

SHIRE OF BROOME

**ANNUAL ELECTORS MEETING
3 FEBRUARY 2009**

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NOTICE OF MEETING

Dear Council Member

The next Annual Electors Meeting of the Shire of Broome will be held on Tuesday 3 February 2009, in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 6.30pm.

Regards



KR Donohoe
Chief Executive Officer

19 December 2008

SHIRE OF BROOME

MINUTES OF AN ANNUAL ELECTORS MEETING

**Held in the Council Chambers
Thursday 3 February 2009
Commencing 6.32pm**

1. OFFICIAL OPENING/WELCOME BY SHIRE PRESIDENT

The Chairperson welcomed members and Electors to the Annual Electors Meeting 2009 and declared the meeting open at 6.32pm.

2. ATTENDANCE AND APOLOGIES

Attendance:	Cr G T Campbell Cr C M Maher Cr M L B Albert Cr V L Wevers Cr P D Matsumoto Cr E R M Foy	Shire President (From 6.37pm)
Leave of Absence:	Cr C R Mitchell Cr R J Lander Cr S E Eaton	Deputy Shire President
Apologies:	Nil	
Officers:	Kenn Donohoe Denisa Konecny Ingrid Bishop Darryl Butcher Neville Lavey Les Mainwaring Jo Durbridge Jillian McMahan Michelle Green Elizabeth Imbert	Chief Executive Officer Director Community Services Director Corporate Services Director Development Services Director Engineering Services Manager Finance Services Media and Promotions Officer Council Secretary Manager Administration Services Administration Officer & Project Support
Electors:	Chris Hingston Essie Deves Tony Proctor Mike Dunnett Br Shane Wood Ken Lowth Michelle Teoh	Broome Advertiser Golden West Network AEP Consulting Australia's North West Shire of Broome Shire of Broome

President:.....Date:.....

David Dureau	
Peter Biber	Department of Planning & Infrastructure
Pam Baskind	Department of Planning & Infrastructure
Maggie Nolan	
Allan McMullen	
Perry Foster	
Jenny Bloom	
Craig Brierty	

3. SHIRE PRESIDENT REPORT

The Shire President presented a summary of his report as per the Annual Report.

4. CHIEF EXECUTIVE OFFICER REPORT

The Chief Executive Officer presented his report as per the Annual Report.

5. ANNUAL REPORT

Moved: Cr C M Maher *Seconded: Cr P D Matsumoto*

That the Annual Report for the financial year ended 30 June 2008 be received.

CARRIED UNANIMOUSLY

6. GENERAL BUSINESS

6.1 Questions Submitted

Tony Proctor submitted the following questions:

Question 1 – Tony Proctor: *Will the CEO give consideration to enabling questions to be submitted online through the Shire’s Website for Annual Electors meetings and Ordinary Council Meetings?*

Answer Question 1 – Chief Executive Officer: *This is currently possible through email, with a link provided on the Public Question Time Form.*

Question 2 – Tony Proctor: *Tramline Working Group:*

- *What is the Brief of this Group?*
- *How many times has the Group met?*
- *Are there minutes of the meetings available or interim reports issued?*
- *What was the reason why funding committed to this group was not utilised?*
- *Does the Group have a final ‘Report By’ date?*

Answer Question 2 – Director Engineering Services:

- *Terms of Reference were adopted by Council at Ordinary Council Meeting on 8 May 2008. The terms of reference appear as an attachment in the hard*

copy of the Minutes of the Ordinary Council Meeting, available at the library. (Attached here for your review.)

- *The group has met only once on 8 April 2008.*
- *There was no interest from engineering consultants early in 2008. An approach to a business consultant was made but they were not prepared to undertake a feasibility study unless there was an engineering assessment of costs. The cost of the Engineering Consultant alone for this assessment exceeded the budget. Further quotes will be obtained from consultants closer to the end of the financial year and if necessary put to Council for consideration in the budget.*
- *No*
- *Indicative preliminary cost would be around \$4.5M for 2km of track, sidings, turnarounds and loco security yard and shed. Add to this the cost of the rolling stock. Based on cost of Glenelg Tramline Upgrade.*
- *A tramway "corridor" has been identified on Hamersley Street which will be kept clear of carparking.*

Question 3 – Tony Proctor: *Regarding Broome International Airport (BIA); What are the essential features of the BIA Development Plan entered into with the Shire?*

Answer Question 3 – Director Development Services: *The object of the Airport Development Plan is to provide for the operation and development of the airport while it continues in its current location and for the redevelopment of the area when the airport relocates. It is intended the revised Airport Development Plan will be considered at the March Ordinary Council Meeting and the necessary documentation will be posted on the website following adoption by Council as part of the required consultation.*

Question 4 - Tony Proctor: *Parking Revenue: What strategies are in place to ensure that the Shire has greater recovery of income from Parking Control and Management from within the Shire?*

Answer Question 4- Director Community Services: *Any time parking fines are issued, recovery of monetary penalties associated with infringements is via a standard time lapse process (ie 28 days), after which the appropriate notices are serviced and then registered and forwarded to the Fines Enforcement Registry Department for lodgement and recovery, as used by the WA Police Department.*

Question 5 - Tony Proctor: *To what extent has the Shire introduced a 'User pays' policy for the various services provided by the Shire which are ultimately funded from general rate/operating revenue to ensure greater recovery of operating costs from:*

- *Health Services inspections (eg restaurants, accommodation facilities)*
- *Town Planning; and*
- *General Development services?*

Answer Question 5 – Director Development Services: *Town Planning is restricted by Statute. Most planning, building and health fees are legislated. Those that are able to be determined by Council are determined in accordance with the Local Government Act (1995) and State Administrative Tribunal determinations. All fees*

will be closely examined for the coming budget to identify any opportunities for improved recovery of operating costs in these areas.

Q6 – Tony Proctor: *Regarding Broome Visitor Centre (BVC):*

- *What are the Shire's commercial arrangements with the Broome Visitor Centre?*
- *In respect of funding provided to the Broome Visitor Centre by the Shire, what funding was provided in 2007/2008? What funding has been provided since?*
- *Does the Shire obtain business plans, cash flow budgets and acquittal statements to support the funding?*
- *Does the Shire receive written reports from its nominated representatives on the Visitor Centre Committee? If not, why not?*

Answer Question 6 – Director Corporate Services: *It is a commercial arrangement. There is a lease in place between the Shire and the BVC for the premises at 1 Hamersley Street whereby the Shire recovers all outgoings and the BVC is responsible for maintaining the building and surrounds. This is under a peppercorn rent arrangement for a period of 5 years with a 5 year option. There is also a commercial lease for the conference room facility for a 5 year period plus a 5 year option at \$10,000 per annum, with CPI increases occurring annually.*

Funding – the Shire provided \$110,000 plus GST in funding in the 2007/2008 year. An additional, one off grant was provided in addition to this in the 2008/2009 year of \$50,000 plus GST.

The Shire has both a Council representative (Cr Chris Maher) and a staff observer (Director Corporate Services) who receive monthly updates on the budget position and balance sheet status. Manager reports and Board minutes are also provided, detailing business activity. They are invited and attend meetings frequently.

Information is provided to Council annually during the budget process. On a day to day operational basis, information is retained at Executive level with discrepancies addressed accordingly.

Question 7 – Tony Proctor: *Kimberley Shire Zone Meetings:*

- *What 'Zone' meetings were held during the year?*
- *What were the range of topics discussed and resolutions agreed to?*
- *Has the Shire received recommendations or advice from the Consultants appointed to advise on the Bilateral Funding Agreement in relation to the delivery of Municipal Services in indigenous communities within the Kimberly Zone?*
- *What were the recommendations so far as they affect the Shire of Broome?*

Answer Question 7 – Chief Executive Officer:

- *Zone Meetings held during 2008 were held on the following dates:*
 - 28/30 March –Perth (in conjunction with the Joint Kimberley Pilbara Forum)
 - 1 August – Perth (coincide with Local Government Week)
 - 13 November - Kununurra
- *Topics discussed at 2008 meetings follow:*

March 2008

- Nomination of Deputy WALGA Kimberley Country Zone State Councillor
- Kalumburu Road – Change of Responsibility
- Timing of the WALGA AGM and Conference
- Kimberley Zone Support for Inpex
- Alcohol in the Kimberley
- Small Business Officers Program
- EDL Community Fund
- Election of WALGA Vice President
- Zone Roundtable 2008
- WA State Coastal Conference 2009 – EOI to Host
- Fire in the Kimberley
- Road Safety

Resolutions agreed to at the March meeting:

- *That Cr E Archer be nominated as the Deputy to Cr Graeme Campbell, as the representative of the Kimberley Country Zone on the WALGA State Council Zone for the 2008/09 period.*
- *That the Zone:*
 1. *Advises the Minister for Planning and Infrastructure that responsibility for the Kalumburu Road should be returned to the State of Western Australia due to the inadequate level of funding provided by the State and Federal Governments following the transfer of responsibility in 1999/2000.*
 2. *That the Zone requests the Regional Road Group to undertake full economic assessment studies on the required roads as presented by the Shires within the Kimberley Region.*
- *That:*
 1. *The Zone supports Inpex for the development of Maret Islands should all environmental clearances be approved by the State.*
 2. *That the Zone secretary prepares and distributes media releases indicating Kimberley Zone support for the Maret Islands gas project.*
 3. *That the Zone writes to Inpex indicating Kimberley Zone support for the project.*

(The Shire of Broome requested their vote be recorded in the negative)
- *That the individual local governments recognise there is an alcohol issue across the Kimberley region and a discussion paper be tabled at the next Zone meeting with the intention of developing a Zone position.*
- *That the Kimberley Zone write to the Minister for Innovation, Industry, Science and Research and the Minister for Small Business, Independent Contractors and Service Economy, with a copy to the Deputy Leader of the Opposition in the Senate; Innovation, Industry, Science and Research, expressing concern about the abolishment of the Small Business Officer program.*

- *That the Kimberley Zone advises the Office of Energy it was their understanding the funds would be distributed through the three local governments (Shire of Halls Creek, Broome and Derby West Kimberley) and that it is their desire that this be the preferred option.*
- *That the Kimberley Zone request Cr Campbell to vote in favour of Cr. Troy Pickard as the Vice President for the WA Local Government Association.*

August 2008

- Alcohol in the Kimberley
- Timor Leste Youth Employment Migration Program
- National Heritage Listing
- Remote Focus – Revitalising Remote Australia

Resolutions agreed to at the August meeting:

- *That the individual local governments recognise there is an alcohol issue across the Kimberley region and a discussion paper be tabled at the next zone meeting with the intention of developing a Zone position.*
- *That:*
 1. *The Kimberley Zone recognises the individual policies and procedures of member local governments in relation to alcohol management.*
 2. *The Kimberley Zone requests elected member representation to the Kimberley Interagency Working Group as well as the Chief Executive Officers.*
- *That the Zone writes to the Commonwealth Government and Timor Leste Consulate confirming its support for the proposed Kimberley Western Australia Pilot – Timor Leste Youth Employment Migration Program with Australia.*
- *That the Kimberley Zone:*
 1. *Request the Commonwealth to conduct public forums in the east, west and north Kimberley about the proposed National Heritage listing of 17 million hectares of the Kimberley region, prior to further consideration of the Heritage proposal.*
 2. *Lodge a public submission opposing the National Heritage listing of 17 million hectares of the Kimberley region, until the full ramifications and impacts of the proposed listing on Kimberley communities and the region are understood.*
 3. *Advise Ms Susan Bradley that it does not support the proposed World Heritage Listing until the full ramifications and impacts of the proposed listing on Kimberley communities and the region are understood.*
- *That the Kimberley Zone release a press release expressing its concern about the level of Commonwealth and State funding for services and infrastructure in the Kimberley.*
(The Shire of Derby West Kimberley requested their vote be recorded in the negative)
- *That the Kimberley Zone express their support to Desert Knowledge's Remote Focus: Revitalising Remote Australia project.*

November 2008

- Order of Locations For Zone Meeting
- Meeting Dates For 2009
- Bushfire Risk in The Kimberley Region
- Delegate – Australia's North West Tourism
- Kimberley Development Commission (KDC) – Ms Liz Kirby
- ANW Annual General Meeting
- Crime and Corruption Commission
- Water Restriction
- North Australia Economic Development Forum
- Oil and Gas

Resolutions agreed to at the November meeting:

- *That the Kimberley Zone write to the Minister for Indigenous Affairs regarding their concern and disappointment with current outcomes of the Kimberley Interagency Working Group and would support representation of elected members to future meetings.*
- *That the Report Recommendation be adopted subject to further investigation regarding the logistics and costs associated to the inclusion of Christmas Island.*
- *That the Kimberley Country Zone Meetings be scheduled to be held during the following times in 2009:*
 - *Kimberley Pilbara Joint Forum – 12-13th March 2009*
 - *7-8th May*
 - *5 August (afternoon)*
 - *3-4th December 2009*
- *That the Kimberley Zone of WALGA:*
 1. *Writes to the Minister for Emergency Services requesting consideration be given to undertaking an independent audit of the adequacy of Bushfire capabilities serviced through the Emergency Services Levy in the Kimberley that includes land and aerial combat roles as the fire fighting assets provided are not adequate for a regional response.*
 2. *Writes to the Chief Executive Officer of FESA requesting an update on the proposed implementation of a suitable communications system for Western Australian emergency service units and the Kimberley region be identified as a priority as non existent alternative communications are a risk to volunteer bushfire.*
 3. *Writes to the Minister for the Environment requesting what actions are being taken to implement the recommendations contained in the 'Fire in the Kimberley and Rangeland Regions' (EPA) report of December 2006.*
 4. *Requests the Zone Secretary to prepare in consultation with member local governments a discussion and issues paper in relation to fire management in the Kimberley.*
- *That:*
 1. *The WALGA Kimberley Zone nominates for appointment Cr Fred Mills as its local government representative from the Kimberley Region on the*

Board of Australia’s Northwest Tourism for a two (2) year term expiring in October 2010.

2. *The Kimberley Zone send a thank you letter to Cr Elsia Archer for her success in promoting the whole Kimberley region during her time as the Kimberley Zone’s representative on the Board of Australia’s Northwest Tourism.*

- *That the Zone write a letter to the Minister for Water requesting an exemption from water restrictions enforced in Western Australia for the Kimberley region.*

- *A draft report has been received in January 2009 from the Consultants appointed to advise on the Bilateral Funding Agreement.*
- *The report will be presented to Council within the next 2 months and a copy can be accessed at that time.*

6.2 Questions From the Floor

- David Dureau submitted the following information as a Motion for Elector consideration:

Moved: David Dureau *Seconded: Br Shane Wood*

That Council:

1. *Rescinds its previous motion of 2007 Ordinary Council Meeting declaring Dakas Street Park (Pubic Open Space) “as surplus to requirements.” Further, as strong public opinion supported current boundaries of Dakas Street Park remain public open space (refer Public petition etc) that Council reaffirm that Dakas Street Park remain as vested recreation reserve.*
2. *Maintains and improves Dakas Street Park to the high standard of other parks in the town and provides the funds in this year’s budget.*
3. *Considers encouraging a sense of local ownership by establishing a management committee from the nearby residents for the Dakas Street Park.*

CARRIED

- Mike Dunnett (Deputy Chairperson ANW) asked the following questions:

Question 1 – Mike Dunnett: *“My question relates to the differential rating of tourism and commercial properties and amount passed on to Australia’s North West (ANW) for destination marketing.*

The percentage of the funds raised by the differential rating and paid to ANW has dropped from 100% in the years 1999-2000 to 2005/6 to about 54% last year. After the last budget was adopted, I was advised that a review of

the differential rating would be undertaken. Is such a review happening and, if so, what stage is it at and is ANW to be consulted?"

Answer Question 1 – Director Corporate Services: *"We anticipate doing this March to April 2009."*

Question 2 – Mike Dunnett: *"Marketing needs to be planned a long way out. Is it possible to get an indication that funding will continue in years to come rather than just the immediate financial year?"*

Answer Question 2 – Chief Executive Officer: *"There may be an opportunity during year for a licensing agreement for future years, subject to Council's discretion."*

- Cr E R M Foy asked the following question:

Question 1 - Cr E R M Foy: *"Twelve months ago I asked for bus stop seating for children out at Coconut Well, and on the highway at Morrell Park and Twelve Mile"*

Answer 1 – Chairperson: *"It is in the budget. Answer 1-Director Engineering Services:* *"Seating for the bus shelters has been programmed for May 2009."*

- Maggie Nolan asked the following questions:

Question 1 – Maggie Nolan: *"Three times a week BRAC has Aqua Lite Pace between 8am and 9am. Cost per session is \$5.30 for three sessions a week \$15.90. Aqua Lite Pace is for older members of our community with at least 90% there as a preventative measure against arthritis, diabetes, heart problems or recuperating from cancer. Most are on the pension and the cost of \$5.30 for each session is prohibitive, so the numbers have dwindled.*

In 2008 Michelle the Manager at BRAC was able to a get a discount for us and the price was reduced to \$3. This enabled the Lite Pace numbers to increase and many more were able to afford that and numbers increased significantly.

We have not been successful in getting a grant this year as we are told it was a 'once only grant'. However our Indigenous ladies that come have either free admission or a minimal amount of \$2. We are pleased for them as it encourages them also to look after their health.

My question is, why can't you consider reducing the price of Aqua Lite Pace? The way it is, no-one is winning because you have less able to pay \$5.30 and you would make a better gain by more people attending at \$3.30 and therefore your costing would be the same or even up on what money you are making now. Do you think it is fair that one group of ladies are able to come to Aqual Lite Pace at minimal cost? The Indigenous ladies have that opportunity. Can you see a 'fair go' in that?"

Answer Question 1 – Chairperson: *" This question will be taken on notice. The Chief Executive Officer has requested a report from the manager on this."*

- Br Shane Wood asked the following question:

Question 1 – Br Shane Wood: *“Question is in regard to potential of a new airport position. Does the Shire have a view and taken steps to ensure revenue income to the Shire in the future, and what steps have been taken to ensure this occurs?”*

Answer Question 1 – Chairperson: *“The Shire’s position regarding relocation revolves around Native Title negotiations. The identified site is approximately two thirds clear of Native Title and one third is subject to Native Title onto Roebuck Station. Native Title issues need to be satisfactorily resolved and issues regarding purchasing or not, and by whom, have not been decided; it is State owned land. I support the concept of income streams and it is hoped that negotiations with the State and Traditional Owners produces a good agreement outcome for all.”*

- Tony Proctor (AEP Consulting) asked the following questions:

Question 1 – Tony Proctor: *“Has the Shire given consideration to what the rates revenue will be from a gas hub on the Dampier Peninsular?”*

Answer Question 1 – Chairperson: *“The Premier informed the Shire that a gas hub would be done under a State Agreement Act and that the Shire would be a subsidiary under that agreement. An income stream was discussed with the Premier and a verbal assurance was given regarding rateability and income to the Shire.”*

Question 2 – Tony Proctor: *“Is the Premier’s attitude affected by Council’s Resolution of 17 December 2008 Ordinary Council Meeting?”*

Answer Question 2 – Chairperson: *“I don’t believe so; November meeting Minutes clearly highlighted issues for the Shire and key stakeholders.”*

Question 3 – Tony Proctor: *“What other benefits would come to the Shire of Broome?”*

Answer Question 3 – Chairperson: *“There will no doubt be other benefits in areas of employment, alternative economic income streams etc but once again I reiterate unless the social impacts are addressed prior to the event and not after the event, it could place immense strain on the community of Broome.”*

- David Dureau asked the following questions:

Question 1 – David Dureau: *“With regard to Neem trees – Could you tell me what has happen since my comment at the last Annual Electors Meeting on this matter?”*

Answer Question 1-Director Engineering Services: *“The Shire has a weed policy and a programme for eradication of pest species. Discussions have taken place with the Department of Agriculture, Environs Kimberley, and the*

Shire of Wyndham East Kimberley regarding best practise and with a view to upgrading the Shire’s policy. This has not resulted in any plan at this stage.”

Answer Question 1 – Chairperson: *“The Department of Agriculture are not prepared to declare Neem as a noxious weed. We will endeavour to do whatever we can.”*

Question 2 – Dave Dureau: *“What progress has been made by the Shire since the last Annual Electors Meeting in regard to Neem trees in the town? Does the Shire of Broome have an eradication programme? What actions have the Waste Management Advisory Committee considered on the Neem eradication programme?”*

Answer Question 2 – Chairperson: *“This question will be taken on notice.”*

Question 3 – Dave Dureau: *“I understood the Environmental Weed Strategy Policy was to be resolved prior to Christmas. Is there a timetable on this?”*

Answer Question 3 – Director Engineering Services: *“Not as yet however it will be done as soon as possible.”*

- Cr P D Matsumoto asked the following questions:

Question 1 - Cr P D Matsumoto: *“With regard to the Morrell Park Community, each Wet Season they have trouble with road access. Can the Shire do something about this?”*

Answer Question 1- Chairperson: *“The Aboriginal Lands Trust (ALT) has Tenure of the land and as it is not gazetted, the Shire has no legal right to be on the land. Myself and the Chief Executive Officer inspected the roads recently and understand your concerns. We will be taking up the land and planning issues in that area and it is an issue that has been raised in Native Title global negotiations.”*

Question 2 – Cr P D Matsumoto: *“With regard to the dolphin slaughter in Taiji, Japan, what has the Shire done in regard to corresponding to Taiji?”*

Answer Question 2 - Chairperson: *“The Notice of Motion instructed the Chief Executive Officer to write to the Major of Taiji, which was done and a response has not been received to date.”*

- Cr Foy asked the following question:

Amended Ordinary Council Meeting 19 March 2009

Question 1 – Cr E R M Foy: *“With regard to the previous issue raised by Cr P D Matsumoto (community road access ~~and tenure of land~~) to Morrell Park), what is the difference where Djiagween Roads Aboriginal Land Trust (ALT) land have ~~had~~ roads and kerbing works?”*

Answer Question 1 – Chairperson: *“This question will be taken on notice.”*

- David Dureau asked the following questions:

Question 1 – Dave Dureau: *“My question is to the Chief Executive Officer following on from our meeting in regard to queries about costs of administering Cable Beach and speeding -\$700,000 or \$1.2M - on Cable Beach?”*

Answer Question 1 – Chief Executive Officer: *“I believe this information has previously been provided.”*

Question 2 – David Dureau: *“To the Director Development Services in regard to the last Annual Electors Meeting regarding better building requirements and fittings in new buildings, has anything occurred on this?”*

Answer Question 2- Director Development Services: *“There has been no significant progress. LandCorp was developing some design codes for the area and that officer has resigned and so there has been no further progress to date.”*

Question 3 – David Dureau: *“My question references the Shire’s Mission Statement. Recently some environmentalist were told there was significant degradation to the Shire Golf Club Reserve, mainly over the past 2-3 years due to unbridled cannon watering of effluent water into the natural bushland resulting in its total destruction. Given the seriousness of this and following onsite meetings I ask if the Shire is prepared to provide a venue to discuss these issues and appoint a Councillor to coordinate?”*

Answer Question 3 – Chairperson: *“I cannot see a problem using the Shire’s facilities for a meeting. Appointment of Councillors to committees requires a resolution of Council. Consideration and appointment of a facilitator is an operational decision; the Chief Executive Officer has delegated authority on this. We are currently awaiting a report from the Water Corporation on this matter?”*

7. MEETING CLOSURE

There being no further business the Chairperson thanked Electors for their attendance and declared the meeting closed at 8.02pm. A light supper was provided for attendees of the meeting.

[Attachment: Minutes Annual Electors Meeting- 13 March 2008](#)

[Attachment: Ordinary Council Meeting Excerpt – 10 April 2008](#)