



## **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**

**25 OCTOBER 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  
25 OCTOBER 2007****INDEX - MINUTES**

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**NOTICE OF MEETING**

Dear Council Member,

The next Ordinary Meeting of the Shire of Broome will be held on Thursday 25 October 2007, in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 5.00pm

Regards

Ian Bodill  
Chief Executive Officer

15 October 2007

## 1. OFFICIAL OPENING

The Deputy Shire President welcomed members and the public and declared the meeting open at 5.00pm. The Deputy Shire President also formally welcomed Cr Shelley Eaton to her first Ordinary Meeting of Council and added that twenty three percent of the voting public for the election on 20 October cast votes.

## 2. ATTENDANCE AND APOLOGIES

Attendance	Cr C R Mitchell Cr C M Maher Cr R J Lander Cr S E Eaton Cr V L Wevers Cr P D Matsumoto Cr E R M Foy	Deputy Shire President      (from 5.02pm)
Leave of Absence	Cr G T Campbell Cr M L B Albert	Shire President

**Moved: Cr V L Wevers**

**Seconded: Cr S E Eaton**

***That Cr C M Maher and Cr P D Matsumoto be granted Leave of Absence for the Ordinary Council Meeting 22 November 2007.***

**CARRIED UNANIMOUSLY**

Apologies	Darryl Butcher	Director Development Services
Officers	Ian Bodill Ingrid Bishop Neville Lavey Michelle Teoh Jo Durbridge Corrine Palmer Jillian McMahon	Chief Executive Officer Director Corporate Services Director Engineering Services Manager Planning Services Media & Promotions Officer Manager Administration Services Council Secretary
Public Gallery	Dale Miller David Dureau Anne Brown Rob Menzies	Broome Advertiser  Chamber of Commerce Broome International Airport

## 3. DECLARATIONS OF FINANCIAL INTEREST

Councillor	Item No	Page No	Item	Nature of Interest
Cr P D Matsumoto	9.3.1	31	Adoption Of Revised Development Plan - Januburu Cable Beach	Impartiality
Cr P D Matsumoto	9.5.1	56	Cable Beach Foreshore – Master Planning	Impartiality
Cr P D Matsumoto	9.5.3	66	Old Tramway Project	Impartiality
Cr E R M Foy	9.3.1	31	Adoption Of Revised Development	Impartiality

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

Councillor	Item No	Page No	Item	Nature of Interest
			Plan - Januburu Cable Beach	
Cr E R M Foy	9.5.1	56	Cable Beach Foreshore – Master Planning	Impartiality
Cr E R M Foy	9.5.3	66	Old Tramway Project	Impartiality
Cr C R Mitchell	12.1	79	CSRFF Grant Assessments	Impartiality

#### 4. PUBLIC QUESTION TIME

Rowena Strain submitted a number of questions at the Ordinary Council Meeting of 27 September and one question taken on notice is shown below:

**Question 1:** “As a representative of the Residents Action Group, which aims to:

- Research and raise awareness of housing issues
- Seek solutions to the housing shortage
- Help homeless people find accommodation
- Support tenants to keep housing

*I want to know why, of all the possible ways to increase housing availability in Broome which were raised at the recent Shire Housing Summit, the Shire is recommending that Dakas Street Park be rezoned for medium density housing when it is bordered by areas of low income residents who require more community services and amenities rather than more residents.”*

*Answer - Director Development Services: The Shire is progressing the Dakas Street proposal because it is an outstanding resolution of the Council from February 2004, confirmed by Council's resolution of 14 February 2007 Item 9.3.6. The various actions identified in the Broome Community Housing and Accommodation Summit related in the main to responsibilities of other agencies rather than to areas of direct Shire responsibilities. The Shire is examining many avenues to try and address these issues: changing Scheme provisions to allow residential units in the Mixed Use and Local Centre Zones, identifying areas for possible increased density, working with subdivides to provide an increased proportion of group housing sites and encouraging the progress of structure planning for future residential areas.*

*If there are specific community services and amenities identified as lacking in the area, these should be identified through the community planning process and addressed in that program.*

\* \* \* \* \*

Mr Dave Dureau submitted the following questions.

*Question 1: ‘Would Council accept the attachment to this question as handed to the Council Secretary and would Council consider developing a position on a proposal for heritage listing of the West Kimberley area?’*

*Answer: The Deputy Shire President advised he would take the question on notice.*

*Question 2: This question relates to Cable Beach planning – I understand the Cable Beach Development Plan for 2004 hasn't been submitted to the Minister for approval as required*

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

by the Act. What are the implications for land owners and developers by this oversight and when does Council intend to legalise this significant document."

Answer – The Deputy Shire President advised he would take the question on notice.

Question 3: "Recently I heard on the ABC of a proposal to rid the Kununurra district of Neem trees as here too they have become a significant pest plant. Their proposal included the Cooperation of the Shire who asked the public to cut down trees on their properties and place them on the road verge during Cyclone Clean-up and the Shire would remove them. It also encouraged volunteers to go out and cut trees on vacant areas where they have significantly established. I thought the programme to be excellent and the points raised could be adopted by the Broome Shire. If the Shire can't include them in the upcoming Clean-up perhaps a specific day could be nominated during future Cyclone Clean-ups where it could be put in place.

Answer: The Deputy Shire President advised the question would be taken on notice.

#### **5. CONFIRMATION OF MINUTES**

**Moved: Cr R J Lander**

**Seconded: Cr C M Maher**

**That the Minutes of the Ordinary Meeting of Council held on 27 September 2007 be confirmed as a true and accurate record of that meeting.**

**CARRIED UNANIMOUSLY**

#### **6. ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION**

Nil

#### **7. PETITIONS**

Nil

#### **8. MATTERS FOR WHICH MEETING MAY BE CLOSED**

Nil



**9.**

**REPORTS**

**OF**

**OFFICERS**

## **9.1**

### **LEADERSHIP / GOVERNANCE AND ORGANISATION**



#### **OUTCOME**

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

**9.1.1 COMMON SEAL REPORT**

DATE	DETAILS
8 October 2007	North West Expo \$25,000 Guarantee
9 October 2007	KDC Grant Agreement for HYPE Project

**REPORT RECOMMENDATION**

*That Council endorses the action of the Shire President and the Chief Executive Officer affixing the Common Seal to the documents listed above.*

**COUNCIL RESOLUTION**

**Moved: Cr C M Maher**

**Seconded: Cr R J Lander**

***That the Report Recommendation be adopted.***

**CARRIED UNANIMOUSLY**

**9.1.2 SEPTEMBER 2007 MONTHLY FINANCIAL ACTIVITY REPORT**

<b>LOCATION/ ADDRESS:</b>	N/A
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	FRE 02
<b>AUTHOR:</b>	Accountant
<b>CONTRIBUTOR/S:</b>	Senior Officers
<b>RESPONSIBLE OFFICER:</b>	Manager Of Financial Services
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	25 October 2007

**SUMMARY:** Monthly Financial Activity Report of the Shires operations for the month of September 2007 includes all budget amendments in this and previous reports. The result of the cumulative changes, predicts an end of year forecast of a \$109,403 surplus.

**BACKGROUND**Previous Considerations

Nil

**COMMENT**

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

Budget Year elapsed 25%

Total Operating Expenditure 24%

Total Operating Revenue 68%

Total Capital Expenditure 24%

Total Sale of Assets Revenue 47%

Total Capital Revenue 47%

The forecast position of a surplus represents a 0.57% variance when viewed in proportion to operating expenditure excluding depreciation.

The predicted surplus as at 30<sup>th</sup> September 2007 is \$109K, which is a decrease of \$21K from last month. This amount represents the net result of this month's net budget amendments increasing the surplus by \$207K, and a net decrease of \$228K in the 2006/2007 surplus brought forward due to processing of end of year and final audit adjustments.

Audit adjustments have reduced the 2006/2007 carried forward surplus from \$310K to \$82K, which includes provisions of \$170K from outside staff back pay which was disclosed in the August forecast and added back in this financial report.

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.

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

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

### **Amendments**

The following budget amendments are identified:

#### Governance

Budget amendments were required this month within the Governance function. These included:

- \$11K increase in budgeted operating income for a transfer of long service leave entitlements received.
- \$10K increase in budgeted operating income for the advertising rebate from WALGA which was more than originally budgeted for.
- \$13K increase in budgeted operating expenditure for relocations expenses for the Director of Corporate Services which were not originally budgeted for.
- \$8K increase in budgeted operating expenditure for Council Members sitting fees. This amount represents sitting fees owed for the period from the 7<sup>th</sup> May 2007 to 30<sup>th</sup> June 2007 as a result of a change to a payment period based on the financial year which was not budgeted for.
- 

The net result of the budget amendments is nil and have no effect on the expected surplus.

#### SBS Radio Retransmission Program – Community, Culture & the Arts

A budget amendment of \$23K was required to recognise a SBS Radio Self Help Retransmission Subsidy Scheme grant received as operating income. This grant was not originally budgeted for. The grant was offset by a corresponding budget amendment for the capital expenditure in plant and equipment. The amendments will have no effect on the surplus.

#### Waste Management

Budget amendments of \$37K were required to increase budgeted operating income for Waste Management. These included an amendment to recognise \$32K more received in refuse and recycling service income than originally budgeted as a result of interim rates for subdivisions, as well as a \$5K grant received from the Environment Regulation Division for the Zero Waste Plan.

The total budget amendments will increase the expected surplus by \$37K.

#### Outside Workforce Back Pay – Waste, Depot, Works, and BRAC

During the end of year audit the auditors required the reversal of the budget amendments made in August for the back pay owing in accordance with the Outside Workforce Workplace Agreement 2007. The budget amendments represent the portion of back pay relating to the 2006/2007 financial year and will be recognised in that period. The total period of back pay is from 1 July 2006 to 7 August 2007.

The following amendments have been reversed as per auditors instructions:

- Waste Management Workers - Salary & Related Expenses - \$11.8K
- Parks & Ovals Workers - Salary & Related Expenses - \$71.1K
- Depot & Other Services Workers - Salary & Related Expenses - \$85.5K
- BRAC Workers – Salary & Related Expenses \$1.7K

*The reversal of the budget amendments and subsequent allocation to the 2006/2007 financial year will decrease the brought forward 2006/2007 surplus by \$170.1K but has no effect on the forecast surplus position in 2007/2008.*

#### Car Park Developer Contributions – Reserve & Roads, Drainage, Footpaths & Lighting

*A budget amendment of \$17.8K was required to recognise a car park developer contribution received as cash in lieu for car park construction at the Tropicana site. A corresponding budget amendment for the transfer of the contribution to reserve was also required. The budget amendments will have no effect on the surplus.*

### **CONSULTATION**

Internal Staff

### **STATUTORY ENVIRONMENT**

Local Government Act  
Financial Management Regulations

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

These are detailed above and in the attachment.

### **STRATEGIC IMPLICATIONS**

#### **1. Governance**

Provide open, transparent and good governance to the community.

### **VOTING REQUIREMENTS**

Simple Majority

REPORT RECOMMENDATION

That Council:

1. Receives the Monthly Financial Activity Report for the period ended 30 September 2007.
2. That Council notes the year-end projections compared to the original budget.

COUNCIL RESOLUTION

**Moved: Cr V L Wevers**

**Seconded: Cr P D Matsumoto**

**That the Report Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

[Attachment: 15 pages](#)

### 9.1.3 LOCAL GOVERNMENT (OFFICIAL CONDUCT) AMENDMENT ACT 2007 - APPOINTMENT OF COMPLAINTS OFFICER

**LOCATION/ ADDRESS:** N/A  
**APPLICANT:** N/A  
**FILE:** ADC.06  
**AUTHOR:** Manager Administration Services  
**CONTRIBUTOR/S:** Nil  
**RESPONSIBLE OFFICER:** Chief Executive Officer  
**DISCLOSURE OF ANY INTEREST:** N/A  
**DATE OF REPORT:** 4 October 2007

**SUMMARY:** To advise Council of the implementation of the Local Government (Official Conduct) Amendment Act 2007 and the Local Government (Rules of Conduct) Regulations 2007 and to appoint a Complaints Officer.

## BACKGROUND

### Previous Considerations

OCM 7 June 2007 – Item 9.4.4

In March 2007 the Local Government (Official Conduct) Amendment Act 2007 and the Local Government (Rules of Conduct) Regulations 2007 was gazetted. This legislation was proclaimed to come into effect at midnight on 20 October 2007.

## COMMENT

The Amendment Act provides a disciplinary framework to deal with certain individual misconduct by local government council members where they do not comply with a code of conduct or they contravene particular laws applying to them in Acts and Regulations.

Key matters in the Official Conduct provisions are:

- The establishment of a statewide primary Standards Panel to deal with complaints about minor breaches which are to be contraventions of the new code (rules) of conduct, with penalties including public censure, public apology or an order to undertake training; and
- Complaints about serious breaches are to be sent to the Department of Local Government and Regional Development for possible referral to the State Administrative Tribunal for determination including similar penalties as above and stronger penalties of up to six-months suspension or up to five years disqualification as an elected member of any local government.
- The rules of conduct cover the following key areas:
  - Principles of general behaviour;
  - Local law as to conduct at meetings;
  - Use of information;
  - Securing personal advantage or disadvantaging others;

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



- Misuse of council resources;
- Prohibition against involvement in administration;
- Relations with local government employees;
- Disclosure of interest adversely affecting impartiality; and
- Gifts.

The Official Conduct provisions provide that contraventions of the rules of conduct are a minor breach and complaints are to be referred to the Standards Panel. Additional panels may be appointed should it be necessary.

Each council may appoint a Complaints Officer who is a senior local government employee, otherwise the position will fall to the local governments Chief Executive Officer.

The senior employees for the Shire of Broome are:

- Chief Executive Officer
- Director Corporate Services
- Director Engineering Services
- Director Development Services
- Director Community Services

Complaints referred to the local government must be in writing and on an approved Complaint form. The Complaint Officer must check the complaint has been properly completed and is dated and signed. The Complaint Officer should acknowledge its receipt and forward a copy of the complaint to the Council member complained about.

The Complaints Officer must refer the minor breach complaint to the Standards Panel, along with any relevant information the Complaint Officer has in relation to the complaint.

Copies of the Local Government (Official Conduct) Amendment Act 2007 and the Local Government (Rules of Conduct) Regulations are attached.

## **CONSULTATION**

Training for staff and Councillors on the requirements under the Amendment Act and the associated Regulations was held in August 2007.

## **STATUTORY ENVIRONMENT**

Local Government Act 1995  
Local Government Regulations

## **POLICY IMPLICATIONS**

The Shire of Broome Code of Conduct will require review following the implementation of this new legislation.

## **FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS****1. People**

Be honest, equitable and ethical in all business dealings and the way in which we work with residents, staff and all stakeholders.

Ensure there is a high level of openness and accountability in all activities.

**VOTING REQUIREMENTS**

Simple Majority

**REPORT RECOMMENDATION**

1. That Council notes the introduction of the Local Government (Official Conduct) Amendment Act 2007 and the Local Government (Rules of Conduct) Regulations 2007.
2. That Council, in accordance with section 5.120 of the Local Government (Official Conduct) Amendment Act 2007 appoints the Chief Executive Office for the Shire of Broome as the Complaints Officer.

**COUNCIL RESOLUTION**

**Moved: Cr C M Maher**

**Seconded: Cr V L Wevers**

***That the Report Recommendation be adopted.***

**CARRIED UNANIMOUSLY**

[Attachment: 39 pages](#)

**9.1.4 COUNCIL AND COMMITTEE MEETING DATES 2008**

**LOCATION/ ADDRESS:** N/A  
**APPLICANT:** N/A  
**FILE:** ADM.01  
**AUTHOR:** Manager Administration Services  
**CONTRIBUTOR/S:** N/a  
**RESPONSIBLE OFFICER:** Chief Executive Officer  
**DISCLOSURE OF ANY INTEREST:** N/A  
**DATE OF REPORT:** 3 October 2007

**SUMMARY:** To seek Council endorsement of proposed meeting dates for Ordinary Council Meetings and meetings of the Coastal Park Management Committee to be held in 2008, for the purpose of advertising as required under the Local Government Act 1995.

**BACKGROUND**Previous Considerations

OCM 21 December 2006 – Item 9.1.4

In accordance with Regulation 12(1) of the Local Government Act (Administration) Regulations 1996, at least once each year a local government is required to give local public notice of the dates, times and place of its Ordinary Council Meetings and Committee meetings required under the Act to be open to the public (ie those with delegated authority).

As such, the Shire is required to advertise meeting dates for its Ordinary Council Meetings and Coastal Park Management Committee Meetings.

**COMMENT**

Meetings of the Coastal Park Management Committee have been held on the first Thursday of each month at 10.00am and whilst there are proposals to review this committee, there are no proposed changes to this format at this time.

It is suggested that this Committee go into recess in January 2008, as the January meeting would be scheduled to be held on 3 January 2008 and it may be difficult to source a quorum.

As such, the following meeting dates are proposed for the Coastal Park Management Committee for 2008, with all meetings commencing at 10.00am:

Thursday	7 February 2008
Thursday	6 March 2008
Thursday	3 April 2008
Thursday	1 May 2008
Thursday	5 June 2008
Thursday	3 July 2008
Thursday	7 August 2008
Thursday	4 September 2008
Thursday	2 October 2008
Thursday	6 November 2008
Thursday	4 December 2008

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

Ordinary Meetings of Council have for some time been held on Thursday, every four weeks, commencing at 5.00pm. At this time there are no proposals to change this format.

Staff recommend that Council consider a recess for Ordinary Council meetings in January 2008.

This will allow staff and Councillors to plan leave during the month of January and will allow the organisation to spend some time on projects that have been delayed due to resource shortages.

Should urgent matters arise, it is possible to call a Special Meeting of Council to deal with these.

The following meeting dates are proposed for Ordinary Council Meetings for 2008, commencing at 5.00pm

Recess	January
Thursday	14 February 2008
Thursday	13 March 2008
Thursday	10 April 2008
Thursday	8 May 2008
Thursday	5 June 2008
Thursday	3 July 2008
Thursday	31 July 2008
Thursday	28 August 2008
Thursday	25 September 2008
Thursday	23 October 2008
Thursday	20 November 2008
Wednesday	17 December 2008

These dates have been set, taking into account:

- First week in August is usually Local Government Week
- First week in September is usually Shinju Matsuri Festival
- The December meeting has been brought forward to Wednesday to allow for the minutes to be completed and distributed prior to the Christmas break

Should Council wish to retain the January meeting, this would be held on 17 January 2007, however work to prepare and distribute the agenda would need to commence in first week of January.

## **CONSULTATION**

Nil

## **STATUTORY ENVIRONMENT**

Local Government Act 1995

## **POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

**1. People**

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

**VOTING REQUIREMENTS**

Simple Majority

**REPORT RECOMMENDATION**

1. That Council endorses the following Ordinary Council Meeting dates for 2008, with all meetings commencing at 5.00pm:

Recess            January  
 Thursday      14 February 2008  
 Thursday      13 March 2008  
 Thursday      10 April 2008  
 Thursday      8 May 2008  
 Thursday      5 June 2008  
 Thursday      3 July 2008  
 Thursday      31 July 2008  
 Thursday      28 August 2008  
 Thursday      25 September 2008  
 Thursday      23 October 2008  
 Thursday      20 November 2008  
 Wednesday    17 December 2008

2. That Council endorses the following meeting dates for the Coastal Park Management Committee, will all meetings commencing at 10.00am:

Thursday      7 February 2008  
 Thursday      6 March 2008  
 Thursday      3 April 2008  
 Thursday      1 May 2008  
 Thursday      5 June 2008  
 Thursday      3 July 2008  
 Thursday      7 August 2008  
 Thursday      4 September 2008  
 Thursday      2 October 2008  
 Thursday      6 November 2008  
 Thursday      4 December 2008

**COUNCIL RESOLUTION**

**Moved: Cr C M Maher**

**Seconded: Cr S E Eaton**

**That the Report Recommendation be adopted.**

**AMENDMENT TO MOTION**

**Moved: Cr C M Maher**

**Seconded: Cr S E Eaton**

**That the Ordinary Council Meeting date of 28 August 2008 be replaced with Tuesday 26 August.**

**AMENDMENT PUT:**

**AMENDMENT CARRIED UNANIMOUSLY**

**MOTION PUT:**

**CARRIED UNANIMOUSLY**

**Reason: As the Economic Development Forum will be held in Kununurra on 28 and 29 August 2008 and this will enable interested Councillors to attend.**

[Attachment: 3 pages](#)

**9.1.5 CLOSURE OF OFFICE - 24 DECEMBER 2007**

**LOCATION/ ADDRESS:** N/A  
**APPLICANT:** N/A  
**FILE:** ADM.01  
**AUTHOR:** Manager Administration Services  
**CONTRIBUTOR/S:** Director Corporate Services  
**RESPONSIBLE OFFICER:** Chief Executive Officer  
**DISCLOSURE OF ANY INTEREST:** N/A  
**DATE OF REPORT:** 9 October 2007

**SUMMARY:** To seek Council approval to close down Shire of Broome operations on Monday 24 December 2007.

**BACKGROUND**Previous Considerations

Nil

Monday 24 December precedes the Christmas Day and Boxing Day Public Holidays and staff are seeking consideration that the Shire of Broome operations (Administration and Library) be closed for the day with the time in lieu day (day after New Years Day) being utilised for this purpose.

It is suggested that normal operations recommence on Thursday 27 December 2007.

This is traditionally considered to be a quieter time of year, however, previous years have indicated that it is worthwhile maintaining service to the community and therefore, shut down for a longer period is not being pursued.

**COMMENT**

It is timely to consider this matter so as to allow sufficient time to notify the community of the proposed closure.

**CONSULTATION**

The community will be advised through existing communication methods.

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

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

**STRATEGIC IMPLICATIONS****1. People**

Be honest, equitable and ethical in all business dealings and the way in which we work with residents, staff and all stakeholders.

**VOTING REQUIREMENTS**

Simple Majority

**REPORT RECOMMENDATION**

*That Council endorses the operations of the Administration office shutting down on Monday 24 December 2007 with staff taking one of the allocated time in lieu days, and normal operations recommencing on Thursday 27 December 2007.*

**COUNCIL RESOLUTION**

**Moved: Cr C M Maher**

**Seconded: Cr R J Lander**

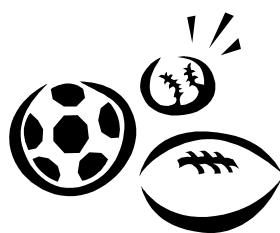
***That the Report Recommendation be adopted.***

**CARRIED UNANIMOUSLY**



## **9.2**

### **COMMUNITY DEVELOPMENT SERVICES**



#### **OUTCOME**

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

**Replacement Attachments B and C were tabled at the meeting and form part of these Minutes.**

### 9.2.1 COMMUNITY DEVELOPMENT STRATEGY

<b>LOCATION/ ADDRESS:</b>	N/A
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	CDE 37
<b>AUTHOR:</b>	Community Development Officer
<b>CONTRIBUTOR/S:</b>	Director Corporate Services
<b>RESPONSIBLE OFFICER:</b>	CEO
<b>DISCLOSURE OF ANY INTEREST:</b>	N/A
<b>DATE OF REPORT:</b>	8 October 2007

**SUMMARY:** Broome community is undergoing unprecedented change. In response, the Shire's Strategic Action Plan 2004 – 2009 identified the need for a Community Development Strategy. Council endorsed the initial project brief for the development of the Strategy with the appointment of two Councillors and deputies to a Community Development Strategy Committee in January 2005. This report presents a Position Paper for the development of the strategy and associated plans along with proposed process, including the community consultation schedule. The results of the 2007 Community Survey are also presented to Council as first in a series of mechanisms employed to facilitate community consultation and development.

## BACKGROUND

### Previous Considerations

OCM 18 January 2005 – Item 9.5.1

The Shire's Strategic Action Plan 2004 – 2009 under Function Area 4, Social Wellbeing and Development', identifies the Action: *Prepare a **Community Development Strategy*** (including opportunities for partnerships and establishing Council role/responsibility on child, youth, aged, recreation, sport, art, culture and social services).

The Shire's Vision, themes behind the Vision, Core Values and Mission all underpin the development of the Community Development Strategy. In addition, the Strategic Action Plan identifies actions under all of the Functional Areas that will be relevant to the development of the Strategy.

Council endorsed the Community Development Strategy Project on 18 January 2005. To date, limited progress has been achieved due to competing demands of the Community Services directorate. In February 2007, a Community Development Officer (CDO) was specifically employed to undertake the review and development of the Shire of Broome Access and Inclusion Plan, which was completed and endorsed by Council in July 2007.

This report outlines the planned process to continue the development of the Community Development Strategy and associated plans.

## COMMENT

To progress the development of the Community Development Strategy, a **Position Paper (Attachment A)** has been drafted to ensure both clarity of purpose and parameters of the project. To this end, research has been undertaken to identify relevant best practice models utilised by progressive local governments around Australia. In recognition of Broome's uniqueness (in terms of existing service systems, demographic and socio-cultural characteristics), these models will be adapted to suit the local environment along with the development of local innovative strategies in partnership with various stakeholders and the community at large.

As previously endorsed by Council, the Strategy has been broken down into manageable components as follows:

- Access and Inclusion Plan (completed)
- Arts and Cultural Plan
- Sport and Recreation Plan
- Social Plan (Health, Education, Employment, Substance Misuse, Crime Prevention, etc).

The proposal, however, recognises that all components have commonalities and are intrinsically interdependent.

In terms of process, it is suggested that Council adopts a collaborative, long term community development approach, which builds on, strengthens and extends existing community groups, networks and partnerships. Such an approach will facilitate, in the long term, the building of communities where people are empowered to act with regard to developing and achieving a vision for their community and the preservation of the Town's social and cultural heritage.

As outlined in the **CDS matrix (Attachment B)**, it is envisaged that the Arts and Cultural Plan and Sport and Recreation Plan be first priority with the Social Plan following. As the remaining three plans are being developed simultaneously, a degree of flexibility will be required to harness relevant community events and dynamics – the CDS matrix is therefore being presented as a guide only. In summary, it is intended that the Background Discussion Papers for each plan will be presented to Council, and subsequently distributed for public comment. This will be followed by a public consultation phase which will underpin the development of the new Plans.

A range of methods will be employed in the development of the Community Development Strategy and associated Plans. These include the establishment of a **Community Development Strategy Advisory Committee (see TOR - Attachment C)** and planning working groups, analysis of relevant statistical data, audits of Shire and community services and infrastructure, a range of community consultations and presentation of the developed Plans for feedback. The attached CDS Position Paper details more fully the proposal. To this end, the **Broome 2007 Community Survey** has been completed and will inform the abovementioned process (**Attachment D**).

Apart from the relevant plans, it is anticipated that, subject to adequate resourcing, the process will result in other outputs including:

- Calendar of Community Events
- Directory of Community Services
- Directory of Community Infrastructure

These will be presented in electronic format and be available on the Shire's website.

Elected Member Participation

Elected member participation was previously requested on the Community Development Strategy Committee and in relevant planning working groups - it was suggested that two elected members and two deputies be representatives of the Council. In 2005, Cr G T Campbell and Cr A C Griffiths were elected as representatives, with Cr A K Grosse and Cr E R M Foy as Deputies. Once 2008 elections have taken place, there will be a need to re-appoint Council representatives.

Proposed Time Frame

Please refer to Community Development Strategy Matrix provided **(Attachment B)**.

**CONSULTATION**

It is anticipated that extensive consultation with the community will occur as part of the process to develop the Community Development Strategy and Plans.

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY IMPLICATIONS**

The process will identify a number of policies to be developed.

**FINANCIAL IMPLICATIONS**

Shire Officers will undertake most of the development of the Community Development Strategy.

A budget of approximately \$2000 will be required to cater for community forums and consultations.

The implementation of the strategy will be subject to the annual financial planning process and inclusion in the Strategic Financial Plan.

**STRATEGIC IMPLICATIONS**

**1. People**

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

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

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

**2. 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 built environment support a quality lifestyle and the local economy.

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

### **3. Prosperity**

Support business and economic development.

## **VOTING REQUIREMENTS**

Simple Majority

### REPORT RECOMMENDATION

*That Council:*

1. *Endorses the Community Development Strategy Position Paper.*
2. *Endorses the establishment and TOR of a broad based representative group – the “Community Development Strategy Advisory Committee” - with which to consult on a range of issues.*
3. *Endorses the proposed draft Consultation Matrix.*
4. *Gives consideration in the budget process to the ongoing allocation of resources required to undertake long-term community development approach.*
5. *Notes the findings of the 2007 Community Survey.*

### COUNCIL RESOLUTION

**Moved: Cr C M Maher**

**Seconded: Cr R J Lander**

***That the Report Recommendation be adopted with the words ‘Advisory Committee’ in Point 2 being replaced by the words ‘Task Force’.***

**CARRIED UNANIMOUSLY**

[Attachment: 24 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.***

***With regard to Item 9.3.1, Cr P D Matsumoto and Cr E R M Foy disclosed that "I have had an association with Native Title. 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".***

### **9.3.1 ADOPTION OF REVISED DEVELOPMENT PLAN - JANUBURU CABLE BEACH**

<b>LOCATION/ ADDRESS:</b>	Januburu, Reid Road Cable Beach
<b>APPLICANT:</b>	Urbanplan for Landcorp
<b>FILE:</b>	PLA 38
<b>AUTHOR:</b>	Director Development Services
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Development Services
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	9 October 2007

**SUMMARY:** An application has been submitted by Urbanplan, on behalf of LandCorp to modify the Development Plan for the Januburu, Six Seasons Estate by redesigning Stage 4. The modified 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. The modified plan has been advertised for comment.

This report recommends that the proposed revised Development Plan be adopted by Council.

## **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 9.3.1  
 OCM 7 June 2007 – Item 9.3.4  
 OCM 5 July 2007 – Item 9.3.7

### Site and Surrounds

The Januburu, Six Seasons Estate is located between Reid Road and Gubinge Road. Construction works have been largely completed for stages one, two and three of the development.

### Relevant History

The Development Plan was approved by Council at the 24 May 2005 OCM. It had been subject to extensive consultation and agreement between the Shire, Landcorp and Rubibi.

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To date, 100 lots have been released for development, and most of the internal infrastructure, associated with creation of open space areas, roads and drainage has been constructed.

At the Ordinary Council Meeting of 7 June 2007 Council considered a proposal by Landcorp to revise the Development Plan. Council resolved:

*"..adopts the revised Januburu, Six Seasons Estate Development Plan dated 19 June 2007, subject to the removal of the building footprints on the group housing sites and upon receipt of the modified plan will advertise the Development Plan pursuant to Clause 4.25 of the Scheme."*

The proposal has since been advertised in accordance with the Scheme and no submissions were received.

#### *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 it also includes changes to the road layout. (See attached plans)

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 units. 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 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 dwelling orientation to accommodate breezeways;
- maintaining an open space area on the corner of Sibosado road connecting to the remnant bush and active playing area;
- removing the unsightly, chain mesh, fenced sump and improving drainage provision through landscaped swales.

#### *Planning Provisions*

Clause 4.25 of the Shire of Broome Town Planning Scheme (TPS4) describes the requirements for the approval of a Development Plan. This includes requirements for advertising. The revised plan has been advertised for comment until 28 September 2007 and no submissions were received.

Once adopted, the Development Plan must be referred to the Western Australian Planning Commission for approval.



**COMMENT**

The proposal has been advertised and no submissions were received. As no submissions have been received it is recommended that the Development Plan be adopted.

**CONSULTATION**

The proposal was advertised in accordance with the Town Planning Scheme.

**STATUTORY ENVIRONMENT**

Planning and Development Act 2005  
Town Planning Scheme No.4

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS****1. Place**

Engage with the community 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 adopts the revised Januburu Development Plan dated 25 July 2007.*

**COUNCIL RESOLUTION**

**Moved: Cr C M Maher**

**Seconded: Cr S E Eaton**

***That the Report Recommendation be adopted.***

**CARRIED UNANIMOUSLY**

[Attachments: 2 pages](#)

**Moved: Cr V L Wevers****Seconded: Cr E R M Foy*****That Standing Orders be suspended at 5.35pm.*****CARRIED UNANIMOUSLY****Moved: Cr C M Maher****Seconded: Cr P D Matsumoto*****That Standing Orders be reinstated at 5.42pm.*****CARRIED UNANIMOUSLY****Moved: Cr V L Wevers****Seconded: Cr E R M Foy**

***Due to the receipt and tabling of confidential legal advice, and in accordance with Clause 3.2 of the Shire of Broome Standing Orders, item 9.3.2 Application for Planning Approval – Extension on the Non Conforming Use of Airport – Hanger For Light Aircraft, and Item 9.3.3 Application for Planning Approval – Use Not Listed – Temporary Workers Accommodation – 3 x 20 Persons, were relocated to the end of the Agenda.***

**CARRIED UNANIMOUSLY**

### **9.3.2 APPLICATION FOR PLANNING APPROVAL – EXTENSION OF THE NON CONFORMING USE OF AIRPORT – HANGER FOR LIGHT AIRCRAFT**

**LOCATION/ ADDRESS:** Lot 1653 Broome Road, Broome.  
**APPLICANT:** Pearl Cost Properties Pty Ltd  
**FILE:** FRE-1/LT 1653  
**AUTHOR:** Manager Planning Services  
**CONTRIBUTOR/S:** Nil  
**RESPONSIBLE OFFICER:** Director Development Services  
**DISCLOSURE OF ANY INTEREST:** Nil  
**DATE OF REPORT:** 3 October 2007

**SUMMARY:** An application for planning approval has been received for an additional hanger for light aircraft. This report recommends approval.

### **9.3.3 APPLICATION FOR PLANNING APPROVAL – USE NOT LISTED – TEMPORARY WORKERS ACCOMMODATION - 3X20 PERSONS**

**LOCATION/ ADDRESS:** Lot 1653 Broome Road, Broome.  
**APPLICANT:** Pearl Cost Properties Pty Ltd  
**FILE:** FRE-1/LT 1653  
**AUTHOR:** Manager Planning Services  
**CONTRIBUTOR/S:** Nil  
**RESPONSIBLE OFFICER:** Director Development Services  
**DISCLOSURE OF ANY INTEREST:** Nil  
**DATE OF REPORT:** 11 October 2007

**SUMMARY:** An application for planning approval has been received for three (3) temporary workers accommodation facilities – each to accommodate twenty (20) residents. This report recommends approval.

### 9.3.4 APPLICATION FOR VARIATION TO AN EXISTING PLANNING APPROVAL – INDUSTRIAL FACTORY UNIT

**LOCATION/ ADDRESS:** Lot No 21 (15) Blackman Street, Broome.  
**APPLICANT:** Northwest Shedmasters  
**FILE:** BLA-1/15  
**AUTHOR:** Manager Planning Services  
**CONTRIBUTOR/S:** Nil  
**RESPONSIBLE OFFICER:** Director Development Services  
**DISCLOSURE OF ANY INTEREST:** Nil  
**DATE OF REPORT:** 28 September 2007

**SUMMARY:** A planning approval for the industrial factory unit was issued 10 June 2003. The building has been constructed with a variation to the verandah that extends the structure further into the prescribed building setback area.

This report recommends Council exercise its discretion and approves the variation.

## BACKGROUND

### Previous Considerations

OCM 10 June 2003 – Item 9.2.18

### *Site and Surrounds*

The industrial factory units have been constructed and all work done according to approved plans except for an extension to the veranda.

### *Description of the Proposal*

This property was formerly known as (proposed Lot B) Lot 958 (No 11) Blackman Street.

Four light industrial workshops have been constructed. The vehicle cross over, sealed car parking and manoeuvring area have been completed.

A built strata application has been received at which stage Council officers established the verandah along the western face of the workshop/retail shop is a variation to the original approval.

### *Planning Provisions*

The land is zoned 'Light & Service Industry' under Town Planning Scheme No 4 (TSP4).

Within this zone the setback for all development from the 'primary street' is 9 metres. There is also a standard requirement for landscaping to be established within a 3 metre front setback to lessen the visual impact of industrial buildings on the streetscape.

In the original approval issued 10 June 2003 Council exercised its discretion to vary the front, side and rear setback on the basis that these were minor variations and would have no impact on the surrounding area.

The front setback originally approved was for 5.407 metres to the northwest corner of the building area and 9 metres to the southwest corner of the building – this equated to a 7.2 metre average setback.

This application calls up TSP4 Clause 5.4 'Variations to Site and Development Requirements' and Clause 8.4 'Unauthorised Existing Developments':

*Cl 5.4 states (in summary) – if a development does not comply with a standard or scheme provision Council may approve the application unconditionally or conditionally.*

*Cl 8.4 states (in summary) – Council may approve a development that has already commenced or constructed.*

## **COMMENT**

The verandah extension now constructed reduces the front setback to 3.1 metres to the northwest corner of the building and 6 metres to the southwest corner – this equates to a 4.6 metre average setback.

Landscaping can still be established in the remaining setback area, in accordance with TSP4.

Council has two options in this instance, require the verandah to be removed or exercise its discretion under TSP4 Clause 5.4 and TSP4 Clause 8.4 to reduce the setback and approve the development as constructed.

It is recommended that Council exercise its discretion and approve the verandah extension.

## **CONSULTATION**

Nil

## **STATUTORY ENVIRONMENT**

Planning and Development Act 2005  
Shire of Broome 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.

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**VOTING REQUIREMENTS**

Simple Majority

**REPORT RECOMMENDATION**

*That Council exercises its discretion under the Shire of Broome Town Planning Scheme No 4 Clause 5.4 and Clause 8.4 and approve the planning approval variation 2007/196 for a verandah extension on Lot No 21 (15) Blackman Street, Broome, subject to the following conditions:*

- 1. Development must be carried out in accordance with the plans stamped received and dated 26 July 2007 submitted with the application as approved by the Shire.*
- 2. Any additional development, which is not in accordance with the original application or conditions of approval, as outlined above will require further approval of the Shire.*

**COUNCIL RESOLUTION****Moved: Cr V L Wevers****Seconded: Cr C M Maher*****That the Report Recommendation be adopted with an additional Point 3 as follows:***

- 3. To investigate whether an additional fee would be appropriate in this instance and apply the fee should this be the case.***

**FOR: 6**  
**AGAINST: 1**

**CARRIED**[Attachment: 2 pages](#)

**9.3.5 DEVELOPMENT WITHOUT APPROVAL - LOT 20 YAMASHITA STREET, BROOME**

**LOCATION/ ADDRESS:** Lot 20, Yamashita Street, Broome  
**APPLICANT:** Nil  
**FILE:** Yam – 1/ Lt 20 & 21  
**AUTHOR:** Andy White  
**CONTRIBUTOR/S:** Nil  
**RESPONSIBLE OFFICER:** Director Development Services  
**DISCLOSURE OF ANY INTEREST:** Nil  
**DATE OF REPORT:** 5 October 2007

**SUMMARY:** The owners/occupiers of Lot 20, Yamashita Street, Broome have carried out development without planning approval.

This report recommends Council extends the time for this to be rectified.

**BACKGROUND**Previous Considerations

Nil

Site and Surrounds

Lot 20, Yamashita Street, is situated at Twelve Mile approximately 20km north east of Broome on the Broome Road. The property has an area of 1.9 hectares.

The site is covered in remnant bushland except for one area that has been cleared and covered in road fill. Amongst the bush are 3 containers, 1 tent, 3 caravans, 1 bus, 2 derelict caravans, a long drop toilet, a temporary ablution block, frame for a shed, and a large amount of scrap metal. There is also considerable range of machinery stored on site this includes a genset, loader, truck tray, fuel drums, drill pipes and large bags of drilling compound. A garden has been created near one of the caravans.

The adjoining land uses include cultivated mango orchards, herb gardens, a restaurant and residences.

Complaints

Three formal complaints were lodged from 27 July 2007 onwards, requesting the Shire address the following issues:

- Industrial activities being undertaken on the lot.
- The storage of a number of large bags of drilling compound, 200 litre drums of oil and fuels, a number of shipping containers, a large quantity of machinery parts, a huge drilling rig, a pay loader, a truck, a large genset and numerous items of industrial equipment.
- Degreasing and cleaning of plant and equipment with high-pressure water unit.
- Operating a large genset from 7.00am and throughout the day.
- Spillage under the drilling rig of heavy oil from the differential onto the ground.
- Industrial spray-painting overspray blowing over neighbouring organic vegetables and chook house.

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- Oil in air suspension from a compressor blowing over adjoining properties and the subsequent scrub fire concerns.

A search of Shire records established that no planning approval had been applied for or granted for any use of the site.

An inspection was conducted on 31 July 2007. When initial entry was refused Shire Officers then obtained a warrant, entered the property and established:

- A bus and caravans were being used to reside on the lot.
- A tank stand, an ablution block and the frame of a shed had been erected.
- Three shipping containers were located on the site.
- Land had been cleared and road base installed to form a pad to work on vehicles
- A large portion of the cleared area was being used for the storage, cleaning down and repair of trucks, a drilling rig and various other pieces of machinery.

Officers were advised the drilling rig was being cleaned and prepared for use offshore in the mining industry. The environmental standards required that there be no plant or soil residue in or on the rig.

On 1 August 2007 Shire Officers returned to the lot and served a direction on the occupier and operator to immediately stop and not re-commence the development and within 65 days of the service of the direction remove the development and restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the Shire.

Shire Officers met with the owners of the land that day and discussed the situation with them. At this meeting the Officers served a direction on the owners to immediately stop and not re-commence the development and within 65 days of the service of the direction remove the development and to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the Shire.

The further inspection was undertaken on 3 August 2007 as another complaint had been received that the illegal uses were continuing. The inspection established that vehicles were being prepared for removal.

A third inspection was conducted on 4 October 2007, 65 days from the issuing of the direction. From that inspection it was evident:

- The drilling rig and two trucks had been removed from the property
- There was no cleaning down or repairing of machinery/drilling rigs taking place
- The bus and caravan at the centre of the lot were still being used to reside in
- The two caravans at the centre of the lot were no longer being used to reside in
- The three shipping containers were still located on the site
- The cleared land had not been reinstated to its original condition and the road base pad was still in place
- Various other pieces of machinery were still being stored in the cleared portion of the site.

#### *Submissions by the Occupier*

The occupier of the land wrote to the Shire on 12 September 2007 asking Council to use its discretionary powers and approve the unauthorised development and states "The property has since been leased to Kimberley Water, a company that has provided

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agricultural and horticultural water bores for the majority of the properties at 12 Mile, and continues to add and repair bores in the area, and consequently requires a base in the vicinity.

One company employee also resides on the property with his wife and son who have a substantial market garden that is being further expanded".

A solution the occupier proposed is that the, "owner and lessee are more than willing to plant trees along the road verge, build a suitable shed (painted green) to store the bore pipes etc, and through consultation with the Shire comply with any reasonable requests.

We would appreciate your earliest consideration in this matter as we have received notice to vacate the property by the 4<sup>th</sup> October, and as you would know alternative land in Broome is extremely difficult to find.

The occupier is currently away drilling and will not return to Broome until 28 September so we ask that you grant an extension on your Notice to Vacate and deal with the matter urgently".

#### *Submissions by the Owners*

The owners responded in writing to the direction served on 1 August. Their letter of 14 August sincerely apologised for the breach and advised letters of eviction have been sent to the people residing on or using the property. They indicated that they intended to submit a planning application and sought Council's forbearance on their attempt to comply with the Council's requirements.

In a subsequent letter dated 5 October 2007 the owners advised that

- Eviction notices have been served on the tenants
- Steps were being taken to remove approximately 30 tons of scrap metal before the cyclone season.
- The empty caravans would also be removed but this would take about 6 months.
- A building application for the shed and ablution block will be made shortly.

The owners also requested an extension of six months to comply with the directions notice.

#### **COMMENT**

No approvals have been issued for any uses on Lot 20 Yamashita Street.

The occupier of Lot 20 Yamashita Street requested in his submission that Council use its discretionary powers in this matter. Council does not have any discretionary powers to permit such industrial development in the Rural Agricultural Zone

A planning application has been lodged on 15 August 2007 that includes a:

- Tank stand
- Ablution block
- Shed
- Use of two shipping containers to temporally store household goods
- Clearing of the land to now be used for agricultural purposes

The owners are aware that a building application for the structures is required.

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The directions served on 1 August 2007 have only partly been complied with, within the time frame specified. The trucks, drilling rig and some of the equipment have been removed. The removal of the remaining equipment and the road base has not occurred.

The owner has issued eviction notices to the occupiers. This is not a Shire matter but Officers are working to ensure the integrity of the Rural Agriculture Zone is maintained and at the same time ensure occupiers of the caravans are able to find an alternative location.

The Council now has the option of:

1. In accordance with section 214(7)(b) of the Planning and Development Act 2005 extending the timeframe for the owner and/or occupier to comply with the direction.
2. Prosecuting the breach of the direction that has not been complied with.
3. Prosecuting the breach of clause 8.1 of TPS4 (i.e.: commencing /carrying out development without Council approval).
4. Prosecuting both breaches.

Adjoining landowners who are pursuing agricultural activities claim to have been detrimentally affected.

The occupier and owners have been provided with adequate time to respond – during which time some attempt has been to clear the site but there is still a number of outstanding matters.

The owner has indicated that they intend to comply with all of the requirements necessary to resolve these matters and has requested that more time be granted for the direction to be satisfied. In this instance it is considered 3 months is appropriate.

It is recommended that Council grant an extension in time of 3 months for the owner to comply with its direction dated 1 August 2007.

## **CONSULTATION**

Nil

## **STATUTORY ENVIRONMENT**

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

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS****1. 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 grants an extension in time of 3 months for the owner to comply with a direction dated 1 August 2007.*

**COUNCIL RESOLUTION****ALTERNATE MOTION**

**Moved: Cr R J Lander**

**Seconded: Cr C M Maher**

***That Council grants an extension of 1 month (for completion by 30 November 2007) for the owner and occupier of Lot 20 Yamashita Street Broome to comply with the direction dated 1 August 2007 and any equipment that has been removed from the site does not return to the site.***

***Any equipment that returns to Broome is stored at an alternative approved site and any cleaning of the equipment is carried out at an appropriate industrial wash-down facility.***

**CARRIED UNANIMOUSLY**

***Reason: The high level of community concern and the impact on the environment.***

[Attachment: 1 page](#)

### 9.3.6 MINISTERIAL ADVICE - TEMPORARY ACCOMMODATION FOR PERIODS LONGER THAN THREE MONTHS

**LOCATION/ ADDRESS:** Various  
**APPLICANT:** N/A  
**FILE:** ACT11  
**AUTHOR:** Manager Health Services  
**CONTRIBUTOR/S:** N/A  
**RESPONSIBLE OFFICER:** Director Development Services  
**DISCLOSURE OF ANY INTEREST:** N/A  
**DATE OF REPORT:** 11 September 2007

**SUMMARY:** A report recommending that Council adopts the approach advised by the Minister and implements a streamlined approach for applications for temporary accommodation for periods longer than three months.

## BACKGROUND

### Previous Considerations

OCM 15 February 2007 - Item 9.3.10

This item was considered by Council at the OCM 15 February 2007 (and unable to be debated at the previous OCM due to the lack of a quorum). At this meeting it was resolved that Council approaches the Minister for Local Government to explore the possibility of the Minister exercising discretion under the *Caravan and Camping Grounds Act 1995* to vary certain provisions of the *Caravan and Camping Grounds Regulations 1997* to allow the Shire to permit occupation of a caravan for up to 12 months and to approve applications for the use of more than one caravan on properties in the industrial and light and service industrial zones for the purpose of accommodation for persons employed in Broome.

## COMMENT

A response has been received from the Minister for Local Government. The Minister has authorised the Department of Local Government and Regional Development to develop a streamlined process to facilitate requests for such approvals.

As part of this process, it is necessary for the Shire of Broome to provide, at regular intervals, a schedule of sites for which approvals for temporary accommodation are requested, avoiding the need to process individual applications in each instance. The schedule would include the following details:

- The names of the occupants of the caravan;
- The land on which they intend to camp;
- The duration of the period of occupation; and
- Letters of authority from the relevant land owners.

Approval for such accommodation will be conditional on sufficient measures being taken to ensure safety of the intended occupants in the event of cyclonic activity through the imposition of conditions equivalent to those required for licensed facilities by the *Caravan Parks and Camping Grounds Regulations 1997* on caravans located outside such facilities.

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These conditions will have to be monitored as required by the Regulations for licensed facilities.

As part of the proposed streamlined application process, the Shire is expected to provide advice in each instance confirming that the following criteria have been met to the satisfaction of the Shire:

- Provision of toilet and ablution facilities to the satisfaction of the Shire;
- Accommodation to be in the form of a caravan only;
- All caravans to be licensed for normal transport on public roads;
- A register to be kept of the occupants of all caravans;
- All caravans to be provided only for people employed in Broome;
- All caravans to satisfy cyclone safety standards equivalent to those required for caravans licensed facilities by clause 48 of Schedule 7 of the *Caravan Parks and Camping Grounds Regulations 1997*, and to be enforced by the Shire to the same extent required by those regulations; and
- All sites to be monitored by the Shire on a six monthly basis to ensure compliance with these conditions.

## **CONSULTATION**

Nil

## **STATUTORY ENVIRONMENT**

Caravan Parks and Camping Grounds Act 1995

Caravan Parks and Camping Grounds Regulations 1997

## **POLICY IMPLICATIONS**

4.2.7 Approval for camping outside a caravan park for up to three months.

4.2.7 Approval for camping outside a caravan park periods in excess of three months.

The Shire also has a policy 4.2.7 to enable staff to respond to Ministerial enquiries regarding applications to the Minister from persons wishing to stay on a premise for longer than three months.

The Policy provides that Council will not support applications to the Minister to reside in caravan or camps for a period in excess of three months from private persons, companies or businesses and will consider all other applications on their merit. This policy will have to be reviewed to reflect the current circumstances.

## **FINANCIAL IMPLICATIONS**

Nil

## **STRATEGIC IMPLICATIONS**

### **People**

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

**Place**

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

*That Council:*

1. *Adopts the approach advised by the Minister and implements a streamlined approach for applications for temporary accommodation for periods longer than three months;*
2. *Thanks the Minister for supporting the Shire in this response to the housing and accommodation situation in Broome*

**COUNCIL RESOLUTION**

**Moved: Cr S E Eaton**

**Seconded: Cr C M Maher**

***That the Report Recommendation be adopted.***

**CARRIED UNANIMOUSLY**

## 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 September 2007 as attached, covering Municipal Cheque Vouchers 46326-46582 totalling \$635,669.53 and EFT Vouchers 3774-3867 totalling \$1,431,445.65 and Trust Cheque Vouchers 2791-2812 totalling \$11,943.51 be passed for payment.

**COUNCIL RESOLUTION**

**Moved: Cr V L Wevers**

**Seconded: Cr P D Matsumoto**

***That the Report Recommendation be adopted.***

**CARRIED UNANIMOUSLY**

[Attachments: 11 pages](#)

**9.4.2 SUNDRY DEBTOR WRITE OFFS**

**LOCATION/ ADDRESS:** N/A  
**APPLICANT:** N/A  
**FILE:** ADM12  
**AUTHOR:** Creditor Officer  
**CONTRIBUTOR/S:** Manager Finance Services  
**RESPONSIBLE OFFICER:** Director Corporate Services  
**DISCLOSURE OF ANY INTEREST:** Nil  
**DATE OF REPORT:** 21 September 2007

**SUMMARY:** Recommendation for the write off of various Sundry Debts deemed to be uncollectible to the value of \$1679.98.

**BACKGROUND**

Administrative procedures of collecting debts include the issuing of invoices, statements, final reminders and letters of intention to summons. It is important that aged debts are continually monitored and cleared if collection becomes doubtful, as this will maintain the integrity of Sundry Debtors as a current asset convertible to cash, when all processes of follow up have been exhausted, a business decision is formed for whether it becomes uneconomical to continue with collection activities.

**COMMENT**

The following Debtors have been listed for consideration for write off, given varying circumstances where staff investigation has concluded that the chance of successful recovery of debts within a cost effective environment is remote.

1. Andralind Pty Ltd - \$488.50 – Rental of Town Beach Kiosk 01/09/05 – 10/09/05. There was a dispute regarding the payment of the rent. We have had no success in following up the outstanding debt and have been unable to contact the owners as they have left town and no new contact details are known. Following advice from Manager of Administration Services recommend the outstanding amount be written off.
2. Kimberley Demolition - \$1047.98 – Tip Fees for December 2004 & January 2005 (totalling \$760.00) and Legal Fees from Dun & Bradstreet (\$287.98). Debt was placed for collection with Dun & Bradstreet. Summons was served on 19/03/06. Dun & Bradstreet have lodged a judgement application but have advised that it is unlikely that the debt will be recovered. Recommend that the outstanding amount be written off.
3. Tom's Quality Carpentry - \$21.00 – Tip Fees for March 2006. Intention to summons letter has been sent. There has been no response and we have been unable to contact. Recommend that the outstanding amount is written off.
4. NDC - \$42.00 – Tip Fees for August 2006. All mail has been returned. We have been unable to locate the business as the full name was not recorded on the tip docket. Recommend that the outstanding amount is written off.



5. Jaxon Construction Pty Ltd - \$80.50 – Tip Fees for July 2007. Tip docket does not show a vehicle registration number or drivers name and the signature is unknown by debtor. As we are unable to verify that the charge should be made to the debtor we recommend that the outstanding amount is written off.

## **CONSULTATION**

Nil

## **STATUTORY ENVIRONMENT**

Local Government Act 1995, Section 6.12

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Schedule of write off total \$1679.98.

## **STRATEGIC IMPLICATIONS**

Nil

## **VOTING REQUIREMENTS**

Absolute Majority

REPORT RECOMMENDATION

That Council writes off the following debts as uncollectible:

- |    |                            |           |
|----|----------------------------|-----------|
| 1. | Andralind Pty Ltd          | \$488.50  |
| 2. | Kimberley Demolition       | \$1047.98 |
| 3. | Tom's Quality Carpentry    | \$21.00   |
| 4. | NDC                        | \$42.00   |
| 5. | Jaxon Construction Pty Ltd | \$80.50   |

COUNCIL RESOLUTION

Moved: Cr C M Maher

Seconded: Cr S E Eaton

That the Report Recommendation be adopted.

FOR: 6  
AGAINST: 1

CARRIED

**9.4.3 HEALTH AMENDMENT LOCAL LAW 2007**

**LOCATION/ ADDRESS:** N/A  
**APPLICANT:** N/A  
**FILE:** BYL.04  
**AUTHOR:** Manager Administration Services  
**CONTRIBUTOR/S:** Manager Health Services  
**RESPONSIBLE OFFICER:** Director Corporate Services  
**DISCLOSURE OF ANY INTEREST:** N/A  
**DATE OF REPORT:** 2 October 2007

**SUMMARY:** To advise Council of corrections requested to the Health Local Law 2006 and to seek Council's endorsement to commence this process.

**BACKGROUND**Previous Considerations

OCM 21 December 2006 – Item 9.3.16

At the Ordinary Meeting of Council held 21 December 2006, Council resolved:

*"That Council endorses the proposed Shire of Broome Health Local Law 2006 and proceeds to create this Local Law as attached."*

The new Shire of Broome Health Local Law 2006, was subsequently published in the Government Gazette on 20 March 2007, effective immediately.

**COMMENT**

Correspondence was received in June 2007 from Joint Standing committee on Delegated Legislation advising of the following:

*"Clause 6.7.1*

*Clause 6.7.1 defines the term "bees" however it does not define "bee hive". Clause 6.7.2(2) refers to "approved bee hives" and provides that an Environmental Officer may direct that any bees or approved bee hives be removed if, in his or her opinion, they are causing a nuisance.*

*The Committee requests that a definition of "bee hive" be inserted into the local law for the sake of clarity.*

*Clause 7.1.2(4)*

*The Committee considers that clause 7.1.2(4) is an 'ouster clause'. The Committee's view is that the Health Act 1911 does not authorise or contemplate the making of a local law that abrogates the fundamental right to sue a local authority for a cause of action recognised by the common law or statute.*

*In November 2003 and under s343B of the Health Act 1911, the Health Department gave an undertaking to make a 'global' amendment to ouster clauses in local*

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laws. The amendment was to insert after the words "...taken by the local government" the words "except to the extent the person has suffered loss or damaged because the action by the local government was negligent or in breach of its duty."

This ouster clause has not been drafted in accordance with that undertaking. The Committee is aware however, that as at 25 May 2007 drafting instructions to amend this clause re with Parliamentary Council's Office.

In any event, the Committee requests that clause 7.1.2(4) be amended as set out above.

Clause 6.1.5(3), 6.2.3(3) and 7.1.9(3)

These three ouster clauses contain the global amendment referred to above and agreed to by the Health Department. However, the word "unreasonable" has also been included in the qualification. In the Committee's opinion this is a restriction on the rights that would otherwise exist and should be deleted from these clauses."

As the Shire of Broome Health Local Law was produced in conjunction with the Department of Health, Shire staff were contacted by the Department of Health to resolve the issues associated with the 'ouster clauses' 7.1.2(4), 6.1.5(3), 6.2.3(3) and 7.1.9(3).

In consultation with Shire of Broome staff and numerous other local governments, global amendments to Health Local Laws were gazetted on 7 September 2007, with changes coming into effect immediately.

This leaves the only outstanding requirement of the Joint Standing Committee to insert a definition for "bee hive".

Clauses 6.1.5(3), 6.2.3(3) and 7.1.9(3) have been amended to read:

*"The local government is not liable to pay compensation or damages of any kind to the person referred to in subsection (1) in relation to any action taken by the local government under this section, other than compensation or damages for loss or damage suffered because the local government acted negligently or in breach of duty."*

Clause 7.1.2(4) has been amended to read:

*"The local government is not liable to pay compensation or damages of any kind to the owner or occupier of premises in relation to any action taken by the local government or any of its staff under this section, other than compensation or damages for loss or damage suffered because the local government or any of its staff acted negligently or in breach of duty."*

As such, it is suggested that the following definition of "bee-hive" be included in the document:

*"Bee hive means a moveable or fixture structure, container or object in which a colony of bees is kept."*

In order to amend an existing local law, the Shire of Broome is required to make a new amending local law. A copy of the Amendment Local Law is attached.

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The purpose of creating the amendment local law is to include an additional definition in order to provide additional clarity to the local law.

The effect of the amendment to the local law will be to provide a clear and precise local law relating the Health matters within the Shire of Broome.

## **CONSULTATION**

In accordance with Section 3.2(iii) of the Local Government Act 1995, the proposal to amend the Shire of Broome Health Local Law will need to be advertised to the community and submissions will be received for a six week period.

## **STATUTORY ENVIRONMENT**

Local Government Act 1995

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Nil

## **STRATEGIC IMPLICATIONS**

### **1. Prosperity**

Build the Shire's organisational capacity to service the needs of a growing community.

## **VOTING REQUIREMENTS**

Absolute Majority

**REPORT RECOMMENDATION**

1. That the Shire of Broome notes the amendments made by the Health Department of Western Australia to the Shire of Broome Health Local Laws 2006.
2. That Council endorses the proposal to amend the Shire of Broome Health Local Laws 2007 by inserting at clause 1.3 the following:  
  
"bee hive" means a moveable or fixed structure, container or object in which a colony of bees is kept."

**COUNCIL RESOLUTION****Moved: Cr C M Maher****Seconded: Cr P D Matsumoto*****That the Report Recommendation be adopted.*****CARRIED UNANIMOUSLY**[Attachment: 1 page](#)

**9.5**

**ENGINEERING**

**SERVICES**



**OUTCOME**

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

***With regard to Item 9.5.1 Cr P D Matsumoto and Cr E R M Foy disclosed that "I have had an association with Native Title. 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 CABLE BEACH FORESHORE – MASTER PLANNING**

<b>LOCATION/ ADDRESS:</b>	Cable Beach Foreshore
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	ENG19.01
<b>AUTHOR:</b>	Manager Operations
<b>CONTRIBUTOR/S:</b>	Director of Planning; Director of Corporate Services; Manager Finance
<b>RESPONSIBLE OFFICER:</b>	Director of Engineering
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	2 October 2007

**SUMMARY:** Council expends significant funds each year at Cable Beach Foreshore and surrounds without the benefit of a Plan to guide the work. This places huge responsibility on Staff who are concerned that funds are expended in line with Council's long-term vision. To correct this, a Master Planning exercise is required over Cable Beach and the surrounds to create the Vision and to produce a Style Guide and Landscape Concept Plan to guide future development.

## **BACKGROUND**

### Previous Considerations

Cable beach is one of Broome's most iconic features. It has evolved over time on the basis of ad hoc funding and development decisions. Council budgets significant funds annually for minor capital improvement works to the area.

Council has adopted the Cable Beach Development Plan, a Town Planning Document, and has received the Millington Road Proposed Development Plan.

Some care will need to be exercised to ensure that these plans fit seamlessly into the Cable Beach Foreshore area.

## **COMMENT**

It is proposed to have a planning exercise undertaken to develop a master plan to guide future development on the Cable Beach Foreshore area over say the next 10-15 years, and to prepare a Style Guide and a Landscaping Concept Plan for use by Council staff in their annual capital works program.

The area is bounded by the Surf Club and associated car park to the south, Cable Beach Road to the east and the amphitheatre area to the north.

## **Background**

Discussions with Operational staff regarding the 07/08 Parks & Gardens capital works program for the Cable Beach area has lead to a realisation that there is insufficient

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guidance to confidently implement the program each year in a consistent structured way.

Each year work is performed on the Cable Beach Foreshore area without the benefit of an overall plan or "big picture". The work is therefore completed on an ad hoc basis. This is of concern to staff who strive to ensure Council funds are properly spent in line with Council's long term vision.

They have correctly identified unrealised potential with:-

- Low usage areas;
- Incorrectly located facilities;
- Inappropriate trees and vegetation;
- Erosion issues;
- Wasted space;
- Public risk liabilities;
- Unused car parking space;
- Difficult to maintain areas.

With continuing rapid development in adjacent resort and urban areas and increasing public usage of the foreshore at Cable Beach, it is timely to ensure that the most appropriate works are being implemented in a coordinated fashion, supplying outcomes that the whole community can be proud of and that safely work for all stakeholders concerned.

This can be achieved by bringing together all considerations into a single Master Plan document and by providing a Style Guide and Concept Landscaping Concept Plan for the area. This will enable consistent dimensions, materials, layout, products, locations and vegetation selection for all infrastructure assets under consideration for future construction & installation. The style guide could also be used to inform future planning work in other areas and across the Shire.

### **Master Planning Considerations**

The master plan should identify;

- General
  - Background
  - Consultation
  - Commitments
  - Planning Time Horizon
- Context Analysis
  - Coastal Landforms
  - History of Use
  - Land Tenure & Boundaries
  - Summary of Values
  - Population growth
  - Visitor Growth
  - Foreshore Stability
  - Climate Change
  - Drainage
  - Existing management arrangements
  - Foreshore Leases/commercial contracts
  - Adjoining Land Use

- o Views from key stakeholders
  - Community Groups
  - Business
  - Tourist operators
  - Rubibi/Minyirr consultation
  - Aboriginal Heritage
- o Opportunities
- o Risks
- o Key Management Issues
- Strategic Directions
  - o Vision Statement
  - o Management Principles
  - o Linkages to adjacent areas
  - o Clear determination of area use eg. venue hire, family picnic section, playground, beach/sunset viewing, amphitheatre, beach access etc.
  - o Elimination of unused space, as some areas are not used or are under utilized eg parking/drainage basin area
  - o Public artwork
  - o Public Safety
  - o Separation of movement types (Peds/cars)
  - o Priorities for further development
  - o Stages of development over the planning time frame
- Action Plan
- Implementation
  - o Resourcing
  - o Funding
  - o Legal
  - o Implementation mechanisms
  - o Coordination with State Government

The Style Guide and Landscaping Concept Plan will complement the Master Plan.

### **Style Guide and Landscaping Concept Plan**

A Style Guide should be developed which identifies a suite of features, materials, street/park furniture, colours, symbols and motifs, which should be incorporated into the Cable Beach Foreshore area and define the Cable Beach area as a distinctive area within the over-all Broome context. The Style Guide will include a Landscaping Concept Plan for the Cable Beach Foreshore. The Style Guide and Landscaping Concept Plan will include consideration and guidance on:-

- Lighting
- Playgrounds adequacy and location
- Shelters/gazebos
- Seats/tables
- BBQ's
- Fencing/railing/barriers
- Showers/taps/drinking fountains
- Water Features
- Public Art/Sculptures
- Shade structures and plantings
- Signage
- Bike racks
- Landscape specs

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- Use of Amphitheatre
- Optimum use of space
- Creation of and use of vistas
- Retaining walls
- Turfed areas
- Brick paving for paths & areas associated with BBQ's, furniture etc.
- Public Toilets
- Car parking
- Drainage
- Beach access
- Disability access
- Inter-modal transport issues
- Compatibility between uses
- Specie selection for all plantings
- Dunal Erosion Protection

## **Other**

With consistent development occurring in the adjacent urban and tourist accommodation/resort areas, there is the need and opportunity to integrate that development style with the Cable Beach area. These areas need to naturally lead to the Cable Beach Foreshore area, which should be attractive and welcoming yet complementary to these resort areas.

At the same time the look and feel of the Cable Beach Foreshore area should be clearly identifiable as distinctive and iconic.

Expressions of Interest from suitably qualified urban planning and design firms are proposed to be called to develop a Master Plan, Style Guide and Landscape Concept Plan over the Cable Beach Foreshore area for a selected time horizon.

The completed planning will empower Council staff to achieve an improved outcome for the area with annual capital works expenditure, maximise the areas utilization and supply a facility in line with Council and community desires and expectations.

If Council agrees to go ahead with this proposal, a detailed brief and invitation will be prepared and sent to three (3) suitable consultants to price.

## **CONSULTATION**

N/A

## **STATUTORY ENVIRONMENT**

Local Government Act 1995

## **POLICY IMPLICATIONS**

N/A

## **FINANCIAL IMPLICATIONS**

Council has budgeted \$154,454 for various renewal capital works in 07/08 on the Cable Beach Foreshore area. This is broken up as follows:-

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- Replace Play Unit \$35,000
- Replace BBQ \$10,000
- Replace Rock Wall \$40,000
- Replace Solar Lights with power lights \$60,000
- Replace Tables \$2,000
- Surf Club Ramp Stage 1. \$6,000

This quantum varies from year to year.

The notional cost of a commission to cover the master planning proposed is estimated to total around \$120,000 and can be broken down roughly as follows:-

- Master Plan - around \$ 30,000;
- Stakeholder consultation - around \$ 20,000;
- Style Guide and Landscaping Concept Plan \$60,000;
- Survey base plan (council) \$5000
- Contingency \$5000.

The deferment of the capital works means there will be fewer funds available against which to charge Parks staff time, but additional unbudgeted funding for work at BRACS is expected to compensate for this.

## **STRATEGIC IMPLICATIONS**

### **1. People**

Actively contribute to well-being and safety.

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

### **2. Place**

Ensure that the Shire's Infrastructure and Assets are strategically planned and managed.

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

### **3. Prosperity**

Support businesses and economic development.

## **VOTING REQUIREMENTS**

Absolute Majority

**REPORT RECOMMENDATION**

*That in relation to the on-going development of the Cable Beach Foreshore Area, that Council:-*

- 1. Defers expenditure on capital works for the 07/08 Financial Year; and*
- 2. Re-allocates that funding to the development of a Master Plan, Style Guide and Landscaping Concept Plan, to be used to guide future capital expenditure.*

**COUNCIL RESOLUTION**

**Moved: Cr V L Wevers**

**Seconded: Cr C M Maher**

***That the Report Recommendation be adopted.***

**CARRIED UNANIMOUSLY**

**9.5.2 McGUIGAN ROAD CONSTRUCTION - FUNDING**

**LOCATION/ ADDRESS:** McGuigan Road  
**APPLICANT:** N/A  
**FILE:** ENG19.01  
**AUTHOR:** Manager of Assets and Design  
**CONTRIBUTOR/S:**  
**RESPONSIBLE OFFICER:** Director of Engineering  
**DISCLOSURE OF ANY INTEREST:** Nil  
**DATE OF REPORT:** 2 October 2007

**SUMMARY:** Planned construction and sealing of a section of McGuigan Road has been completed with a cost over-run over budget of \$84,000 being experienced. This report identifies and recommends a funding source for the additional funds required.

**BACKGROUND**Previous Considerations

Council Budgeted to construct a section of McGuigan Rd from SLK 0.00 to SLK 1.6km. Funds available were:-

- R2R 2006/07 \$120,000
- SoB 2006/07 \$120,000
- R2R 2007/08 \$120,000
- RRG 2007/08 \$ 56,336
- SoB 2007/08 \$ 51,664

Total Funds available: \$468,000.

**COMMENT**

The McGuigan Road Construction project was constructed across the 06/07 and 07/08 financial years and covered the section from SLK 0.00km to SLK 1.60km.

Project Total Cost = \$551,972.

Therefore the kilometre rate for construction of the road was \$344,982/km, which can now be used as the basis for a reasonably accurate estimate (if extraordinary EBA increases are added and it is indexed at CPI) for the remainder of McGuigan road construction funding.

The road project was a total of 1.6km of full construction including earthworks, subgrade preparation, basecourse installation, bitumen prime and application of a single coat 14mm bitumen seal. The project was started at the end of 06/07 (April 07) and carried through to the start of 07/08 with the purpose of limiting mobilisation costs.

It became evident in late August 2007 that funds to finish the basecourse and seal on the last 800m were going to be short by approximately \$45,000 plus the cost of engineering overheads of approx. \$39,000 leaving the required amount to finish the project at approx. \$84,000.

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As the project was well advanced, and the basecourse was 80% complete, good engineering practice dictated that the project should continue to finalisation. It was recognised at that stage that additional funding could be sourced to cover the shortfall from uncommitted road funds reserve.

## CONSULTATION

N/A

## STATUTORY ENVIRONMENT

Local Government Act 1995

## POLICY IMPLICATIONS

N/A

## FINANCIAL IMPLICATIONS

The Shire budgeted \$468,000 for this section of road works over the 06/07 and 07/08 period.

Actual Costs were:-

- 06/07 \$240,000 (Inc O/H)
- 07/08 \$272,846 + 14.34% O/H = \$311,972

Project Total Cost = \$551,972.

This is a shortfall of \$83,972 on existing funding.

A total of \$67,537 has been identified as being available in road Reserve funds for reallocation. A summary is as follows:

Developer Road Contribution for Coghlan St	\$13,070
Subdivision Road Contribution for Kanagae St	\$ 8,427
Developer Contribution for Walcott St	\$ 4,399
Developer Contributions for Nth Cable Beach	\$ 1,623
Developer contributions Light Coghlan St	\$ 750
Funds held in reserve for Road Construction	
In the Coconut Wells are	<u>\$39,268</u>
Total	<b><u>\$67,537</u></b>

All the funds above except for Coconut Wells are contributions for roads that are already constructed. It is also felt that the Coconut Wells funds could legitimately be used to fund the sealing of McGuigan Road as this work benefits all residents of the Coconut Wells area.

It is recommended that the remaining funds of \$16,463 required for this project be sourced by deferring the Walcott Street road project to the 08/09 construction year and reallocating \$16,463 of those funds to McGuigan Rd. This suits the Walcott St project as there is other funding already identified for this project in 08/09.

The remaining length of road still to be constructed and sealed is 3.1km. Using the current historical rate/km, the construction cost at \$345,000/km would equal say \$1,100,000 in today's dollars but account also needs to be taken of the recent extraordinary increase in wages and plant hire plus allowing for 4% inflation p.a. Council's 5-year program shows the following funding amounts for 08/09 and 09/10, and the amount that will be required to complete the sealing of this section of McGuigan Rd.

Year	Funding Available	Rate/km	Length achievable	Balance to construct	Funding Required
08/09	RTR \$120,000	\$375,000	= 0.94km	3.10km	
	RRG \$233,330				
	= \$353,000				
09/10	RTR \$120,000	\$390,000	= 0.91km	2.16km	
	RRG \$233,330				
	= \$353,000				
10/11		\$405,000		1.25km	\$506,250

To be able to finish the road over the next 3 years a further RRG application for 10/11 of \$233,330 could be made with additional funding of \$273,000 also being required.

## STRATEGIC IMPLICATIONS

### People

Actively contribute to well being and safety.

### Place

Ensure that the Shire's Assets are strategically planned and managed.

### Prosperity

Support businesses and economic development.

## VOTING REQUIREMENTS

Absolute Majority



**REPORT RECOMMENDATION**

That in relation to the funding of a cost over-run totalling \$83,972 on the McGuigan Road construction project in 06/07 and 07/08, Council resolves to:

1. Re-allocate the following funds from the road reserve fund to McGuigan Road:-

Developer Road Contribution for Coghlan Street	\$13,070
Subdivision Road Contribution for Kanagae Street	\$ 8,427
Developer Contribution for Walcott Street	\$ 4,399
Developer Contributions for North Cable Beach	\$ 1,623
Developer contributions Light Coghlan Street	\$ 750
Funds held in reserve for Road Construction In the Coconut Wells area	<u>\$39,268</u>

2. Defer the Capital Road Works project for Walcott St in 07/08 to the 08/09 financial year and reallocate \$16,463 of those funds to McGuigan Road

**COUNCIL RESOLUTION**

**Moved: Cr C M Maher**

**Seconded: Cr S E Eaton**

**That the Report Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

***With regard to Item 9.5.3 Cr P D Matsumoto and Cr E R M Foy disclosed that "I have had an association with Native Title. 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".***

### **9.5.3 OLD TRAMWAY PROJECT**

<b>LOCATION/ ADDRESS:</b>	Town Beach to Chinatown
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	EDP 001
<b>AUTHOR:</b>	Director Engineering Services
<b>CONTRIBUTOR/S:</b>	
<b>RESPONSIBLE OFFICER:</b>	Director of Engineering
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	10/10/07

**SUMMARY:** Council has previously resolved to proceed with planning for this project. A draft Brief has been prepared for consideration by Council prior to it being sent out to consultants for expressions of interest, assessment of proposals and commissioning. The Brief contains a suggested membership for the steering committee and addresses the need for a business case.

## **BACKGROUND**

### Previous Considerations

At the October 2005 general Meeting of Council, a report was presented and Council resolved:

*"That Council:*

- 1. Support the concept of the old railway line project, but only subject to the availability of resources and funds to allow preliminary works and a business case to be carried out.*
- 2. Endorses the formation of a working group to investigate the feasibility of the project including funding options and that the group comprise but not be restricted to:*
  - Shire President and past Shire Presidents*
  - Director Engineering Services*
  - Two representatives from the Broome Historical Society*
  - Community Representative*
  -

### **AMENDMENT TO MOTION**

*That point 3 below be added to the motion in addition to points 1 and 2 above:*

- 3. That \$50,000 be placed in the Draft Budget in relation to this matter."*

Council has now budgeted \$60,000 towards a commission to examine the feasibility of the proposal more fully.

The old train and railway line used to run from Town Beach to Chinatown many years ago, and was used to carry goods from the original jetty at Town Beach through to the old

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railway yards near the Museum and through to Streeter's Jetty. It was a light gauge rail line and originally ran from the Museum area along Hamersley, Napier, Carnarvon and Short streets.

Considerable community interest and support is apparent in the community for the establishment of a similar railway line as a tourist attraction.

## **COMMENT**

It is proposed that the project be guided by a Steering Committee. This group should contain a variety of people that offer different areas of expertise relevant to the project. This committee will provide expertise, assistance, a sounding board for ideas in the throughout the project and accountability. It is proposed that his committee will be appointed by nomination by Council and will be a primary player in the implementation of the Railway Project.

A Draft Consultant's Brief is attached for Council's consideration. The scope of a commission would address:-

- The location and extent of the proposed railway line - confirmation;
- fitting the rail line and its node points into the Town Planning context;
- compatibility of a rail line within the Chinatown/Male Oval precinct and the future uses of Male oval;
- location of stopping locations;
- road reserve space allocations;
- future car parking and service road requirements in Hamersley St;
- road space allocations along Catalina Place;
- the jetty at Town Beach;
- need for loops or turn-around;
- housing for security and maintenance purposes;
- implementation;
- its use in a viable public transport role and a tourist attraction;
- costs of the project;
- legal requirements;

A comprehensive business plan to implement the concept of the train line as a viable, on-going tourist attraction for Broome, utilising volunteers and community groups where possible, and outside funding sources as appropriate.

I wish to acknowledge the work of Allan Ralph, the previous Director of Engineering Services, who has completed a considerable amount of work in getting the project to this stage.

## **CONSULTATION**

N/A

## **STATUTORY ENVIRONMENT**

Local Government Act 1995. All work on a local Road or Recreation Reserve.

## **POLICY IMPLICATIONS**

N/A

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

## **FINANCIAL IMPLICATIONS**

The commission will be limited to the budget allocation of \$60,000.

## **STRATEGIC IMPLICATIONS**

### **1. People**

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

### **2. Place**

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

Ensure that the Shire's Assets are strategically planned and managed.

### **3. Prosperity**

Support Businesses and Economic development.

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

## **VOTING REQUIREMENTS**

Absolute Majority

**REPORT RECOMMENDATION**

*That with respect to a proposed commission for the development of a Business case for the Old Tramway Project, Council resolves:-*

1. *To note the report and concept paper;*
2. *To endorse the draft Broome Tramway Project Brief;*
3. *To proceed with the calling of quotations from suitable experienced consultants and commissioning on the basis of the draft Brief; and*
4. *To invite the following people to a position on the Steering Committee:-*
  - *Shire President*
  - *1 BHS Representative – Clive Johnson*
  - *1 BHS Representative- Val Burton or Liz Janney*
  - *1 Community representative - Des Haynes*
  - *1 Community representative- Sos Johnson*
  - *1 Representative from Rubibi-*
  - *1 Tourism Representative – Kim Male*
  - *Director Planning*
  - *Director Engineering*

**COUNCIL RESOLUTION**

**Moved: Cr V L Wevers**

**Seconded: Cr C M Maher**

***That with respect to the development of a master plan and business case for the Old Tramway Project, Council resolves:***

1. ***To note the report and concept paper;***
2. ***To endorse the draft Project Consultant's Brief with the addition that the consultant also identify a package of private sponsorship to be included in the financial analysis for the project;***
3. ***To write a letter to the benefactor who donated \$50,000 toward the project thanking them for their generous donation and advising of progress to date;***
4. ***To invite the following people to a position on the Steering Committee:-***
  - ***Cr G T Campbell***
  - ***Cr C M Maher***
  - ***Clive Johnson***
  - ***Sandra Flannigan***
  - ***Des Haynes***
  - ***Ron (Sos) Johnson***
  - ***Kim Male***
  - ***A representative from Rubibi***
  - ***Director Development Services***
  - ***Director Engineering***

5.

*To write to Rubibi inviting them to nominate a Representative to sit on the above committee;*
6.

*To proceed with the calling of quotations from suitable experienced consultants and commissioning on the basis of the amended Brief.*

**CARRIED UNANIMOUSLY**

[Attachment: 28 pages](#)

**10.**

**REPORTS**

**OF**

**COMMITTEES**

**10.1 BUSH FIRE ADVISORY COMMITTEE MEETING - 14 AUGUST 2007**

<b>LOCATION/ ADDRESS:</b>	N/A
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	AFC05
<b>AUTHOR:</b>	Manager Emergency, Ranger & Beach Services
<b>CONTRIBUTOR/S:</b>	
<b>RESPONSIBLE OFFICER:</b>	Chief Executive Officer
<b>DISCLOSURE OF ANY INTEREST:</b>	Member of Committee
<b>DATE OF REPORT:</b>	10 September 2007

**SUMMARY:** This report represents the Minutes of the Bushfire Advisory Committee (BFAC) meeting held on the 14 August 2007

**BACKGROUND**Previous Considerations

OCM6 July 2006 - Item 10.1  
 OCM 31 August 2006 - Item 10.1  
 OCM 26 October 2006 - Item 10.4  
 OCM 21 December 2006 - Item 10.1  
 OCM 15 March 2007 - Item 9.2.1  
 OCM 30 August 2007 - Item 10.3

The Bushfire Advisory Committee (BFAC) meets on a regular basis and reports to Council on all matters relating to the preventing, controlling and extinguishing of bushfires within the Shire of Broome.

A meeting of the Shire of Broome BFAC was held on the 14 August 2007; the minutes of this meeting were disseminated to members by e-mail and subsequently adopted.

**COMMENT**

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

- Committee membership – Representative for Broome township and Ex-officio for Rubibi not confirmed
- Coconut Well/12 Mile activities – DVD and letter requesting input regarding disposition of Coconut Well sent.
- Draft Bushfire response plan – Under review by FESA
- Shire slashing program.
- BFAC Terms of Reference, final draft to Committee for comment.
- Firebreak/Hazard reduction notices – follow up letters and final inspections
- Department of Environment and Conservation fire management responsibilities on UCL outside the town boundary.
- Outcome of the Bushfire Brigade ESL application – FESA have made 2 appliances available to Broome Regional Bushfire Brigade and have also made the previous FRS HQ available to the BFB. They have also given an undertaking that they will carry out a review of the Shire's resource needs prior to the next fire season.
- Tony Manning – briefing re. EDL
- Broome Fire District Boundary.

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



**CONSULTATION**

Fire & Emergency Services Authority  
Bushfire Advisory Committee

**STATUTORY ENVIRONMENT**

Bushfires Act 1954  
Emergency Management Act 2005  
Local Government Act 1995

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS****1. People**

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

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

**2. Place**

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

**VOTING REQUIREMENTS**

Simple Majority

**REPORT RECOMMENDATION**

*That Council receives the Minutes of the Bushfire Advisory Committee meeting of 14 August 2007.*

**COUNCIL RESOLUTION**

**Moved: Cr V L Wevers**

**Seconded: Cr E R M Foy**

***That the Report Recommendation be adopted.***

**CARRIED UNANIMOUSLY**

[Attachment: 14 pages](#)

**10.2 BROOME CEMETERY ADVISORY COMMITTEE - MINUTES 6 AUGUST 2007**

**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:** 10 October 2007

**SUMMARY:** To advise Council of the matters discussed at the Broome Cemetery Advisory Committee meeting held 6 August 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  
 OCM 5 July 2007 – Item 10.1  
 OCM 30 August 2007 – Item 10.4

A meeting of the Broome Cemetery Advisory Committee was held on Monday 6 August 2007, the minutes from this meeting were subsequently endorsed at the meeting of the Committee held 8 October 2007.

**COMMENT**

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

- Update on Input of Data
- Burial Information Community Cemeteries
- Complaints about the Condition of the Broome Cemetery
- Heritage Council of Western Australia – Management Agreement – which resulted in the following recommendation

*"That this Committee recommends to Council that it enter into a Memorandum of Understanding with the Heritage Council of WA over the Japanese, Chinese and Muslim sections of the Broome Cemetery, subject to:*

- *Confirmation of the plan attached; and*
- *The removal of the words "and Town" from clause 1 of the Memorandum of Understanding.*

It should be noted that due to time constraints, the matter involving the Memorandum of Understanding over these sites was dealt with by Council at the Ordinary Meeting held 27 September 2007.

- Management/ Protocol Document for Cemetery
- "Z-Force" Memorial Update

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

- Update on Works
- Budget
- Unmarked Graves
- Ground Penetrating Radar
- Burials Outside Cemeteries
- Requirement for Service at Burial
- Structures within the Cemetery
- Resignation of Staff and Community Members
- Information on "Stainton" Gravesite
- Pioneer Cemetery Update
- Update on Chinese Entry Works
- Chinese Community "Hang Seng"
- Philippi no Burial Sites

A full copy of the minutes is attached.

## **CONSULTATION**

Not required

## **STATUTORY ENVIRONMENT**

Local Government Act 1995

Cemeteries Act 1986

Shire of Broome Cemeteries Local Law

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

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

## **STRATEGIC IMPLICATIONS**

### **1. People**

Preservation and management of existing facility of community significance.

### **2. Prosperity**

Preservation and management of existing site of tourist interest.

## **VOTING REQUIREMENTS**

Simple Majority

**REPORT RECOMMENDATION**

*That Council receives the minutes of the meeting of the Broome Cemetery Advisory Committee held 6 August 2007. and notes that the commendation regarding the Memorandum of Understanding with the Heritage Council has already been dealt with.*

**COUNCIL RESOLUTION**

**Moved: Cr E R M Foy**

**Seconded: Cr V L Wevers**

***That the Report Recommendation be adopted.***

**CARRIED UNANIMOUSLY**

[Attachment: 7 pages](#)

**10.3 BROOME PLANNING ADVISORY COMMITTEE MINUTES – 12 FEBRUARY 2007**

**LOCATION/ ADDRESS:** N/A  
**APPLICANT:** N/A  
**FILE:** PLA48.1  
**AUTHOR:** Director Development Services  
**CONTRIBUTOR/S:** N/A  
**RESPONSIBLE OFFICER:** Director Development Services  
**DISCLOSURE OF ANY INTEREST:** N/A  
**DATE OF REPORT:** 9 October 2007

**SUMMARY:** The Broome Planning Advisory Committee met on 24 August 2007. The Minutes of the previous meeting held on 12 February 2007 were confirmed and are presented formally to Council.

**BACKGROUND**Previous Considerations

OCM 23 March 2005- Item 9.3.1  
 OCM 3 May 2005 - Item 9.3.8  
 OCM 11 August 2005 - Item 9.3.11  
 OCM 6 October 2005 - Item 9.3.6  
 OCM 13 April 2006 - Item 9.3.5  
 OCM 1 August 2006 - Item 9.3.5  
 OCM 15 February 2007- Item 10.2

Attached are the Minutes of the Broome Planning Advisory Committee (BPAC) meeting held on 12 February 2007 as confirmed at the meeting on 24 August 2007. The main topics discussed at that meeting included:

- a) Local Planning Strategy
- b) Relocation of Broome Pistol Club
- c) East West Road to Cable Beach
- d) Realignment of Kavite Road
- e) Airport Area Development Plan
- f) New Wastewater Treatment Plant
- g) Extension of Water Borefield
- h) Safe Boat Harbour
- i) Hunter/Clementson Street Light Industrial Area

Minutes of the meeting are attached.

**COMMENT**

It is recommended that Council receive the Minutes of the meeting.

**CONSULTATION**

The Committee includes community and Rubibi representatives.

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

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS****1. 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 receives the minutes of the meeting of the Broome Planning Advisory Committee held on 12 February 2007.*

**COUNCIL RESOLUTION**

**Moved: Cr V L Wevers**

**Seconded: Cr C M Maher**

***That the Report Recommendation be adopted.***

**CARRIED UNANIMOUSLY**

[Attachment: 5 pages](#)

**11. NOTICES OF MOTION**

Nil

**12. LATE ITEMS****Moved: Cr R J Lander****Seconded: Cr S E Eaton***In accordance with Standing Order 3.12 that item 12.1 be accepted as urgent business.***CARRIED UNANIMOUSLY**

*With regard to Item 12.1 Cr C R Mitchell disclosed that "I have had an association with two of the applicant bodies, being Broome Junior/Senior Motorcross Inc and the Broome Bowling Club Inc as they are applying for a grant through KACC where I am employed. 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".*

**Moved: Cr V L Wevers****Seconded: Cr C M Maher***That Standing Orders be suspended at 6.35pm.***CARRIED UNANIMOUSLY****Moved: Cr V L Wevers****Seconded: Cr C M Maher***That Standing Orders be reinstated at 6.41pm.***CARRIED UNANIMOUSLY****12.1 CSRFF GRANT ASSESSMENTS**

<b>LOCATION/ ADDRESS:</b>	N/A
<b>APPLICANT:</b>	N/A
<b>FILE:</b>	OGS13
<b>AUTHOR:</b>	Director of Corporate Services
<b>CONTRIBUTOR/S:</b>	Sport and Recreation Club Development Officer
<b>RESPONSIBLE OFFICER:</b>	Director of Corporate Services
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	22 October 2007

**SUMMARY:** Four applications have been received for the Community Sporting and Recreational Facilities Fund (CSRFF), being Broome Junior/Senior Motorcross Club Inc, Broome Speedway Inc, Broome Bowling Club Inc and BRAC-cricket pitch. These applications are for noting by Council and for endorsement of ranking priority.

**BACKGROUND**

The Department of Sport and Recreation (DSR) advertises in July each year for applications for financial assistance through the Community Sporting and Recreation Facilities Fund (CSRFF). DSR requires that all applications be submitted through the Local Government Authority (LGA) in which the project is located.

The LGA is required to rank, in order of priority, all applications received from within its boundaries, with the most important application to be ranked priority No. 1, with no two projects being ranked equally.

The LGA is also required to rate all applications received as either high, high/medium, medium, medium/low, low or not recommended. This rating should reflect how worthwhile the project is and indicate its importance based upon actual need and benefit to the community.

Where Council does not wish to endorse a project or is of the opinion that an application has not satisfactorily addressed the CSRFF criteria, Council should recommend that the project not be funded, or that it be resubmitted in a later funding round. The assessment criteria includes:

- Project justification
- Planned approach
- Community input
- Management planning
- Access and opportunity
- Design
- Financial viability
- Co-ordination
- Potential to increase physical activity
- Sustainability

All LGA rankings and ratings must be endorsed by Council.

There are two funding categories:

Annual Grant: \$2,500 - \$90,000 where the total project cost is \$270,000 or less

Forward Planning Grant: \$90,000 - \$1.8 million within a three year period

**COMMENT**

Three applications from community groups have been received, being: Broome Junior/Senior Motorcross Club Inc, Broome Speedway Inc., and the Broome Bowling Club Inc. One application is submitted from the Shire of Broome.

1. Broome Junior/Senior Motorcross Club Inc.

The Motorcross Club is proposing to install a lighting system around the existing track using the power source at Broome Speedway.



- Project Justification:  
The installation of a lighting system will allow the riding season to be extended into the hotter months of Broome from October to December. Events will be extended to night time and include general programming and special events. Extending the season by three months enables greater participation from new and existing members, regional clubs and opportunities to engage different sporting clubs.
- Planned Approach:  
The Motorcross Club track is on land near the Broome Speedway. The Club had considered joint use of the Broome Speedway's facility (which wants to upgrade its lights) however construction costs and limited revenue means that this option is not viable.
- Community Input:  
The club's committee members have undertaken consultation with members of the club, parents of junior-age riders and supporters. The committee has the support of the state and regional sporting bodies, the Broome Police Station, Broome Senior High School, Kimberley Area Consultative Committee (KACC), a local MP, and the Broome Speedway (sub-lessor).
- Management Planning:  
The club has sought the development of Business and Strategic Plans as well as incorporating an action plan of activities to be undertaken by the club over the next 12 months. The club's planning is indicative of the club's success to date.
- Access and opportunity:  
The club's committee believes that by having the opportunity to host events either during the day or night, more people will be able to access the sport. Additionally, the club works in partnership with the Nirrumbuk Aboriginal Corporation and the Broome Senior High School to provide opportunities for youth to participate in the sport as well as to learn mechanical skills.
- Design:  
The scaled sketch for the placement of the light poles on the existing track was completed by a licensed registered builder. The lighting design was undertaken by a lighting consultant. Once financial support is confirmed, the club will discuss the specific planning requirements with the Shire of Broome. The two quotes received for the electrical work required are based on the scaled sketch.
- Financial viability:  
The committee has incorporated the project costs (i.e. relevant capital costs and maintenance expenses to be incurred) into the club's financial plan. The club has had surplus cash flow over the past six years and believe they are in a strong financial position. The club is not seeking financial assistance from the Shire of Broome for this project, however there will be opportunity for the Shire to provide in-kind support if the project is funded.
- Co-ordination:  
The membership and supporters of the club include tradespeople with project management experience who will undertake the installation of the lighting. The project will be co-ordinated by two registered builders who are members of the club's committee.
- Potential to increase physical activity:  
The installation of lights will allow the club to increase the number of riding events during the existing season from both a competitive and non-competitive perspective. Additionally, the club will be able to lengthen the season by up to three months. The sport of motorcross is a physically demanding sport and due to the equipment cost requirements of the sport as

well as for safety reasons, riders will be able to obtain more value from the purchase of equipment if there are more events available during a longer and varied season.

- Sustainability:

The club's committee has sought the assistance of the KACC's Small Business Field Officer to assist the club conduct a number of forums which have assisted in the development of a Strategic Plan and a Business Plan.

This project is assessed as a high priority and rated as "well planned and needed by the applicant" in accordance with the assessment criteria.

## 2. Broome Speedway Inc

The Broome Speedway is proposing to repair and replace the lighting and public address (PA) systems around the track.

- Project Justification:

*The club aims to upgrade the lighting and public address systems in order to enable the club to continue its standard of safety and comfort to its members and spectators. The club has trialled racing during the day in an effort to preserve the existing lights system but drivers have found the high temperatures to be too hot for day racing and the position of the sun is also dangerous for the drivers. Presently, the club has been repairing the two systems however the infrastructure has deteriorated and requires replacement.*

- Planned Approach:

The club has completed an extensive study into the design, planning, management and replacement/maintenance of an upgrade to the current track lighting and PA facilities.

- Community Input:

*The club has sought input from its members, particularly tradespeople, plus various electrical and lighting consultants and state and national sporting bodies.*

- Management Planning:

The club has in place plans to continue the successful management of its facility with the upgrade of lighting and PA facilities being considered a necessity and scheduled in the forward years plans.

- Access and opportunity:

The club has sought to assist the diverse needs of spectators and has installed ramps and where there are declines of greater than 15%, hand-rails have been installed. The club wants to further assist spectators with an upgrading of the lighting and PA systems.

- Design:

The club has sought advice from tradespeople who are members of the club, consultants, and state and national sporting organisations. The club is seeking to upgrade the light poles, lighting and PA systems connected with the existing structures.

- Financial viability:

The club has reached a point where it has determined through its consultation processes that it is financially viable and safer, to upgrade the lighting and PA systems rather than continue annual piecemeal repairs of the existing system. The club is not seeking financial assistance from the Shire of Broome for this project.

- Co-ordination:  
The club's committee will co-ordinate the project based on the expertise of registered builders on its committee.
- Potential to increase physical activity:  
By installing a quality lighting system allowing events to be held at night, the club will be extending the season and offering additional opportunities to participate in the sport whilst also ensuring a safe environment for participants. Satisfactory amenities are essential for a spectator sport and provision of quality lighting and PA system is imperative.
- Sustainability:  
The completion of the project will improve usage rates of the facility, increase opportunities for new events and partnerships whilst providing a safe environment and increased revenue.

This project is assessed as a high priority and rated as "well planned and needed by the applicant" in accordance with the assessment criteria.

### 3. Broome Bowling Club Inc

**The Bowling Club is proposing to install a synthetic green to one of its two bowling green sites.**

- Project Justification:  
Due to ongoing maintenance issues and fungal outbreaks, the club is seeking to install a synthetic grass green. Only one of the two grass greens has been in use in recent years with the club now seeking to utilise both bowling sites. Additionally, the club wants to reduce costs associated with the annual maintenance and restoration works associated with a lawn green and aims to build a steady income stream through extended bowling opportunities by having a year-round bowling facility.
- Planned Approach:  
The club had previously considered installing synthetic greens to complement the existing lawn green. The club's committee had considered a number of options for its two greens sites but has decided to install one synthetic green initially while keeping the other green site a lawn grass green.
- Community Input:  
The club's committee have discussed the installation of synthetic bowling greens in consultation with its members. Special general meetings have been held during 2007 where the future of the club has been discussed with both members and visiting bowlers expressing a strong and urgent need for the club to install synthetic greens due to maintenance and access issues. The club has approached the state sporting body for support.
- Management Planning:  
The club has sought business management advice to prepare business and management plans. Following the declaration of members of the new committee at the AGM on 1 November, the committee will work with a business adviser on its business and management plans for the short-term and also into the future.
- Access and opportunity:  
Installation of a synthetic grass green will enable players to play all year round and enable more playing days each week as lawn grass greens require a rest day at least once a week. Additionally, a disabled player who uses a specially designed wheelchair will be able to play on the synthetic surface while they may not necessarily be able to access a lawn grass site.

- Design:  
The design of a synthetic grass green will depend upon the suitability for the local climatic conditions, maintenance capacity, installation and recurrent costs.
- Financial viability:  
The club has developed draft financial plans, which will be reviewed by the new management committee (post the Nov 1 AGM). The club believes that a synthetic surface will be easier to manage both financially and operationally.
- Co-ordination:  
The club's committee will work closely with the successful service provider during the installation of the synthetic grass green. The provider will manage the overall project.
- Potential to increase physical activity:  
Synthetic grass greens will increase opportunities to play bowls, increase accessibility, extend the season, allow for new partnerships with other clubs and community services and provide opportunities for co-location and/or sharing of facilities and resources.
- Sustainability:  
The club believes that the installation of a synthetic grass green is necessary for the future viability of the club in addition to satisfying local and visitor demand.

This project is assessed as a high priority and rated as "needed by applicant, more planning required" in accordance with the assessment criteria.

To support the above rating, once the new management committee is established and convened it is recommended that future planning includes:

- Develop a new business and financial plan including product development and target marketing
- Further research and confirmation of type of synthetic, full costs analysis (including project and recurrent costs) and ongoing resource requirements
- Develop an operational plan to manage current grass lawn green and resources required
- Establish a Volunteer Development Plan

#### 4. Broome Recreation and Aquatic Centre – the Shire of Broome

The Broome Recreation and Aquatic Centre (BRAC) (owned and operated by the Shire of Broome) plans to install a cricket pitch and protective overlay cover on one of two new ovals recently developed.

- Project Justification  
The sport of cricket in Broome is growing and there is a need for a synthetic cricket pitch at BRAC. Currently, cricket is played at a separate venue, which may not be a viable option in the future. BRAC is positioned as the heart of recreation, leisure and sport within Broome and the co-location of a cricket pitch at BRAC will increase accessibility, functionality and inclusion.
- Planned Approach  
The potential for a cricket pitch at BRAC has been discussed with the community and stakeholders and with the installation of 'stadium grade' lighting at BRAC, the potential for extended season/participation is significant.
- Community Input  
Discussions regarding a BRAC located cricket pitch were held with both local cricket organisations in Broome (junior and senior cricket), and also with the

Western Australian Cricket Association. All three cricket organisations fully support the installing of a cricket pitch at BRAC.

- Management Planning  
The management of the ovals at BRAC, including overseeing the use of the pitch, will be undertaken by the management team at the BRAC complex.
- Access and Opportunity  
A BRAC located cricket pitch will increase participation and access (including access to other facilities at the centre).
- Design  
The project has been designed to accommodate a cricket pitch.
- Financial Viability  
The major cost involved with this project is the installation of a synthetic turf concrete-based cricket pitch and the purchase of the protective cover which will assist in protecting players of other sports when the pitch is not in use ie football and soccer.
- Co-ordination  
The installation will be project managed by the Shire of Broome's Manager of Asset and Design.
- Potential to increase physical activity  
Installing a cricket wicket at BRAC ensures that the Shire meets community demand and expectation. Having the pitch located in a high quality venue and supported by a strong management team allows for increased access, event opportunities.
- Sustainability  
Once a synthetic turf cricket wicket is installed, minimal maintenance is required. Lifecycle costs will need to be budgeted to ensure the synthetic turf and cover are maintained to a satisfactory level.

This project is assessed as a priority and rated as "well planned and needed by municipality" in accordance with the assessment criteria.

## **CONSULTATION**

Department of Sport and Recreation  
Broome Junior/Senior Motorcross Club Inc  
Broome Speedway Inc  
Broome Bowling Club Inc  
Broome Recreation and Aquatic Centre – the Shire of Broome

## **STATUTORY ENVIRONMENT**

Local Government Act (WA) 1995

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

No financial assistance has been requested from the Broome Junior/Senior Motorcross Club Inc the Broome Speedway Inc or the Broome Bowling Club Inc.

## **STRATEGIC IMPLICATIONS**

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

**1. 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.

**2. Place**

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

**3. 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

That Council

1. Endorses the following applications for the Community Sporting and Recreation Facilities Fund and the order of priority as follows:

Applicant	Project Funding	Priority
Broome Recreation and Aquatic Centre - Shire of Broome	Well planned and needed by municipality	One
Broome Speedway Inc	Well planned and needed by the applicant	Two
Broome Junior/Senior Motorcross Club Inc	Well planned and needed by the applicant	Three
Broome Bowling Club Inc	Needed by applicant, more planning required	Four

2. That \$18,979 be included in the Shire of Broome Strategic Financial Plan and budget for 2008/09, subject to CSRFF funding approval for a cricket wicket and protective overlay located at BRAC.
3. Considers future in-kind support for the CSRFF projects as they evolve.
4. Informs the Department of Sport and Recreation of the application rankings.

COUNCIL RESOLUTION

**Moved: Cr V L Wevers**

**Seconded: Cr C M Maher**

**That the Report Recommendation be adopted.**

**FOR: 2**

**AGAINST: 5**

**MOTION LOST**

**Moved: Cr R J Lander**

**Seconded: Cr S E Eaton**

**That the Report Recommendation be adopted with the changed order of priority as shown:**

Applicant	Project Funding	Priority
Broome Recreation and Aquatic Centre - Shire of Broome	Well planned and needed by municipality	Four
Broome Speedway Inc	Well planned and needed by the applicant	Two
Broome Junior/Senior Motorcross Club Inc	Well planned and needed by the applicant	Three
Broome Bowling Club Inc	Needed by applicant, more planning required	One

**MOTION CARRIED**

(Confidential attachments: 86 pages – Councillors only)



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

Nil

**14. MATTERS BEHIND CLOSED DOORS****Moved: Cr C M Maher****Seconded: Cr V L Wevers*****In accordance with Section 5.23 of the Local Government Act 1995, that the meeting be closed to the public for discussion of items 9.2.3 and 9.3.3.*****CARRIED UNANIMOUSLY****Moved: Cr P D Matsumoto****Seconded: Cr E R M Foy*****That the meeting be adjourned at 7.10pm under Standing Order 16.1 and reconvene following a short break.*****CARRIED UNANIMOUSLY****Moved: Cr V L Wevers****Seconded: Cr P D Matsumoto*****That the meeting be reconvened at 7.15pm.*****CARRIED UNANIMOUSLY****ATTENDANCE AND APOLOGIES**

## Attendance

Cr C R Mitchell  
Cr C M Maher  
Cr R J Lander  
Cr S E Eaton  
Cr V L Wevers  
Cr P D Matsumoto  
Cr E R M Foy

Deputy Shire President

## Leave of Absence

Cr G T Campbell  
Cr M L B Albert

Shire President

## Apologies

Darryl Butcher

Director Development Services

## Officers

Ian Bodill  
Ingrid Bishop  
Neville Lavey  
Michelle Teoh  
Jillian McMahonChief Executive Officer  
Director Corporate Services  
Director Engineering Services  
Manager Planning Services  
Council Secretary

## Public Gallery

Dale Miller  
David Dureau  
Anne Brown

Broome Advertiser

Chamber of Commerce

### **9.3.2 APPLICATION FOR PLANNING APPROVAL – EXTENSION OF THE NON CONFORMING USE OF AIRPORT – HANGER FOR LIGHT AIRCRAFT**

**LOCATION/ ADDRESS:** Lot 1653 Broome Road, Broome.  
**APPLICANT:** Pearl Cost Properties Pty Ltd  
**FILE:** FRE-1/LT 1653  
**AUTHOR:** Manager Planning Services  
**CONTRIBUTOR/S:** Nil  
**RESPONSIBLE OFFICER:** Director Development Services  
**DISCLOSURE OF ANY INTEREST:** Nil  
**DATE OF REPORT:** 3 October 2007

**SUMMARY:** An application for planning approval has been received for an additional hanger for light aircraft.

This report recommends approval.

## **BACKGROUND**

### Previous Considerations

OCM 26 June 2002 (Extension to Runway)  
 OCM 11 August 2005 – Item 9.3.10 (Aviation Fuel Facility)  
 OCM 3 November 2005 – Item 9.3.10 (Airport Runway Extension)  
 OCM 13 April 2006 – Item 9.3.2 (Airport Hanger)  
 OCM 23 November 2006 – Item 9.3.5 (Airport Hanger and Office)  
 OCM 23 November 2006 – Item 9.3.6 (2 Helicopter Hangers, Apron, Taxiway)  
 OCM 15 March 2007 – Item 9.3.3 (Meteorological Office and Radar Tower)

### *Site and Surrounds*

The proposed hanger is to be located within the domestic charter airport area in a vacant space between the existing hangers Cable Beach Air Maintenance / North West Air Spaces. Located on the north side of the main airport runway the site is approximately 200 metres from Broome Road on Gus Winckel Road.

### *Description of the Proposal*

It is proposed to establish an aircraft hanger 18.2m long x 18.4m span x 6.1m high. The hanger is to accommodate the expansion of an existing business.

Five (5) car-parking bays are proposed.  
 See plans attached.

### *Planning Provisions*

The land is zoned 'Development' under Town Planning Scheme No 4 and previous development applications at the airport have been considered by Council as extensions to the non-conforming use of the Airport.

The non-conforming use may only be extended with approval from the Council following advertising for comment. The application has been advertised and no submissions were received.

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

The lot is also located within the Special Control Area – Airport Environs. This requires the airport operator to consider whether the building height will impact on operations. Broome International Airport (BIA) has indicated it has no objection to the height of the hanger.

Local Planning Policy 4.1.8. specifies the parking requirements and dimensions. The applicant has advised it estimates 2 – 4 people will be working within the proposed hanger. As Light Aircraft Hangers are not a listed use it is appropriate that car-parking requirements accommodate 4 employee parking and 2 visitors bays, one of the visitor bays being for people with disability. This requires a total of six (6) bays.

Under the proposed Airport Development Plan (ADP) the location is within the Landside Aviation Zone / Aviation Service 1 (AS1). This area is intended to include hangers, storage facilities and other aviation related uses.

#### *Letter from the Minister*

The Minister for Planning and infrastructure has advised the Shire President in a letter dated 2 March 2006

*"It would be unwise from a planning point of view to allow any further development on the airport land until a firm commitment is made to relocate the airport"*

#### **COMMENT**

In many other jurisdictions the civil small commercial aviation facilities operate out of a separate location. The continuing operation and expansion of these facilities at this location will continue to increase the general aviation activity and noise. The increasing impact of these continued general aviation operations on the surrounding community need to be carefully considered. It will be important that the proposed ADP considers the issue of increasing levels of aircraft activity.

The proposed hanger is extending the commercial aircraft hanger capacity. The building is a similar size/height and design to those already constructed and operating.

While the Minister has urged that no further development be approved on the site the airport is considered to be critical to the local economy and community and it is recommended that the application for a light aircraft hanger be approved.

#### **CONSULTATION**

The proposal was advertised in accordance with Clause 9.4 of Town Planning Scheme No 4.

No submissions were received.

#### **STATUTORY ENVIRONMENT**

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

#### **POLICY IMPLICATIONS**

Nil

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

**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

**Moved: Cr C M Maher****Seconded: Cr V L Wevers*****That Standing Orders be suspended at 7.16pm.*****CARRIED UNANIMOUSLY****Moved: Cr C M Maher****Seconded: Cr V L Wevers*****That Standing Orders be reinstated at 7.38pm.*****CARRIED UNANIMOUSLY****REPORT RECOMMENDATION**

*That Council approves the application for planning approval 2007/170 for a hanger for light aircraft on Lot 1653 Broome Road, Broome, subject to the following conditions:*

1. *Development must be carried out in accordance with the plans stamped received and dated 26 July 2007 submitted with the application as approved by the Shire.*
2. *If the development the subject of this approval is not substantially commenced within a period of 3 years from the date of approval, the approval will lapse and be of no further effect. Where the approval has lapsed, no development must be carried out without the further approval of the Council.*
3. *Prior to commencing any work on-site the applicant must obtain a Building Licence from the Shire. Such application must include, with the working drawings.*
  - *Structural Engineers Certification in accordance with the requirements of the Building Code of Australia, and*
  - *Formal comment from Fire and Emergency Services Western Australia.*
4. *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*

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

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:

- The existing storm water drainage system, easements and legal points of discharge.
  - The location of all development, including finished floor levels and grades of all hard standing areas.
  - The layout of the proposed storm water drainage system.
  - Methods for on-site detention.
5. A minimum of six (6) car parking spaces must be provided for the use. The dimensions for the car parking spaces must be a minimum dimension of 2.7 metres x 5.5 metres.
6. One of the required parking bays is to be an 'accessible' car parking bay and is to be located convenient to the building entrance with a minimum width of 3.2 metres, and is to be provided prior to the occupation of the building.
7. The applicant is to comply with the Health (Treatment of Sewage and disposal of Effluent and Liquid Waste) Regulations 1974.
8. Applications for septic tanks and effluent disposal systems are to be submitted to and approved by the Shire's Health Department prior to the issue of a building Licence.

#### **COUNCIL RESOLUTION**

#### **ALTERNATE MOTION**

**Moved: Cr C M Maher**

**Seconded: Cr V L Wevers**

**That this item be deferred until the Airport Development Plan has been finalised and accepted by Council.**

**CARRIED UNANIMOUSLY**

**Reason: As previously stated to the proponent, Council will not consider any further planning applications until the Airport Development Plan is completed, as advised by the Minister of Planning & Infrastructure.**

Attachment: 3 pa

### 9.3.3 APPLICATION FOR PLANNING APPROVAL – USE NOT LISTED – TEMPORARY WORKERS ACCOMMODATION - 3X20 PERSONS

**LOCATION/ ADDRESS:** Lot 1653 Broome Road, Broome.  
**APPLICANT:** Pearl Cost Properties Pty Ltd  
**FILE:** FRE-1/LT 1653  
**AUTHOR:** Manager Planning Services  
**CONTRIBUTOR/S:** Nil  
**RESPONSIBLE OFFICER:** Director Development Services  
**DISCLOSURE OF ANY INTEREST:** Nil  
**DATE OF REPORT:** 11 October 2007

**SUMMARY:** An application for planning approval has been received for three (3) temporary workers accommodation facilities – each to accommodate twenty (20) residents.

This report recommends approval.

## BACKGROUND

### Previous Considerations

Nil

### *Site and Surrounds*

Site No 1 - near the main terminal this is adjacent to the existing Broome International Airport (BIA) staff and consultant quarters. Access is from the internal airport road. The site is flat and cleared of vegetation. Perimeter remnant bushland around the edge of the BIA property limits views from and to Frederick and Herbert Streets

Site No 2 - on the northern side of Gus Winckel Road the proposed location is opposite the civil aviation hanger for Skippers Aviation (on a north-easterly bearing). The site is covered in remnant bushland that is disturbed with earth fill and earthworks.

Site No 3 - is at the western end of Gus Winckel Road, located on the northern side opposite the Mobil fuel compound. The area is covered with remnant bushland with some disturbance from earthworks.

### *Description of the Proposal*

The application is for three (3) facilities – consisting of 20 self contained bed/bathrooms each 3.3m x 3.6m in size. These are to be constructed in 5 x 4 unit wings attached by covered walkways to a separate laundry unit 3.6m x 3m and a Kitchen/Dining common area 12m x 6m.

The final configuration will cover a total area of just over 48m x 18ms. The proposal includes landscaping, a common drying and bin storage facilities and twenty (20) car parking bays. A 1.8 metre high chain link fence will secure each facility.

A minimum of 20 car parking bays will be provided for each facility.

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

*Planning Provisions – The Shire of Broome Town Planning Scheme No 4 (TPS4)*

The land is zoned 'Development' under Town Planning Scheme No 4 and is within the Special Control Area 'Airport Environs'.

Temporary Workers Accommodation is a use that is not listed in TPS4. In accordance with clause 4.3.3. Council may permit the use provided the application has been advertised.

The application has been advertised and no submissions have been received.

*Planning Provisions – Proposed Airport Area Development Plan (ADP)*

Proposed Site 1 is located within the Terminal Area Support (TS). It is intended that uses in this area such as car parks/car hire/ maintenance facilities/caretaker's houses and various other uses be retained, maintained and if necessary extended to respond to future terminal demand. In the interim this area has been earmarked for temporarily uses such as offices and mixed-business.

Proposed Site 2 and Site 3 are located within Landside Aviation Zone / Aviation Service 3 (AS3) which is intended to include a range of aviation service facilities and other (temporary) service industries.

The Australian Noise Exposure Forecast (ANEF) contours to 2015 show the three sites to be close to or just on the ANEF 20 contours.

**COMMENT**

The ANEF contour system is used Australia wide to predict aircraft noise. It predicts for a particular future year (usually 10 or 20 years ahead) the cumulative exposure to aircraft noise during a specified time period (usually one year) likely to be experienced by communities near airports.

While the effects of noise from aircraft are not confined to areas defined within the ANEF contours the ANEF 20 contour is taken as being the area within which special consideration should be given to land uses that will be detrimentally affected by significant aircraft noise. Such land uses include housing, motels, public buildings, schools etc. Outside of the ANEF 20 contour there will still be some noise from aircraft but noise from other sources will generally be more dominant.

While close to the ANEF 20 contour and subject to some noise from aircraft this is not expected to be significant or excessive.

The proposed sites for temporary workers accommodation will include self-contained bedroom/bathroom suites and separate self-service, shared kitchen, dining and BBQ areas. A private supplier will manage security, cleaning and a linen service. The development will contribute to addressing the shortfall in workers accommodation in Broome.

It is recommended that application for a use not listed (Temporary Workers Accommodation – 3 x 20 persons) be approved.

**CONSULTATION**

The proposal was advertised in accordance with Clause 9.4 of Town Planning Scheme No 4.

No submissions have been received.

**STATUTORY ENVIRONMENT**

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

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS****1. 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 the application for planning approval 2007/200 for a use not listed (Temporary Workers Accommodation - 3x20 persons) on Lot 1653 Broome Road, Broome, subject to the following conditions:*

- 1. Development must be carried out in accordance with the plans stamped received and dated 28 August 2007 submitted with the application as approved by the Shire.*
- 2. Buildings within each Temporary Workers Accommodation facility are to have a 1.8m separation.*
- 3. This development is to be established for a maximum period of five (5) years from the date of Council's approval after which the approval will lapse and have no further effect and all buildings related to the use must be removed before that date.*
- 4. Once operations have ceased the sites must be cleared of buildings/pavement and revegetated to match the surrounding state*



5. If the development the subject of this approval is not substantially commenced within a period of 3 years from the date of approval, the approval will lapse and be of no further effect. Where the approval has lapsed, no development must be carried out without the further approval of the Council
6. Prior to commencing any work on-site the applicant must obtain a Building Licence from the Shire. Such application must include, with the working drawings.
7. 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:
  - The existing storm water drainage system, easements and legal points of discharge.
  - The location of all development, including finished floor levels and grades of all hardstanding areas.
  - The layout of the proposed storm water drainage system.
  - Methods for on-site detention.

A minimum of twenty (20) car parking spaces must be provided for each accommodation facility. The dimensions for the car parking spaces must be a minimum dimension of 2.7 metres x 5.5 metres.
8. One of the required parking bays is to be an 'accessible' car parking bay and is to be located convenient to the building entrance with a minimum width of 3.2 metres, and is to be provided prior to the occupation of the building.
9. Prior to occupation of the development, areas set aside for parked vehicles and access lanes as shown on the approved plans must be
  - Constructed to the satisfaction of the Shire of Broome properly formed to appropriate levels
  - Surfaced with an all-weather seal coat to the satisfaction of the Shire of Broome drained and maintained to the satisfaction of the Shire of Broome
  - Line marked to indicate each car bay and all access lanes to the satisfaction of the Shire of Broome be kept available for these proposed at all times
  - A separate plan may be submitted and endorsed by the Shire for the purpose of complying with this condition.
10. Access roads are to intersect with existing roads at right angles.
11. Development is to comply with the provisions of the Construction Camp Regulations.
12. The applicant entering into an agreement with the Shire covering the use and management of the facilities.

13. Applications for septic tanks and effluent disposal systems are to be submitted to and approved by the Shire's Health Department prior to the issue of a building licence.

**COUNCIL RESOLUTION**

**ALTERNATE MOTION**

**Moved: Cr C M Maher**

**Seconded: Cr E R M Foy**

***That this item be deferred until the Airport Development Plan has been finalised and accepted by Council and that a detailed plan is developed highlighting elevations, car parking, landscaping, and a management plan which requires submitting to Council for approval.***

**CARRIED UNANIMOUSLY**

***Reason: There is insufficient detail on the design and management for Council to make an informed decision, and as previously stated to the proponent, Council will not consider any further planning applications until the Airport Development Plan is completed, as advised by the Minister of Planning & Infrastructure***

[Attachment: 8 pages](#)

**Moved: Cr C M Maher**

**Seconded: Cr V L Wevers**

***In accordance with Section 5.23 of the Local Government Act 1995, that the meeting be reopened to the public.***

**CARRIED UNANIMOUSLY**

The Deputy Shire President announced the outcome of the two items considered behind closed doors.

**15. MEETING CLOSURE**

There being no further business the Deputy Shire President declared the meeting closed at 7.47pm.