

## **MISSION AND VALUES OF COUNCIL**

*"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**

**26 OCTOBER 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  
26 OCTOBER 2006**

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## NOTICE OF MEETING

Dear Council Member,

The next Ordinary Meeting of the Shire of Broome will be held on Thursday 26 October 2006, in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 5.00pm.

Regards



Ian Bodill  
Chief Executive Officer

13 October 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
21 September 2006	Restrictive Covenants – Stage 8 Sunset Rise
26 September 2006	Letter of Undertaking Overdraft Facility \$25,000 to NorthWest Expo (x 2 copies)
9 October 2006	Application to Approve Manager BRAC- Michelle Haage, as Licensee
9 October 2006	Deed of Extension of KIPSS/KFPC Lease Lotteries House (x 4 copies)
11 October 2006	Stages 7B & 11 Sunset Rise – Restrictive Covenants

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 SEPTEMBER 2006 MONTHLY FINANCIAL ACTIVITY REPORT**

<b>LOCATION/ADDRESS:</b>	N/A
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	FRE 02
<b>AUTHOR:</b>	Accountant
<b>CONTRIBUTOR/S:</b>	Senior Officers
<b>RESPONSIBLE OFFICER:</b>	Manager Of Financial Services
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	26 October 2006

**SUMMARY:** Monthly Financial Activity Report of the Shires operations for the month of September 2006 includes adjustments to the opening position and all Budget Amendments in this and previous reports. The result of these changes is that the forecast end of year result is a \$37,520 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 25%
- Total Operating Expenditure 22%
- Total Operating Revenue 66%
- Total Capital Expenditure 15%
- Total Sale of Assets Revenue 0%
- Total Capital Revenue 13%

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**

The following revisions to forecasts are formalised as a result of Council's previous resolution at OCM 28 September 2006, Item 9.1.2:-

New Broome Visitor Centre - Tourism & Area Promotions (Corporate Services)

Expenditure for New Broome Visitor Centre car park lighting has been reduced by \$220K by a Council resolution on 28 September 2006. The revised forecast will reduce forecast end of year deficit by \$220K.

Broome Recreation & Aquatic Centre – Recreation & Culture (Corporate Services)

First repayment towards Water Corporation loan drawn end of 2004/2005 is not due until August 2007. Repayment expense was inadvertently included in current financial years budget. Budgeted expenditure has been reduced \$50K by a Council resolution on 28 September 2006. The revised forecast will reduce forecast end of year deficit by \$50K.

Community Enhancement Fund – Governance (Corporate Services)

Expenditure for Councils Community Enhancement Fund has been reduced by \$124K by a Council resolution on 28 September 2006. The revised forecast will reduce forecast end of year deficit by \$124K.

**CONSULTATION**

Internal Staff

**STATUTORY ENVIRONMENT**

Local Government Act  
Financial Management Regulations

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

These are detailed above and 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. *Receives the Monthly Financial Activity Report for the period ended 30 September 2006.*
2. *Notes the amendments to original budget.*

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

[Attachment: 13 pages](#)

**9.1.3 KIMBERLEY REGIONAL COUNCIL PROPOSAL**

<b>LOCATION/ ADDRESS:</b>	Shire of Broome
<b>APPLICANT:</b>	CEO Shire of Broome
<b>FILE:</b>	
<b>AUTHOR:</b>	Chief Executive Officer
<b>CONTRIBUTOR/S:</b>	CEO's Kimberley Zone.
<b>RESPONSIBLE OFFICER:</b>	CEO
<b>DISCLOSURE OF ANY INTEREST</b>	Nil
<b>DATE OF REPORT:</b>	9 October 2006

**SUMMARY:** The Shire of Halls Creek presented an item to the Kimberley Zone seeking support to submit an application to a new funding program entitled Connecting Local Government for the purposes of forming a Kimberley Regional Council, similar to the Pilbara Regional Council. This item seeks Council's position regarding the formation of a Kimberley Regional Council.

**BACKGROUND**Previous Considerations

Nil

An expression of interest was lodged in July 2002 with the Kimberley Development Commission for funding under the Kimberley Sustainable Regions Funding program for assistance with the establishment of a Kimberley Regional Council. The application was not successful at the time as preference was given to infrastructure projects. The issues relating to the formation of a Regional Council were not investigated any further.

**COMMENT**

Essentially the WALGA Kimberley Zone is being used as a de facto Regional Council. It is believed that the formation of a Regional Council to replace the WALGA Kimberley Zone is not supported.

However, it is believed that a regional council can be considered if there is a perceived need and for specific issues that need to be addressed (i.e. in the case of the Eastern Metropolitan Regional Council – for the purpose of managing waste disposal).

It has been expressed on numerous occasions that a looming issue for all Kimberley Councils is the provision of municipal services to Indigenous Communities (particularly remote). It is reasonable that all Australians should have access to reasonable municipal service delivery; however there is constant conflict between all spheres of government about who is responsible and how these services should be delivered, often to the detriment of the community member. As such it is proposed as an alternative to the formation of a Regional Council for the purpose of general resource sharing and promotion of regional objectives, that an application be submitted to Connecting Local Government to investigate the feasibility of structuring a Regional Local Council for the purpose of delivering municipal services to Indigenous Communities.

Once fully investigated, a Regional Council may exist for the expressed purpose of receiving funding directly from state and federal agencies to manage the delivery of services throughout the Kimberley to Indigenous Communities. The operational structure

will need to be reviewed to ensure compliance with all relevant legislation and to maximise outcome delivery; whilst being flexible enough to deliver services in a unique operating environment. By endorsing the officer recommendation does not mean that it will be formed, rather, the Shire of Broome supports an application being submitted to source funding for a full feasibility study to occur.

It is believed that should this concept be successful, it would be the first of its kind in Western Australia and is likely to be well received by both state and federal governments.

## **CONSULTATION**

Kimberley Zone Chief Executive Officer's

## **STATUTORY ENVIRONMENT**

Division 4 – Regional Local Governments of Part 3 of the Local Government Act (1995) sets out the statutory implications for forming a Regional Council

## **POLICY IMPLICATIONS**

N/A

## **FINANCIAL IMPLICATIONS**

There are no immediate financial implications as much of the work in respect of an application was done in 2002 and the cost of a new application would be minimal. The long term operational costs and benefits flowing from regional cooperation will depend on the governance model that is chosen.

## **STRATEGIC IMPLICATIONS**

### **1. Social**

Council has stated that it wishes to take a proactive involvement in regional affairs and also to ensure that its community is provided an affordable lifestyle with economic and social infrastructure that meets the needs of the community.

### **2. Environmental**

- Retain and encourage neighbourhood communities that provide a sense of place for its residents.
- Maintain a sustainable waste strategy.

### **3. Economic**

The formation of a Regional Council will include the investigation of efficiencies in providing such a regional service include financial gains for the state and federal governments.

## **VOTING REQUIREMENTS**

Simple Majority

REPORT RECOMMENDATION

1. *That the Shire of Broome indicates its support to the WALGA Kimberley Zone pursuing this matter and that an application for funding a Kimberley Regional Council under the Connecting Local Government Program be prepared for the purpose of conducting a feasibility study for municipal service delivery to Indigenous Communities.*
  
2. *That the Zone deals with the application and once finalised and agreed to, that it allows individual Local Governments to evaluate it and provide a final decision to the Zone.*

**Moved:**

**Seconded:**

**FOR:  
AGAINST:**

**9.1.4 KIMBERLEY ARCHIVE PROJECT**

<b>LOCATION/ ADDRESS:</b>	Shire of Broome
<b>APPLICANT:</b>	Kimberley Zone
<b>FILE:</b>	
<b>AUTHOR:</b>	Chief Executive Officer
<b>CONTRIBUTOR/S:</b>	Kimberley Zone of WALGA
<b>RESPONSIBLE OFFICER:</b>	Chief Executive Officer
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	

**SUMMARY:** Council is requested to consider its position on the Kimberley Archives Project following the completion of the study conducted by Boynton Consulting.

This report recommends that Council considers the project as a low priority and that the Zone reports back to individual Local Governments once any further advancements have been made.

**BACKGROUND**Previous Considerations

OCM 21 December 2004 – Item 9.1.11

OCM 22 March 2005 – Item 9.1.3

OCM 24 May 2005 – Item 9.4.7

In 1999, The Shire of Derby West Kimberley set up a committee to look at how to establish a Kimberley Archive. A small group made up of Shire Councillors, staff and members of the community focused on obtaining funds to carry out a feasibility study, but without success.

By mid 2005, the committee considered that the next important step was to do a Scoping Study that incorporated a Concept Plan and a Business Plan.

Funding was obtained from the four Kimberley Shires, the Department of Indigenous Affairs and the Kimberley Development Commission. These funding bodies accepted the proposed regional management committee structure with representatives from the Shires, Kimberley organisations with an interest and investment in achieving a Kimberley Archive and members of the community who expressed interest in being on the management committee. This became the Kimberley Archive Project Management Committee (KAPMC).

The committee comprised of:

Representatives From the Four Kimberley Shires

Elsta Foy (Shire of Broome)

Iris Prouse (Shire of Derby/West Kimberley)

Peter McConnell/Lyn Craig (Shire of Halls Creek)

Keith Wright (Shire of Wyndham/East Kimberley)

Representatives from Regional Organisations

Ken Robinson (Kimberley Aboriginal Law & Culture Centre)  
John Silver (Kimberley Development Commission)  
Doug Newman (Kimberley Health Service)  
Lesley Baxter (to November 2005) & Dr K. J. Olawsky (from February 2006) (Kimberley Interpreting Service)  
Jenny Bolton (Kimberley Land Council)  
Siobhan Casson (Kimberley Language Resource Centre)  
Joy Motter, (Pastoralists & Graziers Association)

Community Members on the Committee

Dr Elaine Rabbitt & Valerie McAuslane (Broome Shire area)  
Elsia Archer & Joan McKie, (Derby/West Kimberley Shire area)  
Doreen Green (Halls Creek Shire area)  
Ruth Matthews & Athlea Sullivan (Wyndham/East Kimberley Shire area)

Administrative Support

Eva Paull, Personal Assistant to the CEO, Shire of Derby/West Kimberley  
Suzanne Rigney, Executive Manager, Community Development provided administrative support on behalf of the Shire of Derby/West Kimberley. Suzanne's role with the KAPMC concluded when she left her position at the Shire in May 2006.

The KAPMC elected Joan McKie as Chairperson and Joy Motter as Vice Chairperson. The committee advertised for and then worked with the consultant to ensure that the Scoping Study was carried out in accordance with the brief. Bonython Consulting was contracted to research and prepare the Concept Plan.

**COMMENT**

The conceptual report clearly details objectives and future requirements should the plan be implemented. It should be noted that the plan makes no determination about a preferred location but does detail a list that needs to be considered when choosing a site. It is believed that a location should be determined before any financial commitment is made.

The concept plan stated that to ensure the concept of a Kimberley Archive was developed and remained relevant to the needs and aspirations of the Kimberley's resident population, the KAPMC identified the following Guiding Principles as reference points for the project:

- To provide archival storage that will preserve and protect records relevant to all the Kimberley and its inhabitants, both Indigenous and non-Indigenous.
- To provide access locally to the Kimberley's archival heritage in an appropriate manner.
- To repatriate archival records back to the Kimberley.
- To ensure control and governance of the facility is retained locally.
- To provide an expert resource to other Kimberley agencies.

- To support and work in partnership with other Kimberley agencies.
- To establish appropriate research protocols and work towards protecting intellectual property rights of all archival material.
- To ensure the facility is viable and sustainable in all aspects.

It is believed that the Kimberley Archive is an extremely valuable concept and the level of detail provided by the concept plan will allow it to be implemented when an appropriate time is reached. It is also believed that the concept of a Kimberley Archive is more about social development than physical infrastructure. This is reflected in the Strategic Social Implications of the report.

## **CONSULTATION**

Full consultation was maintained during the entire process. The entire Kimberley region was engaged and all meetings were fully minuted. This group has endorsed the Concept Plan as prepared.

## **STATUTORY ENVIRONMENT**

Nil

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

This may vary according to the decision made by Council. Should Council believe that this is a high priority for the local community (assuming a location has been chosen) and wished to see the plan implemented and cannot get financial support from any other agency (either state, local or federal) then the costs to implement would range from \$300,000 to \$400,000 per year. This would obviously reduce if more financial support received.

Alternatively Council may choose to support the concept but contribute no funding. This option recognises Council's support to the concept but acknowledges Council's limited financial resources to see the project delivered.

## **STRATEGIC IMPLICATIONS**

### **1. Social**

The implementation of the Kimberley Archive has significant social benefit. As indicated in the report, archives can make a significant contribution to promoting social inclusion in ways that prevent disadvantage through helping to develop personal and community identity and empowerment. Further, the research found that archives enable individuals to gain identity and self-respect by connecting individuals with the past, allowing people to see them as having a place in a wider, and continuing cultural context. Strategically this would assist in long-term social issues and would provide another avenue to improve community well being.

**2. Environmental**

Nil

**3. Economic**

The concept plan details full operating budgets and indicates that the Kimberley Archive, should it be implemented, is unlikely to ever be economically sustainable unless sponsorship/funding is provided for the entire life of the Archive.

**VOTING REQUIREMENTS**

Simple Majority

**REPORT RECOMMENDATION**

*That Council:*

1. *Supports the Kimberley Archive Concept Plan as written.*
2. *Provides no further funding towards the implementation of the Kimberley Archive.*
3. *Ranks the Kimberley Archive as a low priority in terms of other projects currently being implemented.*
4. *Requests the Kimberley Zone President writes to various State and Federal members of parliament seeking their financial support to the Kimberley Archive.*

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

[Attachment: 84 pages](#)

**9.1.5 CHIEF EXECUTIVE OFFICER EMPLOYMENT CONTRACT**

**LOCATION/ ADDRESS:** Shire of Broome  
**APPLICANT:**  
**FILE:**  
**AUTHOR:** Shire President  
**CONTRIBUTOR/S:**  
**RESPONSIBLE OFFICER:** Chief Executive officer  
**DISCLOSURE OF ANY INTEREST:** Chief Executive Officer  
**DATE OF REPORT:** 9 October 2006

**SUMMARY:**

This report discusses the CEO's contract and recommends that Council considers whether it wishes to renew his contract and if so suggests a process and timeline for this to occur.

**BACKGROUND**

The CEO commenced employment with the Shire of Broome on the 10 of May 2004 and his three-year contract expires in May on 10 May 2007.

A preliminary discussion with the Shire President has indicated that he would consider renewing his contract if Council so wished and provided that both parties could come to an agreed contractual outcome.

If Council agrees, the CEO is keen to affect a new contract commencing 1 January 2007 for a period of two to three years depending on the agreement.

The following is an extract from the contract of the CEO:

*There is no compulsion on either the Shire or the Employee to agree to a new Contract, however:*

- 2.3.1 *the Shire shall invite the Employee in writing not later than three months prior to the expiry of the Term to discuss the possibility of the parties entering into a new Contract for a further term with the intent of finalising those discussions not later than four weeks prior to the expiry of the Term; and*
- 2.3.2 *in the event that the Shire and the Employee agree to a new contract, this Contract shall continue to apply unless varied in writing by the parties.*

Elected Members were invited to appraise the CEO during the month of October and a summary of the results is attached.

**COMMENTS**

The appraisal format is different to the format outlined in the contract of the CEO. The CEO has agreed, for the sake of ease to have councillors conduct the appraisal in the manner in which it was completed in October.

The following process is offered for Council approval should Council agree to the renewal of the CEO's contract.

1. That Council endorses the final summary of the CEO Appraisal conducted in October 2006.

2. The President and Deputy President, on behalf of Council will negotiate and finalise contractual details with CEO.
3. The new contract will commence on 1 January 2007 for a period to be agreed upon by both parties.

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Local Government Act  
Contract Law

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

There will be a financial implication to Council but this figure is unavailable until a final agreement is reached between Council and the CEO should council agree to renew the contract.

**STRATEGIC IMPLICATIONS**

The CEO is accountable for the Shire's involvement and maintenance of the triple bottom line approach whilst managing the Shire's strategic direction as adopted by Council in the areas of Social, Environmental and Economic issues.

REPORT RECOMMENDATION

*That Council:*

1. *That Council endorses the final summary of the CEO Appraisal conducted in October 2006.*
2. *Agrees to offer the CEO a further contract effective 1 January 2007 for a period of three years.*
3. *Agrees to the President and Deputy President, on behalf of Council, negotiating and finalising contractual details with the CEO.*

**Moved:**

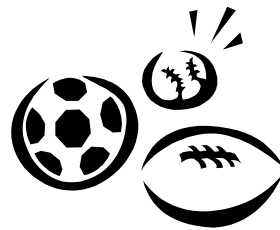
**Seconded:**

**FOR:**

**AGAINST:**

## 9.2

### COMMUNITY SERVICES



#### OUTCOME

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

There are no items for this Section.

## **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 REVIEW OF LOCAL PLANNING POLICY 4.1.6 – STAFF QUARTERS/WORKERS ACCOMMODATION IN RURAL LIVING, RURAL AGRICULTURE AND GENERAL RURAL ZONES**

<b>LOCATION/ADDRESS:</b>	Town Planning Scheme No.4 Area
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	PLA22
<b>AUTHOR:</b>	Alison Rumley
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Development Services
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	27 September 2006

**SUMMARY:** This report provides a review of Local Planning Policy 4.1.6 – Staff Quarters/Workers Accommodation in Rural Living, Rural Agriculture and General Rural Zones.

The report recommends that the Policy be adopted.

## **BACKGROUND**

### Previous Considerations

OCM 16 May 2000 - Item 9.4.6

OCM 8 April 2003 - Item 9.2.1

OCM 6 July 2006 – Item 9.3.2

### *History*

At the 6 July 2006 Ordinary Meeting, Council resolved to adopt the modified Local Planning Policy 4.1.6 – Staff Quarters/Workers Accommodation In Rural Areas, for consultation, prior to further consideration and final adoption by Council.

The Policy was subsequently advertised for public comment and no submissions were received during this period.

## **COMMENT**

Pursuant to Clause 4.3.2 of the Scheme, Council has determined that the use of "Staff Quarters/Workers Accommodation" is consistent with the objectives and purposes of the Rural Living, Rural Agriculture and General Rural Zones (12 Mile, Coconut Well, Skuthorpe and Lullfitz). However, in order to minimise the need for unnecessary delays in the processing of non-contentious planning applications, it is considered appropriate that the Policy be modified.

The major difference between the existing and modified Policies is the removal of a maximum specified floor area for the staff quarters/workers accommodation dwelling (currently 100m<sup>2</sup>). It is considered that the specification of a maximum floor area is not relevant in this context and may prohibit the viable use and functioning of the land for legitimate rural pursuits. The modified Policy does however reiterate the point that the Shire must be satisfied that an existing rural pursuit is operating on the land and that the person(s) staying within the staff/quarters workers accommodation dwelling are directly involved with the on-site rural pursuit.

An amendment to the Scheme, in conjunction with the Policy modification, was also adopted by Council at the 6 July OCM. This amendment involves the incorporation of a definition of "Staff Quarters/Workers Accommodation" into the Scheme and the addition of the use into the Zoning Table. This will allow for accommodation of this type to be considered as a complementary and potentially vital component of a rural pursuit and a corresponding element of the modified Policy.

A copy of the proposed policy is attached.

## **CONSULTATION**

In accordance with Clause 2.5(a) of Town Planning Scheme No.4, the proposal was advertised in the local newspaper.

The Amendment is currently being processed.

## **STATUTORY ENVIRONMENT**

Planning and Development Act 2005  
Shire of Broome Town Planning Scheme No. 4

## **POLICY IMPLICATIONS**

Local Planning Policy 4.1.6 – Staff Quarters/Workers Accommodation In Rural Agriculture, Rural Living and General Rural Zones.

## **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 viable pastoral and horticulture industries.  
Increased employment opportunities

## **VOTING REQUIREMENTS**

Simple Majority

REPORT RECOMMENDATION

*That Council, in accordance with Clause 2.5 of Shire of Brome Town Planning Scheme No. 4, adopts the modified Local Planning Policy 4.1.6 – Staff Quarters/Workers Accommodation In Rural Areas.*

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

[Attachments: 1 Page](#)

**9.3.2 APPLICATION FOR SIGNS APPROVAL – 95 GUY STREET BROOME**

<b>LOCATION/ ADDRESS:</b>	Lot 50, No.95 Guy Street Broome WA
<b>APPLICANT:</b>	Warren Minshull
<b>FILE:</b>	GUY-1/95
<b>AUTHOR:</b>	Andy White
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Development Services
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	6 October 2006

**SUMMARY:** An application for planning approval has been lodged for signs at Minshull Mechanical, 95 Guy Street.

The Local Law requires that the proposal be approved by Council.

This report recommends approval.

**BACKGROUND**Previous Considerations

OCM 18 November 1985 – Item 4.2.30

OCM 13 April 2004 – Item 9.2.4

Site and Surrounds

The Land is on the south side of Guy Street between Hunter Street and Pembroke Road.

The Land is occupied by Minshull Mechanical and is used for automotive repairs and parts sales.

Description of the Proposal

The proposed signs consist of two panels situated on the roof of the existing spare parts sales area and one sign painted on the wall of the front of the building. The bottom of the sign on the roof would be approximately 3 metres above the ground, with a maximum height of 2.5 metres. The sign has two panels with areas of 17.85 square metres and 18.75 square metres respectively. The other sign would be painted directly to the front of the building, adjacent to the entrance.

The proposed signs are in the corporate colours of the "TJM 4WD Megastore" which are yellow, black and white (see attachment).

The proposed signs have been constructed, per the proposal, and a structural engineers certification has been supplied with the application.

Planning Provisions

The application must be considered for retrospective approval as the supporting structure has already been erected.

Clause 5.13.1 of the Shire's Local Law relating to signs, hoardings and bill posting, requires that a roof sign can only be approved by resolution of Council.

The specifications within the Sign Local Law state that a roof sign on a building between 3 and 4 metres high should have a maximum height (of the sign) of 1 metre. In this instance, the signs are two metres high.

### **COMMENT**

The lot is situated in the light and service industry zone and as such the proposal is considered to be appropriate to the site and the surrounding environment.

Whilst the roof signs exceed the specified height under the Local Law, they are situated well back from the road alignment. The property doesn't have unfettered views along Guy Street and the approach along Guy Street is partly obscured by development and vegetation on nearby lots. The property is situated within an industrial and commercial area where signs of this nature are commonplace.

It is not considered that the proposed roof signs would detract from the visual amenity of the area, nor from the industrial environment.

There are no issues in relation to the signage proposed to be painted on the building.

The proposal is recommended for approval.

### **CONSULTATION**

The proposal was not required to be advertised.

### **STATUTORY ENVIRONMENT**

Local Law relating to Signs, Hoardings and Bill Posting  
Planning and Development Act 2005  
Town Planning Scheme No.4

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

Nil

### **STRATEGIC IMPLICATIONS**

#### **1. Social**

Nil

#### **2. Environmental**

Nil

#### **3. Economic**

Contribution to economic viability.

**VOTING REQUIREMENTS**

Simple Majority

REPORT RECOMMENDATION*That Council:*

1. *Resolves to approve the erection of roof signs under Local Law 5.13.1 of the Local Law relating to Signs, Hoardings and Bill Posting, at 95 Guy Street Broome.*
2. *Approves application for planning approval, 2006/143, for Signage at Lot 50, No. 95 Guy Street Broome, subject to the following conditions:*
  - a) *Development must be carried out strictly in accordance with the plans stamped received dated 7 August 2006 submitted with the application as approved by the Shire.*
  - b) *All work shall be performed in strict accordance with the Sign Licence obtained from the Shire. The Sign Licence shall include, Structural Engineers Certification and the sign is to be installed in accordance with the Structural Engineers Certification and the requirements of the Building Code of Australia.*

**Moved:****Seconded:****FOR:****AGAINST:**[Attachment: 4 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 September 2006 as attached, covering municipal cheque vouchers 43204 to 43511 totalling \$1,108,618.86 and EFT vouchers 2851 – 2920 totalling \$1,236,519.78 and trust cheque vouchers 2527 – 2564 totalling \$50,137.64 be passed for payment.

**COUNCIL RESOLUTION****Moved:****Seconded:****FOR:****AGAINST:**[Attachment: 14 pages](#)

**9.4.2 SBS SELF HELP RETRANSMISSION SUBSIDY SCHEME**

**LOCATION/ ADDRESS:** N/A  
**APPLICANT:** N/A  
**FILE:** CMN.02  
**AUTHOR:** Manager Administration Services  
**CONTRIBUTOR/S:** Nil.  
**RESPONSIBLE OFFICER:** Chief Executive Officer  
**DISCLOSURE OF ANY INTEREST:** N/A  
**DATE OF REPORT:** 11 October 2006

**SUMMARY:** To advise Council of an opportunity to obtain funding for the retransmission of SBS Radio to the Broome townsite.

**BACKGROUND**Previous Considerations

Nil

In 1999/2000 the Shire of Broome installed the necessary equipment to broadcast SBS Television. The broadcast was then taken over by the SBS Corporation in October 2000, with the Shire of Broome surrendering its licence.

The sale of this equipment, along with funding has recently seen the transmission of Triple J Radio to the Broome townsite, with the transmission of Classic FM radio due in the very near future.

The SBS Self Help Retransmission Subsidy Scheme is now providing up to 100% funding assistance for establishment of SBS Radio services up to a ceiling of \$25,000.

**COMMENT**

A quote has recently been obtained for N-Com Pty Ltd (Queensland) to undertake the submission for the grant application and installation of the transmission equipment for \$24,392.50 (GST excl). As such, the entire project to transmit SBS Radio could be funded through the Subsidy Scheme, if application for funding is successful.

N-Com have advised that their quote provides for a 30 watt transmitter which will allow for radio transmission over 10 – 15 kilometre radius. To match the transmission capabilities of Triple J, which utilises a 500watt transmitter, an additional amplifier to boost the signal output to 500watts would be required, at an additional cost of \$5,200.

If the balance of the funding available from the scheme is utilised, the Shire would need to contribute \$4,592.50 for the additional amplifier. It should be noted that these additional funds have not been included in the 2006/2007 budget.

As with Triple J and Classic FM, the Shire of Broome would hold the broadcast licence for this service and will own and be responsible for the maintenance of the equipment.

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

If the Shire is successful in obtaining the full \$25,000 funding for the project, a financial contribution from the Shire will not be required if the amplifier option is not taken. There would also be an ongoing license fee of approximately \$50 per annum, and repairs and maintenance would be Council's responsibility.

**STRATEGIC IMPLICATIONS****1. Social**

To ensure that the community has access to affordable and well maintained health, educational, recreational, community and cultural facilities and services.

**2. Environmental**

Nil

**3. Economic**

Nil

**VOTING REQUIREMENTS**

Absolute Majority

**REPORT RECOMMENDATION**

*That Council endorses the retransmission of SBS Radio to the Broome townsite and delegates authority to the Chief Executive Officer to proceed with obtaining funding for this project and the purchase and installation of equipment provided it does not exceed the funding received under the Retransmission Subsidy Scheme.*

**Moved:**

**Seconded:**

**FOR:  
AGAINST:**

**9.4.3 OLD BROOME VISITORS CENTRE - LEASE (TENDER 06/18)**

<b>LOCATION/ ADDRESS:</b>	Old Broome Visitors Centre, Corner Broome Highway & Bagot Street, Broome.
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	RES 37432; TEN.06/18
<b>AUTHOR:</b>	Manager Administration Services
<b>CONTRIBUTOR/S:</b>	Director Corporate Services
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF ANY INTEREST:</b>	N/A
<b>DATE OF REPORT:</b>	26 September 2006

**SUMMARY:** To advise Council of the outcome of the Tender process for the lease of the Old Broome Visitors Centre.

**BACKGROUND**Previous Considerations

OCM 13 April 2006 - Item 9.4.5

OCM 8 June 2006 – Item 9.4.6

Due to the construction of the New Broome Visitors Centre on the corner of Short Street and Broome Highway, expressions of interest were called in April 2006 for the Old Broome Visitors Centre on the corner of Bagot Street and Broome Highway.

It is intended that the funds derived from leasing the Old Broome Visitors Centre will be applied to service the loan for the New Broome Visitors Centre.

As a result of the Expression of Interest process four submissions were received for the site. Assessment of the submissions was undertaken by a panel comprising of Councillor Griffiths, Councillor Grosse and the Director Corporate Services with the subsequent report being presented to the 8 June 2006 Ordinary Meeting of Council, which resulted in the following resolution:

- “1. That the Chief Executive Officer develop selection criteria and proceed to call tenders from the Department of Indigenous Affairs and Magabala Books for the lease of the Old Broome Visitors Centre Site under Section 3.58 of the Local Government Act.
2. That consideration of the tenders be referred back to full Council.”

**COMMENT**

Tender documents were produced and distributed to both the Department of Indigenous Affairs and Magabala Books, with tender submissions closing on 15 September 2006.

One submission was received from Magabala Books, with the details of this submission contained in the confidential report distributed to Councillors under separate cover.

**CONSULTATION**

Not required

**STATUTORY ENVIRONMENT**

Local Government Act 1995  
 Local Government (Functions and General) Regulations 1996

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The awarding of this lease will result in additional revenue that will assist in servicing the loan and maintenance costs associated with the New Broome Visitors Centre.

**STRATEGIC IMPLICATIONS**

**1. Social**

A community that includes creative people and recognises/celebrates the significance of an artistic community and a diverse cultural heritage, Encourages best practice in promoting and marketing artistic endeavour.

**2. Environmental**

Nil

**3. Economic**

Area 3, Strategy 8 – Complete the relocation of the Broome Visitor Centre.

To add value to the existing businesses and encourage appropriate investment opportunities, to provide a diverse economic base, which increases employment and economic benefit for future generations.

**VOTING REQUIREMENTS**

Simple Majority

REPORT RECOMMENDATION

*That Council adopts the resolution as contained with the confidential report.*

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

Confidential attachment under separate cover

**9.4.4 PARK AND RESERVE VENUE HIRE CHARGES AND CONDITIONS – POLICY 2.3.4**

**LOCATION/ ADDRESS:** Various Shire Parks and Reserves  
**APPLICANT:** N/A  
**FILE:** ENG.08; ADM.28  
**AUTHOR:** Manager Administration Services  
**CONTRIBUTOR/S:** Director Engineering Services  
**RESPONSIBLE OFFICER:** Director Corporate Services; Director Engineering Services  
**DISCLOSURE OF ANY INTEREST:** Nil  
**DATE OF REPORT:** 3 October 2006

**SUMMARY:** Reconsideration of Policy 2.3.4 in regard to the hiring of public venues, with a recommendation to adopt the proposed changes as advertised, with the exception of the amphitheatre charge per night to remain the same as all other venues.

**BACKGROUND**

Previous Considerations

OCM 1 August 2006 - Item 9.4.4

This matter was considered by Council at its Ordinary Meeting held 1 August 2006, where it was resolved:

*“That the revised policy, amended to read “Council will sponsor for the equivalent amount of the hire fee” be put out for public comment, including the referral to the main venue user groups, prior to further consideration by Council.”*

Subsequently, comments were sought from main user groups of these sites, with comments being received from:

- Broome Camp School
- Broome Community Stallholders Association
- Broome Fishing Club
- Broome Weddings
- Cable Beach Club Resort
- Tri-Nation Holdings Pty Ltd

**COMMENT**

Comments from the above groups are summarised below:

Organisation	Comments
Broome Camp School (Cable Beach Amphitheatre)	Previous concerns have been addressed by the new site plan showing sites for infrastructure.  Supports increase in hire fees to ensure venue is better policed and clean after each use.
Broome Weddings	Concern at reduction in “exclusive use venues”.

<b>Organisation</b>	<b>Comments</b>
(Various Sites)	<p>No other public gardens are available for private wedding ceremonies.</p> <p>Request that consideration and planning of a venue specifically to be hired for wedding ceremonies (ocean backdrop, shade, grassed, water available, vehicle access, area for chairs to be set up)</p> <p>Venue hire charge to assist with cost of development.</p> <p>Increase of charges associated with amphitheatre considered steep – could toilet be provided ?</p> <p>Requests clarification of whether the “no-charge” exclusions access can be still used for small to medium size weddings.</p>
Zanders at Cable Beach (Cable Beach Reserve)	<p>Disappointed that the raised areas south, west and north of Zanders should no longer be available for specific/ exclusive venue hire.</p> <p>4 suggested options for area surrounding:</p> <ul style="list-style-type: none"> <li>(i) Suggest restricted number of venue hires to a maximum of 12 per year.</li> <li>(ii) Suggest Areas to the North and South be restricted, but not the west.</li> <li>(iii) Suggest allowing 65% of the grass area to the west to be hired by Zanders.</li> <li>(iv) Restrict hire of this area to after 6.00pm.</li> </ul>
Community Stallholders (Town Beach Reserve)	<p>8 events per year for two nights each event = a total of 16 events per year. Attendance by stallholders is limited and generally not successful with the exception of the food stalls.</p> <p>Initially they were approached by the Visitors Centre to try and create a better atmosphere at staircase to the moon events.</p> <p>Provide a service to the Broome tourist experience.</p> <p>Increase in hire costs will make it prohibitive for stallholders.</p>
Broome Fishing Club (Cable Beach Reserve)	<p>Uses the area to the west of Zanders for the presentation night for the annual Billfish Tournament.</p> <p>Concern about general increases in fees as many “hires” are by community not for profit organisations, to the benefit of the community in general.</p>
Cable Beach Club Resort (Cable Beach Amphitheatre)	<p>Objection to fee increases.</p> <p>Unaware of any complaints regarding line of sight, noise or smell.</p> <p>Conducts majority of events on amphitheatre and a significant increase in fees will impact on the resort.</p> <p>The CBCR has been actively targeting the Meetings, Incentives, Conferences and Exhibitions market to provide</p>

Organisation	Comments
	<p>ancillary revenue opportunities for Broome.</p> <p>CBCR has a long history of supporting community events and is covering the cost of relocating the power dome in the middle of the amphitheatre to a less visible position.</p> <p>Any significant increase in fees will mean a review of sponsorship commitments.</p> <p>Would support an increase in line with other recommended areas.</p>

## CONSULTATION

Correspondence was forwarded to 16 regular users of the various venues with the responses received detailed above. Information on this project was also included in the Shire Newsletter, including in the 31 August 2006 edition of the Broome Advertiser. No public submissions were received.

## STATUTORY ENVIRONMENT

Local Government Act 1995

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

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

Increase in revenue to partly cover maintenance and upgrade costs associated with reserves.

## STRATEGIC IMPLICATIONS

### 1. Social

Assists in providing a unique lifestyle for all the community that is supported by economic opportunity and a framework to protect and enhance the unique lifestyle and cultural diversity.

### 2. Environmental

To maintain, protect and improve the Broome environment, both natural and developed for which the area is renowned.

### 3. Economic

Nil

## VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That:

1. *The existing Venue Hire Charge Policy 2.3.4 be renamed as the "Parks and Reserve Venue Hire Charges and Conditions Policy 2.3.4.*
2. *The advertised Policy changes all be included in to the amended Policy with the exception of the proposed increase in charges for the Cable Beach amphitheatre, which is to remain at the same charge per day as all other venues.*
3. *That the grassed area immediately to the west of Zanders Café be approved for 1 (one) use per year for the Annual Billfish Tournament Awards Night, subject to the same fee per day as other reserves, but a condition that no vehicles are to be located on the area and all public use paths are to be kept clear at all times.*

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

[Attachment: 3 pages](#)

**9.4.5 DONATION - KIMBERLEY KIDS CLEAN UP KIT**

<b>LOCATION/ ADDRESS:</b>	N/A
<b>APPLICANT:</b>	Clean Up Australia Ltd
<b>FILE:</b>	FIS.04
<b>AUTHOR:</b>	Manager Administration Services
<b>CONTRIBUTOR/S:</b>	N/A
<b>RESPONSIBLE OFFICER:</b>	Chief Executive Officer
<b>DISCLOSURE OF ANY INTEREST:</b>	N/A
<b>DATE OF REPORT:</b>	6 October 2006

**SUMMARY:** To advise Council of a request for funding to support the "Kimberley Kid's Clean Up Kit – Pilot Project".

**BACKGROUND**Previous Considerations

Nil

The following correspondence has been received from Clean Up the Kimberley campaign:

*"As you will be aware an important element of the Clean Up the Kimberley Campaign is to develop environmental educational material for primary school students in remote communities of the Kimberley. This material will come in the form of a CD ROM with simple activities and stories written by teachers for teachers of pre-primary to year five students. The Kit will be modelled on Clean Up Australia's highly successful National Kid's Clean Up Kit.*

*The project is now taking shape and later this year an official working group will be named and will be the consultative committee which will direct the development of this education tool.*

*I am aware and constantly reminded of the amount of money spent on litter control by local Government in the Kimberley. I am also aware of the rising cost of this type of litter control and suggest that if we do not invest in long term strategies this cost will continue to rise.*

*The Keep Australia Beautiful Council of Western Australia is keen to partner with Clean Up Australia on this project and I have submitted an application for \$10k to the Litter Prevention Grants round for 2006/7.*

*The budget for this project is \$15k. Clean Up Australia, as the applicant will contribute \$1000 which leaves a shortfall of \$4000. Hence I am asking three Shire council to make up this shortfall. The Shire of Derby/ West have contributed \$8000 to the Kimberley Say NO to Plastic Bags project so that council is excluded from this request. Please find enclosed project brief with budget and timeline."*

The Project Brief, timeline and budget are attached.

**COMMENT**

The Shire of Broome contribution to this project would be \$1,333.34 if the three remaining Kimberley local authorities equally contribute to the shortfall in funds.

**CONSULTATION**

Not required.

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY IMPLICATIONS**

In accordance with the Shires Sundry Donation from Council Policy, any donations in excess of \$1,000 require approval from Council.

**FINANCIAL IMPLICATIONS**

Funding has not been specifically allocated for this purpose in the 2006/2007 budget although there is approximately \$1,200 unallocated from the Sundry Donations Budget.

**STRATEGIC IMPLICATIONS****1. Social**

Create a safe and harmonious community environment through mutual respect and ownership of shared values and aspirations.

**2. Environmental**

To maintain, protect and improve the Broome environment, both natural and developed, for which the area is renowned.

**3. Economic**

Nil

**VOTING REQUIREMENTS**

Simple Majority

REPORT RECOMMENDATION

*That Council supports the request from Clean Up the Kimberley for funding of \$1,333.34 for the purpose of Kimberley Kid's Clean Up Kit – Pilot Project to be drawn from the Sundry Donations Account.*

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

[Attachment: 2 pages](#)

**9.4.6 KIMBERLEY REGIONAL OFFICE - BUSINESS PLAN**

<b>LOCATION/ ADDRESS:</b>	RESERVE 8685
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	RES.8656
<b>AUTHOR:</b>	Manager Administration Services
<b>CONTRIBUTOR/S:</b>	Director Corporate Services, Director Development Services
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF ANY INTEREST:</b>	N/A
<b>DATE OF REPORT:</b>	25 September 2006

**SUMMARY:** To seek Council endorsement of a draft Consultants Brief for the development of a Business Plan for the Kimberley Regional Office

**BACKGROUND**Previous Considerations

OCM 30 November 2006 - Item 9.1.6.

In November 2004, staff presented an item to Council with regard to the Kimberley Regional Office, the ongoing maintenance costs and the inability to fully tenant the building. At the time there was some consideration to purchasing the reserve land portion and disposing of the site. The following resolution of Council resulted:

*"That Council*

1. *Agrees in principle that it wishes to investigate the future of the property known as the Kimberley Regional Offices.*
2. *Approves expenditure for the preparation of a business plan for a possible disposal, determination of licensed valuations and drafting of specifications for seeking property management for the Kimberley Regional Offices*
3. *Directs staff to submit to Council the completed business plan for adoption before seeking submission from the Public."*

Following this Council resolution, staff obtained a property valuation from the Department of Planning and Infrastructure, which was received in April 2005, valuing the property at \$1,940,000, plus GST.

Minimal work has been undertaken on the business plan due to other work priorities and an increasing demand for general office accommodation in Broome.

**COMMENT**

Since the initial resolution of Council, the Kimberley Regional Office has been fully tenanted, with enquiries being received regularly for office accommodation for government and community service organisations, with the following organisations currently occupying the building:

- Grunt Labour Services

- CRS Australia
- Derby West Kimberley Skill Share
- Kullarri Employment Services
- Department of Community Justice
- WA Police
- Horizon Power
- Department of Housing & Works
- Department of Community Development
- Kullarri Indigenous Women's Aboriginal Corporation

Officers have since changed their position on the recommendation made to Council in the previous agenda, as this was based on:

- The rate of return was currently fairly low and is exposed to a fluctuating property market;
- The funds freed up may be applied more effectively to reduce debt on existing loans such as BRAC or even to fund community projects such as BRAC stage 2, Civic Centre refurbishment or Broome Visitors Centre;
- Staff does not consider the land needs to be held for any strategic purpose in the medium term.

However, officers now believe the office complex should be retained as it presents an opportunity to add to the sustainability of Broome, with significant benefits on the economic, environmental and social fronts (refer to strategic implications). It is the belief of staff that this office complex is ideally situated to be a centre for human services, of both a commercial and government nature,

In addition to this, there has been an approach from other government organisations wishing to locate within this site should space become available through vacancies or future development.

Staff seek to engage a consultant, see attached consultants brief, to undertake the development of a business plan for the site, aimed at achieving the following vision for the site:

"To provide a business presence on the Frederick Street frontage of the Kimberley Regional Office site for a range of human services, whilst contributing to the streetscape of the area and maximising commercial accommodation options."

In addition to this, the business plan is to focus on the following key areas:

- The need to invest further capital funds into the site, including development options
- The management requirements for tenancies
- Project management
- Risk management
- Marketing scope and requirements

Staff have referred this matter back to Council as the proposed brief takes a slightly different direction to the original report and Council recommendation.

## **CONSULTATION**

It is envisaged that consultation with relevant stakeholders will take place as part of the development of the business plan for this site.

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The funding for the consultant has been identified in the 2006/2007 budget.

**STRATEGIC IMPLICATIONS****1. Social**

To ensure that the community has access to affordable and well maintained, health, educational, recreational, community and cultural facilities and services. Council will act as a partner to all spheres of government, not for profit groups and private sector providers. Council needs to ensure that a fair and equitable access to services for all is delivered.

More specifically, the development of the site could facilitate the establishment or expansion of key human services offered by Government or non-profit organisations, Services such as Family Relationship Centres (a Commonwealth Program).

**2. Environmental**

To allow carefully planned development whilst recognising the competing demands of growth, conservation and environment. Low rise/low impact development (no higher than the vegetation line (two storeys) is desired.

The site is in a prominent location and Council can control its development, sympathetic to its surrounds and zoning.

**3. Economic**

Seeks to add value to existing businesses and encourage appropriate investment opportunities, to provide a diverse economic base which increases employment and economic benefit for future generations.

The project would facilitate job creation from construction through to the provision of services from the premises. It will also provide the Shire with a revenue stream net of costs which could be applied to other services.

**VOTING REQUIREMENTS**

Absolute Majority

REPORT RECOMMENDATION

1. That Council endorses the attached Draft Consultants Brief for the development of a Business Plan for the Kimberley Regional Office and notes that the preferred direction is not to dispose of the site.
2. That Council delegates authority to the Chief Executive Officer to finalise the Brief and engage a suitable consultant to undertake the Business Plan for the Kimberley Regional Office.
3. That the Business Plan for the Kimberley Regional Office be presented to Council for endorsement once complete.

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

[Attachment: 14 pages](#)

### 9.4.7 LOCAL GOVERNMENT PROPERTY & PUBLIC PLACES LOCAL AMENDMENT LAW 2005- (NO 2)

**LOCATION/ ADDRESS:** N/A  
**APPLICANT:** N/A  
**FILE:** BYL.06/CDE36  
**AUTHOR:** Manager Administration Services  
**CONTRIBUTOR/S:**  
**RESPONSIBLE OFFICER:** Director Community Services  
**DISCLOSURE OF ANY INTEREST:** N/A  
**DATE OF REPORT:** 12 October 2006

**SUMMARY:** To formally terminate the process to amend the Shire of Broome Local Government Property and Public Places Local Law 2003.

### BACKGROUND

#### Previous Considerations

OCM 11 August 2005 - Item 9.2.1

SCM 9 December 2005 - Item 9.4.1

At the Ordinary Meeting of Council held 11 August 2005, Council resolved to commence the process to create the Local Government Property and Public Place Amendment Local Law 2005 (No 2).

The purpose of the Amendment Local Law was to include additional terminology and clause to implement policies and manage motor vehicles on Cable Beach (between Gantheaume Point and Coconut Well).

This would effectively provide the Shire of Broome with the necessary mechanisms to implement a permit system to control access and manage motor vehicles on Cable Beach (between Gantheaume Point and Coconut Well).

At the Special Meeting of Council held 9 December 2005, Council resolved:

- “1. Requests the CEO to advise staff and the public that control of driver behaviour on the beach will continue within existing resources
3. 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.
4. Establish a Terms of Reference for the committee that includes researching relevant environmental and social information and implements broad based community engagement.”

As such, the creation of the Amendment Local Law was no longer required.

**COMMENT**

Following discussion with representatives of the Department of Local Government and Regional Development, it is recommended that a process to create or amend a Local Law may remain in place for approximately 12 months. After this time the process would need to be recommenced.

As the Cable Beach Motor Vehicle Management Advisory Committee has been appointed and formulation of recommendations is not expected until 2007, it is considered appropriate to formally terminate the process to create the Local Government Property and Public Places Amendment Local Law 2005.

**CONSULTATION**

Discussion with representatives from the Department of Local Government and Regional Development.

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS****1. Social**

Provide open, transparent and good governance to the community.

**2. Environmental**

Nil

**3. Economic**

Nil

**VOTING REQUIREMENTS**

Absolute Majority

REPORT RECOMMENDATION

*That Council formally terminate the process commenced in August 2005 to create the Shire of Broome Local Government Property and Public Places Amendment Local Law 2005.*

**Moved:**

**Seconded:**

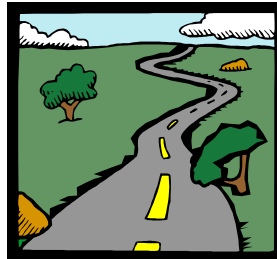
**FOR:**

**AGAINST:**

# 9.5

## ENGINEERING

### SERVICES



### OUTCOME

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

**9.5.1 CONTRACT 06/20 SUPPLY AND APPLICATION OF BITUMINOUS SEALING WORKS FOR THE SHIRE OF BROOME**

<b>LOCATION/ ADDRESS:</b>	Broome Shire
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	Contract 06/20
<b>AUTHOR:</b>	Director Of Engineering Services
<b>CONTRIBUTOR/S:</b>	Manager of Asset & Design
<b>RESPONSIBLE OFFICER:</b>	Director Of Engineering Services
<b>DISCLOSURE OF ANY INTEREST:</b>	N/A
<b>DATE OF REPORT:</b>	3rd October 2006

**SUMMARY:** To advise Council of the outcome of the determination process for Tender 06/20 Supply and application of bitumen sealing works for the Shire of Broome.

**BACKGROUND**

This Contract is a schedule of rates contract for the supply and application of bituminous sealing works to various Shire road and car park projects. Various options are included for different seal types as used, with estimated totals based on our expected works program (Refer to Schedule attached, under separate cover to Councillors GST not included). The Contract is set up as a biannual contract with the provision after 12 months for the successful tenderer to review their schedule of rates and resubmit prices based on the world gross market price of bitumen at the time.

Payment is made on the actual seal area as sprayed. The specification calls for a minimum of two (2) visits to Broome to be included in the contract schedule of rates, with the cost of any additional visits to be shown separately. Generally, at least another two visits would be required.

**COMMENT**

Two (2) Contractors submitted tenders, Works EMOLEUM the Shires current contractor and R n R Contracting Pty Ltd. The Tender specification clearly states that all Tenderers must allow and include in their contract schedule of rates for two visits to Broome with any further visits required to be nominated as a separate mobilisation. R n R Contracting did not follow this procedure and quoted a pricing schedule as well as a mobilisation cost for each visit. Further verification of this was received from them by a fax on the 3 October 2006, R n R 's tender is therefore deemed to be non-conforming and forms no part of the evaluation process. For Council information the R n R prices were well in excess of the other tender.

As the only conforming tender Works EMOLEUM scored highest in the overall assessment with their prices approximately 15% higher than the existing contract awarded 2 years ago. This increase is considered to be very reasonable given the significant increase in that period of world oil prices. The company is based in Broome and have provided good service to the Shire of Broome. Their tender rates include all visits and the Shire benefits greatly by having them based in Broome and not having to hold jobs for lengthy periods or adjust work schedules to wait for external contractors to visit Broome. This also means lower costs for all other private projects in and around Broome, plus other Main Roads WA projects.

The Tender was subject to assessment using Tender evaluation criteria based on criteria set by the WALGA Tender Manual and other Local Government organisations. These included cost, relevant skills and experience with similar work, past history of work with the Shire of Broome and other organisations, reliability, and safety/traffic management. As only one conforming Tender was received a full cost comparison could not be undertaken, however Works EMOLEUM scored well in all other areas.

## **CONSULTATION**

Contract advertised in local area and WA papers

## **STATUTORY ENVIRONMENT**

Local Government Act, (Tender Regulations) 1995

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

All costs included in road and car park programs as adopted by Council for 2006/2007

## **STRATEGIC IMPLICATIONS**

### **1. Social**

Nil

### **2. Environmental**

Maintenance and construction road infrastructure.

### **3. Economic**

Nil

## **VOTING REQUIREMENTS**

Simple Majority

REPORT RECOMMENDATION

*That the tender of Works EMOLEUM be accepted for the schedule of rates contract 06/20 Supply and Application of Bituminous Sealing Works for the Shire Of Broome for the 2 year period 1 November 2006 to 31 October 2008.*

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

Confidential attachment under separate cover

**9.5.2 PRE-CYCLONE CLEAN UP**

<b>LOCATION/ ADDRESS:</b>	N/A
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	
<b>AUTHOR:</b>	Director Engineering Services
<b>CONTRIBUTOR/S:</b>	
<b>RESPONSIBLE OFFICER:</b>	Director Engineering Services
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	10 October 2006

**SUMMARY:** Reconsideration of a part of Council's previous decision not to conduct a green waste pickup as part of the 2006 pre-cyclone clean up of Broome Township, and to conduct a limited green waste pickup of specified pensioner rebate properties on specific request only.

**BACKGROUND**Previous Considerations

Nil.

As part of the 2006/07 Shire budget meeting, it was discussed and generally agreed by Council to discontinue the annual green waste pickup as part of the pre-cyclone cleanup.

The reasons for this were outlined to the Ordinary Council Meeting 28 September 2006 in response to a question from a member of the public.

Some Councillors have since had representations from elderly pensioners who are simply unable to dispose of their green waste to the Shire Waste Management Facility or are unable to afford the cost of a contractor.

Discussions were held between the Chief Executive Officer and Shire President as to options to try and assist those pensioners who have also been subject to the reduction of the pensioner rebate due to Council's decision to phase that subsidy out also.

Options were considered to implement such a scheme with the following suggested:-

- Have a limited green waste pickup of specified pensioner properties with a separate Parks & Gardens crew.
- Pickup to be by request only and to be restricted to one day per week only to avoid green waste being left on verges.
- All other normal pre-cyclone conditions to apply.
- Only eligible pensioner owned and lived in residential properties to be eligible for pickup (approximately 108 properties total).
- Homeswest properties to be ineligible as substantial green waste removal should be by the tenant or Homeswest and the Shire has no tenant details in any case.
- Those properties with more than one owner, but only one of the owners has a pensioner card to be ineligible.
- Only those residential properties on the Shire rates system as being eligible for the State Government pensioner rebate scheme be eligible.

**COMMENT**

Nil

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Cost \$8,000 for additional crew for five (5) days.

**STRATEGIC IMPLICATIONS**

**1. Social**

Provide Local Government services which recognise the diverse needs of the community (all age groups, indigenous and cultural backgrounds and disenfranchised groups).

**2. Environmental**

Nil

**3. Economic**

Nil

**VOTING REQUIREMENTS**

Simple Majority

REPORT RECOMMENDATION

*That Council considers the reintroduction of a limited green waste pickup as part of the 2006 pre-cyclone cleanup.*

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

**9.5.3 PURCHASE OF HOUSE & LAND ADJACENT TO MUSEUM**

<b>LOCATION/ ADDRESS:</b>	69 Robinson St
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	ROB 1/69
<b>AUTHOR:</b>	Director Engineering Services
<b>CONTRIBUTOR/S:</b>	
<b>RESPONSIBLE OFFICER:</b>	Director Engineering Services
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	15 Oct 2006

**SUMMARY:** Consideration of the purchase by the Shire of the house and land at 69 Robinson Street for the strategic purposes of a future extension to the Museum site.

**BACKGROUND**Previous Considerations

Nil

Shire staff were approached by Tony Proctor recently in regard to a possible Federal funding grant to the Shire for the purposes of a major extension to the Broome Museum. (Refer separate confidential memo to Councillors 9 Oct 06). That possible funding would be dependant on sourcing some initial funds of up to \$30,000 to prepare architectural concept plans and a business case, to enable an application to be put together for the project. That work would have to be carried out by an external consultant, however no source of funding has been found to date, so the funding application is now unlikely to proceed for the next Federal Budget (cut-off is early November 2006).

However, the seed funds should be relisted for consideration by Council in their 2007/08 budget and in the next Financial Plan, as a strategic action. The project is considered to be worthwhile to pursue and the Broome Historical Society is in favour of the project proceeding.

One of the identified problems in any new Museum project would be the availability of land adjacent to the current Museum site, which is freehold land owned by the Shire. The recently approved addition of some of the Water Corporation land would not be enough to build a substantial new building on, plus contain the Sailmakers Shed, but could be used in part at the Robinson St frontage for carparking and landscaping etc. It would also contain the ex-CWA building as currently proposed to be shifted to that site. That separate project should be allowed to proceed on the basis that the Museum still requires extra space for storage, the old house is not going to be connected to all services, and therefore could be re-shifted or demolished at a later date if required. In any case, it would be a minimum of 2 to 3 years for any new Museum building to be constructed and the Museum requires storage space for that period.

If a new building was to be built as part of the existing Museum complex, then the only viable alternative is the land adjacent, known as 69 Robinson Street.

The owners have just publicly listed the property for expressions of interest for offers from \$700,000, closing 14 Nov 2006 and the purpose of this agenda item is to ascertain if Council would be willing to make an offer for the property, on the basis that it would be a strategic purchase regardless of whether a new Museum project received funding or not.

It is unfortunate that the property has been put on the market ahead of any consideration of the longer term future of the Museum by Council, but it is still considered to be a good strategic purchase, if proceeded with.

The property is 803m<sup>2</sup> and has an old house on it, currently tenanted out by the owner until December this year. A valuation report was obtained by staff and is available to any Councillor who wishes to see it on a confidential basis. The house is very old and requires some maintenance works, but it would not be expected to carry out any major works to it, as the value of the property is in the land, not the building, which would eventually need to be removed. It is estimated that a minimum rental income of \$300 per week could be achieved.

## **COMMENT**

Council is therefore requested to consider several matters if they wish to proceed with an offer for the property, that is:

1. Whether the Broome Museum is seen as a strategic project that warrants assistance in the way of funding for extra land, infrastructure or other assistance.
2. If not, then no further action is required. However if it is agreed that the Museum is of sufficient importance to warrant funding, then Council needs to consider if it wants to make an offer for the property, and how that could be achieved.
3. The only realistic option for funding would be by way of a loan funded in part by a residential lease in the short term and by a contribution from the Museum operations if an expanded Museum was built. The Historical Society do not have sufficient funds to be able to contribute at this time. Any loan should therefore be taken out over as long a period as possible to reduce annual payments, for at least the short term [up to 5 years].
4. If Council did approve of an offer being made, then it would be recommended that the CEO be authorised to make an offer on Councils behalf. There would be no guarantee that any offer would be accepted.

## **CONSULTATION**

Councillors  
Historical Society President

## **STATUTORY ENVIRONMENT**

Local Government Act

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Any new loan would be unbudgeted and is not in the Forward Financial Plan. For comparison purposes, a loan of \$700,000 over 20 years at 6.5% would cost approximately \$63,000 per annum in repayments. Estimated residential tenant payments would be \$300

per week or \$15,600 per annum minimum, leaving a shortfall of \$47,400 per annum in the initial years, with later years subject to the outcome of the future site use.

### STRATEGIC IMPLICATIONS

**1. Social**

Strategy 2.13 -Facilitate the redevelopment of the museum site for expansion.

**2. Environmental**

Preserve and enhance Broome's built heritage and environment.

**3. Economic**

Could create an enlarged museum with increased income and employment opportunities.

### VOTING REQUIREMENTS

Absolute Majority

#### REPORT RECOMMENDATION

1. *That Council authorise the CEO to make an offer to purchase 69 Robinson Street for the future expansion of the Broome Museum.*
2. *That the offer in 1. above be confidential and be within limits to be set by Council in Committee.*
3. *That if the offer in 1. above is accepted then:*
  - a) *Approval be given for a loan to be raised for the full cost.*
  - b) *That a budget amendment be authorised to allow for the 2006/07 loan repayments, less any income amounts as received by a future lease agreement of the property.*
4. *That staff investigate alternative options for grants to facilitate a future expansion of the Museum and associated works.*
5. *That the Broome Historical Society and Tony Proctor be advised of the above actions.*

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

**10.**

**REPORTS**

**OF**

**COMMITTEES**

**10.1 BROOME VISITORS CENTRE ADVISORY COMMITTEE - MINUTES 27 SEPTEMBER 2006**

<b>LOCATION/ ADDRESS:</b>	N/A
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	CTE.36
<b>AUTHOR:</b>	Manager Administration Services
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF ANY INTEREST:</b>	N/A
<b>DATE OF REPORT:</b>	11 October 2006

**SUMMARY:** To advise Council of the matters discussed at the Broome Visitors Centre Advisory Committee meeting held 27 September 2006.

**BACKGROUND**Previous Considerations

A meeting of the Broome Visitors Centre Advisory Committee was held on 27 September 2006. The Minutes of this meeting were subsequently endorsed by e-mail.

**COMMENT**

A number of issues were discussed at this meeting and included:

- Correspondence In;
- Correspondence Out;
- Project Budget, which includes building construction and proposed centre fitout;
- Project Variations;
- Project Progress;
- Funding Acquittals;
- Official Opening Date;
- Fitout & Signage;
- Shire of Broome Support;
- Tenders for Commercial Space;

A full copy of the Minutes from this meeting is attached.

**CONSULTATION**

Not required

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY IMPLICATIONS**

Nil

## FINANCIAL IMPLICATIONS

Funding allocated in the 2006/2007 budgets for this project.

## STRATEGIC IMPLICATIONS

### 1. Social

Nil

### 2. Environmental

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

### 3. Economic

The Shire of Broome's Strategic Action Plan 204 – 2009 seeks to complete the relocation of the Broome Visitors Centre.

## VOTING REQUIREMENTS

Simple Majority

### REPORT RECOMMENDATION

*That Council endorses the minutes of the Broome Visitors Centre Advisory Committee meeting held 27 September 2006.*

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

[Attachments: 11 pages](#)

**10.2 BROOME CEMETERY ADVISORY COMMITTEE - MINUTES 3 JULY 2006**

<b>LOCATION/ ADDRESS:</b>	N/A
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	RES.1647; CTE.039
<b>AUTHOR:</b>	Manager Administration Services
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Chief Executive Officer
<b>DISCLOSURE OF ANY INTEREST:</b>	N/A
<b>DATE OF REPORT:</b>	12 October 2006

**SUMMARY:** To advise Council of the matters discussed at the Broome Cemetery Advisory Committee meeting held 3 July 2006.

**BACKGROUND**Previous Considerations

OCM 1 August 2006 - Item 10.2

A meeting of the Broome Cemetery Advisory Committee was held on Monday 3 July 2006, the minutes from this meeting were subsequently endorsed at the meeting of the Committee held 4 September 2006.

**COMMENT**

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

- Update on Inputting of Data
- Update on Master Plan – Marker Pegs
- Budget 2006/2007, draft budget submission for 2006/2007
- Honouring Indigenous War Graves – Membership and Contribution towards Headstones in Broome
- Discussion with regard to conduct of funerals by Pearl Coast Funerals, which resulted in the following resolution:

“9 That the Broome Cemetery Advisory Committee recommended that the Shire of Broome forward correspondence to Mr Stewart Gregory, confirming his discussion with the Director Engineering Services that he is not licenced and is not to conduct any more funerals in the Shire of Broome.”

- Collapsed Graves
- Green Waste
- Victor Edwards

A full copy of the minutes is attached.

**CONSULTATION**

Not required.

**STATUTORY ENVIRONMENT**

Local Government Act 1995  
Cemeteries Act 1986  
Shire of Broome Cemeteries Local Law

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Funding allocated in the 2006/2007 budget for maintenance and capital works at the Broome Cemeteries.

**STRATEGIC IMPLICATIONS****1. Social**

Preservation and management of existing facility of community significance.

**2. Environmental**

Nil

**3. Economic**

Preservation and management of existing site of tourist interest.

**VOTING REQUIREMENTS**

Simple Majority

**REPORT RECOMMENDATION**

1. *That Council receives the minutes of the meeting of the Broome Cemetery Advisory Committee held 3 July 2006.*
2. *That Council supports the recommendation of the Broome Cemetery Advisory Committee that Mr Stewart Gregory be provided with correspondence advising confirmation that as he does not hold a Funeral Directors Licence and he is not permitted to conduct any further funerals in the Shire of Broome.*

**Moved:**

**Seconded:**

**FOR:  
AGAINST:**

[Attachments: 4 pages](#)

**10.3 CABLE BEACH MOTOR VEHICLE MANAGEMENT ADVISORY COMMITTEE - MINUTES**

**LOCATION/ ADDRESS:** N/A

**APPLICANT:** N/A

**FILE:** CTE46

**AUTHOR:** Director Community Services

**CONTRIBUTOR/S:** Nil

**RESPONSIBLE OFFICER:** Director Community Services

**DISCLOSURE OF ANY INTEREST:** N/A

**DATE OF REPORT:** 12 October 2006

**SUMMARY:** This report tables the Minutes of the Cable Beach Motor Vehicle Management Advisory Committee of the 8 September 2006 and 5 October 2006.

**BACKGROUND**Previous Considerations

SCM 9 December 2005 - Item  
 OCM 9 February 2006 - Item 9.2.1  
 OCM 11 May 2006 - Item 9.2.1  
 OCM 8 June 2006 - Item 9.2.1  
 OCM 31 August 2006 - Item 10.3

**COMMENT**

Minutes of the Committee Meetings are at:

Attachment A – 8 September 2006  
 Attachment B – 5 October 2006

Key outcomes of these meetings are:

Motor Vehicle Survey

At the meeting of 11 August 2006 the Committee resolved to conduct a survey of people driving vehicles on Cable Beach. The survey was conducted on 19 August, 23 August and 1 September. Preliminary results of the survey were tabled on the 8 September with a final report endorsed by the Committee on 5 October.

The final report of this survey is at Attachment C.

The Committee have resolved that 3 further survey days will be conducted to capture the shoulder tourism seasons and the low season. These surveys will be carried out on 18 November 2006; and in February and May 2007 at dates to be confirmed.

Traditional Owner Representation

The Kimberley Land Council has advised that Traditional Owners do not wish to be represented on the Committee.

Field Trip to Observe Night Roosting of Birds

Chris Hassell has offered to lead a field trip on Thursday 7 December in the evening. High tide is at 11.50pm. He recommends that the field trip take place in the two hours prior to that. The Committee would like to invite Council to participate in the field trip.

Field Trip Minyirr Park

The Committee has been invited to an information session at Minyirr Park Base Camp to learn more about Aboriginal traditional cultural and heritage issues and beliefs. The Committee would like to extend the invitation to Councillors should they wish to attend.

Deputy Chairperson

Following the resignation of Jim Ahearn, the Committee have elected Paul La Spina as Deputy Chairperson.

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The cost of conducting the survey is coming from the Cable Beach Vehicle Management funds allocated in the 2006/07 budget.

**STRATEGIC IMPLICATIONS****1. Social**

Social benefits and impacts of driving motor vehicles on Cable Beach will be identified.

**2. Environmental**

Environmental benefits and impacts of driving motor vehicles on Cable Beach will be considered.

**3. Economic**

Economic benefits and impacts of driving motor vehicles on Cable Beach will be considered.

**VOTING REQUIREMENTS**

Simple Majority

REPORT RECOMMENDATION

That Council:

1. *Receives the Minutes of the Cable Beach Motor Vehicle Management Advisory Committee of 8 September 2006 and 5 October 2006.*
2. *Notes the invitations from the Committee to participate in a field trip to observe night time roosting of birds on Cable Beach on 7 December and the invitation to attend an information session at Minyirr Park Base Camp to learn more about Aboriginal traditional cultural and heritage issues and beliefs at a date to be confirmed.*

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

[Attachment: 19 pages](#)

**10.4 BUSHFIRE ADVISORY COMMITTEE MEETING 11 SEPTEMBER 2006**

<b>LOCATION/ ADDRESS:</b>	N/A
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	AFC05
<b>AUTHOR:</b>	Senior Ranger
<b>CONTRIBUTOR/S:</b>	
<b>RESPONSIBLE OFFICER:</b>	Director Community Services
<b>DISCLOSURE OF ANY INTEREST:</b>	N/A
<b>DATE OF REPORT:</b>	13 October 2006

**SUMMARY:** This report presents the Minutes of the Bushfire Advisory Committee meeting held 11 September 2006.

**BACKGROUND**Previous Considerations

The Bushfire Advisory Committee meets on a regular basis and reports to Council on bush fire matters. Whilst some of the issues considered have been discussed at previous Bushfire Advisory Committee meetings none have been the subject of recent specific reports to Council.

Attached are the Minutes of the Bushfire Advisory Committee (BFAC) meetings held 11 September 2006. At this meeting the Committee dealt with operational matters including but not limited to:

1. Draft Fire Response Plan.
2. 1<sup>st</sup> Deputy Chief Bush Fire Control Officer.
3. Communication between Chief Bush Fire Control Officers.
4. Bushfire attendance by Shire Rangers.
5. Status of Firebreaks on UCL and non-Shire land.
6. Effectiveness of the Bush Fire Advisory Committee

The delegates present at the meeting have confirmed the minutes of the meeting.

**COMMENT**Draft Fire Response Plan

The Minutes refer to the Shire being the responsible agency for bushfire management under the Emergency Management Act 2005. SMEC (State Emergency Management Committee) *Policy Statement No 7 – WA Emergency Management Arrangements Annex F2*, identifies that Local Government Authorities are Hazard Management Agencies for Fire (*Rural and Urban in areas other than Gazetted Fire Districts*).

The Committee acknowledged that there are insufficient resources amongst agencies to effectively manage major bushfire incidents.

FESA tabled a draft Fire Response Plan which will assist in identifying those agencies responsible for various areas of bush fire management.

1<sup>st</sup> Deputy Chief Bush Fire Control Officer

Senior Ranger Brett Lappan resigned from the position of 1<sup>st</sup> Deputy Chief Bush Fire Control Officer. The Captain of the Broome Volunteer Bush Fire Brigade, Kevin Sanders, is the 2<sup>nd</sup> Deputy Chief Bush Fire Control Officer. It is not necessary to refill the position vacated due to resignation however the 2<sup>nd</sup> Deputy will become the Deputy. Under the Bush Fires Act 1954 the Shire appoints these positions.

#### Communications Between Chief Bush Fire Control Officers

The committee was concerned about a recent period of time when some members of this Committee were unaware of the Chief Bush Fire Control Officer being out of the country for 5 weeks. A formal list of officers and the extent of their authority is to be developed to overcome this issue.

#### Bushfire Attendance by Shire Rangers & Regional Resources

The availability of Ranger Services to respond to bushfires is considered along with the Duty of Care of the Shire to its employees and the number of rangers available at the time.

The Committee acknowledged that the Broome Regional Bushfire Brigade needs to be actively promoted.

#### Status of Firebreaks on UCL and non-Shire Land

All firebreaks on Shire land and UCL at Coconut Well and 12 Mile have been inspected and upgraded. Recent fires have occurred in the vicinity of both communities and fire hazard reduction work has been carried out since the Committee meeting.

#### Effectiveness of the Bushfire Advisory Committee

It was recognised that there was a certain repetition and lack of outcomes with some agenda items. More stringent procedures have been set in place to address this.

### **CONSULTATION**

Shire of Broome Bush Fire Advisory Committee  
Shire of Broome Engineering Services  
Shire Rangers  
Fire & Emergency Services  
Department of Conservation and Environment (DEC)

### **STATUTORY ENVIRONMENT**

The Bush Fires Act 1954  
Local Government Act 1995

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS****1. Social**

Assists in ensuring the safety and protection of all residents and volunteer fire fighters from the dangers associated with bush fires.

**2. Environmental**

To reduce the detrimental impact of bush fires on the environment and to provide a management structure to deal with fire related issues.

**3. Economic**

To reduce the economic impact of wildfire to the district.

**VOTING REQUIREMENTS**

Simple Majority

**REPORT RECOMMENDATION**

*That:*

1. *The Minutes of the 11 September 2006 meeting of the Shire of Broome Bush Fire Advisory Committee be received.*
2. *The Shire accepts the resignation of 1<sup>st</sup> Deputy Chief Bush Fire Control Officer Brett Lappan.*
3. *Kevin Sanders be the Deputy Chief Bush Fire Control Officer.*

**Moved:**

**Seconded:**

**FOR:**

**AGAINST:**

[Attachments: 6 pages](#)

**11. NOTICES OF MOTION**

**12. LATE ITEMS**

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

**14. MATTERS BEHIND CLOSED DOORS**

**15. MEETING CLOSURE**