

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."

MINUTES

FOR THE ORDINARY MEETING OF COUNCIL

5 JULY 2007

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
5 JULY 2007

INDEX - MINUTES

1.	OFFICIAL OPENING	6
2.	ATTENDANCE AND APOLOGIES	6
3.	DECLARATIONS OF FINANCIAL INTEREST	6
4.	PUBLIC QUESTION TIME	7
5.	CONFIRMATION OF MINUTES	8
6.	ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION	8
7.	PETITIONS	8
8.	MATTERS FOR WHICH MEETING MAY BE CLOSED	8
9.	REPORTS OF OFFICERS	9
9.1	LEADERSHIP / GOVERNANCE AND ORGANISATION	10
	9.1.1 COMMON SEAL REPORT	11
	9.1.2 DRAFT PLAN FOR THE FUTURE 2006 - 2010	12
9.2	COMMUNITY DEVELOPMENT SERVICES	18
	9.2.1 SHIRE OF BROOME ACCESS AND INCLUSION PLAN	19
	9.2.2 TRANSFER OF LICENCE FOR TRADING IN PUBLIC PLACES	23
9.3	DEVELOPMENT SERVICES	26
	9.3.1 PROPOSED RENEWAL OF THE SERVICE AGREEMENT FOR THE PROVISION OF ENVIRONMENTAL HEALTH SERVICES TO ABORIGINAL COMMUNITIES.	27
	9.3.2 APPLICATION FOR PLANNING APPROVAL - SOLAR POWERED REMOTE AREA POWER SUPPLY - GNYULMARUNG OUTSTATION	30
	9.3.3 APPLICATION FOR PLANNING APPROVAL - SOLAR POWERED REMOTE AREA POWER SUPPLY - JABIR JABIR OUTSTATION	33
	9.3.4 APPLICATION FOR PLANNING APPROVAL – NATURE BASED CARAVAN PARK AND AMENDMENT TO COMMUNITY LAYOUT PLAN - BURRGUK (BANANA WELLS)	36
	9.3.5 PROPOSED SCHEME AMENDMENT NO. 37 - WORKS WITHIN A LOCAL ROAD RESERVE BY A PUBLIC AUTHORITY	41
	9.3.6 PROPOSED BILLBOARD FOR THE OFFICE OF ROAD SAFETY - LOT 2052, RESERVE 39420 FREDERICK STREET, BROOME	44
	9.3.7 PROPOSED REVISION OF DEVELOPMENT PLAN - JANUBURU, SIX SEASONS ESTATE	47
	9.3.8 APPLICATION FOR PLANNING APPROVAL - PROPOSED DRAINAGE BASIN - LOT 7 AND LOT 8 (NO.8) COUCAL STREET, CABLE BEACH AND PROPOSED DRIVEWAY - LOT 8 (NO.8) COUCAL STREET, CABLE BEACH	51
	9.3.9 APPLICATION FOR PLANNING APPROVAL - TOURIST DEVELOPMENT (OCEAN LODGE) - LOT 100 (NO.1) CABLE BEACH ROAD, CABLE BEACH	55
	9.3.10 BROOME HOUSING AND ACCOMMODATION SUMMIT	63
9.4	CORPORATE SERVICES	66
	9.4.1 ACCOUNTS FOR PAYMENT	67

President: Date:

9.4.2 MAY 2007 MONTHLY FINANCIAL ACTIVITY REPORT68

9.4.3 POLICY SIGNIFICANT TREE REGISTER - REVIEW73

9.5 ENGINEERING SERVICES75

9.5.1 BROOME BOATLIFTERS AND MARINE SERVICES COOP LTD REQUEST FOR ASSISTANCE76

10. REPORTS OF COMMITTEES80

10.1 BROOME CEMETERY ADVISORY COMMITTEE - MINUTES 6 NOVEMBER 2006 81

10.2 COASTAL PARK MANAGEMENT COMMITTEE MINUTES 3 MAY 200783

11. NOTICES OF MOTION86

12. LATE ITEMS86

12.1 APPOINTMENT OF DIRECTOR OF ENGINEERING SERVICES86

13. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN89

14. MATTERS BEHIND CLOSED DOORS89

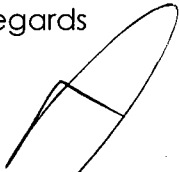
15. MEETING CLOSURE89

NOTICE OF MEETING

Dear Council Member,

The next Ordinary Meeting of the Shire of Broome will be held on Thursday 5 July 2007, in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 5.00pm.

Regards

A handwritten signature in black ink, appearing to read 'Ian Bodill', written over a faint, large, stylized graphic element that resembles a large, thin, curved line or a signature flourish.

Ian Bodill
Chief Executive Officer

25 June 2007

1. OFFICIAL OPENING

The Chairperson welcomed members and declared the meeting open at 5.01pm.

2. ATTENDANCE AND APOLOGIES

Attendance: Cr G T Campbell Shire President
 Cr C R Mitchell Deputy Shire President
 Cr V L Wevers
 Cr M L B Albert
 Cr A C Griffiths
 Cr E R M Foy
 Cr C M Maher
 Cr P D Matsumoto
 Cr R J Lander

Leave of Absence: Nil

Apologies: Nil

Officers: Ian Bodill Chief Executive Officer
 Ingrid Bishop Director Corporate Services
 Darryl Butcher Director Development Services
 Allan Ralph Director Engineering Services
 Suzanne Lollback Director Community Services
 Jo Durbridge Media & Promotions Officer
 Corrine Palmer Manager Administration Services
 Cally Hoskin Acting Council Secretary

Public Gallery: Dale Miller Broome Advertiser
 Pam Baskind DPI
 Helena Micallef Burrigur Aboriginal Corporation
 Russell Smith Disability Services Commission
 Chris Hill Ships of the Desert
 Cornelia Grohmann
 Roger Grohmann

3. DECLARATIONS OF FINANCIAL INTEREST

Councillor	Item No	Page No	Item	Nature of Interest
Cr G T Campbell	9.3.7	47	Proposed Revision of Development Plan	Financial Interest – in common with other land owners in the area
Cr G T Campbell	9.3.9	55	Application for Planning Approval Tourist Development	Proximity Interest - Director of a Company that has an interest in adjoining reed property.
Amended Ordinary Council Meeting 30 August 2007				
Cr G T Campbell	9.5.1	76	Broome Boatlifters & Marine Services Coop Ltd Request for Assistance	Interest of Impartiality – association with Broome Port Authority
Cr C R Mitchell	9.5.1	76	Broome Boatlifters & Marine Services Coop Ltd Request for Assistance	Interest of Impartiality – association with applicant with possible funding

President: Date:

Councillor	Item No	Page No	Item	Nature of Interest
				application
Cr A C Griffiths	9.3.6	44	Proposed Billboard for Office of Road Safety	Manage current site of existing Billboard
Cr E R M Foy	9.3.8	51	Proposed Drainage Basin Lot 7 & 8 Coucal St & Driveway Lot8 Coucal St Cable Beach	Proximity Interest
Cr V L Wevers	9.5.1	76	Broome Boatlifters & Marine Services Coop Ltd Request for Assistance	Interest of Impartiality Association with Broome Port Authority as a Director

4. PUBLIC QUESTION TIME

At the 11 April 2007 Ordinary Council Meeting Mr Dave Dureau asked 5 questions relating to running costs incurred by the Shire in regard to Cable Beach, which were taken on notice. It has become evident that Question 5 was not addressed in the answers provided and the omitted question and answer is provided below.

Question: "In order to defray the huge annual costs (\$1.25M) will the Shire seek applications and trading license fees from commercial boat operators using Cable Beach?"

Answer: Director Development Services: It is considered that the commercial boat operators are not covered by the Trading, Outdoor Dining and Street Entertainment Local Law but the increase of costs and licence fees will be addressed in the review of the policy currently being undertaken by Council.

.

At the 7 June Ordinary Council Meeting the Shire President advised that the following question by Mr David Galwey would be taken on notice.

Question: "I am continually amazed at the amount of Shire resources being tied up maintaining parks and selected verges around the town. Has the Council given any consideration to:

- *Outsourcing these operations to the private sector given the considerable cost savings that could be achieved?*
- *Offering incentives to ratepayers for maintaining their verges?"*

The question was in part answered at the meeting and the Director Engineering Services has provided a written response to Mr Galwey and distributed copies to Councillors.

.

Ms Cornelia Grohmann submitted the following questions at the Ordinary Council Meeting on 5 July 2007:

Question 1: "Why is there a proposed 12% rate rise for 2007/08; why the large increase in rates when the population of Broome, hence the number of ratepayers has nearly doubled? Where is the increased profit being spent?"

President: Date:

9.
REPORTS

OF

OFFICERS

9.1

LEADERSHIP / GOVERNANCE

AND

ORGANISATION



OUTCOME

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

9.1.2 DRAFT PLAN FOR THE FUTURE 2006 - 2010

LOCATION/ ADDRESS: N/A
APPLICANT: N/A
FILE: ADM.20
AUTHOR: Director, Corporate Services
CONTRIBUTOR/S:
RESPONSIBLE OFFICER: Chief Executive Officer
DISCLOSURE OF ANY INTEREST: N/A
DATE OF REPORT: 8 June 2007

SUMMARY: To advise Council of the feedback received for the Plan For The Future from public consultation undertaken during May. This report also provides an update on the development of the organisational planning framework and the departmental service plans.

BACKGROUNDPrevious Considerations

OCM 7 September 2004 – Item 9.1.3
 OCM 30 November 2004 – Item 9.1.5
 OCM 5 February 2007 – Item 9.1.2

At the Ordinary Meeting of Council held 5 February 2007, an item was presented to Council dealing with what was then known as the Draft Strategic Plan 2006 – 2010. The report outlined the organisational planning framework and change in title of the Draft Strategic Plan to the official Plan for the Future as required under section 5.56 of the Local Government Act 1995, with the following being resolved by Council:

- “1. *Supports the organisational planning framework as outlined in Figure 2 and endorses the further development key elements and activities culminating in planning for the future, including:*
 - *The Plan for the Future, compliant with s.5.56 of the Local Government Act 1995*
 - *High level policy, strategies and plans*
 - *The Financial Plan*
 - *Service Delivery Plans*
 - *Community engagement*

2. *Approves in draft, the Strategic Action Plan, now termed the “Plan for the Future” as the official “Plan for the Future” under s5.56 of the Local Government Act, subject to:*
 - *In the draft Plan for the Future, the word “We” in the Mission Statement is changed to “To”, and under Values – Communication, the word “collaborate” is changed to “engaged”.*

3. *Agrees that the CEO proceed with public consultation on the draft Plan for the Future.*

4. *Endorses a change of sub heads under strategic implications in agenda items to People, Place and Prosperity.*
5. *Approves and amount of \$35,000 in the Strategic Financial Plan, commencing 2007/2008 for community consultation and engagement.*
6. *That Council review this plan in two years time as required under the Local Government Act and that the review includes community workshops."*

Copies of the draft Strategic Plan were:

- Distributed to all PO Boxes;
- Available from the Customer Service Area of the Shire's Administration Office;
- Advertised for comment in the Shire Newsletter in Broome Advertiser;
- In the Broome Advertiser Public Notices Section.

With the submission period closing on Wednesday 30 May 2007.

4 Submissions were received in regard to this matter and are summarised below:

Name	Comments/Issues
Ken White	Suggestion to create a "Park Home Village".
Raymond Schmidt	Considers it a credible document. Concern that two things will ruin Broome's unique lifestyle <ul style="list-style-type: none"> • Relocating the Broome Airport out of town; and • Closing Cable Beach
Colin Taylor	Concerns about: <ul style="list-style-type: none"> • The recycling area at the Shire Waste Disposal Site • The Waste Disposal Site being closed on Sundays • The closing of Cable Beach to cars Focussing on protecting and enhancing important features and be a voice of the people.
Nick Belyea BIA Group	Broome International Airport Group has significant businesses operating within Broome. The airport itself is a major piece of transport infrastructure, of key strategic importance to Broome and significant economic contributor. Stand by comments made in the 2004 in the Strategic Plan process and the Airport Area Development Plan submitted in June 2006 for the operation and expansion of the Airport Land.

COMMENT

Public consultation comments received reflect an overall support for the Plan For The Future and have provided Council with additional feed back in relation to specific issues ie waste management, closing Cable Beach and the strategic importance of BIA to the region.

President: Date:

During the consultation period, Shire staff have completed the first iteration of individual department Service Plans and objectives. The Service Plans highlight the major activities that have been proposed and where appropriate, funded. This information is setting the ground-work for the Strategic Financial Plan. Budgets for 07/08 (Plan For The Future - year one) have been developed and will be presented to Council for consideration and adoption early July 07.

The strategic planning cycle for the duration of the Plan For The Future is currently being developed and will highlight activities such as regular strategic planning and community engagement, financial planning and budget setting, project management, risk and asset management, performance management, reporting and communications.

The objectives of the Service Plans have shifted from a corporate focus e.g. performance management/goal setting, to one that also provides for good governance e.g. agreed service levels, service development and strategic alignment. With Service Plans completed and proposed budgets and resources for 07/08 currently being finalised, improvement to the strategic planning process will be ongoing.

Regular and consistent planning (both strategic and financial) will result in a more fluid and dynamic planning process allowing the Shire and Council to respond to, and drive issues and projects of a strategic nature in an ever-changing environment.

Objectives and Outcomes

Late 2006, the Executive Management Team set out the following objectives and outcomes:

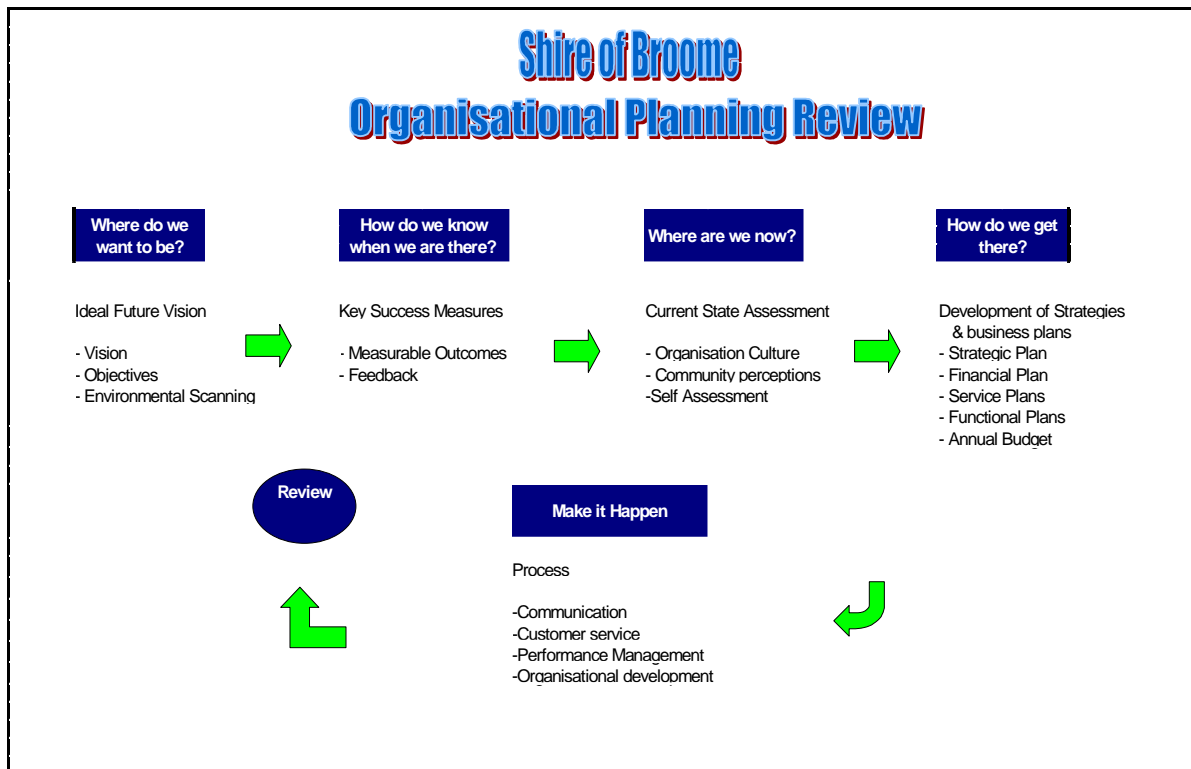
Objectives

- To take elements of the Strategic Plan and translate them into operational goals
- To describe the range and level of the service
- Outline the current and future resources required to maintain the service at an agreed service level, which may also provide information to the SFP.
- To assist performance management through setting achievable and measurable goals
- To use the process to develop an understanding of purpose
- To enable Councillors to be informed and understand service provision and levels of service and to make effective decision at policy level eg allocation of resources to the service, user pays policies, funding options, extent of service

Outcomes

- Informed decision making
- Prioritised projects with a focus on resourcing the priorities of the Shire of Broome
- Planned responses for any anticipated changes in the environment
- Focused and motivated staff resources

Using the model below, the Shire is focusing on improving its organisational planning and development framework, from the strategic plan through to operational plans and performance measures.



Where To From Here

Critical to the success of the Plan For The Future is the impact of tangible outputs and outcomes. Emphasis will now be placed on refining objectives and reporting whilst achieving proposed outcomes. Shire, Council and community expectation has now been created and the Shire is focusing on delivering 'on time on spec'.

At the next OMC, the 07/08 Service Plan with objectives, action and timelines will be presented for discussion. The organizational planning cycle format will also be tabled for discussion. This coincides with the adoption of the 07/08 Budget. It is proposed that quarterly reporting will now commence.

CONSULTATION

Consultation has occurred through:

- Staff workshops
- Executive Management meetings
- Departmental planning
- Councillor workshop
- Community consultation (May 2007)

STATUTORY ENVIRONMENT

Local Government Act 1995. 19C. Planning for the Future – s. 5.56

POLICY IMPLICATIONS

Consistent with Shire's Community Consultation Policy.

FINANCIAL IMPLICATIONS

Once adopted, the strategies and actions contained in the plan and developed through further processes and procedures will be incorporated in the updated strategic financial plan.

STRATEGIC IMPLICATIONS

The Plan For The Future, subject to annual review, will continue to evolve and outline the community's vision for Broome for future years. It will guide Council in the development of high level policies, strategies and plans, and through the organisational planning framework, will inform the Shire in its delivery of services to the community.

People

Effectively engage with our community by encouraging participation and providing information.

Actively contribute to well-being and safety and support community initiative.

Actively consult and work with the Traditional Owners and Aboriginal people of Broome.

Place

Build partnerships with the community and other agencies to recognise, protect and enhance the natural environment and cultural heritage.

Engage with the community and other agencies to provide land use planning that protects and enhances the natural and build environment to support a quality lifestyle and the local economy.

Ensure the Shire's infrastructure and assets are strategically planned and managed.

Prosperity

Build the Shire's organisational capacity to service the needs of a growing community. Support business and economic development.

Partner with other agencies to ensure affordable and equitable services and infrastructure.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

1. That Council notes the feedback from public consultation regarding the Plan For The Future.
2. That a report be presented to the next Ordinary Meeting of Council including a detailed presentation of the organisational planing framework, corporate summary and services plans.
3. That Council adopts the Shire of Broome Plan for the Future 2007 – 2012.

COUNCIL RESOLUTION:

Moved: Cr C M Maher

Seconded: Cr C R Mitchell

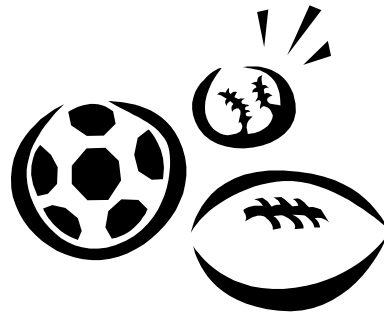
1. **That Council notes the feedback from public consultation regarding the Plan For The Future.**
2. **That a report be presented to the next Ordinary Meeting of Council including a detailed presentation of the organisational planning framework, corporate summary and services plans.**
3. **The implementation and reporting of the Disability Access and Inclusion Plan be incorporated into the organisational planning framework.**
4. **That the Disability Access and Inclusion Plan be fully integrated into the Plan for the Future 2013 – 2018.**
5. **That Council adopts the Shire of Broome Plan for the Future 2007 – 2012.**

CARRIED UNANIMOUSLY

[Attachment: 6 pages](#)

9.2

COMMUNITY DEVELOPMENT SERVICES



OUTCOME

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

9.2.1 SHIRE OF BROOME ACCESS AND INCLUSION PLAN

LOCATION/ ADDRESS: N/A
APPLICANT: N/A
FILE: COS09
AUTHOR: Director Community Services
CONTRIBUTOR/S: Community Development Officer
RESPONSIBLE OFFICER: Director Community Services
DISCLOSURE OF ANY INTEREST: N/A
DATE OF REPORT: 20 June 07

SUMMARY: This report recommends that the DRAFT Shire of *Broome Access and Inclusion Plan* (the Plan) be advertised for public comment for a period of two weeks prior to being adopted by the Council and submitted to the Disability Services Commission.

BACKGROUND

Previous Considerations

OCM 11 April 2007 - Item 10.1

COMMENT

Under the Western Australian Disability Services Act 1993 (as amended in 2004) Local Governments are required to develop and implement a Disability Access and Inclusion Plan that identifies barriers to access and to propose solutions to ensure that people with disabilities have equality of access to services and facilities.

A DRAFT Plan has been developed by Shire Officers in consultation with members of the Shire's Disability Services Advisory Committee. The Plan identifies how the Shire will take into account the needs of people with disabilities in the development and maintenance of community facilities and the provision of services. This constitutes the Shire's commitment to improving access for people with disabilities.

The Plan has been developed following standard guidelines supplied by the Commission.

It is a requirement that the Shire's Disability Access and Inclusion Plan be submitted to the Disability Services Commission by the 31 July 2007. The Commission has provided input into the Plan and has been advised that due to the timing of meetings and advertising for public comment that the Shire's Plan will be submitted by the end of September. The Shire has been granted approval for this extension of time.

OFFICER COMMENT

A Disability Services Advisory Committee meeting was held on 15 June 2007, however a quorum of members was not reached at the meeting. The primary discussion at the meeting related to the Shire's DRAFT Disability Access and Inclusion Plan. Whilst a quorum was not reached, two people who placed their apologies provided input into the Plan prior to the meeting. The Committee Members present recommended that the name of the Plan be changed from *Disability Access and Inclusion Plan* to *Broome Access and Inclusion Plan* as the Plan should reflect integration rather than division of people with disabilities.

President: Date:

disabilities within the community. It was also recommended that the DRAFT Plan be advertised for public comment.

Officers recommend that the name of the Plan be the *Shire of Broome Access and Inclusion Plan* as the Plan is only for those services and infrastructure managed and owned by the Shire of Broome organisation itself. It is not for all organisations.

While there was not a quorum at the Advisory Committee meeting, it is recognised that most members had the opportunity to comment prior to the meeting. Therefore officers recommend that the DRAFT Plan be advertised for public comment. Following public comment, the DRAFT Plan be again submitted to the Advisory Committee for endorsement, and at that meeting a recommendation of the Committee can then be put to the Council that the Plan be adopted and forwarded to the Commission.

CONSULTATION

Shire of Broome Disability Services Advisory Committee.

STATUTORY ENVIRONMENT

Local Government Act 1995
WA Disability Services Act 1993 (as amended 2004)
Equal Opportunity Amendment Act Western Australia (1988)
Disability Discrimination Act (1992)

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The implementation of the Disability Access and Inclusion Plan is integrated into the Shire's mainstream programs and services as part of normal operating procedures and budgets.

STRATEGIC IMPLICATIONS

People

Effectively engage with our community by encouraging participation and providing information.

Place

Ensure the Shire's infrastructure and assets are strategically planned and managed.

Prosperity

Partner with other agencies to ensure affordable and equitable services and infrastructure.

VOTING REQUIREMENTS

Simple Majority

President: Date:

REPORT RECOMMENDATION

1. That Council supports the name change of the Disability Access and Inclusion Plan as required under the Disability Services Act 1993 (as amended 2004) to the Shire of Broome Access and Inclusion Plan.
2. That Council calls for public comment on the DRAFT Shire of Broome Access and Inclusion Plan by advertising in the Broome Advertiser with a submission time being fourteen days.

COUNCIL RESOLUTION:

Moved: Cr C M Maher

Seconded: Cr R J Lander

1. **That Council supports the name change of the Disability Access and Inclusion Plan as required under the Disability Services Act 1993 (as amended 2004) to the Shire of Broome Access and Inclusion Plan.**
2. **That the Outcome Statements within the Plan to be changed as follows so that they are coherent with the Plan for the Future 2007 - 2012**
 - **Outcome 1 Access to Services**
People with disabilities have the same opportunities as other people to access the range of affordable and sustainable services provided by the Shire of Broome, that promote quality lifestyle as described in the Shire of Broome's Plan for the Future 2007 - 2012
 - **Outcome 2 Built Infrastructure**
To remain as stated in the Plan
 - **Outcome 3 Communications**
The Shire of Broome provides people with disabilities information in a format that is as readily accessible as it is to others, so that they can effectively participate in the Shire's active consultation, collaboration and communication processes as described in the Shire of Broome's Plan for the Future 2007 - 2012.
 - **Outcome 4 - Staff**
The staff of the Shire of Broome treat people with disabilities with respect and provide the same level of quality services as others while recognising their individual and unique requirements as described in the Shire of Broome's Plan for the Future 2007-2012.
 - **Outcome 5 - Complaints**
The openness and accountability described in the Shire of Broome's Plan for the Future 2007 - 2012, is equally accessible to people with disabilities and will give them the same opportunities as others to make complaints.
 - **Outcome 6 - Public Consultation**
The Shire of Broome engages people with disabilities in an effective way so that they can effectively participate in the Shire's active consultation processes and collaboration processes as described in the Shire of Broome's Plan for the Future 2007 - 2012.

3. ***That the Access and Inclusion Plan be fully integrated into the Shire's mainstream planning by 2012.***
4. ***That Council calls for public comment on the DRAFT Shire of Broome Access and Inclusion Plan by advertising in the Broome Advertiser with a submission time being fourteen days.***

CARRIED UNANIMOUSLY

[Attachment: 37 pages](#)

9.2.2 TRANSFER OF LICENCE FOR TRADING IN PUBLIC PLACES

LOCATION/ ADDRESS:	Cable Beach
APPLICANT:	Mr Abdul Casley – Trading as “Ships of the Desert”
FILE:	ENH 22
AUTHOR:	Manager Emergency, Ranger & Beach Services
CONTRIBUTOR/S:	
RESPONSIBLE OFFICER:	Director Community Services
DISCLOSURE OF ANY INTEREST:	N/A
DATE OF REPORT:	20 June 2007

SUMMARY: A letter has been received from Mr Abdul Casley, proprietor of “Ships of the Desert” Camel Tours requesting Council approve the transfer of his Licence for Trading in Public Places (Cable Beach) and business name to Mr Christopher Hill who is in the process of buying the business known as “Ships of the Desert”.

It is recommended that Council approve the transfer of licence and business name from Mr Abdul Casley to Mr Christopher Hill, subject to payment of a transfer fee, and all relevant conditions as detailed in the Shire of Broome Trading, Outdoor Dining and Street Entertainment Local Law 2003 being met.

BACKGROUNDPrevious Considerations

- OCM - 14 October 2003
- OCM - 20 January 2004
- OCM - 15 June 2004
- OCM - 15 March 2007 - Item 9.3.9
- OCM - 15 March 2007 – Item 9.3.10

At the OCM held on the 15 March 2007 Mr Hill applied for a Trading Licence to conduct camel tours on Cable Beach under the business name of Camel Adventure Tours; this application was refused because at the time Mr Hill had not provided details of permission to use the land where the camels were stabled, public liability insurance or the route intended to be used to the beach.

Council has previously confirmed the limits to the number of camels permitted on the beach to three licenses of 16 camels each (48 camels total). A license was approved for Mr Abdul Casley to trade as Ships of the Desert Camel Tours as well as approving licences to trade for two other operators. All three current licenses expire on the 31 December 2007.

COMMENT

The Trading, Outdoor Dining and Street Entertainment Local Law 2003 paragraph 5.3.1 states that a trading licence is only transferable with the approval of the local government and on payment of the transfer fee.

Mr Casley has indicated in a letter (see attached) dated 18th June 2007 to the Shire of Broome that he is in the final stages of negotiations with respect to the sale of his business

(Ships of the Desert) to Mr Christopher Hill. Mr Casley requests that the Shire of Broome authorise the transfer of the trading licence to Mr Hill.

Mr Hill has provided to Council a copy of a letter (see attached) dated 18th June 2007 to Ms Leanne Shaw of Land Asset Management Services (State Land Services - DPI) requesting that the lease to Mr Abdul Casley over Lot 500 Lullifitz Drive Cable Beach be transferred into his name for the remainder of the lease period. In a conversation with Mr Hill it was indicated that if there were a delay in approval being received from Land Asset Management Services for the transfer of Mr Casley's lease into his name he would pen his camels with either Mr Geappen (Red Sun Camels) or Mr Casley until the lease is transferred.

Mr Hill also indicated that Mr Casley would be writing to Land Asset Management Services seeking transfer of the lease.

Should the transfer be approved and Mr Hill chooses to conduct camel tours under the licence then all conditions currently contained on that licence are to be met.

Mr Hill has indicated in a conversation with the Manager Emergency, Ranger & Beach Services that should the licence be transferred and he is able to conduct tours he will not be using the site known as "Hidden Valley to access Cable Beach, rather he will be travelling along Lullifitz Drive, onto Fairway Drive, onto Sanctuary Road, up Cable Beach Road West to access the beach via the vehicle ramp adjacent to the Cable Beach Club.

CONSULTATION

Mr Christopher Hill
Mr Greg Martiensen – State Land Services

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Transfer of Licence Fee of \$60.00 will apply

STRATEGIC IMPLICATIONS

People

Actively contribute to well-being and safety and support community initiative.

Prosperity

Support business and economic development.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council approves the transfer of licence and business name from Mr Abdul Casley to Mr Christopher Hill, subject to:

- a. *Payment of a transfer fee,*
- b. *All conditions contained in the Shire of Broome Trading, Outdoor Dining and Street Entertainment Local Law being met,*
- c. *Information relating to an appropriate lease held by Mr Hill over property for the purpose of the penning and grazing of camels or permission to use such property designated for this purpose being provided to Council.*
- d. *All necessary approvals (eg planning approval) for all aspects of the operation being obtained and evidence of such approvals presented to Council.*
- e. *Provision of public liability insurance cover to the value of \$10,000,000.00 at all times.*
- f. *Information relating to the sale of the business known as "Ships of the Desert" by Mr Abdul Casley to Mr Christopher Hill being provided to Council.*
- g. *Should Mr Hill choose to trade under the licence then all conditions contained on that licence are to be met.*

COUNCIL RESOLUTION:

Moved: Cr A C Griffiths

Seconded: Cr C M Maher

That the Report Recommendation be adopted.

**FOR: 8
AGAINST: 1**

CARRIED

[Attachment: 2 pages](#)

9.3

DEVELOPMENT

SERVICES



OUTCOME

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

9.3.1 PROPOSED RENEWAL OF THE SERVICE AGREEMENT FOR THE PROVISION OF ENVIRONMENTAL HEALTH SERVICES TO ABORIGINAL COMMUNITIES.

LOCATION/ ADDRESS: N/A
APPLICANT: N/A
FILE: ABL03
AUTHOR: Manager Health Services
CONTRIBUTOR/S: N/A
RESPONSIBLE OFFICER: Director Development Services
DISCLOSURE OF ANY INTEREST: N/A
DATE OF REPORT: 15 June 2007

SUMMARY: A report recommending that Council agrees to the renewal of the Service Agreement from 1 July 2007 to 30 June 2010 between the Department of Health and the Shire of Broome, for the provision of Environmental Health Services to Aboriginal Communities.

BACKGROUND

Previous Considerations

In June 2004 Council entered into a three year Service Agreement with the State of Western Australia, Minister for Health, for the provision of Environmental Health Services to Aboriginal Communities.

The Shire of Broome has over 80 Aboriginal communities with an estimated population of 3162 with 89% living in larger communities and 11% living in small outstation communities with a population less than 20 people. Approximately 58% of the population live in the following large communities:

- Beagle Bay (Population 300)
- Bidyadanga (Population 900)
- Djarindjin (Population 250)
- Ardyloon (One Arm Point) (Population 400)

One Broome Shire Environmental Health Officer (EHO) and 6 Aboriginal Environmental Health Workers (AEHW's) (employed by Nirrumbuk) serve the Kallari Region aboriginal communities. The EHO provides legislative and technical advice and the service of water sampling, disease investigation, food premise inspections and health promotion initiatives. The EHO also serves as a liaison person between the various stakeholders. The main role of the AEHW's is the hands on delivery of dog health, pest control and monitoring and reporting of environmental health issues. The aim of the Service Agreement is to improve Aboriginal Community Health standards by effective delivery and monitoring of appropriate environmental health services for the physical, emotional and social well being of communities (Holistic proactive approach).

Annual funding for the length of the contract was provided by the Western Australian Department of Health. The funding covered the cost of employing an Environmental Health Officer and the provision of an Environmental Health Service to all of the Aboriginal Communities within the Shire of Broome. The commitment from the Shire was to cover the administration costs. This included the provision of office space and the use of Shire

facilities. The Environmental Health Officer for this position was employed by the Shire, although the funding was provided through this contractual agreement. In June 2007 this agreement expires and it is necessary to consider whether to enter into another Service Agreement for a further 3 years.

COMMENT

A continuation of this service agreement is currently being negotiated (please refer to attachment 1 – Draft Service Agreement). A set of “outputs” within a framework are being determined. The introduction of “outputs” are a new initiative and will be used to provide the basis for the service provision and to ensure that funding is allocated accordingly.

There have been some difficulties encountered with the existing Service Agreement due to increasing costs of providing the service. The Shire is currently working with the Department of Health to define outputs, so that the service can be provided within budget. In the past the cost of providing this service has been more than the funding allocated. The Shire has covered these costs so that the service could continue. However, a deed of variation to increase funding was agreed upon and the Shire was reimbursed.

It is important that the service provided is kept within the budget constraints and agreed framework. The endorsement of the continuation of this Service Agreement is subject to at least \$329,323.50 being provided over the next three years plus an increase of 3.3% CPI per year. As in the previous contract, the Shire will cover the administration costs associated with the service provision. With the money given, the Shire is required to provide an EHO for Aboriginal Communities to do the work specified within the contract. Once the Shire signs the contract, it is then up to us to determine how we administer it. The Service Agreement is designed to be flexible. The service outputs can be reviewed and amended accordingly so that the service provision falls within budget, rather than the extra costs being passed onto the Shire.

There is an existing Shire vehicle provided under the current agreement that will continue to be used for the provision of the services.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

The Health Act, 1911

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Cover the administration costs for the provision of services and inspections as per the Service Agreement. Incorporate these costs into the budget of each of the departments involved.

STRATEGIC IMPLICATIONS

People

Effectively engage with our community by encouraging participation and providing information.

Actively contribute to well-being and safety and support community initiative.

Actively consult and work with the Traditional Owners and Aboriginal people of Broome.

Place

Build partnerships with the community and other agencies to recognise, protect and enhance the natural environment and cultural heritage.

Prosperity

Partner with other agencies to ensure affordable and equitable services and infrastructure.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council agrees to the renewal of the service agreement from 1 July 2007 to 30 June 2010 between the Department of Health and the Shire of Broome, for the provision of Environmental Health Services to Aboriginal Communities. This endorsement is conditional upon at least \$329,323.50 being provided over the next three years.

COUNCIL RESOLUTION

Moved: Cr A C Griffiths

Seconded: Cr P D Matsumoto

That Council agrees to the proposed service agreement from 1 July 2007 to 30 June 2010 between the Department of Health and the Shire of Broome, to provide for Environmental Health Services to Aboriginal Communities at a rate of at least \$113,630 for year one and adjusted by CPI for years two and three.

CARRIED UNANIMOUSLY

[Attachment: 37 pages](#)

9.3.2 APPLICATION FOR PLANNING APPROVAL - SOLAR POWERED REMOTE AREA POWER SUPPLY - GNYULMARUNG OUTSTATION

LOCATION/ ADDRESS:	Lot 348, Beagle Bay, Gnyulmarung outstation
APPLICANT:	Department of Indigenous Affairs
FILE:	ABL02.5
AUTHOR:	Andy White
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development Services
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	15 June 2007

SUMMARY: An application for planning approval has been received dated 5 June 2007 for the development of a solar remote area power supply (or "Bushlight" Compound) at the Gnyulmarung outstation.

The application is referred to Council for consideration as the land comes under the control of the Shire's Interim Development Order No. 3 (IDO3), and a Community Layout Plan relating to the land has not been prepared.

This report recommends conditional approval.

BACKGROUND

Previous Considerations

Nil

Site and Surrounds

Gnyulmarung outstation is located approximately 170km north of Broome. The outstation is situated 75 metres back from the high water mark in the second small cove to the east of Cliff Point which is on the northern shore of Beagle Bay.

The outstation consists of 1 house, 9 shelters, 1 shed, a workshop, an ablution block, a solar equipped bore, a generator shed and 2 water tanks.

Description of the Proposal

The proponent proposes to establish the solar powered remote area power supply (RAPS) just to the northeast of the existing generator shed.

The RAPS will consist of 2 banks of solar arrays and a shed to house the battery bank and electrical equipment. This infrastructure will be situated inside an enclosure of approximately 400m² in area.

It is proposed that the distribution lines are to be installed to all structures and supply the power through "junction boxes" and "energy management units". Energy metres will be installed to shelters 2, 3 and 4.

The proposed RAPS is designed to only support the current, as built, housing and livelihood activities. The system cannot support additional housing without further capital investment.

The existing generator is to remain in its current location and used to support higher demands on power.

Approvals

The land is included in Interim Development Order No.3 (IDO3) and does not fall within an adopted community layout plan, therefore Council's approval is required.

The Shire has not issued any previous local planning approvals or building licences over the land.

COMMENT

The proposed development is intended to only supply power to the existing infrastructure and is not proposed to increase the capacity of the community.

The existing generator will remain as a backup. The applicant has indicated that the RAPS will provide sufficient supply for the existing house and associated sheds etc, and that if there is higher demand the resident's may chose to underwrite the diesel fuel cost. There is no intention for the outstation to expand due to the increased generating capacity. Consequently, it is unlikely to require a Community Layout Plan.

The issue of a fire management plan does not appear to have been considered in relation to the outstation and it is suggested that a fire management plan be prepared and lodged with the Shire to safe guard the outstation.

There will be a small increase in the traffic on the Broome-Cape Leveque Road during construction but no sustained impact is perceived in the long term.

Summary

It is considered that the proposal is appropriate for the location, as it will reduce the reliance of the outstation on diesel-generated power and move to more sustainable solar power. It is recommended that the application is granted planning approval with appropriate conditions.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Interim Development Order No.3
Planning and Development Act 2005

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Place**

Engage with the community and other agencies to provide land use planning that protects and enhances the natural and built environment to support a quality lifestyle and the local economy.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council approves application for planning approval 2007/122 for a solar powered remote area power supply at Gnyulmarung outstation, Lot 348, Dampier Peninsular, subject to the following conditions:

1. *Development must be carried out in accordance with the plans stamped received and dated 5 June 2007 submitted with the application as approved by Council.*
2. *A Fire Management Plan is to be submitted to the Shire of Broome for approval prior to the clearing of the site.*

COUNCIL RESOLUTION**Moved: Cr E R M Foy****Seconded: Cr P D Matsumoto*****That the Report Recommendation be adopted.*****CARRIED UNANIMOUSLY**[Attachment: 6 pages](#)

9.3.3 APPLICATION FOR PLANNING APPROVAL - SOLAR POWERED REMOTE AREA POWER SUPPLY - JABIR JABIR OUTSTATION

LOCATION/ ADDRESS: Lot 26, Dampier Peninsula, Jabir Jabir outstation
APPLICANT: Department of Indigenous Affairs
FILE: ABL02.38
AUTHOR: Andy White
CONTRIBUTOR/S: Nil
RESPONSIBLE OFFICER: Director Development Services
DISCLOSURE OF ANY INTEREST: Nil
DATE OF REPORT: 5 June 2007

SUMMARY: An application for planning approval has been received, dated 10 April 2007 for the development of a solar powered remote area power supply (or Bushlight compound) at the Jabir Jabir outstation.

The application is referred to Council for consideration as the land comes under the control of the Shire's Interim Development Order No. 3 (IDO3), and a Community Layout Plan relating to the land has not been prepared.

This report recommends conditional approval.

BACKGROUND

Previous Considerations

Nil

Site and Surrounds

Jabir Jabir outstation is located approximately 120km north of Broome. The outstation is situated adjacent to one of the small tributaries that feed into Carnot Bay and is approximately 5 kilometres east of the salt flats of the bay. See location plan attached.

The outstation consists of 1 house. An additional house is proposed but is not part of this application. In addition to the house there are 2 sheds, a workshop, an ablution block, a solar equipped bore, a generator shed and a water tank.

Description of the Proposal

The proponent proposes to establish the solar powered remote area power supply (RAPS) just to the west of the existing generator shed.

The RAPS will consist of 2 banks of solar arrays and a shed to house the battery bank and electrical equipment. This infrastructure will be situated inside an enclosure of approximately 400m² in area. Some wattle trees will be removed to permit the construction and ensure the effective operation of the facility.

It is proposed that the distribution lines are to be installed to all structures and supply the power through "junction boxes" and "energy management units".

The proposed RAPS is designed to only support the current, as built, housing and livelihood activities. The system cannot support additional housing without further capital investment.

The existing generator is to remain in its current location and used to support higher demands on power.

Approvals

The land is included in Interim Development Order No.3 (IDO3) and does not fall within an adopted community layout plan, therefore Council's approval is required.

The Shire has not issued any previous local planning approvals or building licences over the land.

COMMENT

The proposed development is intended to only supply power to the existing infrastructure and is not proposed to increase the capacity of the community.

The existing generator will remain as a backup. The applicant has indicated that the RAPS will provide sufficient supply for the existing house and associated sheds etc, and that if there is higher demand the resident's may chose to underwrite the diesel fuel cost. There is no intention for the outstation to expand due to the increased generating capacity. Consequently, it is unlikely to require a Community Layout Plan.

The issue of a fire management plan does not appear to have been considered in relation to the outstation and it is suggested that a fire management plan be lodged with the Shire to safe guard the outstation.

There will be a small increase in the traffic on the Broome - Cape Leveque Road during construction but no sustained impact is perceived in the long term.

Summary

It is considered that the proposal is appropriate for the location, as it will reduce the reliance of the outstation on diesel-generated power and move to more sustainable solar power. It is recommended that the application is granted planning approval with appropriate conditions.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Interim Development Order No.3
Planning and Development Act 2005

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Place**

Engage with the community and other agencies to provide land use planning that protects and enhances the natural and built environment to support a quality lifestyle and the local economy.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council approves application for planning approval 2007/79 for a solar powered remote area power supply at Jabir Jabir outstation, Lot 26 Dampier Peninsula, subject to the following conditions:

1. *Development must be carried out in accordance with the plans stamped received and dated 10 April 2007 submitted with the application as approved by Council.*
2. *A Fire Management Plan is to be submitted to the Shire of Broome for approval prior to the clearing of the site.*

COUNCIL RESOLUTION**Moved: Cr E R M Foy****Seconded: Cr P D Matsumoto*****That the Report Recommendation be adopted.*****CARRIED UNANIMOUSLY**[Attachment: 6 pages](#)

9.3.4 APPLICATION FOR PLANNING APPROVAL – NATURE BASED CARAVAN PARK AND AMENDMENT TO COMMUNITY LAYOUT PLAN - BURRGUK (BANANA WELLS)

LOCATION/ ADDRESS: Portion of Lot 361, Portion of ALT Reserve 1012, Dampier Peninsula
APPLICANT: Burrduk Aboriginal Corporation (Banana Wells)
FILE: ABL02.20
AUTHOR: Andrew Pawluk
CONTRIBUTOR/S: Pam Baskind
RESPONSIBLE OFFICER: Director Development Services
DISCLOSURE OF ANY INTEREST: Nil
DATE OF REPORT: 19 June 2007

SUMMARY: An application for planning approval has been lodged with the Shire to establish a nature based caravan park/camp ground at Burrduk (Banana Wells).

The application is referred to Council for consideration as the land is included within the Shire's Interim Development Order No. 3 (IDO3). The Department of Indigenous Affairs, Aboriginal Lands Trust and WAPC/Department of Housing and Works, through the Planning for Aboriginal Communities project, support the application.

It is recommended that Council conditionally approve the nature based caravan park and approve the associated minor amendment to the Community Layout Plan.

This report recommends approval.

BACKGROUND

Previous Considerations

Nil

History

The Burrduk community has a Community Layout Plan (CLP) in place that was adopted in December 2002. Land was set-aside in the CLP "for community uses including civic, office, shops, tourist facilities and cultural activities" (Section 7.4).

Site and Surrounds

Burrduk is located about 110km north of Broome on the Dampier Peninsula and 10km west of Beagle Bay. The proposed nature based caravan park site is largely located within land identified in the CLP for Community Purpose, use.

Access to the site is from the Broome-Cape Le Veque Road and internal roads. All the internal roads are to be maintained by the Centre for Appropriate Technology Inc.

Description of the Proposal

The applicants propose to establish a nature based caravan park/camp ground comprising 26-caravan bays and 20 campsites. Until road conditions improve the focus will be on servicing the campervan and camping tourist market and providing a bush
 President: Date:

experience, at a central location, in a secure environment where there are opportunities to interact with the rich heritage of Burriguk and the surrounding area.

The park will operate during the dry season only. It will be closed during the wet season.

The applicants intend to retain the bush experience through removing only scrub and retaining all significant trees. The proposed site is elevated and well drained. The area is fenced and there is an established firebreak.

The proposed caravan park will meet or exceed all requirements of the Caravan Parks and Camping Grounds Act (1995) and Regulations (1997) for nature based parks and the Shire of Broome's informal minimum standard for such parks:

- Two ablution facilities are planned, one ablution block of 4 toilets/4 showers is already in place and another (2 toilets/2 showers) is to be moved on site.
- Water is available on site from an existing bore with minor pipe extensions required to service the park. Mamabulanjin Aboriginal Corporation provides a water quality monitoring service.
- Electricity is available on site. Power will be provided to the ablution facilities and some caravan sites. Solar lights will be used along pathways.
- Ablutions will be connected to septic tanks and grey water from the kitchen/washing up area will be disposed of in accordance with the Regulations.
- Rubbish bins will be provided in accordance with the Regulations and solid waste will be disposed of to the existing landfill that is fully fenced with double gates.
- A Telstra pay-phone has been installed on-site and there is mobile phone coverage at Burriguk.
- A Camp kitchen (ex-Main Roads, mobile facility, currently stored off-site) and barbeque facility (partially constructed) will be available for guests use. No food will be prepared by the proprietors
- Fire-fighting equipment would be available as required under the Regulations.

The community will service and maintain the park. The existing population of Burriguk is currently approximately 20 and increases to about 50 at times when associated family members are present. The approved CLP has a design population of more than 100 people and the loss of four future residential lots to the nature based caravan park can be accommodated.

Plans for the proposal are attached.

Planning Provisions

The Burriguk Community has an endorsed CLP. The land use designations on the CLP for the area proposed for the nature based caravan park are: Community Purposes, Future Playground and Future Office and Recreation.

Under the CLP Guidelines the objectives for the Community Purpose site includes 'tourist facilities' as well as a number of other specific land uses. Under the CLP Guidelines the objectives for 'Recreation' include 'to provide areas wherein alternative uses can be determined at some appropriate future time'.

COMMENT

The proposed nature based caravan park has received the formal support of Department of Indigenous Affairs, Aboriginal Lands Trust and WAPC/Department of Housing and Works, through the Planning for Aboriginal Communities project.

Currently, facilities for caravans, campervans and campers are limited in the vicinity of Beagle Bay. The proposed Burrjuk nature based caravan park would be centrally located on the peninsula, licensed (caravan park licence), secure and would afford visitors the opportunity to interact with the local community.

A licensed facility in this location would also provide an option for visitors that currently illegally camp at roadsides or on community land without the necessary permissions.

Traffic Generation

The caravan park will generate some additional traffic to the Broome Cape LeVeque Road. Given that the park will only operate in the dry season, is not located near a highly desired tourist destination and accommodates only 26 bays and 20 camp sites, the percentage of additional traffic to that using Broome Cape LeVeque Road is considered to be negligible. However, this application is likely to lead to further similar applications in other areas on the peninsula in more desirable coastal locations. The expected rise in the number of nature based caravan parks will likely generate a notable increase in traffic on Broome Cape LeVeque Road. Additional traffic will impact on the condition of the road requiring increased maintenance and more calls for the expedition of sealing the remaining unsealed section. It is considered that all uses on the peninsula generating traffic on the Broome Cape LeVeque road should contribute towards its upgrading/sealing. The mechanism to do this requires thorough investigation and consideration. It is recommended that the Department for Planning and Infrastructure be advised to consider the issue of a Broome Cape LeVeque Road contribution strategy in the preparation of the Dampier Peninsula Strategic Land Use Plan.

The internal roads are to be maintained and serviced by the Centre for Appropriate Technology Inc.

Caravan Park Regulations

The general proposal, facilities to be provided and design has been assessed by the Shire and generally meets the nature base caravan park requirements of the Caravan and Camping Grounds Act and Regulations.

Community Layout Plan

Lodged with the development application is an amended Community Layout Plan signed by the Burrjuk Aboriginal Corporation.

It is considered that the actual development of the nature based caravan park can occur under the current land use designations under the endorsed CLP. The bulk of the nature based caravan park lies within the Community Purpose site, which is afforded 'tourist use'. As the caravan park utilises the majority of this site other specific uses nominated for the site will need to be accommodated elsewhere.

The camping component of the proposal lies within the 'recreation' designated area and can be accepted as an alternative but sympathetic use. It is recommended that a thorough review of the CLP be undertaken to consider appropriate alternative locations

President: Date:

for the specific uses, which will not be able to be accommodated within the Community Purpose site and consideration to replacing some of the recreation area.

In addition to the above, it is considered not appropriate for Council to support the amended Plan without it being subject to thorough examination and review in the context of the current strategic review of land use planning for the whole for the Dampier Peninsula being undertaken by the Department for Planning and Infrastructure. (see attached amended Community Layout Plan.)

Summary

It is recommended that the development application be approved with appropriate conditions. It is also recommended that the Department for Planning and Infrastructure (Planning for Aboriginal Communities Project) be requested to undertake a thorough review of the Community Layout Plan in the context of an overall land use plan.

CONSULTATION

Department for Planning and Infrastructure
Department of Indigenous Affairs,
Aboriginal Lands Trust
Indigenous Co-Ordination Centre

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Interim Development Order No. 3
Caravan and Camping Grounds Act (1995) and Regulations (1997)

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Costs associated with annual inspection and licensing of the facility.

STRATEGIC IMPLICATIONS

People

Will facilitate the potential for visitors/tourists to interact with the local community.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council:

- A. approves the application for planning approval no. 2007/74 to establish a nature based caravan park and camp ground at Burrduk, Portion of Lot 361, Portion of ALT Reserve 1012, Dampier Peninsula, subject to:
 - 1. the development being carried out in accordance with the plans, stamped, received and dated 12 April 2007 submitted with the application as approved by the Shire.
 - 2. the Burrduk Aboriginal Corporation agreeing to pay to the Shire an annual pro rata contribution towards ongoing maintenance of the Broome – Cape Leveque Road to the satisfaction of the Shire.
- B. requests the Department for Planning and Infrastructure to undertake a overall review of Burrduk’s Community Layout Plan (December 2002) which accommodates the specific uses that were designated for the Community Purpose site, considers the replacement of lost recreation area and is undertaken with consideration to the proposed strategic land use planning for the Dampier Peninsula.

COUNCIL RESOLUTION

Moved: Cr G T Campbell

Seconded: Cr C M Maher

That the representatives from DPI be able to answer questions in relation to Item 9.3.4.

CARRIED UNANIMOUSLY

AMENDED MOTION:

Moved: Cr E R M Foy

Seconded: Cr P D Matsumoto

That the Report Recommendation be adopted with the deletion of Point 2.

FOR:	1
AGAINST:	8

MOTION LOST

Moved: Cr C R Mitchell

Seconded: Cr A C Griffiths

That the Report Recommendation be adopted.

CARRIED UNANIMOUSLY

[Attachment: 3 pages](#)

9.3.5 PROPOSED SCHEME AMENDMENT NO. 37 - WORKS WITHIN A LOCAL ROAD RESERVE BY A PUBLIC AUTHORITY

LOCATION/ADDRESS:

APPLICANT: Shire of Broome
FILE: PLA15
AUTHOR: Director Development Services
CONTRIBUTOR/S: Alison Rumley
RESPONSIBLE OFFICER: Director Development Services
DISCLOSURE OF ANY INTEREST: Nil
DATE OF REPORT: 20 June 2007

SUMMARY: Proposed Scheme Amendment 37 to Local Planning Scheme No. 4, to add a new sub-clause to Clause 8.2 (Permitted Development) to allow public works in road reserves with out requiring planning approval.

It is recommended that Council adopt the proposed Amendment.

BACKGROUND

Previous Considerations

Nil

Background

Scheme Amendment 29, an Omnibus Amendment to the Scheme, was gazetted on 30 June 2006. Parts 1 and 2 of this Amendment incorporated 'Local Roads' into Clause 3.2 (Scheme Reserves) and amended the Scheme Map and Legend accordingly.

The intent behind this section of the Amendment was to overcome the failure of the Scheme to address the local road reserve network as Scheme Reserves. These areas previously had no formalised planning status within the town planning scheme and were not subject to use and development requirements.

It is now realised that there is no mechanism in the scheme to allow works such as the construction and maintenance of roads, power, water supply and sewerage infrastructure in the Highways and Major Roads, Important Roads and Local Roads reserves.

Current Proposal

It is proposed to add a new sub-clause into Clause 8.2 (Permitted Development) of the Scheme which allows for the carrying out of works within the Local Road Reserve by a public authority without requiring planning approval. This will cover installation, construction and maintenance of infrastructure by public authorities in the Highways and Major Roads, Important Roads and Local Roads reserves.

It is proposed to add a sub-clause to 8.2 of the scheme stating:

The carrying out of any works on, in, over or under a Highways and Major Roads reserve, an Important Roads reserve or a Local Roads reserves by a public authority acting pursuant to the provisions of any Act.

President: Date:

A copy of the draft Amendment documentation is attached.

COMMENT

The proposed provision is a common provision in other town planning schemes and it has not been the practice to require planning approval for such works. The proposed provision will reflect current practice.

Public Authority is defined in the Planning and Development Act 2005 as:

- a) *a Minister of the Crown in right of the State;*
- b) *a department of the Public Service, State trading concern, State instrumentality or State public utility;*
- c) *any other person or body, whether corporate or not, who or which, under the authority of a written law, administers or carries on the benefit of the State, a social service or public utility.*

It is recommended that Council initiate the proposed Amendment.

CONSULTATION

In accordance with the Town Planning Regulations, the proposed Scheme Amendment is required to be advertised for public comment for 42 days.

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Town Planning Scheme No.4

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

All costs associated with this amendment will be met by the Shire.

STRATEGIC IMPLICATIONS

Place

Engage with the community and other agencies to provide land use planning that protects and enhances the natural and built environment to support a quality lifestyle and the local economy.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council, pursuant to Section 75 of the Planning and Development Act 2005, amend the Shire of Broome Local Planning Scheme No. 4 by adding a sub-clause to Clause 8.2 to make provision for certain works to be carried out in road reserves without planning approval.

COUNCIL RESOLUTION

Moved: Cr C R Mitchell

Seconded: Cr C M Maher

That the Report Recommendation be adopted.

CARRIED UNANIMOUSLY

[Attachment: 6 pages](#)

Cr A C Griffiths declared an interest in Item 9.3.6 due to managing the current site of the existing Billboard and departed the Council Chambers at 5.43pm.

9.3.6 PROPOSED BILLBOARD FOR THE OFFICE OF ROAD SAFETY - LOT 2052, RESERVE 39420 FREDERICK STREET, BROOME

LOCATION/ADDRESS:	Lot 2052, Res 39420 Frederick Street Broome
APPLICANT:	WA Billboards
FILE:	PLA14
AUTHOR:	Andy White
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development Services
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	12 June 2007

SUMMARY: A request has been received seeking Council's consideration of a billboard to advertise the office of road safety campaigns. It is proposed that the billboard be erected on a drainage reserve under the care and control of the Council.

This report recommends approval.

BACKGROUND

The Shire approved the use of a Billboard on Lot 2230, Cable Beach West Road to communicate the office of road safety campaign messages in August 2002. This lot is situated between the Divers Camp Tavern and the Crocodile Park in Cable Beach.

There is now a proposal for Lot 2230 for a tourist resort. The owners of Lot 2230 have requested that WA Billboards find an alternative location for the display of their messages.

Since November 2006 the engineering and planning departments of the Shire have assessed various suitable locations for the Billboard while considering the need for high profile exposure to the public.

Site and Surroundings

The Billboard is proposed within drainage Reserve 39420, which abuts the Frederick Street road reserve between the fire station and the Boulevard Shopping Centre.

The land is a drainage reserve under the care and control of the Shire.

A location map and site plan is attached.

Description of the Proposal

The billboard is proposed at 18 m² in area, 6 metres in width, 3 metres in height and 2metres to the underside. The sign will be setback at least 26 metres back from the edge of the road surface.

The message displayed on the billboard will pertain to the current campaign being run by the office of road safety, which changes at regular intervals.

President: Date:

WA Billboards propose that they pay a lease for the use of the land.

COMMENT

The proposed Billboard will perform the same function as the one previously approved on Cable Beach Road West.

The matter has been referred to the State Land Services Kimberley for the use of the reserve for the Billboard and it has indicated no objection as long as the public liability issues are addressed. For the State Land Service to grant its final approval for the use of the land to display a billboard they require Councils resolution approving the use.

WA Billboards propose that they will bear all of the costs of erection, on going maintenance, repair and graffiti damage and they will carry insurance cover of \$1,000,00 for damage and \$5,000,000 for public liability claims.

Telstra, Horizon Power and the Water Corporation have been contacted about the proposal and have no objection to the erection of the Billboard. The Water Corporation has stipulated that there are sewer pipes in the vicinity and that the Billboard be no closer than 2 metres to the pipes. ("dial before you dig" information will be forwarded to the applicant)

WA Billboards is proposing a site rental agreement, with the Shire, to exhibit the Billboard at this location. Their proposal is to pay the Shire \$1000 pa plus GST for the use of the land. They are seeking that the term of the agreement be 5 years with an option for a similar term. They are prepared to include a 180-day early termination clause. This term is considered to be excessive as it restricts the Shire's access to the land for 6 months if we require the land for another purpose.

The dimensions of the Billboard fit within the "hoardings" provisions of the Signs Local Law. Structural Engineers Certification for the Billboard has been received as part of the application and addresses and meets the structural integrity required for cyclone region C Terrain Category 2 and Earthquake Load Design Criteria, Design Category H2.

Summary

No objections have been received from any of the relevant service authorities. WA billboards propose to enter into a rental agreement and address all insurance and maintenance issues. It is recommended that Council conditionally approve the billboard within the drainage reserve.

CONSULTATION

Department for Planning and Infrastructure (State Land Service)
Water Corp
Horizon Power Telstra

STATUTORY ENVIRONMENT

Sign Local Law
Land Administration Act
Local Government Act

Cr G T Campbell declared an interest in Item 9.3.7 due to an association with other landowners in the area and departed the Council Chambers at 5.44pm. Cr C R Mitchell assumed the Chair.

9.3.7 PROPOSED REVISION OF DEVELOPMENT PLAN - JANUBURU, SIX SEASONS ESTATE

LOCATION/ ADDRESS: Januburu, Six Seasons Estate, Reid Road
APPLICANT: Urban Plan for LandCorp
FILE: PLA 38
AUTHOR: Darryl Butcher
CONTRIBUTOR/S: Nil
RESPONSIBLE OFFICER: Director Development Services
DISCLOSURE OF ANY INTEREST: Nil
DATE OF REPORT: June 2007

SUMMARY: An application has been submitted by urbanplan, on behalf of LandCorp to amend the Development Plan for the Januburu, Six Seasons Estate by redesigning Stage 4. The amended plan introduces a variety of medium density sites to provide for a different market sector and to help fulfill the demand for land and housing variety.

This report recommends that Council adopt the Development Plan for the Januburu Six Season's estate for the purpose of seeking comment, prior to further consideration.

BACKGROUND

Previous Considerations

- OCM 19 December 2000 – Item 4.1
- OCM 20 February 2001 – Item 9.1.7
- OCM 20 March 2001 – Item 9.1.5
- OCM 18 January 2005 – Item 9.3.6
- OCM 22 March 2005 – Item 9.3.2
- OCM 12 April 2005 – Item 9.3.2
- OCM 24 May 2005 – Item 9.3.5
- OCM 15 February 2007 – Item 9.3.4
- OCM 7 June 2007 – Item 9.3.1

Site and Surrounds

The Januburu, Six Seasons Estate is located between Reid Road to the east, and Gubinge Road to the west. Construction works have been largely completed for stages one and two with engineering works continuing on stage three.

Relevant History

Council approved the Development Plan at the 24 May 2005 OCM. It had been subject to extensive consultation and agreement between the Shire, LandCorp and Rubibi. To date, 100 lots have been released for development, and most of the internal infrastructure, associated with the creation of open space areas, roads and drainage has been constructed.

At the Ordinary Council Meeting of 15 February 2007 Council considered a proposal by LandCorp to revise the Development Plan. Council resolved that:

"...pursuant to Clause 4.25 of the Shire of Broome Town planning Scheme No.4, Council adopts the Development Plan for the Januburu Six Season's estate for the purpose of seeking comment, prior to further consideration."

The proposal has since been advertised in accordance with the Scheme and no submissions were received. At its meeting of 7 June 2007 Council adopted the Development Plan and forwarded it to the Western Australian Planning Commission with a recommendation to endorse.

The subject revision represents a new and further revision but only applies to the undeveloped Stage 4 area.

Description of the Proposal

The revised Development Plan provides a redesign only over Stage 4, being the area south of the Environmental Cultural Corridor to provide additional sites for medium density development and to facilitate these also includes changes to the road layout.

Compared to the original design approved in December 2000, the medium density sites have been increased in area to increase the yield from 34 to 64. The R-Coding of R40 will still apply. The intention of the redesign is to specifically orientate the dwellings to accommodate prevailing breezes and to overlook abutting open space.

The proposed design alters road alignments of local roads and increases the area of open space and integrated swale drainage. The emphasis of the redesign is to maintain good stands of remnant bush thereby improving the outlook of proposed attached units. As part of the increase in open space, this proposal seeks to replace the drainage function of Sibosado sump with swale drainage of similar capacity immediately north. The swale drainage is proposed to provide an interconnected system away from the site. Replacing Sibosado sump enables the redevelopment of the sump land that provides the benefits of:

- enabling more unit sites adjacent and overlooking the remnant bush;
- improving on dwelling orientation to accommodate breezeways;
- maintaining an open space area on the corner of Sibosado road and connected to the remnant bush and active playing area;
- removing the unsightly, chain mesh, fenced sump and improves drainage provision through landscaped swales.

In this regard the reference to 'Place' is significant because the proposal will engage the community and provides land use planning that protects and enhances the natural and built environment to support a quality lifestyle and the local economy.

Planning Provisions

Clause 4.25 of the Shire of Broome Town Planning Scheme (TPS4) describes the requirements for amending an approved Development Plan. This includes the requirement for public advertising. Once advertised the Development Plan will be returned to Council for consideration and referral to the Western Australian Planning Commission for approval.

COMMENT

The amended Development Plan responds to the housing demands for a variety of housing types by introducing a greater number of group housing sites which will enable two or three bedroom (two bathroom) compact dwellings orientated to take advantage of adjacent open space and prevailing breezes in a group housing situation.

The revision was triggered by a recent directive from the Hon Minister for Planning following a meeting between LandCorp, the Shire and the Department for Planning and Infrastructure.

The two primary changes are the introduction of a greater area and number of group housing sites and the relocation of a public open space area to a position to allow the retention of a cluster of mature trees. The road pattern has been revised to accommodate the above changes.

Group Housing

The greater number of and greater area dedicated to group housing is welcomed. Consideration has been given to locating the group housing sites in appropriate locations abutting the Environmental Cultural Corridor and the proposed POS area. The plan indicates the 'location footprints' of the proposed townhouse style buildings on some of the group housing sites. This has been provided to indicate their design consideration on such matters as obtaining maximum benefit from breezes. It is considered that this level of detail is not essential to be shown on the Development Plan as any design changes will require a formal revision to the development Plan. It is considered appropriate that the 'footprints' be removed and the sites simply shown as medium density housing sites. The Shire will liaise with the applicant and/or future builders regarding the fine design and layout of the buildings.

Road Layout

The new road layout reduces the legibility of the road pattern as compared to the previous Development Plan.

Two of the new four-way intersections on a local connector road are to be served by roundabouts, which is considered acceptable. The other four-way intersection is on local streets where stop signs may be adequate. In discussions with the applicant's town planner a short east-west link may be removed upon further detailed planning on the consideration of access to the group housing sites. The removal of this link will remove the four-way intersection which is considered acceptable.

The removal of the perimeter road and replacement by a Dual Use Path and laneway will enable an improved association between the built form and the open space areas. The use of dual use path and laneway provides a sufficient and robust separation between private and public land whilst still achieving surveillance.

The proposal with the proposed modifications requires advertising.

CONSULTATION

The proposal is to be advertised in accordance with the Town Planning Scheme No.4 for 28 days.

President: Date:

Cr E R M Foy declared an interest in Item 9.3.8 due to a proximity interest and departed the Council Chambers at 5.48pm.

9.3.8 APPLICATION FOR PLANNING APPROVAL - PROPOSED DRAINAGE BASIN - LOT 7 AND LOT 8 (NO.8) COUCAL STREET, CABLE BEACH AND PROPOSED DRIVEWAY - LOT 8 (NO.8) COUCAL STREET, CABLE BEACH

LOCATION /ADDRESS: Lot 7 and Lot 8 (No. 8) Coucal Street, Cable Beach
APPLICANT: David Morrell
FILE: COUL -1/LT8
AUTHOR: Simon Lenton
CONTRIBUTOR/S: Nil
RESPONSIBLE OFFICER: Director Development Services
DISCLOSURE OF ANY INTEREST: Nil
DATE OF REPORT: 19 June 2007

SUMMARY: An application for planning approval has been lodged to build a drainage basin on Lot 7 and Lot 8 (No.8) Coucal Street, Cable Beach and an access driveway on Lot 8 Coucal Street, Cable Beach. This application is being referred to Council for determination as the proposed drainage basin is located over a lot boundary and also as other unauthorised development in this area has been identified as being contentious in nature.

This report recommends approval.

BACKGROUND

Previous Considerations

Nil

Site and Surrounds

The lots are located on Coucal Street approximately 150 metres from the intersection with Millington Road. Both lots are accessed from a 125 metre long battle-axe leg, which is the subject of a 'Right of Carriageway' easement. Lot 7 contains the applicant's residential dwelling, garage and shed and Lot 8 is an undeveloped lot covered with natural vegetation. Lot 7 and 8 are both located within the dunal system adjacent to Hidden Valley. The applicant currently owns both lots.

Description of the Proposal

The applicant is proposing the construction of a driveway from the existing access easement to the edge of an approved building envelope located on Lot 8. The applicant is also proposing to build a drainage basin to assist the onsite drainage of Lot 8 and the adjacent Lot 7. The drainage basin is positioned so that a portion of the basin is to be located within both Lots 7 and 8. The applicant has provided the following justification for lodging this application:

"I include this application for a driveway and associated small drainage basin. From the information I have supplied, you can see that I already had approval for the above but that was not full planning approval. At the time the plans were supplied to the planning section of the Shire and as stated in the correspondence

President: Date:

they made no comment as this is a driveway to a residential site and as such would not normally require a full planning approval.

However, because this area has become contentious, I believe Planning Approval would be better for all parties, so that is what I am requesting.

My initial approach to you a few weeks ago was only to seek approval for the small drainage basin at the bottom of the road and that is all I wish to construct at this time. This is to direct the drainage from where I live into the basin, which when full will overflow onto the road. This will lessen the total amount of water draining onto Lullfitz Drive and into the drainage system.

At present I have native heritage issues with DIA over Lot 8 and there is no intention to complete the access road on that lot until the issues are resolved.'

Planning Provisions

Lot 7 is zoned 'Tourist', with an 'Additional Use' of 'Maximum of two single residential dwellings'. Lot 8 is zoned 'Tourist' under the provisions of Town Planning Scheme No.4.

Clause 4.17 - Tourist Zone of Town Planning Scheme No.4 applies to development within the Tourist Zone. The provisions of Clause 4.17 are not relevant in this instance.

This application requires planning approval as the proposed drainage basin is proposed to be developed over a lot boundary.

COMMENT

The application is being referred to Council to determine, as the proposed drainage basin is to be located across the boundary between Lot 7 and Lot 8 and also due to the recent history of unauthorised works on Lot 7 and the adjacent Unallocated Crown Land (Coastal Park).

The applicant has stated, he has no intention of undertaking the driveway on Lot 8 until the heritage issues have been resolved but does intend to construct the drainage basin prior to the heritage issues being resolved. The drainage basin is primarily for the benefit of assisting the draining of Lot 7.

The applicant has had extensive discussions with the Shire in regards to the design and location of the proposed drainage basin and it is considered that the proposed location and design will adequately serve the drainage needs of both Lot 7 and Lot 8 and will not have a negative impact on the aesthetics of the location or have any negative impact on the dune. It is recommended that the drainage basin be approved by Council subject to a condition requiring that an easement (or similar) be included on the Titles of both Lot 7 and Lot 8 for the area occupied by the drainage basin to ensure the ongoing protection of the drainage basin.

Lot 8 has already been approved by the Western Australian Planning Commission with an identified building envelope and a Lot Title created. The following Restrictive Covenant is included on the Title of Lot 8:

"6. **RELOCATION OF BUILDING ENVELOPE**
The Shire and the Covenantor agree that if the Covenantor is unable to construct, erect or install a building or other fixed improvements on the building envelope

because of any aboriginal heritage matters or issues (including, without limitation, by reason of any aboriginal objection to a building or other fixed improvements being constructed, erected or installed on the building envelope), the Shire and the Covenantor will negotiate in good faith to relocate the building envelope to another position on the land that will enable the Covenantor to construct, erect or install a building and other fixed improvements within the relocated building envelope."

Due to the pending heritage issues on the site, it is recommended that Council not support the construction of the driveway on Lot 8 until clearance has been obtained to construct a dwelling in the building envelope.

It must be brought to the attention of Council that the applicant has previously undertaken works on Lot 7 and also the adjacent 'Unallocated Crown Land' (Coastal Park) without seeking and attaining the required approvals. The Shire has identified the unapproved works and has received correspondence from the Department for Planning and Infrastructure informing the Shire that these unapproved works are being investigated.

CONSULTATION

The proposal was not required to be advertised

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Town Planning Scheme No.4

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Place

Engage with the community and other agencies to provide land use planning that protects and enhances the natural and built environment to support a quality lifestyle and the local economy.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council:

1. Approves application for planning approval 2007/95 for a drainage basin on Lot 7 and Lot 8 Coucal Street, Cable Beach in accordance with the submitted plan date stamped 30 April 2007, subject to an easement or similar mechanism, being imposed over that area occupied by the drainage basin, for the purpose of protecting the drainage basin in perpetuity, being included on the Titles of Lots 7 and 8 Coucal Street, Cable Beach, to the satisfaction of Council.
2. Advise the applicant that it does not support the construction of the proposed driveway on Lot 8 until clearance has been obtained to construct a dwelling in the building envelope.

COUNCIL RESOLUTION

Moved: Cr V L Wevers

Seconded: Cr C M Maher

That the Report Recommendation be adopted.

CARRIED UNANIMOUSLY

[Attachment: 1 page](#)

Cr E R M Foy returned to the Chambers at 5.49pm.

Cr G T Campbell declared an interest in Item 9.3.9 due to a proximity interest and departed the Council Chambers at 5.49pm. Cr C R Mitchell assumed the Chair.

9.3.9 APPLICATION FOR PLANNING APPROVAL - TOURIST DEVELOPMENT (OCEAN LODGE) - LOT 100 (NO.1) CABLE BEACH ROAD, CABLE BEACH.

LOCATION/ ADDRESS: Lot 100 (No.1) Cable Beach Road, Cable Beach
APPLICANT: Ocean Lodge WA Pty. Ltd
FILE: CAB-1/11
AUTHOR: Simon Lenton
CONTRIBUTOR/S: Nil
RESPONSIBLE OFFICER: Director Development Services
DISCLOSURE OF ANY INTEREST: Nil
DATE OF REPORT: 12 June 2007

SUMMARY: An application for planning approval has been lodged to redevelop the Tourist Resort (Ocean Lodge) at Lot 100 (No.1) Cable Beach Road, Cable Beach. This application is being referred to Council for consideration as it proposes development within the Drainage Reserve and also proposes a three storey component within the development.

This report recommends conditional approval.

BACKGROUND

Previous Considerations

OCM 21 Feb 1999, item 6.13
 OCM 11 Oct 2000, item 4.6

Site and Surrounds

The lot is located on the southern side of Cable Beach Road East, approximately 100 metres from the intersection of Frederick Street / Port Drive, across the road from the entrance to Broome Recreation and Aquatic Centre (BRAC).

Existing Conditions.

The existing buildings were approved in 1989 as workers accommodation for staff of the Cable Beach Club. The site was approved to be used for the purposes of tourist accommodation in 1995. The current onsite development includes the following elements:

- a) 31 onsite car parking bays;
- b) 27 parking bays in the Cable Beach Road Drainage Reserve;
- c) Nine buildings positioned around the perimeter of the lot creating a central courtyard;
- d) A centrally located swimming pool; and
- e) 57 short stay accommodation units/rooms.

Description of the Proposal

This application proposes the redevelopment of the accommodation buildings and landscaping provision of Ocean Lodge at lot 100 (No.1) Cable Beach Road, Cable Beach. The redevelopment will result in the number of tourist accommodation rooms/units increasing from 57 to 87 and the inclusion of a caretakers unit.

The redevelopment includes the following elements:

- a) The removal of two existing two storey buildings located along Seko Place and replacing them with a three storey building (Block A);
- b) A new two storey building adjacent to Tamaki Mews (Block B);
- c) A new two storey building adjacent to the existing onsite parking area (Block C);
- d) A new two storey building with a caretakers apartment on the ground floor (Block D);
- e) Modifications to the car parking area adjacent to Seko Place;
- f) Extensive planting of vegetation and landscaping enhancement along Tamaki Mews and Seko Place street frontage; and
- g) A second swimming pool is to be located in the central courtyard.

(see attachment)

Car Parking

This application is proposing thirty one (31) car parking bays onsite and thirty one (31) parking bays within the adjacent Cable Beach Road Drainage Reserve. Twenty seven (27) of the proposed bays within the Drainage Reserve are existing and a number of them are currently unsealed. It was a condition of the 1995 planning approval for all of the off site parking bays were to be sealed to Council's satisfaction.

Planning Provisions

The lot is zoned 'Special Use' under the provisions of Town Planning Scheme No 4 and is identified for the use of 'TD – Tourist Development' with all conditions specified as "As determined by Council".

This application requires Council's approval as it proposes development within the adjacent Cable Beach Road Drainage Reserve and due to the building height scheme amendment (Scheme Amendment 35) not yet been finalised, the three storey component to the development requires Council approval.

The following Local Planning Policies and Town Planning Scheme provisions are relevant to this application:

Clause 5.6 Service Areas

All commercial development must make provision on-site for storage areas and loading and unloading areas. These service areas must not conflict with on-site parking and manoeuvring for staff and patrons and must be suitably screened.

Clause 5.9 Height of Buildings

The height of buildings in the Scheme area shall be no more than two storeys or a maximum of 10 metres. Scheme Amendment 35 – Building Height and

Development Controls in the Shire of Broome, has not yet been finalised.

Clause 5.10 Architecture

The style of the building must match the 'Broome-Style' of architecture, which reflects a low scale of building bulk and has regard to local climatic conditions and traditional architecture. Features of this style include pitched roof, Colorbond and walls etc.

Clause 5.11 Landscaping

A landscaping plan is required and must show existing and proposed plantings, plus a maintenance program.

Local Planning Policy 4.1.10-

Tourist Accommodation Developments (Excluding Caravan Parks). This policy outlines all development standards for tourist developments including car parking, building setbacks and ratio of short term / long term accommodation.

COMMENT

Car Parking

The applicant has advised that they have applied the car parking calculation of 1 bay per 2 accommodation units/rooms, 1 bus/coach bay, a car parking bay for the caretakers units and 17 visitors bays, as required by the provisions of Local Planning Policy 4.1.10 – Tourist Accommodation Developments (Excluding Caravan Parks).

The following requirement applies to this application for Planning Approval:

LAND USE	CALCULATION	NUMBER OF BAYS REQUIRED	NUMBER OF BAYS PROVIDED
Short stay Accommodation (87 units)	1 bay per 2 short stay accommodation rooms/units	44 bays	44 bays
Visitors Parking	1 visitors bay per 5 short stay accommodation rooms/units	17 bays	17 bays
Caretakers Unit	1 bay	1 bay	1 bay
Boat bays	1 bay per 10 accommodation rooms/units	8.7 bays = 9 bays	0 bays
Total		70.9 bays = 71 bays	62 bays

The applicant is proposing sixty two (62) car parking bays for this development, which represents a shortfall in the required number of parking bays of nine (9) bays. The short fall comes as a result of the applicants not wishing to provide any boat parking bays as is required in the provisions of Local Planning Policy 4.1.10 – Tourist Accommodation Developments (Excluding Caravan Parks). The applicant has provided the following justification for not providing onsite boat parking bays:

'Although there is a requirement for 1 boat bay per 10 units for resort developments, there has not been any provided for in the development/resort as it currently stands. The resort has been running for a number of years without this facility and there have not been any requests by residents for this type of facility in the past. The proposed alterations and additions to the resort will be run in a similar manner and management do not foresee there being any requests for boat bay facilities once the refurbished resort is operating, however, should there be any requests for this type of facility, management will direct them to the appropriate people / organisations in town'

The justification provided by the applicant for not being required to provide onsite boat parking bays is considered reasonable in this case. It is recommended that no boat parking bays be requested as part of this planning approval.

Parking in the Cable Beach Road Drainage Reserve

When the tourist accommodation use of Ocean Lodge was originally approved in 1995, 27 parking bays were approved to be located in the Cable Beach Drainage Reserve. The applicant is requesting that an additional seven parking bays be located in the Drainage Reserve to accommodate the additional car parking requirement generated by the additional tourist accommodation component of this application.

There are other similar developments, parking bays within drainage reserves, that have been required to have a lease agreement covering use and maintenance over the portion of drainage reserve being used.

In this case, 27 of the 31 parking bays proposed to be located in the adjacent Drainage Reserve are existing and at the time of approval in 1995 as lease was required this application proposes an additional seven parking bays to be located within the Drainage Reserve, and it maybe appropriate for a lease agreement to be required. This issue has been discussed with the applicant and the applicant indicated they are willing to enter into an agreement.

Service Areas

The bin storage area is currently located on the Cable Beach Road Drainage Reserve and it is recommended that the bin storage area be relocated so that it is onsite.

The proposed development satisfies the Scheme requirements for the provision of on site service areas. As this is a redevelopment of an existing site, the service areas are already in place and have served the needs of the development adequately to date.

Height of Buildings

The proposed buildings comply with the Building Height provisions of TPS 4. with a maximum wall height of 10 metres, and is also consistent with the provisions proposed in Scheme Amendment 35 – Building Heights and Development Controls that were recently adopted for approval.

Building Design / Streetscape

The buildings have regard for local climatic conditions and traditional architectural form. The proposed development demonstrates the desired elements of Broome Style Architecture, including:

President: Date:

- Pitched roof gables and with a minimum roof pitch of 26 degrees
- Colorbond exterior wall and roof cladding, and
- The provision of timber screens.

It is considered that the design of the proposed buildings is consistent with the Broome-Style Architecture provisions of Town Planning Scheme No. 4.

Pedestrian Movement Network

The pedestrian links to the existing off site pedestrian path on Cable Beach Road reserve is not considered to be appropriate. The pedestrian links should be provided to the satisfaction of the Shire and it is recommended that the applicant bear the full cost of providing and maintaining the pedestrian movement network located in the adjacent Drainage Reserve.

Landscaping

As part of the redevelopment, the applicants have detailed a major redesign and upgrading of the offsite and onsite landscaping. The applicant has provided the following advice on the proposed landscaping:

"The overall appearance of the streetscape, particularly along Seko Place will improve as a result of the extensive treatment to this elevation. The proposed redevelopment also adopts design techniques as promoted by 'crime prevention through urban design (CPTUD) by designing out many 'hidden' corner elements the currently exist."

The site landscaping visible from Cable Beach Road, Tamaki Mews and Seko Place is not of a high standard. The thick, overgrown landscaping does not promote a safe environment either onsite or in the adjacent streets.

It is recommended that as part of the refurbishment of the Tamaki Mews street frontage that the existing gates be removed and be replaced with fencing. The applicant is proposing to landscape the verge area on both the Tamaki Mews and Seko Place street frontages. The landscaping of the street verges is considered appropriate in this instance. It is further recommended that the applicants be requested to submit a detailed landscaping plan for all onsite and offsite landscaping that is to be approved by the Shire, prior to the occupation of the new component of the development.

Summary

It is recommended that the proposed redevelopment of Ocean Lodge be approved subject to conditions including the creation of a lease agreement covering use of the drainage reserve for parking and other standard conditions.

CONSULTATION

The proposal is not required to be advertised.

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Town Planning Scheme No.4

President: Date:

POLICY IMPLICATIONS

Local Planning Policy 4.1.8 – Car Parking
 Local Planning Policy 4.1.10 – Tourist Accommodation Developments (Excluding Caravan Parks)

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Place**

Engage with the community and other agencies to provide land use planning that protects and enhances the natural and built environment to support a quality lifestyle and the local economy.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council approves application for planning approval 2007/76, date stamped submitted 12 April 2007, for the redevelopment of a Tourist Resort (Ocean Lodge) at Lot 100 (No. 1) Cable Beach Road, Cable Beach, subject to the following conditions:

1. *Development must be carried out in accordance with the plans dated 12 April 2007, which were submitted with the application, and endorsed by the Shire.*
2. *The owner of the lot is to enter into a lease agreement with the Shire of Broome, at the cost of the owner of the lot, for the use of the drainage reserve for car parking and manoeuvring.*
3. *All vehicle crossovers must be designed and constructed (sealed, brick paving, bitumen, concrete) to the Shire's standard crossover specification.*
4. *Prior to occupation of the development, areas set aside for parked vehicles and access lanes, as shown on the approved plans, must be:*
 - a) *Constructed to the satisfaction of the Shire.*
 - b) *Properly formed to appropriate levels.*
 - c) *Surfaced with an all-weather sealcoat to the satisfaction of the Shire.*
 - d) *Drained and maintained to the satisfaction of the Shire.*
 - e) *Line-marked to indicate each car bay and all access lanes to the satisfaction of the Shire, in accordance with the Building Code of Australia and AS1428.1 - 2001 Design for Access and Mobility, Part 1 – General Requirements for Access - Buildings.*
 - f) *Be kept available for these purposes at all times.*

A separate plan may be submitted and endorsed by the Shire for the purpose of complying with this condition.

5. A minimum of 62 car parking bays, including three accessible bays, must be provided for the development.
6. Drainage and any filling of the site must be carried out in accordance with the approved Drainage Plan and then maintained to the satisfaction of the Shire.
7. Prior to any construction or works starting on-site, a Landscaping Plan must be submitted to and approved by the Shire. For the purpose of this condition, a detailed Landscaping Plan must be drawn to an appropriate scale and show the following:
 - a) The location and type of existing and proposed trees and shrubs.
 - b) Any lawns to be established.
 - c) Any natural landscape areas to be retained.
 - d) Those areas to be reticulated or irrigated.
8. Landscaping of the site and the adjacent road reserves for Cable Beach Road East, Seko Place and Tamaki Mews. Reserves must be in accordance with the approved Landscaping Plan and must be completed prior to occupation of the development and maintained thereafter to the satisfaction of the Shire.
9. For works within the adjacent road verge, the proponent must:
 - a) take out and maintain with an insurer, approved by the Shire, public liability insurance to the sum of not less than \$10 million; and
 - b) prepare and register a notification under Section 70A of the Transfer of Land Act, in a form acceptable to the Shire, giving notice of the landowner(s) responsibility for maintenance of the verge(s), prior to occupation of the development.
10. The proponent must at their own cost, remove all or part of the landscaping within the road verge within 14 days of a written request from the Shire.
11. The proponent providing outdoor lighting appropriately designed, shielded and located, to the satisfaction of the Shire, to prevent any light spill and adverse effects on nearby or adjoining land.
12. The proponent must pay a cash contribution towards the installation, upgrade or additional public street lighting at the property in line with Shire Policy. Payment must be made prior to occupation of the development.
13. The applicant must construct a footpath from the development site through to the existing footpath on the Cable Beach Road verge.
14. Suitably screened onsite refuse bin storage areas must be provided, and shown on the Building Licence application plans, to the satisfaction of the Shire.
15. The existing gates onto Tamaki Mews are to be removed and replaced with fencing.
16. Vehicular entry to the site is to be restricted to Cable Beach Road only.

17. Prior to the submission of an application for Building Licence and prior to any construction or works commencing on site, a drainage plan must be prepared and submitted to the Shire. The design and documentation for the drainage plan must be certified by an appropriately qualified professional, using recognised and accepted hydrological, hydrogeological, soils, hydraulic and design methodologies. The applicant should consult with the Shire in order to properly integrate the design and documentation of the proposed drainage system for the site, with the Shire's existing drainage system, and show:
- a) The existing stormwater drainage system, easements and legal points of discharge.
 - b) The location of all development, including finished floor levels, and grades of all hardstand areas.
 - c) The layout of the proposed stormwater drainage system.
 - d) Methods for on-site detention, if required.
18. Four of the units must be designed as 'accessible units' and be compliant with Table D3.2 - Requirements For Access For People With Disabilities of the BCA.

COUNCIL RESOLUTION:

Moved: Cr R J Lander

Seconded: Cr A C Griffiths

That the Report Recommendation be adopted with the following amendments:

- **Deletion of Condition 15;**
- **Amendment of Condition 14 to read:**

14. Suitably screened onsite refuse bin storage areas must be provided with access from Tamika Mews and shown on the Building Licence application plans to the satisfaction of Council.

FOR: 7
AGAINST: 1

CARRIED

[Attachment: 8 pages](#)

Mr Ian Bodill left the Chambers at 5.57pm and did not return.

Cr G T Campbell returned to the Chambers at 6.01pm and resumed the Chair.

9.3.10 BROOME HOUSING AND ACCOMMODATION SUMMIT

LOCATION/ADDRESS: N/A
APPLICANT: N/A
FILE:
AUTHOR: Director Development Services
CONTRIBUTOR/S: Nil
RESPONSIBLE OFFICER: Director Development Services
DISCLOSURE OF ANY INTEREST: Nil
DATE OF REPORT: 26 June 2007

SUMMARY: The Housing and Accommodation summit was conducted on 9 June 2007 with a number of strategies and actions identified. One of these called for the establishment of a small group to progress the strategies and actions.

This report recommends Council endorses and supports the steering group suggested by the summit.

PREVIOUS CONSIDERATION

SCM – 27 April 2007 – Item 9.3.1

BACKGROUND

At its meeting on 27 April 2007 the Shire resolved:

“That Council:

1. *Agrees to hold a housing and accommodation community summit on 9 June 2007;*
2. *Encourages Councillors to submit suggestions for attendees to the Chief Executive Officer;*
3. *Authorises Expenditure out of the community enhancement fund account to cover the costs involved in holding the summit.”*

The summit was held on 9 June 2007 with approximately 50 people in attendance and facilitated by Mr Linton Pike. The summit identified issues objectives and short and long term actions. A detailed report of the summit is attached.

One of the actions identified was to:

Seek Shire endorsement and support for the establishment of a group to further develop, prioritise, manage and monitor successes in implementing these initiatives with the involvement of the key govt agencies (LandCorp, DPI and others);

The Shire President has selected the following individuals who have agreed to be part of the proposed steering group:

- Mr Shane Wood
- Mr David Galway

President: Date:

- Mr Aubin Hay
- Ms Robyn Wells
- Mr Chris Milne
- Cr Graeme Campbell.

COMMENT

There was a strong feeling expressed that the summit should be community based and not a Shire activity. It was recognized that the steering group will need some support if it is to function and it is proposed that support be provided from the Shire's Development Services area.

A number of the participants have congratulated Council for taking this initiative and indicating support for the next steps.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There are no direct financial implications as the support will be in time.

STRATEGIC IMPLICATIONS

People

Effectively engage with our community by encouraging participation and providing information.

Place

The built environment is effectively maintained, developed and managed to achieve positive long-term economic, social and environmental benefits.

Engage with the community and other agencies to provide land use planning that protects and enhances the natural and built environment to support a quality lifestyle and the local economy.

Prosperity

Broome's diverse and growing economy provides long-term, employment and economic benefit for current and future generations.

The economic environment is conducive to investment whilst maintaining lifestyle affordability.

President: Date:

Support business and economic development.

Partner with other agencies to ensure affordable and equitable services and infrastructure.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council endorses and supports the establishment of a steering group to further develop, prioritise, manage and monitor successes in implementing the initiatives identified by the Housing and accommodation summit held on 9 June 2007.

COUNCIL RESOLUTION:

Moved: Cr C M Maher

Seconded: Cr C R Mitchell

That the Report Recommendation be adopted.

CARRIED UNANIMOUSLY

[Attachment: 11 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

The accounts for payment for May 2007 as attached, covering Municipal Cheque Vouchers 45248 - 45509 totalling \$1,243,198.99, EFT Vouchers 3406 - 3483 totalling \$686,628.04 and Trust Cheque Vouchers 2686 - 2719 totaling \$49187.07 be passed for payment.

COUNCIL RESOLUTION:

Moved: Cr A C Griffiths

Seconded: Cr P D Matsumoto

That the Report Recommendation be adopted.

CARRIED UNANIMOUSLY

[Attachment: 12 pages](#)

9.4.2 MAY 2007 MONTHLY FINANCIAL ACTIVITY REPORT

LOCATION/ ADDRESS: N/A
APPLICANT: N/A
FILE: FRE 02
AUTHOR: Accountant
CONTRIBUTOR/S: Senior Officers
RESPONSIBLE OFFICER: Manager Of Financial Services
DISCLOSURE OF ANY INTEREST: Nil
DATE OF REPORT: 5 July 2007

SUMMARY: Monthly Financial Activity Report of the Shires operations for the month of May 2007 includes all budget amendments in this and previous reports. The result of the cumulative changes, predicts an end of year forecast of a \$278,379 surplus.

BACKGROUND

Previous Considerations

Nil

COMMENT

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

- Budget Year elapsed 91%
- Total Operating Expenditure 82%
- Total Operating Revenue 100%
- Total Capital Expenditure 45%
- Total Sale of Assets Revenue 2%
- Total Capital Revenue 47%

The forecast position should also be viewed as a margin of variance in the context of either the Total Shire Budget \$32.4M, Total Operating Budget \$18M or Total Rate Revenue \$8.9M. The current forecast of a \$278,379 surplus is 0.86% of the Total Shire Budget, 1.55% of Total Operating Budget, or 3.12% of Rate Revenue.

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 variations that may require consideration for amended budget.

All amendments are included as a comparison to original budget in monthly reports.

Amendments

The following budget amendments are identified:

President: Date:

Investment Income – Governance (Corporate Services)

Municipal account investment income is more than the original estimate due mostly to funded uncompleted capital works. The required budget amendment will increase end of year surplus by \$70K.

Recruitment Expenses & Organisational Training – Governance (Corporate Services)

High staff turnover, including senior management, has required an increase of \$36K to cover additional recruitment expenses. Also staff training expenses are less than the original estimate resulting in a saving of \$10K. The net required budget amendments will reduce end of year surplus by \$26K.

Rate Income – General Purpose Income (Corporate Services)

The budget for the income from rates enquiry fees has been increased by \$6K due to increased sales activity in the real estate market. The required budget amendment will increase the end of year surplus by \$6K.

New Visitor Centre – Other Services (Corporate Services)

An additional budget is required for electricity costs not included in original budget. These electricity costs are partially recoverable from builder and tenants. The required budget amendments will reduce end of year surplus by \$10K.

Refuse Site Operating Expenditure – Waste Management (Development Services)

Operating account budget revisions for refuse site show a net surplus of \$218K for the year to date. An amount of \$235K has been transferred to reserve and will be utilised in 2007/2008 for major plant replacement. Difference between budget revisions and reserve transfer is made up by unreportable small amounts. The net required budget amendments will reduce end of year surplus by \$17K.

Refuse Site Capital Expenditure – Waste Management (Development Services)

Capital building works not completed 2006/2007 have resulted in unspent loan funds of \$40K being transferred to restricted cash loan bank. Also funds for capital infrastructure works totalling \$107K not completed in 2006/2007 have been transferred to reserve. Both amounts have been included in 2007/2008 budget for completion of works. The net required budget amendments will have no impact on end of year surplus.

Cable Beach Toilet – Other Services (Development Services)

Maintenance expenses to Cable Beach Toilet are more than the original estimate. The required budget amendment will reduce end of year surplus by \$5K.

Old Broome Lockup – Other Services (Development Services)

Capital building works to the Old Broome Lockup are more than the original estimate. The required budget amendment will reduce end of year surplus by \$5K.

Arts Centre Operating Expenditure - Community Culture & Arts (Community Services)

Further delays in the Arts Centre Project has deferred employment of a Project Officer resulting in a saving of \$40K for wages. Also the site analysis consultancy did not progress beyond the development of tender documents this financial year – a saving of \$11K. The required budget amendments will increase the end of year surplus by \$51K.

Arts Centre Capital Expenditure – Community Culture & Arts (Community Services)

Construction of Arts Centre will not commence 2006/2007 and as a result the budget of \$1,044K is not required. Reduction in expenditure budget is directly offset by reduction of income from grant funding for same amount. The required budget amendments will have no impact on the end of year result.

President: Date:

Vehicles on Beach Management Plan – Other Services (Community Services)

The budget for the Vehicles on Beach Management Plan has been decreased by \$22K due to expenditure being less than the original estimate. The required budget amendment will increase end of year surplus by \$22K.

Community Development Strategy – Community Culture & Arts(Community Services)

The budget for Community Development Strategy has not been fully expended in 2006/2007 resulting in a saving of \$20K. The required budget amendment will increase end of year surplus by \$20K.

Club Development Officer – Recreation Services (Community Services)

Employment of Club Development Officer did not commence until May 2007. The original budget for grant funding and wage/housing expenses was for the full financial year. The net expenditure reduction of \$56K will be partially offset by transfer to restricted cash of \$46K of the unspent grant. The required budget amendments will increase end of year surplus by \$10K.

Helping Young People Engage (HYPE) – Community Culture & Arts (Community Services)

Funding of \$16K originally budgeted from the Ministry of Justice will not be received. Reduction of income is directly offset by reduction to related expenditure accounts by same amount. The required budget amendments will have no impact on the end of year result.

Junior/Senior Motorcross Project – Other Recreation & Sport (Community Services)

In kind support of \$10K will not be proceeded with in 2006/2007. The required budget amendment will increase end of year surplus by \$10K.

Broome Recreation & Aquatic Centre Operating Expenditure(Community Services)

Alignment of many budgets with actuals has resulted in net budget reductions to expenditure accounts of \$12K and net reductions to income accounts of \$5K. Budget adjustments include increase in expenditure for plant and equipment assets of \$26K and a salary budget reduction of \$39K. The net required budget amendments will increase end of year surplus by \$6K.

Broome Recreation & Aquatic Centre Capital Expenditure(Community Services)

Capital works for Emergency Facility have been delayed. The resultant reduction to capital expenditure budget of \$280K to align with actuals will be fully offset by: Reduction in grant funding - \$137K, Transfer to restricted cash of unspent grant funds received - \$87K plus Transfer to reserve of unspent budget allocation - \$55K. The net required budget amendments will have no impact on the end of year result.

Road Maintenance - Roads, Drainage, Footpaths & Lighting (Engineering Services)

Alignment of many Road Maintenance budgets with actuals has resulted in net budget reductions to expenditure accounts of \$171K. Budget adjustments include reductions in expenditure for urban road maintenance of \$60K and rural road maintenance of \$120K. The net required budget amendments will increase end of year surplus by \$171K.

Road Construction Capital Works - Roads, Drainage, Footpaths & Lighting (Engineering Services)

Many road construction capital works budgets have been reduced to align with actuals totalling \$157K, apart from increase in Barker Street job by \$33K which is directly offset by developer contributions for same amount. Transfer from reserve has been reduced by \$37K. Resultant savings in expenditure plus developer contributions of \$20K plus Main

Roads contribution of \$55K totalling \$76K has been transferred to reserve. The net required budget amendments will have no impact on the end of year result.

Footpath Capital Works - Roads, Drainage, Footpaths & Lighting (Engineering Services)

Many Footpath Capital works jobs will not proceed 2006/2007 reducing expenditure budgets by \$108K. Reduction in expenditure is offset by reduction in transfer from reserve of \$86K. Net savings in expenditure will be transferred to reserve along with additional developer contributions totalling \$52. The net required budget amendments will have no impact on the end of year result.

Drainage Capital Works - Roads, Drainage, Footpaths & Lighting (Engineering Services)

Additional Developer contributions totalling \$356K have been received and have been transferred to reserve. Developer contribution income account budget has been increased by \$331K – difference to reserve transfer being non receipt of two budgeted contributions totalling \$25K. Also reduction to budget for Frederick Drainage Study of \$50K has been fully offset by reduction to transfer from reserve for same amount. Alignment of other small accounts will reduce expenditure budgets by \$7K. The net required budget amendments will reduce end of year surplus by \$18K.

Bus Shelter Capital Works - Roads, Drainage, Footpaths & Lighting (Engineering Services)

Capital works of \$6K for bus shelter at Bagot Road will not proceed 2006/2007. Savings will be offset by transfer to reserve of \$10K. Difference between budget revision and transfer to reserve is made up by unreportable small amounts. The net required budget amendments will have no impact on the end of year result.

Tourism and Area promotion – Other Services (Engineering Services)

A donation \$50K for Old Railway Line Project has been received. As works will not proceed 2006/2007 funds have been transferred to Restricted Cash. The net required budget amendments will have no impact on the end of year result.

Engineering Office – Other Services (Engineering Services)

Unbudgeted vehicle purchase for Manager Operations totalling \$32K is fully offset by transfer from reserve for same amount. The net required budget amendments will have no impact on the end of year result.

Engineering Office – Other Services (Engineering Services)

Income from subdivision supervision charges is \$14K more than original estimate. Also safety audit will not be completed 2006/2007 saving \$10K. The net required budget amendments will increase end of year surplus by \$24K.

Depot – Other Services Operating Expenditure (Engineering Services)

Depot maintenance and consumable expenditure are more than original estimate. The net required budget amendments will reduce the end of year surplus by \$48K.

Depot – Other Services Capital Expenditure (Engineering Services)

Capital building works at the Depot will not be completed 2006/2007. The resultant reduction of \$71K to capital budgets to align with actuals will be fully offset by reduction to budget for transfer from reserve of \$57K and transfer of remaining unspent allocation of \$14K to reserve. The net required budget amendments will no impact on the end of year result.

Parks & Gardens – Parks & Ovals (Engineering Services)

Many budgets have been amended to align with actuals. Amendments include reduction of expenditure budgets for reticulation control system - \$25K transferred to

President: Date:

reserve, works to Old Visitor Centre - \$14K transferred to reserve and reduction to BRAC Oval maintenance budget of \$50K due to non-completion of works. Expenditure reductions have been partially offset by reduction to transfer from reserve of \$58K and donations for Japanese Cemetery being \$13K less than expected. The net required budget amendments will reduce the end of year surplus by \$19K.

Other Recreation & Sport – Parks & Ovals (Engineering Services)

Expenditure for works at Town Beach foreshore are less than originally estimated resulting in a saving of \$45K. Reduction in expenditure will be partially off set by non-receipt of grant funding for Pioneer Cemetery of \$10K. The net required budget amendments increase end of year surplus by \$35K.

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

Prosperity

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 31 May 2007.*
2. *That Council notes the year end projections compared to the original budget.*

COUNCIL RESOLUTION:

Moved: Cr A C Griffiths

Seconded: Cr C R Mitchell

That the Report Recommendation be adopted.

CARRIED UNANIMOUSLY

[Attachment: 22 pages](#)

9.4.3 POLICY SIGNIFICANT TREE REGISTER - REVIEW

LOCATION/ ADDRESS:	N/A
APPLICANT:	N/A
FILE:	ADM.28
AUTHOR:	Manager Administration Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF ANY INTEREST:	N/A
DATE OF REPORT:	25 May 2007

SUMMARY: To seek Council endorsement for minor changes to existing Policy 4.4.9 – Significant Tree Register.

BACKGROUNDPrevious Considerations

OCM 20 November 2001 – Item 4.1
 OCM 26 February 2002 – Item 9.2.2
 OCM 23 April 2002 - Item 9.2.8
 OCM 18 January 2007 – Item 9.5.2

In April 2002, Council adopted the Significant Tree Register Policy, with aims to recognise the significance of existing vegetation as being part of the natural and historical charm and character of the town.

Earlier this year, the Policy Manual as a whole was reviewed and it was noted that a couple of minor alterations were required to this policy.

COMMENT

The following amendments are suggested:

- Policy section, paragraph 5 – amend the first sentence to read “Any person desiring to cut, remove or otherwise alter the state of a tree listed on the Significant Tree Register shall require the approval of Council.”
- Attachment, Significant Tree List 2003 – Amend title to “Significant Tree List 2007”.

A complete policy, showing the proposed changes is attached.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Amendment to existing policy of Council

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

People

Improve communication between the community, Shire and stakeholders, including improved access by the community to the Shires services and information.

Prosperity

Improved organisational performance.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That Council endorses the following amendment to Policy 4.4.9 – Significant Tree Register:

- *Policy section, paragraph 5 – amend the first sentence to read “Any person desiring to cut, remove or otherwise alter the state of a tree listed on the Significant Tree Register shall require the approval of Council.”*
- *Attachment, Significant Tree List 2003 – Amend title to “Significant Tree List 2007”.*

COUNCIL RESOLUTION:

Moved: Cr C R Mitchell

Seconded: Cr C M Maher

That the Report Recommendation be adopted.

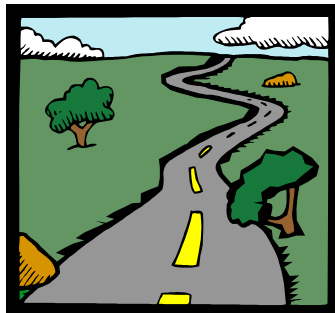
CARRIED UNANIMOUSLY

[Attachment: 4 pages](#)

9.5

ENGINEERING

SERVICES



OUTCOME

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

With regard to item No 9.5.1 Cr C R Mitchell, G T Campbell and V L Wevers disclosed that “I have an association with the applicant. As a consequence, there may be a perception that my impartiality in the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

9.5.1 BROOME BOATLIFTERS AND MARINE SERVICES COOP LTD REQUEST FOR ASSISTANCE

LOCATION/ ADDRESS: BROOME PORT RESERVE
APPLICANT: BBAMS
FILE: RS 28650.1
AUTHOR: Director Engineering Services
CONTRIBUTOR/S:
RESPONSIBLE OFFICER: Director Engineering Services
DISCLOSURE OF ANY INTEREST: Nil
DATE OF REPORT: 21 June 2007

SUMMARY: Consideration of a request from the newly formed Broome Boatlifters and Marine Services Coop Ltd for assistance in regard to the redevelopment of the existing Broome Slipway facility at the Broome Port, with a recommendation to meet with them to further discuss the proposal and what the Shire may be able to provide.

BACKGROUND

Previous Considerations

Nil

The Shire has received a request from the newly formed Broome Boatlifters and Marine Services Coop Ltd [BBAMS] for assistance in regard to the redevelopment of the existing Broome Slipway facility at the Broome Port. [Refer attached copy of letter]

BBAMS is a new local entity of professional fishers and commercial boat operators out of Broome, who want to use the existing slipway area for a marine services area. They intend to obtain a lease from the Port and build infrastructure for their needs.

The request to Council is for “in-kind” assistance for professional engineering, waste and pollutant management advice, as well as for machinery and clean filling material.

COMMENT

Staff have not had time to meet with the group to get a full assessment of the proposal, but a preliminary meeting was held with the new Port CEO on a range of associated Port / Shire issues with the intention to bring a working Memorandum of Understanding to Council on all Port related issues. That MOU is not yet developed, and requires further work and meetings.

The slipway area and this project would be just one issue that needs to be contained in any MOU or working arrangement with the Port.

In regard to the specific request from BBAMS, the following comments are provided in regard to the financial or other resource implications for the Shire;-

President: Date:

- (1) Engineering advice. This would need to be limited to general advice only in regard to filling material, road and parking pavement construction, kerb, concrete and sealing type works. Any coastal structures, structural advice or specialist geotechnical advice could not be provided, as it would be beyond the current Shire staffs' expertise.
- (2) Waste water and pollutant management advice. There are Environmental Protection Authority guidelines for these activities.
- (3) Plant and machinery. The Shire has some machinery that could be suitable for the works required, such as a dozer, loader, backhoe etc. at normal charge out rates.
- (4) Materials. Clean filling material is generally in short supply in Broome, and the Shire would have limited amounts available at infrequent times. Uncontrolled filling would not be recommended to be used, especially if structures are to be built on the area. It is understood that a lot of the existing slipway fill material is in this category and a lot of it may have to be removed and be replaced with clean, controlled filling material.

The provision of "in-kind" support is a bit of a misnomer and whatever is provided by the Shire has to be paid for, one way or another. While professional staff are not charged out as such, their time has to still be accounted for and Council would be well aware of the current shortage in staff resources to be able to provide a range of other Shire projects.

Plant and machinery still needs to be charged out at the standard Shire rates, whether it is for a Shire job, a private works job or a community job.

The supply of clean filling material has to be costed, unless we had a project which required excess filling to be disposed of, and the Port site happened to be closer and cheaper to dispose of it there, rather than cart to a more remote site. A similar situation probably applies to local contractors who may have a need to dispose of clean filling from their projects.

Until a full assessment can be made of the site with the group, it is difficult to be able to assess the "value" of any possible support by the Shire.

At this early stage, Council should consider if they wish to support the group at all, and if so, to what extent.

The need for a "safe boat harbour" in Broome has been, and remains a priority of Council, and is included in both the Shire strategic plan and the Broome Planning Strategy.

This proposal is probably not a "safe boat harbour" as such, but is a related "marine facility" that could provide an alternative heavy boat lifter, associated storage options and related refuelling and other marine facilities.

As there are several parts of the request that require further information, it is suggested that Shire staff meet with representatives of the group to further discuss their requests.

At this stage it is considered that only general advice could be given by the Shire and that all specialist advise and design would need to be sourced elsewhere by the group.

CONSULTATION

N/A

STATUTORY ENVIRONMENT

N/A

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

To be assessed and a further report to be presented to Council

STRATEGIC IMPLICATIONS

People

Effectively engage with our community by encouraging participation and providing information.

Actively contribute to well being and safety and support community initiatives.

Place

Engage with the community and other agencies to provide land use planning that protects and enhances the natural and built environment to support a quality lifestyle and the local economy.

Prosperity

Support business and economic development.

Partner with other agencies to ensure affordable and equitable services and infrastructure

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

1. That Shire staff meet with representatives of the BBAMS Coop Ltd to further discuss their specific requirements from the Shire.
2. That a further report be presented to Council with specific costings or Shire resource requirements.

COUNCIL RESOLUTION

Moved: Cr A C Griffiths

Seconded: Cr C M Maher

That the Report Recommendation be adopted.

CARRIED UNANIMOUSLY

[Attachment: 2 pages](#)

10.

REPORTS

OF

COMMITTEES

10.1 BROOME CEMETERY ADVISORY COMMITTEE - MINUTES 6 NOVEMBER 2006

LOCATION/ ADDRESS: N/A
APPLICANT: N/A
FILE: CTE.039
AUTHOR: Manager Administration Services
CONTRIBUTOR/S: Nil
RESPONSIBLE OFFICER: Chief Executive Officer
DISCLOSURE OF ANY INTEREST: N/A
DATE OF REPORT: 19 June 2007

SUMMARY: To advise Council of the matters discussed at the Broome Cemetery Advisory Committee meeting held 2 April 2007.

BACKGROUND

Previous Considerations

OCM 26 October 2006 - Item 10.2
 OCM 23 November 2006 – Item 10.2
 OCM 15 March 2007 – Item 10.1

A meeting of the Broome Cemetery Advisory Committee was held on Monday 2 April 2007, the minutes from this meeting were subsequently endorsed at the meeting of the Committee held 18 June 2007, subject to the inclusion of Ms Eunice Yu as an attendee at that meeting.

COMMENT

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

- Update on Input of Data
- Special Meeting of the Committee to discuss the Review of the Cemeteries Act 1986.
- Honouring Indigenous War Graves
- Gravel of Tracks, which resulted in the following resolution:
 "2 That this Committee recommends to Council that signage be installed at the entry points to the Broome Cemetery from D'Antoine Street, requesting that as a sign of respect, people not drive vehicles or motor bikes in the site especially considering the site contains a number of unmarked graves."
- Management Agreement – Heritage Council
- Extension of the Chinese Cemetery
- Records from other Cemeteries within the Shire of Broome
- Incident at Cemetery
- Lighting at the Japanese Cemetery
- Chinese Cemetery Works
- Budget 2007/2008

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

People

Preservation and management of existing facility of community significance.

Prosperity

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 2 April 2007.*
2. *That Council endorses the recommendation of the Broome Cemetery Advisory Committee that signage be installed at the entry points to the Broome Cemetery from D'Antoine Street, requesting that as a sign of respect, people not drive vehicles or motor bikes in the site especially considering the site contains a number of unmarked graves.*

COUNCIL RESOLUTION:

Moved: Cr E R M Foy

Seconded: Cr M L B Albert

That the Report Recommendation be adopted.

CARRIED UNANIMOUSLY

[Attachment: 5 pages](#)

10.2 COASTAL PARK MANAGEMENT COMMITTEE MINUTES 3 MAY 2007

LOCATION/ ADDRESS: N/A
APPLICANT: N/A
FILE: CTE28
AUTHOR: Director Community Services
CONTRIBUTOR/S: N/A
RESPONSIBLE OFFICER: Director Community Services
DISCLOSURE OF ANY INTEREST: Nil
DATE OF REPORT: 21 June 2007

SUMMARY: The Coastal Park Management Committee Minutes for 3 May 2007 are tabled for the Council's consideration.

BACKGROUNDPrevious 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
 23 May 2006 - Item 10.1
 7 June 2007 - Item 10.2

COMMENT

The Coastal Park Management Committee Minutes for 3 May 2007 are table for the Council's consideration. The Minutes contain Agenda Items on the following:

Water Main in Minyirr Park

Minyirr Park now has water connected to the Park. The issue of who will pay for water consumption in the Park was raised. The Committee recommends that a letter be forwarded to the Water Corporation requesting that the water rates be waived for Minyirr Park, that they sponsor the water supply and defer consumption costs and that they complete the provision of infrastructure for a secure water supply.

The Minutes with full details are attached.

CONSULTATION

Coastal Park Management Committee

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

President: Date:

Consistent with the Shire's Interim Agreement with Rubibi (signed in May 1996), and the Shire's Strategic Action Plan 2004 – 2009.

FINANCIAL IMPLICATIONS

Funding of projects within the Coastal Park is the subject of budget deliberations for the 2007/08 financial year.

No allocation for water rates or consumption of water to the Park has been included in the 2007/08 draft budget.

STRATEGIC IMPLICATIONS

People

Actively consult and work with Traditional Owners and Aboriginal people of Broome.

Place

Build partnerships with the community and other agencies to recognise, protect and enhance the natural environment and cultural heritage.

Prosperity

Partner with other agencies to support affordable and equitable services and infrastructure.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION

That the recommendations to Council in the Coastal Park Management Committee Minutes of 3 May 2007 be adopted.

That the Coastal Park Management Committee request that Council approach:

1. *The Water Corporation to waive water rates for Minyirr Park.*
2. *The Water Corporation to sponsor the water supply and defer consumption costs for Minyirr Park.*
3. *LandCorp to complete the provision of infrastructure for a secure water supply to Minyirr Park.*

COUNCIL RESOLUTION:

Moved: Cr C R Mitchell

Seconded: Cr E R M Foy

That the Report Recommendation be adopted.

CARRIED UNANIMOUSLY

[Attachment: 7 pages](#)

The CEO and Human Resource Manager interviewed candidates, one in person and one via videoconference.

Mr Neville Lavey, currently the Director Engineering Services, at the Shire of Dalrymple in Queensland was offered and has accepted the position.

A confidential report of the preferred applicant's suitability to the position is attached.

CONSULTATION

Reference checks have been carried out and have proved to be positive.

STATUTORY ENVIRONMENT

Local Government Act 1995 s 5.32

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The advertised salary package value ranges from \$138,012 and \$149,362, inclusive of a base salary of \$90,000 - \$100,000, Broome Allowance, Housing Subsidy, Superannuation, private use of a 4WD.

The position of Director Engineering Services will undertake tasks and functions specifically listed in the contract of employment and containing a position description.

The preferred applicant has agreed to commence employment on Monday 3rd September. As such there will be no handover period, and therefore no financial implications on the previously budgeted salary.

The provision of this position is ongoing in the budget.

STRATEGIC IMPLICATIONS

The position of Director Engineering Services will undertake tasks and functions specifically listed in the contract of employment and within a position description that outlines the Strategic and departmental duties and responsibilities.

Agreed Performance Indicators in the areas of

- Service Planning
- Assistance to the Council and Implementation of Council decisions and policies
- Legal Compliance
- Community relations
- Customer Service
- Financial Management
- Staff Management
- Engineering Works Programme
- Asset management

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

Nil

14. MATTERS BEHIND CLOSED DOORS

Nil

15. MEETING CLOSURE

There being no further business the Chairperson then declared the meeting closed at 6.21pm.