executive Officer Director Infrastructure Acting Director Corporate Services Director Development Services Manager Governance, Strategy and Risk Manager Financial Services Marketing & Communications Coordinator Special Projects Coordinator Coordinator Environmental Health and Event Approval Senior Administration & Governance Officer Marketing & Communications Officer Project Officer – Service Development
Media:	D Karagic	ABC
Public Gallery:	L Cochrane G Smith	

3. ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION

I would like to welcome Ms Renae Doyle, our new Manager of Governance, Strategy and Risk.

4. DECLARATIONS OF INTEREST

FINANCIAL INTERESTS (s5.60A)			
Councillor	Item No	Item	Nature of Interest
Cr M Virgo	9.4.5	Council Committees and Working Groups – Appointments	I am a paid employee of the Broome Visitors Centre Board

PROXIMITY INTERESTS (s5.60B)			
Councillor	Item No	Item	Nature of Interest
Cr Lewis	9.3.1	Trading in Public Places	I live on the reserve that Solway Park is part of.

IMPARTIALITY			
Councillor	Item No	Item	Nature of Interest
Shire President	9.3.1	Trading in Public Places	One of the current applicants is my cousins son.

5. PUBLIC TIME

5.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE FROM PUBLIC AT THE COUNCIL MEETING HELD ON 30 MAY 2024

5.1.1 CARMEL LEAHY

The following questions were asked by Carmel Leahy in relation to Agenda Item 9.1.1 of the May OCM - Local Planning Policy Review and were taken on notice to allow officers sufficient time to collate the requested information.

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?

Director Development Services provided the following response:

The Shire of Broome has had broad discussions with Woodside, however, there has been no specific discussion regarding the use helicopters for transport to any of their sites. The Shire President and CEO recently met with Woodside, and Shire staff have also previously met with Woodside, as is normal practice. There was general discussion and overview of Woodsides Browse to North West Shelf project. There was no discussion on airport noise or air traffic implications.

A Woodside representative has recently advised staff that:

“The proposed project is in Concept Definition phase, so the locations for supply chain and logistics support infrastructure are not yet determined. Vessel and helicopter movements from a range of potential locations to the proposed Browse to NWS Project are being considered.”.

The implications of the project and FIFO to Broome and also Djarindjin remain unclear.

Shire staff have met with Woodside representatives to have further discussions and confirmed a request for information related to helicopter and airport traffic, however, clear advice is not currently available as the project design has not been finalised, still does not have any finance or environmental approvals. Woodside officers confirmed that project design will confirm proposed air traffic.

It should also be noted that the Shire's Corporate Business Plan 2023-27 includes the following action:

Advocate for Broome to be the logistics supply hub for mining, oil and gas, agriculture, cruise ship services, renewables and emerging industries.

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?

Director Development Services provided the following response:

The Shire is not an approvals agency and has no statutory or legislated process related to the project, and has not been requested to provide support. The Shire will be able to provide comment on the proposal through any approvals processes, if and when this occurs the project will be assessed against the Shire of Broome's strategic and policy documents.

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?

Director Development Services provided the following response:

The Shire is not an approvals agency and has no statutory or legislated process related to the project. Climate change and carbon emissions actions are the responsibility of the Federal and State Governments.

Notwithstanding this, the Shire of Broome's strategic planning, economic development and community strategic plan all take climate change into consideration, although this is on a broad level, rather than on an individual project level.

The Shire of Broome has undertaken Coastal Hazard Risk Management and Adaptation Planning (CHRMAP) for coastal areas of Broome townsite, including Chinatown, based on expected sea level rises and impacts from climate change and coastal processes. The purpose of the CHRMAP is to allow for management and adaptation of these impacts.

5.1.2 DIANNE OLIVER

The following questions were asked by Dianne Oliver at the May OCM 2024 in relation to Woodside's proposed Development and were taken on notice to allow officers sufficient time to collate the requested information.

Question One (1)

Which authorities within the Broome area are monitoring the air quality for carcinogenic and other hazardous pollutants?

Director Development Services provided the following response:

There are no emissions or air quality monitoring undertaken at Broome Airport, though there are regulations relating to aircraft emissions, which are a federal government function. Details can be found here:

<https://www.legislation.gov.au/F1996B00638/latest/text>

Effectively aircraft emissions are managed similarly to motor vehicle emissions, with standards for individual types of licenced aircraft. The emissions regulations use an international standard.

There are also some actions and targets aimed at improving emissions that are being implemented at the Federal Government level:

<https://www.infrastructure.gov.au/infrastructure-transport-vehicles/aviation/aviation-safety/aviation-emissions#:~:text=Domestic%20Aviation%20Emissions,-Domestic%20aviation%20emissions&text=The%20Safeguard%20Mechanism%2C%20a%20framework,at%20or%20below%20emissions%20baselines.>

Question Two (2)

Are these results available to the public?

Director Development Services provided the following response:

As there is no monitoring undertaken, there are no results available.

There are publicly available air quality reporting sites that can provide data on air quality in Broome and in close proximity to Broome Airport, such as <https://air-quality.com/>

5.1.3 PAUL REWELL

The following questions were asked by Paul Rewell of Broome Private Transit at the May OCM 2024 in relation to Item 9.3.1. and were taken on notice to allow officers sufficient time to collate the requested information.

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.

Question One (1)

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 constituents of Broome that all activities undertaken by Cruise Broome have been done so whilst the organisation was solvent and or had appropriate cash reserves to fulfill their corporate functions?

Director Development Services provided the following response:

Cruise Broome are a Tier 1 organisation under the Incorporations Act, as its revenue is less than \$500,000 per annum. Tier 1 organisations are required to have annual financial statements, to be presented to the members at each AGM. Under the Act, Tier 1 Associations are only required to complete a review or audit of its accounts if a majority of members at a general meeting pass a resolution that an audit will be completed, or if directed to do so by the Commissioner.

If you are referring the organisation's activities and/or fiscal position in the year 2023/24, the Shire of Broome did not fund Cruise Broome for the financial year 2023/24 and therefore has no reason to comment on its functions. Constitutional requirements are the responsibility of the organisation and oversight sits with the Department of Mines, Industry Regulation and Safety. In order to appropriately acquit the grant provided in 2022/23, Shire staff, received detailed financial accounts, including all invoices, and have undertaken a detailed review of all spending. All funding allocated to Cruise Broome under the Tourism Administration Policy for 2022/2023 Financial Year has been acquitted through this review process, with all spending determined to be in accordance with the grant agreement. No ineligible expenses were funded under this agreement.

As part of the detailed review of the funding application for 2024/25 the Shire requested and was provided the minutes to the AGM which was held at the Broome Visitor Centre on October, 26, 2023.

The funding agreement for 2024/25, which is currently being drafted, has provided for funding for Cruise Broome to provide visitor services to tourists who arrive on cruise ships and visit Chinatown. Shire of Broome does not financially support Cruise Broome fulfilling their corporate functions and this is the responsibility of the organisation and its management committee.

Under the draft agreement, Cruise Broome is required to provide invoices for the services which will then be reimbursed by the Shire. If the organisation is unable to fulfill cruise ship visitation services, then no payment will be made.

Cruise Broome's constitution does not require the public notification of its Annual General Meeting, and is unaware that Cruise Broome has a membership base, rather it is represented by a Board of Directors.

Question Two (2)

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

Director Development Services provided the following response:

Councillors are aware that there have been concerns raised about Cruise Broome's response time to correspondence, inadequate marketing and updates. This was addressed in the agenda item presented at the Ordinary Council Meeting and in workshops. Cruise Broome's performance, as far as is possible, will be addressed through any funding agreement.

Further issues in regard to the management of Cruise Broome should be directed to the Management Committee (the Board of Cruise Broome) – who, under the Act are responsible for the association's affairs and have a duty to act in good faith and ensure the activities of the organization are conducted with 'reasonable care, skill and diligence'.

5.2 PUBLIC QUESTION TIME**5.2.1 JOHN GEAPPEN**

The following question was submitted by John Geappen regarding the condition of the new gravel road Fairway Drive.

Question One (1)

The new gravel road (Fairway Drive) between Lulfitz Drive and Buckleys Road, has a top road base consisting of a fine dust. With increased traffic flow the resultant dust clouds are coating our camel farm and everything on it with a fine coating of this dust. Two of our staff with a history of Asthma are now experiencing symptoms, with a two year window of clear health prior to this period. Will the Shire of Broome rectify this serious health risk that has been bought on by the Shire of Broome.

Director Development Services provided the following response, read aloud by Shire President C Mitchell:

Fairway drive between Buckleys Rd and Lulfitz Drive is an unsealed section of road under the management of the Shire of Brome. In early 2024 the Shire carried out maintenance on the road to lift the level of the road to improve drainage and to minimise its susceptibility to road closures from wet weather.

The maintenance was done with the natural pindan soil overlaid with a layer of recycled concrete road base. The recycled road base was tested in accordance with the waste management facility licence conditions.

The Shire does not believe there is increased traffic flow as a result of the road improvements. Regarding the impact of dust on health, the Shire's Environmental Health Officers will take dust samples from the premises and also from the road and refer them for laboratory analysis. The results will then be compared to Department of Health guidelines for assessment.

An assessment of the extent of the dust as well as the laboratory results will determine any actions required, if any.

Question Two (2)

Affirmation that the Shire will provide a water truck everyday until the Shire comes up with a permanent resolution on a daily basis, because it is becoming a major health and traffic hazard.

Taken on Notice**6. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

7. CONFIRMATION OF MINUTES**COUNCIL RESOLUTION:**

Minute No. C/0624/067

Moved: Cr E Smith

Seconded: Cr M Virgo

That the Minutes of the Ordinary Meeting of Council held on 30 May 2024, as published and circulated, be confirmed as a true and accurate record of that meeting.

For: Shire President C Mitchell, Cr J Lewis, Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper, Cr E Smith, Cr J Mamid.

CARRIED UNANIMOUSLY 8/0

COUNCIL RESOLUTION:

Minute No. C/0624/068

Moved: Cr J Mamid

Seconded: Cr J Lewis

That the Minutes of the Special Meeting of Council held on 6 June 2024, as published and circulated, be confirmed as a true and accurate record of that meeting.

For: Shire President C Mitchell, Cr J Lewis, Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper, Cr E Smith, Cr J Mamid.

CARRIED UNANIMOUSLY 8/0

8. PRESENTATIONS / PETITIONS / DEPUTATIONS

There are no reports in this section.

9. REPORTS FROM OFFICERS

9.1 PEOPLE

The Chief Executive Officer noted a typographical error in the recommendation, which has been corrected and is now reflected in the minutes.

9.1.1 YOUTH PLAN (2021-2025) COUNCIL PROGRESS REPORT	
LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	COS15
AUTHOR:	Place Activation & Engagement Coordinator
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil

SUMMARY:
 This report tables the deliverables within the 2023/24 reporting period of the Youth Plan (2021 – 2025) to provide Council with an update on youth initiatives delivered by the Shire of Broome or in partnership with key stakeholders.

BACKGROUND

Previous Considerations

OMC 25 March 2021	Item 9.1.1
OMC 30 June 2022	Item 9.4.2

At the Ordinary Meeting of Council (**OMC**) held on 25 March 2021, the Youth Plan (2021 – 2025) was endorsed as one of the informing strategies within the Community Development Framework.

The Youth Plan (2021-2025) is published on the Shire of Broome website – <https://www.broome.wa.gov.au/Community/Community-Services/Youth/Youth-Plan-2021-2025>.

The Shire of Broome Youth Plan (2021 – 2025) guides youth programs and services development and implementation. It informs the Corporate Business Plan and Strategic Community Plan and demonstrates the Shire’s commitment to delivering on key community priorities.

The Youth Plan sets out 4 key actions and 16 key deliverables for the Shire to focus on during the Youth Plan Period (2021-2025), including:

Action: Youth Services Coordination

Deliverable 1	Facilitate a program of events and activities in celebration of National Youth Week.
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Deliverable 2	Facilitate networking information sharing, collaboration through the Broome Youth Coordinators Network, and partnerships with relevant stakeholders.
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Action: Youth Facilities and Services

Deliverable 3	Advocate for the provision of essential health services for young people in the Broome region, including mental health.
Deliverable 4	Advocate for the inclusion of a 'Youth Services Section' in the Online Community Directory in a format accessible to young people.
Deliverable 5	Facilitate youth-focused programs, activities, and events at the Broome Recreational and Aquatic Centre and encourage usage of youth activities delivered by external providers.
Deliverable 6	Advocate for providing Crisis Accommodation for young people, including a safe space for at-risk youth at night.
Deliverable 7	Facilitate the redevelopment of the Broome Skate Park.
Deliverable 8	Administrate initiatives such as the KidSport program and free facility usage for structured junior sports to facilitate increased youth participation in sports.

Action: Youth Diversionary Programs

Deliverable 9	Fund and partner with key stakeholders to promote programs delivering youth diversionary outcomes.
Deliverable 10	Advocate for external funding to ensure the ongoing delivery of diversionary activities and facilities for keeping youth on country.

Action: Youth Leadership Opportunities

Deliverable 11	Facilitate a Youth Advisory Council for the Shire of Broome.
Deliverable 12	Facilitate opportunities for young people to provide input into engagement projects and Council decision-making processes.
Deliverable 13	Partner with schools to develop an Annual Youth Forum. The forum will tackle issues impacting youth, celebrate positive contributions, and inspire with role models and guests.
Deliverable 14	Facilitate opportunities for youth traineeships with the Shire of Broome.
Deliverable 15	Partner with schools and youth programs to develop relationships with future employees.
Deliverable 16	Advocate for an increased pool of residents through scholarships, traineeships, and work experience for young people in Broome.

This report provides an update of the key achievements for the 2023/2024 Financial Year and requests Council note the progress update listed below.

COMMENT

The Shire's role in implementing the Youth Plan (2021-2025) ensures appropriate facilities and services are provided to meet the needs of youth in the Broome. It is also the responsibility of the Shire to advocate for, and in some instances partner with, stakeholders to ensure core objectives of the plan are achieved.

During the Youth Plan's lifespan (2021-2025), Shire officers will report biannually to Council, providing an update on the deliverables.

The table below outlines the key achievements over the 2023/24 financial year. Key initiatives may support one or multiple deliverables.

INITIATIVES	COMMENT
<p>Late Night Sports Program - A Sporting Chance</p>	<ul style="list-style-type: none"> • The Shire received \$334,000 to develop a Late-Night Sports Program – A Sporting Chance. This includes: <ul style="list-style-type: none"> - \$124,369 incl GST received from the Department of Justice Criminal Property Confiscation Grants Program; - \$86,034 incl GST from the Kimberley Development Commission, Kimberley Community Action Fund Grant, and - \$134,500 incl GST from the Department of Local Government, Sport and Cultural Industries, Community Place Based Grants Program. • Launched on June 30, 2023, A Sporting Chance is entering its second year. The program has been highly successful, attracting up to sixty young participants each night. • A Sporting Chance is a youth diversionary program at the Broome Recreation and Aquatic Centre (BRAC). It addresses the issue of nighttime youth offending by offering a safe environment for young people to engage in popular multi-sports on a Friday night while diverting them from offending and at-risk behaviors. • Young people are encouraged to take on casual roles within the program, with 'Transition to Work' engaged to support local recruitment. Transition to work supports young people aged 15-24 on their journey to enter employment or complete education. The program currently employs three young people as casuals.
<p>Broome Recreation and Aquatic Centre (BRAC) Programs and Activities</p>	<ul style="list-style-type: none"> • BRAC ran a two-day all-abilities AFL carnival in partnership with Purple Hands Foundation & WA Football Commission from 25 – 26 October 2023. • BRAC delivered a Dash & Splash event on 27 October 2023. • School Holiday Programs delivered at BRAC are always well attended and include popular activities such as laser tag, movie day, circus, and bowling. • The BRAC's youth sports programs include AFL Football, Soccer,

	<p>Rugby, Athletics, Tennis, Cricket, Basketball, Netball, Squash, Floorball, and Swimming (Barracudas).</p> <ul style="list-style-type: none"> The BRAC facility also includes the popular Skate Park and Pump track.
Increasing youth participation in sport.	<ul style="list-style-type: none"> The State Government's KidSport program is regularly promoted by the Shire. Through KidSport, eligible families can apply for up to \$300 towards sports club fees. From January to May 2024, 151 vouchers were approved, and as of 28 May 2024, \$21,960.48 had been funded. All-Abilities Starkick Program established to run in 2024. Shire officers are working with DLGSC & Kidsport to establish a local Kidsport Support Agent in the Kimberley to facilitate disengaged youth participation in community sports. Starkick is for young football enthusiasts aged 5 to 17 who identify as having a disability.
Advocating for the provision of essential health services for young people.	<ul style="list-style-type: none"> Officers continue to promote youth mental health programs, including Headspace and Helping Minds, via the Broome Youth Coordinators Network. The Sporting Chance program is supported by youth service providers' mental health and wellbeing activities.
Facilitating opportunities for young people to provide input into Shire projects.	<ul style="list-style-type: none"> The Shire's Youth Advisory Council (YAC) is a young leaders program where members can gain skills and experience in event management and public speaking while having a say on issues that affect young people in Broome. The YAC members meet fortnightly to plan and develop youth projects and events. The YAC is regularly consulted on Shire projects to ensure the voices of young people are heard in the community. YAC meetings recommenced on Tuesday, 16 April 2024, after a break at the beginning of 2024 due to low membership. In March 2024, a recruitment drive included visits to Broome Senior High School and St Mary's, which resulted in three new members, bringing the YAC membership to six. The YAC has been planning the July School Holidays activities. The YAC is also assisting with planning the upcoming Youth Forum, which will be held on 23 August 2024.
Advocating on youth justice issues.	<ul style="list-style-type: none"> Shire officers continue to liaise with the Kimberley Development Commission Director Michele Pucci regarding the Marlamanu On Country Diversionary Program. Local Member Ms. Divina D'Anna was invited to attend the December 2023 Community Safety Working Group meeting to provide an update on the Marlamanu On Country Diversionary Program. Elise Pendlebury from KRED was invited to attend the March 2024 Community Safety Working Group meeting to provide an update on the Marlamanu On Country Diversionary Program. An agreement has been signed between the Department of

	<p>Justice and Aboriginal-led service provider Kullarri Regional Communities Indigenous Corporation (KRCIC) to implement a \$4 million pilot program providing a location out of harm's way for at-risk youth found in public areas at night. The Immediate Response Night Space Program commenced on 29 April 2023.</p>
<p>Facilitating opportunities for youth traineeships and work experience.</p>	<ul style="list-style-type: none"> • The Shire attended the West Kimberley Careers Expo on 18 – 19 April 2024 and engaged with Year 6 -12's, sharing the many career opportunities and pathways the Shire has available. The stall had Shire employees from various departments sharing their work experiences, including Rangers, Broome Recreation and Aquatic Centre, Information Technology, People and Culture, Parks and Gardens, Depot, Civic Centre, Environmental Health and Horticulture. The Expo had over 1,300 attendees. • The Shire is working closely with youth case workers from Nyamba Buru Yawuru, Nirrumbuk, St John of God Horizon House Broome, Kimberley Personnel, and Broome Jobs and Skills Centre.
<p>Delivery of a Youth Forum.</p>	<ul style="list-style-type: none"> • Planning is underway for the 2024 Youth Forum, which will be held at Notre Dame University on 23 August 2024. • There will be increased youth participation at the 2024 Youth Forum as students from Bidyadanga Remote School have been invited to attend alongside students from Broome Senior High School and St Mary's College. • The Youth Forum: <ul style="list-style-type: none"> • Establishes connections and promotes teamwork between students from different high schools as they work together on their solutions. • Provides an opportunity for young people to have a say on issues that affect them and communicate their solutions to their peers and community representatives. • Fosters innovation and creativity amongst young people. • Celebrates positive achievements of local people in Broome. • Themes proposed for this year's forum include a review of the Shire of Broome's Youth Plan and responsible pet ownership.
<p>Facilitate the Redevelopment of the Broome Skate Park.</p>	<ul style="list-style-type: none"> • The Broome Skate Park \$1.5 million redevelopment was completed in September 2022 and has been a popular youth venue for all ages. • Shire of Broome Youth Week celebrations were held at the skate park and included: <ul style="list-style-type: none"> - Free formal and informal skate and scooter workshops delivered by Perth-based professional Freestyle Now. - Opportunities to learn new skills at both beginner and intermediate levels. - Skate party held on Friday, 12 April 2024, with music by DJ Lukie Dix, demonstrations by professional scooterers and Skateboard facilitators, free Bushy's pizza, ice cream from the Gelato Cart, and activities by Funergy.

	<ul style="list-style-type: none"> - The skate park remains active through the school holiday programs. The Broome Recreation and Aquatic Centre frequently includes outings to the skate park in their holiday activities.
<p>Advocate for providing Crisis Accommodation for young people, including a safe space for at-risk youth at night.</p>	<ul style="list-style-type: none"> • Safe spaces provide a culturally appropriate and culturally safe space for unsupervised street-present young people during the night. A suitable, responsible adult is located through immediate actions to ensure the young person has a safe place to go. • \$11.8 million was provided for initiatives forming part of the Kimberley Juvenile Justice Strategy, including continuing existing night patrols and a Safe Space pilot in Broome, the 'Immediate Response Safe Space. • The Immediate Response Safe Space facility opened on 29 April 2024. • The Development Officer from A Sporting Chance is working casually with the Immediate Response Safe Space. • Shire officers continue participating in the Co-design program and attending monthly meetings.
<p>Facilitate networking, information sharing, collaboration through the Broome Youth Coordinators Network, and partnerships with relevant stakeholders.</p>	<ul style="list-style-type: none"> • Shire officers coordinate the Broome Youth Coordinators Network (BYCN), which includes promoting youth programs and funding opportunities. • Shire officers coordinate a school holiday events calendar with input from stakeholders in the BYCN to promote services that promote youth events and programs. • The Shire consults several local youth services, including PCYC, Broome Youth Families Hub, Helping Minds, Headspace, and Alive and Kicking Goals. • As part of the National Youth Week Program, facilitators from Freestyle Now visited the PCYC to deliver a session for young people.

CONSULTATION

Shire officers implemented broad and focused engagement activities to advertise the public comment period and seek feedback on the Youth Plan (2021-2025).

This included:

- Documents made available electronically on the Shire of Broome website.
- Hard copies of the plans were on display at the Shire administration building and the Broome Public Library.
- Shire News and E-Newsletter advertisements.
- Social media posts distributed via the Shire Facebook page.
- Radio announcements via Triple M Broome.
- Two community engagement stalls.
- Targeted emails.

As part of ongoing engagement on the deliverables within the Youth Plan (2021-2025), Shire officers will provide biannual reports to Shire Council and the Youth Advisory Council.

STATUTORY ENVIRONMENT

Nil.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The Youth Plan (2021-2025) was compiled assuming that the Shire's resources, both from a resourcing and budgetary perspective, will remain the same as they were when the plan was endorsed for the five-year duration of the plan.

Additional actions or projects adopted by the Shire may impact the full delivery of the plan.

RISK

Nil.

STRATEGIC ASPIRATIONS

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

Outcome 2 - Everyone has a place to call home

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

Outcome 3 - A healthy, active community

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

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

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/0624/069

Moved: Cr P Taylor

Seconded: Cr M Virgo

That Council notes the progress update on the deliverables within the 2023/24 reporting period of the Youth Plan (2021 – 2025).

For: Shire President C Mitchell, Cr J Lewis, Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper, Cr E Smith, Cr J Mamid.

CARRIED UNANIMOUSLY 8/0

Attachments

Nil

The Chief Executive Officer reported that minor changes to Attachment 2 regarding the Kullarri Patrol Service, requested at the 25 June 2024 Agenda Briefing, have been made and are reflected in the minutes.

9.1.2 MAMABULANJIN (KULLARRI PATROL) RENEWED MOU AGREEMENT

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	ORL25
AUTHOR:	Place Activation & Engagement Coordinator
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

Since 2016, the Shire has held Memorandum of Understanding (MOU) agreements with Mamabulanjin to support delivering the Kullarri Patrol service. This service provides safe transportation for intoxicated people, including transport home or to a designated safe place. The current MOU agreement (2021 – 2024) will expire in June 2024, and Mamabulanjin has requested a new funding agreement with the Shire.

BACKGROUND

Previous Considerations

OMC 18 November 2021 Item 9.1.1

The Kullarri Patrol service, operated by the Mamabulanjin Aboriginal Corporation, was launched in 1992. As a key stakeholder in the Shire's Community Safety Plan (2021 – 2025), Mamabulanjin actively collaborates with the Western Australia Police, the Shire of Broome, and various service providers. Together, they strive to combat issues such as alcohol abuse and anti-social behaviour in public areas through the effective delivery of the Kullarri Patrol service.

Since 2016, the Shire has held Memorandum of Understanding (MOU) agreements with Mamabulanjin to support delivering the Kullarri Patrol service. The agreements have spanned three years each. The current agreement of 2021 – 2024, which provides \$20,000 per annum, expires in June 2024, per the attached MOU (**Attachment 1**).

COMMENT

The Shire of Broome acknowledges Mamabulanjin's invaluable contributions, particularly through the Kullarri Patrol service, to mitigating social disruptions and enhancing safety for both community members and visitors in Broome.

Mamabulanjin plays a crucial role in community safety, with Kullarri Patrol officers broadening their scope of services to include initiatives like the Return to Country Program, which helps transport vulnerable individuals back to their communities.

The Kullarri Patrol Service aligns with the following priority themes in the Shire's Community Safety Plan (2021 – 2025):

- Alcohol consumption and other drugs
- Anti-social behaviour in public places
- Itinerancy and rough camping

A deliverable within the Community Safety Plan states that the Shire will:

*Advocate for increased grant funding and continue to consider Shire funding to support local service providers such as **Kullarri Patrol** and Broome Youth and Families Hub to extend safety patrol services for children, youth and adults.*

As per the current MOU reporting requirements, Mamabulanjin must provide the Shire with the following annually:

- An acquittal report due in October that includes financial details, a copy of publicity materials, and a recording of events or activities.
- An annual presentation update to the Shire Council scheduled for November before the payment of the next financial year.

The table below outlines the reporting and payment schedule as per the current MOU agreement.

FINANCIAL YEAR	GRANT AMOUNT	PAYMENT DUE	ACQUITTAL DUE
2021/22	\$20,000	December 2021	October 2022
2022/23	\$20,000	December 2022	October 2023
2023/24	\$20,000	December 2023	October 2024

Shire officers have been liaising with Mamabulanjin as the current MOU agreement approaches its expiration. Mamabulanjin has requested a renewed funding agreement with the same terms and conditions.

To be eligible to receive the first payment as part of a new MOU agreement, Mamabulanjin will be required to meet the acquittal requirements of their current agreement. The acquittal report is due in October 2024, and the presentation to the Council will be scheduled for November 2024.

Shire officers have prepared a revised MOU agreement between the Shire and Mamabulanjin for the financial years 2024-25, 2025-26, and 2026-27 (**Attachment 2**). Council is requested to consider authorising the execution of this agreement.

CONSULTATION

Mamabulanjin Aboriginal Corporation (Kullarri Patrol)

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The 2024/25 draft financial year budget includes a proposed budget allocation of \$20,000 in the Mamabulanjin (Kullarri Patrol) Support expense account (GL 100221180).

RISK

Risk	Type	Rank	Mitigation
Consistent and transparent process	Reputational	Low	Council will assess this request in response to the Mamabulanjin Aboriginal Corporation's (Kullarri Patrol) request for a renewed MOU agreement. The allocation does not align with the Shire's current funding rounds or programs.
Impact of not fully supporting the request	Reputational	Medium	Mamabulanjin Aboriginal Corporation offers a valuable service through its Kullarri Patrol and continues collaborating with the Shire. The Council is recommended to extend the current funding level for the service.

STRATEGIC ASPIRATIONS

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

Outcome 1 - A Safe Community

Objective 1.3 Increase awareness and engagement in community safety education and crime prevention programs.

VOTING REQUIREMENTS

Simple Majority

<u>COUNCIL RESOLUTION:</u>	
(REPORT RECOMMENDATION)	Minute No. C/0624/070
Moved: Cr E Smith	Seconded: Cr M Virgo
That Council:	
<ol style="list-style-type: none"> 1. Notes the important contribution of Mamabulanjin Aboriginal Corporation's service Kullarri Patrol in addressing community safety and anti-social behaviour in Broome; 2. Authorises the Chief Executive Officer to execute the Memorandum of Understanding (MOU) (Attachment 2) with Mamabulanjin for a three-year term ending 30 June 2027, with the requirement of the existing MOU reporting requirements being met; and 3. Notes the proposed budget allocation of \$20,000 in Mamabulanjin (Kullarri Patrol) Support expense account 100221180 within the Draft annual budget for the 2024/25 financial year is available to fund the first year of this agreement. 	

For: Shire President C Mitchell, Cr J Lewis, Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper, Cr E Smith, Cr J Mamid.

CARRIED UNANIMOUSLY 8/0

Attachments

1. Shire of Broome and Mamabulanjin (Kullarri Patrol) MOU agreement 2021 - 2024
2. Shire of Broome and Mamabulanjin (Kullarri Patrol) MOU Agreement 2024 - 2027



SHIRE OF BROOME
and
MAMABULANJIN
(KULLARRI PATROL)

MEMORANDUM OF UNDERSTANDING
SPONSORSHIP AGREEMENT

Shire of Broome
27 Weld Street
PO Box 44
Broome, WA 6725
Phone: (08) 9191 3456

This agreement is made on 7 September 2021

BETWEEN

SHIRE OF BROOME (the Shire)

PO Box 44

Broome WA 6725

AND

MAMABULANJIN (KULLARRI PATROL)

PO Box 664

Broome WA 6725

RECITALS:

- A. Mamabulanjin (Kullarri Patrol) is a not for profit organisation that plays a pivotal role in Broome minimising social disruption and improving safety to community members and visitors.
- B. The Shire is located within the North West region of Australia and has provided support and assistance to Mamabulanjin (Kullarri Patrol).
- C. The parties have agreed to enter into a co-operative arrangement to promote and acknowledge the Shire's contribution.

OPERATIVE PART:

The parties agree:

The purpose of this agreement is for the Shire and Mamabulanjin (Kullarri Patrol) to work both together and independently to ensure the continued success of Kullarri Patrol and the important work that it does in Broome to reduce social disorder.

The intention of this agreement is to see both parties act in ways that honour the partnership and continue to foster a positive, collaborative relationship.

1. OBJECTIVES

The parties agree that their objectives are to:

- (a) Raise awareness of the Shire's contribution to the community and the ongoing success of Kullarri Patrol;
- (b) Work collaboratively to address and respond to community safety issues as they arise

2. TERM

This agreement commences on the date of execution by both parties and expires on 30 June 2024.

3. NOT LEGALLY BINDING

This agreement is a statement of the intentions of the parties at the date hereof in relation to the issues within it. It is not intended that this agreement create any contractual relationship or that it is to be legally binding on the parties.

4. MAMABULANJIN (KULLARRI PATROL) RESPONSIBILITIES

In consideration of its responsibilities, Mamabulanjin (Kullarri Patrol) agrees to:

- (a) Deliver the Kullarri Patrol Service within the Shire of Broome;
- (b) Recognise the Shire as a sponsor of the Kullarri Patrol service, wherever possible/appropriate;
- (c) Invite the Shire President, Councillors and Chief Executive Officer to key events as appropriate;
- (d) Submit on an annual basis, an acquittal report on Kullarri Patrol which includes the financial details, a copy of any publicity and recordings of events / activities;
- (e) Present a progress update to Shire Council annually prior to the next financial year payment;
- (f) Contribute to the implementation of the Shire of Broome Community Safety Plan (2021 – 2025) as a member of the Community Safety Working Group

5. SHIRE RESPONSIBILITIES

In consideration of its responsibilities, the Shire agrees to:

- (a) Provide sponsorship funding on the following dates:

FINANCIAL YEAR	GRANT AMOUNT	PAYMENT DUE	ACQUITTAL DUE
2021/22	\$20,000	December 2021	October 2022
2022/23	\$20,000	December 2022	October 2023
2023/24	\$20,000	December 2023	October 2024

6. RIGHT TO TERMINATE

Notwithstanding any other provision of this agreement, the parties agree that either party may terminate this agreement for any reason upon six (6) months written notice to the other party.

7. CONFIDENTIALITY AND DISCLOSURE

- (a) Each party undertakes and agrees, not make any public announcement or statement or publish or release any information in relation to this proposed collaboration, without prior communication to

the other party.

- (b) Each party undertakes and agrees, to keep confidential any information that it receives from the other party which is marked confidential or which a party notifies the other party is confidential.

8. COSTS

Each party shall bear its own legal and other costs and expenses relating directly or indirectly to the preparation of, and performance of its obligations arising out of this agreement.

9. DISPUTE RESOLUTION

- (a) In the event of a dispute between the Shire and Mamabulanjin (Kullarri Patrol) concerning this agreement, the affected party may give the other a written notice setting out the material of the dispute.
- (b) Each party shall appoint a senior officer with authority to negotiate and reach settlement, and the parties' representatives shall personally meet within ten business days of the date of the receipt of the notice.
- (c) The parties' representatives in good faith, and using their best endeavours always, shall attempt to resolve the dispute.

10. VARIATION

This agreement may be varied only by deed executed by the parties.

11. GOVERNING LAW

This agreement is governed by and is to be interpreted in accordance with the laws of Western Australia and, where applicable, the laws of the Commonwealth of Australia.

12. NO FETTER

Notwithstanding anything contained within this agreement, the parties ACKNOWLEDGE that the Shire is a local government established by the Local Government Act 1995 (WA), and in that capacity, the Shire will be obliged to comply with statutory obligations imposed by law and the Shire will not be taken to be in default under this Agreement by performing its statutory obligations or exercising its statutory discretions, nor shall any provision of this Agreement fetter each party in performing its statutory obligations or exercising any discretion under any law.

Mamabulanjin (Kullarri Patrol) agrees to use the funds in accordance with the terms and conditions contained in the sponsorship agreement.



Mamabulanjin (Kullarri Patrol)


Authorised Representative Signature

Print name: N GOWER

Title: CEO

Date: 11/1/22

The Shire of Broome agrees to provide funds in accordance with the terms and conditions contained in the sponsorship agreement.



Shire of Broome

Authorised Representative Signature

Print name: SALVATORE MASTROLEMBO

Title: CEO

Date: 12/1/22



SHIRE OF BROOME
and
MAMABULANJIN
(KULLARRI PATROL)

MEMORANDUM OF UNDERSTANDING
SPONSORSHIP AGREEMENT

Shire of Broome
27 Weld Street
PO Box 44
Broome, WA 6725
Phone: (08) 9191 3456

This agreement is made on 27 June 2024

BETWEEN

SHIRE OF BROOME (the Shire)

PO Box 44

Broome WA 6725

AND

MAMABULANJIN (KULLARRI PATROL)

PO Box 664

Broome WA 6725

RECITALS:

- A. Mamabulanjin (Kullarri Patrol) is a not-for-profit organization that plays a pivotal role in Broome, minimizing social disruption and improving safety for community members and visitors. Kullarri Patrol's main objective is to divert intoxicated people from unnecessary contact with the criminal justice system by picking them up and taking them to a designated safe place.
- B. The Shire is located within the North West region of Australia and has provided support and assistance to Mamabulanjin (Kullarri Patrol).
- C. The parties have agreed to enter a cooperative arrangement to promote and acknowledge the Shire's contribution.

OPERATIVE PART:

The parties agree:

This agreement aims to ensure the continued success of Kullarri Patrol and its important work in Broome to reduce social disorder. The Shire and Mamabulanjin (Kullarri Patrol) will work together and independently to achieve this goal.

This agreement intends both parties to act in ways that honour the partnership and foster a positive, collaborative relationship.

1. OBJECTIVES

The parties agree that their objectives are to:

- (a) Raise awareness of the Shire's contribution to the community and the ongoing success of Kullarri Patrol;
- (b) Work collaboratively to address and respond to community safety issues as they arise

2. TERM

This agreement commences on the date of execution by both parties and expires on 30 June 2027.

3. NOT LEGALLY BINDING

This agreement is a statement of the parties' intentions regarding the issues within it at the date hereof. It is not intended that this agreement creates any contractual relationship or that it is to be legally binding on the parties.

4. MAMABULANJIN (KULLARRI PATROL) RESPONSIBILITIES

In consideration of its responsibilities, Mamabulanjin (Kullarri Patrol) agrees to:

- (a) Deliver the Kullarri Patrol Service within the Shire of Broome;
- (b) Recognise the Shire as a sponsor of the Kullarri Patrol service, wherever possible/appropriate;
- (c) Invite the Shire President, Councillors, and Chief Executive Officer to key events as appropriate;
- (d) Submit, on an annual basis, an acquittal report on Kullarri Patrol, which includes the financial details, a copy of any publicity, and recordings of events/activities;
- (e) Present a progress update to the Shire Council annually before the next financial year payment;
- (f) Contribute to the implementation of the Shire of Broome Community Safety Plan as a member of the Community Safety Working Group

5. SHIRE RESPONSIBILITIES

In consideration of its responsibilities, the Shire agrees to:

- (a) Provide sponsorship funding on the following dates:

FINANCIAL YEAR	GRANT AMOUNT	PAYMENT DUE	ACQUITTAL DUE
2024/25	\$20,000	December 2024	October 2025
2025/26	\$20,000	December 2025	October 2026
2026/27	\$20,000	December 2026	October 2027

6. RIGHT TO TERMINATE

Notwithstanding any other provision of this agreement, the parties agree that either party may terminate this agreement for any reason upon six (6) months' written notice to the other party.

7. CONFIDENTIALITY AND DISCLOSURE

- (a) Each party undertakes and agrees not to make any public announcement or statement or publish or release any information concerning this collaboration without prior communication to the other party.
- (b) Each party undertakes and agrees to keep confidential any information that it receives from the other party marked confidential or which a party notifies the other party is confidential.

8. COSTS

Each party shall bear its own legal and other costs and expenses relating directly or indirectly to preparing for and performing its obligations arising out of this agreement.

9. DISPUTE RESOLUTION

- (a) In the event of a dispute between the Shire and Mamabulanjin (Kullarri Patrol) concerning this agreement, the affected party may give the other a written notice setting out the material of the dispute.
- (b) Each party shall appoint a senior officer with authority to negotiate and reach a settlement, and the parties' representatives shall personally meet within ten business days of the date of the notice's receipt.
- (c) The parties' representatives shall always attempt to resolve the dispute in good faith and always use their best endeavours.

10. VARIATION

This agreement may be varied and may only be deed executed by the parties.

11. GOVERNING LAW

This agreement is governed by and is to be interpreted in accordance with the laws of Western Australia and, where applicable, the laws of the Commonwealth of Australia.

12. NO FETTER

Notwithstanding anything contained within this agreement, the parties ACKNOWLEDGE that the Shire is a local government established by the Local Government Act 1995 (WA), and in that capacity, the Shire will be obliged to comply with statutory obligations imposed by law and the Shire will not be taken to be in default under this Agreement by performing its statutory obligations or exercising its statutory discretions, nor shall any provision of this Agreement fetter each party in performing its statutory obligations or exercising any discretion under any law.

Mamabulanjin (Kullarri Patrol) agrees to use the funds according to the terms and conditions of the sponsorship agreement.

Mamabulanjin (Kullarri Patrol)

Authorised Representative Signature

Print name:

Title:

Date:

The Shire of Broome agrees to provide funds by the terms and conditions contained in the sponsorship agreement.

Shire of Broome

Authorised Representative Signature

Print name:

Title:

Date:

The Chief Executive Officer informed Councillors that a revised report recommendation was circulated prior to the meeting for consideration.

9.1.3 COMMUNITY SCORECARD REPORT 2024

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	COM09
AUTHOR:	Marketing and Communications Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

The purpose of this report is for Council to receive the results of the 2024 Community Scorecard, to thank the Broome community for its valuable input and to use the feedback to inform the future review of the Strategic Community Plan and Corporate Business Plan later in 2024.

BACKGROUND

Previous Considerations

OMC 28 July 2022

Item 9.4.1

The Shire of Broome last undertook a Community Scorecard (Scorecard) process in 2020 and 2022. Increasingly, local governments are completing surveys on an annual or biennial basis particularly to inform the development of Integrated Planning and Reporting documentation and as part of community engagement efforts.

A major benefit from the growth in local governments completing Community Scorecards is that it is now possible to compare feedback between local governments for additional context.

The 2024 Scorecard was sent to all of Broome's ratepayers by email, with hard copy Scorecards delivered to all PO boxes via unaddressed mail.

A total of 1,190 community members completed the Scorecard, which can be broken down as follows:

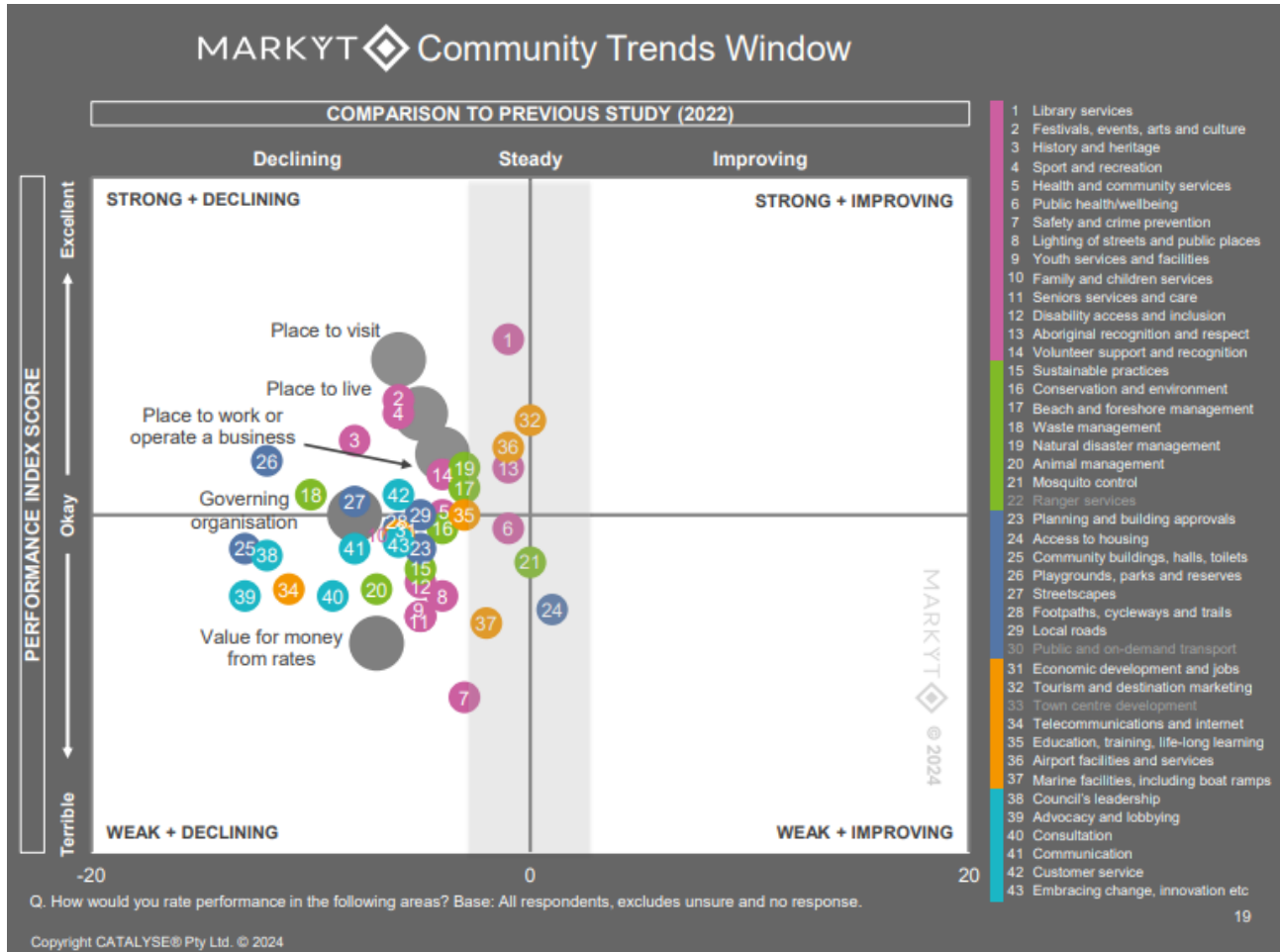
- Local residents – 1020
- Local businesses – 289
- Out of area ratepayers – 63
- Visitors – 7
- Elected Member / Shire employee – 101

This year's uptake is comparable to the Scorecard taken in 2020 and 2022, which saw 1046 and 1059 community members participate respectively.

COMMENT

The 2024 Scorecard results display an overall declining trend in comparison to the 2022 and 2020 results.

This trend was evident across the majority of the measurable items, which could indicate a broader, influence on the results.



However, compared to the industry average, there is an even distribution of measurable items that are above, on par with, and below the average.

It is encouraging to receive over 1,000 responses from the community for the third Scorecard process in a row. This shows that the Scorecard results hold authority, as a significant percentage of the Broome community participated.

When asked to rate the Shire as a governing organisation, the Shire received an index score of 50, which is one point below the industry average.



Variations across the community

Performance Index Score

Total	Homeowner	Renting/other	Male	Female	No children	Have child 0-5	Have child 6-12	Have child 13-17	Have child 18+	14-34 years	35-54 years	55-64 years	65+ years	Disability	First Nations	LOTE	12 Mile	Bilingurr / Broome North	Broome	Cable Beach	Djugun	Other areas
50	50	49	49	51	50	52	49	49	44	50	49	51	55	47	45	42	49	53	47	51	49	48

The highest performing Shire areas according to the Broome community are:

- Library and information services
- Festivals, events, art and cultural activities
- Sport and recreation facilities

Areas in which the Shire of Broome are stronger in comparison to other councils are:

- Town centre development and activation
- Tourism and destination marketing
- Airport facilities and services
- Library services
- Festivals, events, arts and cultural activities

In terms of priorities and areas of improvement for the Shire, the following themes emerged from the Scorecard results:

- Safety and crime prevention
- Marine facilities, including boat ramps
- Services and facilities for young people
- Health and community services
- Lighting of streets and public places
- Conservation and environmental management
- Access to housing
- Animal management

It needs to be acknowledged that Council has a varying degree of responsibility for the priorities identified ranging from advocacy, shared responsibility through to a core function

of local government. Communication and education of the community in this regard will continue to be a Council priority.

In addition to lobbying for improved safety and marine facilities, the community would like Council to advocate for better youth, health and community services. Like many councils in the Kimberley and Pilbara region, performance scores in these areas were below the national average.

CONSULTATION

A total of 1,190 completed Community Scorecards were received by community members. Shire officers undertook an engagement process from April 15 to May 13 and used a range of methods to ensure community buy-in and participation.

This included:

- Scorecard e-mailed to all ratepayers.
- Scorecard delivered to all PO boxes in Broome.
- Information cards were printed and handed out to business owners, Shire staff, at various stakeholder reference group meetings.
- Community engagement stalls held at the Broome Boulevard Shopping Centre, BRAC, Chinatown, and the Public Library.
- An explanatory video of the process voiced by Shire President Chris Mitchell.
- Inclusion in Shire News page in Broome Advertiser.
- A radio advertisement on Triple M Broome.
- Social media posts on Facebook, Instagram and LinkedIn. Of which, eligible platforms were given a paid boost to enable this to be presented those not following the Shire social media accounts.

STATUTORY ENVIRONMENT

Section 5.56 of the *Local Government Act 1995* requires a local government to plan for the future of the district.

The Strategic Community Plan and Corporate Business Plan are integral to this process, with the Department of Local Government, Sport and Cultural Industries guidelines recommending that a broad community survey be a component of reviewing these plans and setting future community priorities and actions.

POLICY IMPLICATIONS

Community Engagement Policy

FINANCIAL IMPLICATIONS

Provision was made for the Community Scorecard within the 2023/24 budget for \$30,000 excluding GST.

RISK

To minimise any reputational risk associated with data interpretation and for transparency reasons the Shire engaged an external consultant with significant local government experience and credibility to analyse and compare the survey result.

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

REPORT RECOMMENDATION:

That Council:

1. *Receives the Shire of Broome Community Scorecard 2024 as attached;*
2. *Acknowledges and thanks the community for their responses, commentary and suggestions;*
3. *Provides a commitment to the ongoing Shire focus and prioritisation in the areas of particular community concern being:*
 - (a) Safety and crime prevention*
 - (b) Marine facilities, including boat ramps*
 - (c) Services and facilities for young people*
 - (d) Health and community services*
 - (e) Lighting of streets and public places*
4. *Requests the Chief Executive Officer to make the full report available on the Shire of Broome website; and*
5. *Utilises the Shire of Broome Community Scorecard 2024 feedback to inform the Shire's Strategic Community Plan and Corporate Business Plan.*

Cr P Taylor moved the revised recommendation.

Cr Virgo seconded the revised recommendation.

Debate ensued.

COUNCIL RESOLUTION

(REVISED RECOMMENDATION)

Minute No. C/0624/071

Moved: Cr P Taylor

Seconded: Cr M Virgo

That Council:

1. **Receives the Shire of Broome Community Scorecard 2024 as attached;**
 2. **Acknowledges and thanks the community for their responses, commentary and suggestions;**
- Provides a commitment to the ongoing Shire focus and prioritisation in the areas of particular community concern being:**
- a) Safety and crime prevention**
 - b) Marine facilities, including boat ramps**
 - c) Services and facilities for young people**

- d) **Health and community services**
 - e) **Lighting of streets and public places**
 - f) **Conservation and environmental management**
 - g) **Access to housing that meets your needs**
 - h) **Animal Management (dogs and cats)**
3. **Requests the Chief Executive Officer to make the full report available on the Shire of Broome website; and**
 4. **Utilises the Shire of Broome Community Scorecard 2024 feedback to inform the Shire's Strategic Community Plan and Corporate Business Plan and the Shires other relevant informing strategies.**

For: Shire President C Mitchell, Cr J Lewis, Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper, Cr E Smith, Cr J Mamid.

CARRIED UNANIMOUSLY 8/0

Attachments

1. Community Scorecard Report 2024



MARKYT 

**Community
Scorecard**

2024

Prepared for



Prepared by



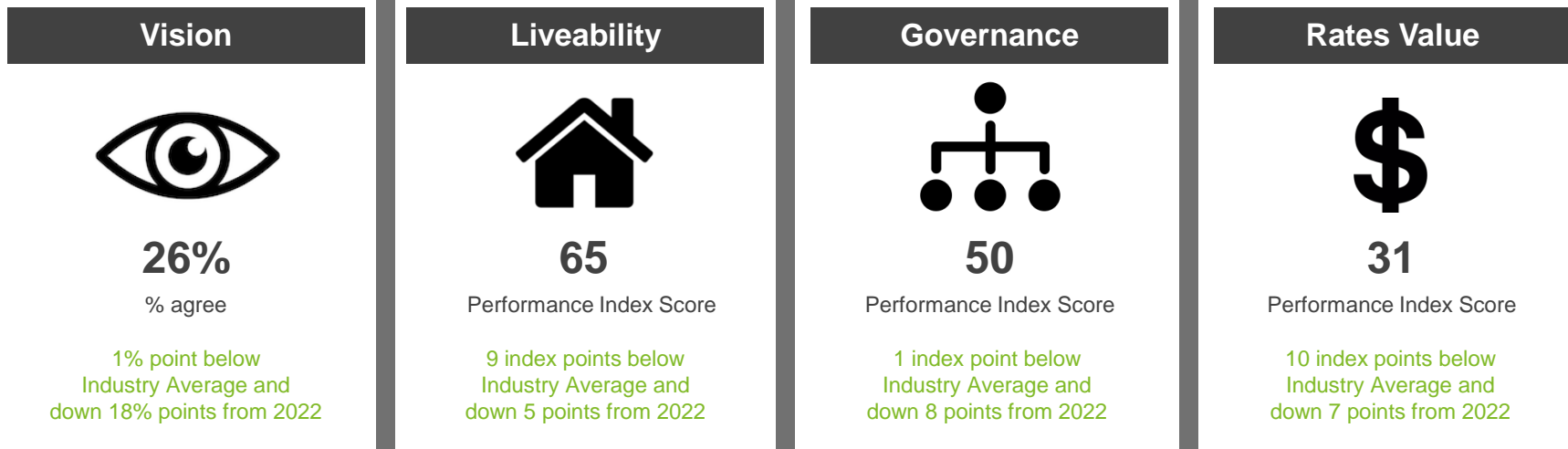
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Strategic overview

MARKYT Strategic Overview



Strengths

Top 5 performers

- Library services
- Festivals, events, arts and cultural activities
- Sport and recreation
- Tourism and destination marketing
- Town centre development and activation

Stronger relative to other councils

- Town centre development and activation
- Tourism and destination marketing
- Airport facilities and services
- Library services
- Festivals, events, arts and cultural activities

Priorities

-  Safety and crime prevention
-  Marine facilities, including boat ramps
-  Services and facilities for young people
-  Health and community services
-  Lighting of streets and public places
-  Conservation and environmental management
-  Access to housing that meets your needs
-  Animal management (dogs and cats)



Approach

Purpose



Department of
**Local Government, Sport
and Cultural Industries**

The Local Government Act requires local councils to develop a **Plan for the Future**. The IP&R guidelines suggest the Strategic Community Plan has a major review every four years, and a minor review every two years.

MARKYT Community Scorecard

The Shire of Broome commissioned a MARKYT® Community Scorecard to:

- Support a review of its Strategic Community Plan
- Assess performance against objectives and key performance indicators (KPIs) in the Plan for the Future
- Determine community priorities
- Benchmark performance



The Study

The Shire of Broome commissioned CATALYSE® to conduct an independent MARKYT® Community Scorecard.

All community members were invited to take part. Scorecard invitations were sent to all households and residential PO Boxes in the Shire of Broome using Australia Post's unaddressed mail services. Respondents could complete the scorecard in hard copy or online.

CATALYSE® sent email invitations to the Shire of Broome's customer contacts, and the Shire provided supporting promotions through various communication channels. The scorecard was open from 15 April to 13 May 2024.



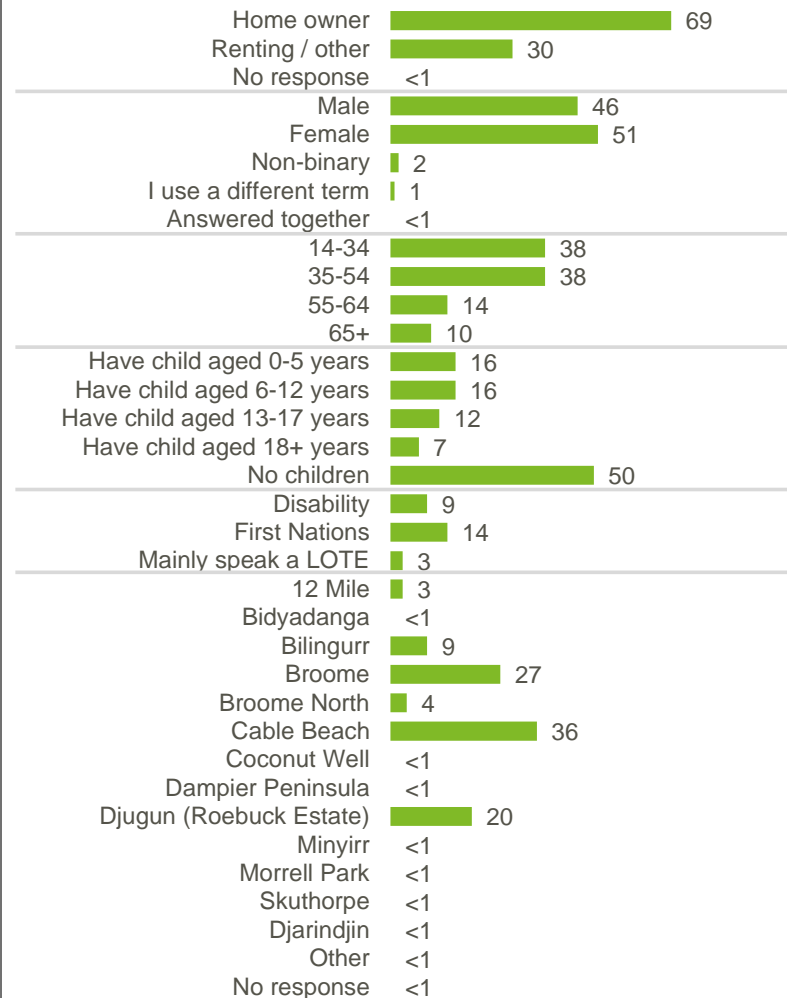
The scorecard was completed by **1,190 community members** with various connections to the Shire:

Local resident	Local business	Out of area ratepayer	Visitor	Elected Member / Employee
1,020	289	63	7	101

The main body of this report shows responses from local residents and ratepayers. Responses were weighted by age and gender to match the ABS Census population profile.

Where sub-totals add to ±1% of the parts, this is due to rounding errors to zero decimal places.

% of resident respondents (weighted)



LOTE:
language other than English



MARKYT Benchmarking Excellence

Program participants | 2003 - 2024

Over 20+ years, CATALYSE® has conducted community perceptions surveys for more than 70 councils across Australia. When comparable questions are asked, we publish high and average scores to enable participating councils to recognise and learn from industry leaders. In this report, average and high scores are calculated from councils that have completed a MARKYT® accredited study within the **past three years**.

Perth Region

- City of Armadale
- Town of Bassendean
- City of Bayswater
- City of Belmont
- Town of Cambridge
- City of Canning
- Town of Claremont
- City of Cockburn
- Town of Cottesloe
- Town of East Fremantle
- City of Fremantle
- City of Joondalup
- City of Kalamunda
- City of Kwinana
- City of Melville
- Town of Mosman Park
- Shire of Mundaring
- City of Nedlands
- Shire of Peppermint Grove
- City of Perth
- Serpentine–Jarrahdale Shire

- City of South Perth
- City of Subiaco
- City of Swan
- Town of Victoria Park
- City of Vincent
- City of Wanneroo

Peel Region

- Shire of Boddington
- City of Mandurah
- Shire of Murray
- Serpentine-Jarrahdale Shire

Wheatbelt Region

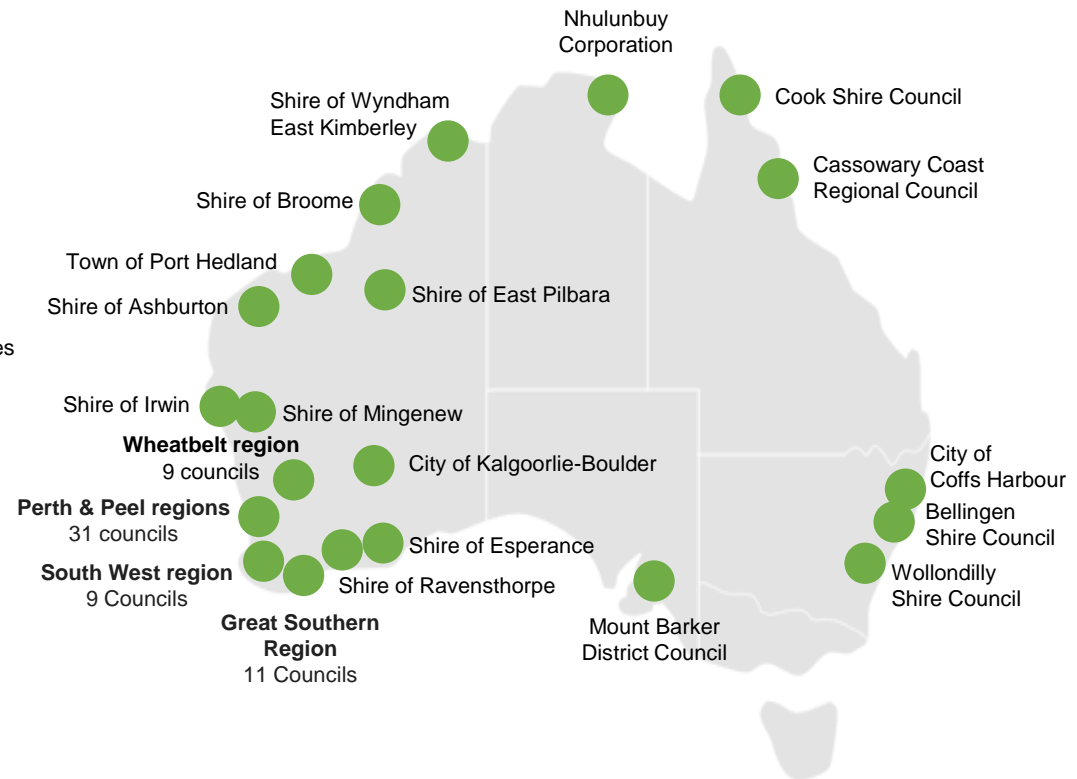
- Shire of Chittering
- Shire of Dandaragan
- Shire of Gingin
- Shire of Merredin
- Shire of Narrogin
- Shire of Northam
- Shire of Pingelly
- Shire of Toodyay
- Shire of York

South West Region

- Shire of Augusta-Margaret River
- Shire of Bridgetown-Greenbushes
- City of Bunbury
- City of Busselton
- Shire of Capel
- Shire of Collie
- Shire of Dardanup
- Shire of Donnybrook-Balingup
- Shire of Harvey

Great Southern Region

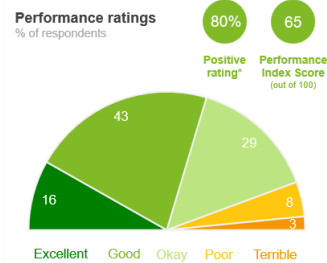
- City of Albany
- Shire of Broomehill-Tambellup
- Shire of Cranbrook
- Shire of Denmark
- Shire of Gnowangerup
- Shire of Jerramungup
- Shire of Katanning
- Shire of Kent
- Shire of Kojoonup
- Shire of Plantagenet
- Shire of Woodanilling



How to read performance dashboard charts

Performance Ratings

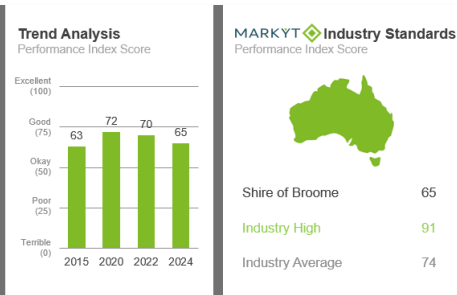
The chart shows community perceptions of performance on a five point scale from excellent to terrible.



The **Performance Index Score** is a weighted score out of 100.

Score	Average Rating
100	Excellent
75	Good
50	Okay
25	Poor
0	Terrible

Trend analysis shows how performance varies over time.



Variations across the community

Performance Index Score																						
Total	Homeowner	Renting/other	Male	Female	No children	Have child 0-5	Have child 6-12	Have child 13-17	Have child 18+	14-34 years	35-54 years	55-64 years	65+ years	Disability	First Nations	LOTE	12 Mile	Blinborough/Broome North	Broome	Cable Beach	Djugun (Resopack Estate)	Other areas
65	66	63	66	65	67	67	63	62	61	64	66	64	68	63	59	53	82	65	62	65	67	69

Variance across the community shows how results vary across the community based on the Performance Index Score

MARKYT® Industry Standards show how Council is performing compared to other councils.

Council Score is the Council's performance index score.

Industry High is the highest score achieved by councils in WA that have completed a comparable study with CATALYSE® over the past two years.

Industry Average is the average score among WA councils that have completed a comparable study with CATALYSE® over the past two years.

Overall Performance

Place to live

Performance ratings

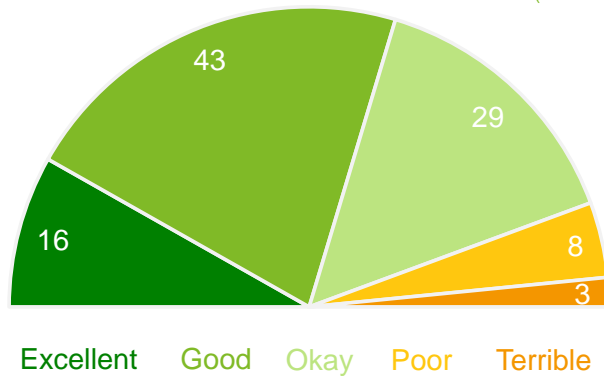
% of respondents

89%

Positive rating*

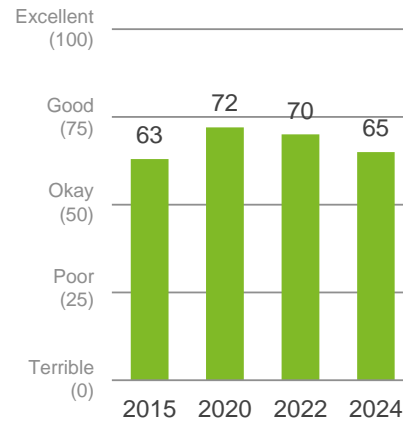
65

Performance Index Score (out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Broome	65
Industry High	91
Industry Average	74

Variances across the community

Performance Index Score

Total	Homeowner	Renting/other	Male	Female	No children	Have child 0-5	Have child 6-12	Have child 13-17	Have child 18+	14-34 years	35-54 years	55-64 years	65+ years	Disability	First Nations	LOTE	12 Mile	Bilingurr / Broome North	Broome	Cable Beach	Djugun	Other areas
65	66	63	66	65	67	67	63	62	61	64	66	64	68	63	59	53	82	65	62	65	67	69

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 1014). * Positive Rating = excellent, good + okay

NB: Where sub-totals add to ±1% of the parts, this is due to rounding errors to zero decimal places.



Governing organisation

Performance ratings

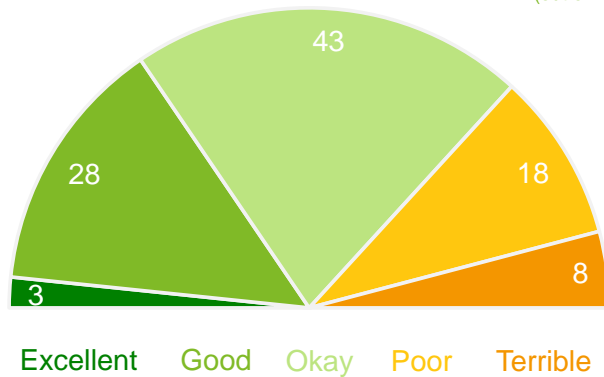
% of respondents

74%

50

Positive rating*

Performance Index Score (out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Broome	50
Industry High	69
Industry Average	51

Variances across the community

Performance Index Score

Total	Homeowner	Renting/other	Male	Female	No children	Have child 0-5	Have child 6-12	Have child 13-17	Have child 18+	14-34 years	35-54 years	55-64 years	65+ years	Disability	First Nations	LOTE	12 Mile	Bilingurr / Broome North	Broome	Cable Beach	Djugun	Other areas
50	50	49	49	51	50	52	49	49	44	50	49	51	55	47	45	42	49	53	47	51	49	48

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 971). * Positive Rating = excellent, good + okay



MARKYT  industry comparisons

Overall Performance | industry comparisons

The 'Overall Performance Index Score' is a combined measure of the Shire of Broome as a 'place to live' and as a 'governing organisation'. The Shire of Broome's overall performance index score is 58 out of 100, 5 index points below the industry average.

Overall Performance Index Score

average of 'place to live' and 'governing organisation'

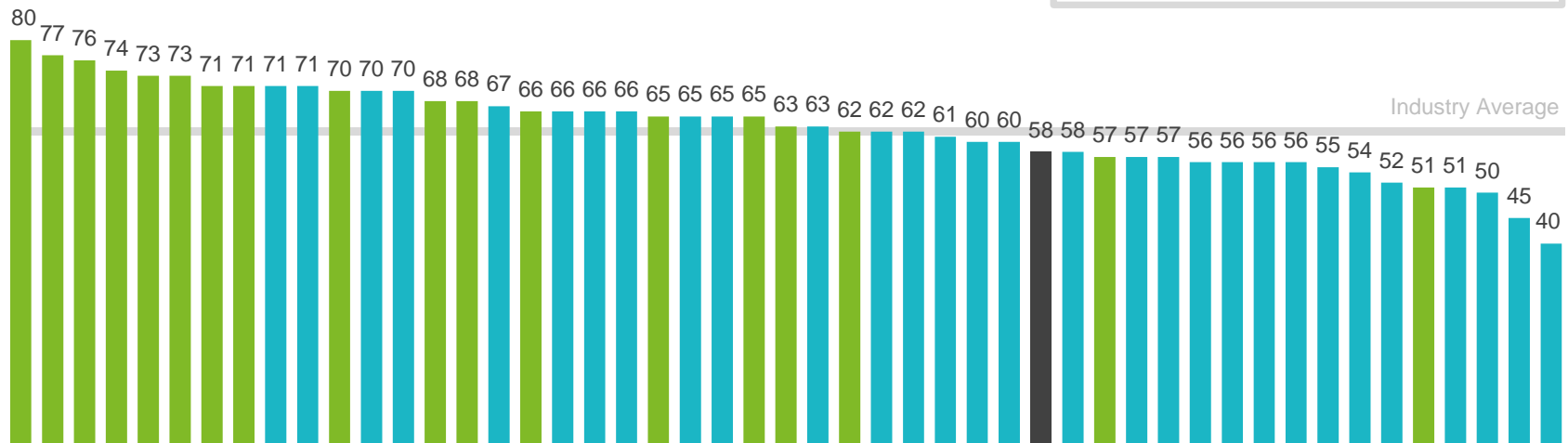
- Shire of Broome
- Metropolitan Councils
- Regional Councils

MARKYT Industry Standards

Performance Index Score



Shire of Broome	58
Industry High	80
Industry Average	63



How to read the MARKYT Benchmark Matrix

The MARKYT® Benchmark Matrix (shown in detail overleaf) illustrates how the community rates performance on individual measures, compared to how other councils are being rated by their communities.

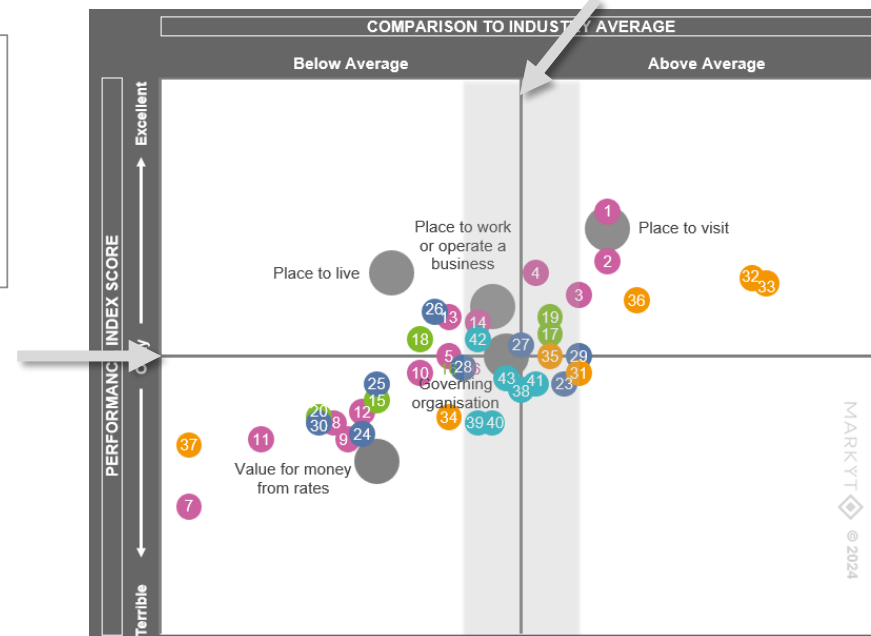
There are two dimensions. The vertical axis maps community perceptions of performance for individual measures. The horizontal axis maps performance relative to the MARKYT® Industry Standards.

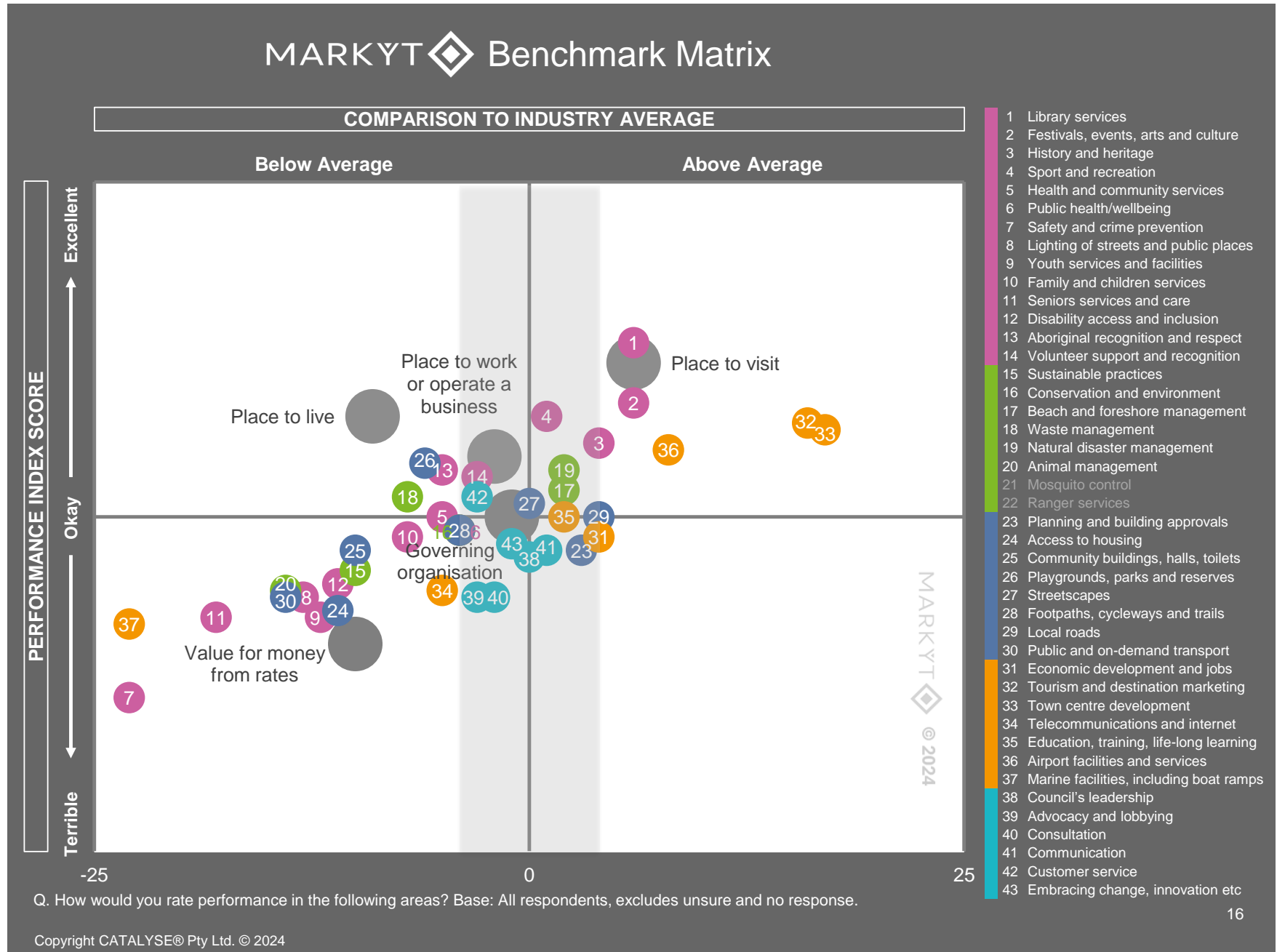
Councils aim to be on the right side of this line, with performance ABOVE the MARKYT® Industry Average.

Services are grouped in five areas:

- People
- Place
- Planet
- Prosperity
- Performance

This line represents okay performance based on the MARKYT Performance Index Score. Higher performing service areas are placed above this line while lower performing areas are below it.





MARKYT  community trends

MARKYT Community Trends Window

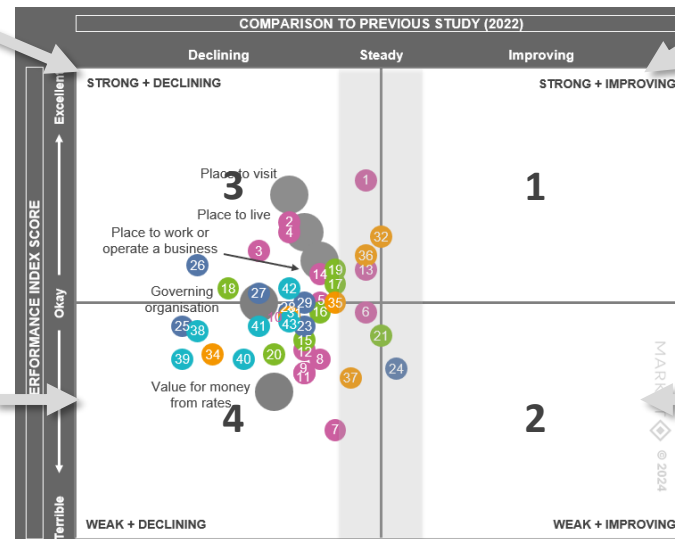
The MARKYT® Community Trends Window shows trends in performance over the past 2 years.

Window 3 includes higher performing services in decline, including:

- Playgrounds, parks and reserves
- Waste management
- History and heritage
- Streetscapes
- Festivals, events, arts and culture
- Sport and recreation
- Customer service

Window 4 includes lower performing areas in decline, including:

- Community buildings, halls, toilets
- Advocacy and lobbying
- Council's leadership
- Telecommunications and internet
- Consultation
- Communication
- Animal management



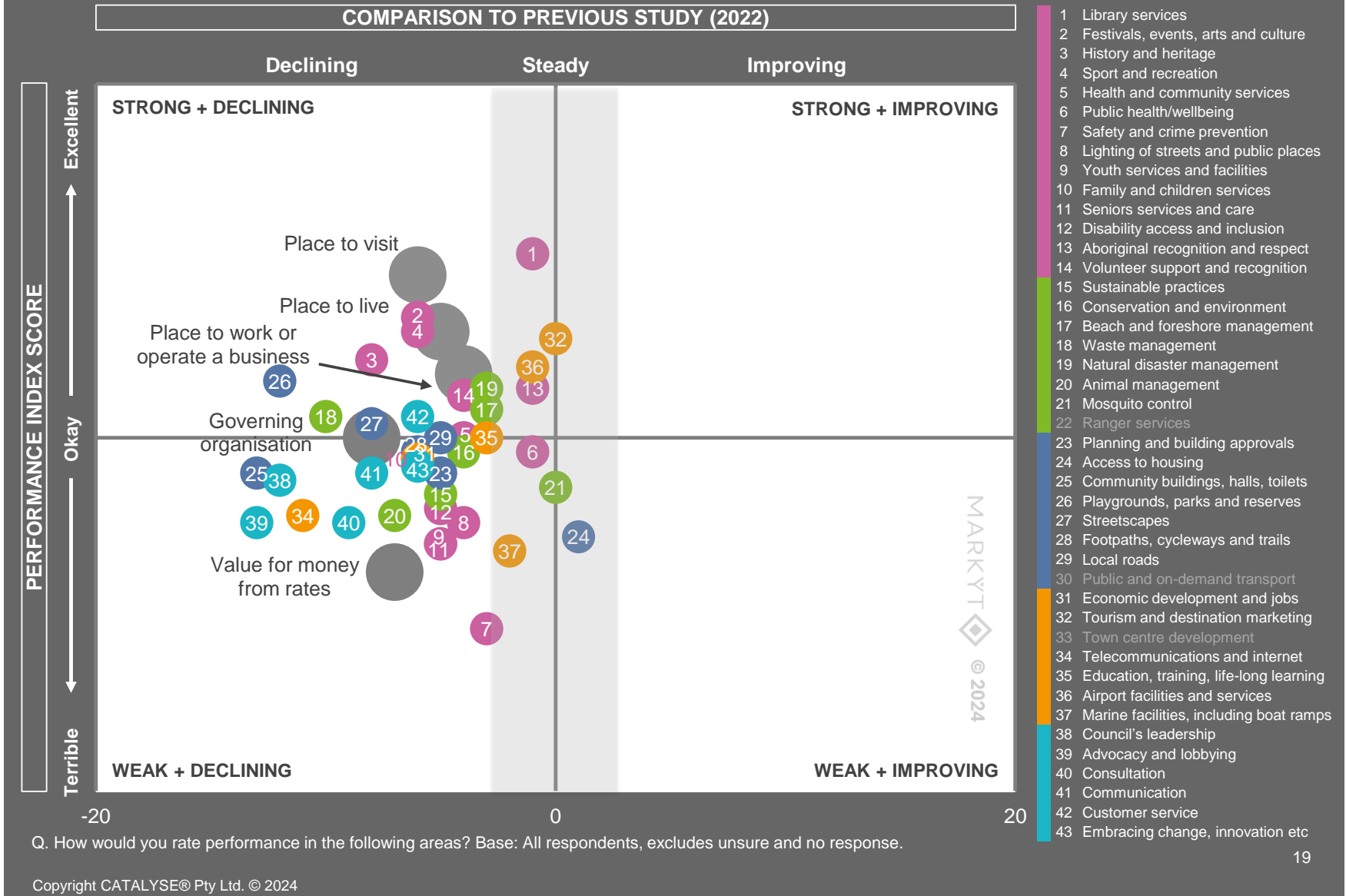
Window 1 includes higher performing areas that have improved.

While there were no services in this window this year, tourism and destination marketing remains strong and steady.

Window 2 includes lower performing areas that are improving.

Access to housing experienced marginal improvement this year.

MARKYT Community Trends Window



MARKYT  community priorities

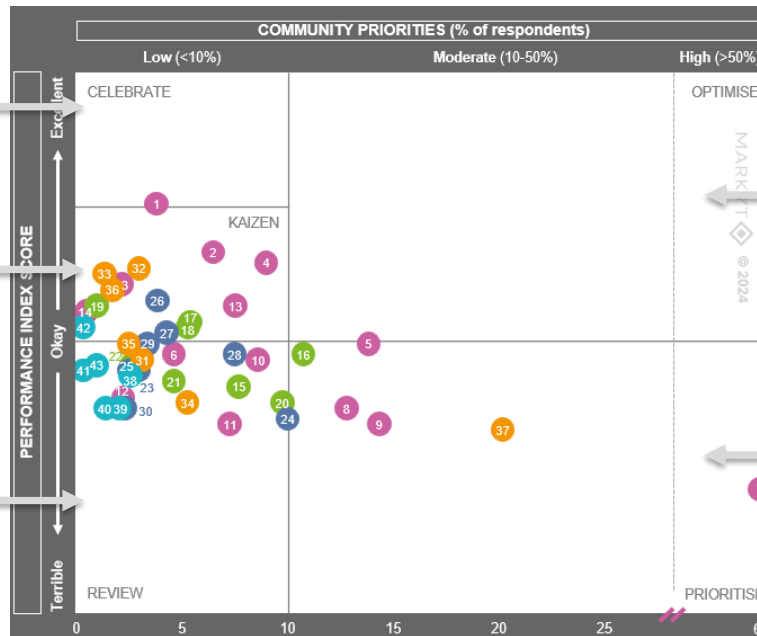
How to read the MARKYT Community Priorities

The MARKYT® Community Priorities chart maps priorities against performance in all service areas.

CELEBRATE the Shire’s highest performing areas.

KAIZEN: consider ways to continuously improve services with average ratings between okay and good to strive for service excellence

REVIEW lower performing areas.

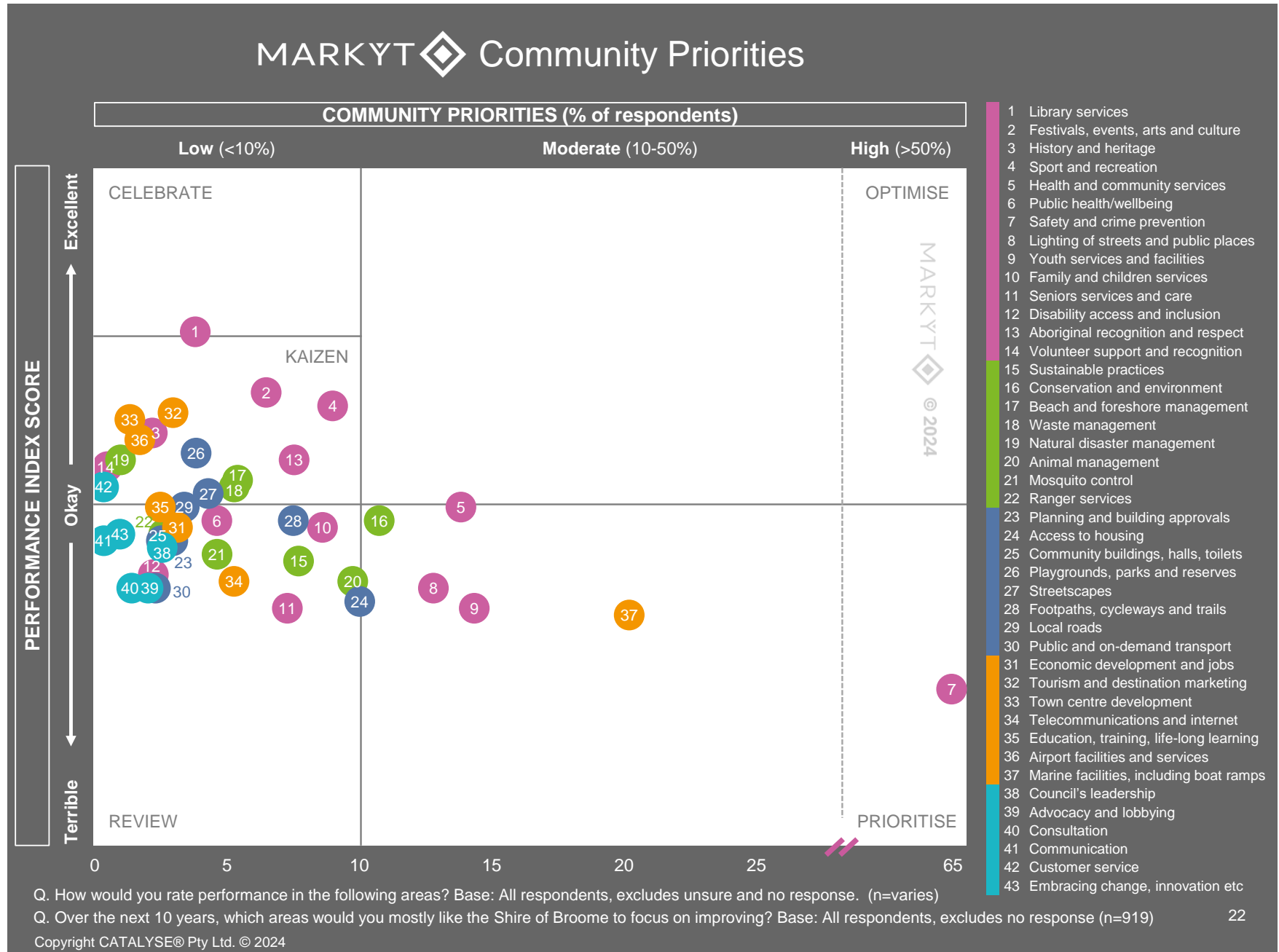


OPTIMISE higher performing services where the community would like enhancements to better meet their needs.

PRIORITISE lower performing services where the community would like the Shire to focus its attention.

Services are grouped in five areas:

- People
- Place
- Planet
- Prosperity
- Performance



Addressing community priorities

The Chief Executive Officer noted a typographical error in the recommendation, which has been corrected and is now reflected in the minutes.

9.1.4 COMMUNITY SAFETY PLAN (2021 - 2025) COUNCIL PROGRESS REPORT

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	CDE42
AUTHOR:	Place Activation & Engagement Coordinator
CONTRIBUTOR/S:	Place Activation & Engagement Officer
RESPONSIBLE OFFICER:	Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

This report tables the deliverables during the December 2023 – June 2024 reporting period of the Community Safety Plan (2021 – 2025) to provide Council with an update on the progress of Community Safety Initiatives.

BACKGROUND

Previous Considerations

OMC 25 March 2021	Item 9.1.1
OMC 29 July 2021	Item 9.1.1
OMC 30 September 2021	Item 9.1.1
OMC 30 June 2022	Item 9.4.1
OMC 29 June 2023	Item 9.4.3

At the Ordinary Meeting of Council held on 25 March 2021, the Community Safety Plan (2021 – 2025) was endorsed as one of the informing strategies within the Community Development Framework.

The Community Safety Plan (2021 – 2025) provides the foundation for a safe and thriving community. It informs the actions undertaken by the Shire in partnership with agencies and the community to reduce the risk of crime and anti-social behaviour and improve community perceptions of safety.

The Community Safety Plan (2021-2025) is published on the Shire of Broome website – www.broome.wa.gov.au/Community/Supporting-Communities/Community-Safety-Plan-2021-2025.

The Community Safety Plan (2021-2025) feeds into the Shire's Corporate Business Plan and Strategic Community Plan. It demonstrates the Shire's commitment to community safety by outlining how the Shire will deliver upon key priorities for its community.

The key priorities within the Community Safety Plan (2021-2025) are:

- Alcohol Consumption and Other Drugs
- Anti-social Behaviour
- Itinerancy and Rough Camping
- Youth Crime

- Burglary, Theft and Stealing
- Family and Domestic Violence
- Civic Leadership

COMMENT

Throughout the Community Safety Plan (2021-2025), Shire officers will provide biannual updates to Council. A presentation covering the reporting period July – December will be delivered at a Council workshop in November, and a progress report for the reporting period January—June will be presented at a Council meeting in June.

The table below provides an update of the key achievements during the December 2023 – June 2024 reporting period.

Priority	Comment
<p>Civic Leadership</p>	<ul style="list-style-type: none"> • Community Safety Working Group meetings held on 13 December 13, March 27, and June 19. <p>On January 18, 2024, Shire staff participated in a workshop with Minister for Police Paul Papalia, the District Superintendent, Member for Kimberley Divina D'Anna, and members of the Community Safety Working Group.</p> <ul style="list-style-type: none"> • The Shire regularly promotes community safety messaging, including bushfire advice, liquor restrictions, road closures, and crocodile sightings. • Urban Renewal Strategy - The Shire of Broome submitted a project to the Department of Communities seeking consideration of funding in the 24/25 State Budget. This was for a Stage 1 pilot of the Urban Renewal Strategy in the Woods Drive Precinct. Staff have been advised that the submission tabled by the Shire was not considered through the State budget process. Correspondence has been forwarded to the Director General of Communities expressing our disappointment and requesting assistance to progress this project.
<p>Family Domestic Violence (FDV)</p>	<ul style="list-style-type: none"> • Shire officer joined a working group led by Aboriginal Legal Service to assist in planning the Family and Domestic Violence (FDV) Awareness March (Ochre Ribbon), held on March 16 in Chinatown. Shire promoted the march on social media, encouraging community participation. Aboriginal Legal Service was also funded \$1000 towards the Ochre Ribbon FDV Awareness March. • Kimberley Community Legal service was provide with \$1000 of funding through the Quick Response Grant towards the 16 Days in WA: Stopping Family and Domestic Violence Project.
<p>Theft</p>	<ul style="list-style-type: none"> • The Shire President and CEO met with the Police Superintendent on February 27 and discussed potential opportunities to expand the CCTV network and associated infrastructure.

	<ul style="list-style-type: none"> Horizon Power has completed this year's scope of work for lighting upgrades on Mavis Road, Reid Road, and Woods Drive. This work is Shire-funded.
<p>Anti-Social Behaviour</p>	<ul style="list-style-type: none"> Shire officers continue fortnightly meetings with WA Police, the Department of Communities (Housing), and the Department of Biodiversity, Conservation, and Attractions regarding anti-social behaviour and other issues. Crime Prevention Through Environmental Design (CPTED) principles are applied to all subdivisions and development applications submitted for assessment and approval.
<p>Youth Crime</p>	<p>A Sporting Chance</p> <ul style="list-style-type: none"> A Sporting Chance program continues to be delivered late on Friday evenings, providing a safe and engaging environment where young people can participate in various sports and other activities. The program launched in June 2023 with \$334,000 in funding secured from the Department of Local Government Sport and Cultural Industries, Department of Justice, and Kimberley Development Commission (KDC). <p>In December 2023, the Shire secured an additional \$93,600 from the KDC to extend the program benefiting young people from remote communities. As part of the 'Remote Chance' funding, the program coordinator visited Beagle Bay on March 1, 2024, and Bidyadanga on April 8, 2024.</p> <p>Immediate Response Night Space</p> <ul style="list-style-type: none"> Shire officers have contributed to a working group of key stakeholders planning for the Immediate Response Night Space project in Broome. Kullarri Regional Communities Indigenous Corporation has been chosen as the service provider for the pilot program, which will run until mid-2025. The Immediate Response Night Space program launched on April 29, 2024. The program will operate overnight from Thursday to Sunday as a place for young people to be dropped off and cared for by a "responsible adult." Police and program staff will patrol the streets overnight to pick up youth. The new \$4-million Immediate Response Safe Space has come from the Kimberley Juvenile Justice Strategy. <p>Marlamanu On-Country Youth Program</p> <ul style="list-style-type: none"> This is an Aboriginal-led proposal for an on-country diversion facility in the Kimberley with Marlamanu Pty Ltd, a subsidiary of KRED Enterprises. A funding agreement was signed in March 2024 with the Cook Government to progress delivery of the three-year pilot program for at-risk youth.

	<ul style="list-style-type: none"> • The Aboriginal-led diversionary program will be established at Mount Anderson station, approximately 123km southeast of Derby. • Recruitment to commence in the coming months, with construction set to kick off on Mount Anderson station by mid-2024.
<p>Itinerancy</p>	<ul style="list-style-type: none"> • Shire officers attend and advise the monthly Vulnerable Peoples Working Group, which consists of multiple agencies that discuss and find solutions for vulnerable people in town. • Shire rangers, Shire clean-up crew, and WA Police undertake regular joint patrol around Male Oval, Broome Visitor Centre, and Town Beach to deal with issues of itinerancy and illegal camping. • 'No Camping' signs are being developed in collaboration with Yawuru for locations known to host itinerants, and signs are also being developed and installed in locations managed or owned by the Shire of Broome. • Itinerants were camping illegally at Kennedy Hill. Aboriginal Lands Trust (ALT) utilised WA Police and Shire rangers to address illegal campers at Kennedy Hill and its environs. The Department of Communities were also advised.
<p>Alcohol and Other Drugs</p>	<ul style="list-style-type: none"> • The Shire has a 3-year funding agreement in place with Kullarri Patrol providing \$20,000 per annum. Kullarri Patrol coordinator attended the Council workshop on February 13 providing an update on the service including the Return to Country program. • A Special Broome Liquor Accord meeting was held on January 18. The Honourable Minister Papalia (Police, Corrective Services, Racing and Gaming, Defence Industry, Veterans Issues) met with Accord members to address concerns over Liquor restrictions. • Liquor Accord meetings were held on December 21, January 18 (special meeting with Minister Papalia in attendance), February 20, March 18, April 16, and June 18. • On November 10 2023, the State Government announced new legislation to strengthen the effectiveness of the Banned Drinkers Register trial in reducing alcohol-related harm. The following legislative changes came into effect from mid-December 2023: <ul style="list-style-type: none"> ○ Licensees in banned drinker areas will be required to scan eligible photo IDs and decline sales to banned drinkers. ○ Police are able to register individuals for alcohol-related offenses, including alcohol-related violence and drink driving, regardless of their proximity to licensed premises. Health professionals and social workers can also refer individuals.

	<ul style="list-style-type: none"> ○ Online liquor retailers are required to consult the BDR before selling takeaway alcohol to areas in which the BDR is in place. Knowingly supplying takeaway alcohol to banned individuals is also an offense, punishable by fines of up to \$10,000. ● The Kimberley Regional Group's (KRG) policy position on the management of alcohol and other drugs can be found on their website at https://kimberleyrg.com.au
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Council is requested to note the aforementioned progress update on the deliverables during the Community Safety Plan's December 2023 – June 2024 reporting period (2021-2025).

CONSULTATION

Shire officers implemented broad and focused engagement activities to advertise the public comment period and seek feedback on the Community Safety Plan (2021-2025). These included:

- Documents made available electronically on the Shire of Broome website.
- Hard copies of the plans were on display at the Shire administration building and the Broome Public Library.
- Shire News and E-Newsletter advertisements.
- Social media posts distributed via the Shire Facebook and Twitter pages.
- Radio announcements via Triple M Broome.
- Two community engagement stalls.
- Targeted emails.

As part of ongoing engagement on the deliverables within the Community Safety Plan (2021-2025), Shire officers provide a quarterly progress report to members of the Community Safety Working Group.

STATUTORY ENVIRONMENT

Nil.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The Community Safety Plan (2021-2025) was compiled assuming that the Shire's resources, both from a resourcing and budgetary perspective, will remain the same as they were when the plan was endorsed for the five-year duration of the plan.

Additional actions or projects adopted by the Shire may impact the full delivery of the plan.

RISK

Nil.

STRATEGIC ASPIRATIONS

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

Outcome 1 - A Safe Community

Objective 1.3 Increase awareness and engagement in community safety education and crime prevention programs.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0624/072

Moved: Cr M Virgo

Seconded: Cr E Smith

That Council notes the progress update on the deliverables during the Community Safety Plan's December 2023 – June 2024 reporting period (2021-2025).

For: Shire President C Mitchell, Cr J Lewis, Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper, Cr E Smith, Cr J Mamid.

CARRIED UNANIMOUSLY 8/0

Attachments

Nil

9.1.5 ARTS AND CULTURE STRATEGY (2023-2028) YEAR ONE PROGRESS UPDATE

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	CEN04
AUTHOR:	Place Activation & Engagement Coordinator
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

The Shire of Broome's Arts and Culture Strategy and Action Plan was adopted by Council at the Ordinary Meeting of Council held on 27 July 2023. This report provides a progress update in actioning the Year 1-2 deliverables.

BACKGROUND

Previous Considerations

OMC 28 October 2021	Item 5.4.1
OMC 23 July 2023	Item 9.1.1
OMC 16 November 2023	Item 9.4.1
OMC 29 February 2022	Item 9.4.6

The Shire's Arts and Culture Strategy and Action Plan (2023 – 2028) was adopted by the Council at the meeting held on 27 July 2023. The Strategy recognises the importance of arts, culture, and heritage to the region while determining the sector's needs and long-term ambitions.

Working in partnership with the local sector and the community, the Strategy develops a strategic pathway for how the Shire's arts and cultural resources can most effectively strengthen and support local arts and culture and reflect the sector's significant value.

The following vision statement was developed to reflect the shared goal for arts and culture in the Shire of Broome. The vision is aspirational and looks five years into the future, where the arts and culture sector's current strengths are maintained and enhanced, development areas are improved, and potential is nurtured.

In five years, the Shire of Broome is:

A place where diverse arts, culture, and heritage create a vibrant future for everyone.

The following priorities of the Strategy were developed through stakeholder consultation and responded to the needs of the arts and culture sector and the Shire's overarching strategic goals:

- Celebrate cultural diversity
- Strengthen collaboration and advocacy
- Increase engagement and advocacy
- Increase engagement and accessibility
- Build sector sustainability

- Develop creative spaces

COMMENT

Shire officers will provide updates on the Arts and Culture Strategy (2023 -2028) deliverables to the Council twice a year by preparing a progress report in June and a presentation to Council in November.

This report tables the key deliverables against the Year 1-2 actions from August 2023 to June 2024.

This report includes the full list of Year 1 -2 actions with the officer's comments (Attachment 1). Action	Comment
1.1 - Provide for the implementation of the Cable Beach Foreshore Redevelopment Public Art and Interpretation Plan.	<ul style="list-style-type: none"> • The Cable Beach Foreshore Area is a significant public open space with a long history and various stories and cultures. During the detailed design phase of the project, a high-level concept design for Art and Interpretation was developed for the site in consultation with relevant stakeholders. • A contract was awarded in August 2023 for an art consultant to guide the delivery of public art, interpretation, and wayfinding across the site. <p>The consultant will:</p> <ul style="list-style-type: none"> - Manage the design and delivery of art pieces in Stage 1 and define art briefs for the remainder of the site. - Consult with relevant parties, compile and editorialise information, images, and stories and design the interpretation signs across the site. - Develop a wayfinding plan, design, and signage across the site. <ul style="list-style-type: none"> • The installation of Stage 1 pieces is to be timed with the completion of Stage 1 construction works. • The Shire has since secured a \$26.3 million Australian Government Regional Precincts and Partnerships grant for Stage 2 of the Cable Beach Foreshore Redevelopment with an announcement in May 2024.
1.6 - Advocate for Nyamba Buru Yawuru to build the Kimberley Centre for Art, Culture and Story.	<ul style="list-style-type: none"> • Correspondence was sent to Hon. Roger Cook on 19 September 2023, advocating for the Kimberley Centre and other projects. • The Shire has developed a <i>Broome: Building a Future, For Everyone Plan 2024</i>, which is designed to lay out the co-investment commitment and support required for significant community and industry priority projects to proceed to the next stage; included in the Plan is the Kimberley Centre for Art, Culture, and Story.

<p>1.7 - Advocate for continued investment in locally produced film, media, and associated development programs.</p>	<ul style="list-style-type: none"> • The Shire has funded Cinefest Oz providing \$30,000 for the 2023 and 2024 events. • The Shire met with the Sharing Stories Foundation on 27 June 2023 to discuss the Media Mentoring Program and Hub in Broome. • Three letters of support were provided to Sharing Stories for DLGSC, NIAA, and KDC funding. • Shire also provided four computer monitors for Sharing Stories' media hub. • As part of the recent Community Development Funding round, Sharing Stories successfully received a \$6,000 grant to purchase new computers for the media hub. The funding will be allocated in July 2024.
<p>2.1 - Provide letters of support for local artists and arts and cultural organisations seeking external funding where the activity contributes to the Shire's vision.</p>	<p>The following organisations received letters of support for their projects during this reporting period:</p> <ul style="list-style-type: none"> • Broome CIRCLE - Redevelopment of 124 Herbert Street (Art Centre) 15 December 2023 • Broome Historical Society - The Space Beyond Project 27 February 2023 • Kimberley Arts Network – Ceramic Studio (2 letters provided) 30 November 2023 and 19 December 2023 • Kimberley Arts Network – Fringe Festival 30 August 2023 • Sharing Stories Foundation - First Nations Regional Media Hub (Three letters provided) 29 September 2023 • Shinju Matsuri - Sculptures by the Bay 07 March 2024 • Shinju Matsuri - Arts and Cultural-Focused Festival Programming 07 March 2024 • Theatre Kimberley - Sandfly Circus 31 January 2024 • Bidyadanga Aboriginal Community La Grange Inc - Bidyadanga Artists' Art Centre 15 February 2024 • Marrugeku - Burrbgaja Yalirra 2 27 November 2023 • Weaving Futures - Cross-Cultural Arts Exchange 04 September 2023.
<p>2.5 - Advocate for the State and Federal Government to increase support for the Regional Arts Network Hub.</p>	<ul style="list-style-type: none"> • The Shire submitted a report to the Kimberley Regional Group (KRG) advocating on behalf of the sector and recommending that the Kimberley Zone of WALGA request the WALGA State Council lobby the State Government to fund Regional Arts WA, employ Regional Arts Hub Coordinators based across regional WA, and expand the KidSport program to include arts activities. • The Shire then presented on the topic at the KRG meeting in Perth on 24 August 2023 and supported the Regional Arts WA representative to attend a networking function.

<p>2.12 - Advocate for shared arts and culture impact measurement tools across regional WA.</p>	<ul style="list-style-type: none"> • Discussion is underway with the Kimberley Development Commission (KDC), undertaking a project with Social Ventures Australia to articulate and define the social and economic value of the Kimberley arts and creative sector. • KDC sees this as an important piece of work to develop an evidence base to attract more funding and investment into the sector and the region. • The Shire attended an online stakeholder workshop on Thursday, 2 May 2024, to inform the project. • The Shire liaised with KDC to organise an additional in-person workshop with Arts and Culture Community Reference Group members on Thursday, 23 May 2024.
<p>3.1 - Provide a review and management plan for the Shire's art collection (fine and public).</p>	<p><u>Shire's Art Collection</u></p> <ul style="list-style-type: none"> • Professional Arts Management (PAM) was appointed in February 2023 to catalogue, value, and implement conservation measures (bubble wrapping) for the Shire of Broome Art Collection. PAM completed the project in August 2023, providing the Shire with the following: <ul style="list-style-type: none"> - A spreadsheet for each artwork identifies asset number, artist, title, medium, year of acquisition, dimensions, category, location, background information (story), condition, conservation suggestions, valuation, and valuation notes - A PDF Catalogue of the collection - A report that provides an overview of the collection and recommendations for storage and developing an art collection policy - Indicative valuation of Shinju Matsuri Acquisitive Art Collection: \$97,250. <p>The Shire will action the recommendations from PAM pending resources.</p> <p><u>Public Art</u></p> <ul style="list-style-type: none"> • Shire officers have undertaken a Public Art review. • A spreadsheet identifies asset number, artwork title, photograph of artwork, artist, medium, condition, and maintenance requirements. • This work has been undertaken for all public art, including infrastructure, signs, and memorials.
<p>3.2 - Promote the arts and culture sector's activities and successes through the Shire's social media and website.</p>	<ul style="list-style-type: none"> • The Shire has promoted local activities and events, including Cinefest Oz, Marrugeku performances, Worn Art, and School holiday workshops. • An online events calendar has been created on the Shire website where community groups can advertise their events to the wider community.

<p>3.3 - Fund locally produced arts and culture events through the Shire's Community Development Fund (CDF) and investigate the introduction of an arts and culture projects stream to the CDF.</p>	<ul style="list-style-type: none"> • In 2023/24, the following projects were funded through the CDF program: <ul style="list-style-type: none"> - Kimberley Art Network, Broome Fringe Festival Indigenous Community Engagement Program (\$11,000) - Theatre Kimberley, Worn Art (\$20,000) - RAMU Productions—Cinefest Oz (\$30,000) - Broome Aboriginal Media Association, NAIDOC (\$10,000) for three years. - Shinju Matsuri Festival (\$97,500) • In January 2024, \$5,000 was awarded to Marrugeku for the Buurbgaja Yalirra Project through the Tourism Administration Ad Hoc Funding. • Nagula Jarndu was successful in the 2023/24 Quick Response Grants program, receiving \$1,000 towards the local artists' attendance at the NATSIAA awards. <p>The Community Development Fund reopened for applications from 10 January - 20 March 2024.</p> <ul style="list-style-type: none"> • Shire Council reviewed funding submissions and officer recommendations at a Special Meeting of Council on Thursday 6 June 2024. <p>The following projects were successful and will be funded in 2024/25:</p> <ul style="list-style-type: none"> • Sammy the Dragon Broome, for Sammy the Dragon 2024 Volunteer Shirts \$2,500. • Broome Town Band, for Broome Town Band to Perform at Community Events \$3,000. • Broome Historical Society, for Oral History Training \$2,794. • Helping Minds, for Coming Together, Community Mural with local artist \$6,000. • Sharing Stories Foundation Limited, for Sharing Stories Media Hub \$6,000. • Broome Performing Arts Cooperative, for the End of Year BPAC Concert - (Fergully 2024) Event for \$7,185 • Theatre Kimberley for the Sandfly Circus Event for \$19,191. • Bidyadanga Aboriginal Community La Grange (BACLG) for the Bidyadanga Music Week Event for \$10,000; and • Shinju Matsuri Inc for the 2024 Shinju Matsuri festival an additional \$20,000.
<p>3.4 - Provide and Advocate for more opportunities for under-18 musicians to perform.</p>	<ul style="list-style-type: none"> • As part of the Christmas event organised by the Shire, music instructor Rob Pascoe from Broome Senior High School was tasked with recruiting young musicians. • Local young people Amber and Tyler were offered paid opportunities to showcase their talents during the event.

<p>3.17 - Provide arts school holiday workshops for teenagers, partnering with local arts and culture organisations and artists to deliver a variety of workshops.</p>	<ul style="list-style-type: none"> • The Shire partnered with Kimberley Arts Network (KAN) to deliver two tie-dye workshops with local artist Alice Boardman during the school holidays on 2 and 3 October 2023. • Local artist Elise Fenn from Weaving Futures was engaged in the Artist in Residence element of the Shire's Christmas event in 2023 to facilitate 10 days at St Mary's Primary School. Students built large-scale sea animals from recycled materials on display at the Christmas market. • The Shire partnered with KAN and local artist Jacky Cheng to deliver a school holiday bookbinding workshop for 12-17-year-olds on 24 January 2024.
<p>4.4 - Provide an updated programming strategy for the Broome Civic Centre.</p>	<ul style="list-style-type: none"> • Broome Civic Centre 2024-2027 Program Plan and Broome Civic Centre Engagement Plan 2024 were developed and submitted to DLGSC on 29 February 2024. • Programming priorities: <ol style="list-style-type: none"> 1. Contemporary Aboriginal visual and performing arts: Develop Aboriginal artists and Aboriginal audiences and introduce tourists to cultural tourism experiences. 2. Youth artist and audience development: Address one of Shire's key priorities of youth engagement and aspiration by programming activities that attract a diverse range of local young people. 3. Families and children: provide opportunities for families and children to experience entertaining and meaningful performing arts together, growing a future generation of audiences and artists. • These three priorities align with the Shire's Arts and Culture Strategy and Action Plan.

<p>5.2 - Provide arts and culture organisations with equitable access to opportunities to apply for peppercorn/subsidised rent opportunities within Shire buildings.</p> <p>5.3 - Facilitate and promote use of the community storage shed at the Broome Recreation and Aquatic Centre by arts and culture organisations.</p> <p>5.4 - Provide peppercorn rent to the Broome Historical Society for the Broome Museum building.</p> <p>5.5 - Provide peppercorn rent to Kimberley Arts Network for the KAN shed.</p>	<ul style="list-style-type: none"> • The Shire has a finite number of properties and storage units allocated for community groups/NFPs' use under peppercorn leases. Most of these are historic, with minimal changes from year to year. When a lease expires or the community group chooses to finish it, an Expression of Interest process would be undertaken to ensure complete fairness in addressing the best outcome for the community. • Peppercorn lease arrangement in place with Broome Historical Society until June 2025. • Kimberley Arts Network is on a peppercorn lease arrangement until 30 April 2027. • The following local arts/culture organisations have a community storage shed lease until 30 July 2027: Marrugeku, Shinju Matsuri, Broome Wasamba, Saltwater Country, Kimberley Stolen Generation, and Theatre Kimberley.
<p>5.7 - Fund a feasibility study and Masterplan to upgrade and redevelop the Broome Museum and adjacent lands.</p>	<ul style="list-style-type: none"> • The project has been on hold pending the outcome of the heritage assessment of the former Sub-Collectors Residence (former) at Lot 3, 69 Robinson St. The Shire owns this property freehold and currently rents it privately. • In March 2024, the Shire was advised by the Department of Planning, Lands and Heritage that the Customs House (Broome Museum) and Sub-Collectors Residence had been approved for registration into the State Heritage Register. Subsequently, the Council is reviewing the scope of the Broome Museum Complex Master Plan and anticipates advertising for a suitable consultant in July 2024.

The Council is requested to note the progress update on the Arts and Culture Strategy Year 1 – 2 deliverables from August 2023 to June 2024.

CONSULTATION

Arts and Culture Community Reference Group

Kimberley Development Commission

STATUTORY ENVIRONMENT

Nil.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

RISK

Nil.

STRATEGIC ASPIRATIONS

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

Outcome 4 - An inclusive community that celebrates culture, equality and diversity

Objective 4.1 Grow knowledge, appreciation and involvement in local art, culture and heritage.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0624/073

Moved: Cr J Lewis

Seconded: Cr P Taylor

That Council notes the progress update on the Arts and Culture Strategy Year 1 – 2 deliverables from August 2023 – June 2024.

For: Shire President C Mitchell, Cr J Lewis, Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper, Cr E Smith, Cr J Mamid.

CARRIED UNANIMOUSLY 8/0

Attachments

1. Arts and Culture Strategy Year 1-2 actions

The Director of Development Services noted typographical errors in the Agenda item, which have been corrected and are now reflected in the minutes. Additionally, a dot point 5 has been added to the recommendation to keep the Prime Timers group updated on progress.

9.2 PLACE

9.2.1 ANNUAL ELECTOR MOTION 13 - RETIREMENT VILLAGE (AGED ACCOMMODATION) IN BROOME

LOCATION/ADDRESS:	N/A
APPLICANT:	N/A
FILE:	
AUTHOR:	Planning Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development Services
DISCLOSURE OF INTEREST:	NIL

SUMMARY:

This report provides Council with an update on elector motion 13 from the Annual Electors Meeting from the 15 February 2024. The annual electors motion sought that the Shire advocates for the development of a retirement village in Broome. The Annual Electors Motions were considered at the March 2024 Ordinary Meeting of Council where it was resolved to defer Elector Motion 13 and hold a meeting with the Prime Timers community group and other stakeholders to discuss a pathway forward on a retirement village.

The report provides an overview on the stakeholder engagement and meeting with the Prime Timers and recommends officers continue to meet with potential applicants/developers of aged accommodation and continues to pursue opportunities for delivery of aged accommodation in the Sanctuary Village Holiday Park and Key Worker Accommodation and McMahon Estate Local Structure Plan as well as other locations that meet selection criteria.

BACKGROUND

Previous Considerations

Annual Electors Meeting	15 February 2024	
OMC	24 March 2024	Item 9.4.3

The following motion was passed at the Annual Electors Meeting on 15 February 2024:

ELECTOR MOTION 1:**Minute No. /0224/015****Moved: E Cochrane****Seconded: G Smith****That the Shire acts as facilitator to:**

- **Work with seniors to identify ideal characteristics of a retirement village development in Broome eg location, ambience, security, flexibility etc.**
- **Identify land which would be suitable for the development of a retirement village – including re-assessing the Uniting Church land proposal and ensuring any suitable land identified is correctly zoned.**
- **Advocate, advertise for and identify developers who might be interested in building a retirement village in Broome.**
- **Work with the developer and the community of seniors to ensure the project to build a retirement village is completed by mid-2027.**

CARRIED UNANIMOUSLY

At the Ordinary Meeting Council 28 March 2024 all electors motions from the Annual Electors Meeting were considered. In relation to Annual Elector Motion No 13, the following resolution was passed:

ALTERNATE RESOLUTION:**Minute No. C/0324/024****Moved: Shire President C Mitchell****Seconded: Cr D Male****That Council defer Elector Motion 13 due to ability to hold a meeting with Prime Timers and other stakeholders in order to discuss a pathway forward on a retirement village.****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**

Shire officers have met with Prime Timers and also undertaken stakeholder engagement which is outlined in the comments section below.

COMMENT

Shire Officers met with the Prime Timers on 24 April 2024. The meeting was to better define the problem and discuss what role each party can play in addressing aged accommodation in Broome. The meeting discussed potential land sites from Nyamba Buru Yawuru (NBY) and DevelopmentWA (DevWA) (these are outlined in the consultation section below). It was expressed by Prime Timers that the McMahon Estate and Sanctuary Village Holiday Park and Key Worker Accommodation are probably not suitable sites for a retirement village due to size and location. The meeting concluded with the discussion about whether Prime Timers should become an incorporated body, to view the meeting minutes see Attachment 1. Actions that arose from the meeting were as follows:

- Economic Development Coordinator to review how other Local Government Agencies in Western Australia have facilitated / provided retirement villages (ongoing)
- CEO to enquire through the Regional Capitals Alliance if there are parties interested in a development in Broome (ongoing).
- Confirm with the Shire of Broome's Planning Department if DevWA have any plans for a Retirement Village or dwellings in Broome North (completed).

- Connect Prime Timers with the Shire’s Place Activation & Engagement Officer Community & Sporting Groups to discuss benefits of forming a club/becoming incorporated (completed).

Officer’s have also engaged with key stakeholders/landowners regarding potential retirement village (NBY and DevWA). A summary of the engagement and outcome is outlined in the consultation section of the report. The stakeholder engagement shows that other parties are investigating the feasibility of, and options for the delivery of aged accommodation.

The Shire has also been investigating opportunities for aged accommodation options through the Sanctuary Village Holiday Park and Key Worker Accommodation and McMahan Estate Local Structure Plan projects.

While engagement with Prime Timers has expressed a view that these sites are not suitable, these will still continue to be investigated by the Shire. It should be noted that the terms of the \$7.68m Infrastructure Development funding agreement for the Sanctuary Village Holiday Park and Key Worker Accommodation require all residential dwellings to be used as Key Worker accommodation for a period of 10 years from their completion, following which they may be used for other purposes such as aged accommodation.

Other potential sites

Local Planning Scheme No 7 is the instrument that establishes the permissibility of retirement villages in the Shire (retirement village would be classed as an ‘Aged or Dependent Persons Accommodation’). As set out in the zoning table excerpt below, this land use is discretionary in the Residential, Regional Centre, Local Centre and Mixed Use zones. These land use zones cover a large portion of land zoned in the townsite of Broome so the planning framework already provide opportunities for proponents to build aged accommodation in the townsite of Broome.

The planning team has previously fielded enquiries from landowners in the Old Broome area to develop aged accommodation. While the land use was not an issue, the density controls were a limiting factor, this is currently being considered as part of the Precinct Structure Plan process and Amendment No 1 to Local Planning Scheme No 7 which was adopted by Council at the Ordinary Meeting of Council in November 2023.

17. Zoning table

The zoning table for this Scheme is as follows -

Table 3 - Zoning Table

Use and Development Class	Zones													Settlement	Urban Development
	Residential	Rural Residential	Regional Centre	District Centre	Local Centre	Mixed Use	Service Commercial	General Industry	Light Industry	Rural	Cultural and natural resource use	Rural Smallholdings	Tourism		
Abattoir	X	X	X	X	X	X	X	D	X	D	X	X	X	to be determined with proposed layout plan.	use 18(6)
Aerodrome	X	X	X	X	X	X	X	X	X	X	X	X	X		
Aged or dependent person’s accommodation	D	X	D	D	D	D	X	X	X	X	X	X	X		

Summary

Shire officers have implemented the motion and met with Prime Timers and other stakeholders. Engagement has shown that proponents are actively pursuing opportunities for an aged accommodation facility. The Shire's planning framework provides for adequate discretion to enable this development and with the changes proposed through Amendment No 1 to LPS7 and the Precinct Structure Plan, an even more enabling framework would be created.

As such it is recommended that Council notes the engagement and continues to meet with prospective proponents/developers of aged accommodation facilities. It is also recommended that Council resolve to continue to pursue opportunities through Sanctuary Village Holiday Park and Key Worker Accommodation and McMahan Estate - Local Structure Plan.

Officers will also report back to Council through the Council Workshop process on external engagement through the Regional Capitals Alliance and other Local Governments.

17. Zoning table

The zoning table for this Scheme is as follows -

Table 3 - Zoning Table

Use and Development Class	Zones														
	Residential	Rural Residential	Regional Centre	District Centre	Local Centre	Mixed Use	Service Commercial	General Industry	Light Industry	Rural	Cultural and natural resource use	Rural Smallholdings	Tourism	Settlement	Urban Development
Abattoir	X	X	X	X	X	X	X	D	X	D	X	X	X	to be determined with revised layout plan.	use 18(6)
Aerodrome	X	X	X	X	X	X	X	X	X	X	X	X	X		
Aged or dependent person's accommodation	D	X	D	D	D	D	X	X	X	X	X	X	X		

CONSULTATION

The Shire of Broome have consulted with DevWA and NBY on separate occasions for potential sites and their progress towards an aged accommodation facility in Broome.

NBY have communicated that it is actively pursuing an interested developer for an aged care facility, at 78 Dora Street. 78 Dora Street is zoned 'Urban Development' under Local Planning Scheme 7, a Local Development Plan (LDP) was approved for the site in June 2022. The LDP includes a land use permissibility table with 'Aged or Dependent Persons Accommodation' being a permissible use on the site.

DevWA have advised that it is investigating an opportunity for aged accommodation within the Broome North Local Structure Plan Area No 3. The potential location is directly opposite Fairway Drive to the immediate west of where subdivisional works are currently being undertaken to deliver stage 12 and 13 of Broome North.

DevWA are currently seeking funds to engage a specialist advisor to advise on how to best move forward to deliver an aged accommodation facility.

STATUTORY ENVIRONMENT

Planning and Development (Local Planning Schemes) Regulations 2015
 Local Planning Scheme No. 7
 Broome North Local Structure Plan No.3

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

RISK

Nil.

STRATEGIC ASPIRATIONS

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

Outcome 2 - Everyone has a place to call home

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

Actions 2.1.3 **Advocate** for housing diversity to meet community needs (retirement village, aged care facilities, accommodation for seasonal workers, etc.)

- Review how other Local Government Agencies in Western Australia have facilitated / provided retirement villages (ongoing).
- CEO to enquire through the Regional Capitals Alliance if there are parties interested in a development in Broome (ongoing).

VOTING REQUIREMENTS

Absolute Majority

Cr J Lewis proposed the following amended Motion.

Cr E Smith seconded the amended motion.

Debate ensued.

COUNCIL RESOLUTION

(RECOMMENDATION)

Moved: Cr J Lewis

Minute No. C/0624/074

Seconded: Cr E Smith

AMENDED MOTION:

That Council:

1. **Note the progress on the investigation of potential land for the development of a retirement village, including discussions with DevelopmentWA and NBY and continues to meet with prospective aged accommodation developers.**
2. **Instructs the Chief Executive Officer continues to pursue opportunity for aged accommodation at the Sanctuary Village Holiday Park and Key Worker Accommodation and McMahan Estate Local Structure Plan.**
3. **Requests the Chief Executive Officer report back to Council through the Council Workshop process on engagement with other Local Governments and the Regional Capitals Alliance to confirm how aged care and retirement villages have been implemented in other regional areas, and if there are interested providers or developers that may consider establishing a retirement village in Broome.**
4. **Considers Elector Motion 13 from the Annual Electors Meeting held 15 February 2024 as completed.**
5. **Maintain engagement with Prime Timers to ensure they are well informed of any progress.**
6. **Takes steps to establish an Aged Care Reference Group which will develop an informing strategy that identifies the range of ageing-well actions that the Shire can undertake to meet the needs of seniors in the Shire.**

For the Motion: Cr J Lewis.

Against the Motion: Shire President C Mitchell, Cr P Matsumoto, Councillor P Taylor, Cr M Virgo, Cr E Smith, Cr J Mamid and Cr S Cooper.

LOST 1/7

Reason: To meet the needs of seniors in the Shire.

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0624/075

Moved: Cr M Virgo

Seconded: Cr E Smith

That Council:

1. **Note the progress on the investigation of potential land for the development of a retirement village, including discussions with DevelopmentWA and NBY and continues to meet with prospective aged accommodation developers.**
2. **Instructs the Chief Executive Officer continues to pursue opportunity for aged accommodation at the Sanctuary Village Holiday Park and Key Worker Accommodation and McMahan Estate Local Structure Plan.**
3. **Requests the Chief Executive Officer report back to Council through the Council Workshop process on engagement with other Local Governments and the Regional Capitals Alliance to confirm how aged care and retirement villages have been implemented in other regional areas, and if there are interested providers or developers that may consider establishing a retirement village in Broome.**
4. **Considers Elector Motion 13 from the Annual Electors Meeting held 15 February 2024 as completed.**
5. **Maintain engagement with Prime Timers to ensure they are well informed of any progress.**

For: Shire President C Mitchell, Cr J Lewis, Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper, Cr E Smith, Cr J Mamid.

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 8/0

Attachments

1. Attachment 1 - Prime Timers Meeting Minutes
2. Attachment 2 - Broome North Local Structure Plan No 3

The Director of Development Services advised that Attachment 1 has been amended since the Agenda publication to limit trading zones adjacent to parks in residential areas from 7am to 5pm, instead of 7am to 7pm. This change ensures residential amenity and is not seen as substantive or conflicting with the policy's intent. These corrections, along with a typographical error in the Confidential Attachment, were made administratively and are reflected in the minutes.

Shire President C Mitchell declared an Impartiality Interest in item 9.3.1, the reason being “ One of the current applicants is my cousins son.”

Cr J Lewis declared a Proximity Interest in item 9.3.1, the reason being” I live on the reserve that Solway Park is part of.

Cr J Lewis left the Chambers at 5:43 pm.

9.3 PROSPERITY

9.3.1 TRADING IN PUBLIC PLACES POLICY TRIAL

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

SUMMARY:

The Trading in Public Places Policy (Policy) facilitates the assessment and approval of Trading Licences in accordance with the *Trading, Outdoor Dining and Street Entertainment Local Law 2003* (Local Law). The current policy was endorsed by Council in June 2022 for the purpose of a two year trial period, with the outcomes from the trial to be presented to Council by June 2024. Feedback from the trial and recommended changes to the Policy are summarised in this report.

BACKGROUND

Previous Considerations

OMC 31 May 2018	Item 9.3.1
OMC 30 June 2022	Item 9.3.2
OMC 25 August 2022	Item 9.3.1
OMC 29 June 2023	Item 9.1.3

At the Ordinary Meeting of Council (OMC) held 31 May 2018, Council adopted a revised Trading in Public Places Policy, which included the provision of five Council endorsed trading ‘nodes’. Nodes were locations for which trading licences could be issued by delegated officers even though the trading activity is within 300m of a permanent business that it would be directly competing with. Previously, mobile traders were not permitted to trade within 300m of a directly competing permanent business. The nodes were the Broome

Recreation and Aquatic Centre, Town Beach Reserve, Tanami Park and adjacent road reserve, Cable Beach Foreshore and adjacent road reserve and Chinatown. A person could still apply to trade at any other location within the Shire if they could demonstrate that it was a safe location and at least 300m from a directly competing business.

There has been a growing interest in the establishment of mobile traders in Broome and Shire officers have consistently responded to a high number of enquiries since the implementation of the policy. Mobile traders have the potential to add diversity to the commercial offering in an area, create vibrancy and activate public places, be used to bring more people into an area and/or facilitate persons staying longer in an area. In residential parks, mobile traders have the potential to foster neighbourly relations, leading to reduced isolation and improved civic pride and community cohesion.

While the inequity between mobile traders and permanent traders is often raised as an issue, public trading can be a way for a person to generate income and build a business, facilitating the transition to a permanent establishment. Generating greater economic activity in an area and bringing more vibrancy and people to an area benefits permanent businesses as well as mobile traders.

To meet the growing interest in mobile trading, the Policy was amended in June 2022 to increase the number of trading nodes from 5 to 12 locations and provide specific guidance on locations where a trader may set up. The intention of these revisions was to provide better flexibility to traders by giving more options and thereby reduce the administrative burden on Shire officers by reducing the amount of applications that were being received for other locations around the townsite.

The revised Policy was also intended to encourage the use of parks and reserves for appropriate trading activities as a means of enhancing community activity and recreation. Other additional provisions to streamline the application process and regulate trading activities were also included. The additional nodes (or “trading zones”) were:

- Babagarraburu Park (also known as Janaburu Six Seasons Park)
- Cygnet Park
- Demco Beach Carpark
- Peter Haynes Reserve
- Solway Park
- Turf Club Carpark
- Woods Park Reserve

The draft revised policy was presented at the OMC held 30 June 2022 and the following resolution was made:

REPORT RECOMMENDATION:

That Council:

- 1. Adopts the amended Trading in Public Places Policy as shown in Attachment 1 for the purpose of a two year trial review period.*
- 2. Requires the outcome of the two year trial period be presented to Council by June 2024 for consideration.*
- 3. Authorises the Chief Executive Officer to approve renewal applications for existing permits for the Pilbara Fish Truck, Bakwan Van and RAWSON throughout the trial period subject to submission of satisfactory renewal applications and no change in business ownership.*

Cr Taylor moved the following motion:

COUNCIL RESOLUTION:

Minute No. C/0622/053

Moved: Cr P Taylor

Seconded: Cr N Wevers

- 1. Adopts the amended Trading in Public Places Policy as shown in Attachment 1 for the purpose of a two year trial review period subject to the:**
 - a) Removal of the single trading location immediately adjacent to the Town Beach café as shown in figure 10 Reserve 31340 Town Beach Car park South.**
 - b) Trading cannot occur at Reserve 31340 Town Beach Car park South between 7am and 12pm Wednesday to Monday effective 1st July 2022 until the expiry of the lease between the Shire of Broome and Risinger O'Rourke Enterprises Pty Ltd.**
- 2. Requires the outcome of the two year trial period be presented to Council by June 2024 for consideration.**
- 3. Authorises the Chief Executive Officer to approve renewal applications for existing permits for the Pilbara Fish Truck, Bakwan Van and RAWSON throughout the trial period subject to submission of satisfactory renewal applications and no change in business ownership.**

CARRIED UNANIMOUSLY 6/0

At the OMC held 25 August 2022 an additional trading zone was established in the entrance point carpark following a request from a current trader.

At the OMC held 29 June 2023 a minor amendment was approved to alter the trading conditions at the Town Beach South (Town Beach Café) trading zone in an effort to increase activation in the area due to the Town Beach Café building being unoccupied for several months.

COMMENT

In accordance with the Council resolution of 30 June 2022, a review of the policy was undertaken. Current traders, permanent businesses located within 300m of trading zones and Shire staff were invited to provide feedback on the trial Policy over a 6 week period.

Complaints received by the Shire over the 2 years were also reviewed, resulting in some amendments to the policy. Recommended amendments are summarised below.

Cable Beach Road West

This trading zone is in the “Old Crocodile Park” carpark and the undertaking of trading activities in this area is consistent with the Cable Beach Foreshore Master Plan and can service both locals and tourists. This location is considered temporary and subject to change while the Cable Beach Foreshore Development is underway and/or completed.

Traders have been predominantly mobile food vehicles. Feedback from a nearby directly competing permanent business was received to suggest that the trading zone poses safety issues due to no formalised parking, vehicles crossing the footpath to enter the carpark and no clear entry/exit points. This trading zone has been popular with up to three food trucks seen trading on some nights. The Shire's engineering team has indicated that it is possible to provide some improvements to the carpark to increase safety as a result of this feedback. It is recommended that this trading zone remains in the Policy.

Peter Haynes Reserve Carpark

As a result of recent development in this carpark (also known as Broome Senior High School Drop-Off/Pick-Up Carpark), it is no longer considered an appropriate location for trading due to the carpark design. It is recommended that this trading zone be deleted from the Policy and this change is reflected in **Attachment 1**.

Town Beach South

Feedback from Shire staff has found that the current placement of trading sites at this location is limiting, particularly for large food vans. A minor amendment to the layout of the sites at this location is proposed to make better use of the space, allow more room for customer seating on the grassed reserve overlooking the bay, and allow larger vehicles to manoeuvre more easily into the site. Two parking bays allocated for trading in the carpark have also been removed as the trading sites on the grass are deemed sufficient and safer for queuing customers. The proposed amendment is shown in **Attachment 1**.

Itinerant Traders

Itinerant Traders' that stop for customers on public property when hailed by a customer (e.g. Mr Whippy, Jiffy vans etc.), are permitted to trade outside of Trading Zones under certain conditions. There are currently no itinerant traders who hold a licence, however feedback from Shire staff recommend that the trading hours be increased from 9am to 5pm, to 7am to 7pm to allow better flexibility. These changes are reflected in **Attachment 1**.

Sand Dunes and Turtle Protection

During the trial, the Shire received a complaint of a trader parking in the sand dunes of Cable Beach during a high tide. The Shire also received advice from the Department of Biodiversity, Conservation and Attractions that conditions should be added to specifically protect turtle nests. The recommended changes to are reflected in **Attachment 1**.

Administrative Error

An administrative error has resulted in the terms “vendor” and “trader” being used interchangeably, and the terms “permit” and “licence” being used interchangeably in the Policy. Switching between the terms is confusing and it is recommended that the terms trader and licence be used only, in line with the Local Law. This update is reflected in **Attachment 1**.

CONSULTATION

The policy was advertised for public comment to current traders, competing businesses operating within 300m of the trading zones and internally to Shire staff. Two submissions were

received from current traders and one submission was received from a local permanent business. The submissions are summarised in **Attachment 2**.

STATUTORY ENVIRONMENT

Local Government Act 1995

Trading, Outdoor Dining and Street Entertainment Local Law 2003

Property and Public Places Local Law 2016

Shire of Broome Health Local Law 2008

Environmental Protection (Noise) Regulations 1997

POLICY IMPLICATIONS

Nil, outside those directly discussed in this report.

FINANCIAL IMPLICATIONS

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

RISK

The key risk involved is reputational, based on negative publicity generated from permanent businesses concerned about the impact on their business. The potential benefits in terms of place activation and increased economic activity is considered to outweigh the risk. Safety risk is also present and addressed through deliberate selection of trading zones as well as operational conditions in the Policy. Conditions placed on permits are also designed to reduce potential risk.

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 9.2 Activate the precincts of Broome.

VOTING REQUIREMENTS*Simple Majority***COUNCIL RESOLUTION:****(REPORT RECOMMENDATION)****Minute No. C/0624/076****Moved: Cr P Taylor****Seconded: Cr E Smith****That Council:**

**1. Endorses the amended Trading in Public Places Policy as shown in Attachment 1.
For: Shire President C Mitchell, , Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper, Cr E Smith, Cr J Mamid.**

CARRIED UNANIMOUSLY 7/0

Cr J Lewis returned to the Chambers at 5:56 pm.

Attachments

1. Amended Trading in Public Places Policy (Track Changes)
2. Summary of Submissions (*Confidential to Councillors and Directors Only*)
This attachment is confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(iii)) as it contains "a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government".

9.4 PERFORMANCE

9.4.1 MONTHLY PAYMENT LISTING - MAY 2024

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FRE02
AUTHOR:	Finance Officer
CONTRIBUTOR/S:	Manager Financial Services
RESPONSIBLE OFFICER:	Acting Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

This report recommends that Council receives the list of payments made under delegated authority, as per the attachment to this report, for May 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 May 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

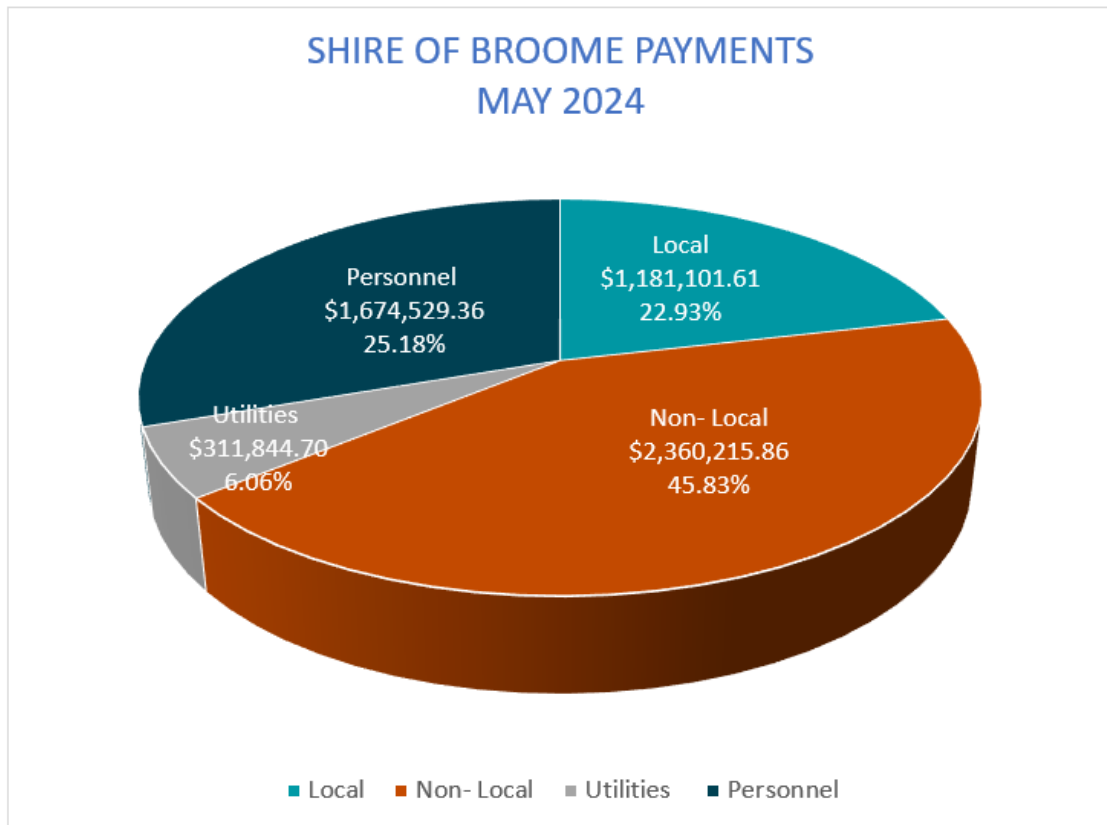
- (1) *If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —*
- (a) *the payee's name;*
 - (b) *the amount 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

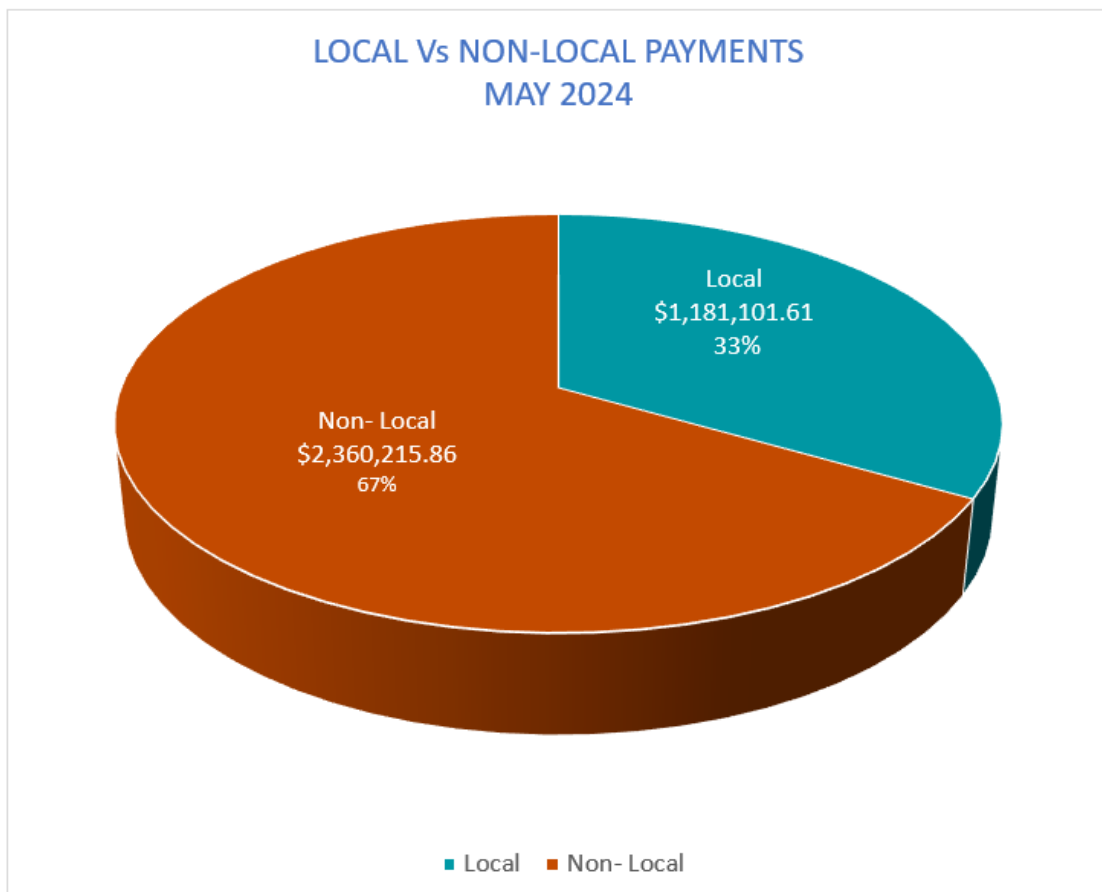
Nil.

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 May 2024 after \$1,674,529.36 in personnel payments, \$311,844.70 in utilities and other non-local sole suppliers were excluded. The Cable Beach Stage 1 redevelopment contract works have commenced, which has boosted the non-local payments in May.

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
May-24	\$ -	\$ 4,035,301.76	\$ 302,732.02	\$ 27,307.39	\$ -	\$ 1,162,350.36	\$ 5,527,691.53
TOTAL	\$ 15,086.43	\$ 34,978,346.37	\$ 2,956,133.34	\$ 366,141.64	\$ -	\$ 9,159,504.64	\$ 47,475,212.42

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

<u>COUNCIL RESOLUTION:</u>	
(REPORT RECOMMENDATION)	Minute No. C/0624/077
Moved: Cr E Smith	Seconded: Cr P Taylor
That Council:	

- 1. Receives the list of payments made from the Municipal and Trust Accounts in May 2024 totalling in \$5,527,691.53 (Attachment 1) per the requirements of Regulation 12 of the Local Government (Financial Management) Regulations 1996 covering:**
 - a) EFT Vouchers EFT74814 – EFT75175 totalling \$ \$4,035,301.76;**
 - b) Municipal Cheque Vouchers totalling \$0.00;**
 - c) Trust Cheque Vouchers 00000 - 00000 totalling \$0.00; and**
 - d) Municipal Direct Debits DD33294 – DD33365 including payroll totalling \$302,732.02.**
- 2. Receives the list of payments made by credit cards in May 2024 totalling \$27,307.39 (contained within Attachment 1) per the requirements of Regulation 13A of the Local Government (Financial Management) Regulations 1996 covering EFT Vouchers EFT75211 – EFT75237.**
- 3. Notes the local spend of \$1,181,101.61 included in the amount above, equating to 33% of total payments excluding personnel, utility and other external sole supplier costs.**

For: Shire President C Mitchell, Cr J Lewis, Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper, Cr E Smith, Cr J Mamid.

CARRIED UNANIMOUSLY 8/0

Attachments

1. MONTHLY PAYMENT LISTING - MAY 2024

9.4.2 MONTHLY FINANCIAL REPORT - MAY 2024

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FRE02
AUTHOR:	Senior Finance Officer
CONTRIBUTOR/S:	Manager Financial Services
RESPONSIBLE OFFICER:	Acting Director Corporate Services
DISCLOSURE OF INTEREST:	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 31 May 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	91.80%
Total Rates Raised Revenue	100% (of which 95.55% has been collected)

Total Other Operating Revenue	90%
Total Operating Expenditure	84%
Total Capital Revenue	41%
Total Capital Expenditure	84%
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 Monthly Financial Report 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

All budget amendments require an Absolute Majority decision of Council. In particular, all transfers in and out of the Shire's cash Reserves require Council approval. In preparation for end of financial year, Officers have been reviewing the budgeted movements in and out of the cash Reserves. The budgeted movements are based on different factors, and while some are stand alone movements, others are directly tied to project expenditures. Officers now have a reasonable level of certainty what transfers need to be actioned. In particular, the interest earned on Reserve funds has historically been intended to share across each reserve using a weighted average.

The table below demonstrates the budgeted interest on each reserve, and the full year's estimated interest which has been received on funds held in reserve. The difference requires Council approval to allocate the interest to the individual reserves as intended.

	Budget Interest Earned	Actual Interest Earned (Estimate)	Budget Amendment to Reserves Required
Footpath Reserve	\$47,184	\$89,452	\$42,268
Leave Reserve	\$33,708	\$60,175	\$26,467
BRAC Reserve	\$1,494	\$2,665	\$1,171
Public Open Space Reserve	\$96,451	\$225,639	\$129,188

Drainage Reserve	\$41,411	\$73,030	\$31,619
Plant Reserve	\$36,730	\$63,642	\$26,912
Building Reserve	\$83,720	\$156,531	\$72,811
Public Art Reserve	\$159	\$283	\$124
Road Reserve	\$48,153	\$107,907	\$59,754
Refuse Site Reserve	\$65,521	\$104,194	\$38,673
Equipment & Insurance Reserve	\$23,834	\$45,766	\$21,932
Restricted Cash Reserve	\$0	\$714	\$714
EDL Community Sponsorship Reserve	\$1,584	\$1,238	(\$346)
Regional Resource Recovery Park Reserve	\$198,903	\$585,934	\$387,031
Community Sponsorship Reserve	\$2,080	\$3,710	\$1,630
Kimberley Zone Reserve	\$10,075	\$4,669	(\$5,406)
	\$691,007	\$1,525,549	\$834,542

A \$50,000 contribution towards the EDL Community Sponsorship program has been received, and budget amendments are proposed to reflect the income received, and the transfer of cash to the **EDL Community Sponsorship Reserve**, to be utilised in future years.

Developer Contributions are received periodically during the year, and some received after the quarter 3 Finance and Costing Review are proposed to be transferred to their appropriate reserves for utilising in future budgets.

Footpath contributions – to reflect \$56,160 received as income, and transfer to **Developer Contributions – Footpath Reserve** of \$56,160.

Drainage contributions – to reflect \$12,000 received as income, and transfer to **Developer Contributions – Drainage Reserve** of \$12,000.

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:
- annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
 - budget estimates to the end of the relevant month; and
 - actual amounts of expenditure, revenue and income to the end of the relevant month; and
 - material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - 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 proposed budget amendments will increase interest revenue (operating revenue) and increase transfers to reserves (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/0624/078

Moved: Cr M Virgo

Seconded: Cr P Taylor

That Council:

1. **Receives the Monthly Financial Report for the period ended 31 May 2024 as attached; and**
2. **Approves the following 2023/24 budget amendments, to recognise unbudgeted revenues and their matching cash transfers to Reserves:**
 - a. **Budget increase of \$50,000 to the EDL Community Sponsorship revenue, and matching increase to transfers to the EDL Community Sponsorship Reserve, being a new contribution to be utilised in future years;**
 - b. **Budget increase of \$56,160 to the Developer Contributions – Footpaths revenue, and matching increase to transfers to Developer Contributions – Footpaths Reserves;**
 - c. **Budget increase of \$12,000 to the Developer Contributions – Drainage revenue, and matching increase to transfers to Developer Contributions – Drainage Reserves;**
 - d. **Budget increase of \$834,542 to recognise additional interest earned on cash Reserves, and corresponding increased transfers to cash Reserves, as per the following table;**

Reserve Name	Increase in Interest earned on Reserve	Transfer to Reserve of Increased Interest
Footpath Reserve	\$42,268	(\$42,268)
Leave Reserve	\$26,467	(\$26,467)
BRAC Reserve	\$1,171	(\$1,171)
Public Open Space Reserve	\$129,188	(\$129,188)
Drainage Reserve	\$31,619	(\$31,619)
Plant Reserve	\$26,912	(\$26,912)
Building Reserve	\$72,811	(\$72,811)
Public Art Reserve	\$124	(\$124)
Road Reserve	\$59,754	(\$59,754)
Refuse Site Reserve	\$38,673	(\$38,673)
Equipment & Insurance Reserve	\$21,932	(\$21,932)

Restricted Cash Reserve	\$714	(\$714)
EDL Community Sponsorship Reserve	(\$346)	\$346
Regional Resource Recovery Park Reserve	\$387,031	(\$387,031)
Community Sponsorship Reserve	\$1,630	(\$1,630)
Kimberley Zone Reserve	(\$5,406)	\$5,406
	\$834,542	(\$834,542)

For: Shire President C Mitchell, Cr J Lewis, Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper, Cr E Smith, Cr J Mamid.

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 8/0

Attachments

1. Monthly Statement of Financial Activity - May 2024

The Director of Corporate Services advised that a revised report recommendation reflects the legislative requirement to adopt fees and charges before formally adopting the full 2024/25 budget.

9.4.3 ADOPTION OF THE 2024/25 SCHEDULE OF FEES AND CHARGES

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	ACC01
AUTHOR:	Manager Financial Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

Council is requested to consider and adopt the Shire of Broome Schedule of Fees and Charges for the 2024/25 financial year, effective from 1 July 2024.

BACKGROUND

Under sections 6.16 to 6.19 of the *Local Government Act 1995*, a local government may impose a fee or charge for any goods or services it provides. Fees and charges must be imposed when adopting the annual Budget, however may also be imposed or amended during the year if necessary.

COMMENT

The 2023/24 adopted fees and charges were reviewed to maximise full cost-recovery without hindering patronage for services. In reviewing the fees and charges, officers focused on verifying the following:

- the legislative head of power for all fees and charges;
- whether the fee and charge is regulated or otherwise;
- for non-regulated fees and charges:
 - the full cost recovery;
 - the rationale for the price;
 - how vital the fees and charges are to the community;
 - market competitiveness and regard to the current economic climate; and
- GST applicability.

A workshop was held with Council on 14 March 2024 to review the draft Schedule of Fees and Charges. The workshop was attended by Shire President Mitchell, Cr Male, Cr Matsumoto, Cr Mamid, Cr Lewis, Cr Virgo, Cr Smith and Cr Taylor.

The following topics of discussion were covered, among others:

- Continue to waive venue hire fees for structured sporting programs for junior sporting activities to make junior sport more financially accessible for participants and community sporting clubs facilitating junior sports.
- Justification for newly introduced, discontinued and reduced fees was presented.

- Given the freeze to charges in 2020/21 and the need to address the effects of inflation, many fees had a 5% increase applied.
- Over one third of fees have been kept the same as the prior year.
- Officers have focussed on clarifying and simplifying the overall fees schedule through combining fees where relevant and separating fees where necessary (7% of fees were removed from the prior financial year).
- Generally, any proposed additional increases are related to;
 - direct cost recovery,
 - rounding for ease of use,
 - consistency across the full fee schedule, and
 - alignment with other shires.
- Waste and Recycling collection services are proposed to increase 16.71% and are based on direct-cost recovery as a contracted service.
- New fees have been introduced for BRAC Pickleball court hire, these have been aligned with pricing for the badminton court hire;
- The Event Application Fees have been revised following the adoption of Council's Event Guidelines (some new fees and some removed);
- The Civic Centre is offering new equipment to hire and marketing options for facility and function hire;

Fees and charges imposed for Council services are either statutory charges or for the provision of goods and/or services. There are many regulatory fees determined under legislation other than the *Local Government Act 1995*, which dictates the level of fees that the Council may impose.

Individually listing the Statutory Fees such as those prescribed in Schedule 2 of the *Building Regulations 2012* are no longer shown as individual line items, instead refer to the relevant legislation as these fees are set by external agencies, and are therefore outside of the control of Council. As these agencies advise of any fee updates, the Shire will apply these updates to take effect from the date prescribed.

The 2024/25 Fees and Charges Schedule is proposed to take effect from 1 July 2024 except for fees set under section 53 of the *Cemeteries Act 1986*. As per the *Cemeteries Act 1986*, fees will come into effect after 14 days notice is given in the Government Gazette.

CONSULTATION

Extensive internal consultation has occurred with all the departmental managers and coordinators and through briefings and workshops with the Executive and Elected Members.

The draft Fees and Charges were presented to the Council budget workshop held 14 March 2024.

STATUTORY ENVIRONMENT

Local Government Act 1995, s 6.16 *Imposition of fees and charges*

Local Government Act 1995, s 6.17 *Setting level of fees and charges*

Local Government Act 1995, s 6.19 *Local government to give notice of fees and charges*

Waste Avoidance and Resource Recovery Act 2007, s 67 *Local government may impose receptacle charge*

Waste Avoidance and Resource Recovery Act 2007, s 68 Fees and charges fixed by local government

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The Schedule of Fees and Charges for the 2024/25 financial year has been developed as part of the annual budget process. It is intended that these Fees and Charges take effect from 1 July 2024.

Delaying adoption of the 2024/25 Schedule of Fees and Charges beyond 1 July 2024 potentially hinders the ability of Officers to meet the revenue budgets set through the Annual Budget process.

RISK

Insuring continuity of service to the Broome community.

STRATEGIC ASPIRATIONS

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

Outcome 13 - Value for money from rates and long term financial sustainability

Objective 13.1 Plan effectively for short- and long-term financial sustainability

VOTING REQUIREMENTS

Absolute Majority

REPORT RECOMMENDATION:

That Council, under section 6.16 of the Local Government Act 1995, adopts the Schedule of Fees and Charges for 2024/25 in Attachment 1, effective from 1 July 2024.

COUNCIL RESOLUTION:

(REVISED RECOMMENDATION)

Minute No. C/0624/079

Moved: Cr E Smith

Seconded: Cr M Virgo

That Council:

- 1. Endorse the proposed 2024/25 Schedule of Fees and Charges in Attachment 1, as per section 6.19 of the Local Government Act 1995.**
- 2. Request the Chief Executive Officer to commence advertising and invite submissions which are to be considered prior to Fees & Charges taking effect.**

For: Shire President C Mitchell, Cr J Lewis, Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper, Cr E Smith, Cr J Mamid.

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 8/0

Attachments

1. 2024/25 Schedule of Fees and Charges

Item 9.4.4 has been Withdrawn - due to lack of ministerial approval, as it did not meet the statutory public advertising requirements under Local Government Act Section 6.36(3)(b)(ii). Public submission notification will recommence on 26 June 2024 for 21 days.

9.4.4 ADOPTION OF THE 2024/25 ANNUAL BUDGET

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	ACC01
AUTHOR:	Manager Financial Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

Cr Virgo has declared a financial interest in this item, the reason being “I am a paid employee of the Broome Visitor Centre Board”.

Cr M Virgo left the Chambers at 5:59 pm.

9.4.5 COUNCIL COMMITTEES AND WORKING GROUPS-APPOINTMENTS

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	CTE01
AUTHOR:	Senior Administration & Governance Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

A review of Council Committees and Working Group Appointments has been undertaken and alterations to representation considered following the outcome of the Extraordinary Election on the 23 March 2024 appointing Cr Sean Cooper.

BACKGROUND

Previous Considerations

OMC 16 November 2023 Item 9.4.1

The Shire of Broome held an Ordinary Election on the 21 October 2023 and newly Elected Members were appointed to represent various committees and working groups. As per section 5.11 of the *Local Government Act 1995 (the Act)*, new representation is required to be established for the next two years until the next Ordinary Election, October 2025.

An Extraordinary Election was held on the 23 March 2024 to fill the ninth vacant seat.

A review of Council Committees and Working Group Appointments has since been undertaken to include Cr S Cooper in the representation of Elected Members in Council Committees and Working Groups.

COMMENT

Formal committees of Council are established and operated in accordance with Subdivision 2 of the Act, sections 5.8 – 5.18. Appointment to committees is covered by section 5.10 of the Act. Councillors are able to nominate themselves under section 5.10(2) and under section 5.10(4) the Shire President is to be appointed to any committees they inform the local government that they would like to sit on.

A Workshop was held with Council on Tuesday 11 June 2024 to review the Council Committees and Working Group Appointments. The workshop was attended by Shire President Mitchell, Cr Male, Cr Lewis, Cr Matsumoto, Cr Smith, Cr Taylor, and Cr Cooper.

On review, three Working Groups require consideration by Council outlined below.

Community Safety Working Group		Current Representatives
Council Members	2	Cr J Mamid Cr E Smith
Council Proxy Members	2	Cr P Matsumoto Cr P Taylor (Propose Cr S Cooper)

WALGA – Broome Roadwise Committee		Current Representatives
Council Member	1	Cr J Lewis
Council Deputy	1	Shire President C Mitchell (Propose Cr S Cooper)

Broome Visitor Centre Board		Current Representatives
Council Member	1	Cr D Male
Council Deputy	1	Cr P Taylor (Propose Cr S Cooper)

CONSULTATION

Council Committees and Working Group Appointments were presented to the June Council Workshop held on Tuesday 11 June 2024.

STATUTORY ENVIRONMENT

Part 5, Subdivision 2 — Committees and their meetings, of the Local Government Act 1995

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Costs of administering committees, internal working groups and external working groups form part of the Administration Overhead that is funded annually in the Municipal Budget.

RISK

Minor reputational risk if Councillor representation on committees is not addressed.

STRATEGIC ASPIRATIONS

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.

VOTING REQUIREMENTS*Simple Majority***COUNCIL RESOLUTION:****(RECOMMENDATION)****Minute No. C/0624/080****Moved: Cr P Taylor****Seconded: Cr S Cooper****Community Safety Working Group****REPORT RECOMMENDATION:****That Council:**

- 1. Remove Cr Taylor as Proxy Member of the Community Safety Working Group; and**
- 2. Appoints Cr Cooper to be nominated as Proxy Member of the Community Safety Working Group.**

WALGA – Broome Roadwise Committee.**That Council:**

- 1. Remove Shire President C Mitchell as Deputy to the Broome Roadwise Committee; and**
- 2. Appoints Cr Cooper to be nominated as Deputy to the Broome Roadwise Committee.**

Broome Visitor Centre Board.**That Council:**

- 1. Remove Cr Taylor as Deputy to the Broome Visitors Centre; and**
- 2. Appoints Cr Cooper to be nominated as Deputy to the Broome Visitors Centre.**

For: Shire President C Mitchell, Cr J Lewis, Cr P Matsumoto, Cr P Taylor, Cr S Cooper, Cr E Smith, Cr J Mamid.**CARRIED UNANIMOUSLY 7/0****Attachments**

Nil

Cr M Virgo returned to the Chambers at 6:01 pm.

10. REPORTS OF COMMITTEES

There are no reports in this section.

11. NOTICES OF MOTION WITH NOTICE

Nil.

12. NOTICE OF MOTION WITHOUT NOTICE

Nil.

13. BUSINESS OF AN URGENT NATURE

Nil.

14. MEETING CLOSED TO PUBLIC

Nil.

15. MEETING CLOSURE

There being no further business the Chairperson declared the meeting closed at 6.01pm.