



AGENDA

FOR THE

ORDINARY MEETING OF COUNCIL

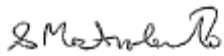
27 FEBRUARY 2025

NOTICE OF MEETING

Dear Council Member,

The next Ordinary Meeting of Council will be held on Thursday, 27 February 2025 in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 5:00PM.

Regards,



S MASTROLEMBO
Chief Executive Officer

20/02/2025

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.

Councillor Attendance Register										
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	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									
2024	31 October									
2024	21 November (Meeting Cancelled)									
2024	12 December				LOA				A	

- **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 27 FEBRUARY 2025

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1. OFFICIAL OPENING

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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 STAGE 17B ROEBUCK ESTATE - PROPOSED ROAD NAMING

LOCATION/ADDRESS:	Lot 9066 on Plan 427061
APPLICANT:	RJ Menzies and Associates Pty Ltd
FILE:	PLA69
AUTHOR:	Land Tenure Officer
CONTRIBUTOR/S:	Manager Building & Planning
RESPONSIBLE OFFICER:	Acting Director Development & Community
DISCLOSURE OF INTEREST:	Nil

SUMMARY:
 RJ Menzies and Associates Pty Ltd have submitted a request for approval to name an unnamed road that will form part of the Roebuck Estate Stage 17B Western Triangle subdivision within the suburb of Djugun. It has been proposed to name the road 'Tamarind Loop'. The Geographic Names Committee at Landgate are the approval authority for road naming but first require the local government's approval of the name before the road can be named.

 This report recommends Council approve the recommended road naming request.

BACKGROUND

The Roebuck Estate Stage 17B subdivision forms part of a number of subdivisions that have occurred throughout Roebuck Estate (WAPC Subdivision Reference No. 160671). Stage 17B is located west of Jigal Drive, on a triangular piece of freehold land currently owned by Roebuck Estate Development Pty Ltd. The subdivision includes the extension of Spoonbill Avenue and the designation of the unnamed road 'Tamarind Loop'. However, before the road can be named, approval of the recommended road name has to be forwarded to the Minister for Lands by the local authority, as per section 26A of the *Land Administration Act 1997 (LAA)*.

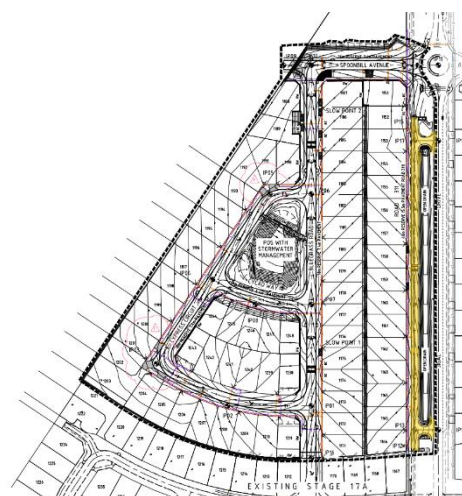
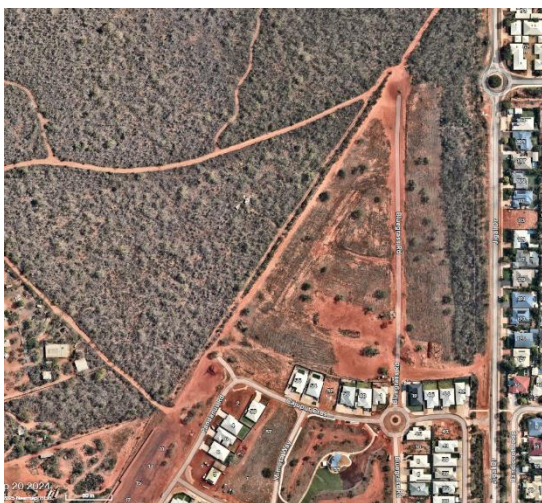


Figure 1 : Location of Tamarind Loop (highlighted yellow) alongside Western Triangle subdivision area (aerial image) in Roebuck Estate

COMMENT

Shire officers have been contacted by RJ Menzies and Associates Pty Ltd (**RJMA**), on behalf of Roebuck Estate Construction Pty Ltd, to endorse a road name application. The road is currently unconstructed and undedicated but can be identified as Road 311 (highlighted yellow) within the Roebuck Estate Stage 17b Subdivision Layout and Settlement Plan in **Attachment 1**.

Landgate's Geographic Names Committee (**GNC**) is responsible for processing submissions for naming (or re-naming) places, features administrative boundaries, localities and roads. Consultation with the relevant local government is required in each case, for their comment and/or endorsement prior to the submission to GNC for consideration. GNC will consider the name in line with the 'Policies and Standards for Geographical Naming in Western Australia' document.

Roads throughout Roebuck Estate have historically been named after fauna and flora important to the Dampier Peninsula. 'Tamarind Loop' has been selected in this instance as the name for Road 311. 'Tamarind' has been selected due to its historical presence within the Dampier Peninsula, as described in Figure 1 'Plans and People of the Dampier Peninsula, Kimberley, Western Australia' by Kevin F. Kennedally, Daphne Choules Edinger and Tim Willing.

**Tamarindus indica L. Tamarind*

Tall tree to 10 m, with broad crown and wide-spreading branches, bark dark greyish brown, slightly tessellated; leaves abruptly pinnate, leaflets 10 to 20 pairs, oblong-linear, obtuse; flowers yellow in terminal racemes; pod cinnamon-brown, linear or oblong-linear, curved, thick, the epicarp crustaceous and fragile; the mesocarp pulpy.

Occasional in *Melaleuca acacioides* thicket behind Nimalaica Claypan and on Waterbank Station and One Arm Point. Also naturalised in NT and Qld.

A widely cultivated tree native to Asia and Africa, and grown throughout the tropics and in Broome as an ornamental and shade tree.

The acid fruit pulp is widely used to prepare a refreshing drink, chutneys, preserves, and also for medicinal purposes. The bark is used as a source of tannin for tanning leather.

Tamarind trees at coastal sites in northern Australia have often been associated with the visits of Macassans since c. 1700, seeking bêche-de-mer (also known as trepang or sea cucumber). Tamarinds were often planted at their campsites where catches were boiled down. Burges (1913) describes a Macassan fleet at Roebuck Bay in 1864-65. However, there is little evidence that Macassans established tamarind trees on the Dampier Peninsula as they did around Kalumburu on the north Kimberley coast.

Good examples of this tree can be seen in Broome at Bedford Park, the Courthouse and outside the Post Office.

Flowering and fruiting December-June.

Figure 2 : An extract from 'Plans and People of the Dampier Peninsula, Kimberley, Western Australia

The request aligns with the GNC Policy and Standards for Geographical Naming in WA and the road name aligns with the theme applied throughout Roebuck Estate. Therefore officers recommend that Council approves the request to name the unnamed road as 'Tamarind Loop' and forward this approval to the Geographic Names Committee at Landgate.

CONSULTATION

No public consultation was undertaken for this item. Landgate have confirmed that approval from the local government authority is required before approving the naming of a road under section 26A of the LAA.

STATUTORY ENVIRONMENT

Land Administration Act 1997 - Part 2 – General administration, Division 3 – General, section 26 Constitution, etc. of land districts and townsites and section 26A Names of roads and areas in new subdivisions.

26A. Names of roads and areas in new subdivision

- (1) If a person delivers a plan of a survey or sketch plan of a subdivision of land approved by the Planning Commission to a local government, and the proposed subdivision includes the provision of a road for use by the public, that person must also deliver to the local government the name proposed to be given to the road.
- (2) The local government may require the person so subdividing the land –
 - a. To propose a name for the proposed road or, if a name has already been proposed, to alter that name; and
 - b. To propose a name for the area the subject of the proposed subdivision, or if a name has already been proposed, to alter that name.
- (3) If the local government approves a name proposed under subsection (1) or (2), the local government is to forward the proposal to the Minister.
- (4) The Minister may –
 - a. Approve the proposed name; or
 - b. Direct the local government to reconsider the proposed name, having regard to such matters as the Minister may mention in the direction; or
 - c. Refuse to approve the proposed name.
- (5) A person must not –
 - a. Assign a name to the area or road unless the name is first approved by the Minister;
 - b. Alter or change a name that has been so assigned, whether initially or from time to time, to the area or road unless the Minister first approves of the alteration or change of that name.

Penalty for this subsection:

 - a. A fine of \$2 000;
 - b. A daily penalty or a fine of \$200 for each day or part of a day during which the offence continues.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

RISK

Nil.

STRATEGIC ASPIRATIONS

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

Outcome 7 - Safe, well connected, affordable transport options

Objective 7.1 Provide safe and efficient roads and parking.

VOTING REQUIREMENTS

Simple Majority

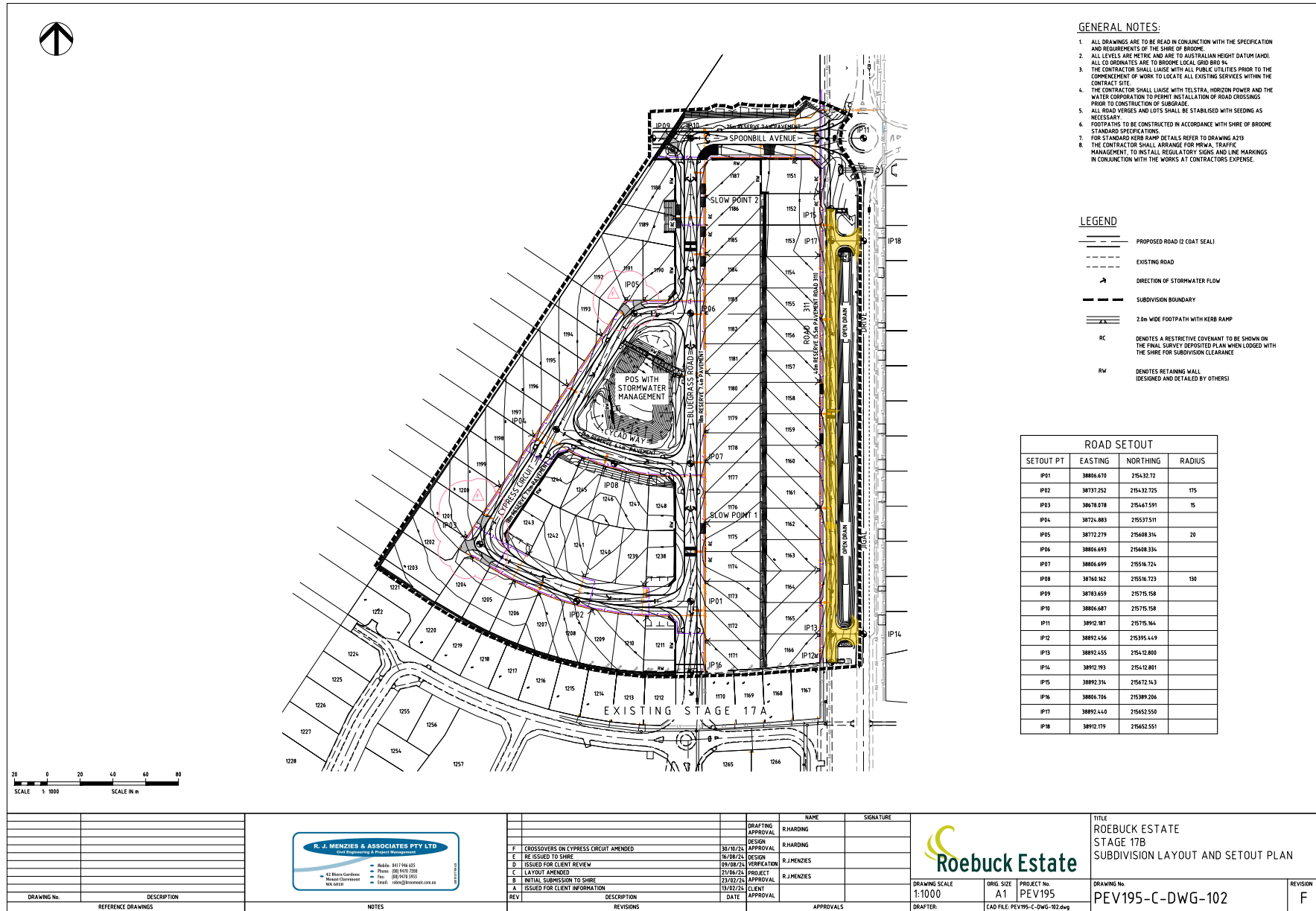
REPORT RECOMMENDATION:

That Council:

- 1. In accordance with Section 26A of the Land Administration Act 1997, approves the request to name the new road, depicted in **Attachment 1**, as Tamarind Loop; and*
- 2. Request the Chief Executive Officer lodge a submission to Landgate's Geographic Names Committee to consider the request to officially name the road Tamarind Loop.*

Attachments

1. Engineering Drawing - Stage 17B Roebuck Estate - Tamarind Loop



9.3 PROSPERITY

There are no reports in this section.

9.4 PERFORMANCE

9.4.1 2025 LOCAL GOVERNMENT ORDINARY ELECTION

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	GOE04
AUTHOR:	Manager Governance, Strategy And Risk
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

This report recommends that Council appoint the Western Australian Electoral Commission (**WAEC**) to conduct the 2025 Ordinary Election on behalf of the Shire of Broome and that the election be an 'In-Person' election.

BACKGROUND

The next local government ordinary election is scheduled to be held on Saturday, 18 October 2025.

The Chief Executive Officer of a local authority is responsible for the conduct of local government elections unless arrangements are made in accordance with section 4.20 of the *Local Government Act 1995 (Act)* to appoint another person. This appointment must occur at least 80 days prior to election day.

Section 4.61(1) of the Act provides for an election to be conducted as a:

postal election which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or

voting in person election which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.

Postal voting legislation currently prohibits early polling. This limits the ability to provide pre-polling opportunities particularly in the remote communities and for this reason has not been considered for the 2025 Ordinary Election.

The WAEC has conducted the in-person elections on behalf of the Shire since 2009.

COMMENT

The WAEC have provided a cost estimate to conduct the 2025 election with options for either a local Returning Officer (RO) or a non-local RO (**Attachment 1** and **Attachment 2** respectively).

Previously Council requested that the WAEC appoint a non-local RO for the 2019, 2021 and 2023 elections to eliminate any perception of political or personal influence. This has

provided increased assurance to the candidates and the community that the election process is undertaken in an open and transparent manner.

The cost estimates received from the WAEC are listed below:

- Local RO \$39,033.50 including GST
- Non-local RO \$51,683.50 including GST.

To confirm the WAEC engagement for the 2025 election a resolution of Council by absolute majority is required under section 4.20(4) of the Act and in accordance with the Local Government Ordinary Election Process as outlined **Attachment 3**.

Overseeing local government elections by the WAEC was recommended in the Local Government Act Review Final Report issued in May 2020 which stated:

“The Panel decided that the WAEC was the most appropriate organisation to coordinate local government elections. Having the one body responsible for conducting elections would allow for greater consistency across local governments.”

The Shire has a well-established relationship with the WAEC and their continued appointment is strongly recommended. Officers also recommend that a non-local RO is requested to ensure that there are no perceptions of bias affecting the election process.

In accordance with the **WAEC Election (Attachment 3)**, this report seeks Council approval for the \$51,683.50 (including GST) Non-local RO cost estimate letter. Upon approval, the Shire will confirm the estimate with **WAEC** in writing. **WAEC** will then issue a written agreement for the Electoral Commissioner to conduct the election, which will be presented to Council for consideration.

CONSULTATION

Western Australian Electoral Commission.

STATUTORY ENVIRONMENT

4.20. CEO to be returning officer unless other arrangements made

- (1) *Subject to this section the CEO is the returning officer of a local government for each election.*
 - (2) *A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint* a person other than the CEO to be the returning officer of the local government for —*
 - (a) *an election; or*
 - (b) *all elections held while the appointment of the person subsists.*
- * Absolute majority required.*
- (3) *An appointment under subsection (2) —*
 - (a) *is to specify the term of the person's appointment; and*
 - (b) *has no effect if it is made after the 80th day before an election day.*
 - (4) *A local government may, having first obtained the written agreement of the Electoral Commissioner, declare* the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.*

* *Absolute majority required.*

4.61. Choice of methods of conducting election

- (1) The election can be conducted as a —
postal election which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or
voting in person election which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.
- (2) The local government may decide* to conduct the election as a postal election.
 * *Absolute majority required.*

POLICY IMPLICATIONS

Shire of Broome Council Policy Election Caretaker.

FINANCIAL IMPLICATIONS

The amount of \$51,683.50 (incl. GST) will be allocated in the 2025/26 municipal budget (GL 20404), subject to Council endorsement.

RISK

Utilising the WAEC resources and expertise reduces the risk of non-compliance and ensures a high level of impartiality and transparency.

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. Agrees to the cost estimate of \$51,683.50 including GST provided by the Electoral Commissioner in **Attachment 2** to conduct the Shire of Broome 2025 Election as an in- person election:
 - a) utilising a non-local returning officer; and
 - b) utilising Western Australian Electoral Commission casual staff support on election day.
2. Requests the Chief Executive Officer provide written confirmation to the Western Australian Electoral Commission of the Cost Estimate.

Attachments

1. Western Australian Electoral Commission Cost Estimate Letter: 2025 Local Government Ordinary Election - Local Returning Officer
2. Western Australian Electoral Commission Cost Estimate Letter: 2025 Local Government Ordinary Election - Non Local Returning Officer
3. Western Australian Electoral Commission Local Government Ordinary Election Process



WESTERN AUSTRALIAN
Electoral Commission

Mr Sam Mastrolembro
Chief Executive Officer
Shire of Broome
PO Box 43
BROOME WA 6725

Dear Mr Mastrolembro,

Cost Estimate Letter: 2025 Local Government Ordinary Election

As you are aware, the next local government ordinary election will be held on 18 October 2025. This letter is your Cost Estimate for the Western Australian Electoral Commission to conduct your election, should you proceed with making a declaration under the *Local Government Act 1995* for us to do so.

Cost Estimate

The Commission has estimated the cost to conduct your Council's election in 2025 as an in person election at approximately \$35,485 (ex GST).

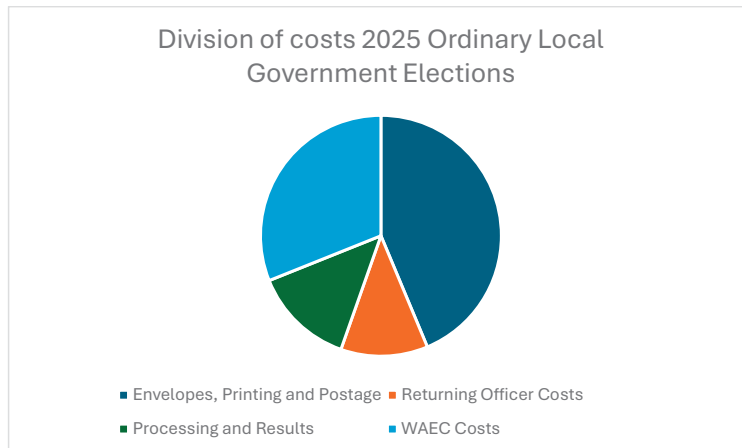
This cost has been based on the following assumptions:

- The method of election will be in person;
- 4 Councillor(s) vacancies;
- 9700 electors;
- response rate of approximately 25%
- appointment of a local Returning Officer; and
- count to be conducted at your office using CountWA.

If any of these assumptions are not correct, please contact us and we can provide a new cost estimate.

Cost Methodology

To provide your estimate, the Commission has estimated the costs of all aspects of the election, from supply of materials to staffing costs. For the 2025 Local Government elections, we have applied the following apportionment across the State:



For individual local Governments the exact apportionment of costs may differ slightly from the above, as the cost categories are determined by applying the following variables:

- Envelopes, Printing and Postage, and WAEC Costs are determined by the number of electors in your Local Government;
- Processing and Results is determined by the expected response rate for your election; and
- Returning Officer Costs are determined by the complexity of the election for the Returning Officer; we classify Local Governments into bands depending on a number of factors including number of Wards, number of vacancies and the number of candidates, and then we pay our Returning Officers a rate which reflects this band.

Estimated Cost of 2025 Local Government Elections

The Commission estimates that the total cost of conducting the Local Government Elections across Western Australia in 2025 will increase by \$1.3 million, compared to 2023. The key drivers for this cost increase are as follows:

- a 45% cost increase from Australia Post, comprising of a 25% increase which came into effect in March 2024, and an additional 20% proposed increase currently being considered by the Australian Competition and Consumer Commission, which if approved will take effect in July 2025; and
- a 9% increase in the salaries paid to Returning Officers as required by the Public Sector CSA Agreement 2024.

Variations to the final costs for your Council

In accordance with the *Local Government (Elections) Regulations 1997*, the Commission conducts elections on the basis of full accrual cost recovery. This means that should the actual costs incurred to conduct the election be less or greater than what we have estimated, the final cost may differ from the cost estimate you have been provided.

Whilst we aim to keep additional costs at a minimum wherever possible, the following are examples of where cost increases may arise:

- If a Returning Officer is selected that is not local to your area;
- If you elect for Australia Post Priority Service for the lodgement of your election package;
- If casual staff are required for the issuing of Replacement Election Packages;
- If casual staff are required to assist the Returning Officer on election day or night; or
- Unanticipated cost increases from our suppliers.

We will endeavour to keep you informed of any unanticipated cost increases as they are incurred during the election.

Service Commitment

The Commission is committed to conducting elections impartially, effectively, efficiently and professionally. Following each election event, we review our performance and identify ways to improve our service delivery.

The Commission acknowledges that during the 2023 Local Government Ordinary Elections, the results for many Local Governments were delayed. Since this time we have improved our Count Processes, and as demonstrated through extraordinary elections conducted in 2024, we are now able to finalise our results more quickly whilst still retaining accuracy and integrity.

If you have any suggestions for improvements we can make to deliver your election, your feedback is welcome at all times.

Next Steps

Should you wish to accept this cost estimate and proceed with the Electoral Commission undertaking this election, there are specific steps that must be taken under the *Local Government Act 1995*. These steps are summarised in the attached flow chart (Attachment A).

As outlined in the flow chart, if you accept this Cost Estimate then please advise of us this in writing, so that we can issue a Written Agreement letter. Both the Cost Estimate letter, and the Written Agreement letter then need to be taken to Council for a decision.

If you have any queries, please contact lgelections@waec.wa.gov.au .

Yours sincerely,



Robert Kennedy
ELECTORAL COMMISSIONER

12 December 2024



WESTERN AUSTRALIAN
Electoral Commission

Mr Sam Mastrolembo
Chief Executive Officer
Shire of Broome
PO Box 43
BROOME WA 6725

Dear Mr Mastrolembo,

Cost Estimate Letter: 2025 Local Government Ordinary Election

As you are aware, the next local government ordinary election will be held on 18 October 2025. This letter is your Revised Cost Estimate for the Western Australian Electoral Commission to conduct your election, should you proceed with making a declaration under the *Local Government Act 1995* for us to do so.

Cost Estimate

The Commission has estimated the cost to conduct your Council's election in 2025 as an in person election at approximately \$46,985 (ex GST).

This cost has been based on the following assumptions:

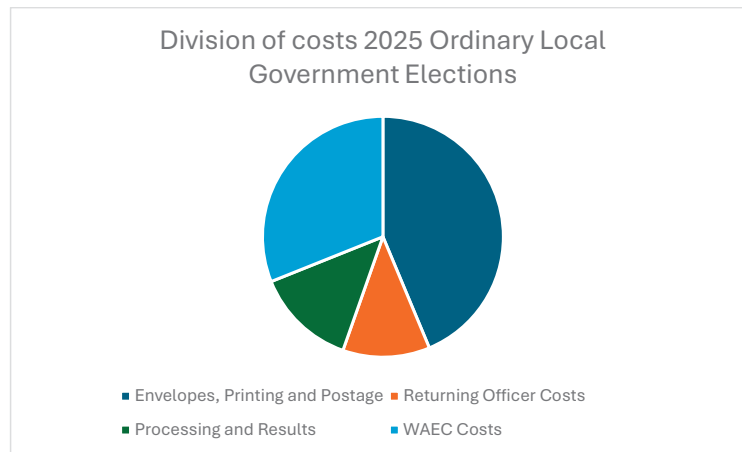
- The method of election will be in person;
- 4 Councillor(s) vacancies;
- 9700 electors;
- response rate of approximately 25%
- appointment of a non- local Returning Officer (associated costs include airfares, travel time, meals, accommodation during Nomination Period & Election Period including early voting at Remote Locations; and
- count to be conducted at your office using CountWA.

If any of these assumptions are not correct, please contact us and we can provide a new cost estimate.

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Local Government elections, we have applied the following apportionment across the State:



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- a 45% cost increase from Australia Post, comprising of a 25% increase which came into effect in March 2024, and an additional 20% proposed increase currently being considered by the Australian Competition and Consumer Commission, which if approved will take effect in July 2025; and
- a 9% increase in the salaries paid to Returning Officers as required by the Public Sector CSA Agreement 2024.

Variations to the final costs for your Council

In accordance with the *Local Government (Elections) Regulations 1997*, the Commission conducts elections on the basis of full accrual cost recovery. This means that should the actual costs incurred to conduct the election be less or greater than what we have estimated, the final cost may differ from the cost

greater than what we have estimated, the final cost may differ from the cost estimate you have been provided.

Whilst we aim to keep additional costs at a minimum wherever possible, the following are examples of where cost increases may arise:

- If a Returning Officer is selected that is not local to your area;
- If you elect for Australia Post Priority Service for the lodgement of your election package;
- If casual staff are required for the issuing of Replacement Election Packages;
- If casual staff are required to assist the Returning Officer on election day or night; or
- Unanticipated cost increases from our suppliers.

We will endeavour to keep you informed of any unanticipated cost increases as they are incurred during the election.

Service Commitment

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As outlined in the flow chart, if you accept this Cost Estimate then please advise of us this in writing, so that we can issue a Written Agreement letter. Both the Cost Estimate letter, and the Written Agreement letter then need to be taken to Council for a decision.

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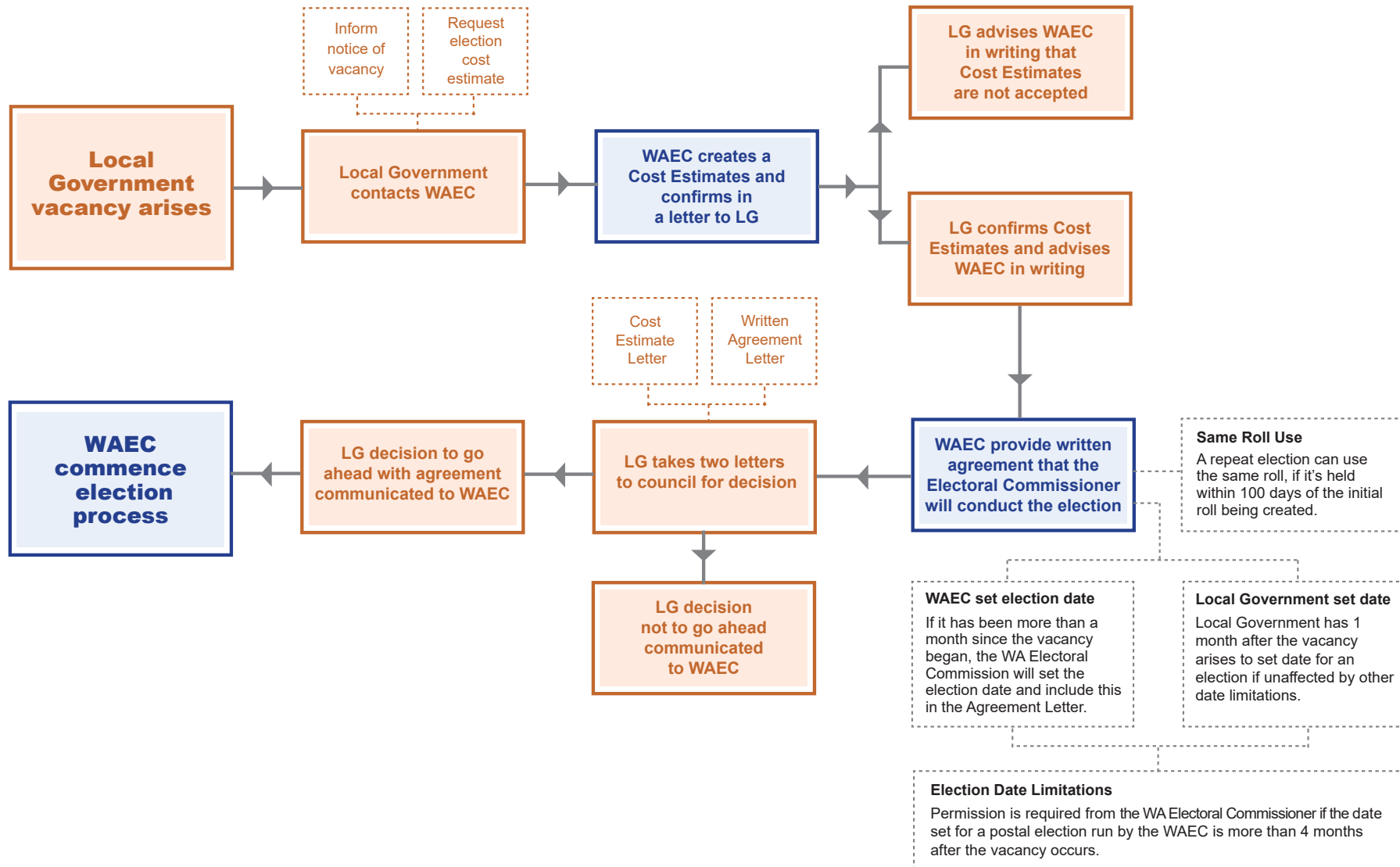
Yours sincerely,



Robert Kennedy
ELECTORAL COMMISSIONER

31 January 2025

Local Government Extraordinary Election Process



9.4.2 NEW COUNCIL POLICIES - INFORMATION PRIVACY, RECORDING AND LIVESTREAMING OF COUNCIL MEETINGS AND FRAUD AND CORRUPTION PREVENTION

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	ADM28
AUTHOR:	Manager Governance, Strategy And Risk
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

This report recommends that Council adopts the following new Council Policies:

1. Information Privacy (**Attachment 1**).
2. Recording and Livestreaming of Council Meetings (**Attachment 2**).
3. Fraud and Corruption Prevention (**Attachment 3**).

BACKGROUND

Previous Considerations

Nil.

1. Information Privacy

The Department of Premier and Cabinet established the Public Sector Implementation Steering Committee (**ISC**) in 2022, to guide agencies efforts in developing their culture and capability in readiness for the Privacy and Responsible Information Sharing (**PRIS**) reforms.

The Federal government has committed to overhauling Australia's privacy laws, with the Western Australian Parliament passing the new Privacy and Responsible Information Sharing Bill (**the Bill**) on 17 September 2024.

The purpose of this Bill is to:

- provide a framework to protect the privacy of personal information handled by public entities, including contracted services providers to public entities;
- to provide a framework to authorise the responsible sharing of information held by public entities;
- to establish the Office of Chief Data Officer;
- to amend the *Freedom of Information Act 1992*; and
- to make consequential amendments to other acts.

Focus Points for Local Government agencies:

- Privacy by default;
- Informed consent to our privacy policy; and
- Obligations to destroy data in a timely manner.

2. Livestreaming and Recording of Council Meetings

The Shire of Broome (**Shire**) recording of Ordinary Meetings of Council (**OMC**) commenced trials in July 2023.

Section 58 of the *Local Government Amendment Act 2023 (the Amendment Act)*, which commenced on Thursday, 19 October 2023, inserts a new section 5.23A into *the Local Government Act 1995 (the Act)* covering electronic broadcasting (**livestreaming**) and video and audio recording of council meetings.

Section 5.23A(2) of the Act is a power that allows regulations to be made that may require, regulate, or otherwise make provision for any of the following matters:

- electronic broadcasting of council meetings;
- making or retaining recordings of council meetings;
- making recordings of council meetings publicly available; and
- provision, or otherwise making available, recordings of council meetings.

The *Local Government Regulations Amendment Regulations (No. 3)* were published on Wednesday, 18 October 2023 and prescribe various new requirements for local governments with respect to electronic broadcasting. For Band 2 local governments, including the Shire of Broome, this includes:

- video and audio livestreaming of council meetings (open proceedings);
- no livestreaming of closed proceedings;
- video and audio recording of council meetings (open proceedings);
- audio recordings of closed proceedings; and
- livestreaming and recording technology installed at the council's usual meeting place.

New electronic broadcasting requirements are compulsory from 1 January 2025; the Shire has drafted this Policy to ensure compliance.

3. Fraud And Corruption Prevention

The prevention of fraud and corruption forms part of the Shire's risk management system.

The Shire seeks to identify and limit exposure to fraud and corruption by reducing the potential opportunity for this to occur. As the Shire is committed to a zero tolerance toward fraud and misconduct the Shire intends to formalise protocols for reporting suspected misconduct or fraudulent behaviour.

Elected Members and the Shire administration are committed to policies and practices that prevent, deter and detect fraudulent and corrupt behaviour in the performance of Shire activities.

The Western Australian Auditor-General has recommended all Councils adopt specific fraud control policies that address the risk of fraud and corrupt conduct.

COMMENT

1. Information Privacy

The importance of data privacy and security is paramount in the context of local government operations. As part of the Shire's commitment to upholding best practices in

governance, it is proposed that the Council adopt Council Policy Information Privacy. This policy will serve to guide the collection, management, and protection of personal and sensitive information held by the Shire, ensuring compliance with relevant legislation and fostering public trust.

Overview of Local Government Approaches to Information Privacy

Several local governments in Western Australia and beyond have implemented robust Information Privacy Policies. These policies are designed to protect personal information, comply with legal frameworks such as the *Privacy Act 1988* (Cth), and ensure transparency in how the Shire handles sensitive data.

Benefits for the Shire of Broome

By adopting an Information Privacy Policy, the Shire can achieve several key outcomes:

- **Compliance with Privacy Legislation:** The policy will ensure that the Shire adheres to the *Privacy Act 1988* (Cth) and other relevant state laws, reducing the risk of legal challenges.
- **Enhanced Trust and Accountability:** Clear and transparent data handling practices will foster trust among residents and stakeholders.
- **Protection Against Data Breaches:** Proactive management and monitoring of personal information will reduce the likelihood of breaches and mitigate the impact of any incidents.
- **Improved Staff Training and Awareness:** Regular training on privacy issues will ensure that Shire employees understand their obligations and are equipped to handle personal information responsibly.

2. Livestreaming and Recording of Council Meetings

Regulation 14H of the Administration Regulations requires Class 1 and 2 Local Governments to broadcast meetings of Council electronically. Electronic broadcasting is defined in section 5.23A(1) of the Act as "broadcasting by way of the internet or other electronic means". Another common term for electronic broadcasting is 'livestreaming'.

Band 1 and 2 Local Governments are required to broadcast (livestream) Council Meetings from the Council's usual meeting place. As the term suggests, this is the place where the Council ordinarily holds Council Meetings, noting that Local Governments may sometimes hold meetings in different locations. Local Governments are also required to broadcast meetings conducted entirely by electronic means (electronic meetings) in accordance with the existing requirements of the Administration Regulations.

The Department of Local Government, Sport and Cultural Industries (**DLGSC**) has published an explanatory paper for the livestreaming and recording of Council Meetings which is summarised below for the Class 2 requirements:

- Elected Members attending Council meetings electronically are to be audio recorded, however video recording is not required.
- The Shire must retain recordings of Council meetings for a five-year period on the website, or a link on the Shire's website to an external location where the recordings are kept.

- Meetings held outside of the usual meeting place (Council Chambers) require that at a minimum the meeting audio is recorded, however video recording is not mandatory.
- Meetings may continue in the event of audio/visual technical failures, on the condition that:
 - Every attempt to correct the issue was made; and
 - If not resolved, a reason for this failure is published on website within 14-days.
- Audio recordings of closed proceedings must be kept but are not published.

3. Fraud and Corruption Prevention

The development of a Council Policy Fraud and Corruption Prevention whilst not a statutory requirement, demonstrates to all stakeholders that Council and the Shire takes preventative action seriously, including the requirement under the *Local Government (Financial Management) Regulations 1996* to establish efficient systems and procedures to prevent fraud and corruption.

CONSULTATION

1. Information Privacy

The consultation process for developing the Shire 's Information Privacy Policy has involved input from internal stakeholders and other local governments. Internal consultation with departments such as Governance, Administration, Customer Service, Records Management, and IT has been essential in addressing practical challenges and identifying staff training needs.

The policy was provided electronically to Elected Members in January 2025 to allow for comments to be provided. No comments were received.

2. Livestreaming and Recording of Council Meetings

Department of Local Government Sport and Cultural Industries

The policy was provided electronically to Elected Members in January 2025 to allow for comments to be provided. No comments were received.

3. Fraud and Corruption Prevention

The policy was provided electronically to Elected Members in January 2025 to allow for comments to be provided. No comments were received.

STATUTORY ENVIRONMENT

1. Information Privacy

Local Government Act 1995

*Section 2.7 – Role of council
(2)(b) determine the local government's policies.*

2. Livestreaming and Recording of Council Meetings

Disability Services Act 1993

Section 3 – definition of disability.

Freedom of Information Act 1992

Local Government Amendment Act 2023

Section 58 – section 5.23A inserted.

Local Government Act 1995

Section 2.7 (2) (b) – Role of Council.

Section 5.23 – Meetings generally open to public.

Section 5.23A – Electronic broadcasting and video or audio recording of council meetings.

Section 5.94 – Public can inspect certain local government information.

Section 9.57A – Local government protected from liability for defamation: council proceedings on website.

Local Government (Administration) Regulations 1996

Part 2A – Electronic broadcasting and video or audio recording of council meetings.

Regulation 14H – Class 1 local governments and class 2 local governments to broadcast council meetings publicly.

Regulation 14I – Local government to make recordings of council meetings.

Regulation 14J – Informing members of public of broadcasting or recording.

Regulation 14K – Defamation.

Regulation 29 – Information to be available for public inspection.

State Records Act 2000

3. Fraud and Corruption Prevention

Local Government (Audit) Regulations 1996

17. CEO to review certain systems and procedures

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedure in relation to-
 - (a) Risk management; and
 - (b) Internal control; and
 - (c) Legislative compliance.
- (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.

(3) *The CEO is to report to the audit committee the results of that review.*

Local Government (Financial Management) Regulations 1996

Regulation 5:

(1) Efficient systems and procedures are to be established by the CEO of a local government–

- a) for the proper collection of all money owing to the local government; and*
- b) for the safe custody and security of all money collected or held by the local government; and*
- c) for the proper maintenance and security of the financial records of the local government (whether maintained in written form or by electronic or other means or process); and*
- d) to ensure proper accounting for municipal or trust –*
 - i. revenue received or receivable; and*
 - ii. expenses paid or payable; and*
 - iii. assets and liabilities; and*
- e) to ensure proper authorisation for the incurring of liabilities and the making of payments; and*
- f) for the maintenance of payroll, stock control and costing records; and*
- g) to assist in the preparation of budgets, budget reviews, accounts and reports required by the Act or these regulations.*

POLICY IMPLICATIONS

1. Information Privacy

Nil.

2. Livestreaming and Recording of Council Meetings

Shire of Broome Code of Conduct for Council Members, Committee Members and Candidates.

Shire of Broome Code of Conduct for Employees.

Shire of Broome Council Policy Forums of Council – Workshops and Agenda Briefings.

Shire of Broome Meeting Procedures Local Law 2020.

3. Fraud and Corruption Prevention

Nil.

FINANCIAL IMPLICATIONS

1. Information Privacy

Nil.

2. Livestreaming and Recording of Council Meetings

There are no significant budget impacts to be presented as part of this report. Minimal costs may be involved in the ongoing connection of the Shire's audio-visual system to a live streaming service (YouTube). These costs are included in annual municipal budgets.

3. Fraud and Corruption Prevention

Nil.

RISK

1. Information Privacy

To mitigate risks, having a written Information Privacy Policy ensures clear guidelines for handling personal data, helps comply with privacy laws, and reduces the likelihood of data breaches or misuse. It also provides staff with a clear framework for data management and ensures transparency, building trust with the community.

2. Livestreaming and Recording of Council Meetings

The Council Policy on Livestreaming and Recording of Council Meetings ensures that Ordinary Council Meetings, Special Council Meetings, and the Annual General Meeting of Electors in the Shire of Broome are accessible, open, and transparent to the community, while also complying with current legislation to mitigate risks to the Shire.

3. Fraud and Corruption Prevention

That fraud or corruption may have greater opportunity to occur without vigilance and scrutiny. Risk is acceptable with adequate controls, managed by routine procedures and subject to monitoring.

STRATEGIC ASPIRATIONS

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

Outcome Eleven – Effective leadership, advocacy and governance:

11.2 Deliver best practice governance and risk management.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council adopts the following Council policies:

- *Information Privacy (**Attachment 1**)*
- *Recording and Livestreaming of Council Meetings (**Attachment 2**); and*
- *Fraud and Corruption Prevention (**Attachment 3**).*

Attachments

1. Council Policy Information Privacy
2. Council Policy Recording and Livestreaming of Council Meetings
3. Council Policy Fraud and Corruption Prevention

COUNCIL POLICY



Information Privacy

Policy Objective

This Policy, aligns with the *Privacy Act 1988*, to protect personal information of members of the public and Shire Employees, ensuring transparency and providing clear guidelines on when, how, and to what extent their information is collected, used, and managed.

Policy Scope

This policy applies to all employees, contractors, elected members and agents of the Shire of Broome who handle personal information in the course of their duties.

Policy Statement

The Shire of Broome is committed to protecting the privacy of individuals, which we acknowledge as a fundamental human right.

Definitions:

- **Information Privacy:** refers to People's personal and sensitive information and their right to control when, how and to what extent it is used.
- **Personal Information:** any information that can identify an individual, such as name, address, phone number, email address, and other identifying details.
- **Sensitive Information:** information that includes racial or ethnic origin, political opinions, religious beliefs, health information, and other sensitive data.
- **Information Classification:** a business-level process whereby the sensitivity of a piece of information is evaluated, and a classification label applied to it, such that the sensitivity will be clear to all those who subsequently access it. (see the WA Government Information Classification Policy 2020).
- **Information Asset Register:** a comprehensive list of types of information and the systems that store the information or produce the information themselves – anywhere we store information that is critical to the running of our agency.

Management Guidelines

The Australian Privacy Principles (APPs):

The set of 13 APPs form the cornerstone of the privacy protection framework in the Privacy Act. They apply to any organisation or agency covered by the Privacy Act.

1-2 Planning and Governance

1. Open and Transparent – making available a clearly expressed privacy policy about the management of personal information by the agency.
2. Anonymity & Pseudonymity – individuals have the option of not identifying themselves or making use of a pseudonym where they choose.

3-5 Collection

3. Collecting Personal information - is only collected where it is required for the function of the agency. Information should be collected directly from the person with consent to collect sensitive information.
4. Unsolicited Personal Information – within a reasonable period of time after receiving and determining it was not solicited, the information should be as soon as practicable disposed of.
5. Giving Notice – Individuals must be given notice when are collecting information about them, and why.

6-9 Handling

6. Using or disclosing information – Personal information collected about an individual can only be used for the purpose it was collected; it must not be used or disclosed for a secondary purpose.(see below note1 on when information can be disclosed.)
7. Direct Marketing – Agencies that hold personal information must not use or disclose the information for the purpose of direct marketing unless reasonably expected to or consent is provided by the individual.
8. Cross-border disclosure – before disclosing personal information to an overseas recipient, reasonable steps must be taken to ensure that the overseas recipient doesn't breach the APPs.
9. Adoption, use or disclosure – outlines circumstances when an agency may adopt a government related identifier of individual as its own.

10-11 Integrity

10. Quality of Information – Reasonable steps need to be taken to ensure that the personal information collected is accurate, complete and relevant before it is disclosed or used,
11. Security – Reasonable steps need to be taken to ensure that the personal information is protected from misuse, loss and/or interference, unauthorised access, modification or disclosure. An Agency has the obligation to destroy or de-identify personal information where it is no longer needed, or where the information is not contained in a Commonwealth record required by law to retain.

12-13 Access and Control

12. Access – Individuals must be provided access to the information collected about them unless any exceptions apply. Requests for access must be responded to within a reasonable period of time.
13. Correction of Personal Information – Reasonable steps should be taken to correct personal information and ensure it is relevant, accurate, complete and not misleading.

Disclosing personal information for a secondary purpose, without consent:

Where the secondary purpose is related to the primary purpose and the Individual would reasonably expect the disclosure.

Where the use or disclosure is necessary for action to be taken against suspected unlawful activity or serious misconduct relating to the agency's functions.

Where the use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of any individual or to public health or safety.

Information Classification Plan

The WA Government Information Classification Policy 2020 provides direction for public sector agencies to label their information according to its sensitivity.

It requires all government agencies to:

Clearly and consistently identify sensitive information;
Apply appropriate security measures; and
Communicate the classification within the agency and with others.

The three classifications mandated under the Policy align with the Aust Government protective markings for non-security classified information in its Protective Security Policy Framework.

UNOFFICIAL
OFFICIAL
OFFICIAL: Sensitive

This is primarily a risk management activity. Information classification is the responsibility of the entire business, NOT a delegated task for ICT teams.

A Business Operating Procedure for the classification of the Shire's information will mandate how our information will be classified and marked with appropriate classification labels.

Note: Agencies are not required to conduct a classification process on existing information until they are use

Information Asset Register (IAR)

IAR is a critical component of data management and security – particularly in relation to increasing Cyber compromises.

Data management and the development of an IAR is not just the responsibility of Information and Records Management, or ICT, it is important that we can rely on the custodians of the systems and the information they hold to ensure that we have a comprehensive IAR.

An IAR should be a body of information, defined and practically managed so that the Information and systems can be understood, shared, protected and used to their full potential. An IAR should have:

- A set of guiding principles incorporated into process documents.
- A process for the creation, maintenance, use of, and reporting of an IAR, including destruction principles.
- Clearly identified vital records – critical to business requirements.
- Information of historical value and Corporate legacy.
- Documents with a legal or regulatory obligation.
- Documents with protective classification – sensitive and confidential.
- And IT component identified, classified and managed – integration with IT is essential

A Business Operating Procedure for the process for developing and maintaining the Shire's Information Asset Register will mandate how the register is used and who is responsible for the collecting of information and maintenance of the register.

Roles & Responsibilities

Director Corporate Services

Will ensure there is published to the Shire Website, and also to the Intranet, a clearly expressed, up-to-date privacy policy.

Manager Governance, Strategy and Risk

Will regularly review and update the Shire of Broome Council Privacy Policy.

Manager Information Services

Will take reasonable steps (in compliance with relevant Policies and Cyber security and protection procedures) to ensure that the personal information collected is protected from Misuse, loss or interference:

1. Unauthorised access; and
2. Disclosure (other than intended purpose).

Records Services Coordinator

Will develop and maintain an Information Asset Register which forms part of the Shire's Information Classification Implementation Plan

All Employees

Shire Employees dealing with members of the public, and/or involved with the collection and storing of personal information about individual members of the public will follow the basic AAP principles, in particular:

1. Informing the public on why we are collecting information, what we will do with it and who might see it,
2. Only collecting information that is essential to the functions performed by the Shire;
3. Using information provided only for the original intended purpose;
4. Taking reasonable steps to ensure that the information we collect, use and share is accurate and legible;
5. Storing personal information securely, protected from unauthorised access, and destroyed in a timely manner in accordance with the GRDALG 2023-005; and
6. Using empathetic and open communication and consultation handle requests and complaints with care and diligence and assist Customers to see their own personal information and change it where applicable.

Compromised can mean any of the following:

- Physical unauthorised access.
- Phishing – scam emails, SMS to trick people into providing sensitive information, or clicking on malicious links or attachments.
- Drive-by – when attackers hack into a legitimate site and install malware that will infect anyone who visits the site.
- Watering-hole – targeted attacks that take advantage of your interests to strategically infect many people in certain groups.
- USB devices – when attackers infect USB devices using malicious software that will run automatically when plugged in.

Note: Security breaches are not always Criminal Acts – they can be accidental such as leaked documents, unprotected data, information sent to wrong person.

Review and Improvement

Once the breach has been addressed, the Incident will be reviewed by key stakeholders including, the Director Corporate Services, the Manager Governance, Risk and Strategy and the Manager Information Services to identify any weaknesses in privacy practices and processes. An improvement plan will then be recorded and presented to the CEO and the Executive Management Team.

Document Control Box						
Document Responsibilities:						
Owner:	Director Corporate Services		Owner Business Unit:	Governance		
Reviewer:	Manager Governance, Strategy and Risk		Decision Maker:	Council		
Compliance Requirements:						
Legislation:	The Privacy Act 1988 Local Government Act 1995					
Industry:	State Records Act 2000 Freedom of Information Act 1992 WA Information Classification Policy 2020					
Organisational:	Council Policy Information Services Physical and Environmental Security Council Policy Records Management Record Keeping Plan 2024 Business Operating Procedure Information Asset Register					
Document Management:						
Risk Rating:		Review Frequency:	Reviewer	Annual Desktop	Next Due:	
			Council			
Version #	Decision Reference:		Synopsis:			
1.	Initial Adoption		Endorsed by Council at OMC of			
2.						
3.						

COUNCIL POLICY



Livestreaming and Recording of Council Meetings

Policy Objective

To provide guidance in relation to the livestreaming and recording of Shire of Broome (Shire) Ordinary Meetings of Council (OMC), Special Meetings of Council (SCM) and Annual General Meeting of Electors (AGM).

To ensure open and transparent engagement with the community and accessibility to Council decision-making through the livestreaming and recording of the Shire OMC, SCM and AGM meetings.

Policy Scope

This policy applies to all Livestreaming and Recording of OMC, SCM and AGM meetings, and all requests for such recordings.

Policy Statement

Definitions

- **Act:** Local Government Act 1995.
- **Livestream:** To Transmit or receive live audio and video coverage of an event with the intent with simultaneously recorded and broadcast in real time to the viewer.
- **Meeting:** Any Shire of Broome Ordinary Meeting of Council, Special Meeting of Council, Annual General Meeting of Electors or Electors meetings.
- **Policy:** This Shire of Broome Council policy titled "Livestreaming and Recording of Council Meetings".
- **Recording:** Any recording made by an electronic device capable of recording visions and / or audio.
- **Regulations:** Local Government (Administration) Regulations) 1996.

Livestreaming and Recording of Meetings

1. Wherever technically possible, meetings will be video and audio recorded and will be made available via the Shire's YouTube channel.
2. Meetings will be livestreamed and recorded until the meeting ceases or when the meeting is closed to the public.
3. Recordings will be made available through the Shire's YouTube channel and website as soon as practical following the meeting. It is to be noted that should any unforeseen technical difficulty arise, the audio or video recording may not be available or delayed.
4. The recording will provide an unedited broadcast of the meeting proceedings, including discussions and the decision-making process.
5. The recording will include audio and visual components, capturing Elected Members and Shire staff.

6. The recording of a meeting will remain accessible to the public through the Shire's website for a period of five years after the meeting date.
7. Closed proceedings will be audio recorded only, and the recording will be retained for a period of five years after meeting date. Audio recordings of closed proceedings will not be made publicly available.
8. The official record of the meeting will be the written minutes prepared in accordance with the requirements of the Act and the Regulations.
9. Council may resolve to close the meeting to the public in accordance with section 5.23 of the Act.
10. Clear signage will be placed in the Council Chamber advising members of the public that the meeting will be livestreamed and recorded, and the Presiding Member will announce that the meeting is livestreamed and recorded at the commencement of the meeting.
11. By participating in a public meeting, those members of the public in attendance consent to being recorded.
12. Recordings will not be transcribed.
13. Other than in accordance with this Policy, a person must not use any recording device or instrument to record the proceedings of a meeting without the written permission of the Presiding Member.
14. Under section 9.57A of the Act, the Shire is not liable for defamation in relation to a matter published on its website a part of a livestream or recording of a meeting. Elected Members and Shire staff are not liable for defamation for any statements made in good faith or to which a defence is available under the *Defamation Act 2005*.

Record Keeping

1. The Shire retains copyrights over its livestreaming and recordings of its meetings.
2. Closed proceedings will be audio recorded, and the recording will be retained for at least a period of five years after the meeting date. Audio recordings of closed proceedings will not be made publicly available.
3. Current Elected Members may request from the Chief Executive Officer (CEO) an audio recording hearing of a meeting at no charge. All Elected Members are to be notified when requests for recordings have been received and the recording is required to be heard in attendance with the CEO at the Shire Administration building.
4. Recordings will be stored and disposed of in accordance with the *State Records Act 2000*.

Document Control Box					
Document Responsibilities:					
Owner:	Chief Executive Officer		Owner Business Unit:	Office of the CEO	
Reviewer:	Manager Governance, Strategy and Risk		Decision Maker:	Council	
Compliance Requirements:					
Legislation:	Local Government Act 1995 Local Government (Administration) Regulations 1996 State Records Act 2000 Defamation Act 2005				
Industry:					
Organisational:	Shire of Broome Code of Conduct for Council Members, Committee Members and Candidates Shire of Broome Code of Conduct for Employees Shire of Broome Meetings Procedure Local Law 2020 Shire of Broome Council Policy Forums of Council – Workshops and Agenda Briefings				
Document Management:					
Risk Rating:	Low	Review Frequency:	2 Yearly	Next Due:	3/2027
Version #	Decision Reference:		Synopsis:		
1.			OMC Initial Adoption		
2.					
3.					

COUNCIL POLICY



Fraud and Corruption Prevention

Objective

The Shire of Broome ("the Shire") Fraud and Corruption Prevention Policy outlines the Shire's commitment to zero tolerance for Fraud and Corruption, compliance with Regulation 5 of the *Local Government (Financial Management) Regulations 1996*, and strategies for prevention, detection, and response.

The Policy aims to:

- Foster integrity and ethical conduct across the organisation.
- Strengthen internal controls to mitigate risks.
- Promote transparency and accountability in operations and decision-making.
- Provide clear guidance on managing fraud and corruption.

Scope

This Policy applies to the Shire's Elected Members, Committee Members, Election Candidates, Volunteers, Employees (including those appointed, seconded, contracted, or in temporary roles), and external parties such as contractors, consultants, and suppliers.

All individuals share a collective responsibility to assess and mitigate the risk of fraud and corruption, act ethically, and conduct their activities in alignment with the Shire's values of transparency, accountability, and integrity.

Policy Statement

The Shire is the custodian of significant public funds and assets therefore it is important that the community has assurance that these are adequately protected from Fraud and Corruption.

A zero tolerance approach is adopted by the Shire towards fraudulent and corrupt behaviours.

The Shire expects its Elected Members to lead an ethical culture, through compliance with the:

- *Local Government (Model Code of Conduct) Regulations 2021*; and
- The Shire Code of Conduct for Council Members, Committee Members and Candidates.

The Shire expects employees to comply with *Code of Conduct for Employees* and expects they behave ethically and honestly when performing their functions and during their interactions with each other, the community and all other stakeholders.

Fraud and Corruption are a risk to the Shire and can damage the Shire's capacity to serve the community through loss of financial capacity, loss of assets, loss of public confidence (either real or perceived), and reputational damage.

All persons associated with the Shire have a role to play in Fraud and Corruption prevention and control. The Shire encourages the disclosure of actual or suspected fraudulent or corrupt activity, and will offer multiple ways for people to report suspected acts.

The Shire will protect the anonymity of those reporting suspected acts of Fraud and Corruption, from retaliation, consistent with the requirements of the *Public Interest Disclosure Act 2003 (WA)*.

When identified, any suspected fraudulent or corrupt activity will be promptly investigated, and where legal remedies are available under the law they will be pursued. The Shire will seek to recover all losses suffered through acts of Fraud or Corruption and report all acts of Fraud and Corruption to the appropriate authority.

Council will appropriately resource the Shire to implement Fraud and Corruption Control through prevention, detection and response strategies.

The Chief Executive Officer will develop and implement a Fraud and Corruption Control Plan to deliver the policy objective. The Fraud and Corruption Control Plan will be reviewed on a biennial basis by the Chief Executive Officer with oversight from Council's Audit and Risk Committee.

Definitions

Code of Conduct	Code of Conduct documents broadly communicated within the organisation setting out expected standards of behaviour.
Conflict of Interest	Situation where business, financial, family, political or personal interests could interfere with the judgement of persons in carrying out their duties for the organisation.
Control	Measure that is modifying risk.
Corruption	Corruption is defined by Australian Standard AS8001-2021 as: Dishonest activity in which a person associated with an organisation (e.g. director, executive, manager, employee or contractor) act contrary to the interests of the organisation and abuses their position of trust in order to achieve personal advantage or advantage for another person or organisation. This can also involve corrupt conduct by the organisation, or a person purporting to act on behalf of and in the interest of the organisation, in order to secure some form of improper advantage for the organisation either directly or indirectly.
Fraud	Fraud is defined by Australian Standard AS8001-2021 as: Dishonest activity causing actual or potential gain or loss to any person or organisation including theft of moneys or other property by persons internal and/or external to the organisation and/or where deception is used at the time, immediately before or immediately following the activity.

Document Control Box					
Document Responsibilities:					
Owner:	Council		Owner Business Unit:	Corporate Services	
Reviewer:	Manager of Governance, Strategy and Risk		Decision Maker:	Council	
Compliance Requirements:					
Legislation:	<i>Local Government Act 1995 (WA)</i> <i>Public Interest Disclosure Act 2003 (WA)</i> <i>Corruption, Crime and Misconduct Act 2003 (WA)</i> <i>Local Government Act 1995 (WA)</i> <i>Local Government (Functions and General) Regulations 1996 (WA)</i>		<i>Local Government (Rules of Conduct) Regulations 2007 (WA)</i> <i>Local Government (Financial Management) Regulations 1996 (WA)</i> <i>Local Government (Audit) Regulations 1996 (WA)</i> <i>Local Government (Administration) Regulations 1996 (WA)</i>		
Industry:	AS8001-2021 Fraud and Corruption Control AS ISO 31000:2018 Risk Management Guidelines WA Auditor General's Report – Fraud Risk Management Better Practice June 2022 Public Sector Commission Integrity Strategy for WA Public Authorities 2024-28				
Organisational:	Code of Conduct for Council Members, Committee Members and Candidates Code of Conduct for Employees Code of Conduct Behaviour Management Policy Public Interest Disclosure Procedure		General Complaints Governance Framework Risk Management Policy Statement of Business Ethics Audit and Risk Committee Terms of Reference		
Document Management:					
Risk Rating:	Moderate	Review Frequency:	Reviewer	Annual Desktop	Next Due:
			Council	Biennial	
Version #	Decision Reference:		Synopsis:		
1.					
2.					
3.					

9.4.3 MONTHLY PAYMENT LISTING - DECEMBER 2024

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

SUMMARY:

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

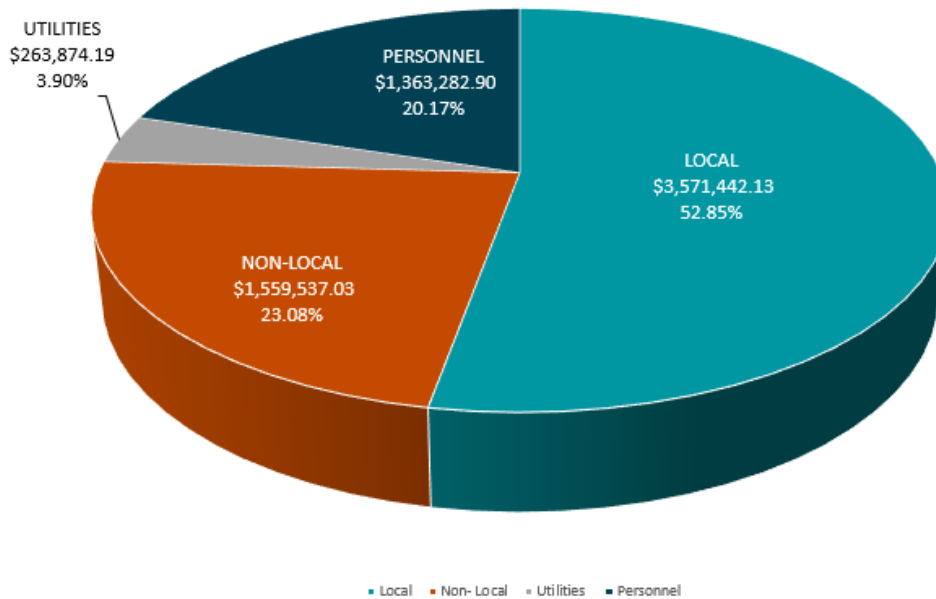
POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

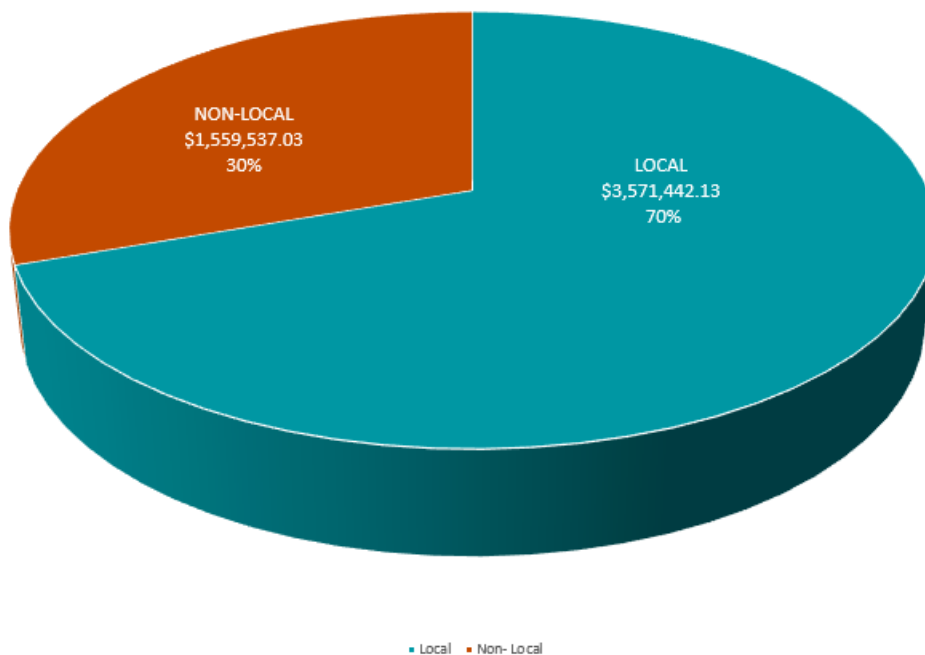
List of payments made in accordance with budget and delegated authority. Payments can also be analysed as follows:

SHIRE OF BROOME PAYMENTS DECEMBER 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 DECEMBER 2024



The above graph shows the percentage of local spend in comparison to non-local and recoupable spend for December 2024 after \$1,363,282.90 in personnel payments, \$263,874.19 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	\$ 319.90	\$ 3,429,201.48	\$ 321,266.66	\$ 30,283.93	\$ -	\$ 1,253,165.45	\$ 5,034,237.42
Nov-24	\$ 4,500.00	\$ 5,328,066.11	\$ 309,561.39	\$ 40,280.98	\$ -	\$ 846,765.67	\$ 6,529,174.15
Dec-24	\$ -	\$ 5,369,457.99	\$ 525,594.31	\$ 37,847.27	\$ -	\$ 825,236.68	\$ 6,758,136.25
Jan-25							
Feb-25							
Mar-25							
Apr-25							
May-25							
Jun-25							
TOTAL	\$ 6,919.74	\$ 24,433,682.78	\$ 1,997,657.35	\$ 223,633.22	\$ -	\$ 5,418,188.07	\$ 32,080,081.16

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

<p><u>REPORT RECOMMENDATION:</u></p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Receives the list of payments made from the Municipal and Trust Accounts in December 2024 totalling \$6,758,136.25 (Attachment 1) per the requirements of Regulation 12 of the <i>Local Government (Financial Management) Regulations 1996</i> covering: <ol style="list-style-type: none"> a) EFT Vouchers EFT77777 - EFT78142 totalling \$5,369,457.99; b) Municipal Cheque Vouchers 00000 – 00000 totalling \$0.00; c) Trust Cheque Vouchers 00000 - 00000 totalling \$0.00; and d) Municipal Direct Debits DD34045.1 - DD34081.6 including payroll totalling \$1,350,830.99.
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2. *Receives the list of payments made by credit cards in November 2024 totalling \$37,847.27 (contained within Attachment 1) per the requirements of Regulation 13A of the Local Government (Financial Management) Regulations 1996 covering EFT Vouchers EFT78261 – EFT78288.*
3. *Notes the local spend of \$3,571,442.13 included in the amount above, equating to 70% of total payments excluding personnel, utility, and other external sole supplier costs.*

Attachments

1. Payment Listing - December 2024

PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - DECEMBER 2024				
PAYMENT #	Date	Name	Description	Amount
MUNICIPAL & TRUST ELECTRONIC TRANSFERS - DECEMBER 2024				
EFT #	Date	Name	Description	Amount
EFT77918	11/12/2024	A & M MEDICAL SERVICES PTY LTD	Oxygen Regulators Service- BRAC	\$ 273.74
EFT77920	11/12/2024	A RANN	Umpire Payments- BRAC	\$ 70.00
EFT77921	11/12/2024	A LOVETT	Umpire Payments- BRAC	\$ 70.00
EFT77919	11/12/2024	AAC ID SOLUTIONS	Entry Wristbands- BRAC	\$ 895.40
EFT77834	05/12/2024	ABLE ELECTRICAL (WA) PTY LTD	Replace Power Point- Japanese Cemetery	\$ 143.00
EFT78005	12/12/2024	ACOR CONSULTANTS (WA) PTY LIMITED	Stormwater Drainage Review- Cable Beach Foreshore Redevelopment	\$ 15,680.50
EFT77869	09/12/2024	ACURIX NETWORKS PTY LTD	Public Wi-Fi Services- Library	\$ 497.20
EFT77786	03/12/2024	AFGRI EQUIPMENT AUSTRALIA PTY LTD	Grass Catchers & Mounting Plates- Parks & Gardens	\$ 3,620.16
EFT77835	05/12/2024	AFGRI EQUIPMENT AUSTRALIA PTY LTD	Filters for Servicing- Parks & Gardens	\$ 1,943.83
EFT78006	12/12/2024	AGENT SALES & SERVICES PTY LTD	Chlorine Testing Disks- Environmental Health	\$ 873.40
EFT78076	16/12/2024	AIT SPECIALISTS PTY LTD	Monthly Review- Fuel Tax Credits	\$ 749.87
EFT77922	11/12/2024	AUSSIE BROADBAND LIMITED	Internet Links- ICT	\$ 2,526.70
EFT77923	11/12/2024	AUSTRALIA DAY COUNCIL OF WESTERN AUSTRALIA (INC)	Ambassador Flights Australia Day 2025	\$ 541.50
EFT77870	09/12/2024	AUSTRALIA POST	Post Charges- Administration	\$ 1,748.87
EFT78057	13/12/2024	AUSTRALIAN SERVICES UNION - WA BRANCH	Payroll Deductions/Contributions	\$ 685.00
EFT78131	19/12/2024	AUSTRALIAN SERVICES UNION - WA BRANCH	Payroll Deductions/Contributions	\$ 685.00
EFT78058	13/12/2024	AUSTRALIAN TAXATION OFFICE	Payroll Deductions/Contributions	\$ 140,484.00
EFT78132	19/12/2024	AUSTRALIAN TAXATION OFFICE	Payroll Deductions/Contributions	\$ 123,111.00
EFT77871	09/12/2024	AVIAIR	Sponsorship November C/1222/026	\$ 17,678.10
EFT78077	16/12/2024	B ENNIS	Rates Refund- A305904	\$ 521.00
EFT78111	17/12/2024	B HART	Staff Rent- January 2025	\$ 1,698.99
EFT78139	20/12/2024	B SHATTOCK	Rates Refund- A100640	\$ 5,936.58
EFT77836	05/12/2024	BIG MAMA PRODUCTIONS	Artist Salary- Man-Gala Lanterns Project	\$ 7,500.00
EFT77788	03/12/2024	BLACKWOODS	Grease Gun Skin- Parks & Gardens	\$ 1,225.49
EFT77872	09/12/2024	BLACKWOODS	Staff Uniforms- People & Culture RFT 23/17	\$ 380.72
EFT77924	11/12/2024	BLACKWOODS	Staff Uniforms- WMF	\$ 766.38
EFT78007	12/12/2024	BLACKWOODS	Staff Uniforms- People & Culture RFT 23/17	\$ 5,193.77
EFT78078	16/12/2024	BLACKWOODS	Staff Uniforms- People & Culture	\$ 247.21
EFT77789	03/12/2024	BP AUSTRALIA PTY LTD - FUEL	Fuel- Depot	\$ 16,923.28
EFT78008	12/12/2024	BP AUSTRALIA PTY LTD - FUEL	Fuel- Depot	\$ 25,556.52
EFT78009	12/12/2024	BRENNAN IT PTY LTD	Microsoft Annual Server Licensing- ICT	\$ 3,880.69
EFT77965	12/12/2024	BROOKS HIRE	Excavator Hire- WMF	\$ 15,523.68
EFT78010	12/12/2024	BROOME ACCIDENT REPAIR CENTRE	Repair & Respray Rangers Vehicle Canopy	\$ 5,186.50
EFT77790	03/12/2024	BROOME AUTO ELECTRICS	Hook Truck Water Cart Attachment- Depot	\$ 1,381.50
EFT78011	12/12/2024	BROOME BOLT SUPPLIES WA PTY LTD	Concrete Saw Blade- Works & Operations	\$ 484.00
EFT77837	05/12/2024	BROOME BULLETS NETBALL CLUB	CDF Funding 202425 - Broome Bullets C/0624/066	\$ 2,200.00
EFT77966	12/12/2024	BROOME DOCTORS PRACTICE PTY LTD	Pre Employment Medicals- People & Culture	\$ 1,386.00

PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - DECEMBER 2024				
PAYMENT #	Date	Name	Description	Amount
MUNICIPAL & TRUST ELECTRONIC TRANSFERS - DECEMBER 2024				
EFT78079	16/12/2024	BROOME DOCTORS PRACTICE PTY LTD	Pre Employment Medicals- People & Culture	\$ 924.00
EFT78013	12/12/2024	BROOME FISHING CLUB	Beverages- Staff Christmas Party	\$ 3,458.50
EFT78014	12/12/2024	BROOME HISTORICAL SOCIETY & MUSEUM	Interpretive Services- Cable Beach Foreshore Re-development	\$ 3,162.50
EFT77925	11/12/2024	BROOME PERFORMING ARTS CO INC	Event Development Funding- BPAC Concert (Ferngully 2024)	\$ 7,185.00
EFT78015	12/12/2024	BROOME PERFORMING ARTS CO INC	Performance- Town Beach Christmas Party	\$ 500.00
EFT77926	11/12/2024	BROOME PLUMBING & GAS	Inside Waste System Maintenance- BRAC	\$ 364.00
EFT77791	03/12/2024	BROOME PROGRESSIVE SUPPLIES	Kiosk Stock- BRAC	\$ 620.72
EFT77873	09/12/2024	BROOME PROGRESSIVE SUPPLIES	Milk- Shire Administration	\$ 52.25
EFT77927	11/12/2024	BROOME PROGRESSIVE SUPPLIES	Milk- Depot	\$ 17.18
EFT78080	16/12/2024	BROOME PROGRESSIVE SUPPLIES	Milk- Shire Administration	\$ 69.43
EFT77792	03/12/2024	BROOME SCOOTERS PTY LTD (KIMBERLEY MOWERS & SPARES)	Whipper Snipper Line- Parks & Gardens	\$ 630.00
EFT77928	11/12/2024	BROOME SENIOR HIGH SCHOOL	Christmas Party Performance	\$ 500.00
EFT78059	13/12/2024	BROOME SHIRE INSIDE STAFF SOCIAL CLUB	Payroll Deductions/Contributions	\$ 500.00
EFT78133	19/12/2024	BROOME SHIRE INSIDE STAFF SOCIAL CLUB	Payroll Deductions/Contributions	\$ 500.00
EFT78060	13/12/2024	BROOME SHIRE OUTDOOR STAFF SOCIAL CLUB	Payroll Deductions/Contributions	\$ 1,080.00
EFT78134	19/12/2024	BROOME SHIRE OUTDOOR STAFF SOCIAL CLUB	Payroll Deductions/Contributions	\$ 1,110.00
EFT77874	09/12/2024	BROOME SMALL ENGINE SERVICES	Hedge Trimmer Repairs- Parks & Gardens	\$ 229.86
EFT78081	16/12/2024	BROOME STATE EMERGENCY SERVICES	First Aid Tent- Shire Christmas Party	\$ 300.00
EFT77838	05/12/2024	BROOME TOURIST BUREAU INC	Annual Subsidy- Broome Visitor Centre C/0323/026	\$ 137,500.00
EFT77929	11/12/2024	BROOME TOWING & SALVAGE	Vehicle Impound Fees- Ranger Services	\$ 450.00
EFT78016	12/12/2024	BROOME TOWING & SALVAGE	Vehicle Impound Tow- Ranger Services	\$ 150.00
EFT77875	09/12/2024	BROOME TRANSIT- BROOME TAXIS	Bus Hire- Councillors	\$ 528.00
EFT78082	16/12/2024	BROOME VETERINARY HOSPITAL	November Vet Fees- Ranger Services	\$ 1,677.05
EFT77793	03/12/2024	BROOME WHEEL ALIGNING & SUSPENSION	Truck Wheel Alignment- Works & Operations	\$ 327.00
EFT77930	11/12/2024	BROOME WHEEL ALIGNING & SUSPENSION	Wheel Alignment- Depot	\$ 327.00
EFT77794	03/12/2024	BROOME CRETE	Pindan Fill- WMF	\$ 825.00
EFT77931	11/12/2024	BROOME CRETE	Cement- Parks & Gardens	\$ 845.35
EFT78017	12/12/2024	BROOME CRETE	Cracker Dust- Works & Operations	\$ 91.30
EFT78083	16/12/2024	BUNNINGS BROOME	Recovery Tracks Set- Ranger Services	\$ 588.00
EFT78084	16/12/2024	C TOWNSEND	Rates Refund- A110933	\$ 979.52
EFT77795	03/12/2024	CABLE BEACH ELECTRICAL SERVICE	Check Solar Speed Sign- Works & Operations	\$ 484.00
EFT77932	11/12/2024	CABLE BEACH TYRE SERVICE PTY LTD (GOODYEAR AUTOCARE BROOME)	Tyres & Fitting- Depot	\$ 1,961.00
EFT78018	12/12/2024	CABLE BEACH TYRE SERVICE PTY LTD (GOODYEAR AUTOCARE BROOME)	Tyres, Fitting and Disposal- Depot	\$ 1,680.00
EFT77876	09/12/2024	CATALYSE PTY LTD	Strategic Community & Corporate Business Plan- Corporate Services RFQ24/16	\$ 25,575.00
EFT78019	12/12/2024	C TRIBBLE	Travel- Staff Reimbursement	\$ 447.90

PAYMENTS BY EFT, CHEQUE, PAYROLL, TRUST, CREDIT CARDS & DIRECT DEBITS - DECEMBER 2024				
PAYMENT #	Date	Name	Description	Amount
MUNICIPAL & TRUST ELECTRONIC TRANSFERS - DECEMBER 2024				
EFT78020	12/12/2024	CENTRAL REGIONAL TAFE	Staff Training- Ranger Services	\$ 874.36
EFT78112	17/12/2024	CHARTER PROPERTY GROUP PTY LTD	Staff Rent- January 2025	\$ 3,910.71
EFT77933	11/12/2024	CHI MAYI KITCHEN (A.K KEARNEY & D.G KITCHEN)	Catering - Arts Industry Night	\$ 1,305.00
EFT78061	13/12/2024	CHILD SUPPORT AGENCY	Payroll Deductions/Contributions	\$ 866.63
EFT78135	19/12/2024	CHILD SUPPORT AGENCY	Payroll Deductions/Contributions	\$ 866.63
EFT77877	09/12/2024	CHRISTOPHER HILL	Artist Salary- Man-Gala Lanterns Project 2024	\$ 7,500.00
EFT77878	09/12/2024	CIVIQ PTY LTD	Drinking Fountain- Library	\$ 4,210.80
EFT77879	09/12/2024	CLARK POOLS & SPAS BROOME (NEW)	Pool Service & Chemicals- Residential	\$ 317.23
EFT77839	05/12/2024	CLEANAWAY CO PTY LTD	Kerbside Waste & Recycling Collection- Waste RFQ 23- 16	\$ 616,478.14
EFT77880	09/12/2024	CLEANAWAY CO PTY LTD	Residential Bin Service- Waste RFQ 23- 16	\$ 84,322.26
EFT77967	12/12/2024	CLEANAWAY CO PTY LTD	Waste Removal- Kimberley Regional Offices	\$ 4,369.94
EFT78021	12/12/2024	CLEANAWAY CO PTY LTD	Waste Removal- Shire Administration RFT 23-16	\$ 1,231.08
EFT77840	05/12/2024	CMA CONTRACTING PTY LTD	Cable Beach Foreshore Redevelopment- Contract Claim #8 RFT 23-12	\$ 1,334,161.90
EFT77881	09/12/2024	COAST & COUNTRY ELECTRICS	Power Point Replacement- Broome Visitors Centre	\$ 143.15
EFT77934	11/12/2024	COAST & COUNTRY ELECTRICS	Replacement Globes- Civic Centre	\$ 2,573.85
EFT77968	12/12/2024	COAST & COUNTRY ELECTRICS	Exhaust Fan Installation- Environmental Health	\$ 3,383.75
EFT77969	12/12/2024	CORNERSTONE LEGAL	Legal Advice- Ranger Services	\$ 1,210.00
EFT77841	05/12/2024	CORSIGN WA PTY LTD	Road Signs- Infrastructure	\$ 1,621.62
EFT78022	12/12/2024	CORSIGN WA PTY LTD	Orange Traffic Cones- Operations & Works	\$ 1,815.00
EFT77785	03/12/2024	CR. COOPER	Monthly Councillor Sitting Fee & Allowances	\$ 2,394.75
EFT78075	16/12/2024	CR. COOPER	Monthly Councillor Sitting Fee & Allowances	\$ 2,394.75
EFT77780	03/12/2024	CR. LEWIS	Monthly Councillor Sitting Fee & Allowances	\$ 2,394.75
EFT78070	16/12/2024	CR. LEWIS	Monthly Councillor Sitting Fee & Allowances	\$ 2,394.75
EFT77778	03/12/2024	CR. MALE	Monthly Councillor Sitting Fee & Allowances	\$ 3,822.91
EFT78068	16/12/2024	CR. MALE	Monthly Councillor Sitting Fee & Allowances	\$ 3,822.91
EFT77781	03/12/2024	CR. MAMID	Monthly Councillor Sitting Fee & Allowances	\$ 2,394.75
EFT78071	16/12/2024	CR. MAMID	Monthly Councillor Sitting Fee & Allowances	\$ 2,394.75
EFT77784	03/12/2024	CR. MATSUMOTO	Monthly Councillor Sitting Fee & Allowances	\$ 2,394.75
EFT78074	16/12/2024	CR. MATSUMOTO	Monthly Councillor Sitting Fee & Allowances	\$ 2,394.75
EFT77777	03/12/2024	CR. MITCHELL	Monthly Councillor Sitting Fee & Allowances	\$ 8,821.50
EFT78067	16/12/2024	CR. MITCHELL	Monthly Councillor Sitting Fee & Allowances	\$ 8,821.50
EFT77779	03/12/2024	CR. SMITH	Monthly Councillor Sitting Fee & Allowances	\$ 2,394.75
EFT78069	16/12/2024	CR. SMITH	Monthly Councillor Sitting Fee & Allowances	\$ 2,394.75
EFT77783	03/12/2024	CR. TAYLOR	Monthly Councillor Sitting Fee & Allowances	\$ 2,394.75
EFT78073	16/12/2024	CR. TAYLOR	Monthly Councillor Sitting Fee & Allowances	\$ 2,394.75

9.4.4 MONTHLY PAYMENT LISTING - JANUARY 2025

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

SUMMARY:

This report recommends that Council receives the list of payments made under delegated authority, as per the attachment to this report, for January 2025.

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 January 2025.

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.

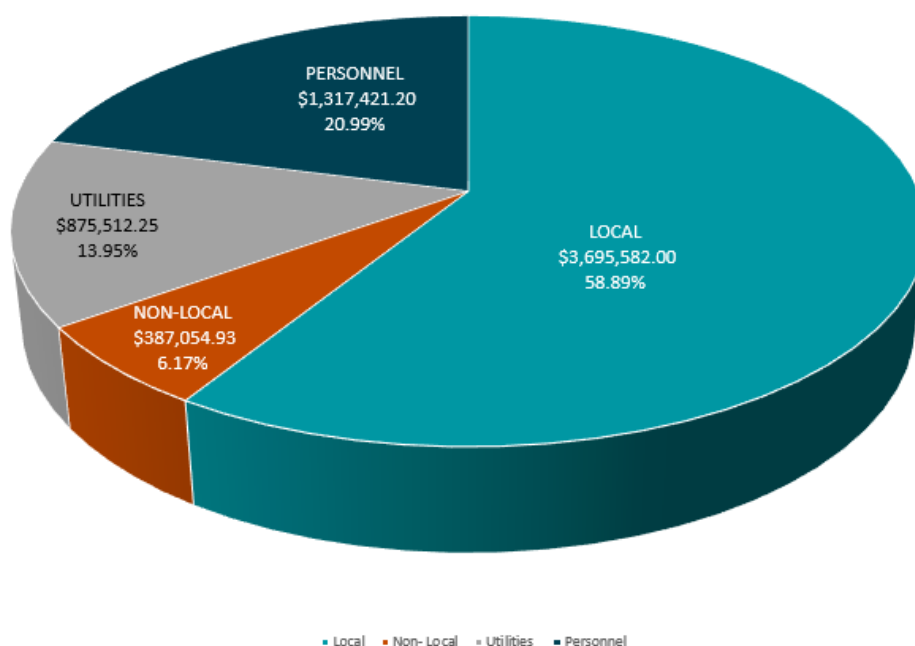
POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

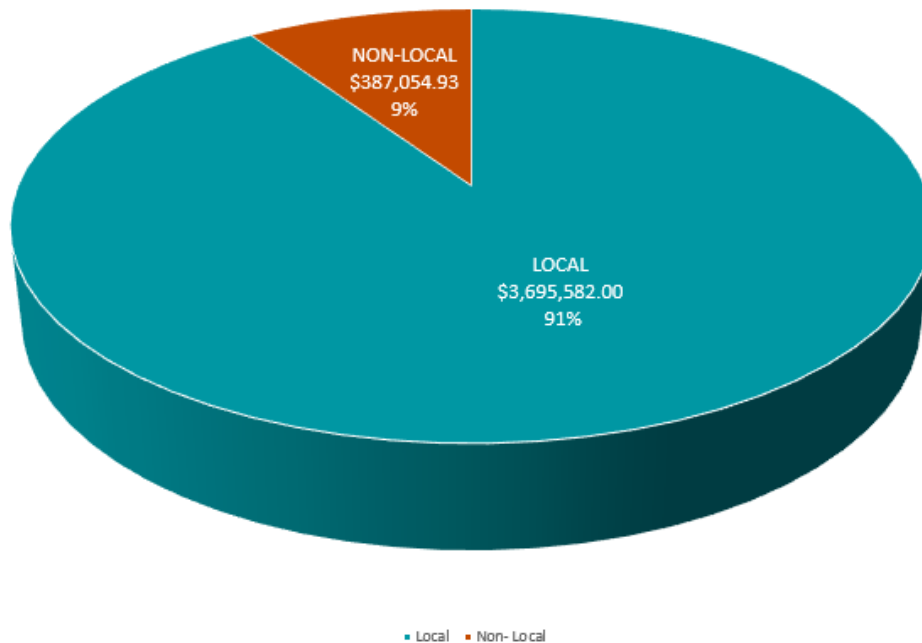
List of payments made in accordance with budget and delegated authority. Payments can also be analysed as follows:

SHIRE OF BROOME PAYMENTS
JANUARY
2025



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
JANUARY 2025**



The above graph shows the percentage of local spend in comparison to non-local and recoupable spend for January 2025 after \$1,317,421.20 in personnel payments, \$875,512.25 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	\$ 319.90	\$ 3,429,201.48	\$ 321,266.66	\$ 30,283.93	\$ -	\$ 1,253,165.45	\$ 5,034,237.42
Nov-24	\$ 4,500.00	\$ 5,328,066.11	\$ 309,561.39	\$ 40,280.98	\$ -	\$ 846,765.67	\$ 6,529,174.15
Dec-24	\$ -	\$ 5,369,457.99	\$ 525,594.31	\$ 37,847.27	\$ -	\$ 825,236.68	\$ 6,758,136.25
Jan-25	\$ 388.90	\$ 5,167,307.63	\$ 289,099.49	\$ 19,948.17	\$ -	\$ 798,876.19	\$ 6,275,570.38
Feb-25							
Mar-25							
Apr-25							
May-25							
Jun-25							
TOTAL	\$ 7,308.64	\$ 29,600,990.41	\$ 2,286,756.84	\$ 243,581.39	\$ -	\$ 6,217,064.26	\$ 38,355,651.54

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 January 2025 totalling \$6,275,570.38 (Attachment 1) per the requirements of Regulation 12 of the Local Government (Financial Management) Regulations 1996 covering:*
 - a) *EFT Vouchers EFT78143 – EFT78480 totalling \$5,167,307.63;*
 - b) *Municipal Cheque Vouchers 57848 - 57848 totalling \$338.90;*
 - c) *Trust Cheque Vouchers 00000 - 00000 totalling \$0.00; and*
 - d) *Municipal Direct Debits DD3410.1 - DD34154.1 including payroll totalling \$1,087,975.68*
2. *Receives the list of payments made by credit cards in January 2025 totalling \$19,948.17 (contained within Attachment 1) per the requirements of Regulation 13A of the Local Government (Financial Management) Regulations 1996 covering EFT Vouchers EFT78490 – EFT78517.*
3. *Notes the local spend of \$3,695,582.00 included in the amount above, equating to 91% of total payments excluding personnel, utility, and other external sole supplier costs.*

Attachments

1. Payment Listing - January 2025

9.4.5 MONTHLY FINANCIAL REPORT - DECEMBER 2024

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

SUMMARY:

Council is required under Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996 (FMR)* to consider and receive the Monthly Financial Report for the period ended 31 December 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 December 2024 Monthly Financial Report provides an overview of operating and capital project progress. Below are the key indicators of the 2024/25 year-to-date budget position:

Budget Year Elapsed	50%
Total Rates levied	100%
Total Operating Revenue (excluding Rates and Profit on asset disposals)	77%
Total Operating Expenditure (excluding Loss on asset disposals)	45%
Total Capital Revenue	2%
Total Capital Expenditure	17%

For activity categories where progress notably differs from the 50% budget year elapsed, high-level explanations for the variances are provided:

Operating Revenue

Grants Subsidies and Contributions

\$469,063 less than estimated YTD income (47.86% variance). \$350,000 of funding was budgeted in respect of the Cable Beach Water Park Detailed Design Project however has not been received. Similarly, \$98,000 of funding for the Broome Housing Affordability Strategy Project has not yet been received. These receipts are expected in the coming months. Temporary variance.

Fees and Charges

\$982,279 over estimated YTD income (9.63% variance). While no material variance significant additional one-off refuse and recycling fees have been received in 2024. Permanent variance with adjustment proposed in Quarter 2 Finance and Costing Review.

Interest Revenue

\$393,014 over estimated YTD income (41.02% variance). Strong term deposit interest rates have resulted in a higher investment yield than forecast. Permanent variance.

Other Revenue

\$357,6884 over estimated YTD income (50.02% variance). A reimbursement of \$107,000 was received for a 2023/24 insurance claim, and \$200,000 in additional scrap metal disposal fees were collected. Permanent variance with adjustment proposed in Quarter 2 Finance and Costing Review.

Operating Expenditure

Materials and Contracts

\$2,897,840 less than estimated YTD expenditure (33.36% variance). \$1.2m has been budgeted for BRAC site remediation and asset rehabilitation works which have not yet commenced. Waste facility contracted recycling services and kerbside collections are \$610,000 under budget. Expenditure for Parks and Ovals is currently \$125,000 below budget. Temporary variance.

Utility Charges

\$287,774 less than estimated YTD expenditure (21.7% variance). Maintenance of Parks and Ovals is currently \$110,000 under budget with costs expected to rise during wet season. Timing of invoices for street lighting charges has resulted in a budget variance of \$60,000. Temporary variance.

Finance Costs

\$114,063 less than estimated YTD expenditure (51.4% variance). \$74,000 was budgeted for interest on loans for the Key Worker Housing Project. These loans are expected to be drawn down in the coming months. Permanent variance with adjustment proposed in Quarter 2 Finance and Costing Review.

Capital Revenue

Proceeds from capital grants, subsidies and contributions

\$3,641,703 less than estimated YTD revenue (76.58% variance). There is a timing difference between the budget phasing and the receipt of grant funding for the Cable Beach redevelopment, which is funded through various sources, carrying an impact of \$4m. However, \$352,000 from the Regional Road Group was received earlier than budgeted. Temporary variance.

Proceeds from disposal of assets

\$322,695 less than estimated YTD revenue (100.00% variance). Periodic renewal of Mobile Plant and Equipment is behind schedule. It is expected that replacement vehicles and equipment will be put into service in the coming months. Temporary variance.

Capital Expenditure

Payments for property, plant and equipment

\$3,003,609 less than estimated YTD expenditure (62.46% variance). The Key Worker Housing project tender was awarded in July, and expenditure has commenced. The project is on track to meet the budget, with the current variance of \$1.8m being due to timing. Periodic renewal of Mobile Plant and Equipment is behind schedule causing a timing difference of \$1m. A detailed capital expenditure schedule can be found at Supplementary Note 5. Temporary variance.

Payments for construction of infrastructure

\$1,145,210 more than estimated YTD expenditure (15.17% variance). Infrastructure works are running at \$1m above budget due to timing of invoices received from major contractors in the Cable Beach Redevelopment project. A detailed capital expenditure schedule can be found at Supplementary Note 5. Temporary variance.

Variances identified in the attached report are classified as either timing or permanent variances. For permanent variances, adjustments will be proposed during quarterly budget reviews to ensure the budget aligns with projected outcomes. For further details on major variances by activity (Actual vs. Budget), refer to Note 3 in the Monthly Financial Report. For a full list of budget adjustments approved by Council in 2024/25, refer to Note 9 in the Monthly Financial Report.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

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.
- 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.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The attached financial statements summarise the transactions for the 2024/25 financial year. The closing position as of 30 June 2025 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.

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 adopts the Monthly Financial Activity Statement Report for the period ended 31 December 2024 as attached.

Attachments

1. Monthly Statement of Activity December 2024

9.4.6 MINUTES AND RECOMMENDATIONS FROM THE AUDIT AND RISK COMMITTEE MEETING HELD 18 FEBRUARY 2025

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FRE02
AUTHOR:	Director Corporate Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

Council is requested to consider the recommendations of the Audit and Risk Committee to adopt the 2024 Compliance Audit Return (CAR), and adopt the budget amendments proposed through the 2nd Quarter Finance and Costing Review (FACR) of the Shire's budget for the period ended 31 December 2024.

BACKGROUND

Item 5.1 Compliance Audit Return 2023

Previous Considerations

ARC 20 February 2024 Item 5.1

Local governments are required to complete an annual compliance audit for the previous calendar year by the 31 March. The DLGSC provides the questions each year with the compliance audit being an in-house self-audit that is undertaken by the appropriate responsible officer.

Section 7.13(j) of the *Local Government Act 1995*, and Regulations 13, 14 and 15 of the *Local Government (Audit) Regulations 1996*, outline the requirements for completion of the CAR.

Regulation 14 of the *Local Government (Audit) Regulations 1996* requires the Audit and Risk Committee (ARC) to review the CAR and report to Council the results of that review. The CAR is to be:

1. presented to an Ordinary Meeting of Council;
2. adopted by Council; and
3. recorded in the minutes of the meeting at which it is adopted.

Following the adoption by Council of the CAR, a certified copy of the return, along with the relevant section of the minutes and any additional information detailing the contents of the return are to be submitted to the DLGSC by 31 March 2025.

The return requires the Shire President and the Chief Executive Officer to certify that the statutory obligations of the Shire of Broome have been complied with.

Item 5.2 2nd Quarter Finance And Costing Review 2024-25

Previous Considerations

SMC	22 August 2024	Item 5.4.1
ARC	29 October 2024	Item 5.1
OMC	31 October 2024	Item 13.1

The Shire of Broome has carried out its 2nd Quarter Finance and Costing Review (FACR) for the 2023/24 financial year. This review of the 2023/24 adopted Annual Budget is based on actuals and commitments for the first six months of the year from 1 July 2023 to 31 December 2023, and forecasts for the remainder of the financial year.

This process aims to highlight over and under expenditure of funds and over and under achievement of income targets for the benefit of Executive and Responsible Officers to ensure good fiscal management of their projects and programs.

Once this process is completed, a report is compiled identifying budgets requiring amendments to be adopted by Council. Additionally, a summary provides the financial impact of all proposed budget amendments to the Shire of Broome's adopted end-of-year forecast, to assist Council to make an informed decision.

It should be noted that the 2023/24 Annual Budget was adopted at the Special Meeting of Council (SMC) on 11 July 2023 as a balanced budget.

COMMENT

Item 5.1 Compliance Audit Return 2023

The DLGSC continues to focus on high risk areas of compliance and statutory reporting as prescribed in Regulation 13 of the *Local Government (Audit) Regulations 1996*.

The CAR for the period 1 January to 31 December 2024 comprises a total of 94 questions. The questions are the same as the previous year. A compliance rating of 98% has been achieved for 2024 with one minor non-compliance identified in the optional questions area:

Focus Area	Question	Comments
Optional Questions	Where a disclosure was made under sections 5.87A or 5.87B of the Local Government Act 1995, were the disclosures made within 10 days after receipt of the gift? Did the disclosure include their information required by section 5.87C of the Act?	One gift was received 09/08/2024 and disclosed as per 5.87C(1) and (3) of the <i>Local Government Act 1995</i> , however the gift was not disclosed until 19/09/2024 as per 5.87C(2).

The Shire will focus on the requirements pertaining to gift disclosures for both staff and elected members to ensure that these requirements are well understood going forward.

Item 5.2 2nd Quarter Finance And Costing Review 2024-25

Quarter 2 Finance and Costing Review

Responsible officers completed the second quarter review in January 2025. The executive team thoroughly reviewed and considered the budget requests, carefully weighing the impacts on service levels and potential delays to projects, against the overall annual budget.

The Quarter 2 FACR results indicate a deficit forecast financial position of **\$10,930** should Council approve the Quarter 2 proposed budget amendments. This figure represents a budget forecast should all expenditure and income occur as expected.

While officers make every effort to ensure the net impact of each FACR is minimal, and offset savings and expenditure within their assigned budgets and directorates, this is not always achievable.

A comprehensive list of accounts has been included for perusal by the committee, presented by Directorate (refer to Attachment 1).

A summary of the results is as follows:

SHIRE OF BROOME SUMMARY REPORT							
BUDGET IMPACT							
	2024/25 Adopted Budget	YTD Adopted Budget Amends. (Inc) / Exp	FACR Q2 Overall (Inc)/ Exp	FACR Q2 Org (Saving) / Expense	FACR Q2 Impact (Inc) / Exp (less Org Saving / Expense)	YTD Impact (Less Org Saving / Expense)	YTD Overall Position
Office of the CEO	\$0	\$45,732	\$0	\$0	\$0	\$45,732	\$45,732
Corporate Services	\$0	\$82,995	-\$74,184	-\$30,184	-\$44,000	\$38,995	\$8,811
Development Services	\$0	-\$12,000	-\$158,201	-\$122,893	-\$35,308	-\$47,308	-\$170,201
Infrastructure Services	\$0	\$5,890	\$120,698	\$79,183	\$41,515	\$47,405	\$126,588
Council budget amends.	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	0,000*	\$122,617	-\$111,687	-\$73,894	-\$37,793	\$84,824	\$10,930

*Council adopted the annual budget with a predicted end-of-year balanced budget.

CONSULTATION

Item 5.1 Compliance Audit Return 2023

Department of Local Government, Sport and Cultural Industries.

Item 5.2 2nd Quarter Finance And Costing Review 2024-25

All amendments have been proposed after consultation with Executive and Responsible Officers at the Shire.

STATUTORY ENVIRONMENT

Item 5.1 Compliance Audit Return 2023 Local Government Act 1995

7.13 Regulations as to audit

- (1) Regulations may make provision as follows —
- (i) – requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are —
 - (i) of a financial nature or not; or
 - (ii) under this Act or another written law.

Local Government (Audit) Regulations 1996

13. Prescribed statutory requirements for which compliance audit needed (Act s. 7.13(1)(i))

For the purposes of section 7.13(1)(i) the statutory requirements set forth in the Table to this regulation are prescribed.

14. Compliance audits by local governments

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.
- (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —
 - (a) presented to the council at a meeting of the council; and
 - (b) adopted by the council; and
 - (c) recorded in the minutes of the meeting at which it is adopted.

15. Compliance audit return, certified copy of etc. to be given to Departmental CEO

- (1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —
 - (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and
 - (b) any additional information explaining or qualifying the compliance audit,

is to be submitted to the Departmental CEO by 31 March next following the period to which the return relates.

Item 5.2 2nd Quarter Finance And Costing Review 2024-25 Local Government (Financial Management) Regulation 1996

r33A. Review of Budget

- (1) Between 1 January and the last day of February in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must —
 - (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
 - (b) consider the local government's financial position as at the date of the review; and

- (c) review the outcomes for the end of that financial year that are forecast in the budget; and
 - (d) include the following —
 - (i) the annual budget adopted by the local government;
 - (ii) an update of each of the estimates included in the annual budget;
 - (iii) the actual amounts of expenditure, revenue and income as at the date of the review;
 - (iv) adjacent to each item in the annual budget adopted by the local government that states an amount, the estimated end-of-year amount for the item.
- (2) The review of an annual budget for a financial year must be submitted to the council on or before 31 March in that financial year.
- (3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.
- *Absolute majority required.
- (4) Within 14 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

[Regulation 33A inserted: Gazette 31 Mar 2005 p. 1048-9; amended: Gazette 20 Jun 2008 p. 2723-4; SL 2023/106 r. 18.]

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

- 1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
- (a) is incurred in a financial year before the adoption of the annual budget by the local government;
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.
- (1a) In subsection (1) —

“additional purpose” means a purpose for which no expenditure estimate is included in the local government’s annual budget.

POLICY IMPLICATIONS

Item 5.1 Compliance Audit Return 2023

Nil.

Item 5.2 2nd Quarter Finance And Costing Review 2024-25

Nil. It should be noted that according to the materiality threshold set at the budget adoption, should a deficit achieve 1% of Shire's operating revenue (\$441,595) the Shire must formulate an action plan to remedy the over expenditure.

FINANCIAL IMPLICATIONS

Item 5.1 Compliance Audit Return 2023

Nil.

Item 5.2 2nd Quarter Finance And Costing Review 2024-25

The **net result** of budget amendments previously endorsed by Council (including Quarter 1 FACR) is a budget deficit position of **\$122,617**.

The **net result** of budget amendments proposed through the Quarter 2 FACR will result in a **\$111,687** surplus.

Council's approval of the Quarter 2 FACR will result in an overall closing position deficit of **\$10,930** to 30 June 2025. This figure represents a budget forecast should all expenditure and income occur as expected.

RISK

Item 5.1 Compliance Audit Return 2023

There is a reputational risk with the DLGSC should the CAR not be completed on time or if significant non compliances are reported.

The likelihood of this occurring is rare.

Item 5.2 2nd Quarter Finance And Costing Review 2024-25

The Finance and Costing Review (FACR) seeks to provide a best estimate of the end-of-year position for the Shire of Broome at 30 June 2025. Contained within the report are recommendations of amendments to budgets which have financial implications on the estimate of the end-of-year position.

The review does not, however, seek to make amendments below the materiality threshold unless strictly necessary. The materiality thresholds are set at \$10,000 for operating budgets and \$20,000 for capital budgets. Should a number of accounts exceed their budget within these thresholds, it poses a risk that the predicted final end-of-year position may be understated.

In order to mitigate this risk, the CEO enacted the FACRs to run quarterly and Executive examine each job and account to ensure compliance. In addition, the monthly report provides variance reporting highlighting any discrepancies against budget.

It should also be noted that should Council decide not to adopt the recommendations, it could lead to some initiatives being delayed or cancelled in order to offset the additional expenditure associated with running the Shire's operations.

STRATEGIC ASPIRATIONS

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

Outcome 11 - Effective leadership, advocacy and governance

Objective 11.2 Deliver best practice governance and risk management.

Actions 11.2.3 **Provide** regular and transparent governance reporting to the community.

VOTING REQUIREMENTS

Simple Majority

COMPLIANCE AUDIT RETURN 2025 (5.1)

COMMITTEE RECOMMENDATION 1:

That the Audit and Risk Committee recommends that Council:

- 1. Accepts the attached 2024 Compliance Audit Return as contained in Attachment 1.*
- 2. Authorises the Shire President and Chief Executive Officer to certify the 2024 Compliance Audit Return in Attachment 1 and provide to the Department of Local Government, Sport and Cultural Industries by 31 March 2025.*

VOTING REQUIREMENTS

Absolute Majority

2ND QUARTER FINANCE AND COSTING REVIEW 2024-25 (5.2)**COMMITTEE RECOMMENDATION 2:**

That the Audit and Risk Committee recommends that Council:

- 1. Receives the Quarter 2 Finance and Costing Review Report for the period ended 31 December 2024;*
- 2. Adopts the operating and capital budget amendment recommendations for the year ended 30 June 2025 as attached (Attachment 1);*
- 3. Notes a forecast net end-of-year deficit position to 30 June 2025 of \$10,930 including previously adopted budget amendments;*
- 4. Endorses the Report as the 2024/25 statutory mid-year budget review; and*
- 5. Requests the Chief Executive Officer to raise concerns regarding the increased Office of the Auditor General's Annual Financial Audit fees to the Minister for Local Government.*

Attachments

1. Minutes of the Audit and Risk Committee Meeting held 18 February 2025

10. REPORTS OF COMMITTEES

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)((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”.

14.1 RFT 24/11 - PROVISION OF CABLE BEACH LIFEGUARD SERVICES

LOCATION/ADDRESS:	Cable Beach Reserve
APPLICANT:	Nil
FILE:	RFT24/11
AUTHOR:	Acting Manager Health, Emergency and Rangers
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Director Development & Community
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

This report considers the submission received in response to Request for Tender (RFT) 24/11 – Provision of Cable Beach Lifeguard Services and seeks Council's adoption of the recommendation contained within the attached confidential Evaluation Report (**Attachment 1**).

This item and any attachments are 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”, and section 5.23(2)(b) as it contains “the personal affairs of any person”.

14.2 APPOINTMENT OF DIRECTOR DEVELOPMENT AND COMMUNITY

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	HR.int
AUTHOR:	Manager People & Culture
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

Pursuant to section 5.37 of the *Local Government Act 1995* this report is presented to Council in relation to the appointment of a Senior Officer.

15. MEETING CLOSURE