



UNCONFIRMED MINUTES

OF THE

ORDINARY COUNCIL MEETING

27 MARCH 2025

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

Signed:

SHIRE OF BROOME
ORDINARY COUNCIL MEETING
THURSDAY 27 MARCH 2025
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J Carpenter
 W Shoveller
 D Oliver
 R Italiano
 S Salmon
 B Long
 M Clark
 T Skeen
 T Strahan
 N Flanagan
 S Hunter
 M Councillor

3. ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION

Nil.

4. DECLARATIONS OF INTEREST

FINANCIAL INTERESTS (s5.60A)			
Councillor	Item No	Item	Nature of Interest
Cr S Cooper	9.2.1	Amendment No 1 to Local Planning Scheme No 7 - implementation of Precinct Structure Plans	I own property within the area of the scheme and structure plan.
Cr S Cooper	9.2.2	Chinatown Old Broome Precinct Structure Plan - Consideration of Submissions and Adoption	I own property within the area of the scheme and structure plan.
Cr P Taylor	9.2.1	Amendment No 1 to Local Planning Scheme No 7 - implementation of Precinct Structure Plans	I am the director of a company that owns property in Chinatown.
Cr P Taylor	9.2.2	Chinatown Old Broome Precinct Structure Plan - Consideration of Submissions and Adoption	I am the director of a company that owns property in Chinatown.
Cr E Smith	9.2.1	Amendment No 1 to Local Planning Scheme No 7 - implementation of Precinct Structure Plans	Have been engaged as a consultant for Nyamba Buru Yawuru (NBY). NBY own land throughout the areas of both Cable Beach and Chinatown Old Broome.
Cr E Smith	9.2.2	Chinatown Old Broome Precinct Structure Plan - consideration of submissions and adoption	Have been engaged as a consultant for Nyamba Buru Yawuru (NBY). NBY own land throughout the areas of both Cable Beach and Chinatown Old Broome.
Cr E Smith	9.2.3	Cable Beach Precinct Structure Plan -	Have been engaged as a consultant for Nyamba Buru Yawuru (NBY). NBY own land

		Consideration of submissions and Adoption	throughout the areas of both Cable Beach and Chinatown Old Broome.
Cr P Matsumoto	9.2.1	Amendment No 1 to Local Planning Scheme No 7 - implementation of Precinct Structure Plans	I own property in Chinatown Old Broome.
Cr P Matsumoto	9.2.2	Chinatown Old Broome Precinct Structure Plan - consideration of submissions and adoption	I own property in Chinatown Old Broome.
Mr S Mastrolembo	9.2.1	Amendment No 1 to Local Planning Scheme No 7 - implementation of Precinct Structure Plans	I own property in within the Old Broome precinct which is proposed to be rezoned.
Mr S Mastrolembo	9.2.2	Chinatown Old Broome Precinct Structure Plan - consideration of submissions and adoption	I own property in within the Old Broome precinct which is proposed to be rezoned.
Ms K Wood	9.2.1	Amendment No 1 to Local Planning Scheme No 7 - implementation of Precinct Structure Plans	I own property in the scheme amendment area and precinct structure plan area that is proposed to be rezoned.
Ms K Wood	9.2.2	Chinatown Old Broome Precinct Structure Plan - consideration of submissions and adoption	I own property in the scheme amendment area and precinct structure plan area that is proposed to be rezoned.
Cr M Virgo	9.3.1	Shinju Matsuri Acquittal 2023 and 2024 and Future Request for Funding	The Broome Visitor Centre has a partnership with Shinju Matsuri and I am the manager of the Broome Visitor Centre.

5. PUBLIC QUESTION TIME

Lesley Westlake provided one question prior to the meeting:

Question One (1)

Will the Shire review the minutes of motion 2 of lodgment 60 of the Resident's and Ratepayers meeting held in February 2025 so that the response is provided in the minutes of this meeting tonight. March 27th 2025, in listed agenda item 9.1.1 reflect the questions asked to be addressed in motion 2, thus ensuring the authenticity of the actual motion passed at the previous meeting?

Answer provided by Director Corporate Services:

The elector motion received prior to the Annual Elector Meeting held on 6 February 2025 contained a "preamble" or statement which was not included in the motion that was subsequently moved during the meeting. The motion, as written, was displayed to electors prior to being voted on, and was moved, seconded and passed by electors.

The Minutes of the Annual Electors Meeting, as published and circulated, were unanimously confirmed as being a true and accurate record of the meeting at the 27 February Ordinary Council Meeting.

An item has been listed on the Agenda tonight to allow Council to consider the elector motions moved at the Annual Electors Meeting. Officers have provided a recommendation in response to the referenced motion within that item, and elected members present tonight could propose an alternate motion should they see fit.

6. APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL RESOLUTION:

Minute No. C/0325/023

Moved: Cr P Matsumoto

Seconded: Cr E Smith

That Council grant Cr D Male a Leave of Absence from Councillor duties inclusive of 15th April 2025 through to 27th April 2025.

For the Motion: Shire President C Mitchell, Cr D Male, Cr S Cooper, Cr J Lewis, Cr P Matsumoto, Cr E Smith, Cr P Taylor and Cr M Virgo.

CARRIED UNANIMOUSLY 8/0

Cr J Mamid arrived 5:22pm electronically.

Cr Mamid declared that he could maintain confidentiality throughout the meeting as per Administration Regulation 14CA(5).

COUNCIL RESOLUTION:

Minute No. C/0325/024

Moved: Cr P Taylor

Seconded: Cr P Matsumoto

That Council grant Cr M Virgo a Leave of Absence from Councillor duties inclusive of 12th April 2025 through to 26th April 2025.

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

CARRIED UNANIMOUSLY 9/0

7. CONFIRMATION OF MINUTES

COUNCIL RESOLUTION:

Minute No. C/0325/025

Moved: Cr P Matsumoto

Seconded: Cr M Virgo

That the Minutes of the Ordinary Meeting of Council held on 27 February 2025, as published and circulated, be confirmed as a true and accurate record of that meeting.

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

CARRIED UNANIMOUSLY 9/0

COUNCIL RESOLUTION:

Minute No. C/0325/026

Moved: Cr S Cooper

Seconded: Cr M Virgo

That the Minutes of the Special Meeting of Council held on 11 March 2025, as published and circulated, be confirmed as a true and accurate record of that meeting.

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

CARRIED UNANIMOUSLY 9/0

8. PRESENTATIONS / PETITIONS / DEPUTATIONS

There are no reports in this section.

9. REPORTS FROM OFFICERS

9.1 PEOPLE

A typographical amendment was made to the body of the officer report following publication of the agenda. This has been reflected in the minutes.

9.1.1 TEMPORARY CLOSURE OF CABLE BEACH VEHICLE ACCESS RAMP AND ADJUSTMENTS TO GANTHEAUME POINT DOG EXERCISE AREA

LOCATION/ADDRESS:	Gantheaume Point, UCL Lot 651 on Plan 415214
APPLICANT:	Nil
FILE:	RES 36477; LAW002
AUTHOR:	Acting Director Development & Community
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Director Development & Community
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

Stage 2 of the Walmanyjun Cable Beach Foreshore Redevelopment is scheduled to begin in April 2025, necessitating the temporary closure of the existing Cable Beach vehicle access ramp. The Shire has obtained permission from the Kimberley Port Authority to extend the vehicle access area at Gantheaume Point for the project's duration.

This report recommends that Council, in accordance with section 3.50(4) of the Local Government Act 1995 and section 31(3A) of the Dog Act 1976, approve the temporary closure of the Cable Beach Vehicle Access Ramp for the duration of Stage 2 construction, extend the Gantheaume Point vehicle access area and adjust the dog on-leash area at Gantheaume Point for the same period.

BACKGROUND

Previous Considerations Cable Beach Vehicle Access Ramp

OMC 19 March 2009	Item 9.5.2
OMC 30 September 2010	Item 9.4.2
OMC 24 June 2021	Item 9.2.4
OMC 18 November 2021	Item 9.2.3
OMC 28 July 2022	Item 9.2.1
OMC 25 August 2022	Item 9.2.1
OMC 27 October 2022	Item 9.2.1
OMC 25 July 2024	Item 9.2.1

Previous Considerations Animal Management Plan

OMC 25 July 2024	Item 9.1.1
OMC 19 September 2024	Item 9.1.1

Cable Beach Vehicle Access Ramp

To protect nesting and hatching flatback turtles, the Shire of Broome has implemented seasonal closures of the Cable Beach vehicle access ramp during turtle nesting season. Historically, the ramp was closed to vehicles from December 1 to January 31. However, starting from the 2024 season, this closure has been extended through February, now spanning from December 1 to February 28.

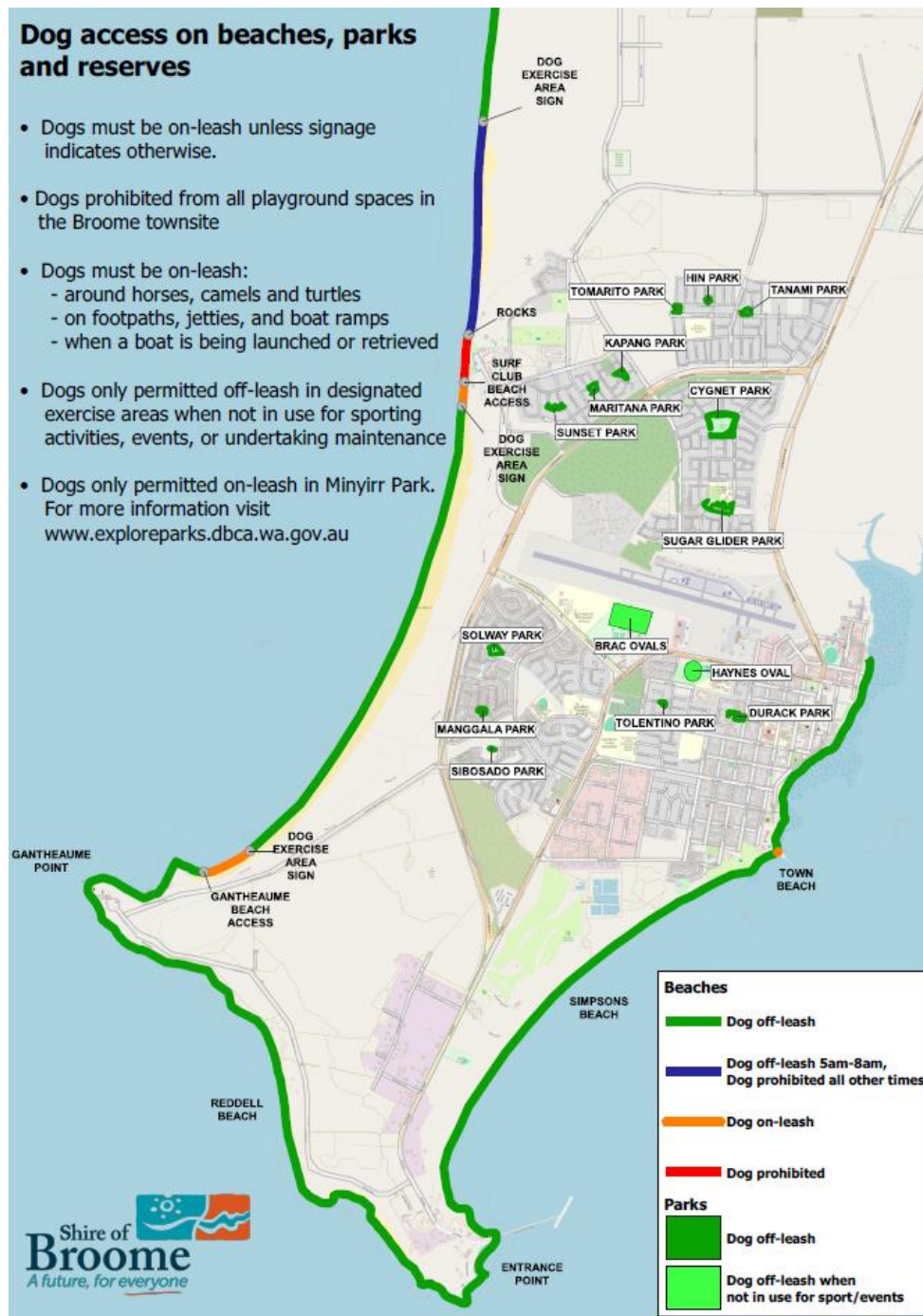
Animal Management Plan

The Shire of Broome's Animal Management Plan 2024 – 2028 was adopted at the Ordinary Council Meeting (OMC) on 19 September 2024. The plan was prepared to facilitate responsible animal management and seeks to achieve seven objectives:

1. Improve awareness and understanding of responsible and caring behaviour toward animals.
2. Increase adoption of responsible pet owner behaviours, related to registrations, microchipping, desexing, obedience training, excessive barking, and animal excreta.
3. Review animal access on local beaches to improve community safety and animal welfare.
4. Review dog access in local reserves, parks, playgrounds and outdoor sports facilities.
5. Improve the management of lost, stray and feral dogs and cats.
6. Minimise domestic animal impact on local wildlife.
7. Strengthen governance and enforcement.

The Shire's website has a full copy of the Animal Management Plan 2024 – 2028 (the Plan).

A key outcome of the Plan was to review dog exercise areas across the Broome townsite. The image below visually displays the dog exercise areas adopted by Council in the Plan.



The Plan included changing the dog off-lead areas at Gantheaume Point and requires dogs to be on-leash at all times in the vehicle access area. Dogs are permitted off-leash north of the Gantheaume Point vehicle access area.

The Walmanyjun Cable Beach Foreshore Redevelopment Stage 2 construction tender was awarded at a Special Meeting of Council on 11 March 2025.

<p><u>Council Resolution:</u> <u>(REPORT RECOMMENDATION)</u> Moved: Cr D Male That Council:</p>	<p>Minute No. C/0325/021 Seconded: Cr M Virgo</p>
<p>1. Note the recommendation in the Evaluation Report for RFT 24-10 Walmanyjun Cable Beach Foreshore Redevelopment Stage 2 as presented in Attachment 1;</p>	

- 2. Accepts the Tender provided by CMA Contracting Pty Ltd as the most advantageous Respondent from which to form a Contract, after final contract negotiations, for RFT 24-10 Walmanyjun Cable Beach Foreshore Redevelopment Stage 2.**
- 3. Authorises the Chief Executive Officer to negotiate and sign the contract documentation following final contract negotiations and the appropriate financial due diligence, and negotiate contract variations during the works/project if necessary;**
- 4. Approve the inclusion of the Shire of Broome financial contribution to the Walmanyjun Cable Beach Foreshore Redevelopment Stage 2 as per the Long Term Financial Plan 2025-2040 of \$1,013,290 in municipal funds and \$2,231,710 in borrowings in the 25/26 Annual Budget;**
- 5. Recognises the additional grant funding secured and approve a budget amendment of \$6,106,852 Ex GST in the 2024/25 financial year to Expense Account 101131340 - Walmanyjun Cable Beach Foreshore Redevelopment Stage 2;**
- 6. Recognises the additional grant funding secured and approve a budget amendment of \$6,106,852 Ex GST in the 2024/25 financial year within Income Account 101131330 - Walmanyjun Cable Beach Foreshore Redevelopment Stage 2.**

Voting

For the Motion: Shire President C Mitchell, Cr D Male, Cr S Cooper, Cr J Mamid, Cr E Smith and Cr M Virgo.

Against the Motion: Cr J Lewis.

CARRIED BY ABSOLUTE MAJORITY 6/1

COMMENT

Construction of the Stage 2 Walmanyjun Cable Beach Foreshore Redevelopment is set to commence in April 2025 and will require the closure of the northern Cable Beach vehicle access ramp for the duration of the construction period. This is anticipated for be for a minimum of 12 months.

Essential service vehicles, licenced businesses, and emergency vehicles will be able to access Walmanyjun Cable Beach at the new vehicle ramp closer to the Broome Surf Club. This will not be open for vehicle access to the public.

The image below shows the extent of the Stage 2 construction footprint.



The Shire recognises that residents and tourists highly value vehicle access to the northern section of Walmanyjun Cable Beach. The Shire has explored alternative options to accommodate beach vehicle access in light of the temporary closure. Traffic counter data for Walmanyjun Cable Beach over time shows that approximately 60% of vehicle movements on the beach occur at Gantheaume Point and 40% occur north of the rocks.

As Gantheaume Point is already a popular location for driving onto the beach and parking, and with the anticipated increase in usage during the closure, there were concerns about congestion and potential safety risks. To mitigate these concerns, the Shire formally requested permission from the Kimberley Port Authority (KPA) to extend the designated vehicle access area at Gantheaume Point for the duration of the Stage 2 construction period. This would see the vehicle access area double in length. In December 2024, KPA granted approval for this request. Gantheaume Point (UCL Lot 651 on Plan 415214) is vested with the KPA under Section 25 of the *Port Authorities Act 1999*.

To support the increased activity at Gantheaume Point, the Shire will enhance Ranger presence during peak usage periods, such as sunset, to ensure compliance and safety. Additionally, the Shire will actively monitor and maintain the vehicle access ramp as needed to support safe and efficient use.

The image below visually shows the proposed changes to the vehicle access area and is also included in **Attachment 1**.



The 19 September 2024 OMC resolution only requires dogs to be on leash in the existing Gantheaume Point vehicle access area (430 metres). This decision was based on the diverse and conflicting uses at Gantheaume Point and attempted to create a safer space for all residents and users. This agenda item requests that Council consider extending the dog on-leash area to accommodate the extended Gantheaume Point vehicle access area (860 metres).

At the end of the Stage 2 construction period, the Gantheaume Point vehicle access area and dog-on-leash area will return to their current length (430 metres).

This report recommends that Council, in accordance with section 3.50(4) of the Local Government Act 1995 and section 31(3A) of the Dog Act 1976, approve the temporary closure of the Cable Beach Vehicle Access Ramp for the duration of Stage 2 construction, extend the Gantheaume Point vehicle access area and adjust the dog on-leash area at Gantheaume Point for the same period.

CONSULTATION

Extensive benchmarking, literature reviews, research and consultation were completed in the development of the Plan.

KPA were consulted and provided permission as landowners to develop this report recommendation.

Yawuru Park Council were advised of the proposed changes to the Gantheaume Point vehicle access area in developing this report recommendation.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 3.50 of the Local Government Act 1995 contains provisions for the closure of roads and includes explicit powers for closure of a thoroughfare for more than four weeks under Section 3.50(1a). Section 3.50(4)(a) requires a public comment period where a Local Government intends to close a road for a period greater than four weeks.

3.50. Closing certain thoroughfares to vehicles

- (1) *A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.*
- (1a) *A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.*
- (2) *The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.*
- (4) *Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to —*
 - (a) *give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and*
 - (b) *give written notice to each person who —*
 - (i) *is prescribed for the purposes of this section; or*
 - (ii) *owns land that is prescribed for the purposes of this section;**and*
 - (c) *allow a reasonable time for submissions to be made and consider any submissions made.*
- (5) *The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4)(a).*
- (6) *An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which local public notice is given.*

The definition of a thoroughfare as per the Local Government Act is as follows:

thoroughfare means a road or other thoroughfare and includes structures or other things appurtenant to the thoroughfare that are within its limits, and nothing is prevented from being a thoroughfare only because it is not open at each end;

Dog Act 1976

Administration of animal management within Western Australia is set out in legislation, the Dog Act 1976 – Section 31:

(3A) A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a dog exercise area.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

RISK

The following risks have been considered in the development of this report:

Risk	Type (Health, Financial Impact, Service Interruption, Compliance, Reputational, Property Environment)	Rank (based on measures of consequence and likelihood)	Mitigation
Residents and tourists express dissatisfaction with the temporary closure of vehicle access to the northern section of Walmanyjun Cable Beach during the Stage 2 construction period.	Reputational	Medium	The KPA has granted permission to temporarily extend the vehicle access area at Gantheaume Point, allowing for increased capacity during the Stage 2 construction period.
Potential public confusion regarding the designated on-leash and off-leash dog areas at Gantheaume Point due to the extended vehicle access area.	Reputational	Medium	Align the dog on-leash areas with the newly extended vehicle access area to minimise confusion and enable effective enforcement by Shire rangers. Install clear, updated signage to reduce confusion further. Launch a public communication campaign to inform the community about the changes in the dog on-leash and off-leash areas.
Increase usage at Gantheaume Point during the closure	Reputational and Safety	Medium	Ensure an increased Ranger presence during peak usage periods and

<p>period of the northern vehicle access.</p>		<p>ensure the vehicle access ramp is regularly monitored and maintenance completed as required.</p>
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STRATEGIC ASPIRATIONS

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

Outcome 1 - A Safe Community

Objective 1.4 Encourage responsible animal management.

VOTING REQUIREMENTS

Absolute Majority

<p><u>COUNCIL RESOLUTION</u></p>	
<p>(REPORT RECOMMENDATION)</p>	<p>Minute No. C/0325/027</p>
<p>Moved: Cr D Male</p>	<p>Seconded: Cr S Cooper</p>
<p>That Council:</p>	
<ol style="list-style-type: none"> 1. Pursuant to section 3.50(1a) of the Local Government Act 1995 closes the Cable Beach vehicle access ramp located on Reserve 36477 for the purposes of the Stage 2 Walmanyjun Cable Beach Foreshore Redevelopment for the duration of construction period, commencing in April 2025; 2. Pursuant to section 3.50(1a) of the Local Government Act 1995 provides public notice of the closure as per point 1 above; 3. Pursuant to Section 3.50(5) of the Local Government Act 1995 advise the Commissioner of Main Roads of the closure of the thoroughfare for the duration of the Stage 2 Walmanyjun Cable Beach Foreshore Redevelopment construction period; 4. Extends the vehicle access area at Gantheaume Point for the duration of the Stage 2 Walmanyjun Cable Beach Foreshore Redevelopment as marked in Attachment 1, commencing in April 2025; 5. Designates a Portion of Cable Beach as Dog Exercise Areas under section 31(3A) of the Dog Act 1976 as marked in Attachment 2; 6. Requests the Chief Executive Officer to reinstate the vehicle access area and dog on-leash area at Gantheaume Point to their original size once the Stage 2 Walmanyjun Cable Beach Foreshore construction has finished; 7. Publicly advertise the changes to the dog on-leash and off-leash areas at Gantheaume Point through the Shire’s communication channels. 	
<p>For the Motion:</p>	<p>Shire President C Mitchell, Councillor D Male, Cr S Cooper, Cr J Mamid, Cr P Matsumoto, Cr E Smith, Councillor P Taylor and Cr M Virgo.</p>
<p>Against the Motion:</p>	<p>Cr J Lewis.</p>

CARRIED BY ABSOLUTE MAJORITY 8/1

Attachments

1. Attachment 1 - Vehicle Access Area
2. Attachment 2 - Dog On-Leash Area

9.1.2 COMMUNITY SPORT AND RECREATION FACILITIES FUND (CSRFF) SMALL GRANTS 2025/26

LOCATION/ADDRESS:	Cape Leveque Road, Broome WA 6725
APPLICANT:	Broome Motorcross Club
FILE:	GPC08
AUTHOR:	Manager Community Facilities
CONTRIBUTOR/S:	Place Activation & Engagement Officer (Community & Sporting)
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Not applicable

SUMMARY:

The Community Sport and Recreation Facilities Fund, provided by the Department of Local Government Sport and Cultural Industries, requires Local Governments to endorse and rank applications received from within the municipality. The Shire of Broome has received one funding application for the 2025/26 small grants funding round for Council to review and consider.

BACKGROUND

Previous Considerations

Nil

The Community Sport and Recreation Facilities Fund (**CSRFF**) is a State Government funding program that provides financial assistance to community groups and local government authorities to develop basic infrastructure for sport and recreation, with an aim to maintain or increase participation in sport and recreation with an emphasis on physical activity.

The CSRFF application process requires all projects from within a local government area to be assessed and ranked in order of priority for the municipality. The assessment and ranking of projects are required to be endorsed by Council.

The Broome Motocross Club relocated to its current site on Cape Leveque Road in 2020. Prior to this the club shared a facility with Broome Speedway on Wattle Drive. The relocation of the Motorcross Club was funded by Landcorp (now Development WA), due to noise restrictions that would need to be adhered to with the expansion of residential lots in the Broome North development.

The relocation was based on a motorsports masterplan, but essentially ensured that the Motocross Club was able to achieve 'like for like' from the facility they had departed from.

COMMENT

The Broome Motorcross Club are proposing to build dirt kart track that complies with the Australian Independent Dirt Kart Association (**AIDKA**) Track Operation Manual. They intend to building the track on the southern portion of the site allocated for motorcross use and within the existing area leased to the Broome Motorcross Club.

In previous planning, this space was noted that it would 'remain uncleared until future funding permits track extension'. The club have indicated that the existing 1.6 kilometre motorcross track is sufficient for their club and event needs, and is the recommended length for the activities and events that the hold at the venue.

The Motorplex Masterplan allocated space for go kart use in the south eastern / central part of the full site. The absence of an established go kart club has meant that this has not yet eventuated. The proposal by the Motorcross Club is not to build the proposed track on the area allocated for the kart track in the masterplan, but to do this within the land parcel allocated for motorcross activities. This meaning there is no impact on the remainder of the masterplan already endorsed by Council.

From a property and leasing perspective, the club intends to place the new dirt kart track within its existing lease boundary. The management order designates the site for 'motorplex' purposes, which include go karting meaning the proposed project is consistent with the leasing arrangements of the site. The club holds a long term lease that expires in 2041.

Pending the successful securing of funding, a planning application will need to be submitted for the proposed works. As the site is located within a bushfire prone area, a Bushfire Attack Level (BAL) assessment will also be necessary. Additionally, as the proposed track is situated on land containing native bush, a clearing permit will need to be lodged with the Department of Water and Environmental Regulation.

One component of the project is to relocate an existing shipping container and retrofit to be used as a pit office, first aid room and air conditioned cool down space. Using a shipping container and undertaking works such as this will require assessment and approval from both a planning and building perspective.

The Shire of Broome's Sport and Recreation Plan 2021 – 2031 was developed following significant stakeholder and community consultation. The plan identified four key priority areas which included relevant actions and recommendations. The four priority areas are noted below:

- **Priority Area 1 – Clubs and Associations** – The focus of the priority is to build capacity within Broome Associations and Clubs who are volunteer based and provide a vital role in delivery of sport in Broome.
- **Priority Area 2 – Shire Facilities** – The focus of this priority is upgrades and additions to the Shire owned and operated facilities such as BRAC.
- **Priority Area 3 – Club Facilities** – The focus of this priority is upgrades and additions to Shire owned and Club operated facilities.
- **Priority Area 4 – Events and Carnivals** – The focus of this priority is attracting sporting events and carnivals to Broome.

Each of the priority areas were arranged to identify the actions required, responsibility for delivery, estimated costs and support for the action. Each action was also prioritised for scheduling on the following basis:

- **High priority** – Considered a very important strategic or operational priority to be delivered in the period 2022/23 to 2024/25.
- **Medium priority** - Considered an important strategic or operational priority to be delivered in the period 2025/26 to 2027/28.
- **Low priority** - Considered a strategic or operational priority to be delivered in the period 2028/29 to 2030/31.

The Broome Motocross Club hold a lease over the facility at which they operate, and were considered under Priority Area 3 – Club Facilities.

The comment from the Sport and Recreation Plan attributed to the Broome Motocross Club and associated facility is noted as shown below. At the time of the development of the plan, the club had not yet identified the dirt kart track as a priority project and as such was not included as an action or Shire of Broome priority.

Priority	Actions	Identified requirement
Low	Support the Broome Motocross Club with the provision of lighting for the track, upgrading of the facility amenity through the planting of trees and extension of pit area.	<p>The Motocross Club have recently located to a new facility located away from future residential areas. The facilities currently onsite are excellent. Motocross is well organised with the key priorities for the Club being to light the track to assist in being able to operate at night.</p> <p>When the track was developed, conduits were installed to future proof for lighting and the club has secured poles for usage through car park poles no longer required at a local shopping centre.</p> <p>The Club delivers a number of race meets that attract visitors to Broome.</p>

The CSRFF assessment process requires Local Governments to give a project rating, as well as a priority ranking of projects from within the municipality. The project options are as follows:

Rating	Project description
A	Well planned and needed by the municipality
B	Well planned and needed by the applicant
C	Needed by municipality, more planning required
D	Needed by applicant, more planning required
E	Idea has merit, more planning needed
F	Not recommended

The additional planning and building requirements that will need to be assessed and approved prior to construction being able to take place should the funding application be successful, lead officers to rate the project to be 'D – Needed by the applicant, more planning required'.

As the application is the only application received from within the Shire of Broome, officers recommend the project be ranked as the number one priority out of one application received.

CONSULTATION

Broome Motorcross Club have an active committee and have been liaising with the community in regard to the demand and community sentiment for this project to proceed. They have undertaken surveys advertised through social media and have received a largely positive response.

The project has been discussed with the Kimberley Office of the Department of Local Government, Sport and Cultural Industries (funding body), the Australian Independent Dirt Kart Racing Association (sport governing body) and Shire officers in various departments.

STATUTORY ENVIRONMENT

Nil.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Previous projects from Motorcross Club have requested unbudgeted and unprogrammed contributions from the Shire. The club has taken a different direction on this occasion and for this project is seeking a grant through the Community Development Fund (**CDF**) from the Shire of Broome.

The current funding round for the CDF closes on 20 March 2025, with applicants planned to be notified of results by 20 May 2025, and successful projects to be funded in the 2025/26 financial year.

Apart from the grant application through the CDF, there are no further financial implications for the Shire of Broome.

RISK

Due to the assessment process for the CDF occurring after the closing date for the CSRFF small grants, there is the risk that the CDF application will be unsuccessful and will leave a funding gap of \$10,000 in the project budget.

STRATEGIC ASPIRATIONS

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

Outcome 3 - A healthy, active community

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

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Moved: Cr M Virgo

That Council:

Minute No. C/0325/028

Seconded: Cr E Smith

1. **Recommends the following application to the Department of Local Government, Sport and Cultural Industries Community Sport and Recreation Facilities Fund 2025-26 Small Grant round for funding as follows:**

Applicant	Project	Project assessment	Priority
Broome Motorcross Club	Dirt Kart Project	D (Needed by Applicant, more planning work required)	One

2. **Requests the Chief Executive Officer to inform the Department of Local Government and Cultural Industries of Council’s decision in accordance with recommendation 1 above.**

For the Motion: Shire President C Mitchell, Cr D Male, Cr S Cooper, Cr J Lewis, Cr J Mamid, Cr E Smith and Cr M Virgo.

CARRIED UNANIMOUSLY 9/0

Attachments

1. CSRFF Small Grants - Motorcross Application (*Confidential to Councillors and Directors Only*)
This attachment is confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(iii)) as it contains “a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government”.

9.2 PLACE

The Chair advised that an amendment had been made to Attachment Two (Schedule of Modifications) within the report since publication of the agenda. This has been reflected in the minutes. A printed copy was provided to Council.

Cr E Smith has declared a Financial Interest in Item 9.2.1, the reason being “Have been engaged as a consultant for Nyamba Buru Yawuru (NBY). NBY own land throughout the areas of both Cable Beach and Chinatown Old Broome.”

Cr S Cooper has declared a Financial Interest in Item 9.2.1, the reason being “I own property within the area of the scheme and structure plan.”

Cr P Matsumoto has declared a Financial Interest in Item 9.2.1, the reason being “I own property in Chinatown, Old Broome.”

Cr P Taylor has declared a Financial Interest in Item 9.2.1, the reason being “I am the director of a company that owns property in Chinatown.”

Cr E Smith left the Chambers at 5:37 pm.

Cr S Cooper left the Chambers at 5:37 pm.

Cr P Matsumoto left the Chambers at 5:37 pm.

Cr P Taylor left the Chambers at 5:37 pm.

9.2.1 AMENDMENT NO 1 TO LOCAL PLANNING SCHEME NO 7 - IMPLEMENTATION OF PRECINCT STRUCTURE PLANS

LOCATION/ADDRESS:	Various
APPLICANT:	Shire of Broome
FILE:	PLA105 and LPS7/1
AUTHOR:	Manager Building & Planning
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Director Development & Community
DISCLOSURE OF INTEREST:	Financial Interest - Manager of Planning and Building and Chief Executive Officer

SUMMARY:

At the Ordinary Meeting of Council held 16 November 2023, Council resolved to adopt Amendment No 1 to Local Planning Scheme No 7 (**the Amendment**) and to adopt the Cable Beach and Chinatown/Old Broome Precinct Structure Plans for the purposes of seeking public comment.

In accordance with the *Planning and Development Act 2005*, an amendment to a Local Planning Scheme is required to be forwarded to the Minister for Planning and the Environmental Protection Authority prior to advertising. The Amendment was forwarded to these agencies who then requested several modifications. These changes were adopted by Council at the Ordinary Meeting held on the 29 August 2024.

The Scheme Amendment and Precinct Structure Plans were advertised for public comment between 30 September 2024 and 2 December 2024.

This report presents the submissions received on the Amendment and recommends that Council resolve to support the Amendment with modifications.

The submissions received and an assessment of the Precinct Structure Plans will be presented as separate agenda items.

BACKGROUND

Previous Considerations

OMC 26 May 2022	Item 9.2.1
OMC 25 August 2022	Item 9.2.5
OMC 16 November 2023	Item 9.2.2
OMC 29 August 2024	Item 9.2.2

COMMENT

At the Ordinary Meeting of Council (**OMC**) held on 26 May 2022, Council resolved to adopt the Local Planning Strategy for final approval by the Western Australian Planning Commission (**WAPC**). The Local Planning Strategy was endorsed by the WAPC in October 2023. The Local Planning Strategy identifies the need to review the existing Development Strategies that cover Chinatown, Old Broome and Cable Beach and to replace them with Precinct Structure Plans, to be prepared in a manner and form accepted by the WAPC.

At the OMC held on 25 August 2022, Council resolved to endorse the Communications and Stakeholder Engagement Plan to guide the preparation of Precinct Structure Plans for the Cable Beach and Chinatown/Old Broome Precincts. The initial community engagement (September and November 2022) and design engagement phases (March and April 2023) were undertaken and at the OMC held on 16 November 2023, Council resolved to adopt Amendment No 1 to Local Planning Scheme No 7 (the Amendment) and the Cable Beach and Chinatown/Old Broome Precinct Structure Plans for public comment.

Prior to commencing the statutory public comment period, the Amendment is required to be referred to the Minister of Planning (via the Department of Planning Lands and Heritage (**DPLH**)) and the Environmental Protection Authority (**EPA**). These agencies requested changes to be made to the document, which were adopted by Council at the OMC held on 29 August 2024. In summary the key changes were:

- Rezone the Cable Beach Precinct Structure Plan area from 'Tourism' to 'Urban Development'.
- Amend the vision of the Cable Beach Precinct Structure Plan due to the change in zoning.
- Incorporate land use permissibility's into the Cable Beach Precinct Structure Plan because of the change in zoning.
- Change the titles of the sub-precincts in the Cable Beach Precinct Structure Plan as could no longer refer to them as 'tourism'.

The Scheme Amendment and Precinct Structure Plans were advertised concurrently for public comment between 30 September 2024 and 2 December 2024.

Proposal

Amendment No 1 to Local Planning Scheme No 7 is required to implement the changes proposed in the Precinct Structure Plan. In summary the Amendment will:

- Rezone the individual parcels of land in Chinatown Old Broome that have been identified for change through the preparation of the Precinct Structure Plan.
- Rezone the Cable Beach Precinct from 'Tourism' to 'Urban Development'.
- Perform administrative amendments to the Scheme to reference the Precinct Structure Plans.

COMMENT

Now that the Scheme Amendment has been advertised for public comment, Council is required to consider the comments received and resolve whether to support the proposed Amendment with or without modification or to not support the proposed amendment. A review of the submissions and proposed modifications is set out below.

Summary of submissions

The Amendment was advertised concurrently with the two Precinct Structure Plans. At the close of the public comment period a total of 28 individual submissions were received. 23 of the submissions were in relation to the Scheme Amendment and a high level summary of the submissions is provided below:

Chinatown Old Broome Precinct:

- 1 submission of general support of zoning changes.
- 4 submissions requesting reinstatement of the Mixed Use zone;
- 7 objections to the proposed density increases;
- 6 objections to the proposed rezoning of the Chapple Street properties from 'Regional Centre' to 'Residential R10'.
- 1 submission in support of zoning changes and requesting increase in residential density; and

Cable Beach Precinct:

- 1 submission requesting amendment to the Urban Development objectives; and
- 1 from Tourism WA who did not support the rezoning on the Precinct from Tourism.

Two government departments also provided comments on the Amendment relative to both precincts.

A full copy of the submissions received, and officer's comments are set out in **Attachment No 1** – Schedule of Submissions.

Some of the key matters raised in the submissions will be discussed below:

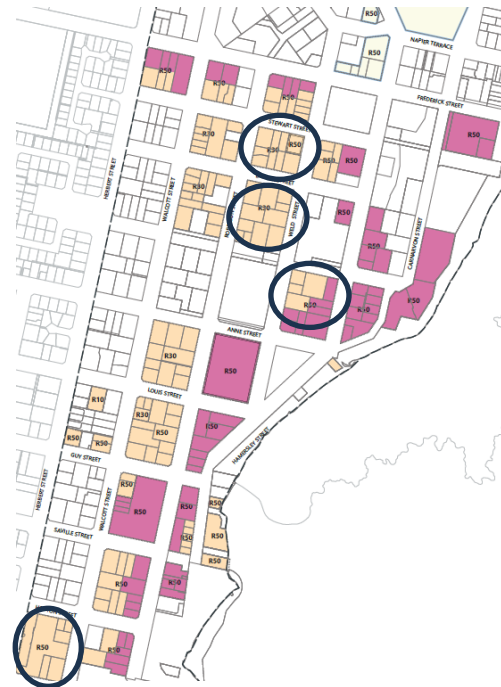
Reinstatement of the Mixed Use zone

Four submitters (submission 4, 11, 13 and 17) who were proposed to be rezoned from Mixed Use to Residential, requested that the Mixed Use zoning for their sites be retained. In general, the submitters wanted to maintain the Mixed Use zoning as it enables a greater variety of lands uses than the Residential zone.

The Amendment and Precinct Structure Plan does propose to scale back the extent of the Mixed Use zone throughout the precinct which is visually shown in the two images below.



Current Extent of Mixed Use Zoning in LPS7



Proposed Extent of Mixed Use zone in Amendment No 1

One of the primary drivers of reducing the Mixed Use zone was to consolidate commercial activity along Hamersley / Robinson Streets adjacent to Roebuck Bay and Town Beach, essentially linking Chinatown through to Town Beach and also to consolidate commercial activity along Frederick Street.

Three of the submissions requesting that the sites listed below be retained with the Mixed Use zone are supported as the properties generally joined key activity areas (Frederick Street) or adjacent to non-residential land uses (Weld Street):

- 10 Weld Street;
- 29, 31 and 33 Weld Street and 7 Hass Street;
- 15 Hopton Street, 84 and 86 Walcott Street and part of 21 Hopton Street.

The owner of 22 Weld Street (McDaniel House) also requested to be retained as Mixed Use zone. While the Mixed Use zoning was not supported in this case (due to the location being distant from either Frederick or Hamersley Street) the intent of the submission to allow a range of land uses to provide adaptive reuse of the State Registered Heritage Place was noted. It is therefore proposed to add an Additional Use to this site to accommodate the possible future land uses that would be appropriate for the site (such as Art Gallery, Reception Centre and so on).

Objections to the increase in density / Old Broome Special Character Area

There were seven submissions (submission 2, 3, 8, 9, 14, 15, 18) which objected to the proposed increase in residential densities within the Old Broome Special Character Area (**OBSCA**). These submitters objected to the increase in densities for various reasons, however the matter relevant to the consideration of the Amendment were concerns that increasing the density would negatively impact the character and heritage of the OBSCA. Figure 1

below shows the location of the OBSCA and with the pink highlights showing the areas the Amendment proposes to increase densities.

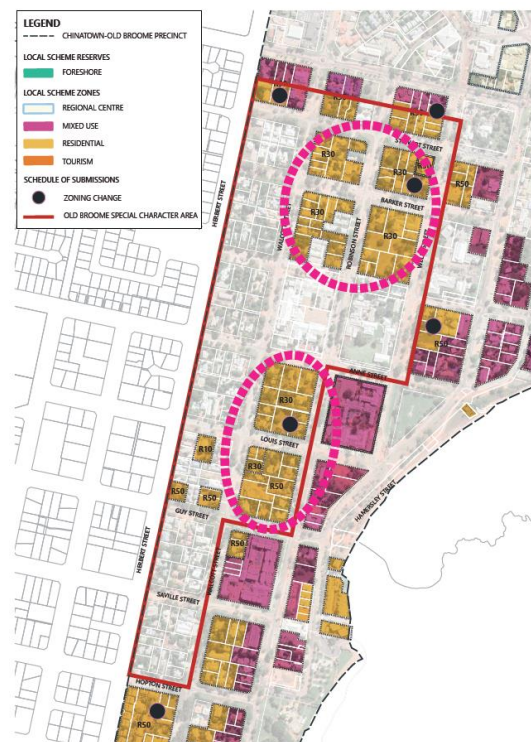


Figure One – Old Broome Special Character Area and proposed density increases

The role and significance of the OBSCA was considered through the preparation of the Amendment and Precinct Structure Plan. This included a review of the existing planning framework, including the Old Broome Development Strategy and Local Planning Policy 5.16 - Old Broome Development Strategy. Neither document clearly defines the specific built-form elements or heritage aspects of Old Broome that are to be retained through the designation of the OBSCA.

The most explicit guidance is found in Clause 2.4 of Local Planning Policy 5.16, which states that:

“Development within the Old Broome Special Character Area is to preserve the existing open character of the area.”

While this area contains heritage listed and character properties, the defining elements of its character, such as wide streets, generous verges, and mature vegetation, are largely spatial and landscape-driven rather than built-form related. The Precinct Structure Plan incorporates controls to promote that these key features are maintained in the future.

The importance of the role and significance of the OBSCA, was tested during the design engagement process, where it was determined that retention of the OBSCA was desired. While it is not formally shown on the mapping, this is evidenced in the proposed zoning changes, whereby substantial areas of the existing R10 have been retained. There are two primary areas (as shown in Figure 1) where rezoning is proposed, justification is as follows:

1. The four urban blocks generally bounded by Walcott, Stewart, and Weld Streets and Broome Hospital. This area contains a number of large vacant, historic spot rezonings which have altered the character on some lots. This area has good proximity to major non-residential uses (e.g. Broome Hospital and Primary School).

2. The two urban blocks generally bounded by Anne, Walcott, Guy, and Robinson Streets. This area contains a prevalence of large sites predominantly cleared of vegetation, is situated near Roebuck Bay and the Robinson Street mixed use corridor and the Guy Street east-west corridor.

1.

In considering the submissions received, it has highlighted that the three properties on Anne Street (No 11-17), which contain State Registered Heritage Places (Maurice Lyon's Residence and United Church Manse) should be maintained at R10 due to the heritage qualities of these sites. Through the review of the submissions, it has also highlighted that additional controls for new development to provide Heritage Impact Statements where development is proposed on property adjacent to a Heritage Listed property, would promote that future development is sympathetic to existing heritage sites.

The Shire maintains its position that the proposed outcome achieves a good balance of character preservation, while supporting opportunities for infill in the right locations. With the development controls proposed through the Chinatown Old Broome Precinct Structure Plan, it is deemed that the character and heritage concerns raised can be managed and as such, with the exception of retaining the R10 Residential zoning over 11 – 17 Anne Street the Amendment is deemed appropriate.

Chapple Street

Six submissions (submissions 5, 6, 7, 10, 16 and 21) were received which objected to the proposed rezoning of land on Chapple Street from 'Regional Centre' to 'Residential R10'. The reason for the objection to the zoning changes related to reduce development potential with all six submissions expressing the change would trigger injurious affection (compensation). Figure 2 below shows the area in question and the individual properties which requested that the Regional Centre zone be retained (shown with the black dot).

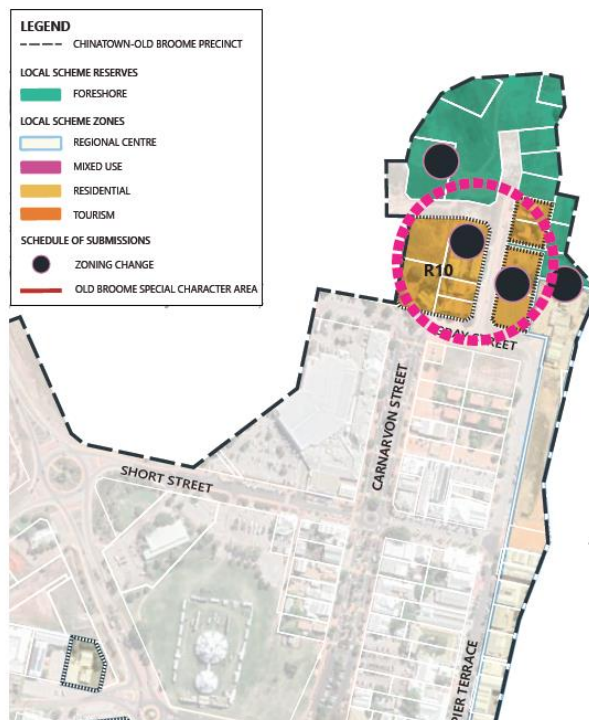


Figure 2 – Chappel Street properties

The Amendment sought to rezone the properties to Residential R10, based on the findings of the Shire's Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) and the associated risks posed by coastal erosion and inundation north of Gray Street.

The CHRMAP identifies areas at risk of coastal processes (erosion and inundation) and provides guidance on land use planning to minimise potential future impacts on property, infrastructure, and public safety. Modelling shows that the area north of Gray Street, is at heightened risk of coastal processes over the medium to long term.

The CHRMAP has not earmarked this portion of Chinatown for coastal protection measures. Consequently, the Amendment proposed to rezone these sites to 'Residential R10' as planning decisions in this precinct should focus on limiting intensification of land uses. It is noted however that the Shire is in the process of reviewing the CHRMAP and it is therefore recommended all land held in private ownership be maintained at the 'Regional Centre' zoning pending the outcome of the review. It should also be noted, that any proposed development in this area, is required to address the CHRMAP and Local Planning Policy 5.23 Coastal Planning, which requires detailed consideration of coastal planning matters, which is likely to constrain development.

The following modifications are also proposed in this area:

- Lot 435 Chapple Street

In response to submission 16, it was identified that this lot which is privately owned was proposed to be zoned Foreshore Reserve, which as a mapping drafting error. If the Amendment was to proceed with this site being zoned Foreshore Reserve, it would trigger injurious affection. It is therefore proposed to modify the amendment for this site to maintain the current Regional Centre zoning. Note: future development on this site would still need to address coastal planning considerations.

- Lots 2076, 2075 and 2074 Chapple Street

In the drafting of the Amendment, it was thought that these lots were Crown Reserves, which is not the case, these vacant sites are held in freehold by the Aboriginal Lands Trust. To be consistent with the approach of the other freehold lots in the Chapple Street area, it is proposed that these sites be zoned Residential R10.

Support and increase density requested

Submission No 12 supported the proposed zoning increases and requested that three sites on the corner of Louis Street and Robinson Street be increased from the proposed R30 density to R50, the location is shown in Figure 3 below.

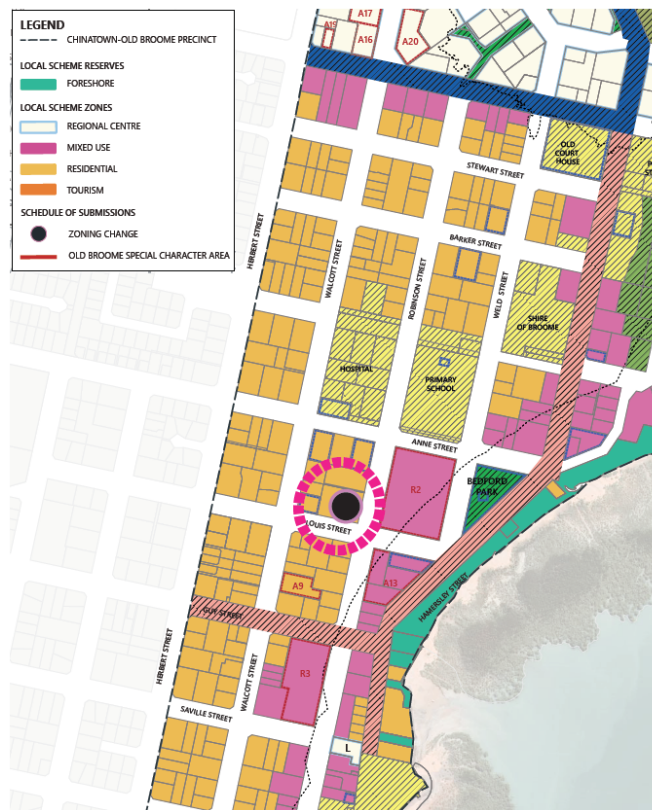


Figure 3 – Request for increase to R50 density

The increase density is being sought to provide an improved dwelling yield for these sites and also to be consistent with the density of the land to the immediate south (which is proposed to be R50).

Officers support the intent of this submission and recognises the strategic merits of the request, including its alignment with the objectives outlined in the COBPSP. Specifically, the requested R50 density coding:

- Aligns with the surrounding built form and streetscape, creating a consistent urban interface at the eastern end of Louis Street.
- Capitalises on the site's corner location adjoining Residential R50 and Mixed-Use R50 zones.
- Supports the broader planning principles of providing increased housing supply and opportunities for future joint ventures or consolidation.

Urban Development Zone in the Cable Beach Precinct

For the Cable Beach Precinct, the Amendment proposes to rezone the land from 'Tourist' to 'Urban Development'. Two submissions were received in this regard, submission 24 which requested amendment to the Urban Development objectives and submission 25 (Tourism WA) which objected to the Cable Beach Precinct being rezoned from 'Tourism'.

Firstly, it should be noted, that Council when adopting the Amendment in November 2023, proposed that the Cable Beach Precinct be retained in the 'Tourism' zone but sought to amend the objectives of the Tourism zone to delete the objective "to allow limited residential uses where appropriate" and replace with "to facilitate tourism and complimentary residential development, where an approved structure plan applies". The amendment to the objectives was proposed so the changes in the Cable Beach Precinct Structure Plan in relation to the tourist/residential split were capable of being implemented.

As part of seeking consent to advertise the Amendment, DPLH requested modifications to the Amendment, for the following reasons:

- it would not be consistent with the *Position Statement: Planning for Tourism and Short-term Rental Accommodation* as it outlines that residential development should be secondary to the tourism use.
- It would not be consistent with the Planning Reform agenda for consistent local planning schemes (i.e. DPLH will not support departures from the Model Provisions within the Planning and Development (Local Planning Schemes) Regulations 2015).

DPLH have therefore suggested that instead of maintaining the 'Tourism' zoning the Cable Beach Precinct could be rezoned to 'Urban Development'. Urban Development is a Model Provision zone and establishes that subdivision and development of land in the 'Urban Development' is to be in accordance with a Structure Plan. Therefore, with the zone being changed from 'Tourism' to 'Urban Development', the development controls (for both land use and built form) will be contained in the Precinct Structure Plan instead of the Local Planning Scheme.

The DPLH requested modifications were presented and adopted by Council at the August 2024 OCM. At the time it was noted changing the zoning to 'Urban Development' for the Cable Beach Precinct is not a preferred option, however given the Planning Reform and the need to have consistent local planning schemes, there was no other model zones that could be used and achieve the intent of the Precinct Structure Plan. It was therefore recommended that the Shire accept the requested changes and performed some modifications to the vision in the Precinct Structure Plan to highlight the intent to retain tourism as the primary land use at a precinct wide-scale.

Submission 23 (Tourism WA) objects to the rezoning of the Cable Beach Precinct from 'Tourism' to 'Urban Development'. The following reasons were cited:

- The wholesale rezoning of 'Tourism' land is not supported by Tourism WA, particularly given Cable Beach is one of Western Australia's most iconic regional tourism precincts.
- the proposal is inconsistent with the Western Australian Planning Commission's Position Statement – Planning for Tourism 2023 (the position statement) which establishes that areas used exclusively for strategic tourism precincts, such as Cable Beach, are to be zoned 'Tourism'.

Tourism WA also objected to the proposed changes to the Tourist/Residential split in the Precinct Structure Plan for the following reasons:

- There are concerns that it will result in residential becoming the predominant land use in the Cable Beach Precinct.
- The tourism character and amenity of the Cable Beach Precinct has not been defined. Tourism WA has concerns that in the absence of defined and measurable criteria, the proportion of tourism accommodation will be effectively reduced to 30 per cent.

While the points raised in the submission are noted, the Shire was not in a position to retain the 'Tourism' zoning and alter what has been raised as a key constraints to new development in the precinct, being that the predominate land use must be tourist (this is evidenced by lack of tourist development in the precinct, with the most recent tourist development being the Kimberley Sands resort, which was approved in 2005, and the Billi, which was approved in 2010).

While the Amended proposes to change the zoning in the precinct from 'Tourism', it is considered that the tourism intent still remains through the precinct objectives and land use restrictions and permissibility.

The review of the tourism land use within the precinct has been undertaken with consideration for the policy objectives and measures outlined in the WAPC's Position Statement: Planning for Tourism and Short-Term Rental Accommodation (which is outlined in Part 2 of the Precinct Structure Plan). The review also considered the future demand for tourism accommodation and this demonstrated that there is currently an oversupply of Tourism zoned land and the proposed planning framework changes through the Amendment and Precinct Structure Plan will enable future tourism demand to be met.

In relation to the tourist/residential split, the proposed approach in the Precinct Structure Plan provides greater flexibility in delivering alternative land uses (residential and commercial) which can be the catalyst for future tourism development and will also lead to improved activation of the precinct. The allowance for greater residential development provides flexibility for land use changes over time and adapts to a range of tourism delivery options. The planning framework changes proposed allows significantly greater flexibility to encourage development and investment in the area.

If the planning framework is not altered, it is unlikely to result in new development in the precinct, meaning that future accommodation demands will not be met and the visions of activating the precinct will not be realised.

Based on the above, it is not proposed to modify the Amendment or the Precinct Structure Plan in this regard.

Submission 24, submitted that the Urban Development objectives should be amended to align with the vision of the Precinct Structure Plan which is to 'retain and promote tourism character and land use'. While there would be merit to altering the Urban Development objectives, this will not align with the Planning Reform agenda and therefore no change is recommended.

Proposed modifications

In response to the submissions received, modifications have been recommended to the Scheme Maps to address the discrete zoning changes requested where merit existed. The modifications are detailed in **Attachment No 2**. There are a total of 7 mapping modifications proposed and one text modifications (to capture the Additional Use proposed over 22 Weld Street).

Summary

After considering the submissions received it is recommended that Council resolve to support the Amendment with modifications as outlined above and detailed in **Attachment No 2**.

CONSULTATION

The following consultation was undertaken for the Amendment:

- Written notification to all landowners which were subject to a zoning change;

- Written notification to any person who has registered an interest in the Precinct Structure Plan project or has attended prior engagement sessions;
 - Update to the Social Pinpoint engagement platform;
 - Print website and social media notices;
 - Direct engagement with key landowners;
 - Community drop in session in each precinct; and
 - Written notification to government departments.
- 2.

The statutory comment period is 42 days for the Amendment and Precinct Structure Plan, however to ensure that members of the community had adequate time to review and prepare a submission an extended comment period was provided.

The community engagement period commenced on the 30 September 2024 and concluded on 2 December 2024, which is in excess of 90 days.

The schedule of submissions is included as **Attachment No 1** and details all the submissions received and recommendations in relation to the matters raised. A summary of the matters raised in the submissions is detailed in the officers comments section above.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

50. Consideration of submissions on standard amendments

- (2) *The local government —*
- (a) *must consider all submissions in relation to a proposed standard amendment to a local planning scheme lodged with the local government within the submission period; and*
 - (b) *may, at the discretion of the local government, consider submissions in relation to the proposed amendment lodged after the end of the submission period but before the end of the consideration period.*
- (3) *Before the end of the consideration period for a proposed standard amendment to a local planning scheme, or a later date approved by the Commission, the local government must pass a resolution —*
- (a) *to support the proposed amendment without modification; or*
- 3.
- (b) *to support the proposed amendment with proposed modifications to address issues raised in the submissions; or*
 - (c) *not to support the proposed amendment.*

POLICY IMPLICATIONS

If the Scheme Amendment is gazetted and the Precinct Structure Plans are approved, the following Policies will need to be reviewed and/or revoked:

- 5.13 – Design Guidelines Town Centre zone;
- 516 – Old Broome Development Strategy; and
- 5.19 – Strata Titling of Tourist Developments in the Tourist zone.

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 6 - Responsible growth and development with respect for Broome's natural and built heritage

Objective 6.1 Promote sensible and sustainable growth and development.

Objective 6.2 Protect significant places of interest.

Objective 6.3 Create attractive, sustainable streetscapes and green spaces.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

(REPORT RECOMMENDATION)

Minute No. C/0325/029

Moved: Shire President C Mitchell

Seconded: Cr M Virgo

That Council:

1. ***In accordance with Regulation 50(2) of the Planning and Development (Local Planning Schemes) Regulations 2015, notes the submissions received in respect to Amendment No 1 to the Shire of Broome's Local Planning Scheme No 7 and endorses the response to the submissions as contained in Attachment No 1.***
2. ***In accordance with Regulations 50(3)(b) of the Planning and Development (Local Planning Schemes) Regulations 2015, determines to support with modifications, Amendment No 1 to the Shire of Broome's Local Planning Scheme No 1 as shown in Attachment No 2.***
3. ***In accordance with Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015, determines that the amendment referred to in resolution 2 above is a standard amendment for the following reasons:***
 - (i) ***It is generally consistent with the objectives of the relevant zone or reserve;***
 - (ii) ***It is generally consistent with a local planning strategy that has been endorsed by WAPC;***

- (iii) It does not result in any significant environmental, social, economic or governance impacts on land in the Scheme area; and**
(iv) the amendment is not a complex or basic amendment.

For the Motion: Shire President C Mitchell, Cr D Male, Cr J Mamid and Cr M Virgo.

Against the Motion: Cr J Lewis.

CARRIED 4/1

Attachments

1. Schedule of Submissions
2. Schedule of Modifications

Cr E Smith has declared a Financial Interest in Item 9.2.1, the reason being “Have been engaged as a consultant for Nyamba Buru Yawuru (NBY). NBY own land throughout the areas of both Cable Beach and Chinatown Old Broome.”

Cr S Cooper has declared a Financial Interest in Item 9.2.1, the reason being “I own property within the area of the scheme and structure plan.”

Cr P Matsumoto has declared a Financial Interest in Item 9.2.1, the reason being “I own property in Chinatown Old Broome.”

Cr P Taylor has declared a Financial Interest in Item 9.2.1, the reason being “I am the director of a company that owns property in Chinatown.”

Cr E Smith, Cr S Cooper, Cr P Matsumoto and Cr P Taylor remained out of the chambers.

9.2.2 CHINATOWN OLD BROOME PRECINCT STRUCTURE PLAN - CONSIDERATION OF SUBMISSIONS AND ADOPTION

LOCATION/ADDRESS:	Nil
APPLICANT:	Shire of Broome
FILE:	PLA105
AUTHOR:	Manager Building & Planning
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Director Development & Community
DISCLOSURE OF INTEREST:	Chief Executive Officer and Manager of Planning and Building have a financial interest

SUMMARY:

At the Ordinary Meeting of Council held 16 November 2023, Council resolved to adopt Amendment No 1 to Local Planning Scheme No 1 (**the Amendment**) and to adopt the Chinatown Old Broome Precinct Structure Plan (**Precinct Structure Plan**) for the purposes of seeking public comment.

In accordance with the *Planning and Development Act 2005*, an amendment to a Local Planning Scheme is required to be forwarded to the Minister for Planning and the Environmental Protection Authority prior to advertising. The Amendment was forwarded to these agencies who then requested several modifications. These changes were adopted by Council at the Ordinary Meeting held on the 29 August 2024.

The Amendment and Precinct Structure Plans were advertised for public comment between 30 September 2024 and 2 December 2024.

As the public comment period has now closed, the Shire must consider the submissions received on the Precinct Structure Plan and provide a recommendation to the Western Australian Planning Commission (**WAPC**) on whether it should be approved with or without modifications.

This report recommends that the Chinatown Old Broome Precinct Structure Plan be approved with modifications.

The submissions received and an assessment of the Amendment will be presented as a separate agenda item.

BACKGROUND

Previous Considerations

OMC 26 May 2022	Item 9.2.1
OMC 25 August 2022	Item 9.2.5
OMC 16 November 2023	Item 9.2.2
OMC 29 August 2024	Item 9.2.2

At the Ordinary Meeting of Council (**OMC**) held on 26 May 2022, Council resolved to adopt the Local Planning Strategy for final approval by the Western Australian Planning Commission (**WAPC**). The Local Planning Strategy was endorsed by the WAPC in October 2023. The Local Planning Strategy identifies the need to review the existing Development Strategies that cover Chinatown, Old Broome and Cable Beach and to replace them with Precinct Structure Plans, to be prepared in a manner and form accepted by the WAPC.

At the OMC held on 25 August 2022, Council resolved to endorse the Communications and Stakeholder Engagement Plan to guide the preparation of Precinct Structure Plans for the Cable Beach and Chinatown/Old Broome Precincts. The initial community engagement (September and November 2022) and design engagement phases (March and April 2023) within the Communications and Stakeholder Engagement Plan were undertaken and at the OMC held on 16 November 2023, Council resolved to adopt Amendment No 1 to Local Planning Scheme No 7 (the Amendment) and the Cable Beach and Chinatown/Old Broome Precinct Structure Plans for public comment.

The Scheme Amendment and Precinct Structure Plans were advertised concurrently for public comment between 30 September 2024 and 2 December 2024.

Proposal

The Chinatown Old Broome Precinct Structure Plan covers the area currently falling within the Chinatown Development Strategy and Old Broome Development Strategy, with some minor adjustments (the boundary extends to the west to incorporate the Regional Centre zone to the west of Chinatown and in the southern area it does not incorporate the full extents of the Old Broome Development Strategy). The extents of the Precinct Structure Plan are shown in Figure 1 below.



Figure 1 – Chinatown Old Broome Precinct Structure Plan

The proposed Precinct Structure Plan, if approved, will be the principal planning instrument guiding development in the precinct and will replace the Development Strategies referenced above.

COMMENT

The Precinct Structure Plan has been advertised for public comment as required under the Regulations. Now the public consultation period has closed the Shire must prepare a report on the proposed Structure Plan which is then submitted with the WAPC for determination.

Summary of submissions

The Precinct Structure Plan was advertised concurrently with the Amendment and the Cable Beach Precinct Structure Plan. At the close of the public comment period a total of 28 individual submissions were received. 23 of the submissions were in relation to the Chinatown Old Broome Precinct Structure Plan and a high level summary of the submissions are provided below:

- 1 submission of general support of Precinct Structure Plan.
- 4 submissions requesting reinstatement of the Mixed Use zone;
- 7 objections to the proposed density increases in the Old Broome Special Character Area;
- 6 objections to the proposed rezoning of the Chapple Street properties from 'Regional Centre' to 'Residential R10'.
- 1 submission in support of zoning changes and requesting increase in residential density.

As the Precinct Structure Plan proposed a number of zoning modifications, detailed consideration of the submissions raised relative to zoning are set out in the Amendment No 1 to Local Planning Scheme No 7 agenda item and it is not proposed to repeated.

The comments below, instead will focus on submissions that sought modification to the Precinct Structure Plan provisions.

Identification of heritage listed properties

Submission 14, correctly identifies that Figure 8 only depicts places on the State Register of Heritage Places and does not include places within the Shire of Broome Heritage List.

This is a map drafting error and this figure requires an update to show all heritage listed sites (state and local) for accuracy.

It is also recommended that all places listed on the Shire's Heritage List that are identified for protection should be illustrated on the Structure Plan Map as these are the site listed in the Heritage List under LPS7.

Development adjacent to heritage listed properties

Submission 14, raises concern that some State Registered Heritage Places (specifically St John of God convent and McDaniels house) are proposed to be rezoned to Residential R30. While the submitters notes that that registration of the places on the State Heritage Register will limit redevelopment, concern is raised that there is nothing in the draft Precinct Structure Plan that ensures the conservation of the existing streetscape, or that built form will be compatible with the heritage buildings.

Heritage listed sites are protected by other legislation (e.g. Heritage Act and/or Local Planning Scheme) irrespective of their zoning. The submission does rightly point out, however, that there is limited commentary on how new development would interface with these heritage listed sites.

It is recommended that:

- Section 2.2.12 Heritage Management be expanded to provide specific guidance relating to the interface between new development and identified heritage sites.
- Section 4.1 be updated to set out the requirements for when a Heritage Impact Statement will be required.

These additions put controls in place so that new development thoughtfully considers its interface with adjoining heritage properties.

Open Space in front of Streeters jetty

Submission 16, objects to portion of Lot 3067 Dampier Terrace (land in front of Streeters Jetty) being identified on the Precinct Structure Plan as Public Open Space. The submissions outlined any identification of the land as Public Open Space will remove and/or limit the landowners' development rights, which is strongly objected too.

While it is acknowledged that this land being shown as Public Open Space on the Precinct Structure Plan may limit its development potential, the land is incorporated in the State Heritage Register as it provides visual and public access to Streeters Jetty and should be maintained for public access. This approach is consistent with the adopted Chinatown Masterplan and therefore the submission is not supported.

Development controls

Submissions 16 suggests modification to the development controls, specifically:

- Fencing – supports the proposed fencing standards, with the exception of limiting the front fencing height to 1.2m, citing safety and security concerns and requests that the fencing should be 1.8m.

The intent of this submission is supported. The 80% permeability requirement will be required to be retained to promote surveillance and from a climatic design perspective. Increasing the maximum fence height to 1.8m to align with the R-Codes Volume 1 is supported.

- Landscaping – the submitter raises concern with the soft landscaping percentages proposed in the Precinct Structure Plan, noting it is higher than the R-Codes and requests that the provisions be reviewed.

The green landscape character of the Chinatown Old Broome Precinct was identified as one of the most important design elements during community and stakeholder engagement. In response, site cover and soft landscaping were a primary focus of the built form strategy for the Precinct Structure Plan. Minimising site cover and maximising soft landscaping is essential in maintaining high quality tree canopy in the private realm, assisting with water management, and contributing to local character. This submission is not supported.

Officer's have also reviewed the setback controls proposed in the Precinct Structure Plan and identified that the proposed setbacks were excessive and in need of review. It is recommended that the setbacks be determined by the R-Codes.

Proposed modifications

Based on the submissions received and as outlined in the comments above, it is proposed that modifications are performed to the Precinct Structure Plan. **Attachment No 2** is the Schedule of Modifications and **Attachment No 3** is a copy of the Precinct Structure Plan with the modifications shown tracked.

CONSULTATION

Extensive consultation has occurred in the preparation of the Precinct Structure Plans, this includes the two preliminary phases of community engagement, consultation with the Department of Planning, Lands and Heritage, briefings at Council Workshops and engagement with the Design Review Panel.

Community Engagement

Prior to the project formally launching, a notice was published on the Shire's website on 11 July 2022 to advise the community that the project was commencing shortly. Whilst there were no formal activities during this stage, the community was able to register their interest.

Following adoption of the CEP at the OMC in August 2022, the two phases of initial engagement occurred, prior to the drafting of the Precinct Structure Plans.

The initial phase of community engagement provided the project team with the opportunity to understand local values, ideas for the future and how the community may like to see the precincts develop. Engagement was undertaken primarily in September 2022 with additional engagement offered during November 2022.

Input from the community and key stakeholder was sought through a variety of methods which included:

- Four community workshops attended by 38 people.
- 169 comments made on the interactive online mapping tool.
- 14 stakeholder meetings.
- Yawuru community presentation and separate workshop with Nyamba Buru Yawuru Limited.
- Three market stalls.
- Seven written submissions.

The second phase of engagement, was the design engagement stage which was undertaken between March and April 2023 and provided the community with the opportunity to view the draft concept plans for each precinct, and provide their feedback.

Input from the community and key stakeholders was sought through a variety of methods which included:

- Two community workshops attended by 45 people.
- 1,399 reactions made on the design ideas via the online mapping tool.
- 81 survey responses.
- One workshop with Nyamba Buru Yawuru Limited.
- One workshop with Shire staff.
- Six written comments.

A summary of the feedback received relative to each precinct area has been outlined in the Officer Comment's section above. The Community Engagement Outcomes report was presented to Council at the OMC on the 16 November 2023.

The following engagement also occurred as part of preparing the draft Precinct Structure Plans.

DPLH Engagement

The Department of Planning, Lands and Heritage have also been consulted at the following stages:

- Prior to appointment of a planning consultant, the Shire sought feedback from DPLH officers on the Request for Quote and proposed project delivery methodology.
- Upon engagement of the consultant team and prior to project commencement, further engagement occurred with DPLH to seek feedback on the updated methodology and confirming alignment with State Guidelines for preparing the Precinct Structure Plans.

- During the Precinct Structure Plan drafting phase, DPLH were engaged with to seek feedback on the proposed key changes to the planning framework in the Precinct Structure Plans.

Council Workshops

The following workshops with Council have occurred:

- Project commencement - a workshop was held with Council in July and August 2022, where the consultant team provided an overview and sought feedback from elected members on the methodology to deliver the Precinct Structure Plans and the proposed community engagement methodology.
- Design Concept stage – workshops were held with Council in February and March 2023, where the consultant team presented the design concepts and sought feedback and input from elected members.
- Drafting of Precinct Structure Plans – prior to finalisation of the draft Precinct Structure Plans, a workshop was held with Council in early October 2023 where the consultant team presented the key feedback received during the community engagement phases and sought feedback on the design elements and key changes proposed in the Precinct Structure Plans.
- Prior to Council adoption of draft Precinct Structure Plans - A workshop occurred on the 11 November 2023 to provide an update to elected members on the key changes proposed to the existing planning framework in the Precinct Structure Plans.

Design Review Panel

Engagement with the Design Review Panel occurred at the following stages:

- January 2023 - feedback was sought on the site and context analysis, the response to the context and design approaches.
- October 2023 - feedback was sought on the design elements of urban ecology, urban structure, public realm, movement, land use and built form responses proposed in the Precinct Structure Plans. The design testing undertaken to inform the design controls was also discussed.

The comments received from the Design Review Panel have been considered in finalisation of the draft Precinct Structure Plans.

Statutory Public Comment Period

Under the Regulations, once Council adopts a Scheme Amendment and Precinct Structure Plan, the draft documents are required to be advertised for public comment, this period was referenced as the 'statutory public comment period' in the Communications and Stakeholder Engagement Plan.

As a part of this phase of the stakeholder engagement, the following was undertaken:

- Written notification to primary and secondary stakeholders;
- Written notification to any person who has registered an interest in the project or has attended prior engagement sessions;

- Update to the Social Pinpoint engagement platform;
- Print website and social media notices;
- Direct engagement with key landowners; and
- Community drop in session in each precinct.

The statutory comment period is 42 days for both a Scheme Amendment and Precinct Structure Plan, however to ensure that members of the community have adequate time to review and prepare a submission and extended period was provided.

The community engagement period commenced on the 30 September 2024 and concluded on 2 December 2024, which is in excess of 90 days.

The schedule of submissions is included as **Attachment No 1** and details all the submissions received and recommendations in relation to the matters raised. A summary of the matters raised in the submissions is detailed in the officer's comments section above.

A further Council Workshop was held on 11 February 2025 to discuss the submissions received and seeking input on the proposed modifications to the Precinct Structure Plan. This workshop was attended by Shire President Mitchell (online) and Councillors Cooper, Lewis, Mamid, Matsumoto, Taylor and Virgo.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2 – Deemed provisions for local planning schemes

19. *Consideration of submissions*

(1) *The local government —*

- (a) *must consider all submissions made to the local government within the period specified in a notice advertising the structure plan; and*
- (b) *may consider submissions made to the local government after that time; and*
- (c) *may request further information from a person who prepared the structure plan; and*
- (d) *may advertise any modifications proposed to the structure plan to address issues raised in submissions.*

(2) *If a local government makes a decision under subclause (1)(d) the local government must take any steps the local government considers appropriate to advertise the proposed modification to the structure plan.*

(3) *Modifications to a structure plan may not be advertised on more than one occasion without the approval of the Commission.*

20. *Local government report to Commission*

(1) *The local government must prepare a report on the proposed structure plan and provide it to the Commission no later than 60 days after the day that is the latest of —*

- (a) the last day of the period for making submissions on the proposed structure plan that applies under clause 18(3A); or
- (b) the last day for making submissions after a proposed modification of the structure plan is advertised under clause 19(2); or
- (c) a day agreed by the Commission.

(2) The report on the proposed structure plan must include the following —

- (a) a list of the submissions considered by the local government, including, if relevant, any submissions received on a proposed modification to the structure plan advertised under clause 19(2);
- (b) any comments by the local government in respect of those submissions;
- (c) a schedule of any proposed modifications to address issues raised in the submissions;
- (d) the local government's assessment of the proposal based on appropriate planning principles;
- (e) a recommendation by the local government on whether the proposed structure plan should be approved by the Commission, including a recommendation on any proposed modifications.

22. Decision of Commission

- (1) On receipt of a report on a proposed structure plan, the Commission must consider the plan and the report and may —
 - (a) approve the structure plan; or
 - (b) require the local government or the person who prepared the structure plan to —
 - (i) modify the plan in the manner specified by the Commission; and
 - (ii) resubmit the modified plan to the Commission for approval; or
 - (c) refuse to approve the structure plan.

POLICY IMPLICATIONS

If the Precinct Structure Plan is approved, LPP 5.16 Old Broome Development Strategy will be revoked.

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 6 - Responsible growth and development with respect for Broome's natural and built heritage

Objective 6.1 Promote sensible and sustainable growth and development.

Objective 6.2 Protect significant places of interest.

Objective 6.3 Create attractive, sustainable streetscapes and green spaces.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

(REPORT RECOMMENDATION)

Minute No. C/0325/030

Moved: Cr D Male

Seconded: Cr M Virgo

That Council:

- 1. Pursuant to Regulation 19 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 consider the submissions received and endorse the Schedule of Submissions set out in Attachment No 1.**
- 2. Pursuant to Regulation 20 (2) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations endorses the Schedule of Modifications set out in Attachment No 2 and recommends to the Western Australian Planning Commission that the Chinatown Old Broome Precinct Structure Plan as contained in Attachment No 3 is approved subject to modification.**

For the Motion: Shire President C Mitchell, Cr D Male, Cr J Mamid and Cr M Virgo.

Against the Motion: Cr J Lewis.

CARRIED 4/1

Attachments

1. Schedule of Submissions
2. Schedule of Modifications
3. Precinct Structure Plan (Part 1) with tracked changes

Cr P Matsumoto returned to the Chambers at 5:59 pm.

Cr S Cooper returned to the Chambers at 5:59 pm.

Cr P Taylor returned to the Chambers at 5:59 pm.

The Chair advised Cr P Matsumoto, Cr S Cooper and Cr P Taylor items 9.2.1 and 9.2.2 had been carried as per the officer recommendation.

Cr E Smith has declared a Financial Interest in Item 9.2.1, the reason being “Have been engaged as a consultant for Nyamba Buru Yawuru (NBY). NBY own land throughout the areas of both Cable Beach and Chinatown Old Broome.”

Cr E Smith remained out of the chambers.

9.2.3 CABLE BEACH PRECINCT STRUCTURE PLAN - CONSIDERATION OF SUBMISSIONS AND ADOPTION

LOCATION/ADDRESS:	Nil
APPLICANT:	Shire of Broome
FILE:	PLA105
AUTHOR:	Manager Building & Planning
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Director Development & Community
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

At the Ordinary Meeting of Council held 16 November 2023, Council resolved to adopt Amendment No 1 to Local Planning Scheme No 1 (**the Amendment**) and to adopt the Cable Beach Precinct Structure Plan (**Precinct Structure Plan**) for the purposes of seeking public comment.

In accordance with the *Planning and Development Act 2005*, an amendment to a Local Planning Scheme is required to be forwarded to the Minister for Planning and the Environmental Protection Authority prior to advertising. The Amendment was forwarded to these agencies who then requested several modifications. These changes were adopted by Council at the Ordinary Meeting held on the 29 August 2024.

The Amendment and Precinct Structure Plans were advertised for public comment between 30 September 2024 and 2 December 2024.

As the public comment period has now closed, the Shire must consider the submissions received on the Precinct Structure Plan and provide a recommendation to the Western Australian Planning Commission (**WAPC**) on whether it should be approved with or without modifications.

This report recommends that the Cable Beach Precinct Structure Plan be approved with modifications.

The submissions received and an assessment of the Amendment will be presented as a separate agenda item.

BACKGROUND

Previous Considerations

OMC 26 May 2022	Item 9.2.1
OMC 25 August 2022	Item 9.2.5
OMC 16 November 2023	Item 9.2.2
OMC 29 August 2024	Item 9.2.2

At the Ordinary Meeting of Council (**OMC**) held on 26 May 2022, Council resolved to adopt the Local Planning Strategy for final approval by the Western Australian Planning Commission (**WAPC**). The Local Planning Strategy was endorsed by the WAPC in October 2023. The Local Planning Strategy identifies the need to review the existing Development Strategies that cover Chinatown, Old Broome and Cable Beach and to replace them with Precinct Structure Plans, to be prepared in a manner and form accepted by the WAPC.

At the OMC held on 25 August 2022, Council resolved to endorse the Communications and Stakeholder Engagement Plan to guide the preparation of Precinct Structure Plans for the Cable Beach and Chinatown/Old Broome Precincts. The initial community engagement (September and November 2022) and design engagement phases (March and April 2023) within the Communications and Stakeholder Engagement Plan were undertaken and at the OMC held on 16 November 2023, Council resolved to adopt Amendment No 1 to Local Planning Scheme No 7 (the Amendment) and the Cable Beach and Chinatown/Old Broome Precinct Structure Plans for public comment.

Prior to commencing the statutory public comment period, the Amendment is required to be referred to the Minister of Planning (via the Department of Planning Lands and Heritage (**DPLH**)) and Environmental Protection Authority (**EPA**). These agencies requested changes to be made to the document, which were adopted by Council at the OMC held on 29 August 2024. In summary the key changes were:

- Rezone the Cable Beach Precinct Structure Plan area from 'Tourism' to 'Urban Development'.
- Amend the vision of the Cable Beach Precinct Structure Plan due to the change in zoning.
- Incorporate land use permissibility's into the Cable Beach Precinct Structure Plan because of the change in zoning.
- Change the titles of the sub-precincts in the Cable Beach Precinct Structure Plan as could no longer refer to them as 'tourism'.

The Scheme Amendment and Structure Plans were advertised concurrently for public comment between 30 September 2024 and 2 December 2024.

Proposal

The Cable Beach Precinct Structure Plan covers the area of Cable Beach currently zoned Tourist under Local Planning Scheme No 7. The extents of the Precinct Structure Plan are shown in Figure 1 below.



Figure 1 – Cable Beach Precinct Structure Plan

The Cable Beach Precinct Structure Plan covers the area of Cable Beach currently zoned Tourist under Local Planning Scheme No 7. The extents of the Precinct Structure Plan is shown in Figure 1 below.

COMMENT

The Precinct Structure Plan has been advertised for public comment as required under the Regulations. Now the public consultation period has closed the Shire must prepare a report on the proposed Structure Plan which is then submitted to the WAPC for determination.

Summary of submissions

The Precinct Structure Plan was advertised concurrently with the Amendment and the Chinatown Old Broome Precinct Structure Plan. At the close of the public comment period a total of 28 individual submissions were received. 13 submissions were received in relation to the Cable Beach Precinct Structure Plan and a high level summary of the submissions is provided below:

- Relax the tourist/residential spilt and residential permissibility – raised in 4 submissions.
- Clarifications on the application of density controls for tourist developments – raised in 4 submissions;
- Increase densities for sites – raised in 3 submissions;
- Alter land use permissibility – raised in 4 submissions;
- Requests for clarity on pedestrian connections – raised in 4 submissions;
- Modifications to built form controls – raised in 3 submissions;
- Concern on the use of the Urban Development zone – raised in two submissions;

1.

A full copy of the submissions received, and officer's comments are set out in **Attachment No 1** – Schedule of Submission. Some of the key issues that have resulted in modifications to the Cable Beach Precinct Structure Plans are detailed below:

Relax the tourist/residential spilt and residential permissibility

Currently under Local Planning Scheme No 7, the Tourism zoning that applies to the Cable Beach precinct requires that development is predominately tourist development and the

current Scheme provisions (as well as previous Scheme's before it) establish that a combination of short-term tourist accommodation uses and permanent residential uses can be approved if the tourism uses occupied a minimum 60% of the site area and total number of units (referred to at the 60/40 tourist/residential split).

Through engagement undertaken to prepare the Precinct Structure Plan it was clear that the area is highly desirable for residential development, however the Scheme's 60/40 tourist/residential provision is a barrier to this being delivered. Feedback from stakeholders is that the rigidity of the current planning framework leads to development stalling, and vacant land within the Cable Beach Precinct (this is also evidenced by lack of tourist development in the precinct, with the most recent tourist development being the Kimberley Sands resort, which was approved in 2005, and the Billi, which was approved in 2010).

A summary of changes proposed to the tourist/residential split in the Precinct Structure Plan is as follows:

- Increase the default residential development potential for all land in the precinct to 50%.
- Allow for increased residential development (70%) where it can be demonstrated that land use, urban structure and built form requirements can be met.
- For lots less than 7,500sqm in the Cable Beach High sub-precinct (generally along Sanctuary Road) development may be able to proceed that does not include Tourist Development where the development provides an active interface and provides a commercial use for the majority of the ground floor fronting the street.

Four of the submission received (submissions 4, 5, 8 and 9) requested a further relaxation of the tourist/residential split. Submitters put forward the following suggestions:

- There should be a cumulative assessment of land use mix across all sub precincts, enabling some sites to potentially deliver 100% residential development whilst others may deliver 100% tourism development. Submitters expressed the view that provided the land use mix across the whole of the tourism sub precincts maintain a predominant tourism focus, the vision and objectives of the CBPSP will be achieved. This was suggested as an alternative approach because the submitters raised that requiring the land use mix to be achieved on a site by site basis is likely to continue to stifle new opportunities.
- That the percentage caps on permanent residential development be removed, allowing 100% permanent residential development, whilst maintaining Tourist Development as a permitted use. The submitters expressed the view this should occur to increase opportunities for investment that enables owners to adapt more swiftly to changing market conditions.

The request of these submissions is not supported because the ability to apply the residential land use flexibility over the entire precinct, allowing whole lots to be developed as residential, does not align with the strategic tourism intent of the Cable Beach precinct. It is not considered that the cumulative precinct-wide approach to providing a tourism/residentially split of land use would provide a fair and equitable approach in delivering the tourism intent of the Precinct Structure Plan, nor would it be capable of being implemented. Landowners who are in a position to deliver residential development quickly could use the prescribed residential allocation, leaving other landowners with less flexibility in developing their land. Officers are of the view that the proposed approach in the Precinct Structure Plan provides balanced and equitable solution to providing greater land use flexibility and promoting development, while retaining the tourism importance of the precinct.

Submitters also raised that Clause 2.1.2 of the Precinct Structure Plan will continue to potentially stifle new development opportunities. These include sub clause (b) which requires that any development application include both the tourism and the residential developments for the whole of the site rather than enabling a development application for residential land uses to be considered in isolation. It also includes sub clause (f) which provides that in any staged development the residential development is not to proceed the tourism development.

It is considered that clause 2.1.2 (1) (b) is important to ensure development is able to deliver an integrated and coherent design solution, and achieve the objectives of the Precinct Structure Plan and therefore should be retained.

It is acknowledged that the requirement for the tourism development to proceed the residential component may restrict development, with the preference for delivery of residential first to stimulate development in Cable Beach.

To allow for flexibility in the delivery of residential and tourism development in Cable Beach and promote development to occur, it is recommended that clause 2.1.2 (1) (f) is removed. However, in order to limit poor built form and streetscape outcomes where new development does not front onto the street, leaving vacant sites in key streetscapes, it is recommended that additional streetscape and/or landscape provisions be included to assist with the built form transition.

Density controls for tourist developments

The Precinct Structure Plan establishes sub-precincts including:

- Low Impact Tourism – low impact development with minimal disturbance on the land.
- Cable Beach Low – lower intensity tourism uses on the periphery of the precinct with R20 density.
- Cable Beach Mid – mid intensity tourism uses that focus on secondary corridors with R40 density.
- Cable Beach High – higher intensity tourism uses that focus on key attractions and corridors with R60 density.

The Precinct Structure Plan establishes that tourist developments are to be developed in accordance with the relevant densities. Submissions 4, 5, 6 and 9 raised concern with the application of residential densities to the tourist development component. These concerns included Tourism WA which submitted that tourist developments should be informed by operational considerations rather than residential density measures and that controls of built form, scale and amenity should be used to guide acceptable tourist development. Concerns were also raised that it would be difficult to apply residential densities to some tourist typologies especially caravan parks, which is noted.

It is agreed that the density should not be applied to tourist developments and development yield should instead be informed by built form and development controls in the Precinct Structure Plan. To achieve this, section 2.2.1 of the Precinct Structure Plan (as shown in **Attachment No 3**) is recommended to be modified to remove sub-clauses 2 and 3 (which applies the R-Code densities to tourist developments).

Increase density

Submission 8 and 10 requested that the following sites (shown in Figure 1 below) be included in the Cable Beach High sub-precinct and increase density to R80:

- Lots 703, 704 and 705 Murray Road; and
- Lot 2 Millington Road and Lot 995 Oryx Road.

Submitter 8 requested an increase in densities to offer greater flexibility and improve the development potential of the respective sites and submitter 10 requested an increase to explore resort style/stay development and to mark the site as a prominent corner/landmark sites.

The request to increase densities is not supported. The intended approach to density and built form is focus higher density/intensity development along key activity areas such as Sanctuary Rd and Cable Beach West. Increasing the density of these sites would be inconsistent with both the land use and built form approach of the Precinct Structure Plan.

As outlined above, it is proposed to remove the density requirements for tourism development, allowing greater development flexibility provided the built form is consistent with the development controls. This would result in the R20 density applying only to the residential component, with the tourism being informed by built form and development controls in the Precinct Structure Plan.

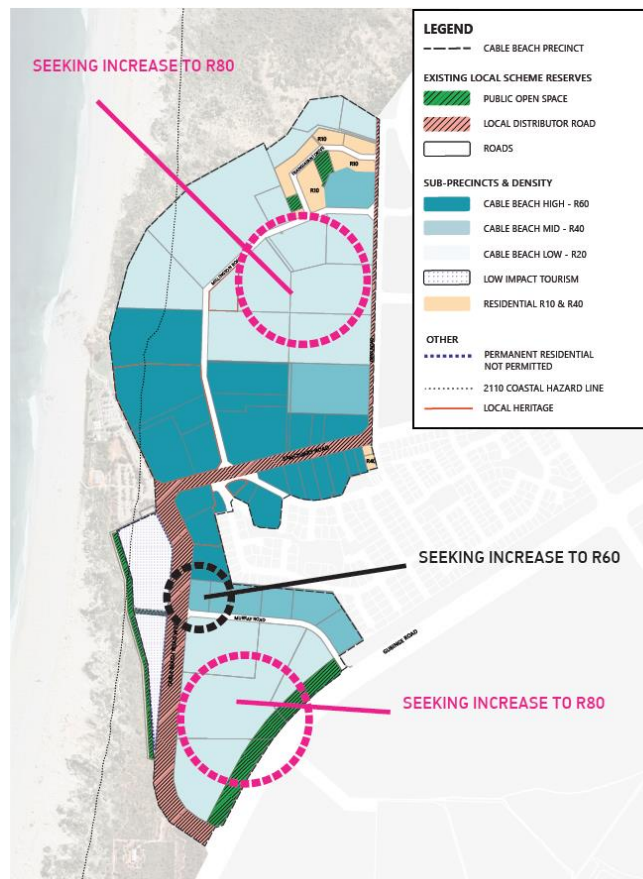


Figure 1 – increase density requests

Submitter 2 requested that Lot 100 Cable Beach Road West (Divers Tavern) be included in the Cable Beach High sub-precinct. The submitter requested an amendment to the sub-precinct to be consistent with the designation of the other lots on that portion of Cable Beach Road West.

The intent is the Cable Beach High sub precinct is to focus more intensive development in key areas, particularly along Sanctuary Road and Cable Beach Road West.

Given this site's prominent location on a key corner, it is considered appropriate to increase the zoning from Cable Beach Mid to High, promoting development, activity and visual prominence on a key corner.

Land Use Permissibility's

Submissions 4, 5 and 6 requested alteration to the land use permissibility as shown in **Attachment No 1** – Schedule of Submissions.

Based on review of the submissions it is proposed to amend the land use permissibility's for Small Liquor Store and Small Bar in the Cable Beach Low sub precinct to make them a discretionary land use.

Pedestrian connections

Submission 4, 5, 8 raised concern with the pedestrian accessway shown in the Precinct Structure Plan (shown in Figure 3 in **Attachment No 3** – Cable Beach Precinct Structure Plan). While submitters did not object to the intent of providing pedestrian connections through sites, concern was raised that the Precinct Structure Plan required they be provided as public access easements. A public access easement within a tourism or strata development requires unfettered access to any member of the public on a 24/7 basis which submitters expressed is not considered appropriate having regard to security issues. Unless these are delivered through freehold subdivision of land (i.e. the residential development component) it is submitted that any through block pedestrian and cycle connections should reasonably be provided as privately owned pathways that are publicly accessible only during agreed hours and that outside of these hours the links can be secured.

The intent of providing pedestrian/cycle connections in key locations is to enable better connectivity through Cable Beach's large blocks and sites, connecting up areas of tourism /residential with areas of activity. Due to the single ownership of land where these connections are proposed, it is considered appropriate that these connections could be provided as private connections, provided they are accessible by the public during key hours. Opening hours should be considered during the Development Application process and agreed to by both the landowner and the Shire.

Recommend wording is reviewed to remove requirement for a public access easement to be in place and enable ability for connections to be in private ownership provided they are publicly accessible.

Built form controls

Submissions 4, 5 and 6 raised concerns that the built form controls proposed in the Precinct Structure Plan were too restrictive. These concerns related to:

- Site cover being too restrictive, with submitters expressing that controls proposed would not allow the Kimberly Sands to be developed.
- Soft landscaping controls were too restrictive; and
- Solar access and ventilation requirement may be difficult to achieve for some forms of tourist developments, particularly caravan parks and modular cabins.

The built form controls have been reviewed based on the submissions received and it is recommended that the site cover is increased as follows:

- Cable Beach Mid – from 35% to 45%; and
- Cable Beach High – from 45% to 55%.

The updates to the site coverage was informed by reviewing existing development site coverage which has delivered an acceptable built form outcome. Given a key characteristic and feature of the precinct is landscaping, the requests to reduce the soft landscaping controls are not supported. In relation to solar access, amendments are proposed to address how this would apply to modular construction.

Officer's have also reviewed the setback controls proposed in the Precinct Structure Plan and identified that the proposed setbacks were excessive and in need of review. Existing developments were reviewed to inform the recommended changes and amendments are proposed to Table 8 of the Precinct Structure Plan to clarify that lot boundary setbacks are to be calculated in accordance with the R-Codes.

Urban development zone

One submission (6) requested to amend the objectives of the Urban Development zone and one submission (9 – Tourism WA) objected to the rezoning of the precinct to Urban Development. As these submission related to the Scheme Amendment, this is considered in that agenda item.

Proposed modifications

Based on the submissions received and as outlined in the comments above, it is proposed that modifications are performed to the Precinct Structure Plan. **Attachment No 2** is the Schedule of Modifications and **Attachment No 3** is a copy of the Precinct Structure Plan with the modifications shown tracked.

CONSULTATION

Extensive consultation has occurred in the preparation of the Precinct Structure Plans, this includes the two preliminary phases of community engagement, consultation with the Department of Planning, Lands and Heritage, briefings at Council Workshops and engagement with the Design Review Panel.

Community Engagement

Prior to the project formally launching, a notice was published on the Shire's website on 11 July 2022 to advise the community that the project was commencing shortly. Whilst there were no formal activities during this stage, the community was able to register their interest.

Following adoption of the CEP at the OMC in August 2022, the two phases of initial engagement occurred, prior to the drafting of the Precinct Structure Plans.

The initial phase of community engagement provided the project team with the opportunity to understand local values, ideas for the future and how the community may like to see the precincts develop. Engagement was undertaken primarily in September 2022 with additional engagement offered during November 2022.

Input from the community and key stakeholder was sought through a variety of methods which included:

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- Three market stalls.
- Seven written submissions.

The second phase of engagement, was the design engagement stage which was undertaken between March and April 2023 and provided the community with the opportunity to view the draft concept plans for each precinct, and provide their feedback.

Input from the community and key stakeholders was sought through a variety of methods which included:

- Two community workshops attended by 45 people.
- 1,399 reactions made on the design ideas via the online mapping tool.
- 81 survey responses.
- One workshop with Nyamba Buru Yawuru Limited.
- One workshop with Shire staff.
- Six written comments.

A summary of the feedback received relative to each precinct area has been outlined in the Officer Comment's section above. The Community Engagement Outcomes report was presented to Council at the OMC on the 16 November 2023.

The following engagement also occurred as part of preparing the draft Precinct Structure Plans.

DPLH Engagement

The Department of Planning, Lands and Heritage have also been consulted at the following stages:

- Prior to appointment of a planning consultant, the Shire sought feedback from DPLH officers on the Request for Quote and proposed project delivery methodology.
- Upon engagement of the consultant team and prior to project commencement, further engagement occurred with DPLH to seek feedback on the updated methodology and confirming align with State Guidelines for preparing the Precinct Structure Plans.
- During the Precinct Structure Plan drafting phase, DPLH were engaged with to seek feedback on the proposed key changes to the planning framework proposed in the Precinct Structure Plans.

Council Workshops

The following workshops with Council have occurred:

- Project commencement - a workshop was held with Council in July and August 2022, where the consultant team provided an overview and sought feedback from elected members on the methodology to deliver the Precinct Structure Plans and the proposed community engagement methodology.
- Design Concept stage – workshops were held with Council in February and March 2023, where the consultant team presented the design concepts and sought feedback and input from elected members.
- Drafting of Precinct Structure Plans – prior to finalisation of the draft Precinct Structure Plans, a workshop was held with Council in early October 2023 where the consultant team presented the key feedback received during the community engagement phases and sought feedback on the design elements and key changes proposed in the Precinct Structure Plans.
- Prior to Council adoption of draft Precinct Structure Plans - A workshop occurred on the 11 November 2023 to provide an updated to elected members on the key changes proposed to the existing planning framework in the Precinct Structure Plans.

Design Review Panel

Engagement with the Design Review Panel occurred at the following stages:

- January 2023 - feedback was sought on the site and context analysis, the response to the context and design approaches.
- October 2023 - feedback was sought on the design elements of urban ecology, urban structure, public realm, movement, land use and built form responses proposed in the Precinct Structure Plans. The design testing undertaken to inform the design controls was also discussed.

The comments received from the Design Review Panel have been considered in finalisation of the draft Precinct Structure Plans.

Statutory Public Comment Period

Under the Regulations, once Council adopts a Scheme Amendment and Precinct Structure Plan, the draft documents are required to be advertised for public comment, this period was referenced as the 'statutory public comment period' in the Communications and Stakeholder Engagement Plan.

As a part of this phase of the stakeholder engagement, the following was undertaken:

- Written notification to primary and secondary stakeholders;
- Written notification to any person who has registered an interest in the project or has attended prior engagement sessions;
- Update to the Social Pinpoint engagement platform;
- Print website and social media notices;
- Direct engagement with key landowners; and
- Community drop in session in each precinct.

The statutory comment period is 42 days for both a Scheme Amendment and Precinct Structure Plan, however to ensure that members of the community have adequate time to review and prepare a submission and extended period was provided.

The community engagement period commenced on the 30 September 2024 and concluded on 2 December 2024, which is in excess of 90 days.

The schedule of submissions is included as **Attachment No 1** and details all the submissions received and recommendations in relation to the matters raised. A summary of the matters raised in the submissions is detailed in the officer's comments section above.

A further Council Workshop was held on 11 February 2025 to discuss the submissions received and seeking input on the proposed modifications to the Precinct Structure Plan. This workshop was attended by Shire President Mitchell (online) and Councillors Lewis, Mamid, Matsumoto and Taylor.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2 – Deemed provisions for local planning schemes

19. *Consideration of submissions*

(1) *The local government —*

- (a) *must consider all submissions made to the local government within the period specified in a notice advertising the structure plan; and*
- (b) *may consider submissions made to the local government after that time; and*
- (c) *may request further information from a person who prepared the structure plan; and*
- (d) *may advertise any modifications proposed to the structure plan to address issues raised in submissions.*

(2) *If a local government makes a decision under subclause (1)(d) the local government must take any steps the local government considers appropriate to advertise the proposed modification to the structure plan.*

(3) *Modifications to a structure plan may not be advertised on more than one occasion without the approval of the Commission.*

20. *Local government report to Commission*

- (1) *The local government must prepare a report on the proposed structure plan and provide it to the Commission no later than 60 days after the day that is the latest of —*
- (a) *the last day of the period for making submissions on the proposed structure plan that applies under clause 18(3A); or*
 - (b) *the last day for making submissions after a proposed modification of the structure plan is advertised under clause 19(2); or*
 - (c) *a day agreed by the Commission.*

(2) *The report on the proposed structure plan must include the following —*

- (a) *a list of the submissions considered by the local government, including, if relevant, any submissions received on a proposed modification to the structure plan advertised under clause 19(2);*
- (b) *any comments by the local government in respect of those submissions;*
- (c) *a schedule of any proposed modifications to address issues raised in the submissions;*
- (d) *the local government's assessment of the proposal based on appropriate planning principles;*
- (e) *a recommendation by the local government on whether the proposed structure plan should be approved by the Commission, including a recommendation on any proposed modifications.*

22. Decision of Commission

- (1) *On receipt of a report on a proposed structure plan, the Commission must consider the plan and the report and may —*
 - (a) *approve the structure plan; or*
 - (b) *require the local government or the person who prepared the structure plan to —*
 - (i) *modify the plan in the manner specified by the Commission; and*
 - (ii) *resubmit the modified plan to the Commission for approval; or*
 - (c) *refuse to approve the structure plan.*

POLICY IMPLICATIONS

If the Precinct Structure Plan is approved, a review of Local Planning Policy 5.19 – Strata Titling of Tourist Developments in the Tourist Zone will need to be performed. While the general intent of the Policy would remain, updates would be required to reflect the zoning change.

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 6 - Responsible growth and development with respect for Broome's natural and built heritage

Objective 6.1 Promote sensible and sustainable growth and development.

Objective 6.2 Protect significant places of interest.

Objective 6.3 Create attractive, sustainable streetscapes and green spaces.

VOTING REQUIREMENTS*Simple Majority***COUNCIL RESOLUTION:****(REPORT RECOMMENDATION)****Minute No. C/0325/031****Moved: Cr P Taylor****Seconded: Cr S Cooper****That Council:**

1. ***Pursuant to Regulation 19 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 consider the submissions received and endorse the Schedule of Submissions set out in Attachment No 1.***

2. ***Pursuant to Regulation 20 (2) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations endorses the Schedule of Modifications set out in Attachment No 2 and recommends to the Western Australian Planning Commission that the Cable Beach Precinct Structure Plan as contained in Attachment No 3 is approved subject to modification.***

For the Motion: Shire President C Mitchell, Cr D Male, Cr S Cooper, Cr J Mamid, Cr P Matsumoto, Cr P Taylor and Cr M Virgo.

Against the Motion: Cr J Lewis.

CARRIED 7/1**Attachments**

1. Schedule of Submissions
2. Schedule of Modifications
3. Precinct Structure Plan (Part 1) with tracked changes

Cr E Smith returned to the Chambers at 6:07 pm.

The Chair advised Cr E Smith that items 9.2.1, 9.2.2 and 9.2.3 had been carried as per the officer recommendation.

9.2.4 SUCCESSFUL APPLICATION TO THE WESTERN AUSTRALIA BICYCLE NETWORK GRANTS PROGRAM

LOCATION/ADDRESS:	Various
APPLICANT:	N/A
FILE:	ENG04
AUTHOR:	Director Infrastructure
CONTRIBUTOR/S:	Manager Engineering Project Engineer
RESPONSIBLE OFFICER:	Director Infrastructure
DISCLOSURE OF INTEREST:	NIL

SUMMARY:

The Shire of Broome have been successful in obtaining \$2.6 million of funding through the Western Australian Bicycle Network Grant Program for four path projects from 2024/25 to 2027/28.

This report summarises the path projects, the co-contribution requirements from the Shire and seeks Council's approval for the Chief Executive Officer to execute the funding agreements and to amend the 2024/25 budget.

BACKGROUND

Previous Considerations

Nil

The Western Australian Bicycle Network (WABN) Grants Program is the State Government's primary funding source to local government for the planning, design, delivery and activation of active transport infrastructure and related initiatives.

The Program is administered by the Department of Transport and is a key initiative of the WABN Plan 2014-2031. The program consists of the Perth Bicycle Network (PBN) and Regional Bicycle Network (RBN) grant streams.

The Program supports local governments to deliver best practice, safe and comfortable active transport infrastructure that enables more people to walk, wheel and ride as part of their everyday journeys and experiences, more often.

The Program is based on a joint funding model, with the State Government providing a co-contribution of up to 50 per cent of the total eligible project cost.

Funding is able to be applied for up to four financial years to facilitate higher-value projects and support high quality planning, design and construction. To enable project staging, funding may be proposed in any or multiple financial years.

The Shire has previously received \$402,000 of WABN grant funding for the Conti Foreshore Shared Path project. The 1,300m path, which provides an all-access link between the award-winning Town Beach precinct and the Jetty to Jetty Trail towards Chinatown, was named the regional winner at the 2022 Your Move Awards in the *Western Australian Bicycle Network (WABN) category,* "for making the jetty-to-jetty trail and public art more accessible". The project also provided 27 solar lights along the foreshore path.

COMMENT

The Shire applied to the WABN grants program for four projects with the intent of undertaking the design and delivery across four financial years from 2024/25 to 2027/28.

The applications were made such that each project commences within or before 2025/26, meaning that the four projects will be delivered on time or before what was originally planned in the Shire's Long Term Financial Plan (LTFP) and Council Plan, plus it realises the LTFP's assumptions for securing grant funding for the path projects.

A further benefit for the Shire in obtaining the WABN grant funding is that the standard for the new shared paths is greater than our nominal footpath standard, i.e. new paths will be 3m wide, which is a great result for the path users.

A summary of each of the four projects is provided for your information.

Frederick St - Port Drive Shared Path	
Description	Design and construct a 925m shared path that shall achieve safer pedestrian movements and improve the connection on this distributor and commuter route to the Broome Recreational and Aquatic Centre, the Broome Pump Track, Broome Boulevard Shopping Centre, St Mary's College, Broome Senior High School and a new medical centre & childcare facility currently under construction.
Infrastructure Type	Shared path Concrete
Length	925m
Width	3m
Timing	2024/25
Total Project cost	\$796,060
Local Government Contribution (50%)	\$398,030 (\$28,030 Shire in kind)
Comment	The path is contained within the Broome Recreation Trails Masterplan 2016 and listed for 2025/26 within the Shire's LTFP.



Old Broome Road Shared Path	
Description	Design and construct a 1km shared path to connect and provide a safer section of the commuting route to Broome Senior High School and Broome Townsite from the nearby residential area of Roebuck Estate.
Infrastructure Type	Shared path Asphalt along Old Broome Road and concrete path along Bagot Street and Coghlan Street
Length	1,000m
Width	3m
Timing	Design 2024/25 , Delivery 2025/26
Total Project cost	\$1,348,640
Local Government Contribution (50%)	\$674,320
Comment	<p>The path is contained within the Broome Recreation Trails Masterplan 2016.</p> <p>The path on Coghlan Street and Bagot Street were already planned, through the LTFP and Council Plan, to be completed in 2024/25. A new pathway on Old Broome Road was listed in the Shire's LTFP and Council Plan for delivery in 2026/27 for \$289,000.</p>



Cable Beach Access Path	
Description	Design and construct a 280m long shared path linking Millington Rd and the foreshore amphitheatre at Cable Beach.
Infrastructure Type	Shared path Concrete with surface treatment
Length	280m
Width	3m
Timing	Design 2024/25 , Delivery 2025/26
Total Project cost	\$376,898
Local Government Contribution (50%)	\$188,449
Comment	The project was an outcome of the community consultation and detailed design for the Walmanyjun Cable Beach Redevelopment. The path will provide an improved link between the foreshore and the residential and accommodation properties in the Millington Road area.



Demco Beach Foreshore Shared Path	
Description	Design and construction of 716m of Shared Path providing a connection from Town Beach in front of the caravan park to Demco Park to the west. The alignment will consist of 178m of boardwalk, 538m of concrete path.
Infrastructure Type	Shared path Concrete and boardwalk along tidal section
Length	716m
Width	3m
Timing	Design 2025/26, Delivery 2026/27 & 2027/28
Total Project cost	\$2,698,148
Local Government Contribution (50%)	\$1,349,074
Comment	The project has been a long term vision of the Shire and is contained within the Old Broome Development Strategy 2014 and listed in the Shire's LTFP for design in 2026/27 and delivery in 2027/78 for a total of \$2,980,000



On 9 January 2025 the Shire was advised that all four grant applications were successful.

Each project will have a separate Grant Agreement Contract between the Shire of Broome and the Department of Transport.

It is recommended that Council authorise the Chief Executive Officer to enter into the four Grant Agreement Contracts with the Department of Transport for the Frederick St Port Drive Shared path; the Old Broome Road Shared path; the Cable Beach Access path; and the Demco Beach Foreshore Shared Path.

A number of budget amendments will be required in 2024/25 in accordance with the successful grant applications as well as changes to the Shire's LTFP. These are summarised in the financial implications section of this report.

CONSULTATION

All four path projects have resulted from community consultation.

The Old Broome Development Strategy 2014 and the Broome Recreation Trails Masterplan 2016 both included extensive community consultation which identified the path project scopes and eventual grant applications.

The Walmanyjun Cable Beach Redevelopment also contained extensive community consultation which led to the Shire investigating the option for the Cable Beach Access path. Direct consultation with the Broome Camp School and Department of Education has occurred as well as the neighbouring Cable Beach Club Resort & Spa.

Shire officers have corresponded with the grant officers from the Government of Western Australia's Department of Transport.

STATUTORY ENVIRONMENT

Local Government Act (WA) 1995.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The WABN grant will cover 50% of eligible projects cost for each of the path projects including eligible project design costs. By the grant conditions, the local government must fund 25% of the total project cost. The remaining funding component can be sourced from external parties.

There are several variations to the timing and funding of the path projects compared to the Shire's LTFP and Council Plan. Should the report recommendations be approved these variations will be made in the next review and update of the LTFP and Council Plan.

The changes required for Frederick St Port Dr Shared Path and Cable Beach Access Path can be managed within existing project budgets and grant agreements with no additional Shire funds required. For the Old Broome Road Shared Path and Demco Beach Foreshore

Shared Path, an additional \$350,737 of Shire funds is required to meet the grant funding conditions and secure the \$2.6M of WABN grant funding.

A more detailed summary of the implications for each of the four projects is provided below.

Frederick St - Port Drive – 2024/25

The Frederick St - Port Drive Shared path is intended to be delivered by mid-May. The success in this grant allows the Shire to expand off the current Frederick Street and Broome Recreation and Aquatic Centre roundabout upgrade and Shire funded path between Jewel Street and the Boulevard Shopping Centre.

The project does not require any further Shire cash contributions. The WABN grant funding of \$398,030 will be matched with the existing project budget allocations and a further \$100,000 from the Shire's Roads to Recovery funding program, acknowledging that pathways directly associated with a road upgrade project are eligible for acquittal against the Roads to Recovery program. The additional contribution has already been approved by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts who oversee the Roads to Recovery funding. This additional \$100,000 contribution from Roads to Recovery is available for this project as there was an increase to the overall 5 year funding program from 2024/25 onwards.

This project will require the following budget amendments to the 2024/25 budget to recognise the additional grant income and corresponding project expenditure.

- Recognition of additional income of \$398,030 Ex GST on Capital Income Account 101217850 - Regional Bikeways Grant
- Recognition of additional income of \$100,000 Ex GST on Capital Income Account 101217760 - Roads To Recovery Non Op Grant
- A reduction in the expenditure budget on Capital Expenditure Account 121718 - Frederick St Roundabout - BRAC Entry of \$112,500 Ex GST
- An increase in the expenditure budget on Capital Expenditure Account 125922 - Frederick St Footpath Construction) of \$610,530 Ex GST to create a total external budget of \$768,030.

Note, the total project cost is \$796,060 which includes \$28,030 of Shire in kind support through project management. Therefore, the \$768,030 Capital Expenditure budget for 125922 is correct.

Old Broome Road Shared Path – 2024/25/26

Prior to the WABN funding, the missing sections of pathway on Coghlan Street and Bagot Street were already planned, through the LTFP and Council Plan, to be completed by the Shire in 2024/25. A new pathway on Old Broome Road is currently in the Shire's LTFP and Council Plan for delivery in 2026/27.

To be eligible for the WABN funding, the standard of these paths was increased and community engagement was added. The timing of the projects have also been shuffled to maximise the grant opportunity based on the current WABN funding window of 2024/25 to 2027/28.

The WABN application proposed to undertake the design component of the Old Broome Road Shared Path in 2024/25 and to deliver the pathways in 2025/26 which would provide synergies with the Old Broome Road – Sandpiper to Short Street roadway upgrades. To

achieve this, the Shire will need to undertake budget amendments to recognise the grant funding and design budget for the pathway and road upgrades in 2024/25 as well as bring forward some planned expenditure from 2026/27 to 2025/26. The design and informing survey for the pathway and road upgrades has been estimated at \$100,000 Ex GST.

The following budget amendments are proposed to the 2024/25 budget to recognise the additional grant income and corresponding project expenditure.

- Recognition of additional income of \$30,250 Ex GST on Capital Income Account 101217850 - Regional Bikeways Grant
- Inclusion of an expenditure budget of \$100,000 Ex GST in the 2024/25 financial year within capital expenditure account 121719 - Old Broome Road;

This results in a \$69,750 budget deficit in the current 2024/25 financial year. To enable the design of the pathway and road upgrade to commence in accordance with the WABN application it is proposed that this amount be found through capital expenditure savings from the Demarchi Road blackspot project, Account RU229, which is tracking under budget.

Note, this amendment will not impact the acquittal of the DeMarchi Road Blackspot project and the full blackspot funding will be obtained as per the budget for Account RU229.

Cable Beach Access Path– 2024/25/26

Final investigations and detailed design of this pathway shall commence in the current financial year at a cost of \$24,750 Ex GST. The following budget amendments are proposed to the 2024/25 budget to recognise the additional grant income and corresponding project expenditure.

- Recognition of additional income of \$12,375 Ex GST on Capital Income Account 101217850 - Regional Bikeways Grant
- A reduction in the expenditure budget on Capital Expenditure Account 101430380 - Consultants Engineering Office of \$12,375 Ex GST
- Inclusion of an expenditure budget of \$24,750 Ex GST in the 2024/25 financial year within capital expenditure account CB28 - Walmanyjun Cable Beach Foreshore Redevelopment Stage 2 – Foreshore Access Path;

The \$176,074 co-contribution required for the construction of the Cable Beach Access Path has been allowed for in the Walmanyjun Cable Beach Foreshore Redevelopment Stage 2 budget in the 2025/26 financial year.

Demco Beach Foreshore Shared Path – 2025/26/27/28

This pathway was proposed to be funded in the LTFP and Council Plan across two stages in 2026/27 - \$336,222 and in 2027/28 - \$2,642,045. To ensure that the Shire met the WABN requirements for projects to commence within 2025/26, Officers brought forward the initial design stage for the on ground path sections to 2025/26 to inform the construction works which would still commence from 2026/27.

The updated cost estimated for the project submitted for WABN funding totalled \$2,698,148 compared to the initially estimated \$2,978,267. The portion of grant and Shire allocations has also been updated. While successful in securing the WABN grant funding, the LTFP had more than 50% down to be funded by a grant. Therefore, the Shire contribution will increase compared to the LTFP by \$230,405.

RISK

With any project there are construction risks that arise from latent conditions, timing, stakeholder interaction, weather etc. For path projects the risk is known as the road reserves and public open space reserves are shire managed. Project risks will be mitigated through the use of an experienced contractor who will perform the works under a well-developed workplace health and safety framework and with approved traffic management controls.

Reputational risk will be managed by the Shire through the Shire's current communication channels as well as direct communication to adjoining premises.

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 7.2 Provide safe, well connected paths and trails to encourage greater use of active transport.

VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0325/032

Moved: Shire President C Mitchell

Seconded: Cr D Male

That Council: :

1. **Authorises the Chief Executive Officer to execute the Department of Transport West Australian Bike Network Grant Agreement Contract for the Frederick St Port Drive shared path;**
2. **Approves a budget amendment of \$398,030 Ex GST to increase capital Income Account 101217850 - Regional Bikeways Grant;**
3. **Approves a budget amendment of \$100,000 Ex GST to increase capital Income Account 101217760 - Roads To Recovery Non Op Grant;**
4. **Approves a budget amendment of \$112,500 Ex GST to decrease capital expenditure Account 121718 - Frederick St Roundabout - BRAC Entry;**
5. **Approves a budget amendment of \$610,530 Ex GST to increase capital expenditure Account 125922 - Frederick St Footpath Construction to \$768,030;**
6. **Authorises the Chief Executive Officer to execute the Department of Transport West Australian Bike Network Grant Agreement Contract for the Old Broome Road shared path;**
7. **Approves a budget amendment of \$30,250 Ex GST to increase capital income Account 101217850 - Regional Bikeways Grant;**
8. **Approves a budget amendment of \$100,000 Ex GST to increase capital expenditure account 121719 - Old Broome Road;**

9. Approves a budget amendment of \$69,750 Ex GST to decrease capital expenditure account RU229 De Marchi Road Black Spot - Cap Exp;
10. Authorises the Chief Executive Officer to execute the Department of Transport West Australian Bike Network Grant Agreement Contract for the Cable Beach access path;
11. Approves a budget amendment of \$12,375 Ex GST to increase capital income Account 101217850 - Regional Bikeways Grant;
12. Approves a budget amendment of \$12,375 Ex GST to decrease operational expenditure Account 101430380 - Consultants Engineering Office;
13. Approves a budget amendment of \$24,750 Ex GST to increase capital expenditure Account CB28 - Cable Beach Stage 2 – Foreshore Access Path;
14. Authorises the Chief Executive Officer to execute the Department of Transport West Australian Bike Network Grant Agreement Contract for the Demco Beach Foreshore shared path.

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

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 9/0

Attachments

Nil

9.3 PROSPERITY

Cr. M Virgo has declared a Financial Interest in Item 9.3.1, the reason being “The Broome Visitor Centre has a partnership with Shinju Matsuri and I am the manager of the Broome Visitor Centre”

Cr M Virgo left the Chambers at 6:09 pm.

9.3.1 SHINJU MATSURI ACQUITTAL 2023 AND 2024 AND FUTURE REQUEST FOR FUNDING	
LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	GPC16
AUTHOR:	Economic Development Coordinator
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Manager Community Engagement and Projects
DISCLOSURE OF INTEREST:	Nil

SUMMARY:
 Council has previously provided funding towards the Shinju Matsuri Festival in a multi-year agreement for 2023 and 2024. This agenda item provides an assessment of the acquittal and reporting for those two festivals. In line with the Community Development Fund guidelines, this item also includes an assessment of Shinju's 2025/26 application, with a recommendation of entering into a multiyear agreement with Shinju for three years, at \$100,000 per year.

BACKGROUND

Previous Considerations

SMC 6 June 2024	Item 5.3.1
OMC 30 March 2023	Item 9.3.1
OMC 15 December 2022	Item 9.3.1
OMC 28 April 2022	Item 9.3.2
SMC 21 December 2021	Item 5.3.1

COMMENT

Shinju Matsuri, the Kimberley region's longest-running arts and cultural event, celebrated its 50th anniversary in 2020. Over the years, Shinju Matsuri has grown into a vibrant 16-day celebration featuring 71 events, collaboratively organized by local businesses and organizations. Widely regarded as a highlight of Broome's event calendar, the festival is a major economic driver for the region. In its most recent edition in 2024, an estimated 20,059 people engaged with Shinju Matsuri events and activities, and the event supported the local economy by engaging 69 local contractors, suppliers, and businesses.

The Shire has financially contributed to Shinju Matsuri for many years, and for the last two years this support has been through the Community Development Fund (CDF) Program.

CDF provides funds to organisations within the Shire of Broome to develop and run initiatives and events that deliver long term social or economic benefits to the local community. The CDF Guidelines were adopted at the 15 December 2023 meeting of Council when it was created by the amalgamation of the Events Development Fund (**EDF**) and the Annual Community Matched Fund (**ACMF**).

The CDF is separated into three streams and Shinju Matsuri Inc (**Shinju**) applies under Stream 3 – Pearl Events, which is for events seeking a funding contribution of more than \$40,000 per year and is by invite only. Shinju Matsuri is currently the only Pearl event designated by Council. This Pearl event strategy arises from the Metrix Report (2017); to focus financial support on events that meet 'community, drawcard and enhancer' outcomes.

The Shinju application is being considered on its own, and a month earlier than Streams 1 and 2 due to Shinju requiring extra time to organise the event. Applications for Streams 1 and 2 will close on March 20 and will be presented to Council for decision at the May Ordinary Meeting of Council (**OMC**).

Shinju Funding

The Shire provides funding to Shinju Matsuri Inc (**Shinju**), a not-for-profit organization, which retains local company Kimberley Special Events (**KSE**) to deliver the event. In June 2025, Shinju will come to the end of a two-year funding agreement (2023 and 2024) with the Shire. The Council decision that informed that agreement is below.

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0323/025

Moved: Cr D Male

Seconded: Cr C Mitchell

That Council:

- 1. Considers for inclusion in the Municipal Budget for 2023-2024 and allocation of \$97,500 (ex GST) from the Community Development Fund program to be made as cash payment for the delivery of the Shinju Matsuri Festival 2023;**
- 2. Gives in-principle support to the allocation of \$77,500 (ex GST) in the 2024-2025 budget from the Community Development Fund to be made as cash payment for the delivery of Shinju Matsuri Festival 2024.**
- 3. The agreements for funding will include, but not be limited to, the following provisions:**
 - a) Shinju Matsuri providing to the Shire of Broome their gift policy for ticketed events and a sponsorship prospectus listing the number of tickets gifted per sponsorship allocation.**
 - b) A detailed profit and loss break down for the event hub and all ticketed events.**

CARRIED UNANIMOUSLY 6/0

Shinju provided its gift policy for ticketed events in September 2023, and has consistently met the requirements of the funding agreement. In 2024, Shinju applied for and received an additional \$20,000 to financially support the Drone Show and hub enhancements.

VOTING REQUIREMENTS*Simple Majority***COUNCIL RESOLUTION:****(REPORT RECOMMENDATION)****Minute No. C/0624/066****Moved: Cr P Taylor****Seconded: Cr P Matsumoto****That Council:**

- 1. Approves the allocation of the following amount to the applicant under Stream 3 of the Community Development Fund and considers for inclusion in the 2024/25 annual budget:**

- a) Shinju Matsuri Inc for the 2024 Shinju Matsuri festival an additional \$20,000.**

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

CARRIED UNANIMOUSLY 6/0

The Shire's financial contributions towards Shinju Matsuri are specifically directed at supporting free and community events, ensuring these activities remain accessible to the broader public. The funding does not extend to paid ticketed or private events. The table below itemises the expenses the Shire contributed towards in the last two years.

Expense	2023/24	2024/25
Shire event expenses and venue hire	\$14,500.00	\$14,500.00
Purchase of fencing and furniture	\$20,000.00	
Expenses towards delivering community and public events in Town Beach and China Town	\$63,000.00	\$63,000.00
Drone Show and Hub enhancements		\$20,000.00
Total	\$ 97,500.00	\$97,500.00

Officers consider that Shinju Matsuri has fulfilled its obligations to acquit the funds provided by the Shire for the 2023 and 2024 funding periods. All required documents, including financial reports and supporting information, were provided as per the funding agreement and were submitted for Council review in January 2025. Event reports from 2023 and 2024 have been added as **Attachment 1 and 2**.

Financial reporting for Shinju Matsuri has significantly improved over the past three years. Detailed budget breakdowns by event have been provided, addressing the Shire's longstanding request for greater transparency. This ensures that the balance of funding between private and public events accurately reflects the Shire's contribution and that its financial support directly benefits the community. It also helps safeguard against ratepayer funds being used for events that may be perceived as contrary to public interest, such as private ticketed events where alcohol or meals are included.

The Shire has also worked diligently with Shinju to improve transparency in reporting gifted or "comp" tickets provided to sponsors, dignitaries, and others, enhancing accountability. Comp tickets are issued as part of sponsorship agreements, to dignitaries, and in accordance with Shinju's gift policy. For example, KSE has reported that for the Sunset Long Table, the proportion of comp tickets has been reduced from 60% in 2021 to 26% in 2024. While the proportion of comped tickets may still seem high, Shinju has advised that when

tickets are aligned with sponsorships, this ultimately increases overall revenue, reduces administrative burden and provides sponsors with networking opportunities that increases the perceived value of their sponsorship.

It has been a long term priority of the Shire for Shinju to decrease its reliance on Shire funding. To understand the Shire's contribution and event scope changes over time, officers reviewed data in the Shinju Matsuri financial statements going back to 2017. The information collected was presented to Councilors at a workshop on 11 February 2025. Councilors in attendance were: Cr. Cooper, Cr. Lewis, Cr. Mamid, Cr. Matsumoto, Cr. Mitchell, Cr. Smith, Cr. Taylor. An overview of a selection of the key figures presented to Council is provided below.

Since 2017, the total expense of delivering Shinju Matsuri has risen from \$727,000 to \$1.14 million. Over this time, the Shire's financial contribution has decreased from \$115,000 to \$97,000, representing a reduction from 16% to 9% of the total event costs. Over the same period, grant funding from other sources has grown from \$594,000 to \$779,000, demonstrating Shinju Matsuri's success in diversifying its funding base. Additionally, the event has become more financially independent, with its own source revenue now covering 25% of total expenses, up from 15% in 2017.

The Shire has prioritised Shinju's sustainability by directing its financial support to the purchase of assets, with the objective of reducing expenses and increasing revenue opportunities. A key example is the Festival Hub, as the Shire supported the purchase of sea containers in 2022/23 and further fit-outs in 2024/25. In 2024, the Hub hosted over 40 activities during Shinju Matsuri, featuring local music and food. It became a vibrant festival focal point and achieved a total income of \$163,809, exceeding expenses of \$159,570.

APPLICATION FOR FUNDING 2025, 2026, 2027

Shinju has applied for \$100,000 per year for three years. The complete application is contained in **Attachment 3**.

In their application, Shinju have committed to contributing \$650,000 (excluding GST) in cash and \$250,000 in in-kind. The Shire's requested funding amount works out to approximately 13% of the total cash funding and 10% when including in-kind contributions.

The following organisations are also listed as sponsors in the application:

- Tourism WA
- Lotterywest
- Broome International Airport
- Roebuck Bay Hotel
- Department of Local Government, Sport and Cultural Industries
- Road Safety Commission
- Nexus Airlines
- Matsos Broome Brewery
- Horizontal Falls Seaplane Adventures
- HIT WA
- Horizon Power
- Northside Rentals
- Kimberley Port Authority
- Dahlia Designs
- A Plus (Event Furnishing and Sponsor)

Shinju have requested financial support for the following expenses:

- \$15,000 to ensure increased presence at community, Chinatown, and Town Beach activated events.
- \$10,000 for the Festival Hub upgrade, which will fund improvements such as stainless steel benches, fridges, additional furniture, fencing, and lighting.
- \$27,250 for the drone show, with an additional \$27,250 provided by another source.
- \$10,200 to support rising costs for equipment hires related to all community and Chinatown/Town Beach activated events, with \$30,000 in contributions from other sources.
- \$15,000 for contractor and facilitation fees.
- \$7,030 for venue hire and associated fees for the Civic Centre, based on 2024 costs.
- \$15,520 for venue hire and associated fees for Shinju events, also based on 2024 costs.

The total amount requested by Shinju is \$100,000. Their contribution towards these expense items is \$145,250 in cash and \$5,000 in in-kind.

Shinju has provided the requests for the 2025 Shinju Festival, but there needs to be some flexibility when considering the line items for 2026 and 2027 as prices fluctuate and the scope of the festival changes. Officers are of the view that the changes will be relatively minor and absorbed across the categories. The Shire's contribution will be assessed each year prior to the Festival, at the post event debrief and through the annual acquittal process.

The requested expense items align with the eligibility criteria for the CDF, reflect what has been supported in previous years, and cover Shire expenses and fees. The amount going back to the Shire totals \$7,030 for the Civic Centre and \$15,520 for Shinju events, which is 9% of the total amount allocated. A portion of the request also contributes to the financial sustainability of Shinju, with the festival hub upgrades enabling an expanded menu offering over time.

Council and the community have expressed support for the drone show, citing concerns about environmental impact and the distress caused to dogs and other animals by fireworks. Shinju has committed to refining the drone show to better reflect the community's diversity and history, and also schedule the show earlier, subject to ensuring the sky is dark for optimal viewing and approval from authorities. With three years of secured funding, Shinju has said it will be in a position to lock in pricing and implement improvements.

The Shire is aware that many other sponsors have been offered Naming Rights for events, while the Shire has been overlooked in previous years. This presents a challenge; the Shire does not want to crowd out other sponsorship opportunities for Shinju, but it is important to ensure fairness given the Shire's significant contribution to the event. Officers will therefore engage in discussions with Shinju to address how acknowledgement of the Shire's contribution can be improved, and will have an agreed marketing plan in advance of each year's festival.

CONSULTATION

Officers worked with Shinju and KSE to prepare this agenda item.

As well as the Council workshop on 11 February 2025 already mentioned, representatives from Shinju and KSE also met with Council on 25 February 2025. Councilors in attendance were: Cr. Cooper, Cr. Lewis, Cr. Male, Cr. Mamid, Cr. Matsumoto, Cr. Mitchell.

Letters of support were provided by the Broome Chamber of Commerce and Industry (**BCCI**), Broome Visitors Centre, Australia's NorthWest Tourism and Kimberley Port Authority and are added as **Attachment 4**.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Assessed in accordance with the Community Development Fund (**CDF**) Guidelines.

FINANCIAL IMPLICATIONS

The Shire's financial support for Stream 2 and 3 is forecasted annually at \$265,000, with the actual budgeted amount a decision of Council at the May OMC following an assessment of all the applications.

If Shinju is awarded \$100,000, this would leave \$165,000 for other events each year. This allocation aligns with previous years. It is considered to be a low-risk approach, particularly as the CDF Stream 2 and 3 has not been fully allocated in recent years.

One of the purposes of the stream process is to ensure sufficient funding is available in Stream 2 for events, while setting clear expectations for applications. For example, by capping Stream 2 applications at \$40,000, it is clear to applicants that they should not seek more than this amount, avoiding unnecessary applications beyond budgetary constraints.

RISK

Risk	Type	Rank	Mitigation
Community dissatisfaction with allocations	Reputational	Low	Shinju funding proposed is in line with previous years' allocations.
Funding recipient dissatisfaction with allocations	Reputational	Low	Shinju first applied for \$120,000 but this was reduced to \$100,000 with agreement.
The event listing, quality, or scale declines over the term of the multi-year agreement.	Financial / Reputational	Medium	Shinju must submit an annual report, detailed budget and audit prior to payments each year. A post event debrief occurs annually.

STRATEGIC ASPIRATIONS

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

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

Objective 9.4 Support business growth, innovation and entrepreneurship.

Actions 9.4.1 **Fund** grants through the Economic, Events & Tourism Development Fund (EETDF) annually.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0325/033

Moved: Cr P Taylor

Seconded: Cr E Smith

That Council:

1. **Considers for inclusion in the Municipal Budget for 2025-2026 an allocation of \$100,000 (ex GST) from the Community Development Fund program to be made as cash payment to Shinju Matsuri Incorporated for the delivery of the Shinju Matsuri Festival 2025;**
2. **Gives in-principle support to the allocation of \$100,000 (ex GST) in the 2026-2027 and 2027-2028 budget from the Community Development Fund to be made as cash payment for the delivery of Shinju Matsuri Festival 2026 and 2027;**
3. **The agreements for funding will include, but not be limited to, the following provisions:**
 - a) **Shinju Matsuri Incorporated providing a detailed event report, profit and loss break down and audited financial statements annually;**
 - b) **An agreed-upon marketing plan will be submitted in advance of each year's event, outlining promotional activities, including speaking opportunities, advertising platforms, and other means of acknowledging the Shire of Broome's contribution to the event, in line with the level of sponsorship provided.**

For the Motion: Shire President C Mitchell, Cr D Male, Cr S Cooper, Cr J Lewis Cr J Mamid, Cr P Matsumoto, Cr E Smith and Cr P Taylor.

CARRIED UNANIMOUSLY 8/0

Attachments

1. ATTACHMENT 1 2023 POST EVENT REPORT
2. ATTACHMENT 2 2024 POST EVENT REPORT
3. ATTACHMENT 3 CDF SHINJU APPLICATION
4. ATTACHMENT 4 LETTER OF SUPPORT

9.4 PERFORMANCE

Cr M Virgo returned to the Chambers at 6:10 pm.

The Chair advised that item 9.3.1 had been carried as per the officer recommendation.

9.4.1 ANNUAL ELECTORS MEETING - 6 FEBRUARY 2025
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LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	AME02
AUTHOR:	Manager Governance, Strategy And Risk
CONTRIBUTOR/S:	Manager Community Facilities Manager Engineering Acting Manager Health, Emergency and Rangers Place Activation & Engagement Coordinator
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

The purpose of this report is to present to Council the Minutes of the Annual Electors Meeting held 6 February 2025 and to seek Council consideration of Elector Motions made at this meeting.

BACKGROUND

Previous Considerations

Pursuant to section 5.27 of the *Local Government Act 1995*, the Shire held their Annual Electors Meeting (AEM) on Thursday, 6 February 2025. Twenty nine (29) Electors were in attendance and Minutes from the meeting can be sourced from the Shire of Broome (Shire) website: [Minutes and Agendas Shire of Broome](#)

The Shire President's Report and the Annual Report for the previous financial year, 1 July 2023 to 30 June 2024, was received as per Regulation 15 of the *Local Government (Administration) Regulations 1996*.

During the AEM General Business, a number of Elector Motions were raised. Shire officers have investigated each of these motions and have provided Council with recommendations for consideration as detailed below.

ELECTOR MOTION 1: Lesley Westlake

<u>ELECTOR MOTION 1:</u> Moved: L Westlake	Minute No. /0225/001 Seconded: E Cochrane
<i>That the Shire of Broome consult with the Broome community to identify the parts of town where there is an unmet demand for public transport and quantify the subsidy that would be required from the Department of Transport for the current bus service provider to meet the demand identified.</i>	

CARRIED UNANIMOUSLY**COMMENT**

The Shire is actively advocating for urgent State Government support to sustain the Broome Explorer Bus service, which is essential for tourists, residents, and visitors from remote communities. The Shire has recently met with the service operator to discuss ongoing public transport challenges.

Public transport in Broome is crucial, particularly for seniors, young people, and those without private transport, who face significant difficulties without reliable bus services. However, unlike other regional towns, Broome's public transport has operated without any government subsidies. The Shire is requesting an emergency subsidy for 6 to 12 months to keep the service running while a broader transport review is conducted.

Assessing Future Transport Needs

This challenge presents an opportunity to reassess Broome's long-term public transport needs, particularly in growing areas like Broome North and Waranyjarri Estate, as well as to improve accessibility for seniors and support tourism. The Shire is committed to working with the Public Transport Authority to develop a sustainable, long-term transport solution.

Commitment to Advocacy

The Shire remains committed to advocating for improved public transport options. The Department of Communities' State Seniors Strategy 2023–2033 also recognises the importance of accessible and affordable transport, aligning with the Shire's ongoing efforts.

The Shire will continue to push for a viable public transport solution that meets the needs of the Broome community.

OFFICER RECOMMENDATION:

That Council:

1. *Notes the Elector Motion;*
2. *Recognises the importance of public transport for the Broome community; and*
3. *Requests the Chief Executive Officer commits to advocating for a State Government review of Broome's public transport needs and seeking short-term support for the Broome Explorer Bus to ensure continued service.*

ELECTOR MOTION 2: Lesley Westlake**ELECTOR MOTION 2:**

Moved: L Westlake

Minute No. /0225/002

Seconded: H Koureskas

That the Shire of Broome provide a report on the 2024 Community Scorecard on measures taken and their perceived effectiveness, to be tabled at Shire meetings in 2025 and 2026 on a quarterly basis.

CARRIED UNANIMOUSLY**COMMENT**

The Shire has undertaken the Community Scorecard process in 2020, 2022, and 2024. Local governments are increasingly undertaking community surveys biennially to inform the development of integrated planning and reporting documentation.

The Community Scorecard plays a crucial role in shaping the Shire's priorities by providing insights into community perceptions and satisfaction levels. It serves as a key reference point for identifying areas of focus and improvement, ensuring that strategic initiatives align with the community's needs and expectations.

Feedback from the 2024 Community Scorecard is integrated into key strategic planning documents, such as the recently endorsed Council Plan (2025-2035), which outlines actions the Shire will undertake to address community priorities. Officers regularly provide quarterly updates to the Council on progress against all actions listed in the Corporate Business Plan, and this information is also published in the Shire's Annual Report.

The Community Scorecard will be conducted in the future, providing the Shire with additional data to compare results from previous years and benchmark against other local governments.

OFFICER RECOMMENDATION:

That Council:

1. *Notes the Elector Motion; and*
2. *Notes that the biennial Community Scorecard informs strategic documentation, including the Council Plan, shaping the outcomes and objectives for the Shire.*

ELECTOR MOTION 3: Michelle Teoh

ELECTOR MOTION 1:

Moved: M Teoh

Minute No. /0225/003

Seconded: L Westlake

That the feasibility study to upgrade the Broome Library considers all possible locations within the Broome townsite and as part of that process the Shire consultants undertake true and sincere consultation with all community members and organisations who use the facility and the findings from which are sincerely considered by the Council when making a final transparent decision on location here.

CARRIED UNANIMOUSLY

COMMENT

The Shire acknowledges the vital role of the Broome Public Library as a welcoming, safe, and inclusive space for people of all ages, cultures, and backgrounds. The library is a valued community asset, and its future is an important consideration for the Shire.

In Western Australia, public libraries are a partnership between the State Government and Local Government Authorities (LGAs). LGAs provide the library building, technology, staffing, and operational funding, while the State Government contributes funding for books and digital resources.

Library Feasibility Study

Exploring potential locations for a new library is a key action (4.1.2) in the Shire's Corporate Business Plan 2023–2027. Funding for a Feasibility Study will be considered in the 2026/27

annual budget alongside other priorities. This study will assess community needs, potential co-location opportunities, and design principles focused on shared use, flexibility, and multi-purpose functionality.

The study will involve genuine and inclusive consultation with community members, library users, key stakeholders, and library staff. The goal is to ensure that any future library location aligns with community expectations and delivers a modern, accessible, and fit-for-purpose facility.

Timeline and Strategic Planning

- 2026/27: Budget allocation for detailed design and tender documentation (subject to funding).
- 2032/33: Construction of a new library (subject to funding).
1.

The potential relocation of the library has been a longstanding Council consideration, reflected in previous planning documents such as the:

- Old Broome Development Strategy, which proposes relocating the library to Chinatown and repurposing the current building for expanded Shire offices.
- Chinatown Development Strategy, which identifies Short Street as a potential library site.

Both documents were progressed with significant community engagement and finalised following a formal public submission process.

In the first instance, a Male Oval Masterplan has been proposed to assess the feasibility of locating the library in the Male Oval Precinct.

Commitment to Community Consultation

The Shire understands that not all community members may agree with previous planning outcomes. However, no final decision has been made on the library's location. The Male Oval masterplan process and subsequent library feasibility study will ensure a thorough, fair, and transparent process, with community input at its core.

OFFICER RECOMMENDATION:

That Council:

1. *Notes the Elector Motion;*
2. *Recognise the vital role libraries play in supporting the community;*
3. *Notes Council's endorsed Old Broome Development Strategy and Chinatown Development Strategy; and*
4. *Incorporate a comprehensive Community Engagement Plan into the project planning phase for both Male Oval and the Library Feasibility Study to ensure meaningful consultation.*

ELECTOR MOTION 4: Michelle Teoh

ELECTOR MOTION 2:

Moved: M Teoh

Minute No. /0225/004

Seconded: J Curran

That the Shire of Broome investigate establishing a Broome dinosaur coast interpretive centre and palaeontology research facility within the next 5 years.

CARRIED UNANIMOUSLY

COMMENT

The Dinosaur Coast Management Group (DCMG) has been working to enhance awareness, conservation, and opportunities related to the dinosaur footprints and palaeontological sites along the Broome and Dampier Peninsula coastline. These footprints are located in the intertidal zone, where land management is shared between multiple agencies, including the Shire, Yawuru RNTBC, Department of Biodiversity Conservation and Attractions, and Kimberley Ports Authority.

The draft Dinosaur Coast National Heritage Management Plan outlines various responsibilities for stakeholders, including the Shire. Specifically, Action 1.13 of the Plan directs the Shire to investigate establishing an interpretive centre and palaeontology research facility.

Current Shire Actions and Planning

Previously, the Shire's Corporate Business Plan (CBP) included a \$30,000 feasibility study for a dinosaur trackway interpretive centre and trail. This has since been integrated into the Broome Museum Masterplan Project, ensuring that palaeontological heritage remains a key focus.

The Shire has recently completed a Request for Quotation (RFQ) process to engage a consultant for the Broome Historical Museum Masterplan. The project is expected to commence in March 2025 and will involve consultation with the Dinosaur Coast Management Group. Discussions will explore collaboration opportunities and potential co-location of exhibits or research facilities while assessing site-specific needs.

The Shire has many priorities, and it must remain realistic about what can be delivered and where co-location opportunities may be feasible. Ensuring the efficient use of resources while maximising community benefit will be a key consideration in any future decisions.

Ongoing Community Education and Signage

Beyond the Museum Masterplan, the Shire continues to enhance public education about Broome's dinosaur heritage through interpretive signage. Existing signage has been installed at Town Beach (waterpark playground), with additional signage and artworks planned for future projects, including:

- Cable Beach Foreshore Redevelopment.
- Entrance Point Broome Safe Boating Facility.

The Shire remains committed to supporting the preservation and promotion of Broome's unique palaeontological history while ensuring the sustainability and effectiveness of projects.

OFFICER RECOMMENDATION:

That Council:

1. Notes the Elector Motion;
2. Recognises Broome's unique palaeontological heritage and its cultural and educational value to the community;
3. Requests the Chief Executive Officer engages with the Dinosaur Coast Management Group while developing the Broome Museum Master Plan; and
4. Commits to continuing to collaborate with the Dinosaur Coast Management Group on interpretive opportunities as part of the Walmanyjun Cable Beach Foreshore Redevelopment and the future Broome Boating Facility at Entrance Point.

ELECTOR MOTION 5: Elizabeth Cochran

ELECTOR MOTION 1:

Moved: E Cochran

Minute No. /0225/005

Seconded: L Westlake

That the Shire of Broome includes the following matters in the MOU currently being negotiated with the Broome International Airport (BIA):

- 1. Rerouting of helicopters conducting training flights after dark so they do not fly over residential areas;**
- 2. Inclusion of the 6am 'curfew' in BIA's Fly Neighbourly policy;**
- 3. Clarification that the 6am 'curfew' means no engine noise before 6am rather than no take-offs before 6am;**
- 4. Development of a mechanism for monitoring and publicly reporting adherence by planes and helicopters to BIA's Fly Neighbourly policy; and**
- 5. Establishment of a Complaints Committee which includes the Shire of Broome and community representation to consider public complaints about airport noise.**

CARRIED UNANIMOUSLY

At the Ordinary Meeting of Council (OMC) in September 2024, the extension of the Airport Development Plan was considered. At this meeting Council resolved to request the Chief Executive Officer to prepare a Memorandum of Understanding (MOU) which referenced several matters, and in relation to noise requested:

Establishing a framework to discuss and address, where practical, other matters relating to impacts on the community in relation to the operations of the airport in its current location such as improved noise mitigation.

The MOU was prepared in accordance with the resolution from the September 2024 OMC and has been forwarded to the Broome International Airport (BIA). BIA has provided comments on the draft MOU, which will be considered by Council.

The current Airport Development Plan, originally adopted by the Shire in 2009 and Western Australian Planning Commission (WAPC) in 2012 (note the WAPC has recently extended the term by approval of the Airport Development Plan for a further three years), details that a Noise Abatement Program and ongoing monitoring of noise levels in sensitive areas will be performed, including the preparation of a Noise Management Plan. These actions have not been performed to date. BIA has advised that it has prepared a Fly Neighbourly Program, which is available on its website.

The Shire notes that noise is one of the key community impacts of the airport while operational at the current site and is a matter that requires further consideration.

OFFICER RECOMMENDATION:

That Council:

1. Notes the Elector Motion;
2. Recognises that noise is one of the main community impacts while the airport remains operational in its current location; and
3. Reaffirms that the Memorandum of Understanding to be developed with the Broome International Airport is to include a framework to address community impacts including improved noise mitigation.

ELECTOR MOTION 6: Elizabeth Cochrane**ELECTOR MOTION 2:**

Moved: E Cochrane

Minute No. /0225/006

Seconded: V Bridgeman

That the Shire of Broome addresses the following matters over the next 3 years and regularly reports progress back to the Seniors community, as an interim until a comprehensive Age-Friendly strategy can be prepared:

1. **Continue and increase lobbying of the WA government for appropriate housing options for seniors;**
2. **Annually review the number, location & signage of disabled parking bays & repair bays where necessary;**
3. **Regularly inspect all footpaths to ensure they are safe for seniors and disabled people to use;**
4. **Continue providing a subsidy for seniors to improve home security;**
5. **Promote information provided by organisations such as Consumer Protection on how seniors can protect themselves from scammers;**
6. **Work with the Department Transport to ensure the town bus service is funded to access where seniors live;**
7. **Explore the options for building/using a Shire-owned building to operate as a Seniors Centre for organised activities and drop in;**
8. **Identify aged care support workers as Key Workers when planning for key worker housing;**
9. **Use ways of consulting and providing relevant information to seniors that do not rely on social media;**
10. **Use age & dementia-friendly design guidelines for all Shire developments/redevelopments;**
11. **Create a new priority in stream 1 of the Community Development Fund grant programme to enable community organisations to implement positive ageing strategies;**
12. **Improve the listing of senior's activities on the Shire website by the creation of a specific seniors page; and**
13. **Deliver at least 1 seat in a shaded area in each Public Open space area in the town-site.**

CARRIED UNANIMOUSLY

COMMENT

Seniors are an important cohort of the Broome community and the Shire has recognised The Shire recognises the importance of supporting our senior community and is committed to developing a Seniors Strategy as part of the new Council Plan 2025–2035. This strategy is planned for 2028-29 to allow sufficient time to assess its resource implications and ensure its implementation does not place an undue financial burden on ratepayers or impact existing services.

In the meantime, this motion outlines a set of outcomes similar to those that would be included in a full strategy. However, it's important to note that implementing several of these initiatives may still require additional resources or adjustments to current service levels.

The Shire supports seniors through various programs at the Broome Recreation and Aquatic Centre and the Broome Library. We also provide funding for senior-focused projects through the Community Sponsorship Program. Local organisations such as Broome Circle, the Kimberley Arts Network, and Shinju Matsuri have successfully received funding for initiatives benefiting older residents. Additionally, the Shire Library offers dementia-friendly memory classes and recently hosted an Alzheimer's early diagnosis and prevention workshop on 25 January 2025.

Response to 11. Create a new priority in stream 1 of the Community Development Fund grant programme to enable community organisations to implement positive ageing strategies:

The Community Development Fund (CDF) priorities are guided by community input through the annual scorecard. The application guidelines also allow for flexibility, giving priority to initiatives that address gaps in current services—particularly those catering to underrepresented demographics, such as seniors.

The Shire remains dedicated to enhancing the well-being of our senior residents and will continue working toward an age-friendly community. We appreciate community feedback and encourage ongoing engagement to shape a strategy that best meets the needs of Broome's seniors.

OFFICER RECOMMENDATION:

That Council:

1. Notes the Elector Motion;
2. Continue to deliver seniors activities at Broome Recreation and Aquatic Centre, Broome Library and seek opportunities through existing events;
3. Acknowledges that implementing a Seniors Strategy would firstly require a thorough review to assess resource implications, ensuring that existing service level commitments are not compromised; and
4. Notes the action within the Council Plan to develop a Seniors Strategy in 2028-29.

ELECTOR MOTION 7: James Carpenter

ELECTOR MOTION 1:

Minute No. /0225/007

Moved: J Carpenter

Seconded: V Westwood

That the Shire of Broome create an Indigenous Reference/Advisory Group for the purposes of better two-way engagement with the Indigenous community.

CARRIED UNANIMOUSLY

COMMENT

The Shire of Broome is committed to meaningful engagement with the Indigenous community and recognises the importance of strong, collaborative relationships.

The Shire has built a productive working relationship with Nyamba Buru Yawuru, engaging regularly with their Board and Cultural Reference Group. A Memorandum of Understanding between the two parties highlights their shared commitment to collaboration, effective communication, and engagement, ensuring mutual benefits for the community.

To maintain this partnership, the Shire and Nyamba Buru Yawuru hold monthly executive meetings. These meetings provide an essential platform for discussing joint projects, advocacy efforts, and other key business matters. They play a crucial role in fostering meaningful partnerships and facilitating collaboration on shared goals.

Beyond these structured engagements, the Shire employs various communication strategies to reach the wider Indigenous community. These include posters on community noticeboards, targeted radio advertising through Radio Goolarri, and interactive engagement stalls at local events. Shire Executives and Councillors are committed to visiting communities in the Dampier Peninsula and Bididanga annually.

In 2024, over 1,000 community members participated in the Shire of Broome's Community Scorecard, providing valuable feedback on various aspects of life in Broome. At the direction of Council, Shire officers have reviewed the Community Scorecard results and workshopped strategies to improve engagement with harder-to-reach parts of the community. Currently, meetings are being held with Indigenous organisations across Broome to explore how engagement methods can be enhanced to better meet community needs.

As part of the Shire's Community Engagement Strategy, officers continually assess and refine engagement methods to ensure they are inclusive, accessible, and effective for all community members.

While the establishment of an additional Indigenous Reference/Advisory Group has been proposed, officers caution that this may place strain on existing resources and potentially duplicate ongoing efforts. Instead, the Shire is committed to strengthening communication by reaching out to Indigenous organisations and encouraging them to share engagement opportunities within their networks.

The Shire remains dedicated to fostering respectful and effective two-way engagement with the Indigenous community and will continue to explore ways to enhance collaboration and inclusivity.

OFFICER RECOMMENDATION:

That Council:

1. *Notes the Elector Motion;*
2. *Acknowledges the existing Memorandum of Understanding between the Shire of Broome and Nyamba Buru Yawuru;*
3. *Recognises that establishing an Indigenous Reference/Advisory Group would place additional strain on existing resources and duplicate the current collaboration between the Shire of Broome and Nyamba Buru Yawuru; and*

4. Requests that officers engage with local Indigenous organisations to explore more effective communication and engagement strategies for reaching indigenous communities.

ELECTOR MOTION 8: Carmel Leahy

ELECTOR MOTION 1:

Minute No. /0225/008

Moved: C Leahy

Seconded: M Teoh

That the Urban Renewal Strategy final report of 2017 be made publicly available on the Shire website.

CARRIED UNANIMOUSLY

COMMENT

The development of the Urban Renewal Strategy was led by the Department of Communities with support from the Shire and other State Government Departments and community organisations. Towards the end of its development, concerns were raised about the Department of Communities' commitment to funding the implementation and as a result the document was never formally endorsed by the Shire.

As the document is not the property of the Shire, it is not appropriate for the Shire to publicly release the document.

OFFICER RECOMMENDATION:

That Council:

1. *Notes the Elector Motion; and*
2. *Recognises that the release of the Urban Renewal Strategy final report by the Shire of Broome is not appropriate, as it is a publication of the Department of Communities and was not endorsed by the Shire of Broome.*

ELECTOR MOTION 9: Carmel Leahy

ELECTOR MOTION 2:

Minute No. /0225/009

Moved: C Leahy

Seconded: M Teoh

That the Urban Renewal Strategy be made a priority of the Shire of Broome in 2025.

CARRIED UNANIMOUSLY

ELECTOR MOTION 10: Carmel Leahy

ELECTOR MOTION 3:

Minute No. /0225/010

Moved: C Leahy

Seconded: M Teoh

That the Shire of Broome lobby the State Government for funds to support the Urban Renewal Strategy.

CARRIED UNANIMOUSLY

COMMENT

The Shire understands the community concerns and desire to see the Urban Renewal Strategy implemented as this came through in the 2020, 2022, and 2024 Community Surveys.

Implementation of the Urban Renewal Strategy has been an Action in the following Shire documents and is a Priority Action in the Draft Council Plan that replaces these.

- 2020-2024 Corporate Business Plan – Action No. 1.5.1.1.
- 2021-2025 Corporate Business Plan – Action No. 2.1.4.
- 2022-2026 Corporate Business Plan – Action No. 2.1.4.
- 2023-2027 Corporate Business Plan – Action No. 2.1.4.
- 2024-2028 Corporate Business Plan – Action No. 2.1.4 & 2.1.8.
- 2025-2035 Draft Council Plan – Priority Action No. 2.1.2.

The Shire has undertaken and continues to advocate for this action. However, to deliver lasting urban renewal outcomes, the Department of Communities needs to commit to changes in the distribution and or management of their housing, as well as the funding to do so.

To date, this has not occurred and as a Local Government, the Shire cannot direct a State Government Department on how it runs its housing portfolio. The Shire's role is therefore currently restricted to continued advocacy.

Over the years the Shire has undertaken a significant amount of work to progress outcomes of the Urban Renewal Strategy, including lobbying State Government Departments and Ministers. To date that work hasn't resulted in any funding and their interest has been limited to some minor upgrades of street lights and streetscapes that do not address any of the underlying issues affecting the areas in need of Urban Renewal.

A high level summary of the lobbying efforts is given below:

- Shire Officers provided support to local Department of Communities officers for a pilot urban renewal project.
- The Shire prepared a funding request for a pilot urban renewal project, which was submitted to the Department of Communities for the FY2024/25 budget but was not successful.
- Following this, Shire officers met with Department of Communities officers on multiple occasions to discuss the project and the potential success of future budget submissions.
- The Shire President and Deputy President have raised the project numerous times in meetings with various State and Federal ministers, including the State Minister for Housing, and with various senior Department of Communities officers to seek support and discuss options for progress.
- In late 2024, the Shire President and CEO met with the Director General of the Department of Communities to discuss the project and funding requirements.
- The Shire President and CEO travelled to Canberra at the start of this year to advocate at a Federal level for improvements in areas of Broome where there is a high level of social housing density to try to achieve some of the outcomes as contained within the Urban Renewal Strategy.

To date, the response has consistently been that the State Government is focused on increasing the number of social houses within the townsite and there is no support for Urban Renewal projects which aim to create better outcomes in existing high density social housing areas.

The Shire will continue to advocate to State and Federal Government to deliver long lasting outcomes aligned with those contained within the Urban Renewal Strategy.

OFFICER RECOMMENDATION:

That Council:

1. *Notes the Elector Motions;*
2. *Maintain the Urban Renewal Strategy as a Priority Action and continue to advocate to the State Government for action and implementation;*
3. *Requests the Chief Executive Officer to continue to lobby for funds to support the implementation of the Urban Renewal Strategy; and*
4. *Requests the Chief Executive Officer draft correspondence to the Minister for Housing advising of the community priority to see the Urban Renewal Strategy implemented.*

ELECTOR MOTION 11: Kylie Brockenshire

ELECTOR MOTION 1:

Moved: K Brockenshire

Minute No. /0225/011

Seconded: V Bridgeman

That the Shire to actively as a state of urgency push for action from both State and Federal government to address our youth crime and anti social behaviour issues.

CARRIED UNANIMOUSLY

COMMENT

Community safety remains a key priority for the Shire, and we are committed to proactive engagement with key stakeholders to address crime and anti-social behaviour.

A strong reflection of this commitment is the development of the Shire's new Community Safety Plan 2025-2029, which will ensure we remain actively involved in implementing strategies that enhance safety, security, and community well-being.

The Shire has also actively sought State election commitments to address crime and social challenges affecting the Broome community. The Shire will continue to strongly advocate for increased funding and support for a range of community safety initiatives, including:

- Public CCTV infrastructure to improve surveillance and deterrence
- Horizon Power's Bright Lights Program to enhance visibility and reduce the risk of crime in key locations
- Community Safety Officers to provide increased surveillance and a visible presence in the community
- A Security Rebate Scheme to assist residents in improving home security measures
- Sharps collection services to ensure public spaces remain clean and safe
- Late-night youth diversionary programs to provide safe and structured activities that reduce youth-related crime and anti-social behaviour.

Additionally, the Shire will continue to advocate for State-funded youth crime initiatives, such as the Marlamanu on-country facility, which aims to provide culturally appropriate interventions for at-risk youth.

Through these efforts, the Shire remains committed to fostering a safer community and working collaboratively with State Government agencies, service providers, and local stakeholders to implement sustainable solutions.

OFFICER RECOMMENDATION:

That Council:

1. Notes the Elector Motion; and
2. Notes that the Shire will continue advocating for State Government support for both Shire-led and external community safety initiatives.

ELECTOR MOTION 12: Kylie Brockenshire**ELECTOR MOTION 2:**

Moved: K Brockenshire

Minute No. /0225/012

Seconded: Cr M Virgo

**That the Shire advocate to State Government for shelter over the hard courts at local schools.
CARRIED UNANIMOUSLY**

COMMENT

The responsibility for infrastructure at local public schools falls under the jurisdiction of the State Government. The Shire acknowledges and understands the community's desire for fully shaded courts at these schools. Should a local school approach the Shire directly with a support request, the Shire would be more than willing to advocate on their behalf to the relevant State Government Minister.

However, it is important to note that the Shire cannot independently advocate for additional infrastructure at schools unless the local school first makes an official approach to the Shire.

OFFICER RECOMMENDATION:

That Council:

1. Notes the Elector Motion; and
2. Notes that local schools can approach the Shire directly with requests for advocacy.

ELECTOR MOTION 13: Kylie Weatherall**ELECTOR MOTION 1:**

Moved: K Weatherall

Minute No. /0225/013

Seconded: A Paice

That the Shire of Broome create and instigate a Significant Tree Registry.

CARRIED UNANIMOUSLY

COMMENT

The Shire previously had a Significant Tree Policy but was revoked by Council in a Policy Review in Ordinary Meeting of Council 14 December 2017. The policy was recommended to be revoked as the removal of significant trees on private property can only be regulated through the Local Planning Scheme when a development application is under consideration.

More recently in 2024, the Residential Design Codes, Volume One (R-Codes) have been updated by the Western Australian Planning Commission which applies to all residential

development in Western Australia. The updated R-Codes has incorporated a Significant Existing Tree definition and provided incentives (reduction in soft landscaping requirements and reduced average site area requirements for multiple dwellings) to promote protection.

Further to this, through the preparation of the Precinct Structure Plans for Cable Beach and Chinatown/Old Broome, provisions have been incorporated to establish encourage retention of significant existing trees in the street of lot boundary setback area.

The Shire is currently reviewing its State of Environment Report and Environmental Management Plan. Investigation of an action to introduce a Significant Tree Register (note this would also trigger a need to amend the Local Planning Scheme to give it statutory weight) can be considered through this process.

OFFICER RECOMMENDATION:

That Council:

1. *Notes the Elector Motion; and*
2. *Gives consideration to creation of a significant tree register through the review of the State of Environment Report and Environmental Management Plan.*

STATUTORY ENVIRONMENT

Local Government Act 1995

Subdivision 4 — Electors' meetings

5.26. Term used: electors

In this Subdivision —
electors includes ratepayers.

5.27. Electors' general meetings

- (1) A general meeting of the electors of a district is to be held once every financial year.
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) The matters to be discussed at general electors' meetings are to be those prescribed.

[Section 5.27 modified: SL 2020/57 1M.]

5.28. Electors' special meetings

- (1) A special meeting of the electors of a district is to be held on the request of not less than —
 - (a) 300 electors or 5% of the number of electors —whichever is the lesser number; or
 - (b) $\frac{1}{3}$ of the number of council members.
- (2) The request is to specify the matters to be discussed at the meeting and the form or content of the request is to be in accordance with regulations.
- (3) The request is to be sent to the mayor or president.

- (4) A special meeting is to be held on a day selected by the mayor or president but not more than 35 days after the day on which the mayor or president received the request.
- (5) Despite subsection (4), the mayor or president may —
- (a) decide that the special meeting is not to be held if the mayor or president is satisfied that the substance of each matter for discussion specified in the request —
- (i) was discussed at a special meeting that was held during the period of 12 months ending on the day on which the mayor or president received the request; or
- (ii) was, or will be, discussed at a special meeting that was, or will be, held during the period of 35 days after the day on which the mayor or president received the request;
- or
- (b) decide that a matter for discussion specified in the request is not to be discussed at the special meeting in whole or in part if the mayor or president is satisfied that the substance of the whole of the matter or the part of the matter (as the case requires) —
- (i) was discussed at a special meeting that was held during the period of 12 months ending on the day on which the mayor or president received the request; or
- (ii) was, or will be, discussed at a special meeting that was, or will be, held during the period of 35 days after the day on which the mayor or president received the request.
- (6) If the mayor or president makes a decision under subsection (5)(a) or (b), each matter, or the whole or part of the matter, is to be considered at —
- (a) the first ordinary council meeting after the mayor or president makes the decision; or
- (b) if, when the mayor or president makes the decision, the CEO has already convened that first ordinary council meeting under section 5.5(1) — the second ordinary council meeting after the mayor or president makes the decision.
- (7) The local government must give local public notice of any decision of the mayor or president made under subsection (5)(a) or (b) and of the reasons for the decision.
- [Section 5.28 modified: SL 2020/57 ^{1M}; amended: No. 11 of 2023 s. 60; No. 47 of 2024 s. 160.]*

STRATEGIC ASPIRATIONS

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

Outcome 11 - Effective leadership, advocacy and governance

Objective 11.1 Strengthen leadership, advocacy and governance capabilities.

Outcome 12 - A well informed and engaged community

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

VOTING REQUIREMENTS*Simple Majority***COUNCIL RESOLUTION: Elector Motion 1 – Lesley Westlake****(REPORT RECOMMENDATION)****Minute No. C/0325/034****Moved: Cr P Taylor****Seconded: Cr S Cooper****That Council:**

- 1. Notes the Elector Motion;**
- 2. Recognises the importance of public transport for the Broome community; and**
- 3. Requests the Chief Executive Officer commits to advocating for a State Government review of Broome's public transport needs and seeking short-term support for the Broome Explorer Bus to ensure continued service.**

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

CARRIED UNANIMOUSLY 9/0

Cr J Lewis moved an alternate motion.
Debate ensued, however the motion was lost.

MOTION: Elector Motion 2 – Lesley Westlake**Minute No. C/0325/036****Moved: Cr J Lewis****Seconded: Cr E Smith**

As only 18% of respondents for the 2024 Community Scorecard thought the Shire had a good understanding of community needs and only 16% of respondents thought the Shire listens to and respects community views, requests the Chief Executive Officer to provide a quarterly report at Council meetings in 2025 and 2026 which details measures taken to address community concerns about the Shire's understanding of community needs and respect for community views, and the perceived effectiveness of these measures.

For the Motion: Cr J Lewis, Cr J Mamid, Cr P Matsumoto and Cr E Smith.

Against the Motion: Shire President C Mitchell, Cr D Male, Cr S Cooper, Cr P Taylor and Cr M Virgo.

LOST 4/5

Reason: Cr Lewis believes the motion put forward at the Annual Elector's Meeting held 6 February 2025 was recorded incorrectly and therefore the officer recommendation does not address the actual motion.

COUNCIL RESOLUTION: Elector Motion 2 – Lesley Westlake**(REPORT RECOMMENDATION)****Minute No. C/0325/035****Moved: Shire President C Mitchell****Seconded: Cr P Taylor**

That Council:

1. **Notes the Elector Motion; and**
2. **Notes that the biennial Community Scorecard informs strategic documentation, including the Council Plan, shaping the outcomes and objectives for the Shire.**

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

CARRIED UNANIMOUSLY 9/0

Director Corporate Services left the chambers at 6.30pm.

Director Corporate Services returned to the chambers at 6.32pm.

COUNCIL RESOLUTION Elector Motion 3 – Michelle Teoh

(REPORT RECOMMENDATION)

Minute No. C/0325/037

Moved: Cr D Male

Seconded: Cr M Virgo

That Council:

1. **Notes the Elector Motion;**
2. **Recognise the vital role libraries play in supporting the community;**
3. **Notes Council's endorsed Old Broome Development Strategy and Chinatown Development Strategy; and**
4. **Incorporate a comprehensive Community Engagement Plan into the project planning phase for both Male Oval and the Library Feasibility Study to ensure meaningful consultation.**

Voting

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

Against the Motion: Cr J Lewis.

CARRIED 8/1

COUNCIL RESOLUTION: Elector Motion 4 – Michelle Teoh

(REPORT RECOMMENDATION)

Minute No. C/0325/038

Moved: Cr E Smith

Seconded: Cr S Cooper

That Council:

1. **Notes the Elector Motion;**
2. **Recognises Broome's unique palaeontological heritage and its cultural and educational value to the community;**
3. **Requests the Chief Executive Officer engages with the Dinosaur Coast Management Group while developing the Broome Museum Master Plan; and**
4. **Commits to continuing to collaborate with the Dinosaur Coast Management Group on interpretive opportunities as part of the Walmanyjun Cable Beach Foreshore Redevelopment and the future Broome Boating Facility at Entrance Point.**

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

CARRIED UNANIMOUSLY 9/0

COUNCIL RESOLUTION: Elector Motion 5 – Elizabeth Cochrane

(REPORT RECOMMENDATION)

Minute No. C/0325/039

Moved: Cr M Virgo

Seconded: Cr S Cooper

That Council:

1. **Notes the Elector Motion;**
2. **Recognises that noise is one of the main community impacts while the airport remains operational in its current location; and**
3. **Reaffirms that the Memorandum of Understanding to be developed with the Broome International Airport is to include a framework to address community impacts including improved noise mitigation.**

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

CARRIED UNANIMOUSLY 9/0

OFFICER RECOMMENDATION: Elector Motion 6 – Elizabeth Cochrane

That Council:

1. *Notes the Elector Motion;*
2. *Continue to deliver seniors activities at Broome Recreation and Aquatic Centre, Broome Library and seek opportunities through existing events;*
3. *Acknowledges that implementing a Seniors Strategy would firstly require a thorough review to assess resource implications, ensuring that existing service level commitments are not compromised; and*
4. *Notes the action within the Council Plan to develop a Seniors Strategy in 2028-29.*

Cr J Lewis moved an alternate motion. The motion was not seconded and therefore was not considered.

ALTERNATE MOTION: Elector Motion 6 – Elizabeth Cochrane

That Council:

1. *Notes the Elector Motion;*
2. *Continue to deliver seniors activities at Broome Recreation and Aquatic Centre, Broome Library and seek opportunities through existing events; and*
3. *Requests the Chief Executive Officer to action the Elector's motion over the next 3 years, with reports to Council and the Senior's community.*

Reason: The justifications for refusing this motion due to lack of resources are contestable.

Cr E Smith foreshadowed a motion to defer.

COUNCIL RESOLUTION

Minute No. C/0325/040

Moved: Cr E Smith

Seconded: Cr D Male

That Council defer motion 6 to a Council workshop in the first instance.

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

CARRIED UNANIMOUSLY 9/0

Reason: To enable Council to discuss in further detail.

OFFICER RECOMMENDATION: Elector Motion 7 – James Carpenter

That Council:

1. Notes the Elector Motion;
2. Acknowledges the existing Memorandum of Understanding between the Shire of Broome and Nyamba Buru Yawuru;
3. Recognises that establishing an Indigenous Reference/Advisory Group would place additional strain on existing resources and duplicate the current collaboration between the Shire of Broome and Nyamba Buru Yawuru; and
4. Requests that officers engage with local Indigenous organisations to explore more effective communication and engagement strategies for reaching indigenous communities.

Cr E Smith moved an alternate motion.

COUNCIL RESOLUTION:

ALTERNATE MOTION: Elector Motion 7 – James Carpenter

Minute No. C/0325/041

Moved: Cr E Smith

Seconded: Cr J Lewis

That Council:

1. Notes the Elector Motion; and
2. Request the Chief Executive Officer establish an Indigenous Reference Group which is broadly representative of the diversity of the Shire's Indigenous community, to support more effective two-way communication and engagement strategies.

Voting

For the Motion: Cr S Cooper, Cr J Lewis, Cr J Mamid, Cr P Matsumoto and Cr E Smith.

Against the Motion: Shire President C Mitchell, Cr D Male, Cr P Taylor and Cr M Virgo.

CARRIED 5/4

Reason: The Shire's community scorecard demonstrated that Broome's Indigenous community are disengaged from the Shire's services, development and activities. Reflected through a consistently lower score from this cohort of the community. This clearly indicates that the Shire needs to do more to effectively communicate and engage with Indigenous people to ensure their voices are heard and reflected in everything we do.

COUNCIL RESOLUTION: Elector Motion 8 – Carmel Leahy

(REPORT RECOMMENDATION)

Minute No. C/0325/042

Moved: Cr D Male

Seconded: Shire President C Mitchell

That Council:

- 1. Notes the Elector Motion; and**
- 2. Recognises that the release of the Urban Renewal Strategy final report by the Shire of Broome is not appropriate, as it is a publication of the Department of Communities and was not endorsed by the Shire of Broome.**

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

CARRIED UNANIMOUSLY 9/0

COUNCIL RESOLUTION: Elector Motion 9 – Carmel Leahy

(REPORT RECOMMENDATION)

Minute No. C/0325/043

Moved: Cr J Lewis

Seconded: Cr M Virgo

That Council:

- 1. Notes the Elector Motions;**
- 2. Maintain the Urban Renewal Strategy as a Priority Action and continue to advocate to the State Government for action and implementation;**
- 3. Requests the Chief Executive Officer to continue to lobby for funds to support the implementation of the Urban Renewal Strategy; and**
- 4. Requests the Chief Executive Officer draft correspondence to the Minister for Housing advising of the community priority to see the Urban Renewal Strategy implemented.**

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

CARRIED UNANIMOUSLY 9/0

COUNCIL RESOLUTION: Elector Motion 10 – Kylie Brockenshire

(REPORT RECOMMENDATION)

Minute No. C/0325/044

Moved: Shire President C Mitchell

Seconded: Cr E Smith

That Council:

1. **Notes the Elector Motion; and**
2. **Notes that the Shire will continue advocating for State Government support for both Shire-led and external community safety initiatives.**

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

CARRIED UNANIMOUSLY 9/0

COUNCIL RESOLUTION: Elector Motion 11 – Kylie Brockenshire

(REPORT RECOMMENDATION)

Minute No. C/0325/045

Moved: Shire President C Mitchell

Seconded: Cr P Taylor

That Council:

1. **Notes the Elector Motion; and**
2. **Notes that local schools can approach the Shire of Broome directly with requests for advocacy.**

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

CARRIED UNANIMOUSLY 9/0

OFFICER RECOMMENDATION: Elector Motion 12 – Kylie Weatherall**That Council:**

1. *Notes the Elector Motion; and*
2. *Gives consideration to creation of a significant tree register through the review of the State of Environment Report and Environmental Management Plan.*

Cr J Lewis moved an alternate motion.

ALTERNATE MOTION: Elector Motion 12 – Kylie Weatherall**That Council:**

1. *Notes the Elector Motion; and*
2. *Gives consideration to creation of a significant tree register.*

Cr E Smith suggested an amendment to Cr J Lewis' alternate motion.

Cr J Lewis then withdrew her alternate motion and moved to defer the motion.

COUNCIL RESOLUTION:**ALTERNATE MOTION: Elector Motion 12 – Kylie Weatherall**

Minute No. C/0325/046

Moved: Cr J Lewis

Seconded: Cr E Smith

That Council defer motion 12 until the next Council workshop.

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

CARRIED UNANIMOUSLY 9/0

Attachments

There are no attachments for this report.

9.4.2 MINUTES AND RECOMMENDATIONS FROM THE KIMBERLEY ZONE AND KIMBERLEY REGIONAL GROUP MEETING HELD 21 FEBRUARY 2025

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Executive Assistant to Chief Executive Officer
CONTRIBUTOR/S:	Executive Support Officer - Infrastructure
RESPONSIBLE OFFICER:	Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

This report presents for Council endorsement the Minutes from the joint meeting of the Kimberley Zone of the Western Australian Local Government Association (WALGA) and Kimberley Regional Group held on 21 February 2025.

BACKGROUND

A copy of the minutes from the Kimberley Zone of WALGA (Kimberley Zone) and the Kimberley Regional Group (KRG) meeting held 21 February 2025 are attached for Council consideration (**Attachments 1 and 2**).

As a result of a past decision of the group, both the Kimberley Zone and KRG meetings occur consecutively.

It should be remembered that the Kimberley Zone is a group established to represent regional issues to the State Council of WALGA. This group includes the four Kimberley Shires in addition to the Shires of Christmas Island and Cocos Keeling Islands.

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

COMMENT

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

Kimberley Zone Meeting Minutes – 21 February 2025

Reports from Representatives

- WALGA –
 - Cr Karen Chappel, Manager Governance and Procurement, WALGA
 - Nick Sloan, CEO
 - Jaxon Ashley, Road Safety Advisor, WALGA
 - Sam McLeod, Manager Commercial Services, WALGA

Reports from Kimberley Country Zone

The following table provides a summary of Matters for Decision that were to be considered at the WALGA State Meeting on 5 March 2025, and provides an update on Matters for Noting.

	Matters for Decision	WALGA Recommendation
8.1	Climate Change Advocacy Position	<p>That State Council replace the 2018 Climate Change Policy Statement Advocacy Position 4.1 Climate Change with the following advocacy position:</p> <p><i>Climate Change significantly impacts Local Governments' operations and responsibilities, as well as their communities.</i></p> <p><i>Local Government is committed to taking climate action, including by:</i></p> <ul style="list-style-type: none"> • reducing operational emissions in line with Australian and Western Australian Government 2050 net zero targets • providing leadership and support to their communities to reduce carbon emissions • embedding climate risk management into their operations to enhance adaptation and build community resilience to the impacts of climate change • working with other levels of Government and key stakeholders to ensure policy and on-ground programs are effective, equitable and targeted. <p><i>WALGA calls on the Australian and Western Australian Governments to provide the necessary climate leadership, coordination, and action to:</i></p> <ol style="list-style-type: none"> 1. Ensure Australia and Western Australia meet net zero emissions targets through: <ol style="list-style-type: none"> a. enacting legislation which sets clear, measurable targets for emission reduction b. developing and funding coordinated emissions reduction policies, guidance and programs c. acknowledging the role of Local Government as an implementation partner in emissions reduction policy and planning. 2. Empower Local Government to accelerate adaptation and build resilience in their communities through: <ol style="list-style-type: none"> a. ensuring the roles and responsibilities set out under the Council of Australian Governments Roles and Responsibilities for Climate Change Adaptation in Australia are implemented and adequately resourced b. providing up to date, consistent and accessible data to enable evidence-based decision making and investment

- c. developing national guidance on adaptation responses to facilitate coordinated and equitable planning and implementation.
3. Provide funding and resources and support to Local Government to enable on-ground implementation, including for:
 - a. the implementation of the Regional Climate Alliance Program across Western Australia
 - b. the establishment and maintenance of corporate emission inventories and action plans
 - c. providing transformational investment to facilitate emission reduction activities
 - d. undertaking climate risk assessments and the development of adaptation action plans
 - e. a dedicated adaptation fund to address localised climate risks and build climate resilience.

EXECUTIVE SUMMARY

- WALGA's current climate change Policy Statement and Advocacy Position were endorsed by State Council in 2018.
- There have been significant legislative and policy changes at both the Australian and State Government level since that time. The impacts of climate change are also being increasingly felt across Western Australia, putting Local Government in a challenging position with limited resources and support to mitigate emissions and adapt.
- Feedback from the sector through climate surveys, undertaken every two years, and targeted consultation confirms that significant resourcing and funding gaps exist for Local Government to effectively respond to climate change.
- The updated Advocacy Position focuses on the urgency and scale of climate impacts and calls for a comprehensive framework, and action, to enable Local Government to manage the impacts of climate change and build resilient communities.
- The Environment Policy Team endorsed the Advocacy Position at their 11 December 2024 meeting.

ATTACHMENT

- Climate Change Legislative and Policy Context

POLICY IMPLICATIONS

The revised advocacy position is intended to be an overarching sector position on climate change. Other advocacy positions, including Urban Forest (4.5), Renewable Energy (6.16, 6.17, 6.18), Emergency Management (8.1, 8.2, 8.11) and Coastal Planning (6.8) provide a sector position on specific climate related matters.

		<p>The existing Policy Statement and Advocacy Position is:</p> <p>4.1 Climate Change</p> <p><i>Local Government acknowledges:</i></p> <ol style="list-style-type: none">1. The science is clear: climate change is occurring and greenhouse gas emissions from human activities are the dominant cause.2. Climate change threatens human societies and the Earth's ecosystems.3. Urgent action is required to reduce emissions, and to adapt to the impacts from climate change that are now unavoidable.4. A failure to adequately address this climate change emergency places an unacceptable burden on future generations. <p><i>Local Government is committed to addressing climate change. Local Government is calling for:</i></p> <ol style="list-style-type: none">1. Strong climate change action, leadership and coordination at all levels of government.2. Effective and adequately funded Commonwealth and State Government climate change policies and programs. <p>It is proposed that the current advocacy positions be replaced with:</p> <p>Climate Change</p> <p><i>Climate Change significantly impacts Local Governments' operations and responsibilities, as well as their communities.</i></p> <p><i>Local Government is committed to taking climate action, including by:</i></p> <ul style="list-style-type: none">• reducing operational emissions in line with Australian and Western Australian Government 2050 net zero targets• providing leadership and support to their communities to reduce carbon emissions• embedding climate risk management into their operations to enhance adaptation and build community resilience to the impacts of climate change• working with other levels of Government and key stakeholders to ensure policy and on-ground programs are effective, equitable and targeted. <p><i>WALGA calls on the Australian and Western Australian Governments to provide the necessary climate leadership, coordination, and action to:</i></p> <ol style="list-style-type: none">1. Ensure Australia and Western Australia meet net zero emissions targets through:<ol style="list-style-type: none">a. enacting legislation which sets clear, measurable targets for emission reduction
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		<ul style="list-style-type: none"> b. developing and funding coordinated emissions reduction policies, guidance and programs c. acknowledging the role of Local Government as an implementation partner in emissions reduction policy and planning. <p>2. Empower Local Government to accelerate adaptation and build resilience in their communities through:</p> <ul style="list-style-type: none"> a. ensuring the roles and responsibilities set out under the Council of Australian Governments Roles and Responsibilities for Climate Change Adaptation in Australia are implemented and adequately resourced b. providing up to date, consistent and accessible data to enable evidence based decision making and investment c. developing national guidance on adaptation responses to facilitate coordinated and equitable planning and implementation. <p>3. Provide funding and resources and support to Local Government to enable on-ground implementation, including for:</p> <ul style="list-style-type: none"> a. the implementation of the Regional Climate Alliance Program across Western Australia b. the establishment and maintenance of corporate emission inventories and action plans c. providing transformational investment to facilitate emission reduction activities d. undertaking climate risk assessments and the development of adaptation action plans e. a dedicated adaptation fund to address localised climate risks and build climate resilience.
8.2	<p>Waste Management Legislation Advocacy Position</p>	<p>That State Council replace the Waste Management Legislation Policy Statement and Advocacy Position 7.1 Waste Management Legislation with the following advocacy position:</p> <ul style="list-style-type: none"> 1. Local Government supports Australian and State Government waste management legislation which: <ul style="list-style-type: none"> a. includes requirements for national and state waste strategies which support Local Governments to implement the strategies and achieve targets b. focuses on coordinated action and clear roles and responsibilities c. establishes a lead agency for waste management d. establishes and maintains a regulated product stewardship framework for all products entering the Australian market e. includes provisions to optimise market development and participation in waste processing.

2. Local Government calls for the Waste Avoidance and Resource Recovery Act 2007 to be amended to include:
 - a. Waste education in the definition of Waste Services
 - b. Circular Economy principles.

EXECUTIVE SUMMARY

- WALGA's current Waste Management Legislation Policy Statement and Advocacy Position were adopted in 2004.
- The Policy Statement outlines Local Government's position on waste management legislation in Western Australia and sets out the key objectives waste management legislation should achieve.
- WALGA used the Waste Management Policy Statement to inform advocacy on the development, and reviews, of the *Waste Avoidance and Resource Recovery Act 2007* (WARR Act).
- The current Advocacy Position, and many of the elements in the policy statement, are no longer relevant as they have been achieved.
- The revised Advocacy Position focuses on both Australian and State Government legislation and reflects the shift in focus from traditional waste management towards a circular economy approach.
- The Municipal Waste Advisory Council endorsed the new Advocacy Position at its meeting on 11 December 2024.

POLICY IMPLICATIONS

The existing Policy Statement and Advocacy Position is:

Local Government supports waste management legislation that references the principles of Sustainability and the Waste Hierarchy.

To be effective, waste management legislation should include the following primary objectives:

1. Protection of human health and the natural environment;
2. Minimise resource consumption;
3. Minimise waste; and
4. Effect the transition to a waste-free society.

It is proposed that the current advocacy positions be **replaced** with:

1. Local Government supports Australian and State Government Waste Management Legislation which:
 - a. includes requirements for national and state waste strategies which support Local

		<p>Governments to implement the strategies and achieve targets</p> <ul style="list-style-type: none"> b. focuses on coordinated action and clear roles and responsibilities c. establishes a lead agency for waste management d. establishes and maintains a regulated product stewardship framework for all products entering the Australian market e. includes provisions to optimise market development and participation in waste processing. <p>2. Local Government calls for the Waste Avoidance and Resource Recovery Act 2007 to be amended to include:</p> <ul style="list-style-type: none"> a. Waste education in the definition of Waste Services b. Circular economy principles.
9.1	<p>Infrastructure Policy Team Report</p>	<p>That State Council:</p> <ul style="list-style-type: none"> 1. Note the report from the Infrastructure Policy Team for the 5 March 2025 meeting. 2. Determine to: <ul style="list-style-type: none"> a. Delete Advocacy Position 5.2.8 (Towards Zero Road Safety Strategy 2008 – 2020). b. Amend the title of Advocacy Position 5.2.7 from Road Safety Strategy (Imagine Zero) to Driving Change Road Safety Strategy 2020-2030. c. Delete the fourth dot point in Advocacy Position 5.2.7 “...the retention of WA’s Default Open Speed Limit at 110 km per hour and opposes the proposed reduction to 100 km per hour...” <p>MATTERS FOR STATE COUNCIL DECISION</p> <p>WALGA's advocacy positions are reviewed and updated to ensure that they remain contemporary. The Towards Zero Road Safety Strategy 2008 – 2020 was superseded with “Driving Change, Road Safety Strategy for Western Australia 2020 – 2030”. Advocacy Position 5.2.7 refers to this, the current strategy.</p> <p>Advocacy Position 5.2.7 was endorsed by State Council during the consultation phase of the current road safety strategy. At that time the name of the strategy had not been determined. The proposed title change reflects the final name of the strategy.</p> <p>In May 2023 WALGA's State Council adopted advocacy position 5.2.3 Speed Management Reform which provides a set of principles for guiding WALGA's advocacy on the many and varied aspects of the complex topic of travel speeds in the context of the road networks managed by the 139 Local Governments in WA. It is proposed that this May 2023 advocacy position replaces the previous position in scope, currency and utility.</p>

		<p>The previous position was established on the basis of consultation and feedback (by a consultant on behalf of the WA Government) from some Local Governments in the early 2000s. Both the consultation question and the position are narrow and specific in scope.</p> <p>MATTER FOR STATE COUNCIL NOTING The Policy Team progressed actions and advocacy in relation to:</p> <ul style="list-style-type: none"> • Regional telecommunications service levels, including impact of closure of the 3G network. • Development of contemporary advocacy positions relating to active transport.
9.2	People and Place Policy Team Report	<p>That State Council note the People and Place Policy Team meeting report for the 5 March 2025 meeting.</p> <p>The People and Place Policy Team have not had a meeting since the last State Council meeting in December 2024.</p>
9.3	Governance Policy Team Report	<p>That State Council note the Governance Policy Team meeting report for the 5 March 2025 meeting.</p> <p>The Governance Policy Team have not had a meeting since the last State Council meeting in December 2024.</p> <p>The next meeting is scheduled for March.</p>
9.4	Environment Policy Team Report	<p>That State Council note the Environment Policy Team meeting report to the 5 March 2025 meeting</p> <p>MATTERS FOR STATE COUNCIL DECISION The Environment Policy Team agreed to recommend that State Council replace WALGA's existing Advocacy Position 4.1 Climate Change (see item 8.1).</p> <p>MATTERS FOR STATE COUNCIL NOTING Item 10.5: Polyphagous shot-hole borer Update</p> <p>The Policy Team discussed the following matters referred by Zones:</p> <ul style="list-style-type: none"> • Whale carcass management: Goldfields Esperance Country Zone requests that WALGA advocate for a government policy change to allow towing of whale carcasses before they wash ashore. WALGA notes the feedback and will investigate if there is further action on the issue. • Service Stations / Sensitive Land uses: South Metropolitan Zone requests that WALGA supports the review of the EPA and advocates for the review of the GS3. WALGA will raise the need for a review of this Guideline through its representation on the EPA Stakeholder Reference Group, then consider further advocacy on this matter.

		<ul style="list-style-type: none"> State Planning Policy 3.6 - Infrastructure Contributions (Community Infrastructure Cap): North Metropolitan Zone recommends that WALGA advocate to the State Government for indexation of the community infrastructure cap defined in the State Planning Policy. WALGA made a submission strongly opposing the introduction of a contribution cap. WALGA is also working with the Growth Alliance Perth and Peel Local Governments to develop a set of advocacy positions in relation to the development contribution plan arrangements. <p>PORTFOLIO UPDATES</p> <p>WALGA staff provided the Policy Team with updates on:</p> <ul style="list-style-type: none"> Polyphagous shot-hole borer Review of the DAP advocacy position Avian Influenza (H5 Clade 2.3.4.4b) National Water Agreement <p>The Policy Team also noted that the development of an updated Water Advocacy Position is underway.</p>
9.5	<p>Municipal Waste Advisory Council (MWAC) Report</p>	<p>That State Council note the Municipal Waste Advisory Council report to the 5 March 2025 meeting.</p> <p>MATTERS FOR STATE COUNCIL DECISION</p> <p>MWAC agreed to replace the Waste Management Legislation Policy Statement and Advocacy Position 7.1 Waste Management Legislation (see item 8.2).</p> <p>MATTERS FOR STATE COUNCIL NOTING</p> <p>MWAC considered the following matters:</p> <ul style="list-style-type: none"> Circular Economy Advocacy Position: WALGA's advocacy in relation to circular economy has identified that action is required from all levels of Government. The development of an advocacy position on Circular Economy is far broader than the waste management considerations. Comprehensive consultation on the advocacy position is planned for 2025. E-Cigarette Collection Study: Following the successful completion of the Collection Study, MWAC discussed advocacy options to ensure the community access to safe disposal/recycling avenues for e-cigarettes, with a focus on minimising risks to waste management collection and processing infrastructure. Waste Processing Contingency Planning: WALGA has consistently advocated for effective contingency planning for waste management, most recently as part of the review of the State Waste Strategy. Several recent issues have highlighted the challenges facing the sector and the limited options for processing of some materials. MWAC discussed governance models and contingency planning options for Western Australia.

		<p>UPDATES</p> <p>MWAC noted the following updates:</p> <ul style="list-style-type: none"> • Policy Statement Review Update • Better Practice Document Review Update • Review of DWER Waste Education • Review of Recycling and Waste Reduction Act • Review of Local Government Waste Reporting Requirements • Queensland Fruit Fly (Qfly) Outbreak • MWAC 30 Year Anniversary.
10.1	2025 Federal Election	<p>That State Council note the update on the 2025 Federal Election.</p> <p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> • The Federal election is due to be held on or before 17 May. Recent speculation suggests that a date in mid-April is likely. • The Australian Local Government Association (ALGA) will run a Federal Election Campaign and has prepared a campaign website and assets that Local Governments can use to promote and support the campaign issues. • To complement ALGA's advocacy, WALGA has prepared a policy platform highlighting priority issues for WA Local Governments. • The document will form the basis of WALGA's advocacy leading into the Federal election and has been distributed to WA Members of Parliament and candidates.
10.2	2025 State Election	<p>That State Council note the update on the 2025 State Election campaign.</p> <p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> • WALGA's State Election campaign has been running since November 2024, and aims to secure commitments from the major parties to the priority areas identified in The West at its Best policy platform. • Since the beginning of the year, parties have been announcing a raft of commitments for the next term. • WALGA has been successful in securing commitments to a range of initiatives that are aligned with our election priorities.
10.3	Large Scale Renewable Energy Update	<p>That State Council note the update on WALGA's renewable energy policy and advocacy activities.</p> <p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> • Western Australia's energy industry is transforming to achieve the goal of net zero emissions by 2050. • Western Australia does not have a plan or framework that provides a consistent approach to how proponents of major energy projects consult with

		<p>local communities and how they can share in the benefits.</p> <ul style="list-style-type: none"> • State Council adopted a suite of renewable energy related advocacy positions in September 2024. • WALGA has been progressing a number of initiatives to support Local Governments since State Council endorsed three energy transition advocacy positions last year. • In correspondence to WALGA, the Minister for Energy; Environment; Climate Action has acknowledged Local Governments' concerns and reinforced the role of Powering WA to engage with the sector to better understand the opportunities and challenges faced by their communities. <p>ATTACHMENT</p> <ul style="list-style-type: none"> • Minister Whitby - Energy Transition Advocacy Letter <p>POLICY IMPLICATIONS</p> <p>This item relates to the following WALGA advocacy positions:</p> <ul style="list-style-type: none"> 6.16 Energy Transition Engagement and Community Benefit Framework 6.17 Renewable Energy Facilities 6.18 Priority Agriculture
10.4	2024 CoastWA Local Government Survey	<p>That State Council note the update on the 2024 CoastWA Local Government Survey.</p> <p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> • An online survey of coastal and estuarine Local Governments was undertaken in October 2024. • The purpose of the survey was to inform input into the development of CoastWA Phase 2 and the review of State Planning Policy 2.6: Coastal planning and guide the activities and priorities of the CoastWA Local Government Facilitator for the next two years. • The survey was sent via email to all 52 coastal and estuarine Local Governments. • Survey results indicated that Local Governments: <ul style="list-style-type: none"> ○ are increasingly having to act and respond to coastal hazards. ○ are heavily reliant on grant funding to implement coastal adaptation projects. ○ foresee needing to increase their spending on coastal adaptation over the next five years. ○ see the greatest barrier to implementation is a lack of budget and this has increased since the 2021 CoastWA Survey. ○ had largely not commenced planning for managed retreat (if identified in their CHRMAP) and that appropriate funding, legislative support and resourcing would be required to give them the certainty to do so. ○ saw value in the State Government implementing projects such as a state-wide

		<p>community education campaign, coastal data collection and state-wide coastal hazard mapping.</p> <p>ATTACHMENT</p> <ul style="list-style-type: none"> • 2024 CoastWA Local Government Survey – Preliminary Outcomes Report <p>POLICY IMPLICATIONS</p> <p>The outcomes of this survey support WALGA advocacy policy position 6.8 Coastal Planning, which calls for:</p> <ol style="list-style-type: none"> 1. Equitable legislative, regulatory and policy changes that preserve public coastal access for current and future generations. 2. The provision of sustainable and adequate long-term funding for Local Governments to manage the impacts of coastal erosion and inundation.
10.5	<p>Polyphagous Shot-hole Borer Update</p>	<p>That State Council note the update on Polyphagous shot-hole borer response and WALGA advocacy.</p> <p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> • In March 2024, State Council considered the Polyphagous shot-hole borer (PSHB) biosecurity response as an emerging issue, noting: <ul style="list-style-type: none"> o The significant threat PSHB presents to growth and retention of urban forests. o WALGA and Local Government engagement in the PSHB response. o The importance of shared surveillance by government, industry and community to assist with eradication efforts. o The need for funding to replace trees lost due to PSHB and ameliorate the long-term urban canopy impact. • Over the past year, WALGA and Local Governments have escalated PSHB advocacy and political engagement, amid concerns that insufficient resources and State Government process issues will fail to eradicate the borer. • Advocacy priorities have included: <ul style="list-style-type: none"> o Recognition of the impact of PSHB on the urban canopy, and funding for replacement of trees lost to PSHB infestation. o Increased resourcing of the eradication response, including funding for Local Government in recognition of the sector's significant (>\$2 million) investment towards response operations to date. o A more efficient and agile response. o Research on innovative control strategies, biology and behaviour in WA's environment, and new approaches to improve surveillance efficiency.

		<ul style="list-style-type: none"> • Advocacy wins have included: <ul style="list-style-type: none"> ○ The State Government's investment of \$7.2 million in the WA Tree Recovery Program for PSHB. ○ WA Agricultural Research Collaboration (WAARC) delivery of \$2 million for PSHB Research in late 2024. • Despite some progress over the past year, further action is needed. WALGA is advocating for: <ul style="list-style-type: none"> ○ More funding and resources to support the PSHB response, including for Local Government. ○ Local Government to be represented on the national body overseeing the development of the new national PSHB Emergency Plant Pest Response Plan, which will supersede the existing plan by June 2025. ○ Research and development to be embedded and funded as part of the PSHB Response Plan. ○ Removal of restrictions on access to detailed data on the location of infested premises and positive trap detections to enable Local Governments to better target surveillance efforts and assist with early detection. ○ An intensified public awareness campaign. • WALGA is currently preparing a submission to the National Consultative Committee on Emergency Plant Pests on key priorities for inclusion in the new PSHB Response Plan. <p>POLICY IMPLICATIONS This item is relevant to the 4.4 Post Border Biosecurity, 4.5 Urban Forest and 4.7 PSHB Advocacy Positions.</p>
10.6	December 2024 Economic Briefing	<p>That State Council note the December 2024 Economic Briefing.</p> <p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> • The latest WALGA Quarterly Economic Briefing was released in December 2024. • The Australian economy grew just 0.8% in the year to September. Western Australia's economy is the standout performer nationally, with State Final Demand increasing 2.5% and employment up 4.5% in the last 12 months. • The WA Treasury released the 2024–25 Government Mid-year Financial Projections Statement on 23 December 2024. • Local Government costs increased 3.3% over the last 12 months, with employee costs a key driver. • The next Economic Briefing will be released in March 2025. <p>ATTACHMENT</p> <ul style="list-style-type: none"> • Economic Briefing

10.7	<p>Flying Minute: Submission on the Productivity Commission Inquiry – Opportunities in the Circular Economy</p>	<p>That State Council note the Submission on the Productivity Commission Inquiry – Opportunities in the Circular Economy, as endorsed by State Council via Flying Minute.</p> <p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> • The Productivity Commission is inquiring into Australia's opportunities for a circular economy to improve materials productivity and efficiency in ways that benefit the economy and the environment. • The Inquiry Terms of Reference were released on 23 August 2024 and a Call for Submissions Paper was released on 16 September 2024. The consultation closed on 1 November. WALGA requested, and received, an extension to 15 November 2024. • WALGA's Submission identifies WA circular economy success stories, key circular economy opportunities, barriers for Local Government in Western Australia and roles for Government. • The transition to a circular economy has the potential to reduce cost of living pressures, maximise the use of resources and reduce a range of environmental impacts associated with the manufacture, distribution and post-consumption management of products. • For these benefits to be realised, action is needed from all levels of Government to change legislation and policies where required, put in place relevant incentives and lead by example. • The draft Submission was endorsed by MWAC on 23 October 2024 and by State Council via Flying Minute on 13 November 2024. It was provided to the Productivity Commission on 15 November 2024. <p>ATTACHMENT</p> <ul style="list-style-type: none"> • Flying Minute Submission on the Productivity Commission Inquiry. <p>POLICY IMPLICATIONS</p> <p>WALGA's Submission aligns with WALGA Advocacy Positions:</p> <ul style="list-style-type: none"> • 7.1 Waste Management Legislation • 7.8 Waste Management Education • 7.10 Household Hazardous Waste • 7.12 Landfill Ban • 7.13 Recovered Materials Framework • 7.15 Product Stewardship
11.1.1	<p>Report on Key Activities, Advocacy Portfolio</p>	<p>That State Council note the Key Activity Report from the Advocacy Portfolio to the March 2025 State Council meeting.</p> <p>Activities:</p> <p>Advocacy</p>

		<ul style="list-style-type: none">• WALGA's State Election Campaign secured key commitments aligned with its advocacy in The West at its Best policy.• Paid media generated 4.6m impressions across various platforms in WA.• The campaign microsite received 37,210 visits, driven by paid ads and direct traffic. <p>Please see item 10.2 for more detail on the State Election Campaign and commitments made by major parties in line with WALGA's advocacy.</p> <p>Marketing</p> <ul style="list-style-type: none">• Brand: The internal graphic design resource has enhanced material quality, production speed, and brand consistency, with over 50 documents published, including key reports, and rebranding of all WALGA e-newsletters to align with the corporate narrative.• Website: The WALGA website saw a 13% increase in active users and a 41% rise in direct traffic, likely driven by the Election Campaign, while newsletter subscriptions grew by 26%, from 673 to 846 over the last quarter. <p>Communications</p> <ul style="list-style-type: none">• Twelve LG Direct weekly newsletters distributed to over 2,000 Elected Members and senior staff• The November 2024 edition of the Western Councillor Magazine• Q4 Tailored Quarterly Report compiled and distributed to all Members• WALGA's 2025 Federal Election Priorities <p>Media</p> <ul style="list-style-type: none">• WALGA has generated significant media activity throughout the reporting period with 664 mentions of WALGA and President Karen Chappel. This equates to seven mentions a day.• WALGA's response to Premier Cook's comments reached 5.6m, with the headline "Unbecoming of the Premier."• Press releases on Renewable Energy, Polyphagous Shot-Hole Borer, and Local Government Elections gained publicity.• WALGA has commented on 30+ sector issues, including Population Growth and Coastal Management.• Social Media; LinkedIn, Facebook and Instagram• Paid Media: Programmatic display advertising, google search engine marketing, out of home media and campaign microsite. <p>Events</p> <ul style="list-style-type: none">• WALGA Wrap
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		<ul style="list-style-type: none"> Urban Forest Conference
11.1.2	Report on Key Activities, Infrastructure Portfolio	<p>That State Council note the Key Activity Report from the Infrastructure Portfolio for March 2025.</p> <p>Roads</p> <ul style="list-style-type: none"> Local Government Transport and Roads Research and Innovation Program Condition Assessment of Roads of Regional Significance Road Rail Interface Agreements Update of User Guides for calculating the cost of road wear for defined freight tasks Operational Boundaries and Asset Responsibilities in Rural Regions <p>Funding</p> <ul style="list-style-type: none"> Multi-Criteria Assessment (MCA) Model Revisions <p>Transport</p> <ul style="list-style-type: none"> Bus Stop Infrastructure Active Transport and Micromobility-Discussion Paper <p>Asset Management</p> <ul style="list-style-type: none"> Road Assets and Expenditure (RAE) Report Update Project <p>Utilities</p> <ul style="list-style-type: none"> Underground Power Streetlighting <p>Road Safety</p> <ul style="list-style-type: none"> RoadWise Councils RoadWise Recognised
11.1.3	Report on Key Activities, Member Services Portfolio	<p>That State Council note the Key Activity Report from the Member Services Portfolio to the March 2025 State Council meeting.</p> <p>Association and Corporate Governance</p> <ul style="list-style-type: none"> WALGA Strategic Plan 2025-2029 <p>Commercial</p> <ul style="list-style-type: none"> Preferred Supplier Program (PSP) Development ARENA Future Fuels Grant Project <p>Employee Relations</p> <ul style="list-style-type: none"> New IR Legislation Applications in the WA Industrial Relations Commission (WAIRC). <ul style="list-style-type: none"> Application CICS 5, 8 and 9 of 2023 - Union demarcation dispute. Application APPL 3 and 4 of 2023 - concerned award variations sort by the WASU to the Local Government Officers' (WA) Award 2021 (LGO

		<p>Award) and the Municipal Employees Award (WA) 2021 (ME Award)</p> <ul style="list-style-type: none"> ○ Application APPL 164 of 2024 - has been made by the WASU through s80BH of the Industrial Relations Act 1979 (WA) (IR Act) to be named to the Local Government Industrial Award <p>Governance and Procurement</p> <ul style="list-style-type: none"> • Local Government Legislative Reform – Local Government Amendment Bill 2024 was Assented to on 6 December 2024. The regulation to mandate Bands 1 and 2 to pay superannuation to Elected Members will take effect from 19 October 2025. <p>Training</p> <ul style="list-style-type: none"> • The Training Team validated the nationally recognised program, updating resources and assessments for compliance, overseen by the RTO Compliance team. • The February intake for Certificate III in Local Government is enrolling students for Feb 5 start. Virtual Graduation ceremony planned for 25 February for 6 graduates. • Eight workshops are confirmed across WA before April, with popular short courses in Residential Design Codes, Governance, and Employee Relations, plus plans to launch the Diploma of Local Government in April/May.
11.1.4	<p>Report on Key Activities, Policy Portfolio</p>	<p>That State Council note the Key Activity Report from the Policy Portfolio to the March 2025 State Council meeting.</p> <p>Economics</p> <ul style="list-style-type: none"> • Renewable Energy • Economic Briefing <p>Environment and Waste</p> <ul style="list-style-type: none"> • Native Vegetation: WALGA is progressing with actions identified in the Native Vegetation Issues Paper considered by Zones in December 2024. • E-waste Transport Rebates: WALGA successful in securing State Government funding to assist regional and remote Local Governments in the cost of e-waste transportation for recycling. • Polyhagous Shot Hole Borer: WALGA has escalated PSHB advocacy and is preparing a submission to the National Consultative Committee on key priorities for the PSHB Response Plan. <p>Planning and Building</p> <ul style="list-style-type: none"> • WALGA 2025 Urban Forest Conference • Urban Greening Grants • Labor Election Commitment • Coastwest Grants: application opened in January. WALGA will host an information session for eligible Local Governments on 12 February in partnership

		<p>with the Department of Planning, Lands and Heritage and the Department of Transport. Grant applications close on 14 April.</p> <p>Emergency Management</p> <ul style="list-style-type: none">• Disaster Ready Fund Round Three• Emergency WA App• Local Emergency Management Arrangements Improvement Program• Bushfire Risk Management Coordinators• State Emergency Management Committee• State Bushfire Advisory Committee• State Bushfire Advisory Committee• Election Commitments <p>Community</p> <ul style="list-style-type: none">• WALGA 2025 Aboriginal Engagement Forum• Public Health Act• Regional Primary Health Services• Access and Inclusion: MACWA and WALGA Forum• Child Safeguarding• Arts and Culture Infrastructure Grants
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Conclusion

The Kimberley Zone noted the report from the WALGA President and the circulated State Council Agenda Items and supported the recommendations in the Matters for Decision contained with the State Council Agenda and acknowledged the items for noting above and the Status Report on State Council Resolutions.

Kimberley Regional Group Meeting Minutes – 21 February 2025

The following items from the Kimberley Regional Group Meeting held 21 February 2025 should be noted by Council:

Correspondence

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

Correspondence in:

Date: 8 November 2024

From: Chris Water, Assistant Commissioner, Regional operations WEST

Topic: Meeting Request

Date: 11 November 2024

From: Senator the Hon Jenny McAllister, Minister for Emergency Management, Minister for Cities

Topic: Meeting Request

Date: 28 November 2024

From: Mala Haji-Ali JP, CEO, West Kimberley Futures

Topic: EC-West Strategic Plan & Annual Report

Date: 6 December 2024

From: The Hon Dr Tony Buti MLA, Minister for Education; Aboriginal Affairs; Citizenship and Multicultural Interests
Topic: Meeting Request & 2025 Election Priorities

Date: 9 January 2025
From: The Hon David Michael MLA, Minister for Mines and Petroleum
Topic: Meeting Request & 2025 Election Priorities

Date: 11 February 2025
From: The Hon Roger Cook MLA, Premier of WA
Topic: 2025/2026 Federal and State Budget Submission

Correspondence out:

Date: 2 October 2024
From: Cr David Menzel, Chair KRG
To: The Hon Anthony Albanese MP, Prime Minister
Topic: Invitation to meet in Canberra or the Kimberley

Date: 5 February 2025
From: Cr David Menzel, Chair KRG
To: The Hon Roger Cook MLA, Premier of WA
Topic: Vision for the Kimberley

Date: 10 February 2025
From: Cr David Menzel, Chair KRG
To: Ms Libby Mettam MLA, Leader of the WA Liberal Party
Topic: Unlocking the Kimberley

Date: 10 February 2025
From: Cr David Menzel, Chair KRG
To: Mr Shane Love MLA, Leader of the Nationals WA
Topic: Unlocking the Kimberley

Date: 12 February 2025
From: Cr David Menzel, Chair KRG
To: The Hon Roger Cook MLA, Leader of the Labor Party
Topic: Vision for the Kimberley

Financial Report

The KRG noted:

1. the Interim Financial Report to 31 December 2024
2. the \$163,158 year to date budget surplus
3. members contributions totalling \$180,000 will be invoiced during Q3; and
4. the total member interests of \$180,120 at 31 December 2024 is represented by cash held in Reserves.

1.

Presentations

The following presentations were received from key stakeholders:

- John Hutchison, Superintendent - Kimberley District Office WA Police
- Divina D'Anna MLA - Parliamentary Secretary to the Deputy Premier; Treasurer; Minister for Transport; Tourism.

2.

Further, it was requested that the Executive Officer reach out and invite Hon Melissa Price MP to a KRG meeting.

3.

The Executive Officer was also requested to keep KRG members informed about any upcoming meetings with politicians.

Financial Assistance Grants Review Project

That the KRG approve the Financial Assistance Grant Report and endorse its release.

Executive Officer to distribute the report to key stakeholders, upload it to the KRG website, issue a media release, and create a LinkedIn post.

Community Safety & Crime Prevention Investment Package

That the KRG:

1. Approve the Community Safety and Crime Prevention Package.
2. Approve the development of the desktop published Executive Summary

Executive Officer to proceed with the development of the desktop published Executive Summary of this document for advocacy purposes.

Kimberley Housing Pipeline Project

That the KRG note the progress of the Kimberley Housing Pipeline.

Executive Team to continue advocacy for the Kimberley Housing Pipeline.

2025-26 Budget Submission to Federal Treasury

That the KRG note that a submission has been made to the 2025-26 Australian Treasury.

KRG Business Plan 2021-25 Status Update

That the KRG note:

1. The status of actions in the KRG Business Plan 2021-2025
2. That executive team will develop a framework and consolidate the KRG Strategic Documents for KRG consideration.
3. That an updated Business/Action plan will be developed as part of this exercise.

Executive Team to continue developing a framework and consolidating the KRG Strategic Documents.

Election Strategy Update

That the KRG:

1. note the progress of the Election Strategy
2. continue advocacy at a federal level/

Executive Officer to reach out to the Federal candidates to arrange a briefing on March 5th and update members once confirmed.

Around the Grounds

For information only.

Kimberley Regional Group Priority Action List

That the KRG notes progress of the priority action items.

Executive Officer Report

That the Executive Officers Report be received and endorsed. As per Outstanding Actions.

General Business

CEO, Shire of Halls Creek was requested to provide further details once confirmed to members on the April 2025 KRG Halls Creek in Person Meeting and Shire Tour.

CONSULTATION

WALGA
Kimberley Development Commission
Kimberley Regional Development Australia

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK

Nil

STRATEGIC ASPIRATIONS

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

Outcome 11 - Effective leadership, advocacy and governance

Objective 11.1 Strengthen leadership, advocacy and governance capabilities.

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

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

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

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

Outcome 7 - Safe, well connected, affordable transport options

9.4.3 MONTHLY PAYMENT LISTING - FEBRUARY 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 February 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 February 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

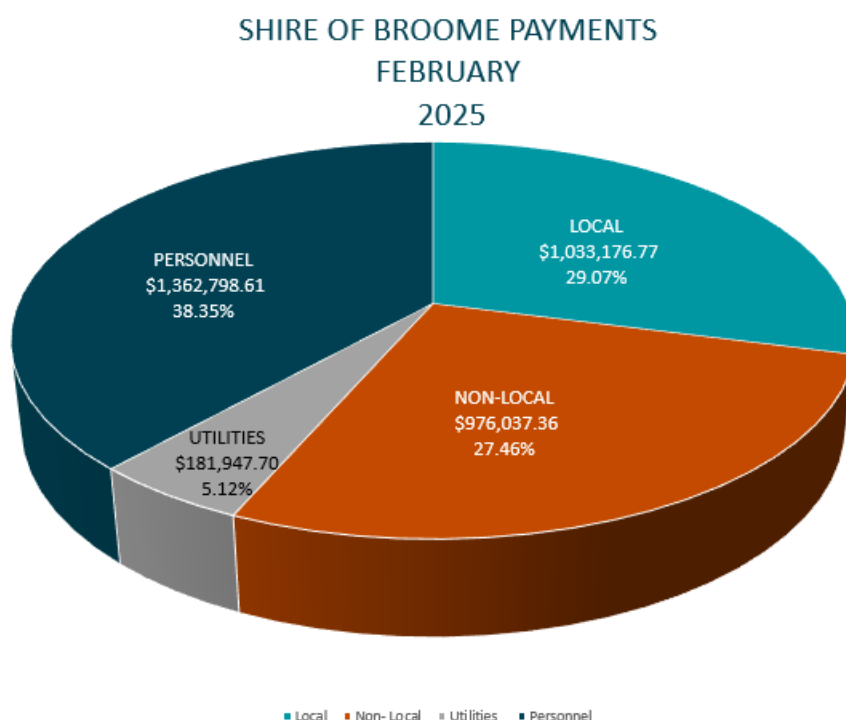
- (1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —
- (a) the payee's name;
 - (b) the amount of the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

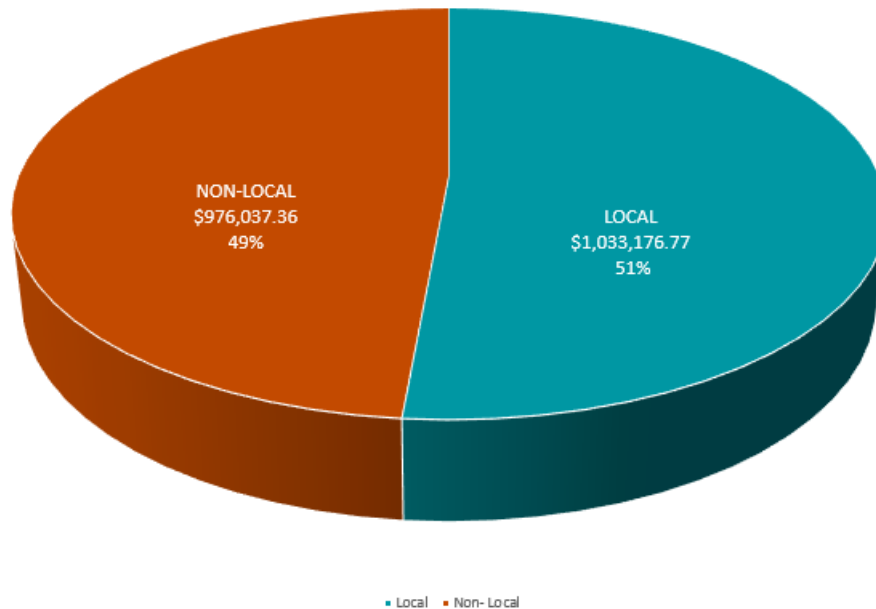
FINANCIAL IMPLICATIONS

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



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
FEBRUARY 2025**



The above graph shows the percentage of local spend in comparison to non-local and recoupable spend for February 2025 after \$1,362,798.61 in personnel payments, \$181,947.70 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	\$ -	\$ 2,459,287.62	\$ 229,572.09	\$ 39,852.13	\$ -	\$ 825,248.60	\$ 3,553,960.44
Mar-25							
Apr-25							
May-25							
Jun-25							
TOTAL	\$ 7,308.64	\$ 32,060,278.03	\$ 2,516,328.93	\$ 283,433.52	\$ -	\$ 7,042,312.86	\$ 41,909,611.98

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

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0325/048

Moved: Cr M Virgo

Seconded: Cr S Cooper

That Council:

1. **Receives the list of payments made from the Municipal and Trust Accounts in February 2025 totalling \$3,553,960.44 (Attachment 1) per the requirements of Regulation 12 of the Local Government (Financial Management) Regulations 1996 covering:**
 - a) **EFT Vouchers EFT78481- EFT78863 totalling \$2,459,287.62;**
 - b) **Municipal Cheque Vouchers 00000 - 00000 totalling \$0.00;**
 - c) **Trust Cheque Vouchers 00000 - 00000 totalling \$0.00; and**
 - d) **Municipal Direct Debits DD34171.1- DD34212.7 including payroll totalling \$1,054,820.69**
2. **Receives the list of payments made by credit cards in February 2025 totalling \$39,852.13(contained within Attachment 1) per the requirements of Regulation 13A of the Local Government (Financial Management) Regulations 1996 covering EFT Vouchers EFT78835 – EFT78517.**
3. **Notes the local spend of \$1,033,176.77 included in the amount above, equating to 51% of total payments excluding personnel, utility, and other external sole supplier costs.**

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

CARRIED UNANIMOUSLY 9/0

Attachments

1. Monthly Payment Listing - February 2025

9.4.4 MONTHLY FINANCIAL REPORT JANUARY - 2025

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FRE02
AUTHOR:	Accountant
CONTRIBUTOR/S:	Finance Officer
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 January 2025.

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 January 2025 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:

4. Budget Year Elapsed	5. 58%
6. Total Rates levied	7. 100%
8. Total Operating Revenue (excluding Rates and Profit on asset disposals)	9. 82%
10. Total Operating Expenditure (excluding Loss on asset disposals)	11. 52%
12. Total Capital Revenue	13. 8%
14. Total Capital Expenditure	15. 22%

For activity categories where progress notably differs from the 58% budget year elapsed, high-level explanations for the variances are provided:

Operating Revenue

Grants Subsidies and Contributions

\$448,404 less than estimated YTD income (38.22% 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

\$917,988 over estimated YTD income (8.49% 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

\$44,309 over estimated YTD income (45.16% variance). Strong term deposit interest rates have resulted in a higher investment yield than forecast, primarily related to reserve account funds. Permanent variance.

Other Revenue

\$389,226 over estimated YTD income (48.14% variance). A reimbursement of \$137,000 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

\$3,211,336 less than estimated YTD expenditure (32.69% 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 \$560,000 under YTD budget however this is a timing issue. Expenditure for Parks and Ovals is currently \$180,000 below budget. Parks and Ovals accounts will be reviewed in detail as part of the Quarter 3 Finance and Costing Review. Temporary variance.

Finance Costs

\$82,811 less than estimated YTD expenditure (37.18% variance). \$74,000 was budgeted for interest on loans for the Key Worker Housing Project and Cable Beach Stage 1. These loans

are expected to be drawn down in the coming months. Permanent variance. Permanent variance with adjustment proposed in Quarter 2 Finance and Costing Review.

Capital Revenue

Proceeds from capital grants, subsidies and contributions

\$1,684,087 less than estimated YTD revenue (30.27% 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 \$2.05m. 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

\$2,663,341 less than estimated YTD expenditure (53.78% 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 \$900,000. A detailed capital expenditure schedule can be found at Supplementary Note 5 within the Financial Report. Temporary variance.

Payments for construction of infrastructure

\$2,822,410 more than estimated YTD expenditure (31.96% variance). Infrastructure works are running at \$2.8m 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 within the Financial Report. 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

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0325/049

Moved: Cr E Smith

Seconded: Cr M Virgo

That Council adopts the Monthly Financial Activity Statement Report for the period ended 31 January 2025 as attached.

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

CARRIED UNANIMOUSLY 9/0

Attachments

1. Monthly Statement of Activity January 2025

9.4.5 MONTHLY FINANCIAL REPORT FEBRUARY - 2025

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FRE02
AUTHOR:	Accountant
CONTRIBUTOR/S:	Finance Officer
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 28 February 2025.

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 February 2025 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:

16. Budget Year Elapsed	17. 67%
18. Total Rates levied	19. 100%
20. Total Operating Revenue (excluding Rates and Profit on asset disposals)	21. 85%
22. Total Operating Expenditure (excluding Loss on asset disposals)	23. 58%
24. Total Capital Revenue	25. 8%
26. Total Capital Expenditure	27. 23%

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

\$419,758 less than estimated YTD income (34.30% 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.

Interest Revenue

\$484,762 increase over estimated YTD income (48.01% variance). Strong term deposit interest rates have resulted in a higher investment yield than forecast, primarily related to reserve account funds. Permanent variance.

Other Revenue

\$292,749 over estimated YTD income (29.07% variance). A reimbursement of \$139,000 was received for a 2023/24 insurance claim, and \$65,000 in additional scrap metal disposal fees were collected. Permanent variance.

Operating Expenditure

Materials and Contracts

\$4,046,402 less than estimated YTD expenditure (35.63% variance). \$1.2m has been budgeted for BRAC site remediation and asset rehabilitation works which have commenced however yet to be invoiced. Contracted recycling services and kerbside collections are \$660,000 under budget. Expenditure for Parks and Ovals is currently \$215,000 below budget. Parks and Ovals accounts will be reviewed in detail as part of the Quarter 3 Finance and Costing Review. Temporary variance.

Utility Charges

\$393,119 less than estimated YTD expenditure (22.23 variance). Maintenance of Parks and Ovals is currently \$166,000 under budget with costs expected to rise during wet season. Timing of invoices for street lighting charges has resulted in a budget variance of \$55,000. Temporary variance.

Finance Costs

\$71,249 less than estimated YTD expenditure (33.74% variance). \$74,000 was budgeted for interest on loans for the Key Worker Housing Project and Cable Beach Stage 1. These loans are expected to be drawn down in the coming months. Permanent variance.

Capital Revenue

Proceeds from capital grants, subsidies and contributions

\$2,712,471 less than estimated YTD revenue (41.99% 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 \$3.3m. 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

\$2,777,609 less than estimated YTD expenditure (54.59% 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 \$1.9m being due to timing. Periodic renewal of Mobile Plant and Equipment is behind schedule causing a timing difference of \$870,000. A detailed capital expenditure schedule can be found at Supplementary Note 5. Temporary variance.

Payments for construction of infrastructure

\$2,078,332 more than estimated YTD expenditure (20.54% variance). Infrastructure works are running at \$2m 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.

Budget Amendments

Shire Vehicle – Director Development and Community

At the Ordinary Meeting of Council held 27 February 2025, Council approved the appointment of the preferred candidate to the Director Development and Community position. As a part of the employment Contract and in accordance with the Shire's Motor Vehicle Usage Administration Policy the Shire allocates vehicles to specific positions based on business and operational requirements. In this instance the vehicle type offered as a part of the role is a Toyota Prado sedan or similar.

Where the person is entering a role where an existing Shire owned vehicle is owned the existing vehicle would be allocated to the incoming employee. In this instance the previous Director leased their vehicle and as such the Shire does not have a vehicle to allocate to the new Director. A budget allocation of \$70,000 to account 101061840 Vehicle & Mobile Plant Renewal (Replacement) Cap Exp - Dev Services is required in 2024/25 to provide funds

to purchase a vehicle. A corresponding transfer of \$70,000 from reserve account 101483950 Transfer from Plant Reserve - Works Ops is required to fund the purchase.

Award of Request for Quote - Coastal Hazard and Risk Management Adaption Plan Review

A review of the Coastal Hazard and Risk Management Adaption Plan (CHRMAP) was budgeted in Council's 2024/25 Annual Budget with \$90,000 allocated to the project at budget adoption. Officer's have subsequently gone to Request for Quote (RFQ) for the project.

Responses received for the RFQ exceed the budget by \$15,000 and an amendment is required to facilitate the award of the RFQ.

The review of the CHRMAP is a critical component of work informing decision making on planning initiatives in key precincts within the townsite. It is recommended that funds are made available to allow officers to award the work.

Officers have identified savings in account 106055 Planning General Project Consult - Op Exp that can be used to offset the increased costs.

It is proposed to allocate \$15,000 from account 106055 Planning General Project Consult - Op Exp to account 106060 CHRMAP Review, taking the total 2024/25 budget for that project to \$115,000.

All budget amendments require an Absolute Majority decision of Council, including transfers in and out of the Shire's cash Reserves.

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

Absolute Majority

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0325/050

Moved: Cr M Virgo

Seconded: Cr S Cooper

That Council:

- 1. Adopts the Monthly Financial Activity Statement Report for the period ended 28 February 2025 as attached; and**

- 2. Approves an allocation of \$70,000 to account 101061840 Vehicle & Mobile Plant Renewal (Replacement) Cap Exp - Dev Services in 2024/25 to provide funds to purchase a vehicle for the Director Development and Community.**
- 3. Approves a corresponding transfer of \$70,000 from account 101483950 Transfer from Plant Reserve - Works Ops to fund the purchase;**
- 4. Approves a transfer of \$15,000 from account 106055 Planning General Project Consult - Op Exp to account 106060 CHRMAP Review – Op Ex to facilitate the award of the Request for Quote for review of the Shire’s Coastal Hazard and Risk Management Adaption Plan.**

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

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 9/0

Attachments

1. Monthly Statement of Activity February 2025

10. REPORTS OF COMMITTEES

There are no reports in this section.

11. NOTICES OF MOTION WITH NOTICE

Nil.

12. NOTICE OF MOTION WITHOUT NOTICE

Nil.

13. BUSINESS OF AN URGENT NATURE

Nil.

14. MEETING CLOSED TO PUBLIC

Nil.

15. MEETING CLOSURE

There being no further business the Chairperson declared the meeting closed at 7.34pm.