



# AGENDA

FOR THE

ORDINARY MEETING OF COUNCIL

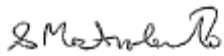
**31 OCTOBER 2024**

# NOTICE OF MEETING

Dear Council Member,

The next Ordinary Meeting of Council will be held on Thursday, 31 October 2024 in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 5.00PM.

Regards,



S MASTROLEMBO  
**Chief Executive Officer**

25/10/2024

## Our Mission

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

### DISCLAIMER

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

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

*Should you require this document in an alternative format please contact us.*

<b>Councillor Attendance Register</b>										
Councillor		Cr C Mitchell	Cr D Male	Cr E Foy	Cr P Matsumoto	Cr B Rudeforth	Cr P Taylor	Vacant Seat	Vacant Seat	Vacant Seat
2023	19 October			A		E				
<b>Post 2023 Local Government Elections</b>										
Councillor		Cr C Mitchell	Cr D Male	Cr S Cooper	Cr J Lewis	Cr J Mamid	Cr P Matsumoto	Cr E Smith	Cr P Taylor	Cr M Virgo
2023	16 November								LOA	
2023	14 December									
2024	29 February									
2024	28 March	E								
2024	24 April	E								
2024	30 May							LOA		
2024	27 June		LOA							
2024	25 July			LOA						
2024	29 August									
2024	19 September									

- **LOA (Leave of Absence)**
- **A (Apologies)**
- **E (Attended Electronically)**
- **NA (Non-Attendance)**
- **R (Resignation)**

## **2.25. Disqualification for failure to attend meetings**

- (1) A council may, by resolution, grant leave of absence, to a member.
- (2) Leave is not to be granted to a member in respect of more than 6 consecutive ordinary meetings of the council without the approval of the Minister, unless all of the meetings are within a period of 3 months.
- (3A) Leave is not to be granted in respect of —
  - (a) a meeting that has concluded; or
  - (b) the part of a meeting before the granting of leave.
- (3) The granting of the leave, or refusal to grant the leave and reasons for that refusal, is to be recorded in the minutes of the meeting.
- (4) A member who is absent, without obtaining leave of the council, throughout 3 consecutive ordinary meetings of the council is disqualified from continuing his or her membership of the council, unless all of the meetings are within a 2-month period.
- (5A) If a council holds 3 or more ordinary meetings within a 2-month period, and a member is absent without leave throughout each of those meetings, the member is disqualified if he or she is absent without leave throughout the ordinary meeting of the council immediately following the end of that period.

**SHIRE OF BROOME**  
**ORDINARY MEETING OF COUNCIL**  
**THURSDAY 31 OCTOBER 2024**

**INDEX – AGENDA**

1.	OFFICIAL OPENING .....	6
2.	ATTENDANCE AND APOLOGIES .....	6
3.	ANNOUNCEMENTS BY PRESIDENT.....	6
4.	DECLARATIONS OF INTEREST.....	6
5.	PUBLIC QUESTION TIME.....	6
6.	APPLICATION FOR LEAVE OF ABSENCE .....	6
7.	CONFIRMATION OF MINUTES.....	6
8.	PRESENTATIONS / PETITIONS / DEPUTATIONS.....	6
9.	REPORTS FROM OFFICERS .....	7
	9.1 PEOPLE.....	7
	9.2 PLACE .....	8
	9.2.1 ASSET MANAGEMENT PLAN 2025-2045.....	8
	9.2.2 DISPOSAL OF PROPERTY FOR LEASE - PORTION OF RESERVE 22648 - BROOME TURF CLUB.....	88
	9.2.3 MINUTES AND RECOMMENDATIONS FROM THE KIMBERLEY REGIONAL GROUP MEETING HELD ON 11 OCTOBER 2024 .....	97
	9.3 PROSPERITY .....	182
	9.3.1 REVIEW OF COMMUNITY DEVELOPMENT FUND GUIDELINES AND THE QUICK RESPONSE GRANT GUIDELINES .....	182
	9.3.2 SMALL BUSINESS DEVELOPMENT COMMISSION COUNCIL ENDORSEMENT OF NEW ALLIANCE.....	210
	9.3.3 BEAM MOBILITY TRADING LICENCE REVIEW .....	219
	9.3.4 DISPOSAL OF PROPERTY FOR LEASE – PORTION OF 15 FARRELL STREET BROOME TO LIONS CLUB OF BROOME.....	243
	9.4 PERFORMANCE .....	249
	9.4.1 COUNCIL POLICY REVIEWS .....	249
	9.4.2 MONTHLY PAYMENT LISTING - SEPTEMBER 2024 .....	342
	9.4.3 2025 ORDINARY MEETING OF COUNCIL SCHEDULE AND COUNCIL RECESS.....	367
	9.4.4 MONTHLY FINANCIAL REPORT - SEPTEMBER 2024 .....	371

9.4.5	LOCAL GOVERNMENT ELECTIONS - REVIEW OF WALGA ADVOCACY POSITIONS.....	399
	LOCATION/ADDRESS:.....	399
	NIL	399
	APPLICANT:.....	399
	NIL	399
	FILE:	399
	OGS46.....	399
	AUTHOR:.....	399
	MANAGER GOVERNANCE, STRATEGY AND RISK .....	399
	CONTRIBUTOR/S: .....	399
	NIL	399
	RESPONSIBLE OFFICER:.....	399
	DIRECTOR CORPORATE SERVICES.....	399
	DISCLOSURE OF INTEREST:.....	399
	NIL	399
10.	REPORTS OF COMMITTEES.....	406
11.	NOTICES OF MOTION WITH NOTICE .....	407
12.	NOTICES OF MOTION WITHOUT NOTICE.....	407
13.	BUSINESS OF AN URGENT NATURE .....	407
14.	MEETING CLOSED TO PUBLIC.....	408
	14.1 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW 2023/2024 - FINAL REPORT.....	408
15.	MEETING CLOSURE .....	409

**1. OFFICIAL OPENING**

**2. ATTENDANCE AND APOLOGIES**

Leave of absence

Cr J Mamid

**3. ANNOUNCEMENTS BY PRESIDENT**

**4. DECLARATIONS OF INTEREST**

**5. PUBLIC QUESTION TIME**

**6. APPLICATION FOR LEAVE OF ABSENCE**

**7. CONFIRMATION OF MINUTES**

**8. PRESENTATIONS / PETITIONS / DEPUTATIONS**

**9. REPORTS FROM OFFICERS**

**9.1 PEOPLE**

There are no reports in this section.

## 9.2 PLACE

### 9.2.1 ASSET MANAGEMENT PLAN 2025-2045

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	ENG28
<b>AUTHOR:</b>	Manager Engineering
<b>CONTRIBUTOR/S:</b>	Asset And Building Coordinator Asset Coordinator - Building Infrastructure
<b>RESPONSIBLE OFFICER:</b>	Director Infrastructure
<b>DISCLOSURE OF INTEREST:</b>	Nil

#### SUMMARY:

This report recommends that Council adopts the Asset Management Plan 2025-2045, which presents the long-term operating, maintenance and upgrade requirements of the Shire of Broome's public infrastructure.

## BACKGROUND

### *Previous Considerations*

OMC 19 March 2009	Item 9.4.3
OMC 14 December 2017	Item 9.4.7
OMC 10 December 2020	Item 9.4.1
OMC 27 October 2022	Item 9.3.2

The Asset Management Plan is a key informing strategy for the Shire's long term budget and resourcing requirements. It is fully reviewed every four years and desktop reviewed every two years. The current review is a full review. Since the Shire's first Asset Management Plan was adopted in December 2017 the plan has continued to improve and both the asset type and asset values have significantly increased.

At the Ordinary Meeting of Council (OMC) held 19 March 2009 Council considered the adoption of the Draft Asset Management Policy and the Asset management Improvement strategy.

### **COUNCIL RESOLUTION**

**Moved: Cr C R Mitchell**

**Seconded: Cr P D Matsumoto**

**That the Report Recommendation be adopted with the following amendments to the attached Draft Asset Management policy:**

- That the following words are added to the end of the section titled 'Associated Documents' on page one:**

**'Significant Accounting Policies:**

- **Leases**
- **Fixed Assets**
- **Depreciation of Non-Current Assets'**



2. ***The word 'function' be replaced by the word 'adhere' after the words 'service delivery,' in the section headed 'Objective' on page one.***
  3. ***The words 'with recommendation for amendment made to the Executive Management Group' under the heading Policy Review on page 4, be deleted.***
- CARRIED UNANIMOUSLY**

At OMC held 14 December 2017 Council received the Asset Management Plan and resolved that the document would become an informing strategy. This was the first iteration of the Shire of Broome's Asset Management Plan.

**COUNCIL RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Moved: Cr C Mitchell**

**Seconded: Cr P Matsumoto**

**That Council:**

1. ***Receives the Infrastructure Asset Management Plan as attached; and***
2. ***Notes that the document will be used as an informing strategy for the Shire's Integrated Planning and Reporting Framework suite of documents.***

**CARRIED UNANIMOUSLY 6/0**

At the OMC held 10 December 2020 Council adopted the amendments to the Asset Management Policy 2020 and received the updated Asset Management Plan 2020.

**COUNCIL RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Moved: Cr C Mitchell**

**Seconded: Cr D Male**

**That Council:**

1. ***Adopts the Asset Management Policy as attached;***
2. ***Receives the Asset Management Plan 2020 as an informing strategy.***

**CARRIED UNANIMOUSLY 9/0**

At OMC 27 October 2022 Council adopted the Asset Management Plan 2022.

**COUNCIL RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Moved: Cr C Mitchell**

**Seconded: Cr N Wevers**

**That Council adopts the amended Asset Management Plan 2022 as attached.**

**CARRIED UNANIMOUSLY 7/0**

## COMMENT

The Shire of Broome's (the Shire) assets enable the community and visitors to access and enjoy all that Broome has to offer. Managing these assets in a remote regional location can be challenging for a local government. The Shire is committed to delivering a sustainable service to the community through implementing an Asset Management Plan. The Shire's Asset Management Plan aims to provide well-maintained infrastructure that enhances residents' quality of life and supports the region's economic and social development.

The premise of infrastructure asset management is to intervene at strategic points in an asset's life cycle to extend the expected service life, and thereby maintain its performance. This approach aims to ensure that infrastructure renewals occur before unplanned maintenance costs become excessive, but not so soon that assets are renewed before it is really needed. The Shire's goal in managing infrastructure assets is to meet the required levels of service in the most cost effective manner for present and future customers.

The Asset Management Plan has been prepared with reference to the Government of Western Australia's Integrated Planning Framework required by legislation. This legislation is enforced through the *Local Government Act 1995 S5.56 (1)* which requires the Local Government to develop a "plan for the future"; and *Local Government Act S5.56 (2)* that Local Government's develop a Strategic Community Plan that links community aspirations with the Council's long term strategy. Also that the Local Government has a Corporate Business Plan linking to long term financial planning that integrates asset management, workforce planning and specific council plans (informing Strategies) with a strategic plan.

The Shire's Asset Management Plan is an evolving and iterative document. While it looks to capture the Shire's current practices and forecast ongoing requirements based on the historic level of service, it also includes an Improvement Plan where areas of potential improvement are captured.

Importantly within the improvement plan of the Asset Management Plan Shire officers have set an action for the Building Asset class to '*Undertake a strategic review of portfolio to provide recommendations regarding disposal of ageing or under utilised assets and investment opportunities for increased capital returns*'. This is fundamental to the sustainability of the property portfolio and its recommended this occur prior to the next desktop review.

The updated Asset Management Plan 2025-2045 is provided in **Attachment 1**.

Also provided, in Confidential **Attachment 2** are the appendices of the Asset Management Plan 2025-2045. The appendices provide further details on specific forecasting of renewal projects and have been kept confidential as they include material considered to be commercial in confidence. Should the Asset Management Plan 2025-2045 be endorsed by Council, the document will be refined into a final document with imagery incorporated in line with the level of presentation expected of an informing strategy of Council and consistent with the previous versions layout.

## CONSULTATION

Since February 2024, regular consultation was undertaken by the Shire's Asset and Building Coordinators with internal asset owners and relevant contractors to ensure replacement values and renewal timings were accurate.

Responses from the Shire's 2024 Community Scorecard Survey are utilised within the Asset Management Plan to assess the Community's Level of Service.

Jones Lang LaSalle (JLL) were engaged to undertake the 2022 Insurance and Fair Value reports for the Building, Land and other Infrastructure asset classes which were used to inform the review of the Asset Management Plan.

The Asset Management Plan was workshopped with Council on the following dates.

<b>Date</b>	<b>Present</b>
11 June 2024	Cr Mitchell, Cr Male, Cr Lewis, Cr Matsumoto, Cr Smith, Cr Taylor, and Cr Cooper.
9 July 2024	Cr Male, Cr Cooper, Cr Lewis, Cr Mamid, Cr Matsumoto, Cr Smith, Cr Taylor, and Cr Virgo.
13 August 2024	Cr Male, Cr Lewis, Cr Mamid, Cr Matsumoto, Cr Smith, Cr Taylor, and Cr Virgo.
3 September 2024	Cr Mitchell, Cr Cooper, Cr Lewis, Cr Mamid, Cr Taylor, and Cr Virgo.

## **STATUTORY ENVIRONMENT**

### ***Local Government Act 1995***

#### **2.7. Role of council**

- (1) The council —
  - (a) governs the local government's affairs; and
  - (b) is responsible for the performance of the local government's functions.
- (2) Without limiting subsection (1), the council is to —
  - (a) oversee the allocation of the local government's finances and resources; and
  - (b) determine the local government's policies.

#### **5.56. Planning for the future**

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

## **POLICY IMPLICATIONS**

Shire of Broome Council Policy - Asset Management

## **FINANCIAL IMPLICATIONS**

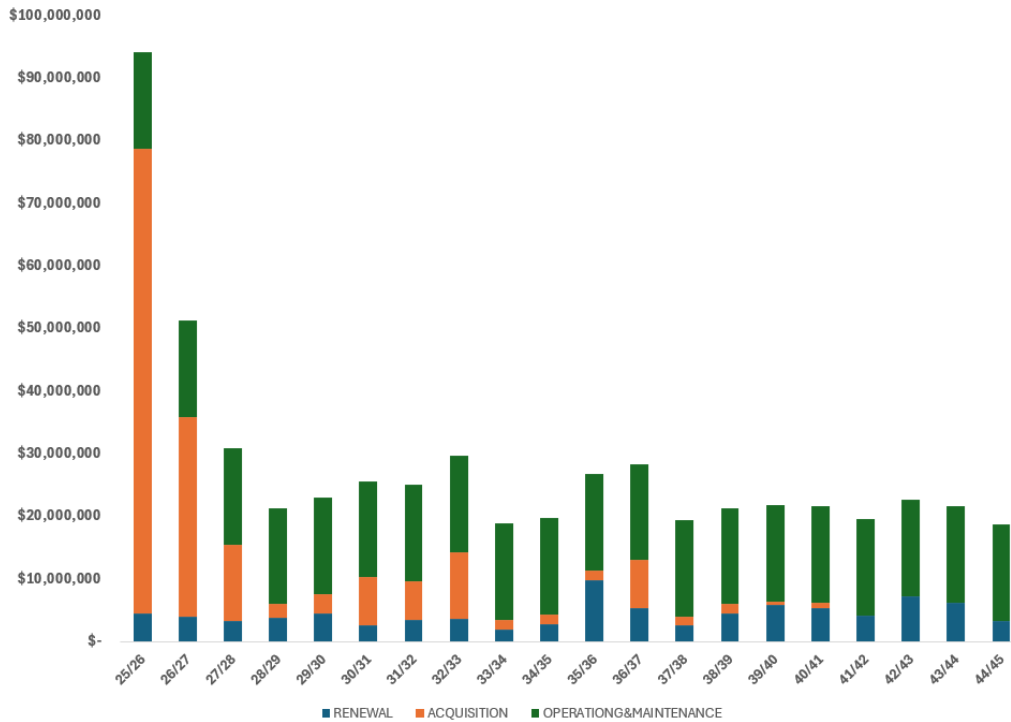
A summary of the financial implications of the Asset Management Plan are provided below. Further information can be found in the Asset Management Plan (**Attachment 1**) and confidential appendices (**Attachment 2**).

A summary of the key assets covered by this Asset Management Plan are provided in Table 1.

**Table.1: Summary of Key Assets covered by this Plan**

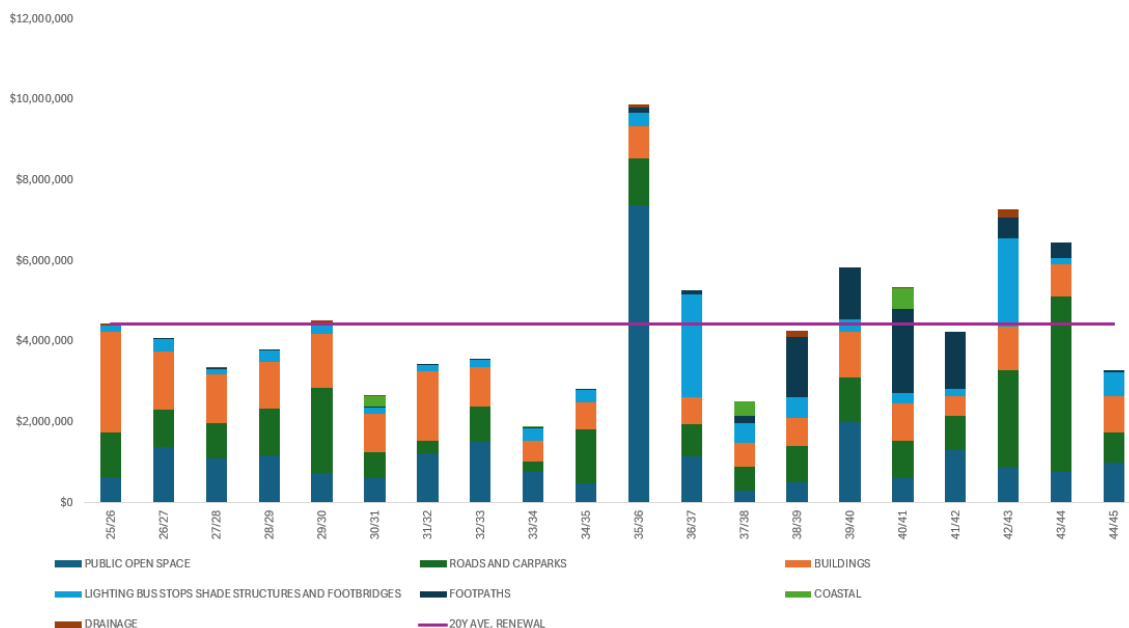
<b>Asset Category</b>	<b>Subcomponent</b>	<b>Dimension</b>	<b>Indicative Replacement Value</b>
Roads	Carpark	96,059 m <sup>2</sup>	\$12,000,000
	Kerb	251 km	\$22,500,000
	Sealed Roads	218 km	\$190,000,000
	Unsealed Roads	175km	n/a
	Signs	2,404 items	\$300,000
Footpath	Bituminous Seal	5,015 m <sup>2</sup>	\$700,000
	Brick Paving	7,611 m <sup>2</sup>	\$1,650,000
	Concrete	237,469 m <sup>2</sup>	\$35,150,000
	Exposed Aggregate	16,424 m <sup>2</sup>	\$6,100,000
Buildings	Amenities Building	5	\$1,500,000
	Child Care Buildings	2	\$2,500,000
	Commercial Leased	10	\$30,000,000
	Community Buildings	6	\$46,000,000
	Operational Buildings	3	\$18,000,000
	Residential Buildings	8	\$3,500,000
	Note: excludes peppercorn leased buildings with no asset management obligations and Discovery Caravan Park.		
Public Open Space	Irrigation Systems	Various items	\$13,000,000
	Misc Furniture, Playgrounds and Equipment		\$4,800,000
	Skateparks and Scooter Tracks		\$1,800,000
	Fencing		\$3,600,000
	Sporting Infrastructure		\$300,000
Drainage	Pipes/culverts	20,000 lm	\$32,800,000
	Open drains	44,000 lm	n/a
	Stormwater Pits	1,075 items	\$10,100,000
Miscellaneous Infrastructure	Bus shelters	29	\$650,000
	Footbridges	32	\$1,150,000
	Lighting Poles	457	\$4,400,000 + Luminaires
	Sports Lighting Piles	43	\$7,200,000 + Luminaires
	Handrails and Balustrades	1492 lm	\$500,000
	Shade Structures	59	\$3,100,000
	Stair Structures	17	\$550,000
Coastal Infrastructure	Seawall	608 m	\$8,600,000
	Jetties	2	\$8,500,000
	Other items	Various items	\$1,000,000
<b>Total:</b>			<b>\$471,950,000</b>

Figure 1 presents the forecasted expenditure across Operation, Maintenance, Renewal and Acquisition as captured in the Asset Management Plan, the Shire's Corporate Business Plan and Long Term Financial Plan (LTFF).



**Figure1 - Forecast Lifecycle Costs**

Within the Shire's LTFF, funding is allocated towards renewal of infrastructure assets types based on a long term average. Each financial year the Annual Budget confirms the allocation of funding that is required for renewal of infrastructure assets in that financial year and the amount above the average or below the average allocation in the LTFF is transferred to or from reserves. This ensures a sustainable approach with current users funding renewal of assets. Consideration is also given to external funding opportunities for renewal works. The forecast costs associated with renewals are shown relative to the proposed renewal budget in Figure 2.



**Figure 2: 20y Forecast Renewal Costs – All asset classes**

The Shire annually review the allocations for renewal included in the LTFP against the Asset Management Plan's forecast requirements with consideration of various financial ratios and forecasting of all other Shire expenditure requirements and revenue expectations.

One key ratio is the Asset Renewal Funding Ratio (ARFR). As defined by the Department of Local Government, Sports and Cultural Industries (DLGSC), the ARFR indicates whether the local government has the financial capacity to fund asset renewal as required, and can continue to provide existing levels of services in future, without additional operating income; or reductions in operating expenses.

$$\text{ARFR} = \frac{\text{NPV PLANNED RENEWAL EXPENDITURE}}{\text{NPV ASSET MANAGEMENT PLAN RENEWAL FORECAST}}$$

The ratio is considered to be met if the ratio is between 75% and 95% and improving if exceeding 95%. The current ratio between the LTFP 2023-2038 and the Asset Management Plan 2025-2045 indicates that the Shire has 94% of the funds required to undertake the planned renewal. This puts the Shire in a sustainable position for the medium term. In the long term, additional funding may need to be allocated, assets disposed of and/or the level of service may need to be reduced. Further summary of the Financial implications is captured within the Asset Management Plan.

The Shire is currently in the process of a full review of the Strategic Community Plan (SCP), Corporate Business Plan (CBP) and LTFP. The Asset Management Plan provides some important inputs to this work and the outputs of the SCP, CBP and LTFP will then be used to inform the next Asset Management Plan in an ongoing iterative cycle of change, improvement and refinement. Ultimately the LTFP and annual budgets, shall dictate the Shire's ongoing level of Service in regards to asset management with the Asset Management Plan utilised as a key informing strategy.

## **RISK**

There are moderate reputational, financial, service interruption and health risks associated with providing, maintaining and renewing public infrastructure assets. These risks are mitigated by ensuring efficient life cycle modelling and management is kept up to date with relevant asset data.

The Shire's public infrastructure assets are renewed once they have deteriorated past the defined intervention threshold ensuring assets are generally renewed prior to any service interruptions, health/safety risks reputational repercussions. The financial risk is mitigated by accurately forecasting the renewal requirements and budgeting accordingly in the Long Term Financial Plan.

## STRATEGIC ASPIRATIONS

**Place** - We will grow and develop responsibly, caring for our natural, cultural and Built heritage, for everyone.

### **Outcome 8 - Cost effective management of community infrastructure**

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

**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

### **Outcome 14 - Excellence in organisational performance and service delivery**

**Objective** 14.3 Monitor and continuously improve performance levels.

## VOTING REQUIREMENTS

*Simple Majority*

### REPORT RECOMMENDATION:

*That Council;*

- 1. Adopts the Asset Management Plan 2025-2045 as outlined in Attachment 1 & Attachment 2.*
- 2. Requests the Chief Executive Officer undertake a strategic review of the Shire of Broome's building assets portfolio and provide recommendations back to Council for potential disposal and/or acquisition of building assets.*

## Attachments

1. Asset Management Plan 2025 - 2045 - Pending Endorsement
2. Asset Management Plan 2025-2045 - Appendices (*Confidential to Councillors and Directors Only*)

***This attachment is confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains "a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government".***



# **ASSET MANAGEMENT PLAN – 2025-2045**

Shire of Broome



Document Control		SHIRE OF BROOME – ASSET MANGEMANT PLAN			
REVISION	OMC ENDORSEMENT	REVISION DETAILS	FORECAST PERIOD	PRIMARY AUTHOR(S)	REVIEWERS
2017	14/12/2017	FULL REVIEW	2018-2038	MYLES MITCHELL	WILLIAM LIAU & EXECUTIVE MANAGEMENT GROUP
2020	10/12/2020	FULL REVIEW	2021-2041	MYLES MITCHELL	PETER COLLINS & EXECUTIVE MANAGEMENT GROUP
2022	27/10/2022	DESKTOP REVIEW	2023-2043	MYLES MITCHELL	PETER COLLINS, LUKE MCKENZIE & EXECUTIVE MANAGEMENT GROUP
2024	31/10/2024	FULL REVIEW	2025-2045	LUKE MCKENZIE, ADAM WADDELL & ANDREW PERRY	LUKE MCKENZIE & EXECUTIVE MANAGEMENT GROUP

## Contents

<b>1.0</b>	<b>EXECUTIVE SUMMARY</b>	<b>5</b>
<b>2.0</b>	<b>INTRODUCTION</b>	<b>6</b>
2.1	Acknowledgement of Country .....	6
2.2	Introduction .....	6
2.3	The Purpose of the Plan .....	8
2.4	Inspections, Maintenance, Operations, Disposal, Renewal and Acquisition Summary .....	8
2.5	Levels of Service .....	9
2.6	Financial Summary – Forecasted Renewals .....	9
2.7	Financial Summary – Forecasted Operation, Maintenance, Acquisition and Renewals .....	10
2.8	Managing the Risks .....	10
2.9	Asset Management Practices .....	10
2.10	Monitoring and Improvement Program .....	11
2.11	Role and Responsibilities .....	11
<b>3.0</b>	<b>LEVELS OF SERVICE</b>	<b>13</b>
3.1	Summary .....	13
3.2	Customer’s Views .....	13
3.3	Organisation’s Views .....	15
<b>4.0</b>	<b>FUTURE DEMAND</b>	<b>23</b>
4.1	Summary .....	23
4.2	Demand Forecasts .....	23
4.3	Asset Programs to meet Demand .....	24
4.4	Climate Change and Adaption .....	24
<b>5.0</b>	<b>ASSET MANAGEMENT PRACTICES</b>	<b>26</b>
5.1	Summary .....	26
5.2	Think Project’s Asset & Work Manager –RAMM .....	26
5.3	Asset hierarchy .....	27
5.4	Additional Operating Summary .....	29
<b>6.0</b>	<b>LIFECYCLE MANAGEMENT PLAN</b>	<b>30</b>
6.1	Physical parameters .....	30
6.2	Asset Condition .....	33
6.3	Asset capacity and performance .....	36
6.4	Operations and Maintenance Plan .....	37
6.5	Renewal Plan .....	38

6.6	Summary of Future Renewal Costs.....	40
6.7	Acquisition Plan .....	45
6.8	Disposal Plan.....	46
<b>7.0</b>	<b>FINANCIAL SUMMARY</b>	<b>47</b>
7.1	Summary of Forecast Costs and Budget .....	47
7.2	Asset Renewal Funding Ratio.....	48
7.3	Asset Consumption Ratio.....	50
7.4	Asset Sustainability Ratio.....	50
7.5	Funding Strategy .....	50
7.6	Key Assumptions Made in Financial Forecasts .....	51
7.7	Forecast Reliability and Confidence.....	51
<b>8.0</b>	<b>RISK MANAGEMENT PLANNING</b>	<b>53</b>
8.1	Critical Assets.....	53
8.2	Risk Assessment.....	53
8.3	Infrastructure Resilience Approach .....	58
8.4	Service and Risk Trade-Offs .....	58
<b>9.0</b>	<b>PLAN IMPROVEMENT AND MONITORING</b>	<b>59</b>
9.1	Status of Asset Management Practices .....	59
9.2	Improvement Plan .....	59
9.3	Monitoring and Review Procedures .....	61
9.4	Performance Measures .....	61
<b>10.0</b>	<b>REFERENCES</b>	<b>62</b>
<b>11.0</b>	<b>APPENDICES</b>	<b>63</b>
Appendix A	Projected 20-year Road and Carpark Re-Seal Renewal Program .....	63
Appendix B	Projected 20-year Footpath Capital Renewal and Replacement Work Program Based on Asset Register Method 64	64
Appendix C	Projected 20-year Building Capital Renewal and Replacement Work Program .....	65
Appendix D	Projected 20-year POS Capital Renewal and Replacement Work Program .....	66
Appendix E	Projected 20-year Drainage Capital Renewal and Replacement Work Program .....	67
Appendix F	Projected 20-year Misc Infra Capital Renewal and Replacement Work Program.....	68
Appendix G	Projected 20-year Coastal Infrastructure Capital Renewal and Replacement Work Program	69
Appendix H	Asset Class Criteria .....	70
Appendix I	Detailed Renewal Summaries for 25/26 & 27/28 .....	71
Appendix J	Community Scorecard Review .....	72

## 1.0 EXECUTIVE SUMMARY

The Shire of Broome is situated in the far north of Western Australia, covering an area of approximately 56,000 square kilometres. The Shire is renowned for its stunning natural landscapes, rich cultural heritage, and vibrant community. Broome is a popular tourist destination known for its pearling history, Cable Beach, and multicultural population. The Shire's diverse population of around 17,000 swells during the tourist season, with significant Indigenous representation reflecting deep cultural roots. The economy thrives on tourism, pearling, agriculture, and mining.

The Shire of Broome's assets enable the community and visitors to access and enjoy all that Broome has to offer. Managing these assets in a regional location can be challenging for Band 2 local government. The Shire of Broome is committed to delivering a sustainable service to the community through implementing this Asset Management Plan. This Asset Management Plan aims to provide well-maintained infrastructure that enhances residents' quality of life and supports the region's economic and social development.

The Shire of Broome's first Asset Management Plan was adopted by Council in December 2017. Since then the Asset Management Plan has continued to improve while the Shire has also undergone some significant change in both the value of its infrastructure and also the type of assets. A desktop review of the Asset Management Plan is undertaken every 2 years and a full review every 4 years.

The basic premise of infrastructure asset management is to intervene at strategic points in an asset's life cycle to extend the expected service life, and thereby maintain its performance. Generally speaking, the cost of maintaining an asset decreases with planned maintenance rather than unplanned maintenance, however, excessive planned maintenance increases costs. An objective of asset management is to strategically time infrastructure renewals before unplanned maintenance costs become excessive, but not so soon that assets are renewed before it is really needed. The Shire of Broome's goal in managing infrastructure assets is to meet the required levels of service in the most cost effective manner for present and future customers.

A key outcome from this Asset Management Plan is the assessment of the asset renewal allocation within the Long Term Financial Plan. The assessment made by this Asset Management Plan is that the current total allocation in the Long Term Financial Plan is sufficient to maintain the current Level of Service. However, a reallocation of the specific asset class allocations is required.

The Asset Management Plan has been prepared with reference to the Government of Western Australia's Integrated Planning Framework required by legislation since 30 June 2013. This legislation is enforced through the Local Government Act 1995 S5.56 (1) which requires the Local Government to develop a "plan for the future"; and S5.56 (2) that Local Government's develop a Strategic Community Plan that links community aspirations with the Council's long term strategy. Also that the Local Government has a Corporate Business Plan linking to long term financial planning that integrates asset management, workforce planning and specific council plans (informing Strategies) with a strategic plan.

The intention of the Integrated Planning Framework is to make councils more focussed on community aspirations and priorities. This is to be achieved through increased and targeted community engagement and also to ensure a consistent "whole of organisation" approach to strategic and long term financial planning.

## 2.0 INTRODUCTION

### 2.1 Acknowledgement of Country

The Shire of Broome acknowledges the Yawuru people as the native title holders of the lands and waters in and around Rubibi (the town of Broome) together with all native title holders throughout the Shire.

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

*Wirriya ngangaran liyan nyamba buru yawuru*

We hope you are feeling good in our yawuru country

### 2.2 Introduction

The Shire of Broome's (Shire) assets provide valuable services to the area, and comprise a diverse number of assets. These assets must be properly maintained and developed to continue to provide adequate service and benefits for current and future generations. This Asset Management Plan demonstrates the Shire's asset management processes, compliance with regulatory requirements and outlines the proposed funding requirements to provide the required levels of service.

Our goal in managing infrastructure assets is to meet the defined level of service (as amended from time to time) in the most cost effective manner for present and future consumers. The key elements of infrastructure asset management are:

- Providing defined levels of service and monitoring performance
- Managing the impact of growth through demand management and infrastructure investment,
- Taking a life cycle approach to developing cost-effective management strategies for the long term
- Managing risks associated with asset failures
- Sustainable use of physical resources
- Continuous improvement in asset management practices

The contribution of asset management towards the strategic goals and objectives of the Shire will be achieved by:

- Stakeholder consultation to establish and confirm service standards.
- A regular program of inspections and monitoring activities to assess asset condition and performance.
- Application of a systematic analysis to prioritise renewals and establish the most cost effective works programs.
- Continuously reviewing and improving the quality of Asset Management practices.

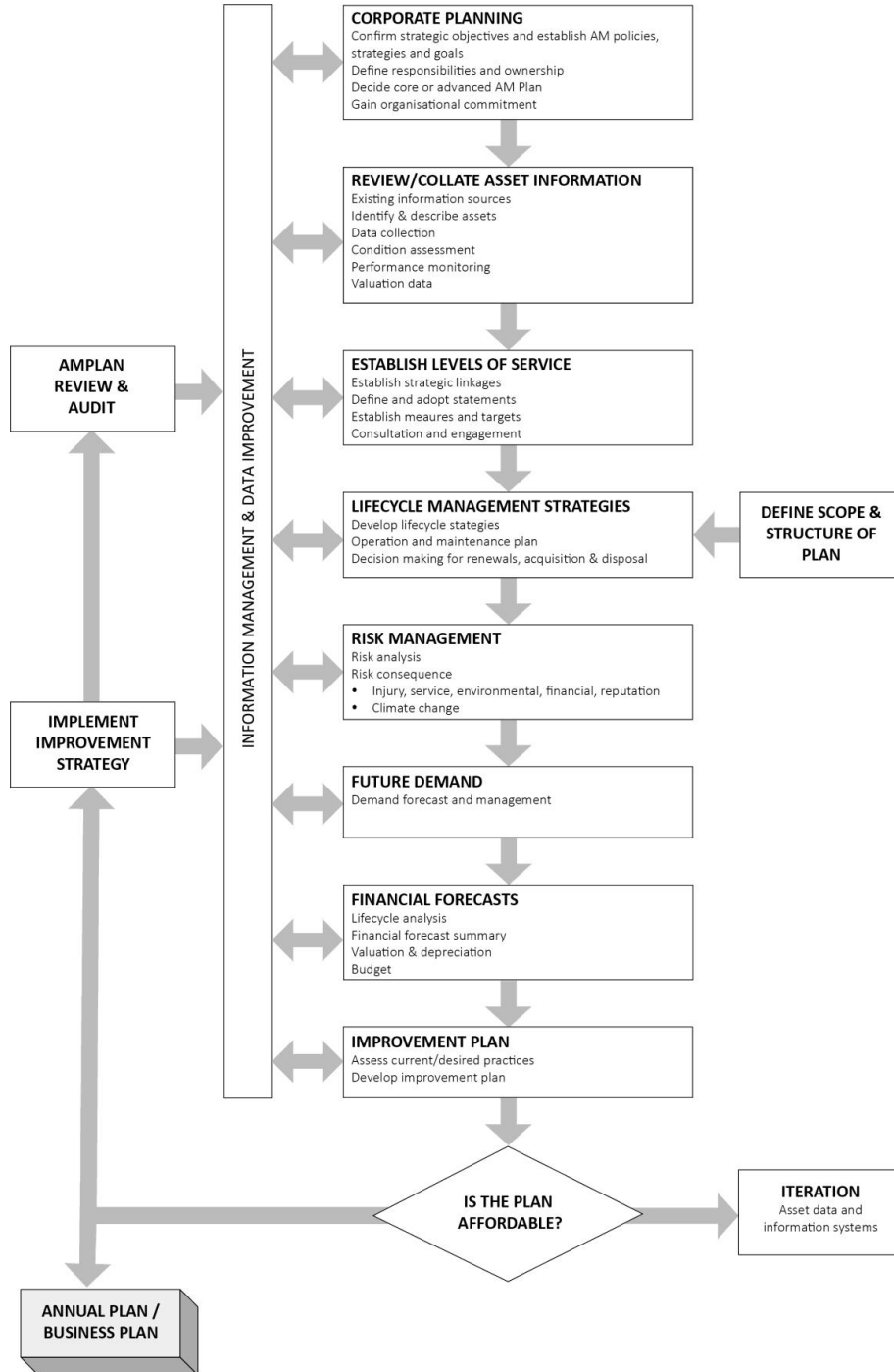
The Asset Management Plan is to be read in conjunction with the Shire's Asset Management Policy, Strategic Community Plan, Corporate Business Plan, Long Term Financial Plan and Annual Budget.

The key elements of the asset management plan are:

- Levels of service
- Future demand
- Asset management practices
- Lifecycle management
- Risk management
- Financial management
- Improvement and monitoring

A road map for preparing an asset management plan is shown below.

**Road Map for preparing an Asset Management Plan**  
 Source: IPWEA, IIMM, Fig 1.5.1, p 1.11



### 2.3 The Purpose of the Plan

In alignment with the Shire PEARL values, the purpose of the Shire's Asset Management Plan is to ensure the sustainable, efficient, and effective management of the Shire's assets to meet current and future community needs for everyone. Key objectives include proactive long-term sustainability, optimizing lifecycle costs, ensuring accountability, reliable service delivery, maintaining safety and compliance, managing risks, aligning with strategic planning goals, Listening and engaging the community in a respectful manner, and fostering continuous improvement.

This asset management plan details information about the Shire's assets including actions required to provide an agreed level of service in the most cost-effective manner while outlining associated risks. The Asset Management Plan defines the services to be provided, how the services are provided and what funds are required to provide the services over a 20-year planning period in a financially sustainable manner.

The objective of this Asset Management Plan is to cover all infrastructure assets, whether constructed, purchased or donated that are owned and directly managed by the Shire. This includes, but is not limited to, roads, footpaths, stormwater drainage infrastructure, jetties, boat ramps, seawalls, park & recreation space components, buildings and facilities.

The following asset classes are excluded from this plan and captured within other Shire of Broome informing documents.

- Plant & Fleet
- ICT Hardware & Equipment
- Land fill cells at the Existing Waste Management Facility
- Future Regional Resource Recovery Park

### 2.4 Inspections, Maintenance, Operations, Disposal, Renewal and Acquisition Summary

Asset Condition assessments are currently undertaken via a combination of in-house resources as well as external contractors for specialised assessment services. This information is used to form the basis of future renewal planning as well as assist with the implementation of maintenance plans.

Operations include regular activities to provide services. Examples of typical operational activities include cleaning, street sweeping, asset inspection, mowing grass, etc.

Maintenance refers to what is required to maintain the asset at an acceptable standard in between Renewal intervals. This is made up of two different categories; Corrective (Reactive) and Preventative (Scheduled). Corrective work is undertaken in response to an event or general wear and tear of the components of the asset. This includes work such as storm damage clean-up, pothole repair and removal of drain blockages. Preventative work involves pre-planned activities designed to avoid wear and tear, more expensive structural issues in the future and to save mobilisation costs through undertaking large amounts of work together. This work includes road and street sweeping, shoulder and unsealed road grading and tree pruning.

Disposal or Renewal is required either when corrective and /or preventive works are ineffective/inefficient or the element has simply reached the end of its useful life. This end of useful life can be triggered by either very poor condition or increased demand (i.e. size and amount of traffic) that the asset is no longer able to meet. Minor renewal work of smaller components is sometimes funded with maintenance budgets. This can include replacement of signage, lighting components, minor fencing renewal, footpath repairs, furniture etc.

Acquisition accounts for the activities to provide a higher level of service (e.g. upgrading a road) or a new service that did not exist previously (e.g. a new building). As well as managing the current assets base, it is also important that funding mechanisms for maintenance, operations and renewal of assets from growth are embedded within the Asset Management Plan and Long Term Financial Plan planning processes. Additional funding and resources allocated as required, for newly constructed and donated assets will ensure that as the asset base grows, so does the available funds to manage it.

The primary demands for new services, asset acquisition or capital upgrades/expansion are created by:

- Increase and changes in community expectations
- Population increase
- Industry shift
- Environmental/climate change
- Anti-social activities
- Changes to standards / regulations

The Shire considers and manages future demand through a combination of maintaining existing assets to a good standard, upgrading of existing assets and providing new assets to meet demand and demand management

## **2.5 Levels of Service**

This Asset Management Plans includes a summary of the Shire's Level of Service to the community in regards to maintenance, operation and renewal services of existing and future assets. This includes the allocations towards, intervention levels and timing for; maintenance & repairs, renewals, acquisitions and capital upgrades.

Setting of the Shire's Asset Management Level of Service, are guided by feedback from the community, consideration of historic practices, seeking opportunities to embrace new technologies and reacting to changes in drivers such as population, environment & community needs/expectations. All the time giving consideration to long-term sustainable financial management.

The assessment of this review and update of the Asset Management Plans is that the Shire's present funding levels are sufficient to continue to provide existing services at current service levels. Based on the community and Council feedback, there are no asset classes which should have the level of service reduced. If there is a decision to increase the level of service as identified in the Implementation Plan, Service Delivery Review, Long Term Financial Plan or Corporate Business Plan, this may impact long term sustainability without reallocation of or additional funding.

## **2.6 Financial Summary – Forecasted Renewals**

Within the Long Term Financial Plan, funding is allocated towards renewal of infrastructure assets based on a long term average. Each financial year the Annual Budget confirms the allocation of funding that is required for renewal of infrastructure assets in that year and the excess is put into reserves for future peak years. This ensures a sustainable approach with current users funding renewal of assets. The allocations for renewal included in the Long Term Financial Plan are reviewed against the Asset Management Plan's forecasted requirements with consideration of various financial ratios and forecasting of all other Shire expenditure requirements and revenue expectations.

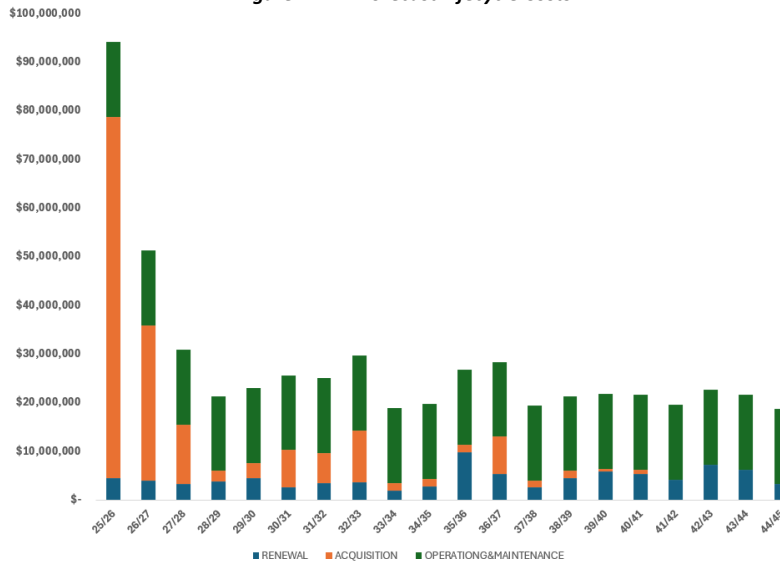
One key ratio is the Asset Renewal Funding Ratio. As defined by the Department of Local Government, Sport and Cultural Industries, it indicates whether the local government has the financial capacity to fund asset renewal as required, and can continue to provide existing levels of services in future, without additional operating income; or reductions in operating expenses. The ratio is considered to be met if the ratios is between 75% and 95% and improving if exceeding 95%. In assessment of the current Long Term Financial Plan 2023-2038 and the forecasted asset renewal requirements for the next 20 years, the Shire has 94% of the funds required to undertake the planned renewal. This puts the Shire in a sustainable position for the medium term. In the long term, additional funding may need to be allocated, assets disposed of and/or the level of service may need to be reduced.



**2.7 Financial Summary – Forecasted Operation, Maintenance, Acquisition and Renewals**

Figure 2.7.1 presents the forecasted expenditure across Operation, Maintenance, Renewal and Acquisition as captured in this Asset Management Plan, the Shire’s Corporate Business Plan and Long Term Financial Plan.

**Figure 2.7.1 - Forecast Lifecycle Costs**



**Notes:**

- Figure Values are in current (real) dollars.
- Utility costs are excluded from the operational costs
- Excludes some of the direct operational costs of the Shire’s facilities and some employee costs
- LTFP has a 15y planning period for Acquisitions

**2.8 Managing the Risks**

The Asset Management Plan provides a summary of the risks that will result in loss or reduction in Level of Service, personal injury, environmental impacts, a ‘financial shock’, reputational impacts, or other consequences.

The Shire have assessed that our present funding and resourcing levels are sufficient to continue to manage risks in the short to medium term.

**2.9 Asset Management Practices**

The Shire utilise these tools and systems to manage assets:

- Think Project Asset Management (powered by RAMM) geospatial database
- Various electronic data capturing tools – for example Context Camera
- Traffic Counters
- External Contractors – Hish Speed Road Condition Assessment and lux assessments

Under the Institute of Public Works Engineering Australasia, ‘International Infrastructure Management Manual’, assets requiring renewal/replacement can be identified from either an Asset Register or via the Alternative Method. Under the Asset Register Method, the forecast the renewal costs are based on the the acquisition year and the useful life. The Alternative Method utilises, an estimate of renewal life-cycle costs projected from condition assessments and historic expenditure is supplemented with local and expert knowledge.

A combination of the two method was used to forecast the renewal life cycle costs for this asset management plan.

The Shire continue to build the detail captured in our asset registers and the assets registers are continually updated to include latest condition data and photos from the inspections allowing for future works programs to be projected.

**2.10 Monitoring and Improvement Program**

Section 9 of this Asset Management Plan outlines some actions on the path of continued improvement for the Shire in asset management practices.

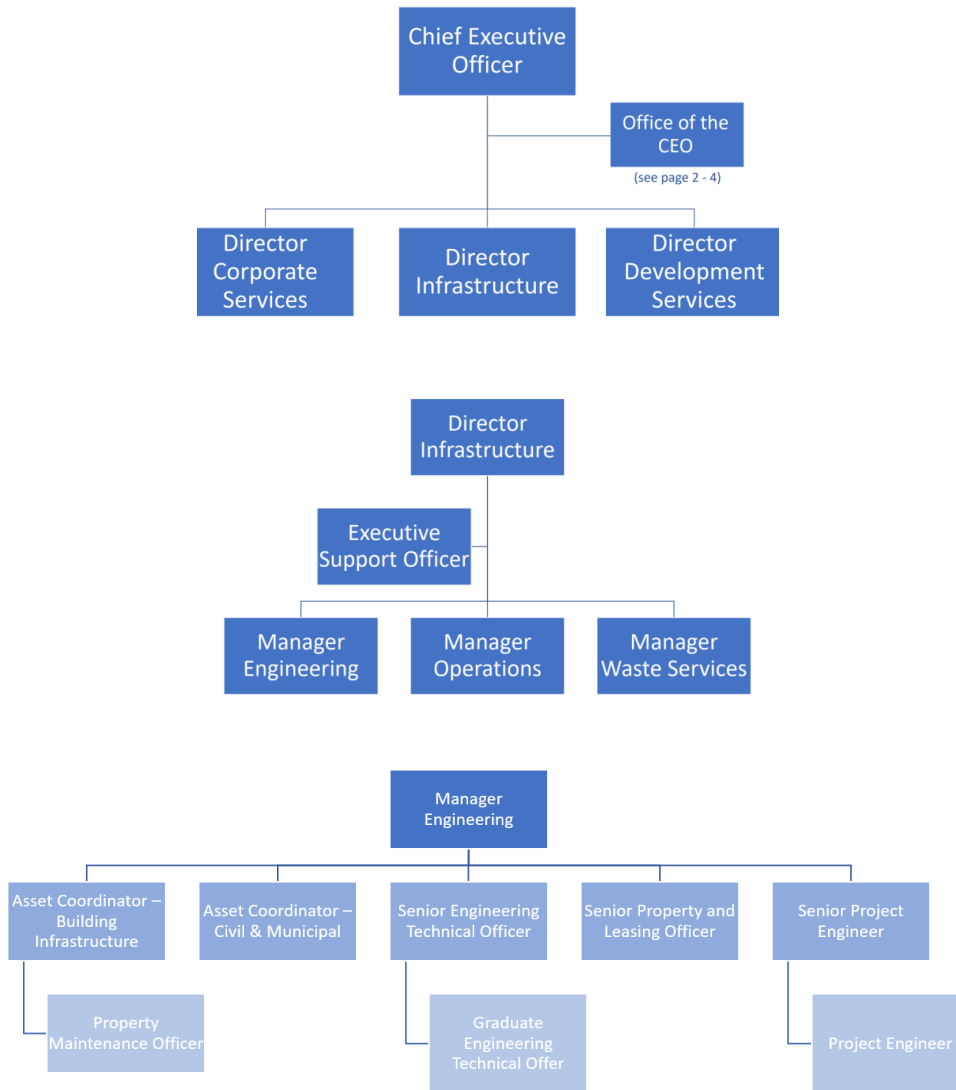
**2.11 Role and Responsibilities**

The responsibilities of the key stakeholders in the preparation and implementation of this asset management plan are shown in Table 2.10.

**Table 2.10: Key Stakeholders in the AM Plan**

Title	Responsibility
<b>Council</b>	is responsible for ensuring (upon recommendation of the CEO) that resources are allocated to achieve the objectives of the above documents. In adopting asset management plans, Council is also determining the Level of Service for each asset class. Council is responsible for considering whole of life costs when prioritising new initiatives.
<b>Chief Executive Officer (CEO)</b>	is responsible for ensuring that systems are in place to ensure that Council’s Asset Management Policy and Plan are prepared and kept up to date, reviewed at least annually and that recommendations are put to Council (at least annually) about appropriate resource allocation to fulfil the objectives of the above documents. The CEO reports to Council on all matters relating to Asset Management.
<b>Executive Management Group (EMG)</b>	is responsible for monitoring the implementation of asset management across the organisation. The EMG will ensure that strategies are put in place to remove barriers to the successful implementation of Asset Management. The Executive Management Group reports to the CEO on all matters relating to Asset Management.
<b>Director Infrastructure (DI), Manager of Engineering (MO) and Manger of Operations (ME)</b>	are responsible for directing the allocation of resources (from Council approved resources) associated with achieving Council’s Asset Management Plan. The DI/ME/MO report to the CEO in relation to Asset Management resource allocation.
<b>Asset and Building Coordinators</b>	are responsible for maintaining the Shire’s asset registers, ensuring the asset Management Improvement Strategy and Asset Maangemetn Plans are prepared and kept up to date and overseeing of the delivery of annual renewal projects. The Asset and Building Coordinators report to the Manager of Engineering and Director of Infrastructure on all matters relating to asset management.
<b>Employees with management or supervisory responsibilities</b>	are responsible for the management of assets within the area of responsibility as determined under asset management plans. In the short-term, employees will be tasked under implementation plans, and will be responsible for the timely completion of those activities contained within those plans. In the medium-term, awareness sessions will be conducted to ensure that employees are familiar with asset management and how it is applied within the Shire of Broome.
<b>Employees maintenance and operation responsibilities</b>	are responsible for the maintenance and operation of assets within the area of responsibility to achieve the funded level of service in each asset class.

The Shire's organisational structure for Infrastructure service delivery is detailed below.



### 3.0 LEVELS OF SERVICE

#### 3.1 Summary

Level of Service in this asset management plan refers to the asset management practices that are defined by our defined intervention levels across asset classes and the agreed timing for maintenance & repairs, renewals, acquisitions and capital upgrades. Service levels can relate to quality, quantity, reliability, responsiveness, environmental, acceptability and cost.

The level of service is derived from two perspectives or views:

- The customers’ view and their level of satisfaction with the services provided from infrastructure assets. How good is the service? Does it meet customers’ needs? Is the service over or under utilised?
- The organisation’s view of delivering the service expressed as technical measures such as condition of the infrastructure asset and budget limitations.

The Shire’s present funding levels are considered to be sufficient to continue to provide existing services at current service levels. Based on the community and Council feedback, there are no asset classes which should have the level of service reduced. If there is a decision to increase the level of service as identified in the Implementation Plan, Service Delivery Review, Long Term Financial Plan or Corporate Business Plan, this may impact long term sustainability without reallocation of or additional funding

#### 3.2 Customer’s Views

Community satisfaction ratings provide a guide to the level of service expected by customers and their satisfaction with current levels of service. Currently information is obtained from a biennial Community Scorecard conducted by the Shire. The latest survey was conducted in 2024 and has been compared with the results from the previous three surveys. Section 3.2.2 and Appendix J provides a summary of the findings. The Shire also engages with the community via several other avenues including the development of the Strategic Community Plan and other informing documents.

Each iteration of this Asset Management Plan is prepared in recognition of the Shire’s community consultation. The Asset Management Plan assists the Shire and stakeholders in matching the level of service required, service risks and consequences with the customer’s ability and willingness to pay for the service. Asset Management forms only a component of the Community Scorecard which encompasses all the Shire’s Level of Service. Relevant information has been extracted where possible. Seeking more targeted Asset Management feedback will be considered in future iterations of this Asset Management Plan.

##### 3.2.1 Customer Values

A overarching summary of the Shire’s Customer Values are captured in Table 3.2.1

**Table 3.2.1: Customer Values**

Customer Values	Customer Satisfaction Measure	Current Feedback	Expected Trend Based on Planned Budget
Safe and reliable networks	Customer complaints and customer surveys	Minimal number of complaints and positive customer survey rating	Anticipated to increase as the network decreases
Fit for purpose	Customer complaints and customer survey	Minimal number of complaints and positive customer survey rating	Anticipated to decrease as the portfolio increases
Satisfaction with assets	Customer complaints and customer surveys	Minimal number of complaints and positive customer survey rating	Anticipated to increase as the asset portfolio increases/diversifies

**3.2.2 Customer Research and Expectations**

A summary of the feedback from the 2024 Markyt Community Scorecard relating to Asset Management are depicted in the Table 3.2.2A This is a high level community survey that is used to determine the priorities of the community and provide benchmarking against other local governments.

**Table 3.2:2A Community Scorecard Feedback**

Focus Area	Positive Rating	Performance Index Score	Trend	Industry Average Index Score	Industry Trend	Industry High Index Score
Community buildings, halls and toilets	65	45	Notable Drop	55	Slow Decline	65
Sport and recreation facilities	88	64	Notable Drop	64	Slow Decline	79
Playgrounds, parks and reserves	81	58	Notable Drop	64	Slow Decline	78
Streetscapes	71	52	Notable Drop	52	Slow Decline	69
Building and maintaining local roads	71	50	Slight Drop	46	Variable	68
Footpaths, cycleways and trails	66	48	Slow Decline	52	Slow Decline	67
Marine Facilities	45	34	Stable	57	Variable	74
Lighting	50	38	Slow Decline	51	Slow Decline	65
Beaches and Foreshore	75	54	Slow Decline	52	Mod. Decline	66
Conservation and Environmental MGMT.	68	48	Slow Decline	52	Slow Decline	67

Appendix J includes further information on the Community Scorecard for the relevant asset classes, a review of the current level of service and some recommendations. The following priority actions are proposed to be considered in forward planning of the Shire’s Asset Management practices.

- Continue with CBP Action 1.2.3 – Fund LED street light program in partnership with Horizon Power to improve community safety based on street light audit and WA Police Crime Stats
- Undertake a lux audit (last undertaken 2019) to re-confirm priority locations and utilise data to lobby for grant funding.

**Table 3.2:2B Community Scorecard Feedback – Priority Actions**

Asset Class	Community Scorecard Feedback – Priority Actions
Community buildings, halls and toilets	Deliver planned renewal and capital upgrade projects. Consider potential opportunities for additional public ablutions in Long Term Financial Plan. Ensure cost of provision of all public buildings are fully understood & analysed to ensure best value of expenditure.
Sport and recreation facilities	Finalise BRAC redevelopment design and lobby for funding to construct.

	Review sport and recreation plan as stipulated in LTFP to assess changes in trends and demand and guide future investment.
Playgrounds, parks and reserves	Finalise the playground strategy to inform future Asset Management. Continue to monitor performance and service levels and review where appropriate. Consider additional resources when the time is right i.e.. new POS with subdivisions
Streetscapes	Continue improving programs and inspections of assets. More communication to the public regarding the Shire Verge Policy. Consideration towards addition resourcing with new POS and road reserves added in new subdivisions.
Building and maintaining local roads	Improved focus on pavement design for new subdivisions, More communication and education for the public on Shire owned assets.
Footpaths, cycleways and trails	Continue to maintain and expand the footpath network in a sustainable manner with grant funding where possible and in consideration of changes in modes of transport – ie electric scooters.
Marine Facilities	Continue to work with the Department of Transport and State Government to seek required approvals for the Safe Boat Launching Facility and the remainder of funding for implementation. Currently \$36 million committed from the State Government, project costed at \$77 million in 2021. Work with the Department of Transport to update project communications, noting there are limitations until approvals are granted.
Lighting	Continue with CBP Action 1.2.3 – Fund LED street light program in partnership with Horizon Power to improve community safety based on street light audit and WA Police Crime Stats Undertake a lux audit (last undertaken 2019) to re-confirm priority locations and utilise data to lobby for grant funding. Consideration to be given and reported back on opportunity for installation of private networks as compared to provision by Horizon Power Continue to seek operational savings from upgrades to LEDs and utilise solar lighting where determined to be cost effective.
Beaches and Foreshore	Consider submissions on extension of Cable Beach ramp closure. (By way of update, these were taken to the September Council Meeting and resolved to extend through month of February.) Draft Animal Management plan identified measures to address dogs on beach issues as well as turtle conservation.
Conservation and Environmental Management .	Review State of Environment Report/Environmental Management Plan. Review Coastal Hazard Risk Management and Adaptation Plan More communication to the public regarding the Shire Verge Policy. Monitor impact of new rubbish collection vehicle and additional resources allocated from 24/25

### 3.3 Organisation's Views

The Shire's ability to deliver a Level of Service is conditional upon its capacity to allocate resources to the various service activities it undertakes to best achieve the desired community outcomes and demonstrate effective organisational performance.

From the organisation's view, the Level of Service is expressed in funds allocated to the various service activities.

The Shire’s annual budget, Service Delivery Plans, maintenance practices, workforce plan and long term financial plan set the level of service that can be achieved with the allocated funding that has been determined for a sustainable future. Refer to Section 6 for a summary of the budgetary information regarding delivering the Shire’s Level of Service. The Shire undertakes financial management in line with the following five core strategies.

**Figure 3.3 Strategies of Financial Management**



The Shire’s Level of Service, are guided by feedback from the community, consideration of historic practices, seeking opportunities to embrace new technologies and reacting to changes in drivers such as population, environment & community needs/expectations. All the time giving consideration to long-term sustainable financial management.

**3.3.1 Strategic and Corporate Goals**

The Shire’s Level of Service are developed under the direction of the Shire’s vision, mission, aspirations and objectives.

Our vision is:

***“Broome – A future for everyone***

Our Mission is

***“To deliver affordable and quality Local Government services”***

Our Aspiration is:

***“To achieve our vision, we have four supporting aspirations. Our aspirations align with our core pillars – people, place, prosperity and performance. These pillars are interrelated, and each must be satisfied to deliver excellent quality of life in Broome.”***

Strategic goals have been set by ‘s. The relevant aspiration and objectives and how these are addressed in this Asset Management Plan are summarised in Table 3.3.































































































































## 9.2.2 DISPOSAL OF PROPERTY FOR LEASE - PORTION OF RESERVE 22648 - BROOME TURF CLUB

<b>LOCATION/ADDRESS:</b>	Reserve 22648
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	LSS005
<b>AUTHOR:</b>	Director Infrastructure
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Infrastructure
<b>DISCLOSURE OF INTEREST:</b>	Nil

### SUMMARY:

The Broome Turf Club lease expired on 31 December 2021 and the Broome Turf Club remains on the premises pursuant to the holding over provisions within the lease.

This report recommends Council authorise the Chief Executive Officer to negotiate and enter into a new 3 year lease with the Broome Turf Club on Reserve 22648 subject to the terms and conditions set out in this report which direct the Broome Turf Club to progress planning for the short term priority actions from the Broome Turf Club Master Plan 2023.

### BACKGROUND

#### Previous Considerations

OMC 31 March 2022	Item 9.2.1
OMC 29 June 2023	Item 9.2.5
OMC 29 Feb 2024	Item 9.2.2

The Shire of Broome (Shire) has the Management Order over Reserve 22648 for the purpose of Recreation, Racecourse, Aged Care Facility and Short-Term Accommodation. The Management Order permits the Shire, subject to Ministerial approval, to lease the reserve for a period up to a maximum of 21 years.

The Broome Turf Club (BTC) have delivered thoroughbred racing in Broome in some form since 1894 and have operated from the current Gantheaume Point location since the late 1940s. The Broome racing calendar comprises of 9 race meets per annum culminating with Ladies Day and Broome Cup in August. The Broome Cup week is considered to be the premier event in Broome, drawing thousands of visitors to Broome and generating huge economic benefit for Broome and the broader Kimberley.

The current lease agreement expired on 31 December 2021 and the BTC remains on the premises pursuant to the holding over provisions contained within the lease.

Prior to end of the lease in 2021 Council requested the development of a Master Plan to identify short term priorities, and a long-term vision before considering a new lease.

At the time the current lease expired the Master Plan was not completed. At the Ordinary Meeting of Council (OMC) held 31 March 2022 officers presented a report summarising the progress to date and it was resolved as follows:

#### **Council Resolution:**



**(Recommendation)****Minute No. C/0322/042****Moved: Cr C Mitchell****Seconded: Cr P Taylor****ALTERNATE MOTION:****That Council:**

- 1. Advertises the lease disposal of Reserve 22648 in accordance with section 3.58 (3) and (4) of the Local Government Act 1995.**
- 2. Authorises the Chief Executive Officer to seek Ministerial approval and negotiate the final terms and conditions of the lease in line with:**
  - (a) A new lease to be entered into for a 3-year term commencing 01 May 2022;**
  - (b) Rent to be \$2000.00 per annum;**
  - (c) The Lessee to be responsible for all associated costs in preparing the lease; and**
  - (d) The special conditions be included within the lease.**
- 3. Authorises the Chief Executive Officer to engross the final lease documentation.**
- 4. Requests the Chief Executive Officer present, for consideration and community consultation, the finalised the Broome Turf Club Master Plan.**
- 5. Requests the Chief Executive Officer collaborate with the Broome Turf Club to identify funding for activities identified in the Master Plan.**
- 6. Request the Chief Executive Officer to investigate if there is a risk to the Shire of Broome regarding the potential contamination of the racetrack.**

**CARRIED UNANIMOUSLY 6/0**

Following the resolution of Council Shire officers continued to partner with the BTC on the delivery of the Master Plan. Due to a lack of alignment within the BTC committee the first draft Master Plan was unable to be supported and a further 18 months was required for a subsequent master planning processes.

At the OMC held 29 June 2023, the draft Master Plan was endorsed for the purpose of public advertising. On 14 December 2023, the BTC advised the Shire that the committee had endorsed the Master Plan. At the OMC held 29 February 2024 the Broome Turf Club Master Plan 2023 (the Master Plan) was endorsed by Council.

**COMMENT**

The Shire consider the BTC an important contributor to Broome and hope the BTC continue to offer thoroughbred racing long into the future.

For racing in Broome to continue to be successful the BTC must take a strategic approach with regards to the premises. Currently, the racing and event area assets at the BTC are considered adequate however there has not been significant investment in the assets during the current term of the lease. If the current approach to asset management and strategic planning was to continue there is a risk that the BTC could become unappealing to trainers, horse owners and racegoers as well as non-compliant with regard to racing, building and public health regulations.

It is for this reason the Shire requested the BTC partner to develop a Master Plan for the reserve. The purpose of the Master Plan is to explore land use, built form, movement and public realm opportunities to guide future growth and development of the reserve. Acknowledging the changing nature of the racing industry, the Master Plan explores

strategic opportunities for economic diversification whilst ensuring the predominant function of the site is maintained, and industry and community needs are met.

It is important to highlight that the Master Plan is a high level, long term plan that requires staged delivery over the short and long term. The intention is that the Master Plan will guide the future decision making for the reserve.

In collaboration with the BTC, the Master Plan elements were divided into short, medium and long term priorities. This identifies that the short term priority is the upgrade and replacement of key racing infrastructure assets to ensure the BTC operates safely and effectively. This will be implemented simultaneously with the rectification of the encroachment of stable infrastructure into adjacent lots.

### **Short Term Priorities; 1-5 Years**

- Redevelopment of stable facilities
- Removal of structures from Lot 602
- Grandstand upper level redevelopment and renewal
- Additional toilets
- Relocation of members carpark
- New service buildings to include new sheds, changerooms and first aid room
- Relocated horse-gathering area for 1850m races

### **Medium Term Priorities; 5-10 years**

- Marquee/tent area expansion
- New refrigeration & bin storage
- Flexible space for parking, food vans, events
- Relocate Two-up ring, Bookmakers ring, Winners Circle
- Improved stage event area
- Area for race day viewing inside the track, installation of large video screen
- Improved entry gate and merchandise
- Create a multi-use event area inside the track

### **Long Term Priorities; 10+ years**

- New BTC building
- New drop area for buses, taxis, cars
- Relocation of select race-day stalls and wash down stalls
- Gantheaume Point Road realignment & construction
- At grade racetrack crossing point for pedestrians
- Additional public parking at north east development area
- New road along eastern boundary of Lot 1848

A cost estimate report was developed for the Master Plan with a total cost estimate at August 2023 of \$72,995,000 including GST but excluding any external upgrades to roads, power, water, and communications.

The short term priorities are estimated to cost approximately \$28,000,000 including GST and including planning, design and construction contingencies.

Given the high investment required the delivery of the Master Plan will Rely heavily on the BTC gaining external funding and/or seeking borrowings.

### **Lease**

The key terms of the Lease proposal have been outlined in the table below:

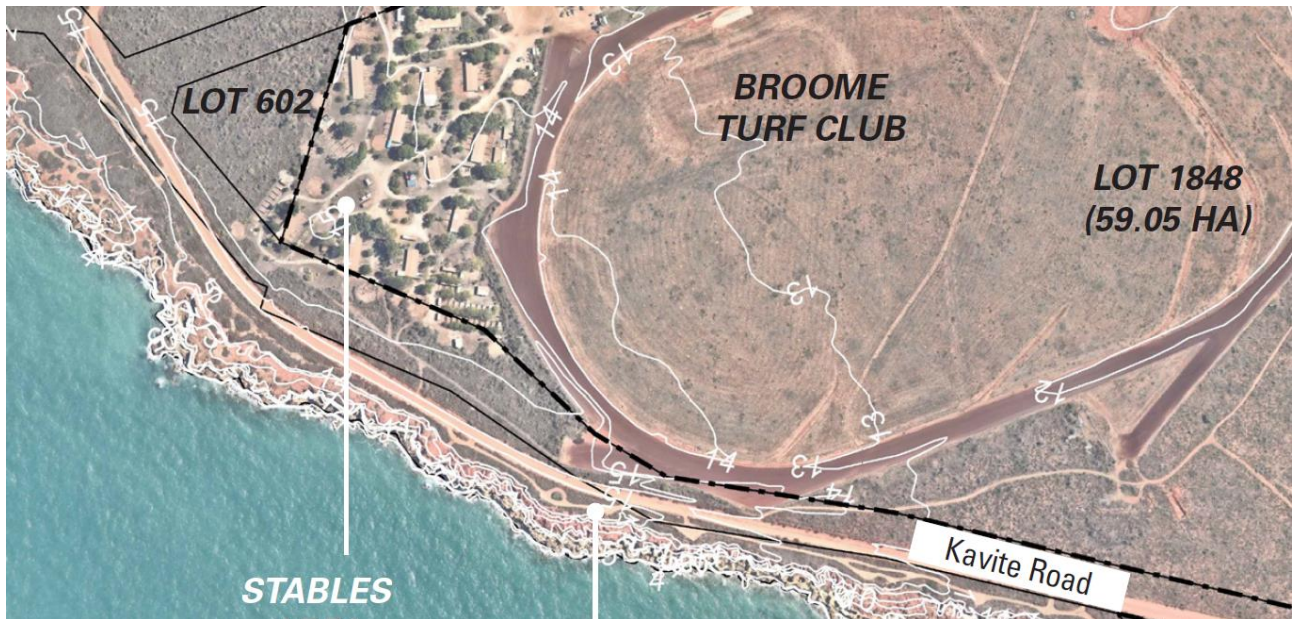
Terms and Conditions	Comments
Lessee	Broome Turf Club Incorporated
Lease Commencement Date	1 December 2024
Premises	Reserve 22648, Lot 1848
Lease Area	Portion of Reserve 22648 (see Attachment 1)
Term	3 Years
Rental	\$2,000 per annum <i>(in line with current lease and resolution of Council from OMC held 31 March 2022)</i>
Outgoings	The tenant to pay all outgoings including but not limited to: <ul style="list-style-type: none"> <li>• Cost of preparation of the lease</li> <li>• All Rates, levies and charges</li> <li>• Utility and water costs</li> <li>• Operational maintenance and capital renewal/upgrade of all infrastructure assets.</li> </ul>
Insurance	BTC to be responsible for their own building insurance and other relevant insurances.
Special Conditions	To provide Council with confidence that the aspirational long-term vision for this site can be achieved, the lease will include special conditions which reflect tasks to be achieved during the 3 year lease term.

### Special Conditions

Currently there are two areas of the BTC that cross the reserve boundary. One is in the stables area, crossing into the abutting Lot 602 reserve and the second is where the stable and track cross into the Kavite Road reserve.

As a requirement of the lease a special condition will be set that the BTC shall remove any structures outside the lease area and into the abutting Lot 602 reserve and that the BTC remediate the area.

A second special condition will be for the BTC to investigate options to address the conflict between the stable and track with the Kavite Road reserve. The reason for only requiring the BTC investigate options for the conflict between the stable and track with the Kavite Road reserve is that the road reserve is also managed by the Shire and the solution may be more complex and involve further stakeholder engagement with the Broome community and key stakeholders. This may not be achievable in the 3 year lease timeframe.



To ensure progress is made for the short term Master Plan priorities special conditions will be set for the BTC to;

- Develop detailed plans for the delivery of the short term priorities;
- Develop a funding strategy for the delivery of the short term priorities; and
- Develop a detailed financial business case outlining how loan commitments to support the delivery of priorities will be achieved.

Note, the above approach and special conditions remain consistent with the report and resolution of Council from the OMC held 31 March 2022.

In addition to the above key lease terms and special conditions Shire officers recommend that the lease be resolved with the current BTC committee and prior to the upcoming BTC Annual General Meeting (AGM) scheduled for 4 December 2024. This position is formed on the basis that significant time and resources have been expended in recent years to finalise the Master Plan and it's appropriate that the current BTC committee commit to the lease and special conditions prior to the AGM.

If the BTC are unable to commit to the lease as offered it is recommended the Chief Executive Officer not enter into a lease and that the Chief Executive Officer report back to Council with all options to deliver thoroughbred racing in Broome and to progress the Master Plan priorities.

## **CONSULTATION**

There has been an extensive amount of consultation with the BTC over a number of years to develop and finalise the Master Plan. There have been meetings between staff and the BTC, between the former and current Shire President and BTC representatives as well as more recent meetings with the Shire President and BTC representatives being the BTC Chairperson and BTC Chief Executive Officer.

In all interactions the Shire has been consistent in its messaging to the BTC that the Master Plan precedes any consideration of the lease so Council can be confident that the BTC have a strategic vision for the development of the premises over the short term and longer term.

The key terms and special conditions of the lease were workshopped with Council on 11 June 2024. Present at the workshop were Cr Mitchell, Cr Lewis, Cr Matsumoto, Cr Smith, Cr Taylor, and Cr Cooper.

The Shire has liaised with Racing and Wagering Western Australia (RWWA) to keep them informed of the leasing progress and the requirement for special conditions and the rationale for these special conditions.

## **STATUTORY ENVIRONMENT**

### ***Local Government (Functions and General) Regulations 1996***

Under section **30. Dispositions of property excluded from Act s. 3.58** the disposition of land in this instance is exempt from public advertising as the land is disposed of to a body, whether incorporated or not, of which the objects are charitable and of which the members are not entitled or permitted to receive any pecuniary profit from the body's transactions.

### ***Land Administration Act 1997***

In accordance with section **18. Crown land transactions that need Minister's approval** the Shire will seek authorisation from the Ministers office to dispose of the portion of the reserve 22648 by lease.

## **POLICY IMPLICATIONS**

NIL

The Shire do not currently have a Council Policy regarding leasing, or more relevant, leasing with Community Groups. Shire officers have commenced research and development of a draft Council Policy for Leasing and its recommended that the draft Policy be brought to a workshop with Council before being presented to Council for consideration.

## **FINANCIAL IMPLICATIONS**

The Shire receives \$2,000 per annum rental income from the BTC under the existing lease arrangements. It is recommend the new lease rent is \$2,000 per annum in line with the current lease and previous resolution of Council from the OMC held 31 March 2022.

The Tenant would be responsible for all costs relating to the preparation and execution of the lease as well as all insurances, outgoings, and maintenance and renewal costs at the premises.

It is likely that the Shire will be requested by BTC to provide financial support to the BTC to undertake some of the concept design, feasibility and business planning of the short term priority actions within the Master Plan. There is currently no allocation within the Shire's Long Term Financial Plan towards this and any request would have to be considered as a budget request at the time it is received. Inclusion of funds into the budget for this purpose would be subject to an absolute majority decision of Council.

## **RISK**

The BTC racing calendar is one of the most anticipated events in Western Australia. The Broome Cup week in particular attracts people from intrastate and interstate and delivers a substantial economic benefit to the Broome community.

The BTC have successfully delivered horse racing in Broome over a long period of time and there is no indication they would not continue to successfully deliver racing into the future.

Shire officers and the BTC have been in regular contact since the end of the previous lease in 2021. The key lease terms, which include the addition of special conditions should provide Council with confidence that the BTC will undertake the required level of planning to enable delivery of the short term priority actions in the Master Plan. At the point the BTC can demonstrate commitment to delivering the Master Plan Council could consider a further lease, potentially for a longer term, up to 21 years as per the reserves management order, power to lease conditions.

## STRATEGIC ASPIRATIONS

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

### **Outcome 8 - Cost effective management of community infrastructure**

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

## VOTING REQUIREMENTS

*Simple Majority*

### REPORT RECOMMENDATION:

That Council:

1. *Advertises the lease disposal of Reserve 22648 in accordance with section 3.58 (3) and (4) of the Local Government Act 1995.*
2. *Authorises the Chief Executive Officer to seek Ministerial approval and negotiate the final terms and conditions of the lease in line with:*
  - (a) *A new lease to be entered into with the Broome Turf Club Incorporated for a 3-year term commencing 1 December 2024;*
  - (b) *Rent to be \$2,000 per annum;*
  - (c) *The Lessee to be responsible for all associated costs in preparing the lease; and*
  - (d) *The following special conditions be included within the lease;*
    - (i) *The Broome Turf Club shall remove any structures outside the lease area and into the abutting Lot 602 reserve and remediate the area.*
    - (ii) *The Broome Turf Club investigate options to address the conflict between the stable and track with the Kavite Road reserve.*
    - (iii) *Develop detailed plans for the delivery of the short term priorities.*
    - (iv) *Develop a funding strategy for the delivery of the short term priorities.*
    - (v) *Develop a detailed financial business case outlining how loan commitments to support the delivery of priorities will be achieved.*
3. *Authorises the Chief Executive Officer to engross the final lease documentation.*
4. *Requests, that if a lease cannot be agreed to formally by the Chief Executive Officer and the Broome Turf Club by 1 December 2024, that no new lease be granted to*

*the Broome Turf Club and the Chief Executive Officer present further options for the premises to Council.*

**Attachments**

1. Lease Area







### 9.2.3 MINUTES AND RECOMMENDATIONS FROM THE KIMBERLEY REGIONAL GROUP MEETING HELD ON 11 OCTOBER 2024

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	KRG01
<b>AUTHOR:</b>	Executive Assistant to Chief Executive Officer
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Chief Executive Officer
<b>DISCLOSURE OF INTEREST:</b>	Nil

#### SUMMARY:

This report presents for Council endorsement the Minutes from the Kimberley Regional Group meeting held on 11 October 2024.

#### BACKGROUND

A copy of the minutes from the Kimberley Regional Group (KRG) meeting held 11 October 2024 are attached for Council consideration (**Attachment 1**).

The KRG is a group defined through a deed of agreement between the four Kimberley local governments with the Minister for Local Government.

The Shire of Wyndham East Kimberley accepted the Secretariat role for the Kimberley late in 2021.

#### COMMENT

The minutes and respective background information are attached to this report and the following comments are made in relation to the resolutions passed by the Group. Additional recommendations have been made where necessary for Council's consideration.

#### **Kimberley Regional Group Meeting Minutes – 11 October 2024**

The following items from the Kimberley Regional Group Meeting held 11 October 2024 should be noted by Council:

##### Correspondence

The KRG noted that the correspondence was received and noted that the Chief Executive Officer could be directed on a response if required.

Correspondence in:

Date: 21 August 2024

From: Senator the Hon Malarndirri McCarthy, Minister for Indigenous Australians

Topic: Congratulations on your appointment

Date: 26 August 2024

From: Tilly Chaney, A/Senior Policy Officer, Department of Communities

Topic: Department of Communities - Upcoming Regional Housing Workshops

Date: 6 September 2024

From: Anne Finlay, Manager Coordination Strategy & Coordination, Office of the Director General, Department of Primary Industries and Regional Development

Topic: NAWG subcommittee advise

Date: 31 August 2024

From: Brad Slater, Director Krisis Consultancy

Topic: Introduction to Krisis Consultancy - WALGA Kimberley Country Zone

Correspondence out:

Date: 20 August 2024

From: Cr David Menzel, Chair

To: The Hon Tony Burke MP, Minister for Home Affairs, Minister for Immigration and Multicultural Affairs, Minister for Cyber Security, Minister for the Arts, Leader of the House

Topic: Congratulations on your appointment (not attached)

Date: 20 August 2024

From: Cr David Menzel, Chair

To: Senator The Hon Jenny McAllister, Minister for Cities, Minister for Emergency Management

Topic: Congratulations on your appointment (not attached)

Date: 20 August 2024

From: Cr David Menzel, Chair

To: Senator the Hon Malarndirri McCarthy, Minister for Indigenous Australians

Topic: Congratulations on your appointment (not attached)

Date: 2 September 2024

From: Cr David Menzel, Chair

To: The Hon Clare O'Neil MP, Minister for Housing, Minister for Homelessness

Topic: Congratulations on your appointment (not attached)

Date: 2 September 2024

From: Cr David Menzel, Chair

To: The Hon John Carey MLA, Minister for Planning; Lands; Housing; Homelessness

Topic: Kimberley Housing Roundtable

### Financial Report

Financial Report to be noted at the December meeting.

### Presentations

The following presentations were received from key stakeholders:

- Shane Love, Leader of the Opposition and Leader of The Nationals WA; Shadow Minister for Regional Development; Transport; Jobs & Trade; Finance; Federal-State Relations; Climate Action; Commerce; Public Sector Management; Government Accountability
- Peter Webster, Chief Executive Officer, Binatti Binyja Yarrowoo
- James McGovern, Manager of Governance and Procurement, WALGA

### Regional Freight Strategy 2024

The KRG discussed the key freight issues from a whole of regional perspective to inform the Regional Freight Strategy Consultation.

In summary:

The Department of Transport is developing a Regional Freight Strategy in collaboration with the Freight and Logistics Council of WA, industry, government, and community stakeholders

Industry consultation workshops have been held across the State, with workshops held in Broome and Kununurra. Kimberley stakeholders invited to provide written submissions on a Kimberley Discussion Paper

The Department aims to provide a draft Strategy to Ministers early in 2025. Finalisation and release of the Strategy is expected in 2025 subject to Ministerial approval.

### Local Government Amendment Bill 2024

The KRG noted the concerns raised by the Local Government Elected Members Association with the Tranche 2 Reforms.

### Aviation White Paper

The KRG noted the initiatives in the Aviation White Paper, with an action for the Executive Officer to raise it in the Canberra Meetings on November 18<sup>th</sup> and 19<sup>th</sup>.

### Election Strategy Update

The KRG noted the implementation of the 2024-2025 election strategy and agreed to proceed with a print run of 50 election packs, with a total cost estimated to be \$1,300. Once printed these will be distributed to members.

### Kimberley Housing Roundtable

The KRG noted the progress of the Housing Roundtable, and will be seeking a meeting with the CEO of Housing Australia as part of the visit to Canberra.

### Kimberley Regional Group Priority Action List

The KRG noted the progress of the priority action items and that this list will be reviewed at the KRG planning workshop in October 2024. The Executive Officer is required to work with the KRG Chair, Secretariat and the Chief Executive Officer of the Shire of Broome to prepare a paper to take to Canberra regarding the impact of increasing the FBT exemptions around remote area housing and childcare.

### Financial Assistance Grants Review Project

The KRG noted the progress of the Financial Assistance Grants Review Project.

### Community Safety and Crime Prevention Investment Project.

The KRG noted the progress of the Community Safety and Crime Prevention Project.

### Executive Officer Report

The Executive Officer Report was received and endorsed.

## General Business

KRG confirmed responsible officers and updated comments for upcoming KRG meetings, lobbying and upcoming events.

### **CONSULTATION**

WALGA  
Kimberley Development Commission  
Kimberley Regional Development Australia

### **STATUTORY ENVIRONMENT**

***Local Government Act 1995***

### **POLICY IMPLICATIONS**

Nil.

### **FINANCIAL IMPLICATIONS**

Nil.

### **RISK**

Nil.

### **STRATEGIC ASPIRATIONS**

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

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

**Objective** 11.1 Strengthen leadership, advocacy and governance capabilities.

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

***Outcome 9 - A strong, diverse and inclusive economy where all can participate***

**Objective** 9.5 Grow the size and depth of Broome's labour market with improved access to training and development opportunities.

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

***Outcome 7 - Safe, well connected, affordable transport options***

**Objective** 7.1 Provide safe and efficient roads and parking.

### **VOTING REQUIREMENTS**

*Simple Majority*

REPORT RECOMMENDATION:

*That Council receives and endorses the resolutions of the Kimberley Regional Group as attached in the Kimberley Regional Group Meeting Minutes of 11 October 2024 en bloc.*

**Attachments**

1. KRG MINUTES 11 OCTOBER 2024





















































































































































































**9.3 PROSPERITY**

**9.3.1 REVIEW OF COMMUNITY DEVELOPMENT FUND GUIDELINES AND THE QUICK RESPONSE GRANT GUIDELINES**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	GPC 16
<b>AUTHOR:</b>	Economic Development Coordinator
<b>CONTRIBUTOR/S:</b>	Place Activation & Engagement Coordinator
<b>RESPONSIBLE OFFICER:</b>	Acting Director Development Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**  
 Council is requested to review and endorse changes to the Community Development Fund and Quick Response Grants guidelines. These updates aim to clarify eligible expenses and refine the application process, enhancing transparency and ensuring more efficient use of funds.

**BACKGROUND**

Previous Considerations

OMC 30 March 2023	Item 9.3.1
OMC 27 April 2023	Item 13.1
OMC 14 December 2023	Item 14.1.
SMC 6 June 2024	Item 5.3.1

**COMMENT**

The Community Development Fund (CDF) program funds organisations within the Shire of Broome (**Shire**) to develop and run initiatives and events that deliver long-term social or economic benefits to the local community.

The CDF Guidelines were adopted at the 15 December 2022 Ordinary Meeting of Council (**OMC**), following the amalgamation of the Events Development Fund (**EDF**) and the Annual Community Matched Fund (**ACMF**).

The CDF program offers three funding streams.

- Stream One: Community projects and initiatives seeking a funding contribution of \$500 - \$10,000
- Stream Two: Events seeking a funding contribution of \$1,000 - \$40,000
- Stream Three: PEARL events seeking a more than \$40,000 funding contribution. (Applications to this stream are on an invite-only basis).

CDF Stream 1 applications are funded through a combination of Shire budgeted funds and Energy Developments Limited—West Kimberley Community Fund (EDL) grant funding.

Stream 2 and 3 applications are allocated through the Shire's annual budget with the allocation supported by the Tourism Administration Policy (TAP). Differential rates are charged on Commercial and Tourism rated and developed properties to provide for financial support for the tourism sector and the CDF.

In the most recent CDF round, which opened January 4, 2024 and closed on 20 March 2024, Stream 1 allocated a total of \$96,394.30, while Stream 2 & 3 allocated \$223,082 for the 2024/25 period.

The Guidelines for Stream 1, 2 and 3 are in **Attachment 1**, **Attachment 2** and **Attachment 3** for Council consideration. **Attachment 4** includes a tracked change version of the Stream 1 Guidelines to show the changes.

## **RATIONALE FOR UPDATED CDF GUIDELINES**

Recent evaluations from the latest CDF round have highlighted the necessity for updates and clarifications, particularly within the Stream 1 Guidelines. The scope of Stream 1, which encompasses 'projects' and 'initiatives' alongside events, is broad, and most of the proposed revisions will primarily impact this Stream.

Specific areas requiring attention include the acceptable balance between in-kind support and cash contributions, annual turnover requirements, and the eligibility of particular items such as uniforms and flights. It was also considered necessary to specifically refer to a Council workshop in the guidelines to solidify Council's role in the assessment review process and ensure there is no confusion in future funding rounds.

The following amendments are recommended to optimise the allocation and management of the CDF across its various streams:

- Establish a funding pool of \$330,000, with the flexibility to allocate funds across Streams, ensuring a minimum of \$70,000 remains available for Stream 1 Community projects.
- Update the guidelines to explicitly include Not-For-Profit (NFP) organisations.
- Introduce recognition of in-kind volunteer hours at a rate of \$25 per hour within the guidelines.
- Prioritise funding towards new start-up programs to foster innovation and community growth.
- Limit uniform funding support to Junior groups only. All uniforms will be expected to show the Shire logo.
- Remove leasehold improvement ineligibility criteria to streamline the application process.
- Inclusion of the Council in the assessment process for all applications and all streams.
- Remove the section on 'Project or Event genre' as this was causing confusion for applicants, and it was not serving in the assessment process (as typically, most projects serve multiple genres). Applicants were also already asked to provide how their project met the priorities of the Shire in other sections (youth, crime, etc).

## **CHANGES TO THE QUICK RESPONSE GRANTS**

The Quick Response Grants (**QRG**) program supports small community projects or initiatives at short notice, including assisting with the cost of hiring Shire venues.

Grants are available up to \$1,000, with \$20,000 allocated to the QRG program annually.

There are currently two streams:

- Community initiatives and projects
- Venue Hire

Officers are proposing for Council's consideration the addition of two streams:

- Community Waste Reduction / Recycling initiatives Stream;
- Community Representative Stream.

These two new streams are expected to further enhance the Shire's waste management and community representation efforts.

#### Community Waste Reduction / Recycling initiatives

The Shire is committed to working closely with local community groups to reduce waste, improve resource recovery, and protect the environment. Central to this commitment is the promotion of behavioural change through effective communication, education, and the adoption of enhanced practices and systems.

To support these goals, grants of up to \$1,000 will be made available for community groups and not-for-profit organisations. These funds are designed to assist in organising community clean-up events or launching recycling projects, with the aim of fostering and maintaining environmental responsibility within the local community.

This stream will be fully funded by Cleanaway, with an annual grant allocation of up to \$14,500.

#### Junior Community Representative stream

Being chosen to attend a junior representative event is a significant accomplishment, but it can come with considerable expenses. This funding stream will allow the Shire to assist community-based organisations and local clubs by helping cover travel, accommodation, and registration costs for a nominated junior representative attending such events.

The available funding is based on the level of representation, with each community-based organisation or local club eligible to apply for support for one individual per financial year.

The amount available is determined by the level of representation and the organisation;

- Regional level representation - \$500 (ex GST) per individual
- State level representation - \$750 (ex GST) per individual
- National level representation - \$1,000 (ex GST) per individual

The updated Quick Response Guidelines are **Attachment No 5**.

### **CONSULTATION**

As the proposed amendments to the CDF guidelines are intended to improve the clarity and functionality of the guidelines rather than be substantive changes. Therefore, community consultation was not undertaken.

The proposed CDF adjustments were tabled for discussion at the Council Workshop on the 3 September 2024. The workshop was attended by Councillors Mitchell, Male, Lewis, Taylor, Virgo, Cooper and Mamid.



## **STATUTORY ENVIRONMENT**

Nil.

## **POLICY IMPLICATIONS**

The CDF guidelines are at the discretion of the Council, and there are no policy implications beyond those directly addressed in this report.

## **FINANCIAL IMPLICATIONS**

There are no financial implications associated with the proposed changes to the guidelines. The new structure will establish a funding pool of \$330,000 with the flexibility to allocate funds across Streams, while ensuring a minimum of \$70,000 remains available for Stream 1 Community projects.

This will allow officers and Council flexibility to recommend projects across the Streams.

The grants already support individuals and community-based organisations by contributing to travel, accommodation, and registration expenses for events. This support has been financially backed by the Shire and is already in practice. The updated guidelines to include the Community Representative grant stream, simply provides clearer details on eligible expenses and the application process, ensuring better transparency and effective use of the funds.

The Community Waste Reduction / Recycling initiatives stream is completely funded through Cleanaway Pty Ltd. with \$14,500 worth of grants currently available annually. The initial contract term with Cleanaway is 7 years with 3 x 12 month options to extend at the Principals' discretion. The annual commitment of \$14,500 for community sponsorship opportunities is invoiced on an annual basis and there is no acquittal or reporting requirements tied to this funding. The 24/25 financial year commitment has already been received. Given Cleanaway is an Australian Stock Exchange (ASX) listed company there is a low level of risk to the Shire to have an ongoing commitment with the company.

## **RISK**

The proposed updated guidelines are expected to mitigate risk by providing greater clarity in the funding allocation process.

## **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 3 - A healthy, active community**

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

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

**Outcome 9 - A strong, diverse and inclusive economy where all can participate**

**Objective** 9.1 Increase Broome's domestic and international trade in tourism, agriculture, aquaculture, minerals and energy, culture and the arts, and other emerging industries.

### **VOTING REQUIREMENTS**

*Simple Majority*

REPORT RECOMMENDATION:

*That Council:*

1. *Adopts the amended Community Development Fund Guidelines (Stream 1, 2 and 3) as outlined in Attachment 1, 2 and 3.*
2. *Adopts the amended Quick Response Grants (QRG) Guidelines as outlined in Attachment 5.*

### **Attachments**

1. Attachment 1 Stream-1-CDF-Guidelines-2024
2. Attachment 2 Stream 2 CDF Guidelines
3. Attachment 3 Stream 3 CDF Guidelines
4. Attachment 4 Tracked Changed Version of Stream 1 - CDF Guidelines
5. Attachment 5 Quick Response Grant Guidelines





















































### 9.3.2 SMALL BUSINESS DEVELOPMENT COMMISSION COUNCIL ENDORSEMENT OF NEW ALLIANCE

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	EDP014
<b>AUTHOR:</b>	Economic Development Coordinator
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Acting Director Development Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

#### SUMMARY:

The Shire of Broome executed the Small Business Friendly Local Government Charter on 13 December 2018. The program has now transitioned to the Small Business Friendly Local Government Alliance and is being submitted for Council's review and endorsement.

#### BACKGROUND

OMC 22 March 2018	9.3.1
OMC 22 November 2018	9.4.4

#### Previous Considerations

The Small Business Friendly Local Government Charter, launched by the Government of Western Australia's Small Business Development Commission (**SBDC**) in 2016, was executed by the Shire of Broome on 13 December 2018. In September 2024 the SBDC announced that the Charter has now evolved into the Small Business Friendly Local Government Alliance (**SBFLG Alliance**), reflecting a partnership model that better captures the collaborative nature of supporting small businesses.

#### COMMENT

Since executing the SBDC Charter in 2018, the Shire has consistently met its reporting obligations as required. The designated officer responsible, the Economic Development Coordinator (**EDC**) has provided monthly reports, which changed to quarterly submissions, to the SBDC.

Key initiatives undertaken by the Shire to fulfill its obligations to local businesses include:

- Endorsing the *Economic Development Strategy* to further support local businesses and promote sustainable growth within the community.
- The Shire also actively participated in and supported the Broome Growth Plan, reinforcing its commitment to the long-term economic development and prosperity of the region.
- Reviewing payment processing times and re-implementing credit cards to selected officers to expedite payments.
- Preparing for and completing the SBDC's Friendly Approvals program in 2022, which was focused on streamlining the Shire's Event Approval processes. Being a member of the SBFLG was a prerequisite for participating in the Friendly Approvals program, further reinforcing the benefit of being an ongoing member of the SBFLG Alliance.

- Establishing a Memorandum of Understanding (**MOU**) with the Broome Chamber of Commerce and Industry (**BCCI**), outlining a range of local business-related activities.
- Creating and supporting the "Ladies Night" shopping event in Chinatown.
- Creating a dedicated position to support Chinatown businesses during its redevelopment, mitigating the impact of construction.
- Supporting local businesses affected by the Cable Beach redevelopment, including hosting a Sundowner event at the Cable Beach Surf Club and considering business impacts for the next phase of the redevelopment.

The Shire's *Economic Development Strategy 2021-2026* identified the following current and continuing action:

*Provide and deliver on the Small Business Friendly Local Government Charter.*

### The SBFLG Alliance

The SBFLG Alliance operates on a two-way model, emphasizing both the commitments of local governments to be small business friendly and the support provided by the SBDC to help meet these commitments. As part of this partnership, the Shire pledges to:

- **Acknowledge the Value:** Recognize the significant contribution of small businesses to the community.
- **Enhance Capability:** Collaborate to improve the capabilities of the small business sector.
- **Improve Operating Conditions:** Identify and implement changes to better the business environment for small enterprises.
- **Support and Promote:** Create and support events, programs, and campaigns that benefit small businesses.
- **Fair Practices:** Ensure fair procurement processes and prompt payment terms for small businesses.
- **Engage Openly:** Maintain open communication and engagement with small businesses.
- **Measure Performance:** Report and measure performance to ensure commitments are met.

This alliance between the Shire and the SBDC underscores a commitment to support small businesses, recognizing their crucial role in the economic vitality and vibrancy of Broome. A companion document detailing the list of commitments is included as **Attachment 1** for Council review.

As part of the SBFLG Alliance, officers are required to update the SBDC with their activities every six months. This data is subsequently entered into the SBFLG Alliance reporting dashboard, which tracks and displays generic responses and compares the last three reports.

The dashboard currently highlights that worker's accommodation has become one of the top four issues affecting small business communities. This issue, initially prevalent in regional areas, is now also being reported by metropolitan local governments. The dashboard serves as a valuable tool for monitoring these issues and evaluating the impact of support initiatives.

In considering the execution of the SBFLG Alliance, officers discussed its broad scope and potential impacts across various departments, including finance, procurement, and infrastructure. The only concern raised was the commitment to 'pay all valid invoices from

*small business suppliers with a stated reasonable period and work towards aligning with State Government payment terms (20 calendar days from receipt of a correct invoice)'.*

The Shire currently defaults to paying invoices per the terms of the invoice/creditor, otherwise uses 30 days as the payment term benchmark. The percentage of payments made within 30 days, over 30 days and over 90 days is reported monthly to Council in the Financial Report. The Shire is committed to continuously improving the payables process however the payment processing benchmarks will remain until a review can be completed.

It is recommended that Council requests the Chief Executive Officer to execute the Small Business Friendly Local Government Alliance agreement as it aligns with the outcomes of the Economic Development Strategy and demonstrates a commitment to support small business.

**CONSULTATION**

The Shire shared the SBFLG Alliance documents with the Broome Chamber of Commerce and Industry, who provided in principle support for the Shire executing the agreement.

If endorsed, the signing of the SBFLG Alliance will be promoted by the Shire's communications team, with consideration of holding a signing ceremony.

**STATUTORY ENVIRONMENT**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

No financial implications have been identified. The activities associated with the SBFLG Alliance are in line with existing Council work and plans. This initiative is intended to align current efforts and thinking, rather than introducing new expenses.

**RISK**

The following risks have been identified in relation to the options provided for Council's consideration.

<b>Risk</b>	<b>Type</b>	<b>Rank</b>	<b>Mitigation</b>
Shire does not report on the initiatives.	Reputational	Low	One officer (Economic Development Coordinator) has designated responsibility to report to the SBDC.
Business community is dissatisfied with objectives of the alliance.	Reputational	Low	Continue to engage with the community and business organisations to ensure that initiatives are responsive to identified needs and opportunities.

<p>Initiatives identified during engagement are not delivered.</p>	<p>Financial Reputational</p>	<p>Low</p>	<p>Shire commits to initiatives that are achievable within available resource allocations.</p>
--	-----------------------------------	------------	--

**STRATEGIC ASPIRATIONS**

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

**Outcome 9** - A strong, diverse and inclusive economy where all can participate

**Objective** 9.4 Support business growth, innovation and entrepreneurship.

**VOTING REQUIREMENTS**

*Simple Majority*

REPORT RECOMMENDATION:

*That Council:* requests the Chief Executive Officer execute the Small Business Friendly Local Government Alliance agreement, as described in Attachment 1.

**Attachments**

1. SMALL BUSINESS DEVELOPMENT COMMISSION ENDORSEMENT OF NEW ALLIANCE













**9.3.3 BEAM MOBILITY TRADING LICENCE REVIEW**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	LAW023
<b>AUTHOR:</b>	Manager Health, Emergency and Rangers
<b>CONTRIBUTOR/S:</b>	Economic Development Coordinator
<b>RESPONSIBLE OFFICER:</b>	Acting Director Development Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**

At the March 2023 Ordinary Meeting of Council, Beam Mobility Australia Pty Ltd (Beam) were issued with a trading licence to operate a 12-month exclusive commercial trial of hireable electric scooters. Operations commenced in May 2023.

At the December 2023 Ordinary Meeting of Council, the trial was extended to 31 December 2024. The extension was granted to enable engagement with the community, businesses and key stakeholders on the merit of an e-scooter scheme in Broome. The results of the engagement and an assessment of the trial were to be presented to the October 2024 Council meeting.

This report presents the findings of the community engagement undertaken and recommendations on the trial and recommends that Council issue a new trading licence and operator agreement with Beam.

**BACKGROUND**

Previous Considerations

- OMC 30 March 2023 Item 14.1
- OMC 28 March 2024 Item 14.1

Beam Mobility Australia Pty. Ltd. (**Beam**) submitted an application for a Trading Licence on 13 January 2023. Council approved the trial at the Ordinary Meeting of Council held on 30 March 2023 as follows:

**COUNCIL RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Minute No. C/0323/033**

**Moved: Cr B Rudeforth**

**Seconded: Cr P Taylor**

**That Council:**

- 1. Authorises the Chief Executive Officer to issue a trading permit to Beam Mobility Pty. LTD to operate a 12-month exclusive commercial trial of hireable electric scooters subject to:**
  - i) Submission of an Operational Plan to be provided to and approved by the Chief Executive Officer and complied with during use; and**
  - ii) A codesign workshop being held prior to issue of the permit to develop approved exclusion zones, speed limits, pick and drop locations, landing pads and any other matters.**

- 2. Authorises the Chief Executive Officer to execute the Beam Broome E-Scooter Operator Agreement (Attachment 1) subject to legal review and minor amendments;**
- 3. Delegates to the Chief Executive Officer to negotiate and determine exact usage areas and trading locations (where e-scooters may be traded) with Beam Mobility;**
- 4. Request the Chief Executive Officer provide to Council the operational plan, parking locations and zones prior to commencement of the trial and by no later than June 2023;**
- 5. Delegates to The Chief Executive Officer power to make any amendments to the conditions as required, at any time throughout the duration of trial; and**
- 6. Request that the Chief Executive Officer provide an assessment of the mobility e-scooter trial to Council prior to expiry of the trial, with recommendations on whether to continue the trial or start an expression of interest process, based on that assessment.**

**CARRIED UNANIMOUSLY 7/0**

Subsequent to this decision, the Shire issued a 12-month trading licence with conditions, set to expire in May 2024.

Since the inception of the program, officers have worked with Beam extensively to implement and monitor the scheme. Some of the changes requested by the Shire and implemented during this period include:

- March 2023 – Council approves Trading Licence in principle and subject to negotiation.
- May 2023 – Beam starts operating in Broome under the free parking model. E-scooters are dispersed across Broome.
- July 2023 - Beam implemented an in-app drink-riding deterrence test that is active during high-risk hours on Friday and Saturday nights.
- August 2023 – Old Broome becomes fixed parking only.
- 19 August 2023 – Beam's busiest day with 634 Trips (Broome Cup).
- December 2023 – Officers requested that the whole of Broome have designated landing pads only. Scooters significantly reduced in number due to concern about wet weather (not demand).
- February 2024 – Fixed parking model introduced.

In March 2024, as the trial was coming to the end of its 12-months, Beam's trading licence was again tabled for Council to review. Council endorsed a trading licence extension to 31 December 2024 to allow for the Shire to conduct community engagement and to assess the merits of the trial, the resolution of Council is outlined below:

**COUNCIL RESOLUTION:**

**(REPORT RECOMMENDATION) Minute No. C/0324/032**

**Moved: Cr E Smith Seconded: Cr P Matsumoto**

**That Council:**

- 1. Authorises the Chief Executive Officer to issue a new trading permit to Beam Mobility Australia Pty. Ltd. to operate from 12 May 2024 until 31 December 2024 with relevant conditions to ensure compliance with matters such as but not limited**

**to parking, usage areas, landing pads (parking), abandoned scooters and helmets and speed zones;**

- 2. Request that Beam Mobility Australia Pty. Ltd. agrees to fund the community engagement activities associated with assessment of the trial up to \$5,000 excluding GST;**
- 3. Delegates to the Chief Executive Officer power to make any amendments to the conditions as required, at any time throughout the duration of the trial;**
- 4. Requests the Chief Executive Officer undertakes an engagement process to gauge community, business and key stakeholder perceptions on the merit of an e-scooter scheme in Broome; and**
- 5. Requests the Chief Executive Officer to report back to Council no later than the October 2024 Ordinary meeting of Council with the findings of the community engagement undertaken as per point 2 above including an assessment of the Beam micro mobility trial and recommendations on an e-scooter scheme in Broome.**

**For: 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 8/0**

Officers have now prepared this report to provide an update Council and seek direction on the next steps.

Beam have confirmed they are interested in continuing operating in Broome. If approved to continue, they will be required to submit another application for a Trading Licence in December 2024, prior to their current Trading Licence expiration.

## **COMMENT**

There is no doubt that Beam e-scooters are widely used, as this is confirmed by their usage data and visible presence around Broome. All data reported below is for the period of startup (May 2023) to 31 August 2024.

- Beam has recorded a total of 429,884km travelled.
- The average distance is 2.4 kilometres per trip.
- Users have collectively spent 39,122 hours using the service.

The data presented has been sourced from a combination of operational reports provided by Beam on request, and the "Operations Dashboard" operated by Beam which Shire officers have access to view.

Key data has been included as **Attachment 1**. Data from the wet season indicates a significant local demand for the e-scooter program, even after Beam reduced the number of available vehicles over the wet season.

However, there has been a decrease in usage year on year during the dry season. This trend may be attributed to a reduction in the number of tourists visiting Broome and/or an increase in private e-scooters.

## **Outcomes from Community Consultation**

The decision of Council to extend the trading licence until December 2024 allowed for community consultation and a community survey. The survey was live from 20 July 2024 to 30 August 2024. A total of 705 individuals responded to the survey. Officers reviewed the

submissions and data and excluded 70 responses that were found to be ineligible due to falsified email addresses.

A detailed review of the survey responses are included in **Attachment 2** and are summarised below:

- 62% of respondents supported the continuation of e-scooters in Broome, while 38% were opposed to allowing shared e-scooters in Broome.
- The top concern raised by survey respondents, regardless of whether they supported or opposed extending the trial, was e-scooters being left on footpaths. 85% of respondents expressed dissatisfaction with e-scooters obstructing footpaths, and 66% found them to be visually untidy.
- Helmets were also raised as a concern, the lack of helmet use by riders and helmets being damaged and left as litter around Broome.

The following is a collection of concerns and reasons provided by individuals who voted "Yes" to the continuation of e-scooters in Broome:

- Convenience: E-scooters are a quick and easy way to get around, especially when taxis are unreliable, unavailable, or expensive.
- Affordability: They provide a cost-effective alternative to owning a car or paying for taxis, particularly beneficial for people on low incomes or without access to a vehicle.
- Safety: E-scooters are seen as a safer option at night, especially for women and in situations where taxis or public transport aren't available. They also help reduce drink driving.
- Accessibility: They enhance mobility for those who do not have a car or access to other forms of transport, such as tourists, seasonal workers, teenagers, and marginalised groups.
- Environmental Benefits: As a low-emission transport option, e-scooters contribute to improved air quality and promote more active transport options.
- Social Justice: They offer affordable transport for families and individuals who may not have the means to afford other options.

The following is a collection of concerns and reasons provided by individuals who voted "No" to the continuation of e-scooters in Broome.

- Safety Concerns: Many respondents mentioned the danger posed by e-scooters, particularly with riders not wearing helmets, underage users, and reckless behaviour such as speeding on roads and footpaths. Some expressed fear of accidents involving pedestrians and other vehicles.
- Public Health Impact: There is a recurring theme of concern of hospital overburden due to injuries from e-scooter accidents, especially among intoxicated riders or those with poor control over the devices.
- Aesthetic and Environmental Impact: Several individuals noted that the abandoned or improperly parked e-scooters contribute to visual pollution, with some calling them "eyesores."
- Crime and Nuisance: Multiple responses raised concerns about e-scooters being used for illegal activities or as a tool for quick getaways. Some noted that the devices were frequently abandoned in public places, including yards and parks.
- Regulation and Enforcement: Respondents frequently called for stricter regulation and policing of e-scooters, particularly with respect to helmet use, rider age, and road safety rules.

The survey respondents were also requested to comment on suggestions to improve the trial in Broome and the following key themes were raised:

1. Infrastructure Improvements
  - Dedicated parking in high-traffic areas such as Chinatown, markets, and Town Beach.
  - Suitable and safe pathways, along with better road conditions to support the growing use of e-scooters.
  - Improving connectivity issues with mobile reception.
2. Maintenance and Management
  - Stricter regulations and oversight of operators to ensure timely collection of improperly parked scooters and maintenance of the fleet.
  - Introducing multiple e-scooter operators to foster competition, which could lead to improved service quality and accountability in fleet management.
3. Safety Concerns
  - Enforcing the use of helmets by the WA Police or technology.
  - Reducing speed limits in crowded areas and clear parking restrictions to prevent scooters from blocking pedestrian pathways.
  - Enhancing street lighting to ensure safer riding conditions particularly at night where visibility is crucial.
  - Reducing the operating hours or locations to limit their use by intoxicated or reckless riders.
4. Community Education and Respect
  - Respondents felt there was a need for educational initiatives to inform the community about responsible scooter usage including proper parking etiquette and safety measures.
  - Encouraging community members to treat e-scooters and associated infrastructure with care was a recurring theme.
5. Accessibility and Affordability
  - The cost of using e-scooters can be comparable to taxi fares raising concerns about affordability for local residents.
  - The lack of public transportation and unreliable taxi services especially at night, make e-scooters the only viable option for many but they don't fully cover all areas.

In addition to the survey, officers also engaged directly with key stakeholder groups, including WA Police, healthcare providers and community and disability service providers. Emails were sent to organisations considered to either represent people who may not complete the survey or who could be considered having been directly affected by the trial.

This direct engagement consisted of a letter addressed to the head of the organisation, asking them if they **opposed, supported** or were **neutral** about the continuation of the trial, and if they had any concerns or questions. The email also included a link to the survey for individual responses.

Most organisations, including health organisations, physiotherapists, medical clinics, dentists, ambulance and representatives from disability and aged care sectors did not respond. When organisations were asked why they did not respond, several indicated they had chosen to forward the survey to their staff to provide individual responses. This was evident in the survey data, with many respondents identifying that they were workers in a particular profession (most who did so were medical/emergency staff and had a very negative view of the trial).

For those that responded:

- Main Roads opposed the issuance of another trading licence, citing the following reasons (a full copy of the submission can be viewed in **Attachment 3**.
  - o Beam scooters operating in traffic lanes;
  - o abandoned scooters creating obstacles and hazards;
  - o unsafe collection practices where Beam staff were not wearing appropriate clothing or using a vehicle equipped with rotating flashing lights.
- Broome Lotteries House and the WA Police both expressed a neutral position.
- The Broome Chamber of Commerce and Industry conducted a member survey of the trial: 57% expressed support, 19% remained neutral, and 24% opposed their use.
- Support for the trial was particularly strong among bars, hospitality venues and hotels, with several local hotels and restaurants sending positive feedback highlighting the necessity of e-scooters for their staff as a transport mode to and from work.
- Broome hospital shared the results of a study which will be considered in the 'other concerns' section of this agenda item.

### Operational Performance

For Beam to operate in Broome, they must ensure that they comply with the relevant legislation and standards including but not limited to *Road Traffic Act 1974* and *Workplace Health and Safety Act 2020* and the *Shire of Broome's Local Government Property and Public Places Local Law 2016*.

The Trading Licence has operational conditions that cover but are not limited to;

- The number of e-scooters to operate capped at 300
- Safety of persons and property
- Operations of e-scooters
- Beam's response to incidents and Key Performance Indicators (KPIs)
- Reporting and data sharing
- Parking requirements

Beam employs staff known as Marshals to manage its operations, and Beam is responsible for servicing its fleet (replacing batteries), managing its fleet (moving e-scooters around) and ensuring e-scooters are not a public nuisance. During the dry season, there are 7 on-the-ground marshals and fleet technicians. In the wet season, this number is reduced to three to four Marshals and technicians. Fleet maintenance (for example service and repair) is supported by a local business.

The Shire's trading licence currently allows Beam to operate on public spaces and outlines the following service level agreements for e-scooter management:

- **Dangerously located scooters:** To be addressed within 30 minutes.
- **Scooters impeding access:** To be cleared within 1 hour.
- **Fallen scooters:** To be up righted within 1 hour.
- **Scooters outside the geofence:** To be managed within 3 hours.
- **Damaged, faulty, or abandoned scooters:** To be handled within 3 hours.
- **Inappropriately located scooters:** To be relocated within 6 hours.
- **Unused scooters for 3 days or more:** To be addressed within 3 hours.



The following Key Performance Indicators (**KPI**) have been reported by Beam for the period 1 July 2023 to 30 June 2024.

<b>KPI</b>	<b>SLA</b>	<b>Compliance %</b>	<b>No. of scooters</b>
Dangerously located	30 minutes	98%	49
Impeding access	1 hour	85%	74
Fallen scooters	1 hour	79%	38,661
Outside Geofence	3 hours	87%	248
Damaged, faulty or abandoned	3 hours	93%	215
Inappropriately located	6 hours	95%	176
Unused ≥ 3 days	3 hours	96%	6,249

With 38,661 fallen e-scooters in 12 months, this equates to 159 scooters being knocked over per day and 22 e-scooters per day not being picked up by Beam within the hour. Furthermore, the technology that Beam has to identify breaches of the KPI is limited. The scooters are fitted with a gyroscope which signals to Beam if a scooter is fallen and the tracking technology identifies whether a scooter is outside a geofence or unused for an extended period of time.

However, there is no clear line of sight to Beam on whether a scooter is parked dangerously, impeding access or inappropriately located. The reporting on the KPI's, the responses received from the community surveys and observations of users parking habits, raises concerns about Beams operational capacity and rider behaviour.

Shire officers hold weekly meetings with Beam representatives, primarily focusing on operational KPI compliance. While Beam have made operational adjustments over the term of the trial, operational issues are still being experienced. Despite follow-up emails and ongoing suggestions for improvement, Beam's commitment to meeting their KPIs has been found to be unsatisfactory.

Officers have observed that Beam scooters frequently block critical accessways, creating obstructions and safety issues for pedestrians, specifically physically impaired members of our community. Additionally, fallen scooters are often left unattended for several hours, and sometimes even days. Helmets are often scattered across pavements, and many riders are seen without helmets.

Beam have been requested to address the concerns raised and propose solutions, which is outlined under 'Beam operational improvements' below.

**OTHER CONCERNS ABOUT THE PROGRAM**

Many respondents expressed concerns about the potential resource strain on the healthcare system, the police, and the risks to public safety particularly incidents involving intoxicated riders and children being injured. The prevalence of drunk riding was a recurring

theme with several highlighting its potential for causing serious harm to both riders and pedestrians.

Broome Hospital conducted a review of patient data related to scooter accidents between 1 April 2023, and 30 January 2024, revealing important insights into the impact of e-scooters on public health. During this 10-month period, 153 patients presented to the hospital due to scooter-related accidents. The hospital's research was unable to clearly differentiate between injuries caused by private scooters and those involving Beam scooters, making it challenging to assess the trial's specific impact.

Key findings from the patient data revealed:

- The majority of accidents occurred between 6 p.m. and 6 a.m., with 30% of incidents happening between 6 p.m. and midnight.
- 53% of the injured patients were intoxicated at the time of the accident.
- 72% of those injured were not wearing helmets.
- 29 patients required admission, and 11 were transferred to tertiary hospitals for more advanced care.
- Sunday saw the highest number of presentations, aligning with Beam's busiest operational night, Saturday.

The issue of drunk riding, particularly from areas of nightlife is not limited to Broome. In response, in July 2023 Beam implemented an in-app drink-riding deterrence test that is active during high-risk hours. This drink-riding deterrent app called "Rider Check" is activated during high risk times in high risk locations. Beam has scheduled Rider Check to activate within their application between 9pm and 1am in Chinatown and Cable Beach nightlife areas on Friday and Saturday night. Riders who attempt to commence a trip during these times are prompted to take a cognitive test prior to being able to ride a Beam scooter. Should they fail the test three times, their account is locked and they will be prevented from commencing a trip for 5 hours.

## **OTHER BENEFITS OF THE PROGRAM**

Beam has distilled its view of the benefits of the program via an "Operational Overview" report in **Attachment 4**. Officers have considered a variety of sources to consider the benefits below.

### **Economic Benefit**

The continuation of the trial has garnered strong support from the hospitality industry noting the benefits for tourists and local workers. With limited public transport and an undersupply of taxis in Broome, e-scooters have become a popular mode of transport for staff in the tourism and hospitality sectors.

Rider usage data indicates frequent trips between key economic hubs, such as the airport, Chinatown Central Business District (CBD) and major tourist spots like Cable Beach, facilitating spending across local businesses. The e-scooters have also been valuable during events, when parking and public transport is limited. Shire officers and event organisers have actively collaborated with Beam by strategically positioning higher numbers of scooters at key locations during events. Further, 83% of survey respondents considered the program 'great for tourism'.

### **Social Benefit**

There are also social benefits, particularly for those who do not own or have access to a car. The program plays a role in enhancing accessibility across the town.

Beam reports that 30% of riders are using hireable e-scooters for work or study commutes and in the survey, 62% of people noted 'ride to work or school' as a reason to continue the program. People who travel regularly for work report that they use the e-scooters to get to and from their home and airport.

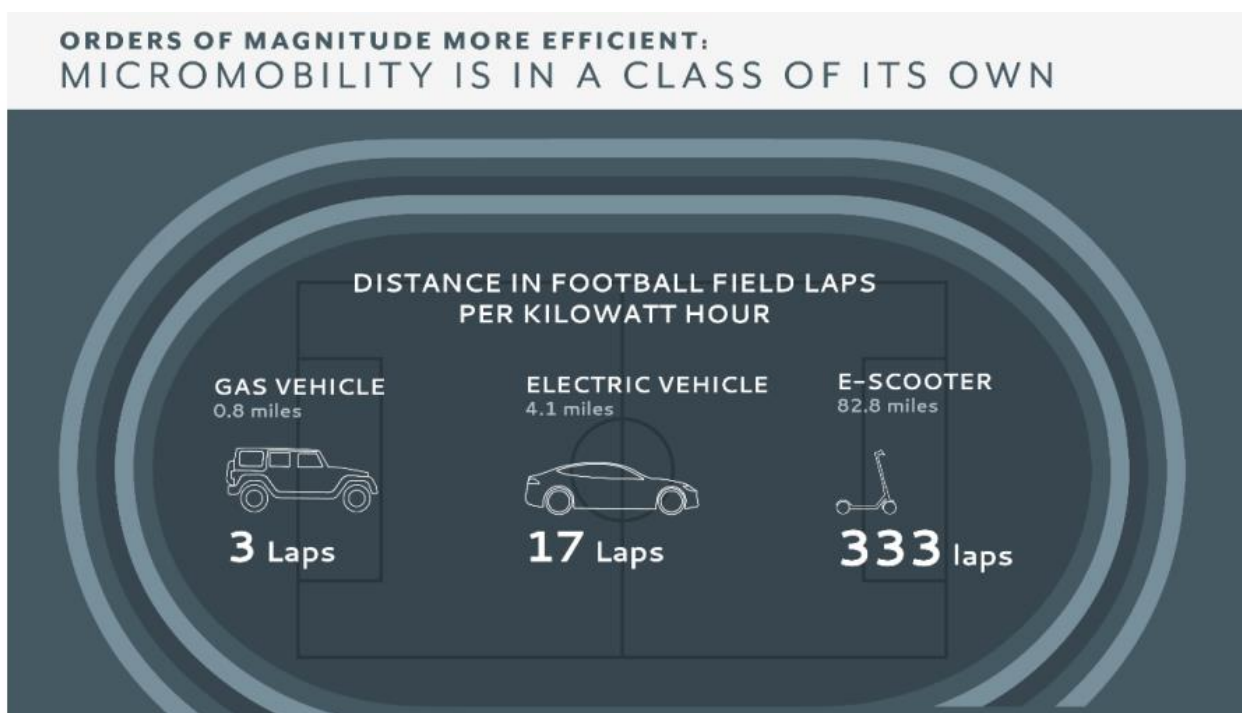
Usage data reveals that a large portion of rides occur from Monday to Friday year round, during daytime hours, indicating that local residents are using the scooters for commuting to work, running errands, or attending appointments.

Many women voiced how important the program was to their safety at night, and parents noted the benefit to young people.

While drink riding on an e-scooter is illegal, many respondents voiced their opinion that e-scooters reduced people drink driving in cars.

**Environmental Benefit**

According to the Western Australian Local Government Association (**WALGA**) in its, *Electric Scooter Shared Services Discussion Paper* (undated) the use of e-scooters has potential environmental benefits which may contribute to less pollution and greenhouse gas emissions.



Beam has stated that the Broome program has contributed to reducing carbon emissions, resulting in positive impact on the environment, citing a total of 75,230 kilograms of CO<sub>2</sub> emissions have been saved.

**RECOMMENDATIONS MOVING FORWARD**

It is evident from the survey response and analysis of user data that the e-scooter service in Broome is delivering a positive impact in some areas, however significant operational improvements must be implemented. Officers have reviewed the data and several strategies for improvements are proposed. Officers also asked Beam to respond to how they will address these challenges moving forward which is outlined below.

## PROPOSED ACTIONS FOR BEAM TO IMPLEMENT

Beam has stated it will do the following to improve its operational performance:

### 1. Enhanced Parking

Officers are of the view that Beam need to enhance the parking of scooters, which could be achieved by:

- Better definition of parking locations;
- Beam monitoring of users parking behaviours; and
- Modification to the fine system to achieve better parking behaviour of users.

In relation to definition of parking locations, it has also been identified that poor parking behaviour of users results as often there is no clearly visible, or accessible areas for off-footpath parking of scooters in the dedicated parking locations. This results in users simply concluding their journey and parking the scooters on footpaths. To address this, Beam have agreed to implement additional parking measures including the introduction of discrete but visible parking markings and deployment of Bluetooth technology in appropriate location. In addition to this, Beam will review all dedicated parking locations and where accessible off-footpath parking locations are required, in consultation with the Shire, physical improvements will be made.

In relation to monitoring of parking behaviour of users, Beam advised the Shire that from August 2024, they introduced an automated parking auditor function to monitor their parking compliance. This technology requires the riders to take photos at the end of their trip which are audited remotely by Beam staff. The Shire however, has not had sufficient time from when this technology was deployed in order to assess its effectiveness. However, in August and early September, the Shire staff noticed a spike in parking non-compliances and this was reported to Beam staff. Beam are currently improving the parking auditor function to improve identification of parking breaches and also to ensure that users provide a photo of the scooter parked (at the moment the system will accept any photo).

It is hoped that with a combination of improved identification of parking locations and the automated parking auditor technology parking behaviour should improve.

### 2. Parking enforcement/ changes to the fine system to address poor parking behaviours of users

Beam had an enforcement policy called "3 strike policy" that was used to enforce non-compliances including bad parking. 3-Strike policy is an education-based enforcement process through a "first warning", followed by a "final warning" for a repeated offence and suspension for a third offence. Beam issued these strikes from substantiated marshal reports and public complaints. It was however felt that as there were repeated parking non-compliances, and Shire Officers have requested Beam to review the parking penalties to have a greater impact and encourage behaviour change.

In May 2023 Beam implemented an \$8.00 penalty for improper parking, resulting in 195 parking penalties, 490 parking warnings and 3 bans issued to date. This process was a manual process.

As of 9 October 2024, Beam have expanded the penalty program to apply to abandoning vehicles outside of a parking spot and will extend this to include any scooter parked on a footpath, which will automatically result in an \$8.00 penalty. This expanded penalty

program has resulted to a further 176 fines being issued. Using newly implemented automated auditing technology, vehicles parked non-compliantly will be automatically detected and verified by a Beam employee before the penalty is enforced.

Continued non-compliance may still lead to a suspension or ban. This penalty will apply in addition to the charges incurred for leaving a vehicle outside a parking spot. Beam will also include parking penalties issued in the Monthly Reports to the Shire.

### 3. Increased operational staff and local presence

Beam have committed to appointing a local full time Operations Specialist with expanded management duties, and to maintain this position for the duration of the license.

Beam's staffing will continue to scale dependant on ridership, and they will continue the partnership with Entertainment Konnections for e-scooter maintenance. Beam currently maintains a 24/7 marshalling roster (on the ground). They advised that while their goal is to maintain a 24 hour on-ground operation, their staff safety is a priority when determining staffing and shift hours. They also have additional factors to consider which includes residential disturbance, ride demand and staff availability. Their scooters are monitored remotely 24/7.

### 4. In-app rider check

The in-app rider check, which is a drink-riding deterrence is currently activated between 9am and 1am Friday and Saturday nights. Beam have agreed to increase the times the in-app rider check is operational to include Thursday nights and the time to 3am.

### 5. Increasing revenue share agreement

It must be acknowledged that the cost to the Shire for administering this trading licence has significantly exceeded expectations. The current model of reimbursement has proven inadequate to cover the expenses incurred by ratepayers. The new revenue share agreement proposed by Beam is confidential and has been included as an **Attachment 5**.

## PROPOSED ACTIONS FOR THE SHIRE TO IMPLEMENT

There are actions the Shire could implement to have an improved outcome for the continuation of the trading licence.

### 1. Increased communication efforts

- The Shire could further clarify its role as a regulator (and not operator) of the hireable e-scooter scheme, and advocate with the local police for stricter enforcement of existing regulations regarding helmet use, underage riding, multiple riders and intoxicated usage.

### 2. Fines for Beam

- The Shire of Broome's *Local Government Property and Public Places Local Law 2016* has a provision for the Shire to issue fines for operators that fail to comply with the conditions of their licence. A \$175 infringement notice will be issued by the Shire Rangers to Beam if they fail to comply with the conditions of their trading licence.

Shire officers are of the view that the KPI systems outlined above, which forms a condition of the current trading licence, is not effective to ensuring that Beam as an operator are

effectively staffing the service in Broome. Instead of incorporating response periods into the KPI as a condition of a trading licence, it is proposed that a condition be included that, at no times can a scooter be:

- Parked on a footpath; and
- Parked outside a designated parking area.

This will enable more accurate enforcement as fines under the Local Law can be issued where breaches are identified, without having to collect data about the length of time a scooter has been incorrectly parked. This will assist to achieve a change in behaviour from Beam as an operator of the service.

### **Conclusion – whether to continue with an erideable program**

Officers recognise that there are certain negative aspects of an e-rideable program that are challenging to manage. Some individuals will continue to engage in irresponsible behaviour and, and as this is a new concept, there will always be community members who disapprove of e-scooters.

Despite these acknowledged issues, officers believe the best outcome for Broome is a continuation of the program due to the benefit to the wider Broome community and the support received for the trial to continue through the community survey. However, improved management of the trading license is required.

The management changes proposed by Beam outlined above, in summary include:

- Improved deployment of technology to influence improved parking behaviour and monitor parking behaviour;
- Utilisation of parking technology to issue fines to users to achieve improved parking
  - behaviour from users;
- Improved definition of parking locations throughout the townsite and establishment of improved off-footpath parking locations; and
- Employment of a new full-time Operations Specialist as a local manager of the scheme and will commit to maintaining this position, for the duration of the license.

Management issues have been raised with Beam by officers over the term of the trial, which has been a drain on staff time and resources. To elicit improved behaviour of the operator, it is proposed to amend the conditions of the trading licence to remove the KPI's and instead condition that scooters cannot be parked on footpaths, in dangerous locations and so on. Therefore, when breaches are identified, \$175 fines can be issued under the Local Law to elicit improved management outcomes from Beam.

•  
Every local government authority (LGAs) in Western Australia and Australia with an existing e-scooter program was contacted via email and asked a series of key questions. The responses received from these inquiries are compiled and presented as an **Attachment 6** and inform the officer's recommendation to continue the program with Beam, instead of proceeding with an Expression of Interest (**EOI**) to find another operator.

This approach is deemed the most efficient and cost-effective as the Shire has already invested significant effort in undertaking this trial with Beam. After reviewing outcomes from other operators in similar contexts, Officers believe that the Shire is unlikely to achieve better results with a different provider. Continuing with Beam will allow the Shire to build on the existing framework and operational efficiencies established. Additionally, there is a risk that pursuing an EOI could strain the relationship with Beam leading to a scenario where the Shire is left without any operator at all.

## CONSULTATION

The consultation process has been thoroughly detailed throughout this agenda item, highlighting the various methods and efforts undertaken to engage stakeholders and gather input.

The outcomes of the community engagement, management/operational issues experienced during the trial and options for moving forward, were workshopped with Council on the 17 September 2024. The workshop was attended by Cr Mitchel, Cr Cooper, Cr Lewis, Cr Male, Cr Matsumoto, Cr Virgo, Cr Mamid, Cr Smith and Cr Taylor.

## STATUTORY ENVIRONMENT

### ***Shire of Broome's Trading, Outdoor Dining and Street Entertainment Local Law 2016***

In June 2024, the Shire's Environmental Health issued a licence for trading in public places under the *Trading, Outdoor Dining and Street Entertainment Local Law 2016* to Beam Mobility Australia Pty Ltd. The licence permitted Beam Mobility Pty Ltd to use any public space under the Shire's management, control and regulation.

### **2.3 Determination of application**

- 2.3.1 *The local government may, in respect of an application for a licence —*
- (a) refuse to approve the application; or*
  - (b) approve the application on such terms and conditions, if any, as it sees fit.*

Local law provides for the regulation, control and management of outdoor dining areas, markets, trading (including door to door) and street entertainment, in any public place within the district.

Trading licences are at the discretion of Council, who have the right to grant licences, deny licence applications and allow only one licence for a use. The extension of the trial is for an additional 6 months and after this time, if the trial is successful, Council may direct officers to complete an expression of interest process.

### **Road Traffic Code**

E-scooters are governed by Road Safety legislation. The current e-rideable laws provides for one person per device, wearing of helmets, riders have to be 16 year of age and over, it has to have a bell for warning, the e-rideable should have lights and reflectors and speed restricts to a maximum of 10km/h on footpaths and 25km on bike paths, shared paths and local roads. Additionally, the e-rideable rules and safety has restrictions on drink-riding and riders are subject to the same drink and driving laws as car drivers.

## POLICY IMPLICATIONS

### **Compliance and Enforcement Policy**

If Beam are allowed to continue operating at the Shire of Broome, then the State and Local Laws offences that result from their operations will be enforced in accordance with the Shire's Compliance and Enforcement Policy. This is to provide consistency in its enforcement activities like any other similar offence from other public place users.

## FINANCIAL IMPLICATIONS

Beam Mobility and the Shire of Broome entered a revenue share arrangement. This is in addition to the High intensity trading licence. Details of the income received are outlined in **Attachment 5**.

## RISK

People and Safety- Person gets hurt or injured (either pedestrian or rider)

Beam has comprehensive insurance coverage for riders including a \$30 million public and product liability (with Shire of Broome named on the policy as an interested party), personal accident and third party liability.

Public Perception and dissatisfaction with Council agreeing to an exclusive trading licence with one operator.

Trading licences are at the discretion of Council, who have the right to grant exclusivity. The Shire is not excluding another operator from establishing a e-scooter rental business in Broome – the licences allows Beam to trade in public places.

Reputational risk – Beam e-scooters affect footpath accessibility and amenity.

Shire officers will continue to work with Beam Mobility to improve operational performance through use of technology, improved infrastructure and use of fines by Beam.

Reputational risk – Community dissatisfaction with Council agreeing to a trading licences with Beam due to health, safety or amenity concerns.

The Shire conducted community consultation before reaching a decision and will continue to ensure that any decisions are made at the appropriate level with stakeholders remaining informed and engaged.

## Financial

Shire continues to spend time and resources managing the effects of the program. Shire has negotiated an increase in the revenue share agreement with Beam, to help compensate ratepayers for the officer hours utilised. Officers will continue to review best practices across local governments to ensure best value for ratepayers.

## 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** 9.4 Support business growth, innovation and entrepreneurship.

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

**Outcome 7 - Safe, well connected, affordable transport options**



**Objective** 7.3 Provide improved access to safe, affordable public transport, marine and aviation services.

### **Outcome 8 - Cost effective management of community infrastructure**

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

### **VOTING REQUIREMENTS**

*Simple Majority*

#### REPORT RECOMMENDATION:

*That Council:*

1. *Authorises the Chief Executive Officer to issue a new trading licence to Beam Mobility Australia Pty. Ltd. to operate from 1 January 2025 until 31 December 2026 with relevant conditions to ensure compliance with matters such as but not limited to parking, usage areas, landing pads (parking), abandoned scooters and helmets and speed zones;*
2. *Authorises the Chief Executive Officer to make any amendments to the conditions as required, at any time throughout the duration of the trading licence;*
3. *Authorises the Chief Executive Officer to execute the Beam Broome E-Scooter Operator Agreement / Revenue Share Agreement subject to minor amendments.*

### **Attachments**

1. ATTACHMENT 1 BEAM OPERATIONS (*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)(i)) as it contains "a matter that if disclosed, would reveal a trade secret, where the trade secret is held by, or is about, a person other than the local government".***
2. ATTACHMENT 2 BEAM SURVEY COMMUNITY RESULTS
3. ATTACHMENT 3 MAIN ROADS RESPONSE TO THE REQUEST FOR COMMENT - 30 08 2024
4. ATTACHMENT 4 BEAM MOBILITY OPERATIONAL REVIEW (*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".***
5. ATTACHMENT 5 REVENUE SHARE (*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)(i)) as it contains "a matter that if disclosed, would reveal a trade secret, where the trade secret is held by, or is about, a person other than the local government".***
6. ATTACHMENT 6 REVIEW OF OTHER LOCAL GOVERNMENTS (*Confidential to Councillors and Directors Only*)  
***This attachment is confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains "a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government".***





















### 9.3.4 DISPOSAL OF PROPERTY FOR LEASE – PORTION OF 15 FARRELL STREET BROOME TO LIONS CLUB OF BROOME

<b>LOCATION/ADDRESS:</b>	15 FARRELL STREET BROOME
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	LSS404; FAR-1/15
<b>AUTHOR:</b>	Senior Property and Leasing Officer
<b>CONTRIBUTOR/S:</b>	Manager Engineering
<b>RESPONSIBLE OFFICER:</b>	Director Infrastructure
<b>DISCLOSURE OF INTEREST:</b>	Nil

#### **SUMMARY:**

The Lions Club of Broome are currently occupying land at the Shire Depot as a base of operations for the club. Currently, no lease or formal agreement is in place to cover the arrangement.

This report recommends Council authorise the Chief Executive Officer to negotiate and enter into a new 5 year lease with the Lions Club of Broome for a portion of land located at the Shire's depot at 15 Farrell Street.

#### **BACKGROUND**

##### Previous Considerations

Nil.

##### Lions Australia

Lions Australia celebrated its 75<sup>th</sup> Anniversary in September 2022. Since the first Australian Lions Club was formed in Lismore in 1947, Lions Australia has grown to be Australia's largest service club organisation with a strong history in community service and commitment to improving the lives of others with over 1200 clubs in Australia and 25,000 members now giving back through an array of community-based programs and initiatives.

The Lions Club of Broome (the Club) has provided community services in the Broome area since 1971. This includes financial, welfare, and practical support to those in need. The Club also supports many different local, national, and international charities.

Club membership is open to people of good standing in the community. Clubs may either provide service or raise money for their community with any funds donated by the public through fundraising directed to the project for which they are intended.

##### Summary of Historic Situation

The Club has occupied 250sqm of the Shire's Depot for over 20 years. There is currently no written agreement or lease in place.

The Clubs location is at the north eastern corner of the lot and is internally fenced with gates opening out onto Farrell Street. The location comprises of some outdoor hard stand storage

and the remaining area is home to storage sheds. The power and water that service this area is not currently sub-metered and all utility outgoings are currently paid by the Shire.

The following aerial photo indicates the Clubs location at 15 Farrell Street.



The following photo, from Farrell Street, depicts the Clubs location.



The development of the Club's infrastructure was completed by the Club. An application for a building licence was submitted to erect a 49sqm, steel frame shed to the Shire and

approved on 13 May 1985. In 2011 Kimberley Valuers (Opteon) conducted a valuation of all buildings and assets at the Depot, including the Lion's Club Shed, which was valued at \$20,580.

15 Farrell Street is freehold land, owned by Shire of Broome. It is envisioned that at some stage in the medium term, the Shire would relocate the depot to reserve land and consider selling or leasing the freehold land to fund the relocation and establishment of a new depot.

## COMMENT

In May 2024, the Shire approached the Club to identify that no lease or other agreement was in place and to identify whether the Club wished to remain at that location. The Club confirmed that they wished to remain at the premises.

As is the case with other community groups the occupation of Shire managed and should be covered by a formal lease. Consideration of the lease terms should align with the Shire's current approach to community leases. The only exception to this is that in recognition of the current occupancy and considering that the Club built and paid for the assets being considered for lease staff recommend that an Expression of Interest (EOI) is not required.

As there has been no formal agreement in place there have been no property and leasing reviews since the shed was built in 1985. This means that confirmation of current Public Liability insurance coverage, monitoring and recouping of water and electricity costs, and other relevant obligations contained in a standard community lease agreement, have not been carried out. This is a significant risk to the Shire if a lease is not agreed between the Shire and the Club.

In the Shire's current Long Term Financial Plan the Shire has identified a project to relocate the depot and to dispose of the current depot, which held in freehold. The Lease should include a condition to allow the Shire to terminate the agreement, with notice to facilitate sale of the premises.

The key terms of the Lease proposal have been outlined in the table below:

<b>Terms and Conditions</b>	<b>Comments</b>
Lessee	Lions Club of Broome
Lease Commencement Date	1 November 2024
Premises	Portion of Lot 1816 on Deposit Plan 215913, 15 Farrell Street Broome
Lease Area	250 Sqm
Term	Five years
Further term / Options	Nil
Current Rent	\$0 plus GST annually
Proposed Rent	\$1 plus outgoings and GST
Landlord Works	N/A
Tenant Requirements	The Tenant be responsible for all maintenance, renewal, outgoings and insurance including the cost of installing new submeters for electricity and water at the Premises.

	The Tenant shall also be responsible for legal costs associated with the negotiations, preparation and execution of the lease.
Insurance Requirements	The Tenant shall be responsible for taking out and maintaining public liability insurance for a minimum amount of \$10,000,000 and the tenant shall supply the Shire with a copy of the insurance certificate each anniversary of the commencement date of the lease.
Special Termination Clause	The Shire of Broome is given the option to terminate the lease by giving the Tenant 12 months' notice in writing.

**CONSULTATION**

Officers have been working with the Club's President, Joy Welshman, and Secretary, Brian Pernich. The Club acknowledged that their arrangement had always been informal. The Shire informed the Club's Secretary that we would need to work together to formalise their occupancy by way of a lease agreement and have it endorsed by Council, ensuring consistency with other Community leases managed by the Shire, and to address requirements such as insurance.

On 9 May 2024, Officers held a meeting with the Club's President and Secretary. During this meeting, key terms of a Community lease were discussed, including the lease term, options for further terms, peppercorn rent, permitted use, public liability insurance, and outgoings. The Club verbally agreed to these terms and requested that a draft lease be sent for further review.

The key terms and special conditions of the lease were workshopped with Council on 11 June 2024. Present at the workshop were Cr Mitchell, Cr Male, Cr Lewis, Cr Matsumoto, Cr Smith, Cr Taylor, and Cr Cooper.

Officers have worked closely with Salerno Law to draft the lease in accordance with other Shire of Broome Community Leases, and legal fees totalling \$2,891 have been incurred to date.

During detailed consultation on the lease wording the Club has communicated a position that it does not support the Club being responsible for the costs of installing the sub-meters and the costs associated with the preparation of the lease. Shire officers have communicated clearly that this is a consistent position of Council when leasing to community groups.

**STATUTORY ENVIRONMENT**

***Local Government (Functions and General) Regulations 1996***

Under section **30. Dispositions of property excluded from Act s. 3.58** the disposition of land in this instance is exempt from public advertising as the land is disposed of to a body, whether incorporated or not, of which the objects are charitable and of which the members are not entitled or permitted to receive any pecuniary profit from the body's transactions.

**POLICY IMPLICATIONS**

NIL

The Shire do not currently have a Council Policy regarding leasing, or more relevant leasing with Community Groups. Shire officers have commenced research and development of a

draft Council Policy for Leasing and its recommended that the draft Policy be provided to Council before being presented to Council for consideration and adoption.

## **FINANCIAL IMPLICATIONS**

The Club will be responsible for all maintenance, renewal, outgoings and insurance including the cost (approximately \$1,500) of installing new sub-meters for electricity and water at the premises.

The Club shall also be responsible for legal costs associated with the negotiations, preparation and execution of the lease. These are estimated to be \$3,500.

## **RISK**

Officers have identified a risk to the Shire due to the lack of a formal lease or agreement with the Club. This risk is mitigated by entering into a lease.

Should a lease not be supported by Council the Club would need to vacate the premises. There is a risk to the operations of the Club as they do not currently have an alternate location to operate from. There is also a reputational risk to the Shire that Council may be seen as unsupportive of the Club and/or community groups generally.

The current occupation of the premises by the Club does not place any restraints on depot operations.

The proposed lease terms align with recent Shire of Broome Community Leases. Any dispensations may cause a financial and reputational risk.

## **STRATEGIC ASPIRATIONS**

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

**Outcome 8 - Cost effective management of community infrastructure**

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

## **VOTING REQUIREMENTS**

*Simple Majority*

### REPORT RECOMMENDATION:

*That Council:*

1. *Authorises the Chief Executive Officer to negotiate the final terms and conditions of the lease in line with:*
  - (a) *A new lease to be entered into with the Lions Club of Broome for a 5-year term commencing 1 November 2024;*
  - (b) *Rent to be \$1 per annum;*

- (c) The lessee to install sub-meters for power and water utilities and to be responsible for the associated outgoings;*
- (d) The lessee to be responsible for the associated costs in preparing the lease; and*
- (e) The lease includes an option for the Shire of Broome to terminate the lease by giving the Tenant 12 months' notice in writing.*

*2. Authorises the Chief Executive Officer to engross the final lease documentation.*

### **Attachments**

There are no attachments for this report.



**9.4 PERFORMANCE**

<b>9.4.1 COUNCIL POLICY REVIEWS</b>	
<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	ADM28
<b>AUTHOR:</b>	Project Officer
<b>CONTRIBUTOR/S:</b>	Manager Governance, Strategy And Risk
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**  
 Various Council Policies are presented to Council for endorsement following a review in accordance with Council's adopted Policy Framework. Recommended policy changes are summarised in the body of the report.

**BACKGROUND**

Previous Considerations

OMC 12 December 2019	Item 9.4.5
OMC 23 September 2020	Item 9.4.1
OMC 18 November 2021	Item 9.4.4
OMC 16 November 2023	Item 9.4.2

Council adopted a Policy Framework to transition the Council Policy review process in 2019. The key element of the Policy Framework was a move to a risk-based rolling review approach. Previously all Council Policies were reviewed biennially following an ordinary election, but it was recognised that this was creating an arduous task for staff and elected members and therefore Council adopted a 4 yearly review for the majority of policies.

The Policy Framework has ensured that Council Policies are developed consistently and are reviewed regularly whilst at the same time reducing the administration overhead involved.

**COMMENT**

Council Policy	Recommended Changes
<b>Governance Framework (Attachment 1)</b>	<ul style="list-style-type: none"> <li>• Removal of examples of local government governance issues, outdated. (1)</li> <li>• Amendments to reflect Local Government Reform with respect of popularly elected President (6.2)</li> <li>• Update CEO Performance Review to reflect Chief Executive Officer Performance Review Policy (6.5)</li> <li>• Amendment to Ordinary Meeting Of Council schedule election year (7.2.1)</li> <li>• Review of Council Forums to reflect Council of Forums Policy (7.4, 7.4.1, 7.4.2)</li> </ul>

	<ul style="list-style-type: none"> <li>• Amendments to reflect changes to Rules of Conduct Local Government (<i>Local Government (Model Code of Conduct) Regulations 2021 WA</i>) (8.2)</li> <li>• Amendment Employee Code of Conduct addressing updates via Local Government Reform (8.3)</li> <li>• Amendments to Minutes to reflect <i>Shire of Broome Meeting Procedures Local Law 2020</i> (9.2.1).</li> </ul>
<p><b>Christmas Closure Policy (Attachment 2)</b></p>	<ul style="list-style-type: none"> <li>• Closure period for the Shire's Administrative Building, Depot and Civic Centre to be amended for a maximum period of sixteen days including weekends and public holidays at the discretion of the Chief Executive Officer.</li> <li>• Removing prescribed advertising locations.</li> <li>• Replaced 'will' with 'may' in respect of Employee leave prescriptions over the end of year closure period.</li> <li>• Policy Name Change: <b>End of Year Closure Policy.</b></li> </ul>
<p><b>CCTV Policy (Attachment 3)</b></p>	<ul style="list-style-type: none"> <li>• Reformatting of the Headings: Minor administrative changes and restructure of the headings throughout the policy.</li> <li>• Added Wording: Under the Complaints heading, added information about applying for access through the Freedom of Information process.</li> <li>• Expand Policy Name: <b>Closed Circuit Television (CCTV) Policy.</b></li> </ul>
<p><b>Standards for CEO Recruitment, Performance and Termination (Attachment 4)</b></p>	<ul style="list-style-type: none"> <li>• Minor Reformatting.</li> </ul>
<p><b>Financial Hardship Policy (Attachment 5)</b></p>	<p><b>Requiring a Financial Counsellor/advisor's Letter</b></p> <p>All Financial Hardship Applications must be accompanied by a letter from a financial counsellor/advisor. This letter should confirm</p> <ul style="list-style-type: none"> <li>• The applicant's hardship;</li> <li>• The expected duration of hardship; and</li> <li>• a proposed payment plan (amount and frequency).</li> </ul> <p>This requirement is intended to ensure that hardship claims are based on an objective and professional assessment, provide applicants with valuable financial advice, and create a consistent, transparent approach to evaluating claims. It also helps allocate the Shire's resources more effectively, ensuring assistance reaches those who genuinely need it.</p> <p><b>Payment Arrangements Over Two Financial Years:</b></p> <p>Officers recommend introducing an option for payment arrangements that extend over two financial years,</p>

	<p>covering rates and service charges during that period in accordance with delegation 1.2.24.</p> <p>This option would provide greater flexibility for those experiencing prolonged financial difficulties, and help manage obligations without overwhelming finances.</p> <p><b>New Criteria Category - "Other Difficult Circumstances"</b></p> <p>It is recommended to add a new category to the policy, titled "Other Difficult Circumstances," to account for serious issues such as domestic violence and high inflation. These factors can significantly increase living costs and impact a person's ability to pay their rates, service charges, and other debts on time. Including this category ensures the policy is responsive to a wider range of hardships.</p>
<p><b>Waiving and Refunding of Fees Policy</b> <b>(Attachment 6)</b></p>	<p>Clarify the ability to waive/refund also extends to officers with delegation, not just the Director.</p>
<p><b>Subdivision/Development Contributions – Drainage Headworks Policy</b> <b>(Attachment 7)</b></p>	<ul style="list-style-type: none"> <li>• Changes to avoid use of "developer contribution" wording which has specific accounting implications which are not relevant to these policies and clarify basis for contributions from the <i>Planning and Development Act 2005 WA</i> and SPP 3.6.</li> <li>• Policy Name Change: <b>Drainage Headworks Contributions Policy</b></li> </ul>
<p><b>Subdivision/Development Contributions – Road Reserve Works Policy</b> <b>(Attachment 8)</b></p>	<ul style="list-style-type: none"> <li>• Changes to avoid use of "developer contribution" wording which has specific accounting implications which are not relevant to these policies and clarify basis for contributions from the <i>Planning and Development Act 2005 WA</i> and SPP 3.6.</li> <li>• Policy Name Change: <b>Road Reserve Works Contributions Policy</b></li> </ul>
<p><b>Tourism Administration Policy</b> <b>(Attachment 9)</b></p>	<ul style="list-style-type: none"> <li>• Minor typographical changes</li> <li>• Amendment to Funding Focus - Cruise Ship Services</li> <li>• In previous versions of the policy, Cruise Broome Inc. was named as the organisation Council would work with on cruise ship services.</li> <li>• It is proposed to change this to 'relevant stakeholders' to reflect the Council decision OMC May 2024,9.3.1 where Council requested greater flexibility to consider opportunities for streamlining funding for cruise ship services.</li> </ul>

<p><b>Temporary Employment or Appointment of Chief Executive Officer Policy (Attachment 10)</b></p>	<p>Policy Name Change: <b>Appointment of Acting or Temporary Chief Executive Officer Policy.</b></p>
---	--

**CONSULTATION**

Policies have been reviewed by the Responsible Officer and the accountable Director.

**STATUTORY ENVIRONMENT**

**Local Government Act 1995**

2.7 *Role of council*

(1) *The council –*

- (a) *governs the local government's affairs; and*
- (b) *is responsible for the performance of the local government's functions.*

(2) *Without limiting subsection (1), the council is to –*

- (a) *oversee the allocation of the local government's finances and resources; and*
- (b) *determine the local government's policies.*

5.39C *Policy for temporary employment or appointment of CEO*

(2) *A local government may amend\* the policy.*

*\* Absolute majority required.*

**POLICY IMPLICATIONS**

As contained in the body of the report.

Shire of Broome Policy Framework.

**FINANCIAL IMPLICATIONS**

Not applicable.

**RISK**

Having clear, concise, current and consistent policies reduces the risk of interpretation errors that could have negative impacts on the Shire.

**STRATEGIC ASPIRATIONS**

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

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

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

**VOTING REQUIREMENTS**

*Simple Majority*

**REPORT RECOMMENDATION:**

*That Council:*

1. *Adopts the following Council Policies inclusive of recommended changes detailed in Attachments 1 – 9:*
  - *Governance Framework;*
  - *End of Year Closure Policy (formerly Christmas Closure Policy);*
  - *Closed Circuit Television (CCTV) Policy (formerly CCTV Policy);*
  - *Standards for CEO Recruitment, Performance and Termination;*
  - *Financial Hardship Policy;*
  - *Waiving and Refunding of Fees Policy;*
  - *Drainage Headworks Contributions Policy (formerly Subdivision/Development Contributions – Drainage Headworks Policy);*
  - *Road Reserve Works Contributions Policy (formerly Subdivision/Development Contributions – Road Reserve Works Policy); and*
  - *Tourism Administration Policy.*

*Absolute Majority*

**REPORT RECOMMENDATION:**

*That Council adopts the Appointment of Acting or Temporary Chief Executive Officer Policy (formerly Temporary Employment or Appointment of Chief Executive Officer Policy) inclusive of recommended changes as contained in Attachment 10.*

**Attachments**

1. Governance Framework
2. Christmas Closure Policy
3. CCTV Policy
4. Standards for CEO Recruitment, Performance and Termination
5. Financial Hardship Policy
6. Waiving and Refunding of Fees Policy
7. Subdivision Development Contributions - Drainage Headworks Policy
8. Subdivision Development Contributions - Road Reserve Works Policy
9. Tourism Administration Policy
10. Temporary Employment or Appointment of Chief Executive Officer Policy







































































































































































































**9.4.2 MONTHLY PAYMENT LISTING - SEPTEMBER 2024**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	FRE02
<b>AUTHOR:</b>	Coordinator Financial Operations
<b>CONTRIBUTOR/S:</b>	Manager Financial Services
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**

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

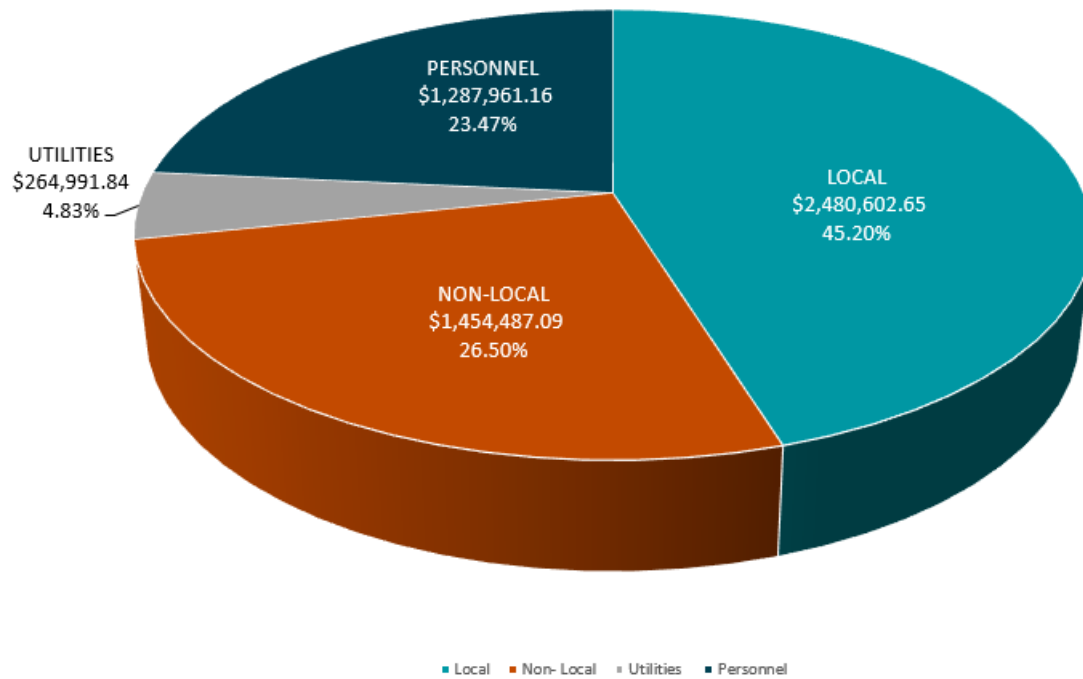
#### **POLICY IMPLICATIONS**

Nil.

#### **FINANCIAL IMPLICATIONS**

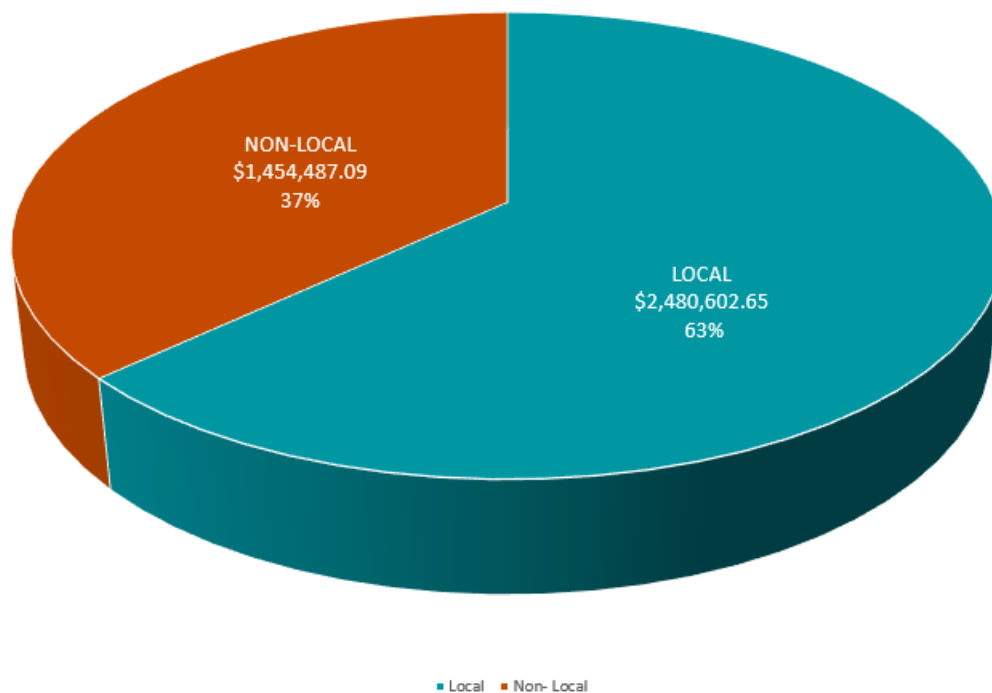
List of payments made in accordance with budget and delegated authority. Payments can also be analysed as follows:

### SHIRE OF BROOME PAYMENTS SEPTEMBER 2024



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).

### LOCAL Vs NON-LOCAL PAYMENTS SEPTEMBER 2024





The above graph shows the percentage of local spend in comparison to non-local and recoupable spend for September 2024 after \$1,287,961.16 in personnel payments, \$264,991.84 in utilities and other non-local sole suppliers were excluded.

**YEAR TO DATE CREDITOR PAYMENTS**

The below table summarises the total payments made to creditors year to date:

Month	Cheques	EFT Payments	Direct Debit	Credit Card	Trust	Payroll	Total Creditors
Jul-24	\$ 577.84	\$ 2,589,926.74	\$ 417,706.68	\$ 40,214.86	\$ -	\$ 810,379.14	\$ 3,858,805.26
Aug-24	\$ -	\$ 3,339,215.48	\$ 216,884.00	\$ 44,550.61	\$ -	\$ 811,035.25	\$ 4,411,685.34
Sep-24	\$ 1,522.00	\$ 4,377,814.98	\$ 206,644.31	\$ 30,455.57	\$ -	\$ 871,605.88	\$ 5,488,042.74
Oct-24							
Nov-24							
Dec-24							
Jan-25							
Feb-25							
Mar-25							
Apr-25							
May-25							
Jun-25							
<b>TOTAL</b>	<b>\$ 2,099.84</b>	<b>\$ 10,306,957.20</b>	<b>\$ 841,234.99</b>	<b>\$ 115,221.04</b>	<b>\$ -</b>	<b>\$ 2,493,020.27</b>	<b>\$ 13,758,533.34</b>

**RISK**

The risk of Council not receiving 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 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**

*Simple Majority*

REPORT RECOMMENDATION:  
 That Council:

1. Receives the list of payments made from the Municipal and Trust Accounts in September 2024 totalling \$5,488,042.74 (Attachment 1) per the requirements of Regulation 12 of the *Local Government (Financial Management) Regulations 1996* covering:
  - a) EFT Vouchers EFT76492-EFT76923 totalling \$4,377,814.98;
  - b) Municipal Cheque Vouchers 57837 - 57838 totalling \$1,522.00;

- c) *Trust Cheque Vouchers 00000 - 00000 totalling \$0.00; and*
  - d) *Municipal Direct Debits DD33710.1-DD33782.9 including payroll totalling \$1,078,250.19.*
2. *Receives the list of payments made by credit cards in September 2024 totalling \$30,455.57 (contained within Attachment 1) per the requirements of Regulation 13A of the Local Government (Financial Management) Regulations 1996 covering EFT Vouchers EFT76982 – EFT77011.*
  3. *Notes the local spend of \$2,480,602.65 included in the amount above, equating to 63% of total payments excluding personnel, utility and other external sole supplier costs.*

**Attachments**

1. SEPTEMBER 2024 MONTHLY PAYMENT LISTING













































**9.4.3 2025 ORDINARY MEETING OF COUNCIL SCHEDULE AND COUNCIL RECESS**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	AME01
<b>AUTHOR:</b>	Manager Governance, Strategy And Risk
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**

Council is required to adopt an Ordinary Meeting of Council schedule for January to December 2025 (see **Attachment 1**). It is recommended that Council adopts the 2025 Council Calendar (**Attachment 1**).

**BACKGROUND**

Each year, Council is required to set the Ordinary Meeting of Council (OMC) dates for the Shire of Broome for the following year. This enables the Chief Executive Officer (CEO) to publish the dates on the Shire's website in accordance with section 5.25(1)(g) of the *Local Government Act 1995* and regulation 12(2)(a) of the *Local Government (Administration) Regulations 1996*.

**COMMENT**

Council typically meets on the last Thursday of each month at 5:00 pm in the Shire Administration Building Council Chambers (**Chambers**) for Ordinary Meetings of Council (**OMC**) from January to December.

Agenda Briefing Sessions are proposed to take place on the Tuesday preceding each OMC, starting at 3:00 pm in the Chambers.

There will be a recess in January 2025.

The April 2025 OMC has been scheduled to take place on Thursday May 1 2025 due to the Easter and Anzac Day public holidays in April, as well as the school holidays from April 14 - 25.

The date for the OMC in May 2025 has been scheduled for Thursday, May 22 2025. This date is not the last Thursday of the month, as it has been chosen to accommodate an upcoming conference that requires the attendance of the Shire President and Chief Executive Officer.

The September OMC has been brought forward to 18 September 2024 due to the Western Australia Local Government Association (WALGA) Local Government Convention 2025, which is typically attended by most elected members and has been scheduled for 22 to 24 September 2025.

As in previous years, the October 2025 OMC will be held earlier, on 16 October, to account for the 2025 Local Government elections to be held on 18 October.

As is typical in an election year, the November and December OMCs have been moved forward due to the early October meeting, and to accommodate the end-of-year holidays.

The dates are outlined in the 2025 Council Calendar (**Attachment 1**).

### **Proposed 2025 Ordinary Meeting's of Council Dates:**

January 2025 - Recess
27 February 2025
27 March 2025
1 May 2025
22 May 2025
26 June 2025
31 July 2025
28 August 2025
18 September 2025
16 October 2025
20 November 2025
11 December 2025

### **CONSULTATION**

Nil.

### **STATUTORY ENVIRONMENT**

#### ***Local Government Act 1995***

Section 5.25 (1)(g)

The giving of public notice of the date and agenda for council or committee meetings.

#### ***Local Government (Administration) Regulations 1996***

Regulation 12 (2)(a)

#### ***Shire of Broome Council Policy***

Forums of Council – Workshops and Agenda Briefings

### **POLICY IMPLICATIONS**

Nil.

### **FINANCIAL IMPLICATIONS**

Nil.

Publishing of the dates will appear on the Shire's official website.



**RISK**

Minor reputational risk from non-compliance. This item mitigates this risk.

**STRATEGIC ASPIRATIONS**

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

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

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

**VOTING REQUIREMENTS**

*Simple Majority*

**REPORT RECOMMENDATION:**

*That Council:*

1. *Adopts the following dates for the 2025 Ordinary Meetings of Council, to be held at the Shire of Broome Council Chambers at 5.00pm:*
  - *January 2025 - Recess*
  - *27 February 2025*
  - *27 March 2025*
  - *1 May 2025*
  - *22 May 2025*
  - *26 June 2025*
  - *31 July 2025*
  - *28 August 2025*
  - *18 September 2025*
  - *16 October 2025*
  - *20 November 2025; and*
  - *11 December 2025.*
2. *Request the Chief Executive Officer to publish the above dates on the Shire of Broome website in accordance with regulation 12(2)(a) of the Local Government (Administration) Regulations 1996.*

**Attachments**

1. 2025 Council Calendar



**9.4.4 MONTHLY FINANCIAL REPORT - SEPTEMBER 2024**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	FRE02
<b>AUTHOR:</b>	Accountant
<b>CONTRIBUTOR/S:</b>	Manager Financial Services
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**

Council is required under Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996 (FMR)* to consider and receive the Monthly Financial Report for the period ended 30 September 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; and
- Detailed list of Council adopted Budget amendments – by nature classification.

**COMMENT**

The September 2024 Monthly Financial Report provides an update on operating and capital project progress.

Variances in the September report are categorized as either timing or permanent variances. Where permanent variances are identified, officers will propose necessary amendments during the quarterly budget reviews to ensure alignment with the projected

outcomes. Details of major variances (Actual to Budget) can be found in Note 3 of the Monthly Financial Report. A few key variances being:

- The financial assistance grant received in June 2024 was initially budgeted for 2024/25 – permanent variance.
- Additional one-off refuse fees received in September 2024.
- Rates were issued later than the original budget timeline, contributing to lower year to date interest revenue.
- The key worker housing project has been awarded, with capital expenditure anticipated to commence soon.
- The loans for the Key Worker Housing and Cable Beach Stage 1 projects were budgeted to be drawn down within this period, but are likely to be accessed in the coming months.

Key indicators of the 2024/25 year-to-date budget position are as follows:

• <b>Budget Year Elapsed</b>	• <b>25%</b>
• <b>Total Rates levied</b>	• 99%
• <b>Total Operating Revenue (excluding Rates and Profit on asset disposals)</b>	• 49%
• <b>Total Operating Expenditure (excluding Loss on asset disposals)</b>	• 22%
• <b>Total Capital Revenue</b>	• 9%
• <b>Total Capital Expenditure</b>	• 15%

## CONSULTATION

Nil.

## STATUTORY ENVIRONMENT

The *Local Government (Financial Management) Regulations 1996* were amended (SL2023/106) and published on 30 June 2023. The changes, effective from 1 July 2023, have an impact on the reporting of the financial activity statement required each month (Section 34). The below outlines the new reporting requirement under Section 34:

- 34(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22 (1)(d), for the previous month (the “relevant month”) in the following detail:
- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
  - (b) budget estimates to the end of the relevant month; and
  - (c) actual amounts of expenditure, revenue and income to the end of the relevant month; and
  - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
  - (e) the net current assets at the end of the relevant month and a note containing a summary explaining the composition of the net current assets.
- 34(1B) The detail included under subregulation (1)(e) must be structured in the same way as the detail included in the annual budget under regulation 31(1) and (3)(a).

- 34(1C) Any information relating to exclusions from the calculation of a budget deficiency that is included as part of the budget estimates referred to in subregulation (1)(a) or (b) must be structured in the same way as the corresponding information included in the annual budget.
- 34(2) Each statement of financial activity is to be accompanied by documents containing-
- (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
  - (c) such other supporting information as is considered relevant by the local government.
- 34(3) The information in a statement of financial activity may be shown according to nature classification.
- 34(4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —
- (a) presented at an ordinary meeting of the council within 2 months after the end of the relevant month; and
  - (b) recorded in the minutes of the meeting at which it is presented.
- 34(5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

An amendment to the *Local Government (Financial Management) Regulations 1996*, effective from 1 August 2023, is the addition of Regulation 35, with Local Governments now required to report a financial position statement each month. The additional Regulation 35 is as follows:

- 35(1) A local government must prepare each month a statement of financial position showing the financial position of the local government as at the last day of the previous month (the previous month) and —
- (a) the financial position of the local government as at the last day of the previous financial year; or
  - (b) if the previous month is June, the financial position of the local government as at the last day of the financial year before the previous financial year.
- 35(2) A statement of financial position must be —
- (a) presented at an ordinary meeting of the council within 2 months after the end of the previous month; and
  - (b) recorded in the minutes of the meeting at which it is presented.

### **Local Government Act 1995**

Section 6.4 – Financial report

Section 6.8 – Expenditure from municipal fund not included in the budget.

The attached report aligns to the statutory requirements of monthly reporting to Council, including the presentation of the statement of financial position.

### **POLICY IMPLICATIONS**

Nil.

## FINANCIAL IMPLICATIONS

The attached financial statements summarize the transactions for the 2024/25 financial year. The closing position as of 30 June 2024 may change due to year-end accruals and non-cash adjustments. The final closing position and statements will be provided in the audited annual financial report, expected to be adopted at the December Ordinary Council Meeting.

All budget amendments must be approved by an absolute majority of Council.

## 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

*Simple Majority*

**REPORT RECOMMENDATION:**

*That Council receives the Monthly Financial Report for the period ended 30 September 2024 in **Attachment 1**.*

**Attachments**

1. Monthly Financial Report - September 2024





















































**9.4.5 LOCAL GOVERNMENT ELECTIONS - REVIEW OF WALGA ADVOCACY POSITIONS**

<b>LOCATION/ADDRESS:</b>	NIL
<b>APPLICANT:</b>	NIL
<b>FILE:</b>	OGS46
<b>AUTHOR:</b>	MANAGER GOVERNANCE, STRATEGY AND RISK
<b>CONTRIBUTOR/S:</b>	NIL
<b>RESPONSIBLE OFFICER:</b>	DIRECTOR CORPORATE SERVICES
<b>DISCLOSURE OF INTEREST:</b>	NIL

**SUMMARY:**

The Western Australian Local Government Association (WALGA) is reviewing its advocacy positions regarding Local Government Elections. Council is asked to review the information provided and submit feedback to WALGA by 1 November 2024.

**BACKGROUND**

The *Local Government Amendment Act 2023* introduced a range of electoral reforms that came into effect prior to the 2023 Local Government ordinary elections:

- The introduction of Optional Preferential Voting (OPV);
- Extending the election period to account for delays in postal services;
- Changes to the publication of information about candidates;
- Backfilling provisions for extraordinary vacancies after the 2023 election;
- Public election of the Mayor or President for larger Local Governments;
- Abolishing wards for smaller Local Governments; and
- Aligning the size of councils with the size of populations of each Local Government (change to representation).

Following requests from several Zone's, WALGA undertook a comprehensive review and analysis of 5 ordinary election cycles up to and including the 2023 Local Government election against the backdrop of these legislative reforms. The review and report focused on postal elections conducted exclusively by the Western Australian Electoral Commission (WAEC), with the analysis finding evidence of rising costs coupled with reduced levels of service.

**COMMENT**

The Elections Analysis Review and Report was presented to State Council on 4 September 2024, with State Council supporting a review of WALGA's Local Government Elections Advocacy Positions.

WALGA is requesting Councils consider the current and alternative Elections Advocacy Positions and provide a response back to WALGA for the December 2024 State Council meeting.

WALGA has requested feedback to be submitted by 28 October 2024. However, officers have requested an extension for the Shire of Broome's submission to be submitted by 1 November 2024 to accommodate Council's resolution passed at the 31 October 2024 Ordinary Meeting of Council.

The following is a summary of WALGA's current Advocacy Positions in relation to Local Government Elections:

### **2.5.15 Elections**

#### *Position Statement*

The Local Government sector supports:

1. Four-year terms with a two-year spill.
2. Greater participation in Local Government elections.
3. The option to hold elections through:
  - Online voting
  - Postal voting, and
  - In-person voting.
4. Voting at Local Government elections to be voluntary.
5. The first past the post method of counting votes.

The Local Government sector opposes the introduction of preferential voting, however if 'first past the post' voting is not retained then optional preferential voting is preferred.

#### *Background*

The first past the post (FPTP) method is simple, it allows an expression of the electorate's wishes and does not encourage tickets and alliances to be formed to allocate preferences.

#### *State Council Resolution*

- February 2022 – 312.1/2022
- December 2020 – 142.6/2020
- March 2019 – 06.3/2019



- December 2017 – 121.6/2017
- October 2008 – 427.5/2008.

#### *Supporting Documents*

- Advocacy Positions for a New Local Government Act
- WALGA submission: Local Government Reform Proposal (February 2022)

### **2.5.16 Method Of Election Of Mayor**

#### *Position Statement*

Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.

#### *State Council Resolution*

- February 2022 – 312.1/2022
- March 2019 – 06.3/2019
- December 2017 – 121.6/2017

### **2.5.17 Conduct Of Postal Elections**

#### *Position Statement*

The *Local Government Act 1995* should be amended to allow the Australian Electoral Commission (AEC) and any other third party provider including Local Governments to conduct postal elections.

#### *Background*

Currently, the WAEC has a legislatively enshrined monopoly on the conduct of postal elections that has not been tested by the market.

#### *State Council Resolution*

- May 2023 – 452.2/2023
- March 2019 – 06.3/2019
- December 2017 – 121.6/2017
- March 2012 – 24.2/2012

WALGA has requested the following advocacy positions be considered by Councils:

## 1. Participation

- (a) The sector continues to support voluntary voting at Local Government elections.

OR

- (b) The sector supports compulsory voting at Local Governments elections.

Officers recommend supporting voluntary voting, as compulsory voting would likely increase election management costs. If compulsory voting is introduced, it should be accompanied by additional financial support for local governments to cover promotion efforts and election day expenses.

## 2. Terms of Office

- (a) The sector continues to support four-year terms with a two year spill;

OR

- (b) The sector supports four-year terms on an all in/all out basis.

Officers support the staggered two-year election cycle, as it ensures continuity of expertise within Council and strengthens the delivery of long-term strategic community aspirations.

## 3. Voting Methods

- (a) The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections

OR

- (b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.

Officers support FPTP due to its simplicity and transparency for both officers and the general public.

## 4. Internal Elections

- (a) The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.

OR

- (b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for all internal elections.

Officers support FPTP due to its simplicity and transparency.

## **5. Voting Accessibility**

The sector supports the option to hold general elections through:

- (a) Electronic voting; and/or
- (b) Postal voting; and/or
- (c) In-Person voting.

Officers recommend In-Person voting as it has become the standard for the Shire, offering the most accessible option for community participation, especially for remote residents, while avoiding issues with Broome's lack of a postal delivery service.

## **6. Method Of Election Of Mayor**

The sector supports:

- (a) As per the current legislation with no change – Class 1 and 2 local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.
- (b) Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.
- (c) Apply current provisions to all Bands of Local Governments – apply the election by electors method to all classes of local governments.

Officers support method (b). The Shire of Broome (Shire) has consistently maintained that having the Council elect the Shire President ensures efficient and effective governance of the Shire.

## **CONSULTATION**

Nil.

## **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

*Local Government (Elections) Regulations 1997*

## **POLICY IMPLICATIONS**

Nil.

## **FINANCIAL IMPLICATIONS**

Nil budget implications with this report.

## **RISK**

If Council does not respond, the Shire's interests may be unrepresented in WALGA's advocacy, potentially leading to outcomes that do not align with the Shire's priorities and reducing future influence in advocacy efforts.

## **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.

**Objective** 11.1 Strengthen leadership, advocacy and governance capabilities.

## **VOTING REQUIREMENTS**

*Simple Majority*

### REPORT RECOMMENDATION:

*That Council: recommends that the Western Australian Local Government Association adopt the following Local Government Election Advocacy Positions:*

- 1. Participation – Council support advocacy position that the sector continues to support voluntary voting of local government elections.*

2. *Terms of Office - Council support advocacy position the staggered two-year election cycle, as it ensures continuity of expertise within Council and strengthens the long-term strategic direction.*
3. *Voting Methods - Council support advocacy position First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections.*
4. *Internal Elections - Council support advocacy position First Past the Post (FPTP) as the preferred voting method for all internal elections.*
5. *Voting Accessibility - Council support the option to hold In-Person voting.*
6. *Method of Election of Mayor - Council support advocacy position Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.*

**Attachments**

Nil

---

<b>10.      REPORTS OF COMMITTEES</b>
---------------------------------------

There are no reports in this section.

**11. NOTICES OF MOTION WITH NOTICE**

**12. NOTICES OF MOTION WITHOUT NOTICE**

**13. BUSINESS OF AN URGENT NATURE**

**14. MEETING CLOSED TO PUBLIC**

***This item and any attachments are confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)(a) as it contains “a matter affecting an employee or employees”.***

**14.1 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW 2023/2024 - FINAL REPORT**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	PO34374
<b>AUTHOR:</b>	Manager People & Culture
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**

Each year Council must review the performance of the Chief Executive Officer (**CEO**), Mr Salvatore (Sam) Mastrolemba (**Mr Mastrolemba**) in accordance with section 5.38 of the *Local Government Act 1995*, the CEO's Contract of Employment (Contract), and Council's CEO Performance Review Policy (**Policy**).

This report requests Council to consider the Annual Performance Review undertaken, the new Performance Criteria for 2024-2025 and the associated remuneration recommendations.



**15. MEETING CLOSURE**