

**SHIRE OF BROOME****ORDINARY COUNCIL MEETING  
7 SEPTEMBER 2004****INDEX - AGENDA**

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## **NOTICE OF MEETING**

Dear Council Member,

The next Ordinary Meeting of the Shire of Broome will be held on Tuesday 7 September 2004, in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 5.00pm

Regards

Ian Bodill  
Chief Executive Officer

August 2004

**1. OFFICIAL OPENING**

**2. ATTENDANCE AND APOLOGIES**

Attendance

Leave of Absence

Apologies

**3. DECLARATIONS OF FINANCIAL INTEREST**

Councillor	Item No	Page	Item	Nature of Interest

**4. PUBLIC QUESTION TIME**

**5. CONFIRMATION OF MINUTES**

**Moved:** **Seconded:**

**That the Minutes of the Special Meeting of Council on 16 August 2004 and Ordinary Meeting of Council held on 17 August 2004 be confirmed as a true and accurate record of that meeting.**

**6. ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION**

**7. PETITIONS**

**8. MATTERS FOR WHICH MEETING MAY BE CLOSED**

**9.**

**REPORTS**

**OF**

**OFFICERS**

**9.1**

**LEADERSHIP**

**AND**

**GOVERNANCE**



**OUTCOME**

***Demonstrate leadership, which is proactive, open and accountable and that encourages community consultation and participation.***

**9.1.1 COMMON SEAL REPORT**

<b>DATE</b>	<b>DETAILS</b>
9 August 2004	Town Planning Scheme No4. Amendment No. 18
19 August 2004	Offer/Application for increase in credit facilities for the Shire of Broome
20 August 2004	Deed extension of lease Office 4,5, 6 and 6a – Broome Lotteries House (KFDC)
20 August 2004	Lease of Crown Land-part of Lot 616 on deposited plan 240107 on annexed plan. Broome Port Authority – Boating Facility
25 August 2004	Withdrawal of Caveat #1906028-8/49, Hamersley Street Broome
25 August 2004	Deed-8/49 Hamersley Street Broome (Lot 8 on Strata Plan 45445 c/t Volume 2556 Folio 987)
27 August 2004	Withdrawal of Caveat #1796417– Lot 997 deposited Plan 212287

**REPORT RECOMMENDATION**

*That Council endorses the action of the Shire President and the Chief Executive Officer affixing the Common Seal to the documents listed above.*

**Moved:** **Seconded:**

**FOR:**  
**AGAINST:**

**9.1.2 MINYIRR PARK - STAGE ONE, FUNDING 2003/2004.**

<b>LOCATION/ADDRESS:</b>	Broome
<b>APPLICANT:</b>	Kimberley Land Council
<b>FILE:</b>	CTE 28
<b>AUTHOR:</b>	Executive Assistant
<b>CONTRIBUTOR/S:</b>	N/A
<b>RESPONSIBLE OFFICER:</b>	Manager Corporate Services
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	26 August 2004

**SUMMARY:** To seek Council endorsement of a budget revision required to pay an invoice received from the Kimberley Land Council associated with works undertaken during the 2003/2004 financial year. Further, to present the proposed works program submitted by the project officer with the budget submission.

**BACKGROUND**

The Kimberley Land Council have submitted a Tax Invoice dated 29 June 2004 for reimbursement for \$13,912.80 (including GST) for Coastal Park expenditure associated with on-site supervision of work teams at Minyirr Park 1 October 2003 – January 2004.

There is no record of the original invoice being received by the Shire of Broome and it was subsequently followed up by the Kimberley Land Council on 11 August 2004.

The 2003/2004 budget for the management of Minyirr Park was not fully expended (\$43,444 out of \$55,000 budget), however, it is Shire practice to absorb unexpended operating funds into general revenue and disperse them through the subsequent budget process.

**COMMENT**

It is suggested that a move to monthly invoicing for this project will assist not only the Shire, but also the Kimberley Land Council in maintaining their financial records and will avoid a similar situation arising in the future.

The Operating Budget for 2004/2005 for Minyirr Park – Stage one has been adopted at \$55,000. A revision will need to be made to the year end projection to include the \$13,900 payment

**CONSULTATION**

Not applicable

**STATUTORY ENVIRONMENT**

Local Government Act 1995  
Land Administration Act 1997  
Aboriginal Heritage Act 1972

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The additional amount of \$13,912.80 for the works undertaken in October 2003 – January 2004, will need to be funded from general revenue and will require revision of the budget.

The Federal Minister for Local Government has given formal approval on 4 August 2004 to the 2004/05 general-purpose grant allocations as recommended by the WA Local Government Grants Commission (WALGGC) to the State Minister for Local Government and Regional Development, Hon Tom Stephens. The final Schedule of Commonwealth Financial Assistance Grants 2004-05 to local governments shows allocation slightly different to those Notional Grants previously advised (Circular 01# 04-05 dated 29 June 2004) due to an increase in the pool of federal funds available for distribution – and increase of approximately \$12,000 for Broome. The additional grant funding would affect the extra Coastal Park expenditure.

**STRATEGIC IMPLICATIONS**

Shire of Broome Coastal Park Management Plan 1999, Interim Agreement with Rubibi 1996.

**VOTING REQUIREMENTS**

Simple Majority

**REPORT RECOMMENDATION**

***That Council endorses the payment of the invoice number 480 from the Kimberley Land Council for \$13,912.80 for the on-site supervision of work teams October 2003 – January 2004 and associated revision to the year-end projections for 2004/2005.***

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

**9.1.3 SHIRE OF BROOME STRATEGIC ACTION PLAN**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	ADM20
<b>RESPONSIBLE OFFICER:</b>	Chief Executive Officer
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	25 August 2004

**SUMMARY:** Council is requested to approve the attached draft Strategic Plan for advertising for community comment.

**BACKGROUND**

During the first week of July, the Shire conducted workshops that included participation by the community in preparing a strategic plan for the future.

Invitations were distributed to specific stakeholders, and included community groups, organisations, and individuals. A general advertisement was placed in the local newspaper inviting interested members of the community to participate in the workshops.

The workshops were held over a period of two nights and attracted approximately 60 members of the wider community, elected members and staff.

During that week, further workshops were held with elected members and staff where detailed outcomes and strategies were identified and listed.

Later during the month of July, the CEO visited Beagle Bay, Lombadina, One Arm Point and Bidiydanga to seek further input from leaders of those communities. Comments received from them have been taken into consideration (One Arm Point's views were discussed by telephone due to an emergency meeting being held at the time of arrival).

A further workshop was conducted with senior management to prioritise strategies and outcomes listed in the draft strategic plan.

The draft strategy has been prepared for Council's consideration and advertising for community comment.

**COMMENT**

The draft Strategic Plan has taken into account the principles of sustainability and therefore covered strategies, plans, policies and outcomes, which will embrace economic, environment and social factors.

It is proposed that the above outcomes will be listed as Key Performance Indicators in the Business Plans that will follow for each directorate.

The draft Strategic Plan is the vision for the Shire of Broome for the next 20-30 years. The initial 5 years indicates by way of a "tick" in each column, when the shire will undertake a specific task.

It is proposed that Council adopts the draft Plan for public comment for a period of 21 days. Following this consultation period, it is proposed that the draft is amended and brought to a council informal workshop for final drafting. The final draft will be listed on the next available council agenda for final adoption.

## **CONSULTATION**

Community of the Shire of Broome  
Elected Members of the Shire of Broome  
Shire Staff

## **STATUTORY ENVIRONMENT**

There is no legal requirement to produce a Strategic Plan

## **POLICY IMPLICATIONS**

The strategic Vision of the Shire of Broome and the associated, projects, and strategies and plans that will emerge, will attract the implementation and review of a large number of policies over the next 12 to 36 months.

## **FINANCIAL IMPLICATIONS**

Considerable budget implications will need to be taken into consideration over the life of the Strategic Plan. The Strategic Plan will provide the basis for the development of a Strategic Financial Plan.

## **STRATEGIC IMPLICATIONS**

The Shire of Broome's strategic direction will be established and maintained.

## **VOTING REQUIREMENTS**

Simple Majority

### **REPORT RECOMMENDATION**

***That Council adopts the draft Strategic Plan for comment for a period of 21 days.***

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

[Attachment: 53 pages](#)

**9.1.4 CONSULTANT - SUSTAINABLE REGIONS GRANT SUBMISSIONS**

<b>LOCATION/ADDRESS:</b>	N/A
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	ADM 01
<b>AUTHOR:</b>	Executive Assistant
<b>CONTRIBUTOR/S:</b>	N/A
<b>RESPONSIBLE OFFICER:</b>	Manager Corporate Services
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	26 August 2004

**SUMMARY:** To seek Council endorsement to engage a consultant to assist in progressing and securing the funding allocated to the Stadium Seating Project and the Jetty-to-Jetty Project under the Kimberley Sustainable Regions Funding Program.

**BACKGROUND**

The Sustainable Regions Funding Program was a pilot program in the Kimberley with a \$12 million budget. All the projects funded under the program have to be finished by 30 June 2006.

During 2002, the Shire of Broome submitted funding applications for two projects, being:

- Jetty to Jetty Boardwalk
- Stadium Seating

Both projects were successful in attracting funding. The Jetty-to-Jetty project attracted funding to undertake a concept design, feasibility report and community consultation, which were undertaken by Hames Sharley in July 2003. An additional submission was made to progress the project, of which the Kimberley Sustainable Regions Advisory Committee has endorsed \$500,000.

The Stadium Seating project received \$500,000 funding towards the project, subject to partnership funding arrangements.

Discussions have been held between the Shire of Broome staff and the Executive of the Area Consultative Committee and it is imperative that the projects are finalised by November 2004 with respect to securing partnership funding and completing implementation planning. It is likely that the funding allocation will be lost should this not occur.

If these projects are not going to proceed, then the funds will either be reallocated or be readvertised for other projects. The former option is more likely, as there are other unfunded projects in the Kimberley, ready to go, and on the waiting list.

**COMMENT**

Recent discussions with the Executive Officer, John Durant, and the Project Manager, Paul Acfield, of the Kimberley Area Consultative Committee have indicated that further work is required on these two projects.

### Stadium Seating

This project requires some variations to the original submission, including additional research into other mobile seating structures and revised quotations and partner funding arrangements, including alignment with the development of facilities at the Broome Recreation and Aquatic Centre (Stage 2), potential partner funding arrangements with the proposed Broome Arts Centre and ongoing sustainability assessment.

This project was considered at the January and March 2004 Ordinary Council meetings and as such is not discussed in detail.

### Jetty to Jetty

This project was initially conceived in 1999 and a search of Councils minutes notes the progression of the project from a public launch, to a sustainable regions application for a feasibility study and approval of consultants to undertake the study. The majority of reference in the minutes is through the announcements by the President without discussion and it appears that the only formal resolutions of Council have been for the appointment of councillors to a Jetty to Jetty Advisory Committee and the endorsement of the appointment of the Jetty to Jetty consultants, Hames Sharley.

As such this item draws to the attention of Council the projects feasibility study, consultation documentation and concept design to determine whether Council wishes to proceed with the project itself. It is understood that these documents have been circulated to Councillors.

Hames Sharley produced three documents and staff notes the following:

Consultation – Consultation was extensive and identified 15 keys issues (refer attachments)

Feasibility – A number of social and economic benefits arise from the project. Of note is the total capital cost of the project being \$11.3 million and the annual operating costs of \$250,000. To fund the capital costs a number of contributors were identified including State and Commonwealth grant programs. The report suggests that the maintenance costs be met from tour guide revenues, leases and licences (refer attachments).

Concept Design – The concept of the Jetty-to-Jetty walk is broken up into potential thematic precincts as follows:

- A. Streeters Jetty Extension
- B. Chinatown Promenade
- C. Intertidal Walk
- D. Parkland Walk
- E. Town Beach Rail Trail
- F. Mangrove Walk
- G. Jetty Access to Boat Landing
- H. Town Beach Jetty Groin

Details of the precincts are shown on the attachments. The concept design also includes sketch designs and maps of the proposed jetty to jetty trail.

The subsequent application for project funding involved the differentiation of the project into two components; Chinatown Promenade and Town Beach Rail Trail. The following was submitted: -

<b>Chinatown Promenade: Project Step</b>	<b>Start Date</b>	<b>Finish Date</b>	<b>Total Cost of Step</b>	<b><u>APPLICANT</u> <u>CONTRIBUTION</u></b>	<b>Partner Contribution</b>	<b>Sustainable Region Funding</b>
Memorandum of Understanding between Broome Shire and Rubibi, land use and economic agreements, project management structures	January 2004	September 2004	\$105,000	\$35,000	\$35,000	\$35,000
Consultation and Planning	September 2004	December 2004	\$44,000		\$44,000	
Design and Engineering	December 2004	May 2005	\$166,400	\$38,600	\$66,000	\$61,400
Construction – Promenade Deck Structure	May 2005	October 2005	\$409,000	\$72,000	\$137,000	\$200,000
Interpretive Centre	October 2005	March 2006	\$250,000		\$231,000	\$19,000
Dampier Terrace Car Park	May 2005	August 2005	\$65,000	\$65,000		
Lighting and Signage	October 2005	December 2005	\$94,600			\$94,600
Contingency						\$90,000
<b>TOTAL</b>			\$1,134,000	\$210,600	\$513,000	\$500,000

<b>Town Beach Rail Trail: Project Step</b>	<b>Start Date</b>	<b>Finish Date</b>	<b>Total Cost of Step</b>	<b>APPLICANT CONTRIBUTION</b>	<b>Partner Contribution</b>	<b>Sustainable Region Funding</b>
Memorandum of Understanding between Broome Shire and Rubibi, land use and economic agreements, project management structures	January 2004	September 2004	\$105,000	\$35,000	\$35,000	\$35,000
Consultation and Planning	September 2004	December 2004	\$44,000		\$44,000	
Design and Engineering	December 2004	May 2005	\$131,000	\$15,000	\$66,000	\$50,000
Construction – Concrete Path	May 2005	October 2005	\$78,840	\$20,000	\$27,000	\$31,840
Parkland Upgrade	October 2005	March 2006	\$250,000	\$166,000	\$84,000	
Interpretive Centre and Shelter	May 2005	August 2005	\$145,000		\$80,000	\$65,000
Car Park	October 2005	December 2005	\$130,000	\$60,000		\$70,000
Lighting and Signage	October 2005	December 2005	\$170,600			\$170,000
Contingency			\$77,560			\$77,560
<b>TOTAL</b>			<b>\$1,132,000</b>	<b>\$296,000</b>	<b>\$336,000</b>	<b>\$499,400</b>

To fund the above expenditures it was proposed that the following partnership funding be sought:

### CHINATOWN PROMENADE

<b>Partner Name</b>	<b>Name of Funding Programme (If Applicable)</b>	<b>\$Value of Contribution</b>	<b>\$Cash</b>	<b>Financial Year of Contribution</b>
ATSIC		\$66,000	\$66,000	2003/04
DLGRD		\$166,000	\$166,000	2003/04
KRDS		\$131,000	\$131,000	2003/04
Paspaley		\$150,000	\$150,000	2003/04

### TOWN BEACH TRAIL

<b>Partner Name</b>	<b>Name of Funding Programme (If Applicable)</b>	<b>\$Value of Contribution</b>	<b>\$Cash</b>	<b>Financial Year of Contribution</b>
ATSIC		\$75,000	\$75,000	2003/04
DLGRD		\$111,000	\$111,000	2003/04
KRDS		\$150,000	\$150,000	2003/04

Council now needs to give due consideration to whether it proceeds with the project. Further work is required to provide additional information to the Kimberley Sustainable Regions Advisory Committee, including information relating to the project parameters, location, design, co-funding arrangement and partnership management.

Due to recent staff turn over and other priority projects, staff resources currently do not extend to the additional work required on the projects to progress them and it is suggested that a consultant be engaged to provide the necessary information to the November 2004 meeting of the Kimberley Sustainable Regions Advisory Committee.

Information has been received and informal discussions have been held with Mr Antony Harvey, consultant, who has an extensive background and experience in grant funding applications and management.

Mr Harvey is available to commence work on these funding applications and meet the November deadline.

In determining whether to progress the projects Council may wish to consider:

- The Jetty to Jetty and Stadium Seating projects have been identified in the recent strategic planning consultation workshops as being of interest to the community.

- There have been significant resources expended in obtaining and maintaining these grant allocations.
- The Shire of Broome is also committed to expending considerable funds on the Chinatown redevelopment, the completion of BRAC and the development of the Broome Arts Centre. The potential funds from the Sustainable Regions programme will assist providing additional infrastructure for these projects.
- A new application may be made at a later date under the Regional Partnerships program (which resulted from the Sustainable Regions pilot program) should Council not wish to proceed at this stage.

## **CONSULTATION**

Not applicable

## **STATUTORY ENVIRONMENT**

Local Government Act 1995.

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Whilst an allocation in the recently adopted 2004/2005 budget was made for the engagement of consultants, this did not include the sustainable regions consultancies and as such the expenditure is unfunded.

## **STRATEGIC IMPLICATIONS**

Shire of Broome Strategic Action Plan 2003 – 2008:

Economic and Prosperity

- Promote economic development when it is consistent with and complementary to the lifestyle of the region

Social Support and Development

- Promote social development in cooperation with other government agencies to enhance services
- Maintain ongoing support for recreation facilities, sporting groups and cultural initiatives.

## **VOTING REQUIREMENTS**

Simple Majority

**REPORT RECOMMENDATION**

*That Council endorses the engagement of Mr Antony Harvey for \$3,600 (plus GST) to undertake the additional work required to secure funding for the Jetty-to-Jetty Project and for \$2,400 (plus GST) to progress the Stadium Seating Project.*

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

[Attachments: 19 pages](#)

**9.1.5 LOCAL GOVERNMENT ELECTIONS 2005**

<b>LOCATION/ADDRESS:</b>	N/A
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	ARA 14
<b>AUTHOR:</b>	Executive Assistant
<b>CONTRIBUTOR/S:</b>	N/A
<b>RESPONSIBLE OFFICER:</b>	Chief Executive Officer/ Manager Corporate Services
<b>DISCLOSURE OF ANY INTEREST:</b>	N/A
<b>DATE OF REPORT:</b>	13 August 2004

**SUMMARY:** To advise Council of costs associated with conducting postal elections, through the Western Australian Electoral Commission and to seek confirmation that the Shire of Broome conducts in-person elections for the 2005 Local Government Elections.

**BACKGROUND**

Under Section 4.20 of the Local Government Act 1995, the Chief Executive Officer of a local authority is responsible for the conduct of local government elections unless arrangements are made to appoint another person at least 80 days prior to election day.

The next local government election is scheduled to be held on 7 May 2005 with at least four of the nine positions to be contested.

**COMMENT**

Shire of Broome staff undertook the 2003 elections with voter turnout equating to 24%, which was well up on the 10.8% for the 2001 elections.

An estimate for the Western Australia Electoral Commission to conduct postal voting on behalf of the Shire of Broome for the 2005 elections has been received for \$28,500 - \$32,700, excluding additional advertising costs associated with community newspapers, legal expenses and staff costs on election day.

The newly adopted budget for 2004/2005 provides \$6,200.00 for the conduct of the local government elections.

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Local Government Act 1995

Local Government (Elections) Regulations 1997

**POLICY IMPLICATIONS**

Administration – Public Relations Policy 1.3.2 – Local Government Elections – Promotions, is applicable should the Shire of Broome conduct its own Local Government Election for 2005.

**FINANCIAL IMPLICATIONS**

The 2004/2005 budget adopted by Council at its Special Meeting held 16 August 2004, makes provision of \$6,200 for election expenses.

**STRATEGIC IMPLICATIONS**

The Shire of Broome Strategic Action Plan 2003 – 2008, Leadership and Governance Goal Area seeks to promote community awareness, involvement and civic pride through effective public relations, communication, functions and activities.

**VOTING REQUIREMENTS**

Simple Majority

**REPORT RECOMMENDATION**

*That Council confirms that it wishes to conduct in-person elections for the 2005 Local Government Elections.*

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

## 9.2

# UNIQUE HERITAGE

AND

# ENVIRONMENT



## OUTCOME

***Conserve and enhance the natural features, built environment and cultural heritage of our unique municipality.***

### 9.2.1 APPLICATION FOR PLANNING APPROVAL - PROPOSED PERFORMING ARTS TRAINING CENTRE AT 'OLD MINI GOLF' SITE- LOT 21 (NO. 12) FREDERICK STREET, BROOME

<b>LOCATION/ADDRESS:</b>	Lot 21 (No. 12) Frederick Street, Broome
<b>APPLICANT:</b>	Michael Gerard Connolly
<b>FILE:</b>	FRE-1/12
<b>AUTHOR:</b>	Planning Officer 1
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Manager Planning Services
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	30 June 2004

**SUMMARY:** An application for planning approval has been received for a proposed Performing Arts training centre at the 'old mini golf' site on Lot 2 (No. 12) Frederick Street, Broome.

The application is referred to Council for consideration as previous applications over the subject site have been refused by Council given car-parking provision was not in accordance with Planning Services Car Parking Policy 4.1.8. This application alters the proposed land use from the previous applications and reduces the parking requirement.

This report recommends the application be approved subject to a condition being put in place to limit the use of the site as a dance floor for rehearsal only with restrictions on total number of staff and students. It will be further conditioned that the site is not to be used for public performances or functions.

### BACKGROUND

The site subject to this application (refer attached location plan) was originally developed for the purposes of a mini-golf/entertainment complex with a mezzanine level caretaker's dwelling and was used for these purposes up until the mid 1990's. Subsequent owners of the site have sought to adapt the existing building for a range of potential uses and have engaged in numerous discussions with Shire Officers to affect this. The current owners 'Troppo Sound' use the existing premises for an office only. Previously proposed uses have fallen short of requirements under the Planning Scheme, the Building Code of Australia and the Health Act to the extent that they have not been pursued by the respective proponents.

At its meeting on the 23<sup>rd</sup> March 2004, Council granted approval to use the site for a one-off concert for the Broome Arts and Music Foundation (BAMF) over Easter. This was proposed to have a maximum audience size of 200 people. The application had the support of the owner of the adjacent vacant property to allow it to be used for parking and had the support of the adjacent property owners to allow their land to be used for emergency access. This support was conditional on the basis that it was a one-off event.

Most recently the applicant applied to Council to use the existing building for the purposes of a theatre, which can be used by performance troupes for rehearsals and concerts on a full time basis. Based on this application, the parking requirement was calculated to be 80 bays, which resulted in a shortfall of 70 bays. Given the insufficient number of bays, Council at its meeting on the 13 April 2004 resolved not to support the application.

**COMMENT**

This application varies from the application Council resolved not to support on the 13 April 2004, in that the proposed use of the rear of the building will be for a dance floor only. The dance floor will be used as a training centre for the academy of performing arts. The front portion of the building will continue to service as the office for 'Troppo Sound'.

The proposed rehearsal studio will occupy 100m<sup>2</sup> of the existing floor area and accommodate a maximum of six students and one lecturer. The students and staff will use the rear toilets and storeroom illustrated on the plan.

This site is required as the students and staff are currently using the civic centre for rehearsals and are seeking a more permanent premises.

Car Parking

On the provision the rear of the building will be used only for rehearsals and be limited to a maximum number of 7 persons, in accordance with Council's Car Parking Policy of 1 bay per 25m<sup>2</sup> of floor area, the parking bays required is 4. Should the site be used for any other purpose, i.e. a performance or function, the site will not be able to accommodate the required parking, as previously resolved by Council.

As previously mentioned, an office comprises the front portion of the proposed development and is reflected on the development plan. The office component of this development generates a parking requirement of 0.73 bays.

The existing mezzanine floor, which is currently used for living quarters, will require the provision of 2 car parking bays.

Based on this, the total parking requirement for the site is 6.73 bays, which is rounded up to 7 bays. On the provision the dance floor is used for rehearsal only, the 10 bays that have been provided are sufficient.

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

The Shire of Broome Town Planning Scheme No.4

**POLICY IMPLICATIONS**

Planning Services Car Parking Policy 4.1.8

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**REPORT RECOMMENDATION**

***That the application for Planning Approval dated 15/06/2004 (2004/118) made by Michael Gerard Connolly for the proposed performing arts training centre at the old 'mini golf' site on Lot 2 (No. 12) Frederick Street Broome be APPROVED subject to the following conditions:***

- 1. Development must be carried out strictly in accordance with the plans stamped received dated 15 June 2004 submitted with the application as approved by the Shire.***
- 2. This approval permits the use of an office, residential accommodation and rehearsal studio only. Public Performances and functions are not permitted on the site.***
- 3. The maximum number of people permitted at any one time to be in the rehearsal studio is seven (7).***
- 4. The canteen as shown on the development application is not to be used for the commercial sale of food.***
- 5. Connection to the Hon Minister's sewer.***
- 6. The building being registered as a Public Building under the Health (Public Buildings) Regulations 1992.***
- 7. A suitably screened refuse bin storage area is to be provided in accordance with Councils Health Local Laws prior to the development first being occupied. The location of the enclosure is to be marked on the plans submitted for a Building Licence and is to be approved by the Shire's Health Department.***
- 8. The lodging of detailed landscape plans, to the satisfaction of the Shire, for the development site and the adjoining road verge(s) with the Building Licence Application. For the purpose of this condition a detailed landscaping plan shall be drawn to a scale of 1:100 and show the following:***
  - the location and type of existing and proposed trees and shrubs within the carpark area.***
  - any lawns to be established.***
  - any natural landscape areas to be retained; and***
  - those areas to be reticulated or irrigated.***
- 9. A deed of agreement is to be prepared and executed at the owner's cost between the owner and the Shire prior to the development first being occupied, under which the owner agrees to maintain the nature strip landscaping and to permit the Shire to lodge an absolute caveat against the Certificate of Title to the land to secure the performance of that maintenance obligation.***

10. **A deed of agreement is to be prepared and executed at the owner's cost between the owner and the Shire prior to the development first being occupied, under which the owner agrees to maintain the existing carparking on the road reserve and to permit the Shire to lodge an absolute caveat against the Certificate of Title to the land to secure the performance of that maintenance obligation**
11. **All onsite and off site car parking, public access areas and footpaths to be appropriately lit with all floodlighting being designed in accordance with the Australian Standards for the Control of Obtrusive Effects of Outdoor Lighting (AS4282) and shall be where possible internally directed not to overspill into nearby lots.**
12. **The provision of at least 4 bicycle parking facilities.**
13. **All vehicle crossovers being designed and constructed (sealed, brick paving, bitumen, concrete) to the Shire's standard crossover specification.**
14. **A stormwater drainage system is to be provided in accordance with the Shire of Broome's standard specification prior to the development being first occupied and thereafter maintained to the satisfaction of the Shire. The proposed stormwater drainage system is the shown on the Building Licence submission and be approved by the Shire prior to the commencement of construction.**

**Note 1: All stormwater runoff to be disposed of either on site or into a legal point of discharged (Shire drain, road or other approved location).**

**Note 2: All drainage systems shall be designed to include water sensitive design principles and to maximize on site water retention.**
15. **All required parking bays being line marked and signed in accordance with the Traffic Code WA 2001 and AS 2890 (off street parking) except standard bay sizes to be 2.7m x 5.5m and disabled bays to be 3.2m x 5.5m within one month of the development being first occupied.**
16. **One (1) disabled car-parking bay located convenient to the building entrance and with a minimum width of 3.2 metres, to be provided plus provision for disabled access and facilities in accordance with the Australian Standard for Design for Access and Mobility (AS 1428.1).**
17. **Prior to commencing any work on the site, the applicant shall obtain a Building Licence from the Shire. Such application shall include, with the working drawings:**
  - **Structural Engineers Certification in accordance with the requirements of the Building Code of Australia; and / or**
  - **Formal comment from Fire and Emergency Services Western Australia.**
18. **The external colours of the building, including the required sheet steel are to be provided at Building Licence application stage and prior to the commencement of development. Note: The Chinatown Development Strategy requires a white limewash type colour to be used for the majority of the building and highlight colours (limited to doors, windows and gutters) to be either green, red or black. Any proposal to vary these colours will be at Council's discretion.**

19. *The bulkheads of the proposed roller door should be screened or be configured to roll/open into the building, so as to not impact on the visual amenity.*
20. *Details of the proposed awing windows shall be provided at Building Licence application stage and prior to the commencement of development.*

**ADVICE NOTES:**

*The following notes are general information notes, and are merely advisory in nature. They are not conditions of this approval. They have been included to provide some guidance as to other matters which may need to be addressed in respect of the development. They do not set out all of the matters which will need to be addressed under separate approval processes whether administered by the Shire or another authority. The applicant will need to ensure that all approval processes have been satisfied.*

1. *Any additional development/use, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval of the Shire.*
2. *You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements. In this regard your particular attention is drawn to:*
  - (a) *Occupational Health, Safety & Welfare Regs*
  - (b) *Health (Public Buildings) Regulations 1992*
3. *This development has been defined as a public building and shall comply with the provisions in the Health Act 1911 relating to a public building and the public building regulations. An application to construct, extend or alter a public building is to be submitted with the building licence application.*
4. *If the development the subject of this approval is not substantially commenced within a period of 2 years from the date of the approval, the approval shall lapse and be of no further effect.*
5. *Where an approval has so lapsed, no development shall be carried out without the further approval of the Council having first sought and obtained.*

**Moved:****Seconded:****FOR:****AGAINST:**[Attachment: 2 pages](#)

### 9.2.2 APPLICATION FOR PLANNING APPROVAL – 2 ROOF SIGNS FOR ROEBUCK ESTATE SHOP- LOT 680 NO. 97 SANDERLING DRIVE DJUGUN 6725

<b>LOCATION/ADDRESS:</b>	Lot 680 No. 97 Sanderling Drive Djugun 6725
<b>APPLICANT:</b>	Roebuck Estate Development Pty Ltd
<b>FILE:</b>	SAN-2/97
<b>AUTHOR:</b>	Compliance Officer
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Manager Planning Services
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	17 August 2004

**SUMMARY:** An application for planning approval has been received for two (2) roof signs at the Roebuck Estate shop on Lot 680 No. 97 Sanderling Drive Djugun 6725.

The application is referred to Council for consideration, as the Approval of roof signs shall only be granted by resolution of Council.

This report recommends that, as the proposed roof signs conform with the Local Law Relating to Signs Hoardings and Bill Posting, the application be approved.

#### BACKGROUND

Application for Planning Approval No. 2004/150 has been received from the Roebuck Estate Development Pty Ltd for consideration of 2 roof signs to be erected on, Lot 680, No. 97 Sanderling Drive. (Plans attached)

The property is situated on the corner of Sanderling Drive and Spoonbill Avenue. One (1) roof sign is proposed to face Sanderling Drive and the other roof sign is proposed to face Spoonbill Avenue.

The development currently being undertaken on the lot is a retail outlet known as "The Roebuck Village Store" and the current signage on the lot relating to the business is depicted in the three (3) photos attached.

#### COMMENT

The proposed roof sign conforms with Local Law 5.13 of the Shire of Broome Local Laws Relating to Signs, Hoardings and Bill Posting and as such this report recommends approval of the two (2) roof signs.

#### CONSULTATION

Nil

#### STATUTORY ENVIRONMENT

Shire of Broome Local Laws Relating to Signs, Hoardings and Bill Posting

##### 5.13 Roof Signs

5.13.1 Approval for the erection of a sign on a roof of a building shall only be

granted by resolution of the Council and where approval has been som granted, a roof sign shall:

- (a) not at any point extend above the ridge line of the roof;
- (b) not at any point be within 3 m of the ground;
- (c) not extend laterally beyond the external walls of the building;
- (d) comply as regards height above ground and height of sign with the following table:

<b>Height of main building above ground level at point where sign is to be fixed</b>	<b>Maximum height of size</b>
3 m and under 4 m	1.0 m
4 m and under 6 m	1.8 m
6 m and under 12 m	2.0 m
12 m and under 18 m	2.5 m
18 m and over	3.0 m

5.13.2 When ascertaining the height of the main building above ground level for the purpose of this By-law, any part of the roof at the point where the sign is to be erected that is provided solely for the purpose of architectural decoration shall be disregarded.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**REPORT RECOMMENDATION**

***That the application for Planning Approval dated 30/07/2004 (2004/150) made by Roebuck Estate Development Pty Ltd for proposed roof signage for Roebuck Estate shop on Lot 680 No. 97 Sanderling Drive Djugun 6725 be APPROVED subject to the following conditions:***

- 1. Development must be carried out strictly in accordance with the plans stamped received dated 30 July 2004 and 16 August 2004 submitted with the application and as approved by the Shire.***
- 2. All work shall be performed in strict accordance with the Sign Licence issued in conjunction with this approval. The Sign Licence shall include, Structural Engineers Certification and the sign is to be installed in accordance with the Structural Engineers Certification and the requirements of the Building Code of Australia.***

**Moved:****Seconded:****FOR:****AGAINST:**[Attachment: 7 pages](#)

### 9.2.3 APPLICATION FOR PLANNING APPROVAL - PROPOSED R CODE VARIATION - RESIDENTIAL - MULTIPLE DWELLINGS - 8 UNITS- LOT 65 NO. 39 FREDERICK STREET BROOME 6725

<b>LOCATION/ADDRESS:</b>	Lot 65 No. 39 Frederick Street Broome 6725
<b>APPLICANT:</b>	Colin Wilkinson Development Pty Ltd (owner: G.Duley Consultantling Engineers and Broome Resort Development Corporation)
<b>FILE:</b>	FRE-1/39
<b>AUTHOR:</b>	Planning Officer 3
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Manager Planning Services
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	20 August 2004

**SUMMARY:** An application for planning approval has been received for 8 multiple dwellings at Lot 65 (No.39) Frederick Street Broome.

The application is referred to Council for consideration as the application requests a variation to the provisions of the 2002 Residential Design Codes that is not within the scope of delegated authority.

This report recommends Conditional Approval.

#### BACKGROUND

This application is for an eight multiple dwelling developments on a lot zoned Residential R40 at Lot 65 (No. 39) Frederick Street Broome. The development is comprised of two (2) ground floor dwellings and two (2) first floor dwellings on either side of a centrally located driveway. The design and external features of the dwellings are consistent with the provisions of the Broome Housing Strategy. The development has provided 2 visitors bays at the front of the development as required by the R- Codes.

#### COMMENT

This application is compliant with the provisions of the 2002 Residential Design Codes with the exception of clause 3.5.4 (A 4.5) Vehicular Access, which states:

*"Driveways for grouped or multiple dwellings:*

- *With a minimum width of 4m, which may be reduced to 3m where necessary to retain an existing dwelling; and*
- ***Are designed to allow vehicles to pass in opposite directions at one or more points, where the number of dwellings served by the driveway is six or more."***

The applicant is requesting a performance based assessment for this provision of the Residential Design Codes. The performance criteria for clause 3.5.4 Vehicular Access states:

*"Vehicular access provided so as to minimise the number of crossovers, to be safe in use and not detract from the streetscape."*

The justification provided by the applicant for the approval of the variation requested is that due to the short length of the driveway, and the fact that the entire length of the driveway is visible from either end; it is not necessary that vehicles be able to pass on the driveway in order for the driveway to be used safely.

Due to the fact that the entire length of the driveway is visible from the verge section of the crossover, which is 6 metres in width, it is possible for any vehicle that is entering the site to ensure that the driveway is clear of other vehicles before proceeding onto the site. Likewise there is sufficient room on the crossover for vehicles to pass in opposite directions if the circumstance arises.

This is considered by the assessing officer to be a very minor variation and it is the recommendation that the variation be supported by Council

### **CONSULTATION**

No formal consultation is required

### **STATUTORY ENVIRONMENT**

Town Planning Scheme No. 4

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

Nil

### **STRATEGIC IMPLICATIONS**

Nil

### **VOTING REQUIREMENTS**

Simple Majority

### **REPORT RECOMMENDATION**

***That the application for Planning Approval dated 05/04/2004 (2004/59) made by Colin Wilkinson Development Pty Ltd for proposed 8 multiple dwellings at Lot 65 (No. 39) Frederick Street, Broome be APPROVED, subject to the following conditions:***

- 1. Development must be carried out strictly in accordance with the plans stamped received dated 13 August 2004 submitted with the application as approved by the Shire.***
- 2. All onsite and off site car parking, public access areas and footpaths to be appropriately lit with all floodlighting being designed in accordance with the Australian Standards for the Control of Obtrusive Effects of Outdoor Lighting***

- (AS4282) and shall be where possible internally directed not to overspill into nearby lots.**
- 3. All fencing being installed in accordance with the Shire's Fencing Policy prior to the occupation of development**
  - 4. The buildings shall be utilised for Multiple Dwelling purposes only, as defined by the Residential Design Codes of WA.**
  - 5. The tree(s) on the site / road reserve adjacent to the site, and marked in red on the approved plan, shall be retained. Any amendments to the plans required in order to comply with this condition shall be detailed in working drawings at Building Licence application stage. Note: Any modifications to the plans considered significant by the Manager Planning Services shall require the lodgement of a fresh Planning Application.**
  - 6. Parking of vehicles shall be wholly located within the property boundaries and not on the driveway crossover where it may obstruct a footpath or impede pedestrian movement.**
  - 7. All visitor car parking spaces shall be line marked and shall be marked by paint or signage to be for visitor parking only and such signage or markings shall be maintained and be clearly visible at all times, for the life of the development.**
  - 8. All car parking bays allocated for the exclusive use of a dwelling that are not immediately adjacent to that dwelling and clearly identifiable as being exclusive to that dwelling, shall be marked by paint or signage to be for the use of that dwelling only and such signage or markings shall be maintained and be clearly visible at all times, for the life of the development.**
  - 9. All car parking spaces on site (including those within a carport or garage) shall be of minimum dimensions 2.7m wide by 5.5m long. Any modifications to the plans required to accommodate these minimum dimensions shall be detailed on the working drawings at Building Licence application stage.**
  - 10. All un-roofed visitor car parking spaces for the development shall be effectively screened from view from the street through the use of a combination of low and semi-permeable fencing and/or landscaping.**
  - 11. The driveway(s) on the approved plans shall be constructed of trafficable concrete, bitumen or brick paving.**
  - 12. The driveway(s) shall join the street at right angles to the street.**
  - 13. Pedestrian pathways, separate to trafficable areas, shall be provided and maintained throughout the development site and shall be designed to provide adequate pedestrian access and safety and to prevent conflicts between pedestrians and vehicles. The required pedestrian pathways shall be sealed (bitumen, concrete or paving), of a minimum width of 1.2m, and shall be detailed on the working drawings at Building Licence Application stage, to the satisfaction of the Chief Executive Officer**

14. **Lighting shall be provided to any communal driveways and pedestrian pathways. Details of lighting shall be provided on the working drawings at Building Licence Application stage, to the satisfaction of the Manager Planning Services.**
15. **All outdoor clothes drying areas shall be screened from view and shall provide adequate privacy for residents of the development.**
16. **Bin store areas shall be screened from view from the street by way of a combination of a wall/fence and/or landscaping, to the satisfaction of the Chief Executive Officer. Bin store areas and the screening treatment required by this condition shall be detailed on the working drawings at Building Licence Application stage.**
17. **No antennas, satellite dishes and the like shall be erected on the property if they are visible from the street, without the further Planning Approval of the Shire.**
18. **Any air conditioners, solar panels and external hot water systems shall be installed so as to be:**
  - **Not visible from the primary street; and**
  - **Integrally designed with the building; and**
  - **Located so as not to be visually obtrusive.**

**Note: Any such installations which do not fully comply with the above criteria shall be subject to the submission of a formal Planning Application. In this regard, it should be noted that solar panels that are not directly fixed to the roof surface (i.e. supported or angled on a roof frame) require Planning Approval**

19. **Prior to commencing any work on the site, the applicant shall obtain a Building Licence from the Shire. Such application shall include, with the working drawings:**
  - (a) **Structural Engineers Certification in accordance with the requirements of the Building Code of Australia; and / or**
  - (b) **Formal comment from Fire and Emergency Services Western Australia delete part (b) where applicable).**
  - (c) **Site classification in accordance with AS2870.**
20. **All vehicle crossovers being designed and constructed (sealed, brick paving, bitumen, concrete) to the Shire's standard crossover specification.**
21. **Vehicle parking, manoeuvring and circulation areas to be constructed and sealed with brick paving, bitumen or concrete and drained in accordance with approved plans. Detailed engineering plans identifying pavement details (existing, finished levels and pavement type) and drainage details to be submitted and approved by the Shire prior to the issue of a building licence.**
22. **A stormwater drainage system is to be provided in accordance with the Shire of Broome's standard specification prior to the development being first occupied and thereafter maintained to the satisfaction of the Shire. The**

**proposed stormwater drainage system is the shown on the Building Licence submission and be approved by the Manager Engineering Services prior to the commencement of construction.**

**Note 1: All stormwater runoff to be disposed of either on site or into a legal point of discharged (Shire drain, road or other approved location).**

**Note 2: All drainage systems shall be designed to include water sensitive design principles and to maximize on site water retention.**

- 23. All required parking bays being line marked and signed in accordance with the Traffic Code WA 2001 and AS 2890 (off street parking) except standard bay sizes to be 2.7m x 5.5m and disabled bays to be 3.2m x 5.5m within one month of the development being first occupied.**
- 24. Connection to the Hon Minister's sewer.**
- 25. A suitably screened refuse bin storage area is to be provided in accordance with Councils Health Local Laws prior to the development first being occupied. The location of the enclosure is to be marked on the plans submitted for a Building Licence and is to be approved by the Shire's Health Department.**

#### **ADVICE NOTES:**

**The following notes are general information notes, and are merely advisory in nature. They are not conditions of this approval. They have been included to provide some guidance as to other matters which may need to be addressed in respect of the development. They do not set out all of the matters which will need to be addressed under separate approval processes whether administered by the Shire or another authority. The applicant will need to ensure that all approval processes have been satisfied.**

- 1. Any additional development/use, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval of the Shire.**
- 2. No details of a fence or wall within the front setback area of the development have been submitted. If it is proposed to construct such a fence or wall then it is required to be no higher than 1.8m at any point above natural ground level with the following additional criteria:**
  - The fence/wall is to be visually permeable above 1.2m (maximum height of 1.8m still applies). Visually permeable means that the fence/wall must have continuous vertical gaps of at least 50mm width occupying not less than one third of its face in aggregate, or such other design which achieves visual permeability and a breezeway at the discretion of the Manager Planning Services; and**
  - The fence/wall is truncated or reduced to 0.75m in height within 1.5m of where it adjoins vehicle access points where a driveway meets a public street (road reserve) and where two streets (road reserves) intersect; and**
  - The fence/wall is to be constructed of new materials only comprising any combination of brick, concrete, timber, wrought iron, tubular steel, link mesh, wire or metal sheeting (other than zincalume). Note: fences of masonry construction may require a Building Licence; and**

- *The design of the fence/wall shall permit breezes to flow through the fence above 1.2m in height.*
3. *This approval relates only to the buildings and other structures shown on the attached approved plans. Any proposed fencing, driveways, crossovers and or other structures including landscaping on the site that are not detailed on the approved plans may require a separate approval. You are advised to contact the Shire office when proposing any further development.*
  4. *Finished floor level of the dwelling to be 400mm above natural ground level (or approved finished ground level for those lots where subdivision works have altered the natural ground level). Where it can be demonstrated that flooding to the building will not occur due to the slope of the lot and a local drainage system has been provided for, the floor height can be reduced to a minimum of 200mm.*
  5. *If the development the subject of this approval is not substantially commenced within a period of 2 years from the date of the approval, the approval shall lapse and be of no further effect.*
  6. *Where an approval has so lapsed, no development shall be carried out without the further approval of the Council having first sought and obtained.*
  7. *The applicant is to attain approval from Main Roads WA for the connection of the crossover to Frederick Street.*

Moved:

Seconded:

FOR:

AGAINST:

[Attachments: 3 pages](#)

**9.2.4 APPLICATION FOR PLANNING APPROVAL - PROPOSED COMMERCIAL DEVELOPMENT  
-SINGLE STOREY OFFICE COMPLEX- LOT 103 NO. 19 COGLAN STREET DJUGUN 6725**

<b>LOCATION/ADDRESS:</b>	Lot 103 No. 19 Coghlan Street Djugun 6725
<b>APPLICANT:</b>	Maya Designs (owner: Steve and Teresa Radelich)
<b>FILE:</b>	COG-1/19
<b>AUTHOR:</b>	Planning Officer 3
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Acting Manager Planning Services
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	25 August 2004

**SUMMARY:** An application for planning approval has been received for a single storey commercial building on Lot 103 (No.19) Coghlan Street, Djugun.

The application is referred to Council for consideration, as there are issues of cash in lieu to be considered and also due to the previous application for the site having gone to appeal.

This report recommends **CONDITIONAL APPROVAL**.

**BACKGROUND**

This site forms part of the entrance to and from the Broome International Airport, located on the corner of Coghlan and MacPherson Streets. Most recently the site was used as a car hire premises and currently is not being used for any commercial purposes.

This site has been the subject of previous planning applications with the most recent application being determined by Council on 13 April 2004. At the meeting of 13 April 2004, Council issued a refusal on an application for planning approval for a caretakers dwelling and two-storey commercial office. The refusal issued by Council was consistent with the officer recommendation.

The applicant appealed the decision to the Planning Appeals Tribunal. The Tribunal hearing was held at the Shire of Broome Offices in July 2004. The Planning Appeals Tribunal has not yet advised of its decision on the appeal.

Irrespective of the outcome of the appeal on the previous application for this site, the applicant has lodged a new application for Council to consider.

The current application before Council is for a single storey commercial development on Lot 103 (No.19) Coghlan Street, Djugun. The lot which is the subject of this application has an area of 2086 sqm and is zoned "Mixed Use" under Town Planning Scheme No.4. the proposed commercial building is regarded as a permitted use (P use) under Town Planning Scheme No.4. The proposed commercial building has a gross floor area of 843.66 sqm and a gross leasable floor area of 743 sqm.

The reason this application is before Council is to determine the cash in lieu considerations for the use of the verge to access car parking on the site.

## **COMMENT**

The subject lot is located within the "Mixed Use Zone". The objectives of the Mixed Use Zone are as follows:

- a) *To encourage a range of land-uses, particularly showroom / bulky retail which support the functions of the nearby town centre of Chinatown, but which do not detract from Chinatown as the major retail and town centre function;*
- b) *To have regard to the Broome Local Planning Strategy when determining planning applications for land-use and development; and*
- c) *To ensure all development reflects 'Broome – Style' architecture within an open landscaped site and streetscape that is compatible with residential and tourist accommodation environment.*

Strategic planning documents regard the locality as a mixed use commercial / residential area that is intended to ultimately link Chinatown along Short Street to cable Beach. It should be noted that Council have determined that the residential component of the definition for mixed use is to be removed, ultimately making 'Residential' an "X" use in the Mixed Use Zone.

It is considered that commercial development, as is proposed with this application, is an appropriate use of the site and generally fulfils the objectives of the Mixed Use Zone.

### **Car parking**

The required car parking for this development is 1 bay for every 30 sqm of Gross Leasable Floor-space (GLA). This results in a requirement of 25 car bays to be provided for the site. The application proposes to provide 33 car bays, which is in excess of the minimum requirement by 8 bays.

### **Cash in Lieu**

The application proposes to use a portion of the front verge to access the car parking facilities on the Lot. The proposed portion of the verge to be used to access the car parking is approximately 17.5 metres in length by 3.8 metres wide (see Attachment). The exact area that is being used on the verge is to be included on the plans at the Building Licence Application stage. It is necessary for Council to approve the use of the verge area, to access the car parking on site.

### **Building Bulk**

In the previous application for this site that was refused by Council on 13 April 2004, 'building bulk' was also identified as one of the contributing factors that contributed to the application receiving a refusal from Council.

The issue of building bulk does not apply to the current application for this site as the previous application, which was two stories in design, has been modified and is now a single storey building.

### **Privacy and Effect on the Amenity on Adjacent Lots**

In the previous application for this site that was refused by Council on 13 April 2004, 'privacy' and the 'effect on the amenity on adjacent lots' was also identified as one of the contributing factors that contributed to the application receiving a refusal from Council.

The previous design had a two-storey boundary wall along the rear of the site. The current design does not have any two-storey walls and all development has the minimum required setbacks from the lot boundaries. The current design does not have any issues of privacy or effect on the amenity of the adjacent lots.

## **CONSULTATION**

There was no formal consultation process required for this application. Previous versions of this development have undergone standard advertising periods to adjacent landowners due to proposed development on the lot boundary. This application is not required to be advertised to the adjoining landowners for comment.

## **STATUTORY ENVIRONMENT**

Town Planning Scheme No.4

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

If refused, nil.

If approved, cash-in-lieu requirements for the locating of the access way onto the site being located on the verge area.

## **STRATEGIC IMPLICATIONS**

Broome Housing Strategy  
Broome Local Commercial Strategy

## **VOTING REQUIREMENTS**

Simple Majority

## **REPORT RECOMMENDATION**

***That the application for Planning Approval dated 17/08/2004 (2004/153) made by Maya Designs for proposed single storey commercial development on Lot 103 (No. 19) Coghlan Street Djugun 6725 be APPROVED subject to the following conditions:***

- 1. Development must be carried out strictly in accordance with the plans stamped received dated 17 August 2004 submitted with the application as approved by the Shire.***
- 2. The lodging of detailed landscape plans, to the satisfaction of the Shire, for the development site and the adjoining road verge(s) with the Building Licence Application. For the purpose of this condition a detailed landscaping plan shall be drawn to a scale of 1:100 and show the following:***

- a. *the location and type of existing and proposed trees and shrubs within the carpark area.*
  - b. *any lawns to be established*
  - c. *any natural landscape areas to be retained; and*
  - d. *those areas to be reticulated or irrigated*
3. *Landscaping and reticulation to be established in accordance with the approved plans prior to the development first being occupied and thereafter maintained to the satisfaction of the Shire. A deed agreement is to be prepared and executed at the owner's cost between the owner and the Shire prior to the development first being occupied, under which the owner agrees to maintain the nature strip landscaping and to permit the Shire to lodge an absolute caveat against the Certificate of Title to the land to secure the performance of that maintenance obligation.*
4. *Additional front boundary landscaping to a minimum depth of three (3) metres being installed in accordance with clause 4.16.2.2 of Town Planning Scheme No4 to the satisfaction of the Shire. NOTE: The Plan shall be lodged with the Application for Building Licence and shall show the location and type of existing and proposed trees and shrubs, lawns and existing natural landscaped areas to be retained.*
5. *A deed of agreement is to be prepared and executed at the owner's cost between the owner and the Shire prior to the development first being occupied, under which the owner agrees to maintain the nature strip landscaping and to permit the Shire to lodge an absolute caveat against the Certificate of Title to the land to secure the performance of that maintenance obligation.*
6. *A deed of agreement is to be prepared and executed at the owner's cost between the owner and the Shire prior to the development first being occupied, under which the owner agrees to maintain the accessway on the road reserve and to permit the Shire to lodge an absolute caveat against the Certificate of Title to the land to secure the performance of that maintenance obligation.*
7. *All onsite and off site car parking, public access areas and footpaths to be appropriately lit with all floodlighting being designed in accordance with the Australian Standards for the Control of Obtrusive Effects of Outdoor Lighting (AS4282) and shall be where possible internally directed not to overspill into nearby lots.*
8. *Any roof mounted or freestanding plant or equipment such as air conditioning units, satellite dishes or radio masts to be located and screened so as not to be visible from beyond the boundaries of the development site.*
9. *All fencing being installed in accordance with the Shire's Fencing Policy prior to the occupation of development.*
10. *The construction of pedestrian access ways within the site to the Shire's specifications, including connection to the paths off-site, if applicable.*

11. **All proposed signs associated with the development, including signs painted on the building, shall comply with the Shire's Signs Local Laws and be the subject of a separate application and approved prior to erection or painting.**
12. **All vehicle crossovers being designed and constructed (sealed, brick paving, bitumen, concrete) to the Shire's standard crossover specification.**
13. **A minimum of 25 car parking bays are to be provided on site.**
14. **Vehicle parking, manoeuvring and circulation areas to be constructed and sealed with brick paving, bitumen or concrete and drained in accordance with approved plans. Detailed engineering plans identifying pavement details (existing, finished levels and pavement type) and drainage details to be submitted and approved by the Shire prior to the issue of a building licence.**
15. **One (1) disabled car-parking bay located convenient to the building entrance and with a minimum width of 3.2 metres, to be provided plus provision for disabled access and facilities in accordance with the Australian Standard for Design for Access and Mobility (AS 1428.1).**
16. **An enclosed bin storage area is to be provided on site . The bin storage area is to be constructed of materials that are compatible with the proposed commercial building and be enclosed with gates. The bin storage area is to large enough to provide storage for all the bins required for the site.**
17. **Prior to commencing any work on the site, the applicant shall obtain a Building Licence from the Shire. Such application shall include, with the working drawings:**
  - a. **Structural Engineers Certification in accordance with the requirements of the Building Code of Australia; and / or**
  - b. **Formal comment from Fire and Emergency Services Western Australia delete part (b) where applicable).**
  - c. **Site classification in accordance with AS2870.**
18. **All required parking bays being line marked and signed in accordance with the Traffic Code WA 2001 and AS 2890 (off street parking) except standard bay sizes to be 2.7m x 5.5m and disabled bays to be 3.2m x 5.5m within one month of the development being first occupied.**
19. **A stormwater drainage system is to be provided in accordance with the Shire of Broome's standard specification prior to the development being first occupied and thereafter maintained to the satisfaction of the Shire. The proposed stormwater drainage system is the shown on the Building Licence submission and be approved by the Manager Engineering Services prior to the commencement of construction.**

**Note 1: All stormwater runoff to be disposed of either on site or into a legal point of discharged (Shire drain, road or other approved location).**

**Note 2: All drainage systems shall be designed to include water sensitive design principles and to maximize on site water retention.**
20. **The existing crossover(s), not required as part of this development, being removed, the kerbline reinstated and the verge graded, stabilised and.**

**landscaped in accordance with the approved plan prior to the development first being occupied.**

- 21. The payment of a cash contribution for the construction of a accessway on the adjacent Shire property or road reserve in accordance with Council policy. Payment is to be made following valuation of the land and prior to the time of lodging a Building Licence application.**

**Note 1: All paths to be a minimum of 2m wide, to Shire specification, including provision of pram crossings and associated works.**

**Note 2: Brick paving to be a "Kimberley red" colour or local clay bricks but the paving may match existing pavers where first approved by the Manager - Engineering Services.**

**Note 3: The applicant may wish to provide the path, in which case an equivalent value cash bond is payable to the Shire, subject to refund if all works are to Shire specifications.**

- 22. The payment of a cash contribution of \$\$\$, towards the installation, upgrade or additional public street lighting at the property in accordance with the Shire Policy. Payment is to be made at the time of lodging a Building Licence application.**

**ADVICE NOTES:**

**The following notes are general information notes, and are merely advisory in nature. They are not conditions of this approval. They have been included to provide some guidance as to other matters which may need to be addressed in respect of the development. They do not set out all of the matters which will need to be addressed under separate approval processes whether administered by the Shire or another authority. The applicant will need to ensure that all approval processes have been satisfied.**

- 1. Any additional development/use, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval of the Shire.**
- 2. Any re-painting or re-facing of any sign, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval of the Shire.**
- 3. Finished floor level of the dwelling to be 400mm above natural ground level (or approved finished ground level for those lots where subdivision works have altered the natural ground level). Where it can be demonstrated that flooding to the building will not occur due to the slope of the lot and a local drainage system has been provided for, the floor height can be reduced to a minimum of 200mm.**
- 4. If the development the subject of this approval is not substantially commenced within a period of 2 years from the date of the approval, the approval shall lapse and be of no further effect.**
- 5. Where an approval has so lapsed, no development shall be carried out without the further approval of the Council having first sought and obtained.**

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

**9.2.5 APPLICATION FOR PLANNING APPROVAL - PROPOSED COMMUNITY/PUBLIC PURPOSES - HAYNES OVAL FOOTBALL PAVILION- LOT 2604 NO. 93 FREDERICK STREET BROOME 6725**

<b>LOCATION/ADDRESS:</b>	Lot 2604 No. 93 Frederick Street Broome 6725
<b>APPLICANT:</b>	Bud Watts Homes (owner: Shire of Broome)
<b>FILE:</b>	Res 41309
<b>AUTHOR:</b>	Planning Officer 3
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Manager Planning Services
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	23 August 2004

**SUMMARY:** An application for planning approval has been received for a community / public purpose building at Haynes Oval on Lot 2604 No. 93 Frederick Street Broome 6725.

The application is referred to Council for consideration, as the land on which the proposed building will be located is a Local Council Reserve.

This report recommends **CONDITIONAL APPROVAL**.

## **BACKGROUND**

This application is for a new football pavilion at Haynes Oval, which is reserved under Town Planning Scheme No. 4 for "Parks and Recreation". The proposed building includes the provision of the following facilities:

- Home team and visitors change-rooms, store room and shower/toilet facilities;
- Male, female and disabled public toilet facilities;
- Umpire change-rooms;
- Office; and
- Kiosk

The proposed building is compliant with the design guidelines of the Broome Housing Strategy and is built in a "Broome Style" theme with appropriate building materials and finishes being demonstrated in the design.

## **COMMENT**

The application proposes 3 alternate locations for the proposed football pavilion with option 2 being the preferred option of the applicant. Each of the 3 options have benefits and disadvantages and are as follows:

### **Option 1.**

#### **Advantages:**

- Closest option to existing formal car-parking in front of the basketball courts;
- Closest option to existing pedestrian paths along Frederick street;
- It is close in proximity to the existing basketball and tennis courts; and
- High street visibility equates to increases security for the site

**Disadvantages:**

- The unattractive rear of the building is visible from the eastern travelling lane of Frederick Street;
- Limited space for any possible future expansion of facilities;
- Option 1 is the greatest distance from the entrance to the site that is located on Lyons Street; and
- The back of the proposed building is visible from the existing residential development on Lyons Street.

**Option 2.****Advantages:**

- The side and rear of the proposed building is only partially visible from Frederick Street;
- This is the closest option to the existing entry point to the site on Lyons Street;
- Option 2 is centrally located on the edge of the oval;
- Visibility from the street reduces the risk of vandalism.

**Disadvantages:**

- The rear of the building is clearly visible from the existing residential development on Lyons Street;
- Option 2 is the closest option to the edge of the site and therefore is the most visible option. The rear of the building will be visible from the street, which is the entry to the public toilets;
- The sides and rear of option 2 are clearly visible from the approaches in both directions along Lyons Street. This affects the quality of the streetscape.

**Option 3.****Advantages:**

- Option 3 is the least visible option from the residential development on Lyons Street and has the least amount of impact on the amenity of the residential lots;
- It has the most available space for any future expansion of the development;
- It only has residential development on one side of the development, therefore the negative effects on the amenity of those lots is at a minimum for the proposed building;
- From Frederick Street the predominant visible feature is the front of the proposed building;
- It is close in proximity to the existing basketball and tennis courts; and
- Closest option to the existing services of the site

**Disadvantages:**

- Low visibility from the street could make it a target for potential vandalism;
- This option is the furthestmost from the point of entry to the site;

**Parking**

Clause 5.5.2 of Town Planning Scheme No. 4. states:

*“Council may waive or vary requirements for onsite parking if it is satisfied that adequately constructed carparking has been provided in close proximity to the proposed development or where circumstances relating to the land use demand*

*or a development feature warrant a relaxation of onsite parking requirements. Where constructed car parking is not provided on site, Council may request a cash payment in lieu of the provision of parking for application in terms of clause 5.5.3."*

A development of this type would usually be required by clause 4.1.8 of the carparking Policy to provide 12.5 car-parking bays onsite. (This is calculated at an estimated number of 50 people occupying the proposed building during periods it is in use).

Although a development of this nature would ordinarily require the provision of formalised car parking facilities, it is considered that Council may wish to exercise its discretion to waive the requirements for formalised car-parking in this particular case for the following reasons:

- The proposed building will not result in a greater number of people using the site and the current informal parking arrangement has been adequate for the site;
- The required number of bays (12.5) would provide parking for a very low percentage of the vehicles that currently enter the site and use the current informal parking facilities;

The application is recommended for approval subject to standard conditions to ensure compliance with Council's Policies. Should Council decide that it wishes to exercise its discretion in this instance and not require formalised car parking, the relevant conditions in the approval should be omitted.

The requirements for disabled car parking and access facilities need to be provided for this development.

## **CONSULTATION**

Nil

## **STATUTORY ENVIRONMENT**

Town Planning Scheme No. 4

## **POLICY IMPLICATIONS**

Car Parking Policy

## **FINANCIAL IMPLICATIONS**

Nil

## **STRATEGIC IMPLICATIONS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority

**REPORT RECOMMENDATION**

**That Option 3 on the plans dated 16 July, as part of the application for Planning Approval dated 16/07/2004 (2004/135) made by Bud Watts Homes for proposed community/ public purpose building at Haynes Oval, on Lot 2604 No. 93 Frederick Street Broome 6725 be APPROVED subject to the following conditions:**

- 1. Development must be carried out strictly in accordance with the plans stamped received dated 16 July 2004 submitted with the application as approved by the Shire.**
- 2. Prior to commencing any work on the site, the applicant shall obtain a Building Licence from the Shire. Such application shall include, with the working drawings:
  - (a) Structural Engineers Certification in accordance with the requirements of the Building Code of Australia; and / or**
  - (b) Formal comment from Fire and Emergency Services Western Australia.**
  - (c) Site classification in accordance with AS2870.****
- 3. Connection to the Hon Minister's sewer.**
- 4. Premises to comply with all the relevant sections of the Public Buildings Regulations and Food Hygiene Regulations.**
- 5. All onsite and off site car parking, public access areas and footpaths to be appropriately lit with all floodlighting being designed in accordance with the Australian Standards for the Control of Obtrusive Effects of Outdoor Lighting (AS4282) and shall be where possible internally directed not to overspill into nearby lots.**
- 6. The parking area(s) being constructed to a prime and two coat bitumen seal, drained and designed in accordance with AS2890 (off street parking) and be kerbed in accordance with the approved plans prior to the development being first occupied and there after maintained in accordance with Shire Policy.**
- 7. Drainage and/or cut/fill of the site to be carried out in accordance with the approved plan. The existing site levels and finished design levels of all of the proposed development, including levels on top of the kerb at the crossover, are to be shown on the Building License submission.**
- 8. Access to the site is limited to Lyons Street.**
- 9. There shall be provided on site a minimum of thirteen (13) car parking bays with minimum dimensions of 2.7m x 5.5m.**
- 10. One (1) disabled car-parking bay located convenient to the building entrance and with a minimum width of 3.2 metres, to be provided plus provision for disabled access and facilities in accordance with the Australian Standard for Design for Access and Mobility (AS 1428.1).**

**ADVICE NOTES:**

*The following notes are general information notes, and are merely advisory in nature. They are not conditions of this approval. They have been included to provide some guidance as to other matters, which may need to be addressed in respect of the development. They do not set out all of the matters, which will need to be addressed under separate approval processes whether administered by the Shire or another authority. The applicant will need to ensure that all approval processes have been satisfied.*

1. *Finished floor level of the dwelling to be 400mm above natural ground level (or approved finished ground level for those lots where subdivision works have altered the natural ground level). Where it can be demonstrated that flooding to the building will not occur due to the slope of the lot and a local drainage system has been provided for, the floor height can be reduced to a minimum of 200mm.*
2. *Any additional development/use, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval of the Shire.*
3. *Where an approval has so lapsed, no development shall be carried out without the further approval of the Council having first sought and obtained.*

**Moved:****Seconded:****FOR:****AGAINST:**[Attachment: 4 pages](#)

### 9.2.6 PROPOSED PLANNING SERVICES POLICY 4.1.20 - USE OF COUNCIL DISCRETION FOR 'MINOR' PLANNING APPLICATIONS IN INDUSTRIAL AREAS

<b>LOCATION/ADDRESS:</b>	'Industry' and 'Light & Service Industry' zoned properties
<b>APPLICANT:</b>	Acting Manager Planning Services
<b>FILE:</b>	-
<b>AUTHOR:</b>	Acting Manager Planning Services
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Manager Planning Services
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	24 August 2004

**SUMMARY:** A draft policy is proposed to address the use of Council discretion regarding applications for Planning approval for 'minor' developments, which are currently required to meet the full development standards of Council for existing development.

This report recommends that Council adopt the policy.

#### BACKGROUND

There have been numerous situations whereby properties within the 'Light and Service' Industry zone have had a change of use without making application for or receiving the Planning Approval of the Shire. Many such situations have been identified and followed up, often creating difficulties for Shire staff dealing with Planning Applications after the event. Similar difficulties also arise when an applicant applies for a minor addition to an existing development, which does not comply with current development standards.

Although applicants sometimes claim they were not aware of the requirement for approval to commence or change the use or that they were advised by the settlement agent or the real estate agent that no Shire approval was required, the real issue is the mismatch between the cost (and return) of the minor proposal and the cost of compliance with development conditions.

#### COMMENT

Clause 5.4 of Town Planning Scheme No 4 gives Council the discretion to vary certain site and development requirements. A draft policy has been prepared for Council's consideration to identify particular situations where the exercise of Council's discretion under Clause 5.4 may be appropriate. The situations identified relate to planning applications for a minor development or change of use for properties being used for a permitted use but not complying with current site and development requirements and not having outstanding conditions of planning approval. In these particular cases the policy proposes that Council may impose a lesser standard of site and development conditions.

The proposed policy is limited to properties in the Industry and Light and Service Industry zones where the uses:

- Are permitted ("P" or "D") uses without record of initial planning approval;
- Do not have outstanding conditions of Planning Approval;

- Do not comply with current site and development requirements and where it would be impractical and or an unreasonable financial burden upon the landowner and or applicant if required to comply with current requirements.

### RECORDS OF APPROVAL

There are many instances of no records being available of approval of uses and generally the status quo may be accepted unless the use is not permitted in the zone. The cut off for this could be for uses that have clearly been established since 2002 when the Shire created the position of compliance officer. Any use established within this time frame should have to comply with standard requirements.

### MINOR CHANGE OF USE

A key distinction for the proposed policy is the criteria for determining a minor change of use. It is considered this should include change to a use that has similar or a lesser standard of site and development requirements. A change to a use having a greater standard of site and development requirements would not generally be appropriate.

### MINOR WORKS

Minor works is the other key area of definition within the proposed policy. The intention is to identify small and ancillary developments and additions that may otherwise trigger excessive compliance costs. The proposed policy identifies minor works as:

- Ablutions or amenities room;
- An office area no larger than 50sqm;
- Verandahs, shade structures or sails, patios, pergolas and the like;
- Mezzanine floors no larger than 100 sqm within existing building(s);
- Other ancillary structures that will not be directly part of the assessable (car parking) floor area of the approved use; or,
- Increases of less than 25% in assessable (car parking) floor area of the approved use.

### VARIATION OF STANDARDS

Where an application meets the necessary criteria, the proposed policy indicates that Council may consider exercising its discretion to reduce standard site and development requirements in line with the following:

- Construction of driveways, car parking bays and manoeuvring areas to a minimum standard of unsealed road base, crushed gravel or a similar all weather material. Note: crossovers will still need to meet the minimum design and sealing standards as per Engineering Policy 3.1.4;
- Provision of additional landscaping of the property or road verge not to be required, however existing landscaping or landscaped areas may require ongoing maintenance or upgrading as part of the approval conditions; and
- Provision of dedicated loading bays, service areas or bin storage areas not to be required unless they are necessary to comply with other legislation.

### APPLICATION OF POLICY

Clause 5.4 of the Scheme gives Council the discretion to vary site and development requirements. Council has not delegated this power and will need to consider the merits of each request in accordance with the provisions of the Scheme. This approach may

address some of the apparent community concern regarding what is often perceived as over-stringent planning requirements.

An important aspect of the proposed policy is to ensure that the discretion is exercised in a consistent fashion. There may however be an issue in separating development into minor and major categories and the application of different standards to each. While there are positives that may be achieved through the proposed policy, there are also possible negative consequences with some applicants possibly perceiving the proposed policy as unfair.

It must be recognised that the sale of a property does not wipe the slate clean. Valid approvals remain valid; conditions of approval remain in force. It is still Council objective for all development to meet minimum standards. This proposal only defers the desired upgrade in some circumstances until a more substantial development application.

There are also portions of the industrial areas that Council has resolved to rezone to accommodate showroom or other commercial uses. Such commercial development generally commands higher standards of car parking, landscaping, building appearance and servicing. To allow lower standards in some instances in the short term may compromise the longer term intent for these areas and discourage investment in the area.

#### EXCEPTION TO POLICY

As Council has the potential liability in relation to access, facilities and parking for disabled' persons and for not addressing such matters through the Planning (and all other) process (es), the policy is not proposed to apply in relation to these matters.

It is also considered that the exercise of discretion may not be appropriate in some other circumstances including the following:

- Where the site is considered to be a prominent location where a high standard of development is expected;
- Where the proposed use is such that full commercial site development standards would be considered appropriate;
- Where the proposal would result in high customer traffic volumes and a reduced car parking standard would be impractical;
- Where the use necessitates the onsite provision of service areas.

#### PROCEDURE FOR MAKING POLICY

Clause 2.5 of the Scheme provides for Council to prepare and adopt Local Planning Policies with the requirement that they be made available for public comment for at least 21 days prior to consideration for final adoption.

#### CONCLUSION

There are times when the application of standard site and development requirements could be considered to be inappropriate to the scale of particular applications for planning approval. The power for Council to use its discretion in these circumstances provided by the Scheme is a suitable response to these situations and the proposed policy provides guidance and a framework for the exercise of this discretion.

**CONSULTATION**

Should Council adopt the proposed policy for advertising then a 21 day advertising procedure would be undertaken in accordance with the provisions of clause 2.5 of Town Planning Scheme No. 4.

**STATUTORY ENVIRONMENT**

Clause 2.5 of Town Planning Scheme No. 4 (Local Planning Policies).  
 Clause 5.4 of Town Planning Scheme No. 4 (Discretion to Vary Site and Development Requirements).

**POLICY IMPLICATIONS**

Proposed new policy

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

The application of the policy may have some negative implications for the short to long term strategic vision for the development of the industrial areas, in particular those areas viewed as future commercial areas.

**VOTING REQUIREMENTS**

Simple Majority

<p><b><u>REPORT RECOMMENDATION</u></b></p> <p><b><i>That pursuant to Clause 2.5 of the Shire of Broome Town Planning Scheme No 4 Council adopt proposed policy 4.1.20 – Use of Council Discretion for ‘Minor’ Planning Applications in Industrial Areas.</i></b></p>		
<p><b>Moved:</b></p>	<p><b>Seconded:</b></p>	<p><b>FOR:</b> <b>AGAINST:</b></p>

[Attachment: 3 pages](#)

**9.2.7 TENDER FOR CONSTRUCTION OF SES VOLUNTEERS SHED**

<b>LOCATION/ADDRESS:</b>	LOT 2123 Orr Street, BROOME
<b>APPLICANT:</b>	FESA
<b>FILE:</b>	ORR-1/3
<b>AUTHOR:</b>	Building Surveyor
<b>CONTRIBUTOR/S:</b>	Manager Building Services
<b>RESPONSIBLE OFFICER:</b>	Manager Building Services
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	26 August 2004

**SUMMARY:** The Shire of Broome recently sought tenders for the construction of the new SES volunteers shed.

Three tenders were received and it is recommended that Council accept the proposal submitted by H & M Tracey, in the amount of \$106,208.36 (excluding GST).

**BACKGROUND**

During the year 2002/2003, Local Governments were requested to submit operating and capital funding requests to FESA. Council was successful in receiving an approval for a grant valued at \$154,000.00 for a shed/workshop (\$16,820.00 pa loan repayment) for the local Bushfire/SES unit.

At its meeting on 25 November 2003 Council resolved "that the 2003/2004 budget be amended to include the raising of a self supporting loan of up to \$154,000 for the Bushfire/SES Unit shed/workshop, with a 10 year repayment term, and this intention be advertised accordingly".

Drawings for the above were prepared and put out to tender in 16 May 2004.

Although the application has previously been made and approved by FESA in principle the final approval could not be obtained until drawings had been prepared and submitted along with costings. This required further information, which has now been submitted for approval.

This submission is currently being assessed by FESA and will hopefully be granted shortly. To expedite the acceptance of the tender and commencement works onsite it is necessary to obtain a conditional approval from the Council.

**COMMENT**

Three tenders were received in response to the call for tenders for the above works. These tenders are summarised as follows –

**H&M Tracey Construction and Project Management - \$106,208.36 (plus GST)**

This price includes the following provisional sums –

1.0	Proposed colorbond shed	\$76,341.43
2.0	Fence, gates and crossover	\$15,306.92
3.0	Roof covered training area	\$10,080.00
4.0	Concrete floor – training area	\$4,480.00

**Multi Developpe and Construct WA Pty Ltd - \$126,510.00 (plus GST)**

This price includes the following provisional sums –

1.0	Proposed colorbond shed	\$98,410.00
2.0	Fence, gates and crossover	\$12,500.00
3.0	Roof covered training area	\$12,000.00
4.0	Concrete floor – training area	\$3,600.00

**Mark W Steel Building and Plumbing Contractors - \$114,200 (plus GST)**

This price includes the following provisional sums –

1.0	Proposed colorbond shed	\$80,181.81
2.0	Fence, gates and crossover	\$13,409.00
3.0	Roof covered training area	\$15,790.00
4.0	Concrete floor – training area	\$4818.18.00

**CONSULTATION**

Was advertised in the West Australian - Local Government Notices on the 16 June 2004 and in the Broome Advertiser - Public Notices – 17 June 2004.

Also six local companies were contacted directly for expressions of interest and tender documentation forwarded.

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

FESA have confirmed in writing that they have a capital grant of \$154,000.00 allocated in 2004/2005 for these works.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**REPORT RECOMMENDATION**

*That the Council accept the tender from H & M Tracey in the amount of one hundred and sixteen thousand, eight hundred and twenty nine dollars, and twenty cents (\$106,208.36) (plus GST) and enter into a contract for construction of the shed once FESA have provided confirmation in writing of project funding.*

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

## 9.3

### ECONOMIC

### PROSPERITY



### OUTCOME

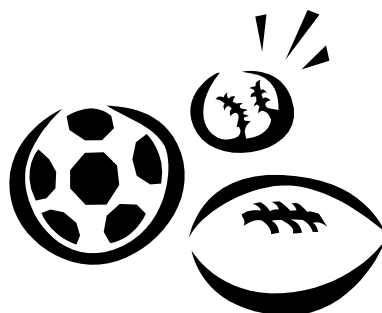
*Create an environment which encourages, promotes and facilitates sustainable business development, fosters investment opportunities and complements the unique lifestyle of the Shire.*

## 9.4

# SOCIAL SUPPORT

# AND

# DEVELOPMENT



## OUTCOME

***Facilitate opportunity for quality social and community development in health, leisure, education and human services which supports individual and community well being.***

**9.4.1 WESTERN AUSTRALIAN COMMUNITY FOUNDATION**

<b>LOCATION/ADDRESS:</b>	N/A
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	ADM 01
<b>AUTHOR:</b>	Executive Assistant
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Chief Executive Officer
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	26 August 2004

**SUMMARY:** To seek Council's endorsement to further investigate the opportunity to set up a Community Foundation for the channelling of endowment funds towards the benefit of the community.

**BACKGROUND**

In June 2004, His Excellency Lt General John Sanderson, AC, Governor of Western Australia launched the Western Australian Community Foundation.

The Foundation was established to provide an umbrella under which communities across the state can work together to develop leadership capacity and establish endowment funds to benefit the future of their community.

Community Foundations are tried and tested models around the world, however, they have a very limited history in Australia.

The Western Australian Community Foundation is surrounded by a prominent Board of Trustees who are voluntarily working to establish and grow the Foundation. The Chairman, Mr Frank Cooper, sees one of the Foundations key goals being to actively contribute towards strengthening communities across Western Australia by harnessing energy of communities, encouraging business community partnerships and providing learning opportunities.

The Department of Local Government and Regional Development assist the Foundation with a starter grant.

**COMMENT**

The Western Australian Community Foundation (WACF) has been developed to create and nurture philanthropic partnerships between those living in and/or operating businesses within Western Australia. It also serves as a vehicle through which individuals, community groups and organisations can direct their giving to the community in which they live, in a manner that produces sustainable and long term benefits.

The Mission of the WACF is:

"To support and strengthen Western Australian communities by; growing and distributing endowed funds, and encouraging the sharing of knowledge, to meet emerging needs."

The Values are:

"Our Values underpin the way in which we conduct our business, interact with key stakeholders, communicate our activities, approach challenges and celebrate milestones.

- Inclusive and consultative
- Community-focused
- Ethical and trustworthy
- Credible and accountable
- Solution-orientated"

The Goals are:

"The overall goals of the Foundation are to:

1. Act as an independent catalyst within Western Australia to foster and create opportunities for local community/ interest groups to become financially stronger through funds and asset growth.
2. Promote the growth of income to and from contributed funds to achieve donors' philanthropic objectives that allows for the provision of local grants.
3. Encourage and support the development of those community groups and organisations working alongside the Foundation.
4. Promote and foster successful philanthropic community business partnerships across Western Australian communities.
5. Provide a central point of reference for communities, interest groups and businesses seeking to benefit from philanthropic activities.

The Foundation recognises that many Western Australian communities do not have the resources to manage and sustain their own community fund and provides an umbrella organisation to provide support and resources to enable the community to work towards having its own dedicated fund, minus the burden and expense of administration and ongoing development.

It is envisaged that areas such as health, research, social services, the arts, economic development and the environment are likely to benefit from funding generated through the Foundation.

## **CONSULTATION**

Limited at this stage. The matter has been discussed at the meeting of the Broome Arts Centre Advisory Committee 2004 held 23 June 2004, the minutes of which were endorsed by Council at its meeting held 17 August 2004.

## **STATUTORY ENVIRONMENT**

Local Government Act 1995.

## **POLICY IMPLICATIONS**

Policies would need to be developed should Council proceed with setting up a Broome Community Fund.

## **FINANCIAL IMPLICATIONS**

Unknown at this stage

**STRATEGIC IMPLICATIONS**

The Shire of Broome Strategic Action Plan 2003 – 2008, Social Support and Development Goal Area Strategy 4.1(g) seeks to investigate the establishment of a Trust/Foundation for the ongoing social development and provision of public infrastructure in Broome.

**VOTING REQUIREMENTS**

Simple Majority

**REPORT RECOMMENDATION**

*The Council supports 'in principle' the development of a Broome Community Foundation under the Western Australian Community Foundation, and this matter be further investigated and a further report be presented to Council.*

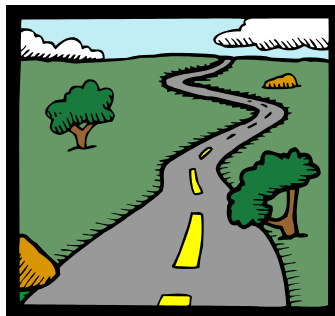
**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

**9.5**  
**ASSETS**  
**AND**  
**INFRASTRUCTURE**



**OUTCOME**

***Provide Sustainable Assets and Infrastructure, which are functional and aesthetically appropriate.***

**9.5.1 BROOME PIONEER CEMETERY - CONSERVATION MANAGEMENT PLAN**

<b>LOCATION/ADDRESS:</b>	Broome Pioneer Cemetery
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	Res 1643
<b>AUTHOR:</b>	Manager Engineering Services
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Manager Engineering Services
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	18 August 2004

**SUMMARY:** Consideration of the Conservation Management Plan for the Broome Pioneer Cemetery as prepared for the Shire by Laura Gray, Heritage and Conservation Consultant, in association with Irene Sauman, Historian, with a recommendation to adopt and implement the Plan as resources and funds allow.

**BACKGROUND**

The consultants were engaged by the Shire in 2002/3 to prepare a Conservation Management Plan for the Pioneer Cemetery. This was a result of request from the National Trust and the Heritage Council for a plan to be prepared to guide any works at the site and to enable a basis for future grants and other funds to be better allocated. The site has deteriorated due to the elements, increased visitor use and vandalism. A programmed plan of works is required to arrest any further deterioration and to restore any damaged gravesites.

The annual Shire budget does allow for some funds, however these need to be leveraged up with grant or other funds as available. Grant applications to date have not been successful. A copy of the Executive Summary and Policy recommendations of the Plan are attached.

A full copy of the Plan is available for those Councillors who request one.

**COMMENT**

The Pioneer Cemetery is an important part of the post settlement history of Broome and needs to be preserved, along with the Aboriginal pre and post settlement history, plus the built heritage of Broome.

It is recommended that the Plan be adopted and works programs incorporate the recommendation of the Plan, as funds and resources allow. The consultants should be commended for an excellent document.

**CONSULTATION**

The consultants widely researched and consulted during the research and preparation of the Plan.

**STATUTORY ENVIRONMENT**

The reserve is vested with the Shire of Broome.

**POLICY IMPLICATIONS**

A policy will be developed that makes reference to the key statements included in section 9.2 of the Conservation Plan.

**FINANCIAL IMPLICATIONS**

Ongoing works program

**STRATEGIC IMPLICATIONS**

Implementation of the Plan should ensure the continued preservation of the Pioneer Cemetery for future generations.

**VOTING REQUIREMENTS**

Simple Majority

**REPORT RECOMMENDATION**

1. *That the Broome Pioneer Cemetery – Conservation Plan be adopted by Council.*
2. *That the Plan be implemented in a staged program of works, as resources and funds allow.*
3. *That a Policy be developed that makes reference to the key statements included in section 9.2 of the Conservation Plan*
4. *That applications be made as applicable for grant or other funds to augment Shire funds*
5. *That copies of the Plan be made available to the Library, Heritage Council and Broome Historical Society for their use, at no cost. Copies to be available to the public at a cost of \$25.00 each, to be reviewed annually.*
6. *That the Heritage consultant Laura Gray and Historian Irene Sauman be thanked by Council for the report.*

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

[Attachment: 21 pages](#)

### 9.5.2 DIVISION OF RESPONSIBILITIES AT THE INTERSECTION OF HIGHWAYS AND LOCAL ROADS

<b>LOCATION/ADDRESS:</b>	Broome Highway and Great Northern Highway with all Shire Local Roads
<b>APPLICANT:</b>	Main Roads Western Australia
<b>FILE:</b>	ENG 01 and Policy Manual
<b>AUTHOR:</b>	Manager Engineering Services
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Manager Engineering Services
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	17 August 2004

**SUMMARY:** Consideration of a new policy in regard to the division of responsibilities at the intersection of Highways and Local Roads with a recommendation to adopt the Main Roads WA ruling.

#### BACKGROUND

For many years there was confusion and varying opinions in regard to the limit of responsibility of Shire local roads when they intersect with a State Highway.

After numerous requests and discussions at the Regional Road Group Meetings, a ruling was given by Main Roads WA that '*Main Roads WA policy defines the limit of responsibility as the projection of tangent point furthest from Highway/Main Road running parallel to Highway/Main Road centreline or end of sealed fishtail, as per the attached diagram.*' (refer attached).

#### COMMENT

This ruling therefore clearly defines both urban and rural limits of responsibility and while the matter may appear to be relatively minor, it is of some significance legally and in respect of ongoing capital and works programs. While any new local road intersection with a Highway would be at the proponents cost (either the Shire, a subdivider or developer), the ongoing maintenance responsibility then remains with Main Roads WA. There are dozens of intersections with the Broome Highway and the Great Northern Highway and by their very nature; the intersection zones have a high maintenance requirement and cost. It is felt that a new Shire policy on the matter will reinforce the Main Roads WA ruling and give guidance to Councillors and staff.

#### CONSULTATION

Regional Road Group

#### STATUTORY ENVIRONMENT

Main Roads WA Policy Statement dated 29 October 2002.

#### POLICY IMPLICATIONS

New policy proposed

**FINANCIAL IMPLICATIONS**

Defines the Shire responsibilities and costs as contained in annual works programs

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**REPORT RECOMMENDATION**

***That Council adopt a new policy "Division of Responsibilities at the Intersection of Highways and Local Roads" in accordance with the Main Roads WA ruling of 29 October 2002***

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

[Attachment: 1 page](#)

**9.5.3 AUTHORITY TO USE TRAFFIC SIGNS AND DEVICES AT ROADWORKS**

<b>LOCATION/ADDRESS:</b>	All Shire Local Roads
<b>APPLICANT:</b>	Main Roads WA
<b>FILE:</b>	ENG 01
<b>AUTHOR:</b>	Manager Engineering Services
<b>CONTRIBUTOR/S:</b>	N/A
<b>RESPONSIBLE OFFICER:</b>	Manager Engineering Services
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	23 August 2004

**SUMMARY:** Consideration of a request from the Commissioner of Main Roads for Council to execute a new "Instrument of Authorisation" for the Shire to be able to use traffic signs and devices at roadwork's, with a recommendation that it be signed and sealed.

**BACKGROUND**

Main Roads WA advise the following:

*"...The Commissioner of Main Roads has the authority to erect road signs, traffic control signals and other devices under Regulation 297(1) of the Road Traffic Code (RTC) 2000. The Commissioner can delegate this authority to Authorised Bodies under Regulation 297(2) of the RTC 2000, subject to any conditions specified in the Instrument of Authorisation. Unless it has been delegated to them, Local Governments do not have the authority to erect road signs, traffic control signals and other devices. This includes the use of traffic signs and devices at roadwork's.*

*In 2001 Main Roads offered an Instrument of Authorisation to all Local Governments which, once executed, would enable them to use traffic signs and devices at roadwork's without having to obtain further approvals from Main Roads, subject to the conditions attached (refer Attachment 1). However a number of Local Governments have not yet executed this Instrument of Authorisation, potentially leaving them exposed to liability issues if they use road signs and traffic control devices at roadwork's without prior approval from Main Roads..."*

*"...The version of the Instrument of Authorisation sent to Local Governments in 2001 required compliance with Main Roads 'Traffic Management Requirements for Works on Roads', which was a guideline outlining Main Roads requirements for use of road signs and traffic control devices for works on roads in Western Australia. In consultation with the Institute of Public Works Engineering (WA Section), Main Roads has revised and retitled the above guideline to create the new 'Traffic Management for Works on Roads – Code of Practice'..."*

*"...With the publication of the new Code of Practice, Main Roads is taking the opportunity to clarify the delegation to erect traffic signs and devices at roadwork's by issuing a revised Instrument of Authorisation, two copies of which are enclosed. (See Attachment) All Local Governments are requested to execute this new Instrument of Authorisation, which, once fully executed, will replace any previous authorisation under the Road Traffic Code 2000.*

*This new instrument of Authorisation does not affect the Commissioner's delegation, dated 17 July 1975, to a number of Local Governments outside the Perth metropolitan areas, for signs not related to roadwork's. However, where roadwork's are concerned, the new Instrument of Authorisation prevails and will give Local Governments the authority to use the full range of traffic signs and devices.*

*The new Instrument of Authorisation refers to the "current" version of the 'Traffic Management for Roadwork's – Code of Practice' (the Code) and need not be revised every time the Code is revised.*

*Two copies of the Instrument of Authorisation need to be executed with the common seal of the Council stamped on the document, and then witnessed in accordance with your Council's procedure for sealing documents..."*

*"... The Commissioner of Main Roads will then sign both documents, and return one copy to you. The name of your Local Government will be added to the list of Authorised Bodies on the Main Roads website."*

## **COMMENT**

The Shire of Broome currently operates under an Instrument of Authorisation dated 31 October 1995 for the same matter, and as contained in Shire Policy 3.1.7. The introduction of the new Road Traffic Code 2000 and more recent requirements for the Shire to have Traffic Management Plans and qualified traffic staff for all roadwork's new sees a greater emphasis and legal responsibility for any road authority to carry out roadwork's.

The 2001 Authorisation was not signed, acting on advice from the IPWEA, as the Traffic Management requirements were seen at the time as being too onerous and most Local Governments did not have trained staff to implement the Code. Training has since occurred and the Shire of Broome now fully complies.

Council also needs to agree to a change to Engineering Services Policy 3.1.7 to accord with the new Authorisation (copy of amended Policy attached).

The new Instrument of Authorisation is seen as essential for the Shire to carry out its capital and operating programs and it is recommended that it be executed by signing and sealing.

## **CONSULTATION**

By Main Roads WA to staff only

## **STATUTORY ENVIRONMENT**

Road Traffic Action 2000

## **POLICY IMPLICATIONS**

Amendment to Policy 3.1.7 required and recommended.

## **FINANCIAL IMPLICATIONS**

Costs of compliance, training and implementation included in Annual Works Programs.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**REPORT RECOMMENDATION**

1. *That pursuant to the Road Traffic Code 2000, Council endorses the signing and sealing of the Instrument of Authorisation in regard to the use of traffic signs and devices at roadwork's for all Shire of Broome local roads.*
2. *That Council endorses the amendments, as shown in the attached document, to the Shire of Broome, Engineering Services Policy 3.1.7 – Traffic Control Signs for Roadwork's - Delegation to accord with the new Authority.*

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

[Attachment: 4 pages](#)

**9.5.4 REVIEW OF POLICY 3.1.8 - BUSINESS DIRECTION SIGNS - MRWA DELEGATION**

<b>LOCATION/ADDRESS:</b>	N/A
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	ADM28
<b>AUTHOR:</b>	Executive Assistant
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Manager Engineering Services
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	23 August 2004

**SUMMARY:** To seek Council endorsement of changes to an existing policy as part of the annual review of policies.

**BACKGROUND**

In accordance with Council requirements, the policies contained in the Shire of Broome Policy Manual are to be reviewed on an annual basis. This item deals with the review of Engineering Services Policy 3.1.8 – Business Direction Signs – MRWA Delegation.

**COMMENT**

Following the review of this policy, it is recommended that the "guidelines" section of the policy be amended to read:

- All applications are to be processed by the Engineering Department in accordance with the Interim Policy.
- A fee will be charged for each sign, to cover the initial installation and ongoing replacement/maintenance. The fee to be reviewed annually by Council.
- All local roads (in addition to the delegated authority to Main Roads) are to be treated by Council on the same basis as for Main Roads.
- No home occupation and/ or home businesses (approved by Council or otherwise) will be allowed to have a business direction sign, as the nature of these businesses are by appointment only and not by attracting passing traffic.
- Existing home occupation or home businesses that currently have blue/white direction signs erected can continue to display that sign/s until the business ceases or changes ownership.
- The land use as to be indicated by the sign must be approved by Council prior to any application for a sign being considered by Council.

A copy of this policy is attached to this agenda with the inclusions shown in bold text and the deletions shown in strikethrough text.

**CONSULTATION**

Not applicable

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY IMPLICATIONS**

This is an existing policy of Council

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Council's Strategic Action Plan's Leadership and Governance area aims to review Council policies to ensure the good governing of Council.

**VOTING REQUIREMENTS**

Simple Majority

**REPORT RECOMMENDATION**

*That Council endorses the amendments to the Engineering Services Policy 3.1.8 – Business Direction Signs – MRWA Delegation as included in the document attached.*

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

[Attachment: 1 pages](#)

**10.**

**REPORTS**

**OF**

**COMMITTEES**

**10.1 BROOME ARTS CENTRE ADVISORY COMMITTEE 2004 - MEETING 3 AUGUST 2004.**

<b>LOCATION/ADDRESS:</b>	N/A
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	CTE 36
<b>AUTHOR:</b>	Executive Assistant
<b>CONTRIBUTOR/S:</b>	N/A
<b>RESPONSIBLE OFFICER:</b>	Chief Executive Officer
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	26 August 2004

**SUMMARY:** To advise Council of the outcomes of the meeting of the Broome Arts Centre Advisory Committee 2004 held 3 August 2004.

**BACKGROUND**

The Broome Arts Centre Advisory Committee met on 3 August 2004. The minutes from this meeting were subsequently endorsed at the meeting held 23 August 2004 and are included as an attachment to this document.

**COMMENT**

A number of issues were discussed at this meeting, which included:

- The resolution of Council at its Ordinary Meeting held 2 August 2004 to endorse the Terms of Reference for the Committee.
- Sites – the inclusion of new sites for consideration. During discussion, it became evident that the new sites needed to be included in the project brief for the proposed Project Officer, and resulted in the following resolution:

Resolution 7

"That consideration of the following sites form part of the Brief for the Project Officer in preparation of feasibility studies and management/business plans:

1. Corner Gubinge Road and Cable Beach Road West.
  2. Corner Broome Highway/Short Street – co-location with Broome Visitors Centre.
  3. Clementson Street Site.
- Project Officer – Discussion on the information to be provided by the Department of Culture and the Arts with regard to recommending a Project Officer for this project, resulted in the following resolution:

Resolution 8

That the list of recommended Project Officers as provided by the Department of Culture and the Arts be presented to the Broome Arts Centre Advisory Committee 2004 for consideration.

- RIFP Grant – Bugarrigarra's application for \$750,000 funding towards the Indigenous Interpretive Centre.

- Mowanjum Arts Centre – Briefing to be arranged.
- Philanthropic Arts Fund – Overview of initiative.
- Funding Opportunities – consider initiatives associated with this project that may qualify under existing and other funding programs.
- Civic Centre – timetable to progress works.
- Katherine Cultural Centre – information received regarding this project was tabled for the information of the Committee.

## **CONSULTATION**

Not applicable

## **STATUTORY ENVIRONMENT**

Local Government Act 1995

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Nil

## **STRATEGIC IMPLICATIONS**

The Shire of Broome Strategic Action Plan 2003 – 2008 Social Support and Development Goal Area – Strategy 4.2 Key Action (e) seeks to construct a centre for the arts in Broome and investigate opportunities to include conference facilities with the development of a management plan for ongoing funding and resources.

## **VOTING REQUIREMENTS**

Simple Majority

## **REPORT RECOMMENDATION**

1. ***That Council receives the minutes of the Broome Arts Centre Advisory Committee 2004 meeting held 3 August 2004, as attached.***
2. ***That Council, in accordance with Broome Arts Centre Advisory Committee 2004 resolution 7, endorses the consideration of the following sites as part of the Brief for the Project Officer in preparation of feasibility studies and management/business plans:***
  - ***Corner Gubinge Road and Cable Beach Road West***
  - ***Corner Broome Highway/Short Street – co-location with Broome Visitors Centre***
  - ***Clementson Street Site***

- 3. That Council endorses the list of recommended Project Officers as provided by the Department of Culture and the Arts being presented to the Broome Arts Centre Advisory Committee 2004 for consideration.**

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

[Attachment: 4 pages](#)

**11. NOTICES OF MOTION**

**12. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

**13. MATTERS BEHIND CLOSED DOORS**

**14. MEETING CLOSURE**