



"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."

MINUTES

**FOR THE
SPECIAL MEETING OF COUNCIL**

8 JUNE 2006

AT 3.10PM

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
SPECIAL COUNCIL MEETING
8 JUNE 2006

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NOTICE OF MEETING

Dear Council Member,

The next Special Meeting of the Shire of Broome will be held on Thursday 8 June 2006 in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 3.10pm

Regards



Ian Bodill
Chief Executive Officer

1 June 2006

1. OFFICIAL OPENING

The Chairperson welcomed members and declared the meeting open at 3.10pm.

2. ATTENDANCE AND APOLOGIES

Attendance	Cr G T Campbell Cr C M Maher Cr A K Grosse Cr V L Wevers Cr P D Matsumoto Cr E R M Foy Cr A C Griffiths (from 3.26pm)	
Leave of Absence	Cr C R Mitchell	
Apologies	Cr M L B Albert	
Officers	Ian Bodill Jason Lyon Darryl Butcher Allan Ralph Suzanne Lollback Jillian McMahan	Chief Executive Officer Director Corporate Services Director Development Services Director Engineering Services (from 3.13pm) Director Community Services Council Secretary
Pubic Gallery	Geoff Owen Chris Hill John Geappen	

3. DECLARATIONS OF FINANCIAL INTEREST

Councillor	Item No	Page	Item	Nature of Interest

4. PUBLIC QUESTION TIME

Nil

5. CONFIRMATION OF MINUTES

N/A

6. ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION

Nil

7. PETITIONS

Nil

8. MATTERS FOR WHICH MEETING MAY BE CLOSED

Items 9.3.1 to 9.3.5, subject to the will of Councillors.

President: Date:

9.

REPORTS

OF

OFFICERS

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.

Moved: Cr A K Grosse

Seconded: Cr C M Maher

That the meeting be closed to the public for discussion of items 9.3.1 to 9.3.5.

CARRIED UNANIMOUSLY

Council's legal advisor, Mr Geoff Owen will remain in the Chambers for Councillor reference.

9.3.1 ASSESSMENT OF TENDERS – CABLE BEACH TRADING

LOCATION/ADDRESS:	Cable Beach
APPLICANT:	N/A
FILE:	ENH22; 06/02-06/08
AUTHOR:	Manager Health Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development Services
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	31 May 2006

SUMMARY: This is a report to Council to appoint a panel to assess the tenders received.

BACKGROUND

Staff understand that the Councillors on the Working Group established by Council at its Ordinary Council Meeting on 13 April 2006 would prefer a panel comprising all Councillors be formed to assess all tenders received.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995
Shire of Broome Trading, Outdoor Dining and Street Entertainment Local Law 2003

POLICY IMPLICATIONS

Shire of Broome Policy - Commercial and Tourism Activities on Cable Beach

FINANCIAL IMPLICATIONS

Nil

9.3.2 ASSESSMENT OF TENDER – CABLE BEACH TRADING – JET SKI HIRE

LOCATION/ADDRESS:	Cable Beach
APPLICANT:	N/A
FILE:	ENH22
AUTHOR:	Manager Health Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development Services
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	31 May 2006

SUMMARY: This is a report to Council on the tender received from Broome Jet Ski Hire for \$2,000.00pa for the first year of a five year licence to hire jet skis at Cable Beach.

BACKGROUND

The tenders for licences to trade on Cable Beach for five (5) years from 1 January 2007 closed at 12.00noon on Monday 20 March 2006 and a tender for the hire of jet skis was received from Broome Jet Ski Hire for \$2,000.00pa.

This was the only tender for the jet ski hire activity.

COMMENT

Council at the OCM 6 October 2005 endorsed the Shire of Broome Policy - Commercial and Tourism Activities on Cable Beach (the Policy).

The Policy included the "Invitation to Tender" document which set out the criteria for the selection of a successful tenderer.

CRITERIA

The Shire is seeking tenders from interested operators. The Shire will base its selection on a two-stage criteria basis. Applicants submitting tenders will have to meet the following essential criteria before they are eligible for assessment against the weighted criteria. The Shire will score all eligible applicants against the weighted criteria and select those that best satisfy the criteria.

Essential Criteria

Applicants must satisfy these essential criteria before they will be considered against the weighted criteria below.

Approvals

Applicants must show that they have, or are capable of obtaining, all necessary approvals for the proposed activity from all relevant authorities. This must include, but may not be limited to, State Government agencies.

Town Planning and Development Act

Applicants must show that they have access to appropriately zoned land and that all approvals have been obtained for premises from which they will operate any aspect of their business connected with the proposed activity, other than minor ancillary activities such as bookwork and parking of a motor vehicle.

If the applicant is unable to meet this requirement the Shire at its absolute discretion may accept the submission for assessment but will not grant a license until the requirement can be met.

Insurance

The Shire has determined that the level of public risk insurance appropriate to the risk involved is \$10 million.

Applicants must provide a certificate of currency demonstrating public liability insurance cover to \$10 million. This cover must include cover for maritime risks where applicable.

Weighted Criteria

The Shire will score all the applicants who have met the essential criteria against all of the following weighted criteria.

Price - 50%

Applicants must submit a price for the annual licence fee that they are willing to pay the Shire in order to be able to conduct the proposed activity on Cable Beach.

Equipment - 15%

Applicants must submit a schedule describing the equipment and/or camels that they will be using to conduct the approved activity. This schedule must include a description of each piece of equipment, specifications and any other relevant information such as training, experience and suitability for purpose of animals to be utilised.

The equipment that must be specified includes (as appropriate to the proposed activity):

- The vessel that will be used to conduct the activity;
- Any other vessels that may be used as part of the operations;
- The equipment to be used;
- The maximum number of camels proposed and their availability and training/experience; and
- Any vehicles to be used to transport the vessels and equipment.

Experience - 20%

Applicants must provide details of their experience in conducting the activity or other similar operations. Applicants must also provide relevant details and the experience of any key people that will be involved in the conduct of the activity. The Shire also expects that applicants will provide details of referees that the Shire can contact about previous operations.

Operational planning – 10%

Applicants should submit documentation to allow the Shire to assess their approach to operating the proposed activity. Depending upon the scale and sophistication of the operation this may include:

- Risk analysis and risk management plan;
- Occupational Health and Safety plan;
- Environmental impact assessment and management plan;
- Marketing and promotion strategy;
- Industry accreditation;
- Quality control plan;
- An operational plan addressing how, when (months of the year) and what times the activity is to be operated, both at the beach and in travelling to and from and accessing Cable Beach; and
- Any other supporting documentation which the applicant wishes to submit so that Shire has a complete understanding of how it is intended the activity will be operated.

Value Adding – 5%

The applicant may demonstrate how they believe their proposed service, the particular skills or experience of the nominated personnel, the applicant's contribution to the community or any other fact they believe adds value to the Shire's objectives for Cable Beach.

Tender Information

It is considered that Broome Jet Ski Hire fulfils all the requirements of the Essential Criteria set out above.

As there was only one tender received for the hire of jet skis and it fulfils the requirements of the Essential Criteria there is no need for a formal assessment of the Weighted Criteria. Broome Jet Ski Hire has submitted a comprehensive and well prepared tender that addresses all the issues in the Weighted Criteria.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995.
Shire of Broome Trading, Outdoor Dining and Street Entertainment Local Law 2003.

POLICY IMPLICATIONS

Shire of Broome Policy - Commercial and Tourism Activities on Cable Beach.

FINANCIAL IMPLICATIONS

Depend upon the Council determination there will be income to the Shire of \$2,000.00 in the 2006/2007 financial year increasing in accordance with CPI in the subsequent four financial years of the licence.

President: Date:

9.3.3 ASSESSMENT OF TENDER – CABLE BEACH TRADING – HIRE OF BEACH AND WATER GEAR

LOCATION/ADDRESS:	Cable Beach
APPLICANT:	N/A
FILE:	ENH22; 06-05
AUTHOR:	Manager Health Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development Services
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	31 May 2006

SUMMARY: This is a report to Council on the tender received from the Beach Hut for \$5,000.00pa for the first year of a five-year licence commencing 1 January 2007 to hire beach and water gear at Cable Beach.

BACKGROUND

The tenders for licences to trade on Cable Beach for five (5) years from 1 January 2007 closed at 12.00noon on Monday 20 March 2006 and a tender for the hire of beach and water gear was received from Beach Hut for \$5,000.00pa.

This was the only tender received for the activity of hire of beach and water gear.

COMMENT

Council at the OCM 6 October 2005 endorsed the Shire of Broome Policy - Commercial and Tourism Activities on Cable Beach (the Policy). The Policy included the "Invitation to Tender" document which set out the criteria for the selection of the successful tender.

CRITERIA

The Shire is seeking tenders from interested operators. The Shire will base its selection on a two-stage criteria basis. Applicants submitting tenders will have to meet the following essential criteria before they are eligible for assessment against the weighted criteria. The Shire will score all eligible applicants against the weighted criteria and select those that best satisfy the criteria.

Essential Criteria

Applicants must satisfy these essential criteria before they will be considered against the weighted criteria below.

Approvals

Applicants must show that they have, or are capable of obtaining, all necessary approvals for the proposed activity from all relevant authorities. This must include, but may not be limited to, State Government agencies.

Town Planning and Development Act

Applicants must show that they have access to appropriately zoned land and that all approvals have been obtained for premises from which they will operate any aspect of their business connected with the proposed activity, other than minor ancillary activities such as bookwork and parking of a motor vehicle.

If the applicant is unable to meet this requirement the Shire at its absolute discretion may accept the submission for assessment but will not grant a license until the requirement can be met.

Insurance

The Shire has determined that the level of public risk insurance appropriate to the risk involved is \$10 million.

Applicants must provide a certificate of currency demonstrating public liability insurance cover to \$10 million. This cover must include cover for maritime risks where applicable.

Weighted Criteria

The Shire will score all the applicants who have met the essential criteria against all of the following weighted criteria.

Price - 50%

Applicants must submit a price for the annual licence fee that they are willing to pay the Shire in order to be able to conduct the proposed activity on Cable Beach.

Equipment - 15%

Applicants must submit a schedule describing the equipment and/or camels that they will be using to conduct the approved activity. This schedule must include a description of each piece of equipment, specifications and any other relevant information such as training, experience and suitability for purpose of animals to be utilised.

The equipment that must be specified includes (as appropriate to the proposed activity):

- The vessel that will be used to conduct the activity;
- Any other vessels that may be used as part of the operations;
- The equipment to be used;
- The maximum number of camels proposed and their availability and training/experience; and
- Any vehicles to be used to transport the vessels and equipment.

Experience - 20%

Applicants must provide details of their experience in conducting the activity or other similar operations. Applicants must also provide relevant details and the experience of any key people that will be involved in the conduct of the activity. The Shire also expects that applicants will provide details of referees that the Shire can contact about previous operations.

Operational planning – 10%

Applicants should submit documentation to allow the Shire to assess their approach to operating the proposed activity. Depending upon the scale and sophistication of the operation this may include:

- Risk analysis and risk management plan;
- Occupational Health and Safety plan;
- Environmental impact assessment and management plan;
- Marketing and promotion strategy;
- Industry accreditation;
- Quality control plan;
- An operational plan addressing how, when (months of the year) and what times the activity is to be operated, both at the beach and in travelling to and from and accessing Cable Beach; and
- Any other supporting documentation which the applicant wishes to submit so that Shire has a complete understanding of how it is intended the activity will be operated.

Value Adding – 5%

The applicant may demonstrate how they believe their proposed service, the particular skills or experience of the nominated personnel, the applicant's contribution to the community or any other fact they believe adds value to the Shire's objectives for Cable Beach.

Tender Information

It is considered that the tender submitted by Beach Hut fulfils all the requirements of the Essential Criteria set out above. As there was only one tender received for the hire of beach and water gear and it fulfils the requirements of the Essential Criteria there is no need for a formal assessment of the Weighted Criteria.

The Beach Hut submitted a comprehensive and well prepared tender that addresses all the issues in the Weighted Criteria.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995.

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

POLICY IMPLICATIONS

Shire of Broome Policy - Commercial and Tourism Activities on Cable Beach.

FINANCIAL IMPLICATIONS

Depend upon the Council resolution there will be income to the Shire of \$5,000.00 in the 2006/2007 financial year and this value will increase in accordance with CPI in the subsequent four financial years of the licence.

President: Date:

9.3.4 ASSESSMENT OF TENDER – CABLE BEACH TRADING – SURFBOARD RIDING SCHOOL

LOCATION/ADDRESS: Cable Beach
APPLICANT: N/A
FILE: ENH22; 06/-06
AUTHOR: Manager Health Services
CONTRIBUTOR/S: Nil
RESPONSIBLE OFFICER: Director Development Services
DISCLOSURE OF ANY INTEREST: Nil
DATE OF REPORT: 31 May 2006

SUMMARY: This is a report to Council on the tenders received for a five-year licence commencing 1 January 2007 to conduct a surfboard riding school at Cable Beach. Two tenders for this activity were received and it is recommended that Council assess the tenders.

BACKGROUND

The tenders for licences to trade on Cable Beach for five (5) years from 1 January 2007 closed at 12.00noon on Monday 20 March 2006 and the following tenders were received to conduct a surfboard riding school:

APPLICANT	PRICE
Josh Palmateer's Surf Academy	*
Perth Go Surf	\$2,200.00pa

* Price deleted – commercial in confidence

COMMENT

Council at the OCM 6 October 2005 endorsed the Shire of Broome Policy - Commercial and Tourism Activities on Cable Beach (the Policy). The Policy included the "Invitation to Tender" document which set out the criteria for the selection of a successful tender.

CRITERIA

The Shire is seeking tenders from interested operators. The Shire will base its selection on a two-stage criteria basis. Applicants submitting tenders will have to meet the following essential criteria before they are eligible for assessment against the weighted criteria. The Shire will score all eligible applicants against the weighted criteria and select those that best satisfy the criteria.

Essential Criteria

Applicants must satisfy these essential criteria before they will be considered against the weighted criteria below.

Approvals

Applicants must show that they have, or are capable of obtaining, all necessary approvals for the proposed activity from all relevant authorities. This must include, but may not be limited to, State Government agencies.

President: Date:

Town Planning and Development Act

Applicants must show that they have access to appropriately zoned land and that all approvals have been obtained for premises from which they will operate any aspect of their business connected with the proposed activity, other than minor ancillary activities such as bookwork and parking of a motor vehicle. If the applicant is unable to meet this requirement the Shire at its absolute discretion may accept the submission for assessment but will not grant a license until the requirement can be met.

Insurance

The Shire has determined that the level of public risk insurance appropriate to the risk involved is \$10 million.

Applicants must provide a certificate of currency demonstrating public liability insurance cover to \$10 million. This cover must include cover for maritime risks where applicable.

Weighted Criteria

The Shire will score all the applicants who have met the essential criteria against all of the following weighted criteria.

Price - 50%

Applicants must submit a price for the annual licence fee that they are willing to pay the Shire in order to be able to conduct the proposed activity on Cable Beach.

Equipment - 15%

Applicants must submit a schedule describing the equipment and/or camels that they will be using to conduct the approved activity. This schedule must include a description of each piece of equipment, specifications and any other relevant information such as training, experience and suitability for purpose of animals to be utilised.

The equipment that must be specified includes (as appropriate to the proposed activity):

- The vessel that will be used to conduct the activity;
- Any other vessels that may be used as part of the operations;
- The equipment to be used;
- The maximum number of camels proposed and their availability and training/experience; and
- Any vehicles to be used to transport the vessels and equipment.

Experience - 20%

Applicants must provide details of their experience in conducting the activity or other similar operations. Applicants must also provide relevant details and the experience of any key people that will be involved in the conduct of the activity. The Shire also expects that applicants will provide details of referees that the Shire can contact about previous operations.

Operational planning – 10%

Applicants should submit documentation to allow the Shire to assess their approach to operating the proposed activity. Depending upon the scale and sophistication of the operation this may include:

- Risk analysis and risk management plan;
- Occupational Health and Safety plan;
- Environmental impact assessment and management plan;
- Marketing and promotion strategy;
- Industry accreditation;
- Quality control plan;
- An operational plan addressing how, when (months of the year) and what times the activity is to be operated, both at the beach and in travelling to and from and accessing Cable Beach; and
- Any other supporting documentation which the applicant wishes to submit so that Shire has a complete understanding of how it is intended the activity will be operated.

Value Adding – 5%

The applicant may demonstrate how they believe their proposed service, the particular skills or experience of the nominated personnel, the applicant's contribution to the community or any other fact they believe adds value to the Shire's objectives for Cable Beach.

Tender Information

Essential Criteria

These tenders have been checked against the Essential Criteria and it is considered both tenders satisfy the requirements.

Weighted Criteria

Copies of the tenders received have been distributed to Councillors for assessment and an assessment score sheet for this activity is attached to this report.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995.

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

POLICY IMPLICATIONS

Shire of Broome Policy - Commercial and Tourism Activities on Cable Beach.

FINANCIAL IMPLICATIONS

There will be income to the Shire for five years, the value of which will depend upon the Council determination.

STRATEGIC IMPLICATIONS

1. Social

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

2. Environmental

Nil

3. Economic

- Sustainable financial viability.
- Maximise the tourism potential of our natural and built environment in a sustainable manner.

VOTING REQUIREMENTS

Simple Majority

Moved: Cr A K Grosse	Seconded: Cr A C Griffiths
<i>That Standing Orders be suspended (at 3.34pm).</i>	
CARRIED UNANIMOUSLY	

The Chairperson requested that Mr Geoff Owen address the Council and clarification by Councillor's be sought.

Moved: Cr V L Wevers	Seconded: Cr C M Maher
<i>That Standing Orders be reinstated (at 4.34pm).</i>	
CARRIED UNANIMOUSLY	

REPORT RECOMMENDATION

That Council accepts the tender for the activity of surfboard riding school on Cable Beach for five years submitted by _____ and issues a licence commencing 1 January 2007 in accordance with that tender and compliance with The Shire of Broome Trading, Outdoor Dining and Street Entertainment Local Law 2003 and The Shire of Broome Policy - Commercial and Tourism Activities on Cable Beach.

Councillors were handed score sheets for Tenders which were completed independently and handed to the Director Development Services to collate the results.

COUNCIL RESOLUTION

Moved: Cr A C Griffiths

Seconded: Cr C M Maher

That Council accepts the tender for the activity of surfboard riding school on Cable Beach for five years submitted by Perth Go-Surf and issues a licence commencing 1 January 2007 in accordance with that tender and compliance with The Shire of Broome Trading, Outdoor Dining and Street Entertainment Local Law 2003 and The Shire of Broome Policy - Commercial and Tourism Activities on Cable Beach.

CARRIED UNANIMOUSLY

[Attachments: 1 page](#)

9.3.5 ASSESSMENT OF TENDER – CABLE BEACH TRADING – CAMEL TOURS

LOCATION/ADDRESS: Cable Beach
APPLICANT: N/A
FILE: ENH22; 06/08
AUTHOR: Manager Health Services
CONTRIBUTOR/S: Nil
RESPONSIBLE OFFICER: Director Development Services
DISCLOSURE OF ANY INTEREST: Nil
DATE OF REPORT: 31 May 2006

SUMMARY: This is a report to Council on the tenders received for a five-year licence commencing 1 January 2007 to conduct camel tours at Cable Beach. Tenders were received from six operators and it is recommended Council assess the tenders.

BACKGROUND

The tenders for licences to trade on Cable Beach for five (5) years from 1 January 2007 closed at 12.00noon on Monday 20 March 2006 and the following tenders were received for camel tours:

APPLICANT	PRICE
Cable Beach Camel Tours	*
Broome Camel Safaris	*
Red Sun Camels preference 1	*
Red Sun Camels preference 2	*
Red Sun Camels preference 3	*
Ships of the Desert	*
Chris Hill	*
Mark William Swindells Camel Adventure Tours	*

* Price deleted – commercial in confidence. Details of the price of the successful tenders will be available in the Shire of Broome Tender Register once the Council has resolved to award the licences.

At the OCM 13 April 2006 Council resolved to appoint a working group comprising Councillors Campbell, Grosse, Maher, Manager Health Services and the Director Development Services to assess and report back to Council on the tenders received to trade on Cable Beach for five years from 1 January 2007.

The Working Group met Tuesday 16 May 2006 to distribute the tenders received to enable them to be taken away and read and to set a time for the formal assessment to take place. At that meeting there was discussion about the range in the prices received for the licences to conduct camel tours and the tender by one company for all three licences available.

Staff were asked to research various issues and to obtain advice from the Shire's Solicitors. On Monday 22 May 2006 the working group met with the Shire's Solicitor who offered some legal advice on the tenders and later submitted formal written advice see attached).

COMMENT

Council at the OCM 6 October 2005 endorsed the Shire of Broome Policy - Commercial and Tourism Activities on Cable Beach (the Policy). The Policy included the "Invitation to Tender" document which set out the criteria for the selection of a successful tenderer.

CRITERIA

The Shire is seeking tenders from interested operators. The Shire will base its selection on a two-stage criteria basis. Applicants submitting tenders will have to meet the following essential criteria before they are eligible for assessment against the weighted criteria. The Shire will score all eligible applicants against the weighted criteria and select those that best satisfy the criteria.

Essential Criteria

Applicants must satisfy these essential criteria before they will be considered against the weighted criteria below.

Approvals

Applicants must show that they have, or are capable of obtaining, all necessary approvals for the proposed activity from all relevant authorities. This must include, but may not be limited to, State Government agencies.

Town Planning and Development Act

Applicants must show that they have access to appropriately zoned land and that all approvals have been obtained for premises from which they will operate any aspect of their business connected with the proposed activity, other than minor ancillary activities such as bookwork and parking of a motor vehicle. If the applicant is unable to meet this requirement the Shire at its absolute discretion may accept the submission for assessment but will not grant a license until the requirement can be met.

Insurance

The Shire has determined that the level of public risk insurance appropriate to the risk involved is \$10 million.

Applicants must provide a certificate of currency demonstrating public liability insurance cover to \$10 million. This cover must include cover for maritime risks where applicable.

Weighted Criteria

The Shire will score all the applicants who have met the essential criteria against all of the following weighted criteria.

Price - 50%

Applicants must submit a price for the annual licence fee that they are willing to pay the Shire in order to be able to conduct the proposed activity on Cable Beach.

Equipment - 15%

Applicants must submit a schedule describing the equipment and/or camels that they will be using to conduct the approved activity. This schedule must include a description of each piece of equipment, specifications and any other relevant information such as training, experience and suitability for purpose of animals to be utilised.

The equipment that must be specified includes (as appropriate to the proposed activity):

- The vessel that will be used to conduct the activity;
- Any other vessels that may be used as part of the operations;
- The equipment to be used;
- The maximum number of camels proposed and their availability and training/experience; and
- Any vehicles to be used to transport the vessels and equipment.

Experience - 20%

Applicants must provide details of their experience in conducting the activity or other similar operations. Applicants must also provide relevant details and the experience of any key people that will be involved in the conduct of the activity. The Shire also expects that applicants will provide details of referees that the Shire can contact about previous operations.

Operational planning – 10%

Applicants should submit documentation to allow the Shire to assess their approach to operating the proposed activity. Depending upon the scale and sophistication of the operation this may include:

- Risk analysis and risk management plan;
- Occupational Health and Safety plan;
- Environmental impact assessment and management plan;
- Marketing and promotion strategy;
- Industry accreditation;
- Quality control plan;
- An operational plan addressing how, when (months of the year) and what times the activity is to be operated, both at the beach and in travelling to and from and accessing Cable Beach; and
- Any other supporting documentation which the applicant wishes to submit so that Shire has a complete understanding of how it is intended the activity will be operated.

Value Adding – 5%

The applicant may demonstrate how they believe their proposed service, the particular skills or experience of the nominated personnel, the applicant's contribution to the community or any other fact they believe adds value to the Shire's objectives for Cable Beach.

Tender Information

As stated above the following tenders were received:

- Cable Beach Camel Tours
- Broome Camel Safaris
- Red Sun Camels
- Ships of the Desert
- Chris Hill
- Mark William Swindells Camel Adventure Tours

Essential Criteria

All tenders have been assessed against the essential selection criteria and the findings of the assessments are set out below.

Approvals

There are no industry approvals or standards available for camel tours. The only approval required is from the relevant local authority. Therefore all camel tour tenders meet this Essential Criteria.

Town Planning and Development Act

The tenderers Chris Hill and Mark William Swindells Camel Adventure Tours both have indicated in their tenders that they have been negotiating to lease suitable land from current occupiers of land zoned "rural living" for the keeping of camels in the event the current occupiers do not obtain a licence to trade in 2007.

Neither applicant has access to appropriately zoned land nor have they provided evidence supporting their claim to be in negotiation for appropriately zoned land.

It is considered these tenders do not meet this essential criterion.

In its tender, Ships of the Desert provides a copy of a lease for the site currently occupied. The land is included in an appropriate zone but no evidence of any planning approval has been provided. Investigations reveal that no planning approval for the stabling or keeping of camels on that site has been issued.

It is considered that the tender submitted by Ships of the Desert does not meet this essential criterion although it is possible that the business may be able to obtain the necessary approvals by 1 January 2007.

Cable Beach Camel Safaris has submitted details of a special lease it has in the Environmental Cultural Corridor on Lullfitz Drive. The lease is for the purpose of keeping of camels and expires 31 March 2007. The land is not in an appropriate zone (rural living) and no evidence of planning approval for the keeping of camels on that site is provided. Investigations reveal that there is no record of any planning approval for this use on the property.

It is understood that Cable Beach Camel Safaris is in the process of obtaining access to a parcel of land in the rural living zone but there is no mention of this in the tender. It is doubted access to appropriately zoned land and the necessary approvals can be

finalised by 1 January 2007 and it is therefore considered this tender does not meet this essential criterion.

Broome Camel Safaris has provided details of a lease it holds over Lot 303 Fairway Drive in the Rural Living zone where the keeping of camels is permitted but no details were provided of any planning approval to keep camels on that site. Investigations have revealed that planning approval for the keeping of camels on that parcel of land was granted to Broome Camel Safaris on 8 February 2006.

It is considered this tender complies with this essential criterion.

Red Sun Camels has provided details of a lease it holds over Lot 302 Fairway Drive in the Rural Living zone where the keeping of camels is permitted but has not provided details of a planning approval to keep camels on that site. Investigations reveal that planning approval for the keeping of camels on that parcel of land was granted to Red Sun Camels on 2 May, 2006.

It is considered the tender complies with this essential criterion.

Red Sun Camels has indicated it will relocate to Lot 302 Fairway if awarded all three licences (i.e. preference 1). However, the tender is silent on relocation if not awarded all three licences. The site currently occupied by Red Sun Camels is not zoned for the purpose of keeping camels and is not appropriate for that purpose.

It is considered a licence could not be granted to Red Sun Camels for preferences 2 & 3 to trade on Cable Beach if it were to remain at the current site. Legal advice was sought on this matter and it is considered that because the tenderer has a valid planning approval for another parcel of land, a licence could be granted for preferences 2 & 3 and made conditional upon the camels being stabled on the appropriately zoned site.

Insurance

Chris Hill and Mark William Swindells Camel Adventure Tours have both indicated that they will obtain the required insurance if they are awarded a licence. Should Council award a licence to these operators the licence could be made conditional upon obtaining a licence as it would not be reasonable for the applicants to take out insurance for something they do not have at this point.

Ships of the Desert, Cable Beach Camels, Broome Camel Safaris and Red Sun Camels all have current insurance policies to the value of \$10million.

Therefore, it is considered that all camel tenders meet this Essential Criteria.

Weighted Criteria

Copies of the tenders received have been distributed to Councillors for assessment and an assessment score sheet for this activity is attached.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995.
Shire of Broome Trading, Outdoor Dining and Street Entertainment Local Law 2003.

POLICY IMPLICATIONS

Shire of Broome Policy - Commercial and Tourism Activities on Cable Beach.

FINANCIAL IMPLICATIONS

There will be income to the Shire, the value of which will depend upon the Council resolution.

STRATEGIC IMPLICATIONS

1. Social

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

2. Environmental

Nil

3. Economic

- Sustainable financial viability.
- Maximise the tourism potential of our natural and built environment in a sustainable manner.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council accepts the tender(s) for the activity of camel tours on Cable Beach for five years submitted by _____ and issues licences commencing 1 January 2007 in accordance with that tender and compliance with The Shire of Broome Trading, Outdoor Dining and Street Entertainment Local Law 2003 and The Shire of Broome Policy - Commercial and Tourism Activities on Cable Beach, and that they be accepted subject to the CEO confirming through a suitable independent party that the process is acceptable.

POINT OF CLARIFICATION: Cr A K Grosse noted that the price indicated in the Background for Cable Beach Camel Tours, Broome Camel Safaris and Mark William Swindells Camel Adventure Tours includes GST, effectively reducing the amount shown by 1/11th.

Councillors were handed score sheets for Tenders which were completed independently and handed to the Director Development Services to collate the results. Councillors were departing the meeting pending the results of the collation.

**Cr C M Maher departed the Chambers at 4.45pm and returned at 4.46pm.
Director of Community Services departed the Chambers at 4.46pm and returned at 4.51pm.**

**Cr E R M Foy departed the Chambers at 4.47pm and returned at 4.50pm.
Director Engineering Services departed the Chambers at 4.47pm and returned at 4.50pm.**

Cr A C Griffiths departed the Chambers at 4.49pm and returned at 5.08pm.

The CEO departed the Chambers at 4.50pm and returned at 4.52pm.

Geoff Owen departed the Chambers at 4.50pm and returned at 4.56pm.

Cr A K Grosse departed the Chambers at 4.52pm and returned at 4.57pm.

Cr P D Matsumoto departed the Chambers at 4.53pm and returned at 5.02pm.

Cr V L Wevers departed the Chambers at 4.56pm and returned at 4.57pm.

Cr E R M Foy departed the Chambers at 4.55pm and returned at 5.02pm.

Cr V L Wevers departed the Chambers at 4.59pm and returned at 5.02pm.

The CEO departed the Chambers at 5.04pm and returned at 5.07pm.

COUNCIL RESOLUTION

Moved: Cr C M Maher

Seconded: Cr A K Grosse

That three tenderers (Mark William Swindells Camel Adventure Tours, Christopher Hill and Cable Beach Camel Safaris) not be assessed due to the fact that the Tenders have not demonstrated that they meet the Essential Criteria for appropriately zoned land.

**FOR: 5
AGAINST: 2
MOTION CARRIED**

Moved: Cr A K Grosse **Seconded: Cr C M Maher**

That the Tender from Ships of the Dessert be assessed as Council in its absolute discretion believes that the applicant is capable of receiving planning approval by 1 January 2007 on appropriately zoned land indicated in the Tender.

FOR: 5
AGAINST: 2

MOTION CARRIED

[Attachments: 1 page](#)

Moved: Cr A C Griffiths **Seconded: Cr C M Maher**

That the meeting be adjourned until after the Ordinary Council Meeting.

CARRIED UNANIMOUSLY

The Shire President declared the meeting reopened at 7.37pm.

10. ATTENDANCE AND APOLOGIES

Attendance	Cr G T Campbell Cr C M Maher Cr A K Grosse Cr V L Wevers Cr P D Matsumoto Cr E R M Foy Cr A C Griffiths	
Leave of Absence	Cr C R Mitchell	
Apologies	Cr M L B Albert	
Officers	Ian Bodill Jason Lyon Darryl Butcher Allan Ralph Suzanne Lollback Jillian McMahon	Chief Executive Officer Director Corporate Services Director Development Services Director Engineering Services Director Community Services Council Secretary

Moved: Cr A C Griffiths **Seconded: Cr C M Maher**

That the meeting be held behind closed doors.

CARRIED UNANIMOUSLY

Moved: Cr E R M Foy **Seconded: Cr C M Maher**

That Standing Orders be suspended (at 7.38pm).

CARRIED UNANIMOUSLY

Moved: Cr A C Griffiths **Seconded: Cr A K Grosse**

That Standing Orders be reinstated (at 8.58pm).

CARRIED UNANIMOUSLY

Moved: Cr A C Griffiths **Seconded: Cr P D Matsumoto**

That Council agree to accept the assessment forms on the basis that the highest price tendered shall be rated at 100% and that all other prices shall be rated and judged at percentages of 100% and the balance of assessments stand.

FOR: 3
AGAINST: 4

MOTION LOST

Moved: Cr A K Grosse **Seconded: Cr V L Wevers**

Council resolves that:

- 1. The Tenders submitted by Red Sun (Preference 3), Ships of the Desert and Broome Camel Safaris are the preferred Tenders.**
- 2. That the Invitation to Tender, all Tenders received and the assessment documentation be submitted for audit by an appropriately qualified firm of accountants to be appointed by the CEO.**
- 3. Following the advice and recommendation of the independent Auditor that the item be bought back to Council for further consideration.**

FOR: 4
AGAINST: 3

MOTION CARRIED

(Cr A C Griffiths, Cr G T Campbell and Cr P D Matsumoto voted in the negative.)

Moved: Cr V L Wevers **Seconded: Cr C M Maher**

That the meeting be reopened to the public but that Council decides not to read aloud the motions or the votes under Standing Order 12.7(3).

CARRIED UNANIMOUSLY

11. MEETING CLOSURE

There being no further business the Chairperson declared the meeting closed at 9.26pm.