

"A Sustainable Community that is inclusive, attractive, healthy and pleasant to live in, that uses our land so as to preserve our history and environment, respects the rights and equality of our citizens and manages our future growth wisely."

AGENDA

**FOR THE
ORDINARY MEETING OF COUNCIL**

9 FEBRUARY 2006

OUR MISSION

"To provide a quality range of affordable and sustainable services to our community with a strong commitment to customer focus so that our citizens and visitors enjoy a quality lifestyle."

CORE VALUES OF THE SHIRE

The core values that underpin the achievement of the mission will be based on a strong customer service focus and a positive attitude:

Communication

Respect

Integrity

Transparency

Courtesy

SHIRE OF BROOME**ORDINARY COUNCIL MEETING
9 FEBRUARY 2006****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 Thursday 9 February 2006, in the Bidyadanga Telecentre, Bidyadanga Community, commencing at 12 noon.

Regards

Jason Lyon
Acting Chief Executive Officer

27 January 2006

9.

REPORTS

OF

OFFICERS

9.1

LEADERSHIP / GOVERNANCE

AND

ORGANISATION



OUTCOME

*To provide open, transparent and good governance
to the community.*

9.1.1 COMMON SEAL REPORT

DATE	DETAILS
19 December 2005	Contract 05/26 Construction of Extruded Concrete Kerbing (Kimberley Kerbs) (x 2 copies)
20 December 2005	Lease – TA9 & TA10 Kimberley Regional Office (x 4) Complex Between Shire of Broome & Minister for Works
20 December 2005	Contract 05/28 Supply & Application of Basecourse Material – Kimberley Quarry (x 2 copies)
22 December 2005	Contract 05/27 Concrete Footpaths & Crossovers AMO Contracting (x 2 copies)
22 December 2005	Contract 05/16 Supply & Installation of 2 Way Radio Equipment & Provision Network Access – RS Marine (x 2 copies)
3 January 2006	Lease (KRO) Shire of Broome & CRS Australia (x 2 copies)
3 January 2006	TPS No. 4 Amendment 25 Scheme Amendment Report June 2005 (x 3 copies)
3 January 2006	Withdrawal of Caveat Lot 44 Plan 47591 Cable Beach Sanctuary
3 January 2006	Disposition on Re-Subdivision – Caveat H926918 (x 2 copies)
5 January 2006	Contract 05/23 – Self Supporting Radio Communications Tower – Future Engineering (x 2 copies)
17 January 2006	Inclusion Support Program (2005-08) Funding Agreement (x 2 copies)

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.

COUNCIL RESOLUTION

Moved:

Seconded:

FOR:

AGAINST:

9.1.2 NOMINATION FOR WORKPLACE AGREEMENT COMMITTEE DELEGATE

LOCATION/ADDRESS:	N/A
APPLICANT:	N/A
FILE:	New File
AUTHOR:	Executive Secretary
CONTRIBUTOR/S:	Acting Chief Executive Officer
RESPONSIBLE OFFICER:	Acting Chief Executive Officer
DISCLOSURE OF ANY INTEREST:	N/A
DATE OF REPORT:	6 January 2006

SUMMARY: This item seeks to nominate a Councillor as a delegate on both the Shire of Broome's Inside and Outside Workplace Agreement Committee.

BACKGROUND

Under both the current Inside and Outside Enterprise Bargaining Agreements (EBA), negotiations on the next EBA (now referred to as Workplace Agreements) is to commence from January this year. The inside agreement concludes on 14 January 2007 and the outside agreement concludes on 30 June 2006.

COMMENT

Staff have been invited to enter in to discussions with the Shire of Broome on the progression of a new *workplace agreement*. The Inside staff agreement states that a Committee must be formed to include one Council delegate in addition to three staff members, the Chief Executive Officer and the Human Resources Coordinator. The Outside staff agreement is silent on the matter, however I would envisage Councillor representation will be requested.

This item therefore seeks the nomination of a Council delegate and a deputy to the workplace agreement committee/s.

CONSULTATION

Inside Staff Employees Bargaining Agreement 2003
Municipal Employees Certified EBA 2003

STATUTORY ENVIRONMENT

Workplace Relations Act (CTH) 1996

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

1. Social

Nil

2. Environmental

Nil

3. Economic

Nil

4. Governance

Improve organisational performance and the efficient and effective management of the Shire's resources.

VOTING REQUIREMENTS

Simple Majority

<p><u>REPORT RECOMMENDATION</u></p> <p><i>That Cr. be Council's delegate and Cr.be their deputy on the Workplace Agreement Committee/s.</i></p> <p>Moved: _____</p> <p>Seconded: _____</p> <p>FOR: _____</p> <p>AGAINST: _____</p>
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9.1.3 RELAY FOR LIFE – IN KIND SUPPORT

LOCATION/ADDRESS:	Haynes Oval
APPLICANT:	Rachel Mackenzie, Cancer Foundation Relay for Life for Broome
FILE:	N/A
AUTHOR:	Media & Promotions Officer
CONTRIBUTOR/S:	N/A
RESPONSIBLE OFFICER:	Chief Executive Officer
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	23 January 2006

SUMMARY: The Cancer Foundation Relay for Life Broome Committee request in kind support by providing Haynes Oval and related Shire costs free of charge. Relay for Life is a team fundraising event to fight cancer. Teams challenge themselves to complete a 24 hour relay-style walk or run while raising funds. The event has been scheduled for 16 & 17 September 2006. Through application of the venue hire charges policy, Council is able to offer a maximum donation of 50% reduction of hire fees only.

BACKGROUND

Rachel Mackenzie Chairperson of the Relay for Life in Broome contacted the Shire President by letter requesting support for the event.

Representatives from the Cancer Foundation West Perth met with then Acting Shire President Cr Allan Griffiths, Manager of Health Services and the Media & Promotions Officer in November 2005 to discuss the initial logistics of staging a Relay for Life in Broome. Suitable dates to stage the event and venue were still to be confirmed.

Since that meeting Ms McKenzie has advised the Broome event is to be scheduled for 16 & 17 September and confirmed that Haynes Oval would be the most suitable venue for the event given that fencing, change rooms and toilets will be in place.

Relay for Life, involves teams of 10-15 people who challenge themselves to complete a 24 hour relay-style walk or run while raising funds.

The decorated tents, team themes, costumes and entertainment create a colourful, festive atmosphere. Music, games and food are provided over the 24 hours to maintain high morale among participants and encourage spectators to stay and support the event.

Significant ceremonies over the 24 hour period include:

Opening Ceremony

Welcomes team members and supporters. Acknowledges the strength and commitment of all who have joined to raise funds to help eliminate cancer.

Survivors Walk

Cancer survivors and their carers complete the first lap. Teams are asked to encourage family and friends who may be cancer survivors to participate in this walk of honour.

Candlelight Ceremony of Hope

At dusk the inside of the rack is illuminated with candles of tribute. Each candle bag is inscribed with personal messages. A short service, music and a minute silences follows.

Closing Ceremony

Celebration of achievements over the 24 hours, designed to remember the fun and friendships forged.

To assist in staging a successful event the Cancer Foundation Relay for Life Broome Committee request Council consider providing support through the following:

- i. Free hire of Haynes Oval 16&17 September including use of its associated buildings (toilets, change rooms, etc which should be complete) with access to the venue up to two days in advance to set up a stage and tents in readiness for the event;
- ii. Cleaning of ablutions and rubbish removal;
- iii. Council representative on the organising committee;
- iv. Lighting for the 24 hours of the relay; and
- v. Electrical source for light and power to administration tents, first aid and massage tents.

The Shire President has previously informed Ms Mackenzie that due to other commitments the availability of a Council representative was unlikely. At the November meeting with the Cancer Foundation it was suggested the Broome Chairperson attend regular meetings with Shire representatives to ensure all logistics are discussed, much like the meetings held for Shinju Matsuri Festival or the North West Expo.

The additional information below was also provided by Ms Mackenzie for Council to consider in regards to her application to Council:

- i. The track will be marked with traffic cones for safety reasons, to keep walkers and runners in separate lanes;
- ii. Estimates 150 teams of 10-15 participants, 1500–2000 will be walking or visiting the venue over a 24 hour period; (The Cancer Foundation since anticipates 300 spectators).
- iii. Participants are encouraged to stay overnight by erecting tents on the intrack field;
- iv. To prevent damage to any irrigation or other services, only tents with short pegs will be permitted in areas specified by the Shire;
- v. Noise and lighting curfews can be discussed to minimise disturbance to nearby residents;
- vi. Raffle tickets and merchandise may be sold;
- vii. Food vending may take place to raise money for cancer research;
- viii. A barbeque area may be required away from the tent city for participants to cook their own food;
- ix. A non-smoking and 'Sun Smart environment will be encouraged, with alcohol consumption kept in moderation;
- x. First Aid stations and security will be in place for the duration of the event;
- xi. Parking and Traffic Control to be discussed; and
- xii. The Cancer Council has a risk Management Plan for the event.

COMMENT

In 2004-2005 Relay for life events in Merredin, Perth, Narrogin, Geraldton, Bunbury, Exmouth and Miling raising \$805,000 in Western Australia alone.

Ms Mackenzie has the complete support and back up of the Cancer Council Western Australia's Relay for Life Project Manager who will provide guidance and support to the Broome Committee as well as support material to run a professional event. The Project Manager will be in attendance for the event.

Depending upon level of assistance by the Shire, sponsorship benefits are available as documented in the attachment. The Cancer Council negotiates the deemed value of in-kind sponsorship with organisations on an individual basis. As a sponsor of Relay for Life the Shire will create an awareness of its commitment to the community and its fight against cancer.

Council's Venue Hire Charge policy gives clear direction for handling requests for venue hire. The charges and deposits are not negotiable for Council venues. Council may provide a 50% reduction on all charges (not including bonds and deposits) for Council Venues (except BRAC) to non-profit organisations, fundraising events or community events upon application.

Lighting is included in the venue hire. Rubbish removal and cleaning is to be paid for and organised by the hirer.

The West Kimberley Football Association will have the lease for the change rooms and toilets and it is advised the Cancer Foundation Relay for Life Broome Committee approach and gain permission from the Association to use their facilities.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Govern Act 1995

POLICY IMPLICATIONS

Venue Hire Charges Policy 1.2.5

FINANCIAL IMPLICATIONS

The cost of waiving 50% venue hire fees for Haynes Oval 14/9 &15/9 for set up, 16/9 &17/9 for event, 18/9 for clean up equates to \$1125.

STRATEGIC IMPLICATIONS

1. Social

A key strategic outcome is to achieve a healthy, harmonious and safe community

2. Environmental

Nil

3. Economic

Nil

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council support Relay for Life Broome by:

- 1. Donating 50% venue hire fees of up to \$1,125 for Haynes Oval 14/9 &15/9 for set up, 16/9 &17/9 for event and 18/9 for pull down.*
- 2. Provide lighting for the 24 hours of the relay as inclusion of the hire fee.*
- 3. Advise the Cancer Foundation Relay for Life Broome Committee approach and gain permission from the West Kimberley Football Association to use their facilities.*

Moved:

Seconded:

FOR:

AGAINST:

[Attachment: 14 pages](#)

9.1.4 ANNUAL ELECTORS MEETING - 15 DECEMBER 2005

LOCATION/ADDRESS:	N/A
APPLICANT:	N/A
FILE:	AME.02
AUTHOR:	Manager Administration Services
CONTRIBUTOR/S:	N/A
RESPONSIBLE OFFICER:	Acting Chief Executive Officer
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	19 December 2005

SUMMARY: To present to Council the minutes of the Annual Electors Meeting held 15 December 2005 and the motions voted upon at that meeting.

BACKGROUND

Pursuant to Section 5.27 of the Local Government Act 1995 (as amended), the Annual Electors Meeting was held at 4.00pm on Thursday 15 December 2005.

COMMENT

A full copy of the minutes from the Annual Electors Meeting are attached.

A number of issues were raised at the Annual Electors Meeting, in the General Business section and were as follows:

- That the Shire of Broome Annual report for the year ended 30 June 2005 was received.
- Appreciation to Council staff for their efforts during the year, which resulted in the following motion:
 - Moved: Cr A C Griffiths Seconded: Cr V L Wevers"Council formally thank all Shire staff for their efforts during the year."
- The saltwater crocodile at Town Beach and what was being done about it.

CONSULTATION

Not applicable

STATUTORY ENVIRONMENT

Local Government Act 1995
Local Government (Administration Regulations) 1996

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

1. Social

A Core Value of the Shire of Broome is to "actively consult, collaborate and communicate with the community, internal/external customers and stakeholders.

2. Environmental

Nil

3. Economic

Nil

VOTING REQUIREMENTS

Simple Majority

<p><u>REPORT RECOMMENDATION</u></p> <p>1. <i>That Minutes of the Annual Electors Meeting held on 15 December 2005, be confirmed as a true and accurate record.</i></p> <p>2. <i>That Council endorse the recommendation from the Annual Electors Meeting moved by Cr A Griffiths and seconded by Cr V Wevers "Council formally thank all Shire Staff for their efforts during the year".</i></p> <p>Moved: _____</p> <p>Seconded: _____</p> <p>FOR: _____</p> <p>AGAINST: _____</p>
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[Attachment: 4 pages](#)

9.2

COMMUNITY DEVELOPMENT SERVICES



OUTCOME

*To facilitate the social wellbeing and development
of the community.*

9.2.1 CABLE BEACH MOTOR VEHICLE MANAGEMENT ADVISORY COMMITTEE

LOCATION/ADDRESS:	N/A
APPLICANT:	N/A
FILE:	CDE36
AUTHOR:	Director Community Services
CONTRIBUTOR/S:	
RESPONSIBLE OFFICER:	Director Community Services
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	10 January 2006

SUMMARY: This report tables draft Terms of Reference for the establishment of the Cable Beach Motor Vehicle Management Advisory Committee (the Committee). This report recommends the adoption of the Terms of Reference, allocation of resources and the convening of the Committee.

BACKGROUND

At a Special Meeting of Council held on 9 December 2005 the Council resolved the following in two motions:

Motion 1

That Council revoke the decision of its 15 June 2004 Ordinary Council Meeting item number 9.2.9 points 5,6 7 for the following reason:

Council needs to have an informed debate on the single issue, of whether it will allow vehicles on the beach or not, before it considers any management plan or amendment of local laws and policies.

Motion 2

- 1. Requests the CEO to advise staff and the public that control of driver behaviour on the beach will continue within existing resources.*
- 2. Establish and resource a committee of council with representation from all groups that participated in the Community Consultation process especially the significant stake holders such as the Traditional Owners, Australia's North West Tourism, Environs Kimberley and the Police Dept to effectively engage the community to develop a Cable Beach Motor Vehicle Management Policy.*
- 3. Establish a Terms of Reference for the committee that includes researching relevant environmental and social information and implements broad based community engagement.*

COMMENT

This report recommends the establishment of the Cable Beach Motor Vehicle Management Advisory Committee (the Committee). Draft Terms of Reference for the Committee are attached.

The Terms of Reference recommend that a two phase approach be adopted based upon the resolution of the Council. These are:

Phase 1

The collation and development of information to be put to the Council, that will contribute to an informed Council debate on whether vehicles will be allowed on the beach or not.

Phase 2

Based upon the outcome of Phase 1, the development of a Cable Beach Motor Vehicle Management Plan.

The Purpose of the project is the development of a Cable Beach Motor Vehicle Management Plan.

To enable this a number of factors will be considered that will inform the development of the Plan. The key areas include, but are not limited to, the following:

- Short and long term planning, considering residential population and tourism growth factors.
- Social impacts including residential and tourism usage patterns, community behaviour on the beach, public safety, access in the broadest context, etc.
- Economic impacts such as costs of maintaining and supporting services considering growth factors, impacts on and as a consequence of tourism growth, etc.
- Environmental impacts including impacts to beach and dunes, flora and fauna and cultural heritage, coastal park planning, etc.
- Infrastructure planning and development including roads and carparking requirements, tourism precincts, residential precincts, beach facilities and access points, etc.

Planning Framework

Officers consider that, whether vehicles are permitted on the beach or not, it is critical that this issue be considered within a Planning Framework that takes into consideration long-term residential population and visitor growth numbers.

For this purpose it is important that both a Community Services and a Development Services representative be ex-officio members of the Committee.

Establishment of Committee

Once the Council has adopted the Terms of Reference for the Committee, identified organisations will be invited to nominate representatives. Currently the Council has identified Traditional Owners, Australia's North West Tourism, Environs Kimberley and the Police Department as members of the Committee. The Council may wish to also consider community representation of both community organisations and general community members.

In terms of the community members an advertisement could be placed in the Broome Advertiser calling for representation from the general public. This should see the establishment of the Committee by mid March.

Resources for the Committee

The recommendation of the Council is that the Committee be resourced. Officer recommendation is that either a project officer or a consultant be appointed.

It is recommended that \$15,000 be allocated from this financial year with an allocation also provided in next financial years budget. The amount to be determined following consideration for level of resources required.

It is also recommended that some \$4,500 for the design and printing of 20,000 brochures for distribution, as well as general promotion, be provided in this year's budget. The brochures will map areas of existing Cable Beach usage and will be distributed to locals and tourists by the commencement of the tourism season around Easter this year.

CONSULTATION

The intention of establishing the Advisory Committee is to engage the Community in providing input into decision-making processes concerning motor vehicles on Cable Beach.

STATUTORY ENVIRONMENT

WA Local Government Act 1995

Road and Traffic Act 1974

Shire of Broome Local Government Property and Public Places Local Law 2003

Shire of Broome Trading, Outdoor Dining and Street Entertainment Local Law 2003

Aboriginal Heritage Act 1975

Dog Act 1976

Municipality of the Shire of Broome local Laws Relating to the Control of Dogs

Control of Vehicles (Off Road Areas) Act 1978

Litter Act 1979

POLICY IMPLICATIONS

There is currently no policy for driving of vehicles on Cable Beach. Areas for driving vehicles on Cable Beach are gazetted under the Control of Vehicles (Off-road Vehicles) Act 1978.

FINANCIAL IMPLICATIONS

The current financial year's budget currently shows an income of \$112,500 and an expenditure of \$99,952 for the Cable Beach Vehicle Management Plan. In addition the purchase of a vehicle was identified as a component of the plant purchases in this financial year. As there will not be any income derived from the introduction of a permit, a budget adjustment will be made as per the monthly financial report.

As above, an estimated \$15,000 for the employment of a consultant or project officer (to be determined) should be set aside to resource the Committee and an estimated \$4,500 for the design and printing of 20,000 brochures for distribution.

\$2,664 has been expended to date on promoting community response to the Draft Policy.

STRATEGIC IMPLICATIONS

1. Social

The Shire's Strategic Action Plan identifies the following Action:

- Complete Vehicle Management Plan

The Council has identified the need to consider social impacts of driving vehicles on Cable Beach.

2. Environmental

The Council has identified the need to consider environmental impacts of driving vehicles on Cable Beach.

3. Economic

The Terms of Reference recommends that economic impacts also be assessed.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

1. ***That the Council adopts the Terms of Reference for the Cable Beach Motor Vehicle Management Advisory Committee (the Committee).***
2. ***That Councillor And Councillor be the Shire's representatives on the Committee.***
3. ***That Traditional Owners, Environs Kimberley, Australia's NorthWest Tourism, Police Department, be invited to nominate representatives to the Committee.***
4. ***That an advertisement be placed in the Broome Advertiser calling for two community representatives, from both community organisations and general members of the public.***
5. ***That the Council supports a budget adjustment as per the monthly financial report for the resourcing of the Committee and the printing of brochures to promote usage areas of Cable Beach.***

Moved:

Seconded:

FOR:

AGAINST:

[Attachment: 5 pages](#)

9.3

DEVELOPMENT

SERVICES



OUTCOME

To pursue sustainable development that will protect and enhance the Shire's unique heritage and environment and facilitate increased employment.

9.3.1 APPLICATION FOR PROPOSED OIL RECYCLING FACILITY- LOT 1848 (RESERVE 22648), BROOME TURF CLUB

LOCATION/ADDRESS:	Gantheaume Point Road
APPLICANT:	Shire of Broome
FILE:	RES 22648
AUTHOR:	Chris Sayer
CONTRIBUTOR/S:	N/A
RESPONSIBLE OFFICER:	Director Development Services
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	17 January 2006

SUMMARY: An application for planning approval was received by the Shire on 12 December 2005 for the development of an oil recycling facility within the boundary of the Broome Turf Club on Lot 1848 (Reserve 22648) Gantheaume Point Road. The application was submitted by the Shire of Broome as the land is Reserve 22648 and vested in the Shire.

This report recommends that the normal requirement for a development plan for this site be waived and that the application be approved.

BACKGROUND

An application for planning approval (2005/249) has been lodged by the Shire to install an oil recycling facility on land leased to the Broome Turf Club (Reserve 22648).

The facility is proposed to be located within the boundary of Reserve 22648 on the outside of the perimeter fence of the race track opposite the beach access entrance to Cable Beach. A site plan is attached.

Access to the facility for the servicing vehicle shall be via the main entrance driveway to the turf club car park. The service vehicle can then empty the facility and leave the car park in forward gear via a crossover to the north of the car park. Council has previously received correspondence from the Manager of the Broome Turf Club stating that the committee agrees to the request to place the facility on the site and urged that it be placed so as not to take up parking space or interfere with horses access along the existing path to the beach.

The facility has been given to the Shire through the Municipal Waste Advisory Council Used Oil Disposal and Collection Infrastructure Program.

The structure is a small shed like building in which predominantly engine oils can be disposed of by boat owner/operators moored off Cable Beach at Gantheaume Point. The oil is proposed to be collected by a recognised oil collector once or twice a year.

The Broome Turf Club site is listed within the Shire of Broome Municipal Inventory of Heritage Places but is not registered with the Heritage Council. The proposal is not required to be referred to the Heritage Council.

The site is zoned 'Development' under TPS4. Clause 4.25.2.1 of TPS4 states that;

"Development will not be permitted and subdivision will not be supported unless a Development Plan has been adopted for all or part of the zone."

There is presently no Development Plan for this site. However, the following clause (4.25.2.2) states;

"The Council may relax the requirement for a Development Plan, prior to the issue of a planning approval for a development or land use, or recommendation for subdivision, where the Council considers the proposed development, land use or subdivision represents a minor extension to an existing land use or building, or minor additional land uses, or minor land use change or minor subdivision."

The application is being reported to Council to consider the request to relax the requirement for a development plan and to determine the application.

COMMENT

It is considered that the proposal to construct the oil recycling facility is a minor additional land use to that of the predominant use of the site, being the turf club and associated facilities.

The proposed location is considered appropriate as it is close to the turn off to Cable Beach and provides suitable access for the heavy vehicle, which will be used to empty the facility. The location of the facility has been chosen so as to minimise any interference to the parking at the Broome Turf Club. The facility will only be emptied once or twice a year and there is not expected to be any conflict between these two uses. The proposed location will also not interfere with horses accessing the beach as it is well away from the existing path.

The facility in its proposed location and combined with its relatively small dimensions is not considered to impact upon the heritage value of the Broome Turf Club or the visual aesthetics of the area.

It is recommended that as a minor additional use to the site the requirement for a Development Plan be relaxed and that approval be granted with relevant conditions.

CONSULTATION

Broome Turf Club

STATUTORY ENVIRONMENT

Town Planning Scheme No.4

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

1. Social

Provide and improve sustainable infrastructure to service the changing needs of the community.

2. Environmental

Protected biodiversity and clean environment.

3. Economic

Nil

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

1. ***That Council exercises its discretion under Clause 4.25.2.1 of TPS4 and not require a development plan for a proposed Oil Recycling Facility at Lot 1848 (Reserve 22648) Gantheaume Point, Broome.***
2. ***That Council approve application for planning approval 2005/249 for a oil recycling facility at Lot 1848 (Reserve 22648) Broome Turf Club Gantheaume Point Road, Broome, subject to the following conditions:***
 1. ***Development must be carried out generally in accordance with the plans stamped 12 December 2005, submitted with the application as approved by the Shire.***
 2. ***Prior to commencing any work on site the applicant shall obtain a building licence from the Shire. Such application shall include, with working drawings:***
 - a) ***Structural Engineers Certification in accordance with the requirements of the Building Code of Australia.***

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 that 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. ***If the development the subject of this approval is not substantially commenced within a period of two years from the date of the approval, the approval shall lapse and be of no further effect.***
2. ***Where an approval has so lapsed, no development shall be carried out without the further approval of the Council having first been sought and obtained.***

Moved:

Seconded:

FOR:

AGAINST:

[Attachment: 3 pages](#)

9.3.2 APPLICATION FOR PLANNING APPROVAL - PROPOSED RETAIL/OFFICE DEVELOPMENT - LOT 9 (NO. 33) CARNARVON STREET BROOME

LOCATION/ADDRESS:	Lot 9 (No. 33) Carnarvon Street Broome
APPLICANT:	Kim Therese Farina
FILE:	CAR-2/33
AUTHOR:	Simon Lenton
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development Services
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	9 January 2006

SUMMARY: An application for planning approval has been received for a two-storey retail/office development on Lot 9 No. 33 Carnarvon Street Broome.

The application is referred to Council for consideration as it has cash in lieu considerations.

This report recommends Conditional Approval.

BACKGROUND

An application for planning approval was lodged with the Shire on 20 October 2005 for a proposed two-storey commercial development at Lot 9 (No. 33) Carnarvon Street, Broome.

The subject lot is located in between the Roebuck Bay Hotel car parking area and the rear of the Westpac Bank in Chinatown and is directly across the road from Male Oval. The lot is 405m² in area.

The development proposes a 200m² retail showroom and a 30.7m² second storey office that is to be occupied by Norwest Tackle (the applicant). Site coverage is approximately 75%.

The land is zoned 'Chinatown' - Town Centre' under the provisions of Town Planning Scheme No. 4. A 'shop' is a permitted land use in the zone. Clause 5.10 requires the building to be compliant with the 'Broome Architectural Style'.

The Chinatown Development Strategy recommends a maximum site coverage of 60% and wall plate height is limited of 6 metres.

The Car Parking Policy specifies a car parking rate of 1 bay per 25m² of floorspace. The policy also outlines cash-in-lieu for parking which cannot be provided on-site. This requirement is normally calculated on the basis of a land value component plus the estimated construction cost.

This application was referred to the Heritage Council of Western Australia for comment. The Heritage Council of Western Australia responded on 20 December 2005 with a comment of support conditional upon the following conditions being met:

1. "Management arrangements being put in place to ensure that the gates off Carnarvon Street can be fixed in a closed position for the majority of the hours of operation to provide continuity in the streetscape; and

2. *Signage to be located and designed in accordance with the Chinatown Design Guidelines."*

COMMENT

Design & Materials

The design and colour of the proposed building is consistent with the colours and design requirements of the Chinatown Heritage Strategy and replicates design features that are found on other buildings on the same side of Carnarvon Street and generally within Chinatown.

Parking

This development has a car parking requirement of 10 bays - 9 more than is proposed to be provided on site. In addition, one parking bay would be removed within the adjacent Road Reserve to enable the construction of a new vehicle crossover.

The Council has recently released a draft strategy for discussion which suggests an 'allowance' for cash-in-lieu for developable properties in this area be fixed at 1 bay per 43m² of site area. This was established by dividing the number of bays, which can be built within Male Oval by the area of all undeveloped land in Chinatown. Using this approach, this land would have an 'allowance' for cash-in-lieu of 10 bays. A price per bay, based on the construction costs associated with building the car park in Male Oval, has been suggested at \$3,250. Council, has furthermore, resolved to update the provisions of the Town Planning Scheme to simplify the method of calculating the cost per bay and to remove the requirement to include the land value component.

It is considered that the approach suggested in the draft strategy is appropriate to this site, particularly as the new car park within Male Oval is directly across the road. The shallow depth of the block also generally limits the construction of parking on site.

Site Coverage & Building Height

Although the proposed development's site coverage is greater than 60%, it is consistent with other development on Carnarvon street and will result in an aesthetically pleasing continuation of the Carnarvon Street streetscape. In any case, a maximum site coverage of 60% would mostly likely make this block unsuitable for development.

SUMMARY

The proposed development is considered to be an appropriate response to the small site, having regard to the scale of the development and the design it is recommended for approval subject to appropriate conditions, including those recommended by the Heritage Council of Western Australia.

CONSULTATION

Heritage Council of Western Australia

STATUTORY ENVIRONMENT

Town Planning Scheme No. 4

POLICY IMPLICATIONS

Planning Policy 4.1.8 Car Parking
Planning Policy 4.1.12 Chinatown Planning Policy

FINANCIAL IMPLICATIONS

If approved, this application has cash in lieu implications.

STRATEGIC IMPLICATIONS

1. Social

Nil

2. Environmental

Protect and enhanced natural and built heritage

3. Economic

Increase employment opportunities

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council approve application for Planning Approval dated 20/10/2005 (2005/190) for proposed retail/office development on Lot 9 (No. 33) Carnarvon Street Broome subject to the following conditions:

CONDITIONS

- 1. Development must be carried out strictly in accordance with the plans stamped received dated 5 December 2005 submitted with the application as approved by the Shire.**
- 2. Earthworks over the site and batters must be stabilised to prevent sand blowing, and appropriate measures shall be implemented within the time and in the manner directed by the Shire in the event that sand is blown from the site.**
- 3. The applicant must provide cash in lieu of the provision of on-site vehicle parking to the Shire of Broome in accordance with the provisions of Town Planning Scheme No.4 for 10 bays prior to the occupation of the development to the satisfaction of the Shire (See Note 1).**
- 4. The applicant must reconstruct any damage caused to the adjacent footpath prior to the occupation of the building to the satisfaction of the Shire.**
- 5. The applicant must provide details of the management arrangements for the gates off Carnarvon Street, so that they can be fixed in a closed position for the majority of the hours of operation to provide continuity in the streetscape, to the satisfaction of the Shire.**
- 6. Any signage must be located and designed in accordance with the Chinatown Development Strategy.**
- 7. All vehicle crossovers being designed and constructed (sealed, brick paving, bitumen, concrete) to the Shire's standard crossover specification.**
- 8. Vehicle parking, manoeuvring, and circulation areas to be constructed and sealed with brick paving, bitumen or concrete and drained in accordance with the approved plans. Detailed engineering plans identifying pavement details (existing, finished levels and pavement type) and drainage details are to be submitted and approved by the Shire prior to construction.**
- 9. A stormwater drainage system is to be provided in accordance with the Shire of Broome's standard specification prior to the development first being occupied and thereafter maintained to the satisfaction of the Shire. The proposed stormwater drainage system is to be shown on the Building Licence submission and to be approved by the Shire prior to the commencement of construction.**
- 10. 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**
 - b) Formal comment from Fire and Emergency Services Western Australia.****

ADVICE NOTES

The following notes are 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 addressing under separate approval processes whether administered by the Shire or another authority. The applicant must ensure that all approval processes have been satisfied.

1. **Where the Shire agrees to accept cash-in-lieu for car parking bays, the amount paid is based on Council's Car Parking Policy.**
2. **Plans and details be lodged at the time of submitting an application for a Building licence for matters relating to landscaping and car parking.**
3. **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.**
4. **The finished floor level of the building should be at minimum of 400mm above the natural ground level unless it can be demonstrated that flooding of the building will not occur due to the slope or drainage characteristics, in which case the floor level may be reduced to 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 further approval of the Council having first been sought and obtained.**

Moved:

Seconded:

FOR:

AGAINST:

[Attachment: 7 pages](#)

9.3.3 APPLICATION FOR PLANNING APPROVAL FOR A DWELLING AT GNARDUMUNN

LOCATION/ADDRESS:	Gnardumunn, Pender Bay, Res 1834
APPLICANT:	NBC Aboriginal Corporation
FILE:	RES 1834
AUTHOR:	Andy White
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development Services
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	25 January 2006

SUMMARY: The Shire has received an application for planning approval to build a dwelling at Gnardumunn.

It is recommended that Council conditionally approve the proposal.

BACKGROUND

Gnardumunn is located approximately 2 hours north of Broome off the Tappers Inlet Road (refer to location map attached), and has a population of approximately 7 people, according to a 2004 survey undertaken by Shire Officers. Gnardumunn is an outstation of the Beagle Bay Community and is not covered by the Beagle Bay Community Layout Plan.

The land is mostly cleared and there is an existing dwelling consisting of a caravan attached to a steel frame structure over a dirt floor. Access to the site is via a dirt track, which also provides a connection to the Beagle Bay Community.

The application is for a single storey dwelling of 4 bedrooms and 1 bathroom. The fully enclosed area of the dwelling is 108m² with the decking and walkways totalling 177.6m². The new dwelling would be sited approximately 20 metres from the existing dwelling.

The applicant has indicated that all services are, or will be made available to, the dwelling. Power will be supplied by 92 metres of underground cable from a generator. An underground bore with storage tanks will supply the water. Septics are to be a composting toilet and leach drain, with storage tanks. Communications will be supplied by satellite dish and solar panels.

No significant vegetation is proposed to be removed to build the dwelling.

The levels supplied indicate that the proposed dwelling is not in a flood prone area and the finished floor level is 900 mm above natural ground level.

The land is included in Interim Development Order No. 3. Approval is required under paragraph 3 of the Order.

COMMENT

It is not considered that the proposed dwelling at this location would have any negative impacts. No significant vegetation would need to be removed. The dwelling would also be self-sufficient in relation to essential services. The land is also not subject to inundation.

It is recommended that Council conditionally approve the proposal.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Town Planning and Development Act 1928

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

1. Social

Provide and improve sustainable infrastructure to service the changing needs of the community.

2. Environmental

Nil

3. Economic

Nil

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council approve application No. 2005/239 for planning approval under Interim Development Order No.3 dated 14 December 2005 for a dwelling to be constructed on Reserve No. 1834 at Gnardumunn subject to the following conditions:

- 1. Development must be carried out strictly in accordance with the plans stamped received 27 October 2005 submitted with the application as approved by the Shire.***
- 2. Prior to commencement of any work on site, the applicant must obtain a Building Licence from the Shire. Such application must include Structural Engineers Certification in accordance with the requirements of the Building Code of Australia.***
- 3. Power, water and septic system services are to be operational prior to the occupation of the residence.***

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 to the development. They do not set out all of the matters, which 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. 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.***
- 3. Where an approval has so lapsed no development shall be carried out without the further approval of the Council having first been sought and obtained.***

Moved:**Seconded:****FOR:****AGAINST:**

[Attachment: 2 pages](#)

9.3.4 APPLICATION FOR PLANNING APPROVAL (2005/221) - PROPOSED AGED CARE FACILITY - LOT 3143 (NO. 64) DORA STREET, BROOME

LOCATION/ADDRESS:	Lot 3143 (No. 64) Dora Street, Broome
APPLICANT:	PDC Project Management
FILE:	DOR-1/64
AUTHOR:	Chris Sayer
CONTRIBUTOR/S:	N/A
RESPONSIBLE OFFICER:	Director Development Services
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	24 January 2006

SUMMARY: The Shire has received an application for planning approval for an aged care facility at Lot 3143 (No.64) Dora Street, Broome. The proposal is recommended for approval with appropriate conditions.

BACKGROUND

The Shire received an application for planning approval for an aged care facility at Lot 3143 (No.64) Dora Street, Broome.

The subject site has its main frontage along Dickson Drive and is bounded by Dora Street to the east and Pembroke Road to the west. The site is 5.2396 Hectares and presently accommodates a playground and mowed lawns to the eastern end of the site, along with a water tank and is predominantly covered with native vegetation. The playground was developed by the Shire when the land was a Reserve for the purpose of Public Recreation. The Shire has always maintained the playground. The land is now owned freehold by Rubibi and leased to Southern Cross Care WA Inc.

The proposal is to construct an aged care facility. The facility will be developed over four stages (1, 2a, 2b, 3). Stage 1 of the proposal will involve the development of the reception and office areas of the building fronting Dickson Drive, along with another section of the building containing 32 beds and servery, lounge and dining areas. This stage is anticipated to be completed within the first half of 2006. Stage 2a of the development is an addition to the front of the building of further offices and meeting rooms. Stage two is anticipated for completion in 2007. Stage 2b will provide an additional 32 beds and is anticipated for completion in 2008/2009. Stage 3 of the development is the addition of a hydrotherapy facility to the front of the building and is anticipated for completion in 2009/2010. The applicant has requested that the Shire extend the validity of any approval that may be issued for the proposal to 5 years rather than the presently prescribed two years, due to the staging of the development and the estimated timeline to completion.

The proposed building has an approximate floor area (including verandahs) of 5800m² and is a single level development. The building will be partially enclosed with secure perimeter fencing. The site immediately surrounding the building and car parks is intended to be landscaped with a number of drainage swales incorporated into the landscape design. In addition to the construction of the main building a number of bough sheds are proposed to be built within the site along with a communal fire pit. The fire pit will be within the bounds of the secured perimeter fencing.

A car park is to be constructed at the front of the building and is proposed to be built in two stages. The first stage of the car park is proposed to have sixteen (16) parking bays (including required disabled bays), three (3) service vehicle parking bays and one mini bus

parking bay. 28 parking bays (including required disabled bays) are proposed to be provided at stage two of the development.

The site is zoned as 'Development' under TPS4. In accordance with TPS4, prior to any development being approved within this zone, a Development Plan is required to be prepared, approved by the Shire and endorsed by the Western Australian Planning Commission.

At the Ordinary Council Meeting of 11 August 2005 Council made the following resolution;

"That Southern Cross Care be advised that Council is willing to consider a planning application for an Aged Care Facility at Lot 3143 Dickson Drive, Broome relaxing clause 4.25.2.1 of Town Planning Scheme No.4 subject to the level of information submitted with the planning application being similar to that required for a Development Plan but being specifically for the subject site only."

As a Development Plan would normally be required to be approved by Council, and no specific delegation to approve an application associated with the aged care facility on this site zoned 'Development' was granted, this application is required to be considered by Council.

Clause 5.10 of TPS4 requires that the buildings be compatible with Broome style architecture. An aged care facility is a use not listed within Local Planning Policy 4.1.8. This policy states that parking requirements for such a use are at the discretion of Council.

The site is partially included within a 'Special Control Area', which is a land use buffer of the wastewater treatment plant. No part of the proposed building is, however, located within this buffer area.

The application was advertised in accordance with TPS4 and two submissions were received.

COMMENT

The submissions received by the Shire have been outlined in the Table below.

	Name & Address	Summary of Submissions	Officer Comments
1.	Bidyadanga Aboriginal Community (La Grange Incorporated) PO Box 634 via Broome WA 6725	The Bidyadanga Community have indicated that they support the proposal for the aged care facility. They wish to see the site appropriately landscaped.	Support for the proposal is noted. The provision of adequate landscaping plans and the completion of landscaping prior to occupation of the proposed building would be a condition of any approval that may be granted by Council.
2.	Miranda and Mark Strickland	Object to the existing playground being removed or placed under the ownership/control of any organisation other than the Shire. Notes the importance of this local park for nearby residents and children and	The submission relates to the land tenure and is not relevant to the consideration of the proposal. There are no plans to remove the playground. It is understood that the management and maintenance of the

		<p>also that the removal of the park would adversely affect the value of the surrounding residential properties.</p>	<p>playground has been the subject of negotiations.</p>
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Design and Materials

The predominant external material being used for the proposal is colorbond to both the walls and the roof of the building. The entrance to the building has a feature gable, whilst gables are provided on each of the elevations. The roof pitch is 26 degrees and verandahs to varying widths are provided around all sides of the building. The external surface of the walls is broken up by windows and feature walls of varying material. These design features are in keeping with the vernacular of Broome style architecture and are considered appropriate for the localised area and the streetscape of Dickson Drive.

The design of the building, landscaping and the natural vegetation that shall be retained on a large portion of the site, along with the setback of the building from Dickson Drive will minimise the visual impact of the building to the residential properties on Dickson Drive and Dora Street and within the streetscape.

Parking

The number of parking bays proposed is considered appropriate for the use at a rate of one bay for every four beds. This is rate is similar to those applied across Western Australia. Each stage would, furthermore, have sufficient parking and need to be completed before occupation of the buildings.

Drainage and Landscaping

The proposed drainage arrangement is considered acceptable. Detailed plans of the proposed drainage and cut and fill for the development will need to be submitted and approved by the Shire. This detail will need to be submitted with the application for building license.

Conditions relating to the submission of detailed landscaping plans and the carrying out of the landscaping, will also be required prior to the occupation of the building should Council grant approval to the application.

Staging of the Development

The staging of the proposal is considered acceptable, subject to the balance of the area being appropriately maintained at each stage.

It is recommended that any approval that may be granted by the Council for this proposal be conditional upon Stage 1 of the development, as shown on the attachments, being substantially commenced within two years of the date of the determination and that Stage 2 and 3 be substantially commenced within five years of the determination.

Infrastructure requirements

Dickson Drive is not considered to be appropriately lit and has poor pedestrian access. It is considered that contribution of a payment to construct a lit pedestrian footpath to link the facility to Dora Street is essential in this instance. Drainage headworks payments are also applicable, as described in Council's Engineering Policy.

Summary

The application for an aged care facility will provide an alternative and additional option for the care and health of the aged of Broome and surrounding communities. The proposal is considered to be appropriate to the site and the surrounding environment. It is not considered to have a detrimental impact on the streetscape. The design of the building and its setback is furthermore considered appropriate in regard to the buildings overall bulk and scale. The application is recommended for approval subject to relevant conditions.

CONSULTATION

The proposal was advertised in accordance with Clause 9.4 of TPS4. Letters were sent to surrounding property owners and two submissions were received.

STATUTORY ENVIRONMENT

Town Planning Scheme No.4

POLICY IMPLICATIONS

Local Planning Policy 4.1.8 Car Parking
Engineering Policy 3.1.10 Subdivision /Development Contributions Headworks

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**1. Social**

Ensure sustainable, orderly and proper town planning.

2. Environmental

Nil

3. Economic

Land use planning, which provides for sustainable population growth.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council approve application for Planning Approval (2005/221) to develop an aged care facility at Lot 3143 (No.64) Dora Street, Broome subject to the following conditions:

- 1. Development must be carried out strictly in accordance with the plans stamped received dated 15 December 2005 and 23 January 2006 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 prior to the occupation of Stage 1 of the approved building.**
- 3. Landscaping and reticulation to be established in accordance with the approved landscape plan prior to each stage of the development first being occupied and thereafter being maintained to the satisfaction of the Shire (see notes).**
- 4. All vehicle crossovers being designed and constructed (sealed, brick paving, bitumen, concrete) to the Shire's standard crossover specification.**
- 5. Vehicle parking, manoeuvring and circulation areas to be constructed and sealed with brick paving, bitumen or concrete and drained in accordance with approved plans prior to occupation of the building. 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 commencement of construction (see notes).**
- 6. A stormwater drainage system is to be provided in accordance with the Shire'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 to be shown on the Building License submission and be approved by the Shire prior to the commencement of construction.**
- 7. The payment of drainage headworks charges to the Shire of Broome in accordance with the Shire Policy.**
- 8. A minimum of sixteen (16) parking bays (including required disabled bays), three (3) service vehicle parking bays and one mini bus parking bay is to be provided for stage one of the development and a minimum of 28 parking bays (including required disabled bays) is to be provided at stage two of the development. Disabled parking bays to be provided at a rate in accordance with the Building Code of Australia.**
- 9. Prior to the occupation of each stage of the development, areas set aside for vehicle parking, including accessways as shown on the approved plans must be constructed to the satisfaction of the Shire in accordance with detailed engineering plans. Accessways within the site are to be a minimum width of 6.0m.**
- 10. All parking bays for visitors and service vehicles must be made accessible to the public during visiting hours.**
- 11. All required parking bays must be 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 prior to the occupation of the building.**
- 12. Internal pedestrian pathways from the car parking areas to the building to be designed for the access and mobility of disabled persons to Australian Standard AS1428.1-2001.**
- 13. The payment of a cash contribution for the construction of a footpath on the adjacent road reserve in accordance with Council policy. The footpath is to link the entrance of the development to the existing footpath on Dora Street. Payment is to be made prior to the occupation of the building.**
- 14. The payment of a cash contribution towards the installation, upgrade or additional public street lighting at the property in accordance with Shire policy. Payment is to be made prior to the occupation of the building.**

15. **A suitably screened refuse bin storage area is to be provided in accordance with Council's Health Local Laws prior to the development first being occupied (see notes).**
16. **If the development the subject of this approval is not complete within five years of the date of this approval the approval shall lapse and be of no further effect.**

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. **Plans and details be lodged at the time of submitting an application for building license for matters relating to landscaping and car parking.**
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. **Prior to commencing any work on the site, the application must obtain a Building License 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 form Fire and Emergency Services of Western Australia.**
4. **The area between Stage 2 of the building and the southern boundary of the site must at all times be kept as a low fuel buffer zone to the satisfaction of the Shire. Please note the attached Firebreak Notice.**
5. **The development must be connected to the Water Corporation Sewer.**
6. **All visitor parking must be on site and not within the road reserve.**
7. **You are reminded that this is a planning approval only and does not obviate the responsibility of the developer/owner/applicant to comply with all relevant building health and engineering requirements. In this regard your particular attention is drawn to the following:**
 - a) **Health (Food Hygiene) Regulations 1993**
 - b) **Occupational Health, Safety and Welfare Regulations**
 - c) **Health (Public Buildings) Regulations 1992**
 - d) **Health (Public Swimming Pools) Regulations 1964**
8. **The premises may require approval from the Department of Health in accordance with the Hospitals and Health Services Act, 1927.**
9. **In relation to Condition 16, where the approval has so lapsed, no development shall be carried out without further approval of the Council having first been sought and obtained.**

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

9.3.5 PROPOSED NEW SHADE SALE FOR SWIMMING POOL AT BRAC

LOCATION/ADDRESS:	Reserve 42506, Cable Beach Road, Broome
APPLICANT:	Nil
FILE:	RES 42506
AUTHOR:	Manager Building Services
CONTRIBUTOR/S:	Director Development Services
RESPONSIBLE OFFICER:	Director Development Services
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	24 January 2006

SUMMARY: To seek Council's approval to accept a quotation from West Coast Shade to erect shade sails for the swimming pool at BRAC.

BACKGROUND

There has been some discussion within Council regarding improving the use of the pool and in particular methods to cool the pool during summer.

Prior to this, staff had been seeking estimates from several shade sail companies to provide shade sails to the swimming pool. From the five companies contacted only two were prepared to provide an estimate.

The companies each provided a price based on their recommended design with the two quotes submitted being, \$95,000.00 and \$44,413.00 plus GST.

West Coast Shade provided the lowest estimate based on a design similar to one recently installed by them at Cable Beach Caravan Park (refer to attachment).

The design proposed for BRAC has yet to be certified by a structural engineer. This will be done on receipt of an order from the Shire. The cost of this is included in the quotation. West Coast Shade have stated that they do not expect there to be any significant alterations made to their design and as such the price stated would hold. However as with any contract for building work, it would be prudent to allow a sum for contingencies. A figure of around \$2,000 would allow for any unforeseen costs on site.

West Coast Shade will use steel posts, which are treated to be suitable for conditions expected in a pool environment. The Specification used for the treatment of the galvanised posts has been approved by the Galvanisers Association of Australia as being suitable for chlorine environments.

COMMENT

No provision was made in the 2005/2006 budget for this purpose, however Council did make provision for "Special Projects" and may wish to allocate funds from this provision to finance the erection of the shade sails.

Should Council decide to allocate funds it is intended that this work will take place at the same time as the pool is closed for the retiling works in May. Both contractors will liaise on a suitable programme for both in conjunction with Council's maintenance officer.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

No budget provisions were allocated for this project however Council may decide to provide funds from the Special Projects fund.

STRATEGIC IMPLICATIONS

1. Social

Maximise the social, recreational and cultural opportunities for our community.

2. Environmental

Nil

3. Economic

Nil

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council authorise the CEO to expend up to \$47,000.00 from the Special Project fund to erect shade sails to the Swimming Pool at the Broome Recreational and Aquatic Centre.

Moved:

Seconded:

FOR:

AGAINST:

[Attachment: 3 pages](#)

9.3.6 INSTALLATION OF CONDOM TREES

LOCATION/ADDRESS:	Various Sites Broome Townsite
APPLICANT:	Kimberley Public Health Unit
FILE:	ENH07
AUTHOR:	Manager Health Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development Services
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	18 January 2006

SUMMARY: An application to set up condom trees at various locations within the Broome Townsite to help reduce the number of sexually transmitted diseases with a recommendation to support the application.

BACKGROUND

The Kimberley Public Health Unit (KPHU) and Broome Regional Aboriginal Medical Services (BRAMS) would like to enlist the support of the Shire to assist in making an impact on the spread of sexually transmitted diseases for both Broome residents and visitors.

To achieve this these organisations would like to install six "condom trees" at five locations within the Broome townsite. This program has been used successfully in Fitzroy Crossing, Derby, Kununurra and Halls Creek.

A condom tree is a PVC pipe, which is filled with condoms and located in trees in the vicinity of where groups of people gather, particularly young people. The condoms provided in the containers are free.

The KPHU and BRAMS will supply the containers and all supplies of condoms needed at no cost to the Shire. The involvement of the Shire will be to agree to the locations and supply the labour to refill the containers. The Shire staff that clean the public toilets and empty the street litterbins could do this.

The sites selected are:

- Paspaley Shopping Centre (2) – Short Street and Gray Street car parks
- Dakas Street – Kerr Park
- Anne Street
- Kennedy Hill
- Male Oval

If successful the condom trees will be introduced to the communities of One Arm Point, Beagle Bay, Djarindjin and Bidyadanga.

The KPHU and BRAMS had hoped to launch this service on National Condom Day, which is Tuesday, 14 February 2006. If Council agrees to the proposal this will still happen on that date but, because of the later date for this Council meeting, it will not be able to get the advanced publicity hoped for.

COMMENT

Rates of sexually transmitted infections in the Kimberley are unacceptably high. The population of the Kimberley comprises of 2% of WA's population and 48% of the State's notified sexually transmitted infections (STI's); the rate of notified STI's per head of population is the highest in Australia.

Prevention of new sexually transmitted infections and HIV infections depends largely upon the promotion of safe sex practices, such as having fewer sexual partners, using condoms, not sharing injection equipment, and early treatment of sexually transmitted infections.

The Condom Tree is seen as an easy and affordable way to increase the availability of this important protective device in the fight against STI's / HIV. Condoms are available, at no cost to the consumer, twenty four hours a day and seven days a week by this discreet method.

Therefore it is recommended that Council support this project.

In the future there may be other sites identified as suitable for condom trees to be established and it is recommended that the power to approve such sites be delegated to the Chief Executive Officer.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

Shire of Broome Local Government Property and Public Places Local Law 2003

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**1. Social**

To ensure that the Shire of Broome is a safe and healthy place to live, work and visit.

2. Environmental

Nil

3. Economic

Nil

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council:

1. ***Approves and supports the concept to locate condom trees at locations within the Shire, and***
2. ***Delegates to the Chief Executive Officer the power to approve other applications for condom trees should the need arise.***

Moved:

Seconded:

FOR:

AGAINST:

9.3.7 APPLICATION TO TRADE IN PUBLIC – BEACH SHELTERS

LOCATION/ADDRESS:	Cable Beach – North of Townsite
APPLICANT:	Gary V Cann
FILE:	ENH22
AUTHOR:	Manager Health Services
CONTRIBUTOR/S:	N/A
RESPONSIBLE OFFICER:	Director Development Services
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	16 December 2005

SUMMARY: An application to erect up to ten (10) small portable beach shelters on Cable Beach north of the line on the beach between the high and low water marks formed by the westerly prolongation of the northern boundary of Lot 405 Lullfitz Drive. Conditional approval is recommended.

BACKGROUND

The applicant has applied to erect up to ten (10) small portable beach shelters on Cable Beach north of the point on the beach between the high and low water marks formed by the westerly prolongation of the northern boundary of Lot 405 Lullfitz Drive i.e. it is outside the scope of the Shire Policy Commercial and Tourism Activities on Cable Beach but does fall under the Shire of Broome Trading, Outdoors Dining and Street Entertainment Local Law 2003. It is also outside the Broome Townsite boundary.

The proposed shelters will:

- Be portable and only on the beach when on hire so the number on the beach at any one time will vary.
- Be on the beach from dawn to just after dusk to allow time for cleaning up and they will not be on the same location twice within any twenty four (24) hour period.
- Be on their own stands to decrease the impact on the sand.
- Be 2.4 metres by 3 metres set on a solid base.
- Have curtained walls with canvass or shadecloth roof. (Sketches attached)
- Contain deck chairs, ice chest, sink, shower, radio (preset volume), first aid kit, fishing rods and boogie boards.
- Have a change room.
- Have a portable toilet.
- Be provided with a rubbish bin.
- Have all water retained.

Beach Access

Access to the beach would be via the access at the Cable Beach Club and customers would be ferried to and from their shelter.

Depending on the architect's final specifications it is envisaged that between three and ten units could be transported onto the beach using a troop carrier and trailer. They would be dismantled and removed using the same method of transport. Depending on the number of units hired out this would entail up to two trips for both erection and dismantling.

Clients would be transported on the beach in either of two ways. The troop carrier used to transport the shelters would be used to carry up to ten to twelve people to the various shelters or small tour companies may transport some clients and larger groups.

Toilets and Servicing

Toilets will be serviced at the business premises in Broome; they will not be serviced on the beach. The toilets used will be fully sealed transportable units to prevent any possibility of spillage during transport, and enabling servicing away from the beach.

The cleaning and other servicing of the units will also be conducted away from the beach at the business premises.

Showers

There will be two tanks with each unit. One tank will contain the fresh water supply for the shower and the other will be to contain all wastewater from the shower. Water will be pumped from the supply to the shower via a 12volt pump.

Usage

The operator would prefer to remove the shelters each day for cleaning and insurance purposes. From a Shire perspective this should be a condition so the units cannot be used for camping illegally and so there is no cleaning on the beach.

Location

The operator has given an undertaking that the shelters will never be placed in a position where they will cause damage to the dunes or dunal vegetation.

During periods of large "Spring" tides the units will be hired either short term so they can be removed from the beach or not hired at all on those days.

Sketches of the proposed design are provided and attached although the applicant has stated that as it is a new concept some changes may need to be made but any changes made will be submitted to Council.

COMMENT

As this application falls outside the realms of the Shire of Broome Commercial and Tourism Activities on Cable Beach Policy staff under delegated authority could approve it. However, it is presented to Council because of its location on the beach.

The applicant has given consideration to many of the concerns regarding beach usage away from the main designated swimming area at Cable Beach by providing litter, toilet and ablution facilities.

These shelters will prevent litter and human effluent being deposited on the beach, provide protection from the sun and would be ideal for families.

Council has three options, it may approve the application with or without conditions, defer the application, or refuse the application.

Approval

Should Council approve the application the following conditions should be applied to the approval:

1. The shelters being located north of the line on the beach between the high and low water marks formed by the westerly prolongation of the northern boundary of Lot 405 Lullfitz Drive.
2. The shelters are not to be located in or on the dunal system.
3. The permitted hours of operation are from 6.00am to 6.00pm and all shelters are to be removed from the beach daily.
4. The emptying and servicing of the toilets and the servicing and cleaning of the shelters is not to be undertaken on the beach.
5. All access to the beach is to be via the vehicle access ramp in front of the Cable Beach Club Resort.
6. The toilets and shower effluent storage containers are to be fully sealed and transportable so as not to deposit effluent onto the ground.

Currently people may drive onto the beach and erect their own shelters without toilet or ablution facilities. Approval of this application would go part way to resolving some of these issues.

Refusal

Should Council decide not to approve the application the Shire of Broome Trading, Outdoors Dining and Street Entertainment Local Law 2003 requires that a reason be provided for the refusal to the applicant.

One reason could be that Council considers commercial activities on Cable Beach should be confined to the area covered by the Shire Policy Commercial and Tourism Activities on Cable Beach.

Deferral

Council may consider that this concept has merit but believes it should fall within the realms of the Shire of Broome Policy Commercial and Tourism Activities on Cable Beach.

This will require the policy to be amended to both increase the area to which the policy applies and to allow this activity to be included as a permitted activity within the policy area.

For this reason Council may wish to defer the application until the policy is amended.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

The Shire of Broome Trading, Outdoors Dining and Street Entertainment Local Law 2003

POLICY IMPLICATIONS

In October 2005 Council endorsed the current Policy and the tender process, as part of this Policy, to finalise five year licences commencing 1 January 2007 has already been advertised and closes 20 March 2006.

FINANCIAL IMPLICATIONS

If successful, the application will be subject to the Trading in Public Place licence fee.

STRATEGIC IMPLICATIONS

1. Social

Maximise the social, recreational and cultural opportunities for our community.

2. Environmental

Maximise the tourism potential of our natural and built environment in a sustainable manner.

3. Economic

Encourage orderly economic growth.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council approves the application by Gary Cann to erect up to ten (10) small portable shelters on North Cable Beach subject to the following conditions:

- 1. The shelters being located north of the line on the beach between the high and low water marks formed by the westerly prolongation of the northern boundary of Lot 405 Lullfitz Drive.***
- 2. The shelters are not to be located in or on the dunal system.***
- 3. The permitted hours of operation are from 6.00am to 6.00pm and all shelters are to be removed from the beach daily.***
- 4. The emptying and servicing of the toilets and the servicing and cleaning of the shelters is not to be undertaken on the beach.***
- 5. All access to the beach is to be via the vehicle access ramp in front of the Cable Beach Club Resort.***
- 6. The toilets and shower effluent storage containers are to be fully sealed and transportable so as not to deposit effluent onto the ground.***

Moved:

Seconded:

FOR:

AGAINST:

[Attachment: 10 pages](#)

9.4

CORPORATE

SERVICES



OUTCOME

To provide a range of customer focused corporate services incorporating financial and human resource management, administrative support and IT solutions, which meets the needs of both internal and external customers and of Council and to ensure statutory compliance within the directorate as part of the Shire's good governance obligation.

9.4.1 ACCOUNTS FOR PAYMENT

REPORT RECOMMENDATION

That the accounts for payment for November 2005 as attached, covering municipal cheque vouchers 40601 to 40861 (computer cheques) totalling \$725,625.62 and EFT vouchers 2300 – 2352 totalling \$693,731.31 and trust cheque vouchers 2326 – 2342 totalling \$37,441.95 be passed for payment.

That the accounts for payment for December 2005 as attached, covering municipal cheque vouchers 40862 to 41101 (computer cheques) totalling \$984,280.60 and EFT vouchers 2353 – 2400 totalling \$957,611.98 and trust cheque vouchers 2343 – 2356 totalling \$7,220.00 be passed for payment.

COUNCIL RESOLUTION

Moved:

Seconded:

FOR:

AGAINST:

[Attachment: 23 pages](#)

9.4.2 DECEMBER 2005 MONTHLY FINANCIAL ACTIVITY REPORT

LOCATION/ADDRESS:	N/A
APPLICANT:	N/A
FILE:	FRE 02
AUTHOR:	Accountant
CONTRIBUTOR/S:	Senior Officers & Managers
RESPONSIBLE OFFICER:	Director of Corporate Services
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	9 February 2006

SUMMARY: Monthly Financial Activity Report of the Shires operations for the month of December 2005 includes adjustments to the opening position and all Revised Forecasts in this and previous reports. The result of these changes is that the forecast end of year result is a \$168,362 deficit.

BACKGROUND

Staff have reviewed year to date revenues and expenditures through the management reporting process to detect changes in forecast to original budget.

COMMENT

The following are the key indicators of the year to-date budget position;

Budget Year elapsed 50%

Total Operating Expenditure 46%

Total Operating Revenue 79%

Total Capital Expenditure 24%

Total Sale of Assets Revenue 93%

Total Capital Revenue 22%

More detailed explanations of variances are contained in the notes to the monthly statement of financial activity. The commentary will identify variations to year-to-date budget positions, or forecast variations that may require consideration for revised budget.

All forecasts are included as a comparison to original budget in this monthly report.

REVISIONS TO FORECAST (Proposed for the end of December 2005)

The following revisions to forecasts are identified:

Additional Audit Fees - (Corporate Services)

Audit Fees for 2004/2005 have all been transacted in 2005/2006 and have cost \$18K. This is an increase of \$5K, due to out of pocket expenses claimed by the auditors. This will increase the forecast end of year deficit by \$5K.

Replacement Folding Machine - (Corporate Services)

Additional expenditure to replace the existing folding machine due to continual breakdowns and servicing problems has been incurred at a cost of \$10K. This purchase will be funded by a matching withdrawal from the Equipment Reserve so there will be no impact on the forecast end of year result.

Kimberley Regional Offices, Western Power Lease - (Corporate Services)

A lease of floor space at the Kimberley Regional Offices by Western Power is expected to raise an additional \$61K of rental income. This additional income will be transferred to the Building Reserve for future expenditure on the Kimberley Regional Offices. The revised forecasts required to recognise these events will have no effect on the forecast end of year result.

Vehicles on Beach Management Plan - (Community Services)

In accordance with the special meeting of Council on 9 December 2005 the current fee paying proposal will not be enacted. However some costs have, and will be, incurred in the consultation process. This will result in the loss of \$112.5K of revenue and a saving of \$78K in expenditure. This will increase the forecast end of year deficit by \$32.5K.

A vehicle that was to be purchased for beach patrols will now no longer be purchased as part of the plant replacement program. However, even after this saving, the plant replacement program will require additional funds.

Stolen Generation Commemorative Sites Project - (Community Services)

A \$10K grant had been received from the Community Arts Network (WA) Inc for the Stolen Generation Commemorative Sites Project. The required revised forecasts in Other Culture will increase both the income and expenditure by \$10K and will have no impact on the forecast end of year result.

BRAC Operational Review - (Community Services)

Council adopted additional expenditure for a \$30K consultancy to perform an operational review of BRAC on the 22 December 2005. \$10K of this will be funded from the Special Projects of Council budget. The remaining \$20K will be drawn from general funds and will increase the forecast end of year deficit by \$20K.

Relief Planning Staff Expenses - (Development Services)

Relief Planning Services staff have cost \$8K. However this has been offset by an \$8K savings in Planning salary costs and will have no impact on the forecast end of year result.

Additional Sales of Scrap Metal from the Rubbish Tip - (Development Services)

Income from scrap metal sales has reached \$21K. This is \$11K more than budgeted. Some scrap metal was collected from the Bidyadanga Community and \$5K of the additional income received will be returned to that Community. The required revised forecasts will decrease the forecast end of year deficit by \$6K.

Additional Costs In the Pre-cyclone Season Cleanup Program - (Engineering Services)

This program is almost completed for 2005/2006 and will cost \$114K largely due to \$20K of additional private truck & loader hire. After recognising a \$1K saving in other expenses this will increase the forecast end of year deficit by \$19K.

Footpath Contributions - (Engineering Services)

The estimated income for footpath contributions is now \$22K with \$18K being already received for Roebuck Estate footpaths. Revised forecasts are required to recognise this income and it's transfer to the footpath reserve. This will have no effect on the end of year deficit.

Engineering Office Staff - (Engineering Services)

The cost of engineering relief staff is now expected to cost at least \$42K. This is an increase of \$34K on the adopted budget. This has been offset by a \$34K reduction in the cost of engineering salary staff. Both changes are due to delays in appointing an Operations Manager. The required revised forecasts will have no impact on the forecast end of year result.

Additional Parks and Gardens Staff Training - (Engineering Services)

Additional expenditure on conflict resolution and occupational health and safety has been undertaken. The total additional cost of this was \$18K and was staff wages and overheads paid during training. However as there has been no increase in the forecast total staff expenses there is no impact on the forecast end of year result.

Annual Leave Payout - (Engineering Services)

An additional \$10K expenditure on salaries has been incurred as one of the engineering staff elected to have some of their leave paid out. This will be funded by a matching withdrawal from the Leave Reserve so there will be no impact on the forecast end of year result.

Surf Club Carpark Works - (Engineering Services)

As noted in the November 2005 report \$60.2K of contributions from the development of Lot 2230 (No14) Cable Beach Road West will not be received. This month a review of this project has shown that the materials and contracts component has increased by \$12K. This was off-set by savings in plant and labour costs so the total budget has not changed, however the increase in the cash costs will increase the forecast end of year deficit by \$12K.

This month a revised forecast has been made to allow for the withdraw all the unallocated funds in the Carpark Reserve, \$28K, to partially off set the loss of revenue and additional cash costs.

Overall this month's the revised forecasts for this project changes will decrease the forecast end of year deficit by \$16K.

Plant Replacement Program - (Engineering Services)

A review of the plant replacement program to incorporate the latest changes and information will increase the net changeover cost by \$12K. No revised forecasts for these changes have been prepared, however the cost will be funded by a matching withdrawal from the Plant Reserve so there will be no impact on the forecast end of year result.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act
Financial Management Regulations

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

As detailed in the attachment

STRATEGIC IMPLICATIONS**1. Social**

Nil

2. Environmental

Nil

3. Economic

Nil

4. Governance

Provide open, transparent and good governance to the community.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council:

- 1. Receive the Monthly Financial Activity Report for the period ended 31 December 2005;***
- 2. Note the forecast changes to original budget.***

Moved:

Seconded:

FOR:

AGAINST:

[Attachment: 16 pages](#)

9.4.3 COUNCIL APPROVAL TO WRITE OFF MONEY OWED

LOCATION/ADDRESS:	N/A
APPLICANT:	N/A
FILE:	ACC02
AUTHOR:	Manager of Financial Services
CONTRIBUTOR/S:	Rates Officer
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	9 February 2006

SUMMARY: Approval is required to write-off amounts of interest charged on rates, legal fees and rubbish charges considered uncollectible.

BACKGROUND

The amounts to be written off total \$2,218.26 and are in relation to an amount of \$1,460.89 being interest charge on outstanding rates for six mining tenements and an amount of \$757.37 being legal fees, interest and rubbish charges for a leased premises in Djiagween Road for the period following the death of the lessee.

COMMENT**Debt 1**

Quarry Park Pty Ltd was the holder of six mining tenements. Outstanding rates on these tenements were referred to Council's debt collectors and subsequently a Summons was issued in 2003-04. The bailiff was unable to recover goods to the value of any amount and discussions took place with representatives of Quarry Park Pty Ltd to allow the Shire to take road base to the value of the outstanding amount. Some uncertainty as to the suitability of the road base for Council's purpose resulted in no resolution of the issue.

Following the sale of four tenements and an agreement by the new owners to meet all rates relating to the period after 1.10.05 Quarry Park offered to pay all rates owing with the exception of the interest raised subsequent to the date of their offer to make available road base to the value of the outstanding rates. Their offer was made on 4/8/05 and interest between that date and the date of their payment amounts to from \$219.96 to \$257.85 per tenement or a total of \$1,460.89.

Write-off of the interest is considered an equitable off-set for the recovery of the balance of \$11,638.74 paid by Quarry park Pty Ltd on 05/12/05 to finalise all other outstanding debts on the six tenements. As mining tenements, Council does not have redress through sale of the property and may otherwise have been unable to recover the outstanding debt.

Debt 2

Assessment 101336 in Djiagween Road is controlled by the Aboriginal Land Trust and as such is exempt from rates. The property was leased to Maurice Latham who was paying the rubbish charges. A Summons in 2003 for outstanding rubbish charges for 01-02 and 02-03 was unsuccessful probably because Mr Latham died before it was issued. The new lessee has agreed to pay outstanding rubbish charges from 1 January 2004 which is the date she estimates she began occupying the property. Of the total currently outstanding

in relation to the property of \$1,382.87 the new tenant will pay \$625.50. As the remaining \$757.37 cannot be recovered it is to be written off. This total comprises rubbish charges of \$357.50, interest charges of \$216.77 and legal fees relating to the failed summons of \$183.10.

CONSULTATION

Director of Engineering Services

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.12

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Revenues will be reduced by the amount of the write-off being penalty interest \$1,677; rubbish charges \$357 and court fees \$183.

STRATEGIC IMPLICATIONS

1. Social

Nil

2. Environmental

Nil

3. Economic

Nil

4. Governance

Provide open, transparent and good governance to the community.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council authorise the writing off of:

- 1. \$1,460.89 interest charges to Quarry Park Pty Ltd***
- 2. \$757.37 interest charges, services charges and court fees to Mr M Lathan (dec).***

Moved:

Seconded:

FOR:

AGAINST:

9.4.4 FIRE MANAGEMENT IN THE KIMBERLEY/EPA REFERENCE GROUP REPRESENTATIVE

LOCATION/ADDRESS:	N/A
APPLICANT:	WALGA Kimberley Zone
FILE:	AFC07
AUTHOR:	Chief Executive Officer
CONTRIBUTOR/S:	
RESPONSIBLE OFFICER:	Chief Executive Officer
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	17 January 2006

SUMMARY: Referral of an item regarding Fire Management in the Kimberley, submitted to the November Kimberley Zone meeting by the Shire of Derby West Kimberley. In addition, advice from WALGA regarding the EPA Review (of Fire Management) Group, seeking a nomination from the Kimberley Zone.

BACKGROUND

In November 2004 the WALGA Kimberley Country Zone resolved:

1. That subject to receiving matching funding (50%) from the State Government, WALGA Kimberley Country Zone initiates a project into the resourcing of fire management in the Kimberley.
2. The terms of reference for the project be to:
 - a) Identify the level of resources currently being expended addressing the issue of fire in the Kimberley in the areas of
 - i. Fire research
 - ii. Fire education
 - iii. Fire prevention
 - iv. Fire suppression
 - v. Illegal fire enforcement
 - b) Review the legislative responsibilities and actions being taken by the various groups involved with fire in the Kimberley
 - c) Identify alternative models for the management and control of fire in the Kimberley.
 - d) Make recommendations on fire management resource distribution and fire control/management in the Kimberley for the short, medium and long term.
3. Subject to receiving external funding each Kimberley Shire be requested to contribute up to \$3,000 towards this project during the current year or 2005/06.
4. That the Shire of Wyndham-East Kimberley, on behalf of the Zone, presents a submission for a review of The Bushfire Act.

The resolution followed a case put forward by the Shire of Wyndham East Kimberley which highlighted the causes and concerns of uncontrolled and illegal wildfire burning and cited coordination problems due to the range of agencies and groups involved, the legislative responsibilities of Local Government and the lack of resources generally.

All Zone Councils agreed that a concept for the development of a single fire management authority would be an ideal outcome, however as this was clearly not supported by the State the zone resolved to pursue the project into Fire Management in the Kimberley.

Funding for the project at this stage has not been forthcoming from the State or all the Kimberley Councils (the Shire of Broome did budget for a contribution), however the Shire of Derby West Kimberley proposed that the project still be pursued and have resubmitted the decision of the Zone with an additional recommendation that:

That the Kimberley Zone organise and establish a forum panel or sub-committee to undertake a formal approach to Government to ensure the formalisation of discussion with the State and Federal Governments in an attempt to bring the Kimberley's fire issues and the resultant consequences to the forefront of Government's business and policy. The panels or committees terms of reference or objectives are to achieve recommendations to the particular governments that are favourable to the Local Governments concerned with emphasis on –

- *A funding increase to Local Governments from both the State and Federal Governments to ensure –*
 - *An increased level of appropriate expertise within Local Government.*
 - *An increased level of required resources.*
 - *An increased level of preventative management works and education among all local government constituents and employees concerned with Bush Fire Management*
 - *That consultation occurs with other stakeholders within the Fire Management procedures of the Kimberley i.e. Kimberley Fire Management Project.*
- *Introduce ways and incentives to retain Bush Fire volunteers within the region's volunteer brigades.*
- *Undertake a review of the request for Councils to sign the State Bushfires Emergency Management Plan or the State Wildfire Emergency Management Plan with emphasis on –*
 - *Legal requirements as to signing or endorsing a plan.*
 - *Justification / need for a joint plan.*
 - *Consequences for Councils in signing the plan.*
 - *Present recommendation back to individual Councils for consideration and rejection/adoption.*
- *Consider the suitability of / or acceptance of any proposed Memoranda of Understanding between Councils and the Fire and Emergency Services Authority regarding levels of input required by each organisation for the undertaking of Fire Management services.*

At the November Kimberley Zone meeting the Zone resolved to defer this item to allow it to be referred to member Councils.

The Zone agenda items form part of the attachments.

Concurrently, the EPA has commenced a review into environmental impacts of fire in the Kimberley and Interior of the State. The scope of the review covers:

1. Advice on the environmental impacts of the frequency of fire in the Interior and Northern regions of WA, with an emphasis on the Kimberley Region, in particular with respect to:
 - Biodiversity conservation and protection; and

- Protection of environmental health (air quality impacts), in the context of the importance of protection of human life, property, assets and infrastructure.
2. Consult with key organisations, government agencies, knowledgeable persons and the community as appropriate.
 3. Make recommendations on ways and means to improve the situation.

An issues paper has been prepared as a prelude to a Review Paper, which will be presented to the Minister for the Environment. Submissions are currently being made on the issues identified and the Shire has already responded with its submission.

WALGA has received a request from the Environmental Protection Authority (EPA) to nominate a representative to sit a Reference Group established support the review the environmental impacts.

Usually the Association would follow standard nomination procedures, however the review is expected to close mid year, and given the focus of the review on the Kimberley region, the Association wrote to the EPA advising that the Association would be seeking representation through the Kimberley Country Zone. (See Attachment 1)

To date the EPA Reference Group has met once. The Association was not present at this meeting. There are no minutes from this meeting or Terms of Reference. Through discussions with the EPA Office, the focus of the Reference Group is to comment on and support the distribution of the EPA Discussion Paper that is currently being drafted. This Discussion (Review) Paper is separate to the EPA Issues Paper developed by consultants and released last year.

The intent of EPA Discussion (Review) Paper is to solicit feedback from the Reference Group agencies, which will inform the EPA Report to the Minister of Environment. The timeframe for the report to the Minister is August 2006. The Reference Group will not have input into the EPA Report to the Minister for the Environment, rather the report will be informed by the Discussion Paper feedback. It is anticipated that the Reference Group will only meet 2-3 times until mid 2006.

Note that WALGA has expressed concern regarding the timeframe for Local Government feedback and that the whole process seems rushed.

COMMENT

The attachments adequately put forward the arguments for the four Kimberley shires to take a proactive stance on fire management in the Kimberley.

The issue for consideration is whether the Shire of Broome supports the notion to form a forum/panel/subcommittee as proposed by the Shire of Derby West Kimberley.

With the EPA progressing its own investigation into fire management in the Kimberley there is certainly a need for a coordinating body to oversee the elements of Fire research, Fire education, Fire prevention, Fire suppression and Illegal fire enforcement. Without such a coordinating body there may well be a disjointed approach with ineffective outcomes.

Discussions with the recently appointed Director of FESA operations for the Kimberley, Rob Cox indicated that FESA should ideally be the coordinating body and that this would be clearer following a review of the FESA Act. FESA are looking at a pilot project within the Kimberley that addresses all the issues raised in the preceding paragraph.

Given the above, it is recommended that the Shire reiterates its support for a project into fire management in the Kimberly but does not support the Kimberley Zone forming a panel, as it believes FESA will undertake this role.

CONSULTATION

Rob Cox, FESA

STATUTORY ENVIRONMENT

Bush Fire Act
Emergency Service Act

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Shire made a budget provision in 2005/06 of \$10,000 to support the Kimberley Zone.

STRATEGIC IMPLICATIONS

1. Social

Nil

2. Environmental

The Shire has a desired outcome to have improved Fire management of both public and private land.

3. Economic

Nil

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council:

1. ***Reiterates its support for the initiation of a project into the resourcing of fire management in the Kimberley.***
2. ***Does not support the formation of a panel/sub committee by the Zone as it believes this is best coordinated by FESA.***
3. ***Nominates Cr _____ to the EPA Reference Group should no other Kimberley Zone Councillors nominate.***

Moved:

Seconded:

FOR:

AGAINST:

[Attachment: 9 pages](#)

9.4.5 BROOME ENTERPRISE CENTRE

LOCATION/ADDRESS:	Portion Reserve 42502 Cable Beach Road, Broome
APPLICANT:	N/A
FILE:	LSS.043; RES.4250.3
AUTHOR:	Manager Administration Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Chief Executive Officer
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	27 January 2006

SUMMARY: To advise Council of an offer from the Broome Enterprise Centre to re-lease their existing premises and to seek guidance on the rental to be derived from this.

BACKGROUND

In March 2000, Council resolved to lease the office premises located adjacent to Lotteries House to the Broome Enterprise Centre for \$12,500 for a period of five years.

This lease remained in place until April 2005 and has since operated on a month by month basis.

In late 2005, the BEC indicated that they would like to remain at the site and were seeking a two year lease, with a two year option at the current rental amount, plus a nominal increase.

In order to progress this request, it is necessary to consider the requirements of Section 3.58 of the Local Government Act 1995, which relate to the disposal of property. It should be noted that disposal includes leasing.

COMMENT

In order to comply with the requirements of Section 3.58, a market rental valuation was sought for the property, following is extracted information from the valuation report received:

- Property comprises a detached single level office which appears approximately 10 years old. Construction is of concrete slab flooring, steel frame/colorbond clad walls and a colorbond roof.
- Internal accommodation is divided into 3 separate office areas, a kitchenette and ablutions area.
- The subject property does not pay the normal commercial outgoings as many of these are difficult to apportion to the various lessees in this Shire owned property.
- The property provides for reasonably function office space though being positioned in a secondary location with relatively low exposure.

The following summary of the property was provided:

"With respect to the above listed rental evidence in making comparison to the subject property, we have had regard to property factors such as location, size,

quality, age and type of accommodation offered. With regard to the subject property we note that it has relatively modern improvements though a secondary location with low exposure.

Therefore, after taking into consideration the relevant property factors, we consider that a fair market rental for the property falls at in the order of \$275 per m² gross (inclusive of outgoings) but excluding GST."

And the following rental valuation:

"Having regard to current market rental evidence and assuming standard lease details/ rent review clause we have assessed the market rental value of the property known as Broome Enterprise Centre Tenancy, Portion of Reserve 42502, Cable Beach Road, Broome in the sum of \$19,800 (NINETEEN THOUSAND EIGHT HUNDRED DOLLARS) per annum inclusive of outgoings but including GST.

It should be noted that "outgoings" does not include telecommunications and electricity.

In November 2005, staff wrote to the BEC advising of the market valuation of the site and suggesting a rental amount of \$14,000 per annum, inclusive of outgoings, given that no rental increase had been applied to the property in five years.

The following correspondence was received:

"The level of the rate of increase for our premises was discussed at length at the recent Management Committee meeting.

It was decided to write and express our concern at an increase of over 10% when and increase in line with CPI increase had been expected and budgeted. It is realised that the premises are currently rented under the commercial rate and the Broome Enterprise Centre Management Committee is appreciative of this support.

It is noted however, according to the Shire of Broome Strategic Actin Plan 2004 – 2009, in the Functional Areas 3: Economic Prosperity and Viability, the Shire has listed a key objective of "encourage orderly economic and employment growth". One of the key outcomes listed as "increased employment opportunities, investment and economic growth" which is our main core business, helping small business with assistance in business start-up and then at the next level, helping small businesses to grow.

It is felt that by supporting the Broome Enterprise Centre, as the Shire of Broome is currently doing, the partnership between both entities is assisting the Shire in achieving its current objectives as outline in the Strategic Plan.

If possible, it would be appreciated if the Shire could review this level of increase in rent. We look forward to receiving your favourable reply."

A CPI increase (December 05) based on the current rental would be \$13,000.42 plus GST.

Whilst it is noted that this organisation has a direct impact on the Shire's Strategic direction, it is recommended by staff that an annual rental of \$14,000 be pursued given that no increases have been applied during the term of the previous lease and this would equate to support of an additional \$5,800 per annum on top of the existing annual donation of \$6,000.

CONSULTATION

As part of the requirements of Section 3.58 of the Act, the Shire is required to advertise its intention to dispose of (lease) the property and allow the public 14 days to submit any comments.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

In addition to the subsidies provided to the BEC by way of rental reductions, the Shire also provides an annual donation to the BEC of \$6,000.

STRATEGIC IMPLICATIONS

1. Social

Nil

2. Environmental

Nil

3. Economic

Functional Area 3:

- Strategy to support and promote existing local businesses and create an environment for new business and employment development.
- Review all Council properties to ensure that appropriate management structures and lease arrangements are in place.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

1. ***That Council endorses the offer to the Broome Enterprise Centre to lease their existing premises at a cost of \$14,000 per annum indexed by CPI each year and on their acceptance of this offer, the matter be advertised in accordance with the requirements of section 3.58 of the Local Government Act 1995.***

2. ***That Council gives the Chief Executive Officer authority to negotiate the terms and conditions of the lease agreement between the Shire of Broome and the Broome Enterprise Centre for the office accommodation, subject to no adverse comments being received during the public submission period.***

Moved:

Seconded:

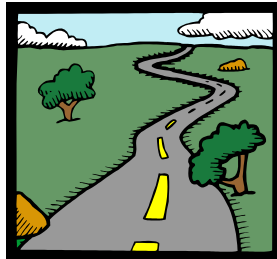
FOR:

AGAINST:

9.5

ENGINEERING

SERVICES



OUTCOME

The provision and maintenance of sustainable infrastructure to service the changing needs of the community.

9.5.1 PLANT AND VEHICLE CONTRACT 05/29- SUPPLY AND DELIVERY OF ONE ONLY 4WD SINGLE CAB UTILITY [RANGER 2]

LOCATION/ADDRESS: Nil
APPLICANT: Nil
FILE: Contract 05/29
AUTHOR: Director Engineering Services
CONTRIBUTOR/S: Nil
RESPONSIBLE OFFICER: Director Engineering Services
DISCLOSURE OF ANY INTEREST: Nil
DATE OF REPORT: 10/01/06

SUMMARY: Reconsideration of Contract 05/29 as resolved at the OCM 22 Dec 05, due to a problem with the accepted tender not being the correct vehicle as required, with a recommendation to rescind the previous resolution and to re-list the plant item for consideration in the 2006/07 budget.

BACKGROUND

Contract 05/29 was for the supply and delivery of a 4wd utility, to Shire specification, for the Ranger operations. It was a normal replacement of the Ranger 2 vehicle, which is a six [6] cylinder unit which had been purchased as a trial vehicle. The other Ranger units are all 4 cylinder diesel units, and the larger vehicle was purchased to compare fuel, power and driver suitability mainly for fire activities when there is a slip-on water tank on the back. The previous older version 4 cylinder Hiluxes were found to be underpowered when used on bush tracks and sandy areas.

The six cylinder vehicle has been found to be very good for those applications, and it was intended to continue with one such model in the three [3] Ranger vehicles we have. The vehicle specification for Contract 05/29 was therefore advertised for a single cab 6 cylinder 4wd utility, the same as the trade unit.

When the original tenders were assessed, only one tender was received for a 6 cylinder unit and two tenders were received for 4 cylinder units, which were therefore not to specification as such. In addition to this, the only conforming 6 cylinder tender did not include an offer for the Shire trade-in vehicle, which in effect meant that there were no conforming tenders. There were also no private offers received for the trade-in vehicle, to allow some options in regard to accepting any of the tenders.

As staff couldn't recommend that the only 6 cylinder tender be accepted [because there was no trade-in price offered] discussions were held with the Rangers at the time [prior to the last Council meeting] to see if either of the 4 cylinder tenders would be suitable, bearing in mind that they both had bigger engines than the old model Hiluxes. The vehicle engine specifications were all compared, with the following details:-

Nissan Patrol	6 cylinder 4.2 litre diesel	114kw power & 360Nm torque	As tendered
Toyota Hilux	4 cylinder 3.0 litre turbo diesel	120kw power & 343Nm torque	As tendered
Holden Rodeo	4 cylinder turbo diesel	96kw power & 280Nm torque	As tendered - For comparison only
Toyota 78 series	6 cylinder 4.2 litre turbo diesel	122kw power & 380Nm torque	Not tendered
Toyota 78 series	6 cylinder 4.2 litre diesel	96kw power & 285Nm torque	Not tendered

With all other specified items being equal for tender purposes, it was therefore recommended to Council at the time to accept the Toyota Hilux tender from Broome Toyota, as it exceeded the power of the only 6 cylinder unit tendered in any case, a price was offered for the Shire trade-in vehicle, and it would save having to re-tender the unit.

Council accepted the staff recommendation for Item 9.5.1 (page 100 of Minutes) and resolved on 22 Dec 05:-

"That the non-conforming tender of \$8,555.37 changeover from Broome Toyota for a 4WD Toyota Hilux single cab utility, complete to Shire specification [except for the 6 cylinder requirement], be accepted for Contract 05/29."

COMMENT

Prior to the order being placed and/or the contract being executed, it was discovered that the Toyota Hilux unit accepted was a "single cab" only, not an "extra-cab" unit similar to all of the other Ranger vehicles. This is important for Ranger operations as they have to carry a lot of books, paperwork and equipment in the vehicles for daily use. It would not have been a problem with the larger 6 cylinder unit, as they are bigger in the body and have room behind the seats, whereas the Hilux model does not.

A check with the dealer indicated that the cost of an "extra -cab" model was about \$4000 more, which was not considered by staff to be a minor variation to the contract under the Tender Regulations. On that basis, and to try and attract a better range of new vehicle and private trade-in prices it was considered by staff that the contract should not be executed and should be re-tendered at a future date. It is now recommended that the unit be held over for the 2006/07 plant replacement programme as the kilometres travelled has been much less than anticipated. This will also assist the overall plant replacement programme costings for 2005/06 to be much closer to the budgeted amount.

Prior to that occurring, the previous resolution of Council requires rescission, and hence this agenda item.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Tender Regulations

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

All contracts allowed for in the 2005/06 budget. Budget provision was made for a new purchase price of \$49,000 and a trade-in price of \$29,000, giving a budgeted changeover amount of \$20,000. The actual costs for the overall 2005/06 programme have exceeded the budget, so this plant item will now not be replaced in 2005/06.

STRATEGIC IMPLICATIONS

1. Social

Nil

2. Environmental

Nil

3. Economic

Nil

VOTING REQUIREMENTS

Absolute Majority

<p><u>REPORT RECOMMENDATION</u></p> <p>1. <i>That the resolution for Item 9.5.1 on page 100 of the Council Minutes of the Ordinary Council meeting of 22 December 2005, "That the non-conforming tender of \$8,555.37 changeover from Broome Toyota for a 4WD Toyota Hilux single cab utility, complete to Shire specification (except for the 6 cylinder requirement), be accepted for Contract 05/29", be rescinded.</i></p> <p>2. <i>That Contract 05/29 for the Ranger 2 plant item be re-considered in the 2006/07 plant replacement programme.</i></p> <p>Moved: _____</p> <p>Seconded: _____</p> <p>FOR: _____</p> <p>AGAINST: _____</p>
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9.5.2 REVIEW OF WA'S DEFAULT OPEN SPEED LIMIT

LOCATION/ADDRESS:	N/A
APPLICANT:	N/A
FILE:	OGS.46 & ENG.16
AUTHOR:	Manager Administration Services
CONTRIBUTOR/S:	Director Engineering Services
RESPONSIBLE OFFICER:	Chief Executive Officer
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	3 January 2006

SUMMARY: To advise Council of information received from the Western Australian Local Government Association in relation to a proposal to reduce the default open speed limit in WA from 110 km/h to 100 km/h, with a recommendation to support the change from the Shire of Broome.

BACKGROUND

The following information has been received from the Western Australian Local Government Association, dated 21 December 2005:

"Reducing speed has the potential to be the single most influential factor in achieving significant and sustainable long-term reductions in road crash death and serious injuries. As part of its charter to implement strategies to reduce road trauma in Western Australia the Road Safety Council will be considering a proposal to lower the current 110 km/h default open-road speed limit to 100 km/h for existing non-speed zoned roads in early 2006. This is the default limit that applies on rural roads that do not have individual speed limits placed on them.

In accordance with feedback and comments received from Local Governments, and as per a resolution of the State Council in June 2005, the Association has articulated its opposition to the proposed change and raised a number of issues of concern in relation to the proposal with the Office of Road Safety and the Road Safety Council.

A Working Group was formed by the Road Safety Council Officers Support Group to investigate and address the issues raised by the Association and Councils, including:

- The majority of Councils opposed to the change.*
- The WA road Safety Strategy predominantly focuses on reducing travel speeds on urban roads and non-speed zoned roads.*
- That there is little hard data that suggests the reduction will result in less deaths and serious injuries.*
- Concerns about achieving compliance with a lower limit, for example enforcement on non-speed zoned roads.*
- Increases in travel time associated with a reduced open limit.*

A summary report of the Working Group which includes responses to these concerns is attached. Further information, if required can be obtained by contacting Terri-Anne Pettet (Roadwise Program Manager) by telephone 9213 2011 or email tpettet@walgga.asn.au.

It would be appreciated if your Council would again consider the matter of whether it supports or opposes the reduction of the default limit from 110 km/h to 100 km/h in light of this further information and in the overall context of community safety. Please confirm your Council's position on this issue by completing and returning the attached Fax Back form by Friday 10 February 2006. If the majority of Council's remain opposed to the change, this position will continue to be advocated by the Association."

The summary report produced by the Working Group "Responses to Local Governments Main Concerns" is attached to this document.

COMMENT

Given that the proposed reduction will only apply to non-speed zoned roads, this proposal will have very little effect on travel within the Shire of Broome as major roads such as the Great Northern Highway and Broome Highway will remain at 110 km/h. The only non-speed zoned roads within the Shire are short lengths of sealed roads, community, station roads or unsealed roads where a speed limit of 100 km/h will have very limited effect. In the interests of overall road safety, the change should therefore be supported by Council.

CONSULTATION

Not applicable

STATUTORY ENVIRONMENT

Local Government Act 1995 (as amended)
Road Traffic Act 2000
Main Roads Act

POLICY IMPLICATIONS

Not applicable

FINANCIAL IMPLICATIONS

Nil. Any new signs required would be at Main Roads WA cost to supply, install and maintain, as per existing speed zone signs.

STRATEGIC IMPLICATIONS

1. Social

Ensure that the Shire of Broome is a safe and healthy place to live, work and visit.

2. Environmental

Nil

3. Economic

Sustainable infrastructure, including safe and efficient transport systems.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council advise the Western Australian Local Government Association of its support for the proposal by the Road Safety Officers Support Group to reduce the open-road speed from 110 km/h to 100 km/h for non-speed zoned roads in the Shire of Broome.

Moved:

Seconded:

FOR:

AGAINST:

[Attachment: 4 pages](#)

10.

REPORTS

OF

COMMITTEES

10.1 SHIRE OF BROOME BUSH FIRE ADVISORY COMMITTEE MEETING MINUTES OF MEETINGS HELD ON 10 JANUARY 2006, 15 NOVEMBER 2005 & 11 OCTOBER 2005.

LOCATION/ADDRESS:	N/A
APPLICANT:	N/A
FILE:	
AUTHOR:	Senior Ranger
CONTRIBUTOR/S:	N/A
RESPONSIBLE OFFICER:	Director Community Services
DISCLOSURE OF ANY INTEREST:	N/A
DATE OF REPORT:	20 December 2006

SUMMARY: To advise Council of the outcomes of the meetings of the Shire of Broome Bush Fire Advisory meetings held on 11 October, 15 November 2005 and 10 January 2006.

BACKGROUND

The Shire of Broome Bush Fire Advisory Committee met on 11 October 2005. The Committee endorsed these minutes on 15 November 2005.

The Shire of Broome Bush Fire Advisory Committee met on 15 November 2005. The Committee endorsed these minutes by return e-mail.

The Shire of Broome Bush Fire Advisory Committee met on 10 January 2006. The Committee endorsed these minutes by correspondence.

COMMENT

There are no recommendations to Council from the Bush Fire Advisory meeting held on 11 October 2005, although, Bush Fire Advisory Committee discussed a number of issues including:

- Improvements to the current call out system
- Redrafting the tip fire management plan
- Councillor representation on this Committee
- 2006 Firebreak Notice
- Recent fires

There was one recommendation from the Bush Fire Advisory meeting held on 15 November 2005;

“That a letter be sent to FESA on behalf of the Committee requesting the Regional Light Tanker (LT 226) be held in Broome until the fire hazard threat is reduced following significant wet season rainfall”.

This letter was sent and a reply has been received from FESA advising that the light tanker will remain in Broome until significant rains had fallen and reduced the fire hazard. At the time of writing this report, the light tanker was still in Broome.

The Bush Fire Advisory Committee also discussed a number of other issues including:

- The Shire Firebreak Notice 2006
- Habitat Resort proposed fire hazard reduction burn program
- Broome Volunteer Fire & Rescue issues

- Councillor representation on committee
- New DVD "Prepare, Stay & Defend or Go Early"

The Committee agreed that the proposed 2006 Firebreak Notice should be adopted by Council as the minimum standards of fire protection works required by all landowners within the Shire.

At it's meeting on 10 January 2006, the Committee discussed a range of issues including the Habitat Resorts fire management plan, the recent EPA discussion paper on fire management in the Kimberley and the organising of information sessions to be held for the residents of Coconut Well and 12 Mile areas in order to encourage fire awareness and preparedness. It is also hoped that these areas may become actively involved in the Broome Regional Bush Fire Brigade again.

Officer Comment

With regard to the suggested changes to next years Firebreak Notice the proposals to increase the width of firebreaks abutting vacant crown land and to require 20 metre low fuel buffer zones around buildings on land over 2,000 sq metres and in rural areas are strategic initiatives aimed at providing a more effective and safer means of protecting property.

It was also considered more practical to make the basic requirements for "rural land" and "pastoral land" the same.

Definitions of some of the terms used in the Firebreak Notice such as "parkland cleared" were also included in the notice for clarity of understanding.

CONSULTATION

FESA, CALM

STATUTORY ENVIRONMENT

Bush Fire Act 1954

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

1. Social

The recommendations of the Shire of Broome BFAC are directed at reducing the social impact of bushfires whilst fostering a community driven resource.

2. Environmental

The Shire of Broome BFAC recommendations are intended to provide for a safer and more effective response capability in the event of bushfires, which may reduce the environmental impact that these fires can have.

3. Economic

The ability to suppress bushfires as quickly and efficiently as possible reduces the economic impact on those areas affected.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

- 1. That in accordance with Section 33 of the Bush Fires Act 1954, the Shire of Broome 2006 Firebreak Notice be adopted as the minimum fire hazard protection works required by all landowners for the 2006 year.***

Moved:

Seconded:

FOR:

AGAINST:

[Attachment: 12 pages](#)

11. NOTICES OF MOTION

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

13. MATTERS BEHIND CLOSED DOORS

14. MEETING CLOSURE