



MISSION AND VALUES OF COUNCIL

"A Sustainable Community that is inclusive, attractive, healthy and pleasant to live in, that uses our land so as to preserve our history and environment, respects the rights and equality of our citizens and manages our future growth wisely."

AGENDA

FOR THE

ORDINARY MEETING OF COUNCIL

23 OCTOBER 2014

OUR VISION

"A thriving and friendly community that recognises our history and embraces cultural diversity and economic opportunity, whilst nurturing our unique natural and built environment."

OUR MISSION

"To deliver affordable and quality Local Government services."

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

Integrity

Respect

Innovation

Transparency

Courtesy

DISCLAIMER

The purpose of Council Meetings is to discuss, and where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the Local Government Act 1995 (Section 5.25 (e)) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person. The Shire of Broome expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.

Attendance Table											
Councillor	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Cr G Campbell											
Cr J Bloom				LOA							
Cr A Poelina	LOA			LOA		LOA					
Cr C Mitchell							LOA				
Cr D Male											
Cr P Matsumoto				LOA	LOA						
Cr H Tracey		LOA		LOA							
Cr M Lewis			A			A		A			
Cr M Manado					A			A			

2.25. Disqualification for failure to attend meetings

- (1) A council may, by resolution, grant leave of absence, to a member.
- (2) Leave is not to be granted to a member in respect of more than 6 consecutive ordinary meetings of the council without the approval of the Minister, unless all of the meetings are within a period of 3 months.
- (3A) Leave is not to be granted in respect of —
 - (a) a meeting that has concluded; or
 - (b) the part of a meeting before the granting of leave.
- (3) The granting of the leave, or refusal to grant the leave and reasons for that refusal, is to be recorded in the minutes of the meeting.
- (4) A member who is absent, without obtaining leave of the council, throughout 3 consecutive ordinary meetings of the council is disqualified from continuing his or her membership of the council, unless all of the meetings are within a 2 month period.
- (5A) If a council holds 3 or more ordinary meetings within a 2 month period, and a member is absent without leave throughout each of those meetings, the member is disqualified if he or she is absent without leave throughout the ordinary meeting of the council immediately following the end of that period.
- (5) The non-attendance of a member at the time and place appointed for an ordinary meeting of the council does not constitute absence from an ordinary meeting of the council —
 - (a) if no meeting of the council at which a quorum is present is actually held on that day; or
 - (b) if the non-attendance occurs —
 - (i) while the member has ceased to act as a member after written notice has been given to the member under section 2.27(3) and before written notice has been given to the member under section 2.27(5); or
 - (ii) while proceedings in connection with the disqualification of the member have been commenced and are pending; or
 - (iiia) while the member is suspended under section 5.117(1)(a)(iv); or

- (iii) *while the election of the member is disputed and proceedings relating to the disputed election have been commenced and are pending.*
- (6) *A member who before the commencement of the Local Government Amendment Act 2009 section 5¹ was granted leave during an ordinary meeting of the council from which the member was absent is to be taken to have first obtained leave for the remainder of that meeting.*

[Section 2.25 amended by No. 49 of 2004 s. 19(1); No. 17 of 2009 s. 5.]

SHIRE OF BROOME
ORDINARY MEETING OF COUNCIL
THURSDAY 23 OCTOBER 2014

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NOTICE OF MEETING

Dear Council Member,

The next Ordinary Meeting of the Shire of Broome will be held on Thursday, 23 October 2014 in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 5.00pm.

Regards

K R DONOHOE
Chief Executive Officer

16/10/2014

1. OFFICIAL OPENING

2. ATTENDANCE AND APOLOGIES

Attendance:

Leave of Absence:

Apologies:

Officers:

Public Gallery:

3. DECLARATIONS OF FINANCIAL INTEREST / IMPARTIALITY

FINANCIAL INTEREST			
Councillor	Item No	Item	Nature of Interest

IMPARTIALITY			
Councillor	Item No	Item	Nature of Interest

4. PUBLIC QUESTION TIME

5. CONFIRMATION OF MINUTES

RECOMMENDATION:
 That the Minutes of the Ordinary Meeting of Council held on 25 September 2014 be confirmed as a true and accurate record of that meeting.

RECOMMENDATION:
 That the Minutes of the Special Meeting of Council held on 7 October 2014 be confirmed as a true and accurate record of that meeting.

6. ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION

7. PETITIONS

8. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Under section 5.23 (2)(d) of the *Local Government Act 1995* Council may resolve to move the meeting behind closed doors.

9.

**REPORTS
OF
OFFICERS**

9.1

OUR PEOPLE



PRIORITY STATEMENT

Embracing our cultural diversity and the relationship between our unique heritage and people, we aim to work in partnership with the community to provide relevant, quality services and infrastructure that meet the needs and aspirations of our community and those visiting and doing business in our region.

Supporting and contributing to the well-being and safety of our community is paramount, as is our focus on community engagement and participation.

Council aims to build safe, strong and resilient communities with access to services, infrastructure and opportunities that will result in an increase in active civic participation, a reduction in anti-social behaviour and improved social cohesion.

9.1.1 CHINATOWN CHRISTMAS DECORATIONS AND STREET PARTY 2014

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	CRE03
AUTHOR:	Youth and Community Development Officer
CONTRIBUTOR/S:	Manager Community Development
RESPONSIBLE OFFICER:	Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	3 October 2014

SUMMARY: This report proposes plans to install Christmas lights and decorations in Chinatown and to work collaboratively with the community to hold a Christmas street party in Chinatown.

The report recommends that Council works with Spirit FM, Chinatown Traders Association, Kimberley Performing Arts Council and local businesses to hold the Christmas street party on Thursday 4 December 2014, with logistical support to be provided by the Shire of Broome.

It is also recommended that Christmas decorations are installed on Carnarvon Street and Dampier Terrace, with the addition of new decorations to be focused on Dampier Terrace.

BACKGROUNDPrevious Considerations

ACHAC 11 September 2013 Item 5.2

OMC 17 October 2013 Item 10.1

The purpose of the Chinatown Christmas project is to bring the local Broome community together to showcase Chinatown at a key time of year for the retail sector. The project aims to generate community goodwill and provide opportunities for positive Shire branding as well as contributing to the revitalisation of Chinatown in line with the Chinatown Development Strategy. The Chinatown Christmas Project provides opportunities for community engagement and activation of Chinatown.

In December 2012 the Shire of Broome installed Christmas lights and decorations in Chinatown. The installation of the decorations coincided with a street party, hosted by Spirit FM and supported by the Shire, with late night trading in the Chinatown precinct. The decorations and street party were a resounding success with feedback indicating interest in an annual event.

At the OMC 17 October 2013 Council considered the Minutes of the Arts Culture and Heritage Advisory Committee Meeting 11 September 2013 and resolved the following in relation to Christmas in Chinatown for 2013:

Moved: Cr C Mitchell

Seconded: Cr J Bloom

3. *Requests the Chief Executive Officer to work in collaboration with the Spirit FM, Chinatown Traders Association, Kimberley Performing Arts Council and local businesses to deliver a Christmas street party on 5 December 2013 with the Shire's role to be coordinating traffic management, waste management and cleaning services.*

4. *Nominates Carnarvon Street (between Napier Terrace and Short Street) as the focal point for Christmas decorations in Chinatown in 2013.*
5. *Requests the Chief Executive Officer to consult with Horizon Power for the installation of power cabinets in Dampier Terrace for future use commencing in 2014.*
6. *Requests the Chief Executive Officer to consult with the community, local businesses and artists to develop a design for decorations in Dampier Terrace to be installed in 2014 to complement the existing decorations for Carnarvon Street.*
7. *Requests the Chief Executive Officer to investigate opportunities for community, schools (including Christmas Banners leading into and within Chinatown) and business participation in the Chinatown Christmas Decoration project.*

CARRIED UNANIMOUSLY 6/0

As resolved the Christmas Street Party was held again in 2013 and decorations installed in Carnarvon Street.

Over the last two years Christmas Decorations have been developed through a staged program in line with available funding. In 2012 the decorations centred on Carnarvon Street with the installation of light panels and decoration of the boab on the corner of Carnarvon and Short Streets. In 2013 the decorations were expanded to include decoration of a second boab on the intersection of Carnarvon Street and Napier Terrace as well as the commissioning and display of specially designed Broome Christmas banners around Chinatown and the town area generally. The Broome Christmas Windows project saw businesses partner with schools and childcare centres to decorate business shopfronts in Chinatown.

Proposals for the 2014 Chinatown Christmas project are outlined below for Council's consideration. It should be noted that due to timing constraints this item has not been presented to the Arts Culture and Heritage Advisory Committee (ACHAC). The next meeting of the ACHAC is scheduled for 18 November 2014, which will not allow sufficient time for planning and implementation prior to the Christmas street party on 4 December 2014. This matter is therefore referred directly to Council.

COMMENT

Christmas Street Party

As in previous years, it is recommended that the Shire of Broome works with Spirit FM, Chinatown Traders Association and local businesses to hold a Christmas street party in Chinatown on Thursday 4 December 2014, with logistical support to be provided by the Shire of Broome including traffic management and litter control. The street party will have a night market atmosphere with food and craft stalls as well as entertainment including Christmas carols, music, dancing, street performers and an appearance from Santa Claus. The event is designed to activate Chinatown in the evening and provide an opportunity for retailers to open their doors for late night Christmas trading.

Christmas Decorations

It is proposed that the existing suite of decorations from the 2012 and 2013 display are used again as part of the 2014 display, with some renewal required including replacing baubles with a UV resistant product.

Based on feedback received following Christmas 2012 and 2013 and ongoing discussions with Chinatown Traders and the community, it is recommended that the decorations are again installed along Carnarvon Street as well as expanded to include Dampier Terrace. It is proposed that new and additional decorations for the 2014 display will be focused on

Dampier Terrace with the aim of activating the street during the Christmas shopping period and on the evening of the annual Christmas street party.

It should be noted that the power infrastructure available on Dampier Terrace is limited and the decorations have been planned with consideration for these constraints. There is currently no budget allocation available to upgrade the power infrastructure on Dampier Terrace; however a cost estimate has been prepared which indicates cost of \$64,000 to install three power domes in Dampier Terrace. Council may elect to allocate funds for these works however Officers envisage the opportunity to consider this as part of the Chinatown Revitalisation.

A number of options were explored for decorations in Dampier Terrace including; installing a large Christmas tree at Streeter's Jetty and stringing tinsel runners across Dampier Terrace. These options were dismissed due to a combination of infrastructure limitations and achieving maximum benefit of investment made.

An opportunity exists to involve local businesses, the community and local artists in the activation of Dampier Terrace, and officers propose the following initiatives for Council's consideration:

- Christmas Lanterns
- Public art display – visual projection
- Pop up art exhibition

Christmas Lanterns:

Consultation with retailers has shown support for Christmas lanterns to be hung from the verandas along Dampier Terrace. It is proposed that the lanterns are sourced by the Shire and offered for sale to businesses in Dampier Terrace at a discounted rate. The retailers would then be responsible for placing the lanterns out and bringing them in each night to avoid vandalism. This initiative provides an opportunity for businesses to be directly involved in the Chinatown Christmas project and creates a sense of ownership and pride.

Visual Projection:

While the lanterns would create a visual impact during the day, there also needs to be a feature to activate the street at night, particularly on the evening of the Christmas street party.

It is proposed that the Shire works with a local artist to create a visual projection display to be projected onto selected buildings in Dampier Terrace. The community would be invited to submit images and/or text to be included in the projection, and would then be encouraged to visit Dampier Terrace to view their Christmas message or image. A similar project has proven very successful in Melbourne at Federation Square with community members flocking to Federation Square to see their Christmas messages displayed on message boards on the side of the Tourist Information building.

Submissions for inclusion in the projection will be sought through social media, email and will be advertised through local media. It is proposed that the Chief Executive Officer will reserve the right, at his discretion, to remove and/or refuse any of the submissions for any reason whatsoever.

Officers have consulted with local artists who specialise in visual projection who are supportive of the project and have indicated that it is achievable in the space and within the available budget. Quotes will be sourced and it is proposed that an artist be engaged to project manage and deliver the project. Officers would work with the artist and storeowners to identify suitable locations for the projection. The locations for the projection will be dependent on the location and distance of the projector in relation to the wall. Several possible sites have been identified and tests will be conducted to determine the most suitable location. If budget allows it is hoped that several projectors may be set up in various locations throughout Dampier Terrace.

At a minimum, the visual projection will take place on the night of the Christmas street party only, due to budget constraints and difficulties with logistics and security for the equipment. However officers will work with the project manager to investigate the possibility of continuing the display throughout the Christmas period.

Pop Up Art Exhibition:

It is proposed that a pop up art exhibition is held in Johnny Chi Lane. The purpose of the exhibition is to create points of interest along the laneway to encourage shoppers to move through the laneway between Dampier Terrace and Carnarvon Street. The exhibition would also respond to an expressed need from local artists for a space to display their art and provides an opportunity to increase sales over the Christmas period.

Advice has been sought from the arts community including Art Above the 26th, a community driven group of local artists who coordinate pop up galleries across the Kimberley, who are supportive of the project and have offered logistical advice and suggestions on how to effectively engage artists and the wider community.

Expressions of interest would be sought from local artists who would have the opportunity to sell their works and would be responsible for the management of sales of their own works. It is proposed that artists would work together to man the space. Businesses in Johnny Chi Lane would be approached to assist with storing the artworks in a secure location overnight if required. Businesses have indicated they are supportive of the concept however further consultation is required to obtain formal permission from the property owners.

CONSULTATION

In line with the Community Engagement Framework it was determined that the Chinatown Christmas Project requires engagement at the consultation level. Ongoing consultation is taking place with the following key stakeholders:

- Spirit FM
- Chinatown Traders Association
- Chamber of Commerce
- Arts community
- Chinatown property owners – particularly in Johnny Chi Lane

The Chinatown Development Strategy will be considered in the planning and implementation of the project.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

4.1.13 Chinatown Signage and Advertising Policy

5.1.10 Community Engagement

FINANCIAL IMPLICATIONS

Income	
Budget Allocation GL 116184	\$35,000
Expense	

Renewal of existing decorations	\$3,500
Installation and removal of existing decorations	\$16,500
Support for street party (waste, traffic management)	\$5,000
New decorations for Dampier Terrace	\$10,000
Lanterns \$3,000	
Visual Projection \$7,000	
Total Expenses	\$35,000

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Encourage communication.

Create community spaces.

Encourage recreational activity.

Nurture and build social capital to increase community capacity.

Our Place Goal – Help to protect the nature and built environment and cultural heritage of Broome whilst recognising the unique sense of the place:

Preserve and promote the unique and significant historical and cultural heritage of Broome.

Retain and build on Broome's iconic tourism assets and reputation.

Implement best practice asset management plans to optimise Shires' infrastructure whilst minimising life cycle costs.

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

Encourage community engagement.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council:

1. *Nominates Carnarvon Street and Dampier Terrace (between Napier Terrace and Short Street) as the focal points for Christmas decorations in Chinatown in 2014, with new additional decorations to be focused on Dampier Terrace.*
2. *Requests the Chief Executive Officer to:*
 - (a) *Work in collaboration with Spirit FM, Chinatown Traders Association, and local businesses to stage a Christmas Street party on Thursday 4 December 2014, with the Shire's role to be coordinating traffic management, waste management*

and cleaning services.

(b) Collaborate with local businesses and artists to provide decorations in Dampier Terrace incorporating the following elements;

- Christmas lanterns to be sourced by the Shire and purchased by storeowners to be hung from verandas along Dampier Terrace,*
- visual projection project to incorporate messages and images submitted by the Broome community, and*
- pop up art exhibition in Johnny Chi Lane,*

on the condition that the Chief Executive Officer reserves the right, at his discretion, to remove and/or refuse any of the submissions to the visual projection and art exhibition for any reason whatsoever.

(c) Negotiate with property owners to obtain relevant permission to conduct the pop up exhibition in Johnny Chi Lane and project text and images onto buildings.

Attachments

Nil

9.1.2 MARKETS - TOWN BEACH AND CHINATOWN

LOCATION/ADDRESS:	Town Beach Reserve, Robinson Street and Chinatown
APPLICANT:	Broome Community Stallholders Association Inc
FILE:	ORL45, PLA94
AUTHOR:	Manager Community Development
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	8 October 2014

SUMMARY: This report seeks Council's consideration of a request from the Broome Community Stallholders Association Inc. (BCSA) for an on-going reduction in venue hire fees for the Staircase to the Moon Markets held at Town Beach from April to October each year. In addition, BCSA has further requested the Shire's support to hold regular night markets in Chinatown during this period. This report recommends continued support for the Staircase Markets in 2014 and 2015 and proposes working with key stakeholders and the community to investigate the development of a coordinated calendar of events to activate Chinatown.

BACKGROUNDPrevious Considerations

OMC 26 October 2006 Item 9.4.4

The Broome Community Stallholders Association (BCSA) oversees the Broome Courthouse Markets held weekly in the gardens of the Broome Courthouse which were started over 25 years ago by a small group of locals wishing to trade local product. A not-for-profit organisation, the BCSA is managed by a voluntary committee comprised of regular stallholders. The BCSA also hosts the Staircase to the Moon Markets which are held at Town Beach Reserve over the two nights of the full moon in April – October to take advantage of the natural phenomenon of the Staircase to the Moon.

The Shire of Broome currently provides traffic management and waste management support for the Staircase Markets. BCSA has requested a reduction in the cost of hiring the Town Beach Reserve for the 2014 Staircase Markets and seeks to enter into an agreement with the Shire to secure this discount on an on-going basis.

BCSA submits a venue hire application annually for the markets to take place which triggered an invoice being issued for the full amount of the venue hire for the 2014 season. BCSA has paid 50% of this invoice to date and now seeks Council's consideration of a waiver of the remainder.

As per the Shire's Events Policy 5.1.11 (Event Fees Section (e)), Broome based not for profit organisations may be eligible for a reduction in venue hire fee of up to 50% upon application. According to the policy a request must be made in writing to the Chief Executive Officer. The request received is for an ongoing nature for a number of years and is therefore outside the provisions of Policy 5.1.11 and as a result the matter is referred to Council for consideration.

BCSA has subsequently requested Shire support to hold regular night markets in Chinatown from April to October. This request is also presented for Council's consideration.

COMMENT

Staircase Markets

The Staircase Markets have become a popular tourist attraction during the months from April to October, promoting a family-friendly, festival atmosphere for community enjoyment of the reserve with local vendors and the Staircase to the Moon phenomenon. The markets are valued by the local community and visitors to the town.

While the BCSA is a not for profit organisation, its members are vendors who earn an income from the market stalls. For the Staircase Markets, stallholders are charged \$30 per 2 nights (sourced from BCSA website). Therefore, each market needs to comprise at least 27 stallholders to meet the full cost of the venue hire (based on 7 hours @ \$57 per hour). In addition, the BCSA provides a skip bin for the use of stallholders however officers note that this is generally not used in favour of additional bin services provided and paid for by the Shire of Broome. Other costs charged to the BCSA include trading permits and bin hire and are outlined in the Financial Implications section of this report.

The Shire of Broome currently provides in-kind support for the Staircase Markets to the value of at least \$20,000 annually comprising traffic and waste management services including road closures and litter control. In addition, the BCSA has access to the Shire's electrical supply at the Town Beach Reserve which is used by Stallholders at no cost. Shire officers also provide guidance and technical events advice and assistance to the BCSA as required.

It is proposed that Council continues to provide this support for the 2014 and 2015 tourist seasons and considers a longer term agreement following further investigation as outlined below.

Chinatown Night Markets

BCSA has recently submitted a further request to hold regular night markets in Chinatown in addition to the Staircase markets. BCSA is seeking traffic and waste management support from the Shire and it is envisaged that stallholders will seek to use the Shire's electrical supply available in Carnarvon Street when markets are proposed to be held in this vicinity.

The proposal includes a weekly night market comprising members of the BCSA and casual stallholders to be held on Thursday evenings in Chinatown between April and October with the following objectives;

- To activate Chinatown by providing evening activities and encouraging Chinatown retailers to participate
- To provide further retail opportunities for BCSA members

This idea was mooted in 2013 as a partnership between BCSA and the Broome Chamber of Commerce and Industry (BCCI). However, due to the limited financial and human capacity of these organisations the initiative did not progress beyond a couple of night markets held during cruise ship visits.

BCCI's Cruise Ships Committee is expecting 21 cruise ships to visit Broome during the 2015 season and has submitted a proposal to the Shire seeking a contribution of \$30,000 to host cruise ship visitors to the town, providing information, brochures, logistics and local coordination. BCCI acknowledges that provision of night markets could be a part of the program for cruise ship visits, however some work would be required to ensure effective coordination between the BCSA, the Cruise Ships Committee and other current and potential stakeholders.

It is the view of the Chinatown Traders Association representative that night markets are not particularly beneficial for Chinatown's regular traders and that visitors to the night markets are more interested in a range of food choices and market-style products at 'market' prices. However, it was agreed that activation of Chinatown is a priority and that Chinatown retailers could be encouraged to open for late night trading during any proposed night markets.

It is envisaged that a recommendation would be made to Council that involved a coordinated approach to a range of activities to be held in Chinatown.

Traffic Management

For Council's information, traffic management undertaken by the Shire for the Staircase markets costs in the vicinity of \$2,600 per market and it is conceivable that a similar cost would be incurred for a night market in Chinatown. This means that with 12 Staircase Markets and potentially 18-20 Chinatown night markets during the April to October period, the value of the Shire's support would be approximately \$78,000. These costs are based on the Shire's adopted Fees and Charges which need to include the cost of labour plus overheads with penalty rates often applied due to events taking place after hours and on weekends.

This can be a significant burden on the community groups involved and on Shire resources. As a means of addressing this challenge, it is proposed that the Shire investigates the provision of training for local community groups to undertake traffic management at events. This would a) increase the capacity of the local community; b) provide a means of fundraising for those groups; and c) make traffic management more affordable for community events.

Officer Recommendation

It is proposed that Council continues to support the Broome Community Stallholders Association in recognition of the contribution of the organisation and its members to the liveability and vibrancy of Broome. However, officers are mindful of the impost the proposed increased activity will have on the Shire's resources and propose that Council continues to provide the current level of support of the Staircase Markets for the 2014 and 2015 tourist season including;

1. a subsidy of 50% of the venue hire of the Town Beach Reserve. Council could fund this 50% subsidy of the hire fee (\$2,800 pa) from GL Op Exp Account 132060 - Tourism Initiatives which is funded from the Tourism Differential Rate or fund this from the General Municipal Fund. Alternatively, Council could decline this request and request the BCSA to fund the full hire fees.
2. electricity, traffic management and waste management.

While BCSA has requested an on-going agreement, officers propose that further investigation with key stakeholders and the community is undertaken to develop and cost a coordinated calendar of events for Chinatown that encompasses the proposed night markets, late night retailer trading, cruise ship visits and street entertainment opportunities. Council could then, if it wished, consider a longer term Memorandum of Understanding with key stakeholders.

CONSULTATION

Broome Community Stallholders Association
Broome Chamber of Commerce and Industry
Chinatown Traders (representative)

It is envisaged that the development of a calendar of events for Chinatown would also include broader community consultation which may include social media and a request for feedback in the Shire News and on the Shire's website.

STATUTORY ENVIRONMENT

6.12. Power to defer, grant discounts, waive or write off debts

- (1) Subject to subsection (2) and any other written law, a local government may —
- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money,
- which is owed to the local government.

* Absolute majority required.

- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

[Section 6.12 amended by No. 64 of 1998 s. 39.]

Local Law - Broome Trading, Outdoor Dining and Street Entertainment 2003 (with 2012 amendments)

POLICY IMPLICATIONS

5.1.11 – Events Policy (Events Fees) states:

- (e) The Shire may provide a 50% reduction on venue hire charges (not including bonds) for all Shire venues, excluding the Broome Recreation & Aquatic Centre and Broome Civic Centre, to not-for-profit organisations, fund-raising events or community events upon application. The Chief Executive Officer is delegated authority to determine the not-for-profit status and to judge each application on its merits.
- (f) Organisations claiming a reduction in fees must write to the Chief Executive Officer at least 4 weeks prior to the date of venue hire detailing their qualification for a reduction in venue hire fees. Reductions by way of Council sponsorship of an equivalent amount of the hire fee will be considered as follows:
- i. Broome Shire Charitable Organisation event, open to the public and free of entry costs eligible for 50% reduction in venue hire fee.
 - ii. Broome Shire Charitable Organisation event with entry fee eligible for 25% reduction in venue hire fee.
 - iii. Non-Broome Shire Charitable Organisations will not be eligible for a reduction in venue hire fees.

4.2.3 - Street Entertainment Busking

4.2.12 - Trading in Public Places

4.2.13 - Food Act 2008 Compliance and Enforcement

8.3 – Outdoor Dining

8.22 – Chinatown Development Strategy

FINANCIAL IMPLICATIONS

During the past three years, the Shire has provided venue hire discounts to the value of \$9,360 plus in-kind support (traffic and waste management) to the value of \$27,087 for the Staircase Markets. The BCSA has paid a total of \$15,008 for venue hire, event application fees, an annual trading licence and bin hire.

BCSA is requesting a 50% discount on the venue hire fees on an on-going basis. This is estimated to equate to approximately \$2,800 per annum based on 2014/15 Venue Hire Fees and Charges at a rate of \$57/hour x 7 hours/night 14 nights. It is proposed that this amount would be allocated to GL Op Exp Account 132060 – Tourism and Area Promotion.

The 2014/15 budget includes an allocation of \$15,000 in GL Exp Account 116196 for traffic and waste management provided by the Shire for the Staircase Markets. The draft budget of \$25,000 was reduced in order to balance the budget however it should be noted that to date, \$10,608 has been expended with outstanding orders of \$1,494. Should Council agree to continue to provide the current level of support, a budget amendment will be required. It is recommended that this matter be addressed during the first quarter FACR.

There is currently no fee prescribed in the Shire's Fees and Charges adopted by Council for the hire of roads or access ways. Therefore, the only charges to be applied for night markets in Chinatown would be an event application fee, amendment to the annual trading licence and any works undertaken by the Shire for the markets such as traffic management, provision and collection of bins and possibly the hire of the Shire's variable message board.

Council funded the BCCI \$15,000 (from the Tourism Development – Tourism and Area Promotion) as part of the 13/14 budget to support the Cruise Ship initiative. The BCCI request for \$30,000 for the Calendar year of 2015 to support the cruise ship initiative is proposed to be further investigated as per this recommendation and reported to Council for consideration in due course.

It should also be noted that to date, \$3,795 has been allocated against the 2014/15 budget of \$30,000 for GL Exp Account 132060 – Tourism and Area Promotion. It is envisaged that once the reconciliation of the Perth Royal Show Guest Town Initiative is finalised and if Council chooses to grant BCSA's request for a venue hire discount, this account will be fully expended and any further allocations will require a budget amendment.

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Effective communication.

Affordable services and initiatives to satisfy community need.

Accessible and safe community spaces.

Participation in recreational activity.

A healthy and safe environment.

High level social capital that increases community capacity.

Our Place Goal – Help to protect the nature and built environment and cultural heritage of Broome whilst recognising the unique sense of the place:

A preserved, unique and significant historical and cultural heritage of Broome.

Retention and expansion of Broome's iconic tourism assets and reputation.

Our Prosperity Goal – Create the means to enable local jobs creation and lifestyle affordability for the current and future population:

Affordable and equitable services and infrastructure.

Key economic development strategies for the Shire which are aligned to regional outcomes working through recognised planning and development groups/committees.

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

Responsible resource allocation.

Effective community engagement.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council:

1. *Continues to support the Broome Community Stallholders Association's Staircase Markets for the 2014 and 2015 tourist seasons through the provision of;*
 - (a) *A 50% discount on the hire of the Town Beach Reserve for this purpose funded from GL Exp Account 132060 – Tourism and Area Promotion; and*
 - (b) *Traffic management, waste services and electricity for the Staircase Markets.*
2. *Requests the Chief Executive Officer to;*
 - (a) *Advise the Broome Community Stallholders Association accordingly;*
 - (b) *acknowledge the proposal from the Broome Community Stallholders Association; and*
 - (c) *advise that Council seeks a coordinated approach to the activation of Chinatown to deliver maximum economic and social benefits for Broome and that its proposal for Chinatown night markets will be considered in this context.*
3. *Requests the Chief Executive Officer work with key stakeholders including Broome Chamber of Commerce and Industry, Chinatown Traders and Broome Community Stallholders Association to investigate the development and costing of a*

coordinated calendar of events to activate Chinatown that could include but may not be limited to;

- (a) Weekly night markets*
- (b) Cruise ship hosting*
- (c) Street entertainment*
- (d) Late night trading opportunities*

and report back to Council regarding the resource implications for the Shire.

- 4. Requests the Chief Executive Officer to investigate the provision of traffic management training for local not for profit organisations to increase community capacity and provide opportunities for financial returns to these groups.*

Attachments

Nil

9.2

OUR PLACE



PRIORITY STATEMENT

The Shire of Broome has an abundance of unique natural features, coastal attractions, significant streetscapes, historic precincts and a mix of old and new urban developments.

Our aim is for all communities and settled areas, including the Broom Township, to be a place where the natural environment, on which life depends, is maintained, whilst at the same time the built environment contributes to the economy and a quality lifestyle for all.

Preserving the Shire's natural environment is a critical community outcome. Council will put into place strategies that nurture and improve the Shire's unique environment and biodiversity.

The Shire will work in partnership with the community and other agencies to ensure responsible and accountable management of both the natural and build environments is achieved in the short term and for future generations.

9.2.1 OUTCOME OF MEDIATION REGARDING A PROPOSED TOURIST DEVELOPMENT- LOT 451 (NO 33) HAMERSLEY STREET, BROOME

LOCATION/ADDRESS:	Lot 451 Hamersley Street, Broome
APPLICANT:	Rowe Group on behalf of J & P & J Tilbrook
FILE:	DEA20 and HAM-1/33
AUTHOR:	Manager Planning Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director of Development Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	7 October 2014

SUMMARY: At the Ordinary meeting of Council 24 April 2014 Council approved with conditions a Tourist Development on Lot 451 (No 33) Hamersley Street, Broome.

The applicant on 3 June 2014 lodged an application for review with the State Administrative Tribunal DR178 of 2014. Mediation sessions have been held on 31 July 2014 and 11 September 2014.

This report presents Council with the mediated position and makes recommendations on the way forward.

BACKGROUND

Previous Considerations

OMC 1 August 2007	Item 9.3.1
OMC 24 July 2008	Item 9.3.7
OMC 18 December 2012	Item 12.1
OMC 24 April 2014	Item 9.2.1

History

An application for Planning Approval was considered at the Ordinary Meeting of Council on 24 April 2014 and Council resolved the following:

That Council approves the application for planning approval 2014/14 submitted by Rowe Group on behalf of J & P & J Tilbrook for a 'Tourist Development' at Lot 451 (No 33) Hamersley Street, Broome, subject to the following conditions:

1. *The development is to be carried out in compliance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent:*

Plans and Specifications

P1 (site plan) received at the Shire of Broome on 5 March 2014, P2 (site plan/roof plan), P3 (ground floor plan), P4 (first floor plan), P5 (elevation) and P6 (elevation) received by the Shire on 28 January 2014.

2. *Outdoor lighting must be appropriately designed, shielded and located to the satisfaction of the Shire, to prevent any light spill and adverse effects on nearby or adjoining land.*

3. Any roof mounted or freestanding plant or equipment such as air-conditioning units and clothes drying areas must be located and screened so that they are not visible from beyond the boundaries of the lot.
4. Prior to any construction or works starting on-site or within the abutting reserve, a Landscaping Plan must be submitted to and approved by the Shire. A detailed Landscaping Plan must be drawn to an appropriate scale and show the following:
 - a) The location and type of existing trees including girth sizes (to be measured around the width circumference); and how they interact with the proposed development.
 - b) The location and type of new trees and shrubs including an estimate of ultimate girth sizes that are proposed to be installed as part of the landscaping.
 - c) Any lawns to be established
 - d) Any landscape areas to be retained
 - e) Those areas to be reticulated or irrigated.
 - f) 1m minimum, should be kept clear of all impervious materials around existing and proposed tree trunks.
5. The Landscaping Plan required under condition 4 must also incorporate landscaping of the adjacent reserve immediately adjacent to the south-west and north-east boundary of the site.
6. Prior to the occupation of the development, all landscaping shown on the approved landscaping plan must be completed and therein maintained at the applicants cost to the satisfaction of the Shire of Broome.
7. Prior to the occupation of the development, the proponent must prepare and register a notification under Section 70A of the Transfer of Land Act, in a form acceptable to the Shire, giving notice of the landowner(s) responsibility for maintenance of the landscaping.
8. Prior to the commencement of site works, the applicant must submit detailed plans and specification of the vehicle crossover meeting the Shire of Broome's crossover specification and the crossover must be installed prior to the occupation of the development.
9. A stormwater drainage system is to be provided in accordance with the Shire of Broome's guidelines and specifications for design and construction of stormwater drainage systems, the system shall be designed and documented by a practicing Civil Engineer to the satisfaction of the Shire.
10. Drainage and any filling of the site must be carried out in accordance with the approved drainage plan and then maintained to the satisfaction of the Shire.
11. No person shall occupy the site for more than 3 months within any 12 month period.
12. The owner/manager is required to keep a register of all guests detailing their name and length of stay and this register is to be made available to the Shire of Broome officers upon request.

13. *Prior to the commencement of site works, the applicant is to prepare and register a notification under Section 70A of the Transfer of Land Act, the following notification:
This site is approved for use a Tourist Accommodation only and can only be occupied by any person for a maximum term of 3 months in any 12 month period.*
14. *Prior to the commencement of site works, an appropriately qualified professional person and/or organisation with appropriate indemnity insurance is to undertake a coastal hazard risk assessment and is to provide certification and documentation that the retaining wall along the south east, south west and north east side of the property is designed as a structural retaining wall and suitable for the marine environment (salt water and tidal/storm surge) to the satisfaction of the Shire.*
15. *Prior to the commencement of site works the applicant is to make a \$5,372.00 cash contribution to the Shire of Broome towards the future construction of a footpath within the adjacent Hamersley Street road reserve.*
16. *Prior to the commencement of site works, the applicant is to prepare and register a notification under Section 70A of the Transfer of Land Act, the following notification:

VULNERABLE COASTAL AREA: this lot is located within an area likely to be subject to coastal erosion and/or inundation over the next 100 years.*
17. *Prior to the commencement of development the applicant must submit a Foreshore Management Plan for the approval of the Shire of Broome. The applicant is required to implement any measures within the Foreshore Management Plan at all times.*

ADVICE TO APPLICANT

- a) *This approval does not permit the use of the land and or any building or undertaking of development unless all conditions have been and continue to be complied with.*
- b) *You are advised of the need to comply with the requirements of the following other legislation:*
 - (i) *The Western Australian Building Act 2011 requires a Building Permit being obtained from the Shire before any work commences on site as per the Building Code of Australia. The application for Building Permit must include the working drawings, Structural Engineers Certification in accordance with the requirements of the Building Code of Australia.*
 - (ii) *Health Act 1911 and Department requirements in respect to the development and use of the premises include:*
 5. *As the premises is designed to accommodate more than 6 people, it is required to comply with the Lodging House provisions of the Health Act 1911 and the Health Local Laws.*
 6. *The laundry is to be fully separated from the kitchen by a wall/door in accordance with the Health Local Law and/or Food Act 2009.*
 7. *The site must be connected to sewer by a licensed sewer operator in accordance with AS3500.*
 8. *The swimming pools must meet the Health (Aquatic Facilities) Regulations 2007.*

- (a) *With regard to condition 4, the landscaping selected for this area must include the planting of trees that could by their size foliage and form reduce the bulkiness in the fencing height while ensuring the area is able to be used as a public space.*
- (b) *With regard to condition 7, the vehicle crossover design is to include a reversing bay to be constructed from a permissible verge treatment as defined in Engineering Policy 3.1.16 – Verge Maintenance.*
- (c) *If the development, the subject of this approval, is not substantially commenced within two (2) years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, development is prohibited without further approval being obtained.*
- (d) *The granting of this Planning Approval is not a clearance that there are no Aboriginal Sites on the land nor an approval under Section 18 of the Act, in the event that there is an Aboriginal Site on the land. The owner will need to make its own enquiries and application to the Department of Aboriginal Affairs.*
- (e) *If alterations to the building are required to obtain a building permit from the Shire another planning application or amendment to this planning application must be submitted and approved by the Shire of Broome.*
- (f) *With regard to Condition 17, the Foreshore Management Plan is to address how public access between the subject site and the coastal reserve is to be maintained and subject to the findings of the coastal impact assessment, must identify if any erosion/impacts occur on the adjoining reserve as a result of this development is to be rectified by the owners of Lot 451 at their cost.*
- (g) *That the applicant be advised that the draft local planning policy – old Broome development strategy proposes a tram line to run on the eastern side of Hamersley Street*

Site and Surrounds

Lot 451 is a vacant lot, 668sqm in area between Hamersley Street and the foreshore of Roebuck Bay. It is completely surrounded by Reserve 39556 which is a Recreation reserve vested in the Shire. The subject land is approximately 22 metres deep and 30 metres long, and the natural ground level on the site slopes in a north-east to south-west direction from approximately 6.6 metres Australian Height Datum (AHD) to 5.2 metres AHD, a fall of approximately 1.4m from the northern boundary to the rear of the lot. The site is set below the road level between 2.7 and 3.9 metres. Bedford Park is located to its northwest on the opposite side of Hamersley Street.

COMMENT

As all matters during mediation are confidential the attachment to this item is presented to Council as a confidential attachment. In both the hearing and mediation the Shire was represented by Mr Joe Algeri of Altus Planning & Appeals supported by Shire officers with Mr Matt Eliot, Coastal Engineer, Damara WA Pty Ltd and Mr Paul Branson, Senior Engineer, Coastal and Ocean, CARDNO providing expert advice.

Attachment 1 – Location Plan

Attachment 2 – Confidential Document

CONSULTATION

Confidential as per mediation

STATUTORY ENVIRONMENT

State Administrative Tribunal Act 2012

30. Decision-maker to assist Tribunal

In a proceeding for the review of a reviewable decision, the best endeavours of the decision-maker are to be used to assist the Tribunal to make its decision on the review.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

The Shire costs associated with the application for review is being borne from within current budget allocations. The Shire has also submitted a claim to its insurers and continues to provide all the necessary documentation for their assessment.

STRATEGIC IMPLICATIONS

Our Place Goal – Help to protect the nature and built environment and cultural heritage of Broome whilst recognising the unique sense of the place:

Realistic and sustainable land use strategies for the Shire within state and national frameworks and in consultation with the community.

A built environment that reflects arid tropical climate design principles and historical built form.

A unique natural environment for the benefit and enjoyment of current and future generations.

A preserved, unique and significant historical and cultural heritage of Broome.

Retention and expansion of Broome's iconic tourism assets and reputation.

Best practice asset management to optimise Shires' infrastructure whilst minimising life cycle costs.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council endorses the mediated outcomes position as outlined in the confidential document Attachment 2 and authorises the Chief Executive Officer to proceed in accordance with the recommendation therein.

Attachments

1. Lot 451- Location Plan
2. Lot 451- Confidential Document (*Confidential to Councillors and Directors Only*)
This attachment is confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)(d) as it contains “legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting”.
3. Lot 451- Position on Conditions (2A) (*Confidential to Councillors and Directors Only*)
This attachment is confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)(d) as it contains “legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting”.

9.2.2 PROPOSED LOCAL PLANNING POLICY - FORMS OF RESIDENTIAL ACCOMMODATION OTHER THAN A SINGLE HOUSE

LOCATION/ADDRESS:	Shire of Broome
APPLICANT:	Nil
FILE:	PLA22
AUTHOR:	Planning Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director of Development Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	8 October 2014

SUMMARY: The draft Local Planning Policy (LPP) – Forms of Residential Accommodation other than a Single House was adopted for the purpose of seeking public comment at the Ordinary Meeting of Council on 22 May 2014.

The policy has been advertised and four submissions were received.

The report recommends that Council adopts the policy with some minor modifications.

BACKGROUND

Previous Considerations

OMC 16 May 2013	Item 9.2.7
OMC 27 February 2014	Item 9.2.8
OMC 22 May 2014	Item 9.2.4

History

At the OMC of 22 May 2014 Council resolved to adopt the draft LPP – Forms of Residential Accommodation other than a Single House for public comment. In accordance with the Scheme, LPP 8.23 – Public Consultation Planning Matters and the adopted Community Engagement Strategy the draft Policy was made available for public comment for a period of 21 days and a workshop was held with relevant Industry representatives.

COMMENT

Broome experiences housing affordability issues with many residents facing mortgage or rental stress. As a result the Shire receives a number of enquiries/applications from applicants and developers seeking to build dwellings which are designed or used for purposes other than a single house. This may impact upon the amenity of an area and/may result in substandard facilities.

Also as a result of housing affordability, the Shire has had a number of enquiries about different residential building forms. Common enquiries include applicants wanting to apply for either grouped or multiple dwellings which are designed such that within each individual dwelling unit there are separately keyed sections and they can be used as a separate dwelling albeit they share a laundry. These types of enquiries have given rise for the need to prepare a LPP to provide clearer definition of dwelling types and to ensure

that development is adequately serviced in terms of car parking, storage areas, outdoor living, etc.

At the OMC on 16 May 2013, Council considered an application for retrospective approval for a Residential Building and Serviced Apartments at Lot 495 (No 49) Wirl Buru Gardens. This is an example of a site, where approval was obtained for a single dwelling; however the building was then used as a 'Residential Building', which detrimentally impacted on the adjoining residential amenity.

As a part of considering this item, Council made the following resolution:

“Request the Chief Executive Officer to prepare a Local Planning Policy in relation to Residential Buildings and Residential Buildings comprising of serviced apartments.”

Accordingly Officers drafted a policy which general provisions (clauses 1 to 6) establish criteria where building layout/designs could reasonably be determined to be a residential form other than a Single House and therefore under the Scheme would require planning approval. Policy provisions (clause 7) have also been established to acknowledge that some of the criteria identified may be incorporated for cultural or entertainment purposes with the dwelling still intended to be used as a single house. In such situations a statutory declaration should be provided by the landowner.

Consistent with the resolution of Council mentioned above, the Policy also establishes development standards for Residential Buildings (clause 9) and sets out that management plans which are to be submitted with an application for a Residential Building (clause 10). The Policy is not intended to address Lodging Houses, as the licensing of Lodging Houses is dealt with outside the planning process through the Health Local Laws.

At the close of the public consultation period and following the feedback at the workshop, officers reviewed the submissions received and are recommending some minor amendments to the policy. Each amendment is set out in the headings below.

Amendment 1: Application of the Policy.

It is recommended that a heading be included to make it clear that the policy will be applicable to the area that is covered by TPS 4 only.

Amendment 2: Description of Figure 1 and Figure 2.

Figure 1 and Figure 2 is described as follows: “An example of a layout which has common laundry facilities but the form and function is two separate dwelling units. This would be classed as two Multiple Dwellings, two Grouped Dwellings or Single House with Ancillary Dwelling.”

In terms of the R Codes a multiple dwelling has the requirement that any part of the plot ratio needs to be vertically above any part of another unit. In the picture no part of any unit is above another unit, it is recommended this is clarified in the description.

It is recommended that Figure 1 and 2 be described as follows:

An example of a layout which has common laundry facilities but the form and function is two separate dwelling units. This would be classed as either two grouped dwellings, single house with ancillary dwelling or multiple dwelling if they were constructed above or below another dwelling.

CONSULTATION

Clause 2.5(a) of TPS4 and LPP 8.23 – Public Consultation Planning Matters requires that Local Planning Policies be advertised for 21 days and placed in a local newspaper circulating within the Scheme area for two consecutive weeks. The policy was advertised in the Broome Advertiser on 26 June 2014 and 3 July 2014 seeking comments for a period of 21 days.

At the close of the advertising period four submissions were received.

The following key themes have been identified in the submissions:

- Possible “short stay restriction” to make Residential Buildings similar to resort hotels.
- Building surveyors calling Ancillary Accommodation a “Class 2” building. This increases the construction cost.
- There was a suggestion that a new category of dwelling be created that should be called Multi-Generational and Extended Family Homes.
- The requirement for only two parking bays to be visible from the road is viewed as being restrictive.

Detailed officer comment with respect to each submission is provided in Attachment 1.

As part of the consultation process letters/e-mails were sent to Industry stakeholders informing them of the proposed draft policy. A workshop was also held on 7 July 2014 where the stakeholders were given an opportunity to discuss the policy with Shire Officers and recommend improvements to the policy. There were 4 attendees – 2 architects (Engawa), 1 builder (Broome Builders) and 1 developer (Landcorp)

The following aspects were discussed at the workshop with stakeholders.

- Definition of a 'kitchen' –Officers are of the opinion that the inclusion of a sink is what causes a space to be able to be used as a kitchen as cooking facilities do not need to be shown on a plan and can for instance be installed at a later stage. If it appears that it will be possible to use a room as a kitchen clarification will be required from the applicant.
- Officers acknowledged that multiple kitchens may sometimes be required for cultural reasons within a single house. Point 7.0 of the policy addresses this issue and states that a statutory declaration may be required to confirm the building will be used as a Single House.
- Attendees expressed concern over the lack of clarity as to when fire separation will be required for Ancillary Accommodation. Shire of Broome officers advise that the following principles will apply when such building applications are submitted.
 - If the Ancillary Dwelling is under the same roof as the main dwelling and it shares parking facilities fire separation will not be required.
 - On corner blocks if the Ancillary Dwelling is not under the same roof and is provided with a separate access point fire separation will be required.
 - Alternative solutions may be employed rather than fire walls to comply with BCA requirements– example of interconnected smoke alarms. Also the possibility to require a statutory declaration stating that the building will be occupied by a single family.
 - Acoustic separation is also an issue as the Ancillary Dwelling and the Dwelling can now be occupied by unrelated people.
- It was confirmed that development will be allowed if it complies with the R Code provisions. For instance Multiple Dwellings may be allowed on properties which are

Coded R 40 provided it complies with the requirements of the R Codes and other Scheme provisions (such as height, etc).

- The purpose of the policy is to ensure that forms of residential development other than a Single House is properly controlled. The provisions of the policy will ensure the following.
 - Adequate parking is provided on site.
 - That it will not be possible to use separate bedrooms as self contained dwelling units.
 - That all development has the appearance of a Single House.

It is recommended that Council adopt the Local Planning Policy as modified. In accordance with TPS4 Clause 2.5 (c) the adoption of the policy will be advertised once in a local paper.

STATUTORY ENVIRONMENT

Town Planning and Development Act, 2005

Town Planning Scheme No.4

Section 2.5 of TPS4 requires the following procedure to initiate and finalise an amendment to a LPP.

"2.5 Procedures for Making and Amending Local Planning Policy

A Local Planning Policy shall become operative only after the following procedures have been completed:

- (a) The Council having prepared and adopted a draft Policy shall publish a notice once a week for two consecutive weeks in a local newspaper circulating within the Scheme Area giving details of where the draft Policy may be inspected, the subject and nature of the Policy and in what form and during what period (being not less than 21 days) submissions may be made.*
- (b) The Council shall review the draft Policy in the light of any submissions made and shall then resolve either to finally adopt the draft Policy with or without modification, or not to proceed with the draft Policy.*
- (c) Following final adoption of a Policy, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area.*
- (d) Where, in the opinion of the Council, the provisions of any Policy affect the interests of the Commission, a copy of the policy shall be forwarded to the Commission.*
- (e) The Council shall keep copies of any Policy with the Scheme documents for public inspection during normal office hours.*
- (f) Any amendment or addition to a Policy shall follow the procedures set out in (a) - (d) above."*

POLICY IMPLICATIONS

The Policy would have implications for how statutory planning officers assess building plans and determine the type of residential development that is being proposed. The Policy would also set minimum development standards for Residential Buildings.

The objectives of the Policy are:

1. To facilitate the development of appropriately located and high quality residential accommodation.

2. To define the use, management and level of service provided for Residential Buildings.
3. To ensure various forms of accommodation are of a compatible scale and design with surrounding development.
4. To ensure that the establishment of alternative forms of residential accommodation in the residential zone protects the residential amenity.

LPP 8.23 – Public Consultation Planning Matters – the consultation undertaken was consistent with the Policy.

FINANCIAL IMPLICATIONS

The cost of advertising will be borne within existing budget allocations.

STRATEGIC IMPLICATIONS

Our Place Goal – Help to protect the nature and built environment and cultural heritage of Broome whilst recognising the unique sense of the place:

A built environment that reflects arid tropical climate design principles and historical built form.

A unique natural environment for the benefit and enjoyment of current and future generations.

Retention and expansion of Broome's iconic tourism assets and reputation.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council:

1. *Pursuant to clause 2.5 of Town Planning Scheme 4 adopts Local Planning Policy – Forms of Residential Accommodation other than a single house with changes as outlined in Attachment 2.*
2. *Advertises the adoption of the policy in accordance with Shire of Broome Town Planning Scheme No.4. clause 2.5(c).*

Attachments

1. Attachment 1- Schedule of Submissions
2. Attachment 2 - Draft Policy

9.2.3 FINAL ADOPTION - LOCAL PLANNING POLICY - OLD BROOME DEVELOPMENT STRATEGY

LOCATION/ADDRESS:	Precinct 2 – ‘Old Broome’ – in the final draft Shire of Broome Local Planning Strategy adopted by Council November 2013, being the land bound by Frederick Street to the north, Herbert Street to the west, Roebuck Bay to the east and Reserve 51304 to the south of the Demco residential subdivision being the southern boundary.
APPLICANT:	Nil
FILE:	PLA09
AUTHOR:	Strategic Planning Coordinator
CONTRIBUTOR/S:	Planning Officer Manager Planning Services
RESPONSIBLE OFFICER:	Director of Development Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	9 October 2014

SUMMARY: This report recommends that Council considers the submissions received on the draft Local Planning Policy – Old Broome Development Strategy (the Strategy), and adopts the Strategy subject to modifications arising from submissions received during the public advertising period.

BACKGROUND

Previous Considerations

OMC 2 September 2009 Item 9.2.1
 OMC 18 March 2010 Item 9.2.1
 OMC 27 March 2014 Item 9.2.2

COMMENT

At its Ordinary Meeting on 27 March 2014 Council resolved to advertise a draft Local Planning Policy – Old Broome Development Strategy (the Strategy) for a period of 42 days, and endorsed a Community Engagement Plan which set out activities to be undertaken during the advertising period. The advertising period concluded on 15 May 2014 and Council is required to consider the outcomes of this process, prior to adopting the Strategy.

The Strategy consists of two parts.

- Part 1, which contains:
 - A vision for Old Broome
 - A vision for Town Beach and the Conti Foreshore
 - Eight ‘Key Strategy Areas,’ with a series of objectives, strategies and actions provided for each Area

- Land Use
 - Open Space
 - Community Facilities
 - Movement
 - Natural Resource and Environmental Management
 - Heritage
 - Urban Form
 - Utilities
- A Strategy Plan which identifies land use areas, creates an 'Old Broome Special Character Area' and designates certain streets as 'Priority Active Frontages'
 - A Concept Plan and accompanying text setting out potential project ideas, similar to the Concept Plan included in the Chinatown Development Strategy.
- Part 2, which contains background information and analysis that informed the recommendations in Part 1.

SUBMISSIONS RECEIVED

At the close of the advertising period 77 formal submissions were received. Detailed officer comment with respect to each submission is provided in Attachment 1 – Schedule of Submissions. Four late submissions were also received and are provided in Attachment 2 – Late Submissions. The late submissions have been provided with officer comment, however Council is under no obligation to consider these submissions.

As set out in the Community Engagement Plan, officers also prepared an online survey using the 'Survey Monkey' website. The survey was available via a link on the Shire's website, with paper copies available for those without computer access. A total of 105 surveys were returned, 34 of which were partially complete. Attachment 3 – Community Engagement Report contains a summary of the survey responses, as well as feedback received through other community engagement activities undertaken (Refer the 'Consultation' section of this report for greater detail.)

The following key issues have been identified in the submissions, survey responses, pop-up displays and workshops.

1. Opening of Walcott Street at Frederick Street
2. 'Mixed Use' land use designations
3. Preservation of Old Broome character
4. Relocation of car parking at Town Beach
5. Skate park at Town Beach
6. Extents of the 'Old Broome Special Character Area'
7. Hospital expansion
8. Other proposed road improvements

A summary of the issues raised, officer's rationale and recommendations to Council is set out below.

1. Opening of Walcott Street at Frederick Street

Issues

There was concern about the proposal to open the intersection of Walcott Street and Frederick Street into a four way intersection, which was shown on both the Strategy Plan and the Concept Plan. The main concern was that this would lead to an increase in traffic which would irrevocably damage the amenity of the heart of the 'Old Broome Special Character Area' (OBSCA). There was also concern that Walcott Street would become the primary route of access to the Roebuck Bay Caravan Park.

Rationale

The opening of Walcott Street into a four-way intersection was originally intended as one of a series of potential road works designed to improve connectivity in the precinct. However officers support the comments made by submitters regarding the potential to compromise the amenity of the OBSCA. The location of a major drain at the termination of Walcott Street would make it difficult to implement the proposal.

An alternative means to increase connectivity would be to investigate opportunities to improve the Herbert Street intersection with Frederick Street, as this road is already open to through traffic. Herbert Street is on the perimeter of the OBSCA with more intensive forms of subdivision already in existence along the western side, and for this reason it is anticipated that the amenity impacts of increased traffic would be less significant. Additionally, officers consider that traffic flows more freely on Herbert Street, as Walcott Street currently functions as a lower-order street with 'give way' signs at each intersection..

Recommendation

- The officer's recommendation is to remove all reference to the opening of Walcott Street at Frederick Street, but to include a 'proposed intersection improvement' at the intersection of Herbert and Frederick Streets on the Concept Plan.

2. 'Mixed Use' land use designations

Issues

There was concern about the land use designations shown on the Strategy Plan, particularly the designation of areas that are currently zoned 'Residential' under the Shire's Town Planning Scheme No. 4 (TPS4) as 'Area B: Mixed Use – Commercial / Civic' or 'Area D: Mixed Use – Tourist / Residential.' There was some preference for the Precinct to be purely residential. There was also some confusion over whether the Strategy will rezone land.

Rationale

The Strategy was designed to elaborate upon the recommendations of the Shire's draft Local Planning Strategy (LPS), which identifies the entirety of Old Broome as 'Mixed Use' and at the same time makes clear that development should be in an 'open form' that 'recognises the historic character of the area.' The purpose of the Strategy is to further

refine the recommendations of the LPS and seek to concentrate appropriate land uses in particular areas. The land use areas in the Strategy were generally derived based on the type of uses that are already operating within particular areas.

Areas east of Weld Street are already zoned 'Mixed Use' with a density of 'R40' under the Shire's Town Planning Scheme No. 4 (TPS4). Under the draft Local Planning Scheme No. 6 (LPS6), the 'Mixed Use' zone will extend one street west to Robinson Street. A variety of mixed uses already occur throughout the Precinct and the Strategy allows for this development pattern to continue over time.

The Strategy will not in itself rezone any land and instead will be used as a guide to assist Council in making decisions on future rezoning requests that may be submitted by individual landowners.

Recommendation

- The officer's recommendation is to retain the land use designations as shown on the Strategy Plan, with some minor modifications as depicted in Attachment 7 – Proposed Mapping Changes.

3. Preservation of Old Broome character

Issues

Respondents had the opinion that it will be impossible to preserve the historic character of Old Broome if mixed use development and higher density residential development was allowed throughout the precinct.

Rationale

The Strategy contains two mechanisms that will ensure that new development in Old Broome is 'respectful of the rich cultural heritage and natural environment.' The first is the creation of the OBSCA. Within the OBSCA, the density of residential development will be restricted to R10, consistent with the existing density coding of much of the precinct (the extents of the OBSCA are further discussed in Point 6 below). The second mechanism is the preparation of 'Old Broome Design Guidelines' (the Guidelines) which will be adopted as a Local Planning Policy. The Guidelines will contain planning controls for residential and non-residential development relating to the public realm, site design, and building form. Specific controls will apply to the OBSCA and will encompass matters including, but not limited to, setbacks, building height, car parking, and landscaping. Officers are progressing a draft of the Guidelines and it is anticipated that this will be brought to Council for consideration in late 2014 and then be publicly advertised.

Recommendation

- No changes are recommended to the Strategy as it is considered that these concerns can be satisfactorily addressed through the preparation of Design Guidelines.

4. Relocation of car parking at Town Beach

Issues

The Concept Plan proposed the relocation of the existing car parking at Town Beach to a new area at the termination of Robinson Street. The intent of the relocation was to create a larger area of parkland closer to the foreshore and reduce conflict between vehicles, boats, and pedestrians. However, the perception of this proposal was that the size and

configuration of the new parking area would result in a significant loss of existing Public Open Space. Competing priorities were expressed about the function of Town Beach, as people regularly visit the area for social gatherings; to check the tide; launch their boat; take children to the water playground, or sit and contemplate. There was also confusion as to the role of the Concept Plan in general.

Rationale

The Concept Plan is intended to serve as a non-statutory tool to identify potential project ideas and orientate them spatially. It does not provide the level of detail of a Master Plan and will not be used as such. The elements on the Concept Plan are indicative and subject to future investigations (including an assessment of feasibility) and detailed design. With respect to car parking at Town Beach, future design considerations will need to examine factors such as:

- The overall amount of car parking within the Town Beach environs – whether the total number of bays will be greater or fewer than currently provided;
- The number of bays to be relocated to the Robinson Street area and how this area will be configured to minimise loss of green space;
- The need to provide accessible bays adjacent to the cafe and water playground to ensure compliance with Australian Standards;
- Parking requirements for the Town Beach boat ramp and Department of Transport standards for boat ramp areas; and
- The interface between any relocated car parking and existing residential properties on Robinson Street.

Officers propose that these matters be addressed through the creation of a 'Town Beach Parking Plan,' which will also address the parking requirements associated with the Town Beach Boat Ramp upgrades.

Prior to the Parking Plan being prepared, it is considered more appropriate to amend the Concept Plan to show the parking configuration largely as at present, with the exception of an additional row of angled parking along the eastern side of Robinson Street.

Recommendation

- The officer's recommendation is to amend the Strategy text to reference the need to prepare a Town Beach Parking Plan which will consider the design factors outlined above.
- It is also recommended that the Concept Plan be modified to depict the car parking at Town Beach as it is currently, with an additional row of angled parking along the eastern side of Robinson Street.

5. Skate park at Town Beach

Issues

The Concept Plan proposed the creation of a skate park at Town Beach. There was concern that this would lead to a loss of Public Open Space, as well as the potential for

such a facility to attract antisocial behaviour and generate noise and light spill which would impact adjoining properties and users of the Roebuck Bay Caravan Park.

Rationale

An 'all ages' skate park is recognised in the Strategic Community Plan as a community aspiration from the Broome 2040 Visioning Project. However, officers have considered the land requirements associated with the development of such a facility and recognised that if a skate park equivalent in size to the one currently at BRAC was constructed in the environs of Town Beach as shown on the Concept Plan, it would need to be located within the Roebuck Bay Caravan Park. A larger and more comprehensive facility to cater for a range of ages and abilities would require more land and this will be difficult to assemble given competing priorities for the area. Concerns regarding anti-social behaviour due to a lack of passive surveillance, and the impacts of noise and light spill, are also valid.

Officers note that the draft Final Sport Recreation and Leisure Plan (2014) recommends the creation of a 'Youth Precinct' at BRAC including an improved skate park and longer term construction of skate park in Broome North. For these reasons it is recommended that the skate park be removed from the Strategy.

Recommendation

- The officer's recommendation is to remove any reference to a skate park from the Strategy text and Concept Plan.

6. Extents of the 'Old Broome Special Character Area'

Issues

Respondents supported the creation of the OBSCA but argued that the extents depicted on the Strategy Plan did not capture an accurate representation of existing heritage within Old Broome. Particular areas thought to have been wrongly omitted included the land between Weld and Robinson Streets north of the Broome Primary School and land along Walcott Street south of Guy Street.

Rationale

Officers considered the extents of the OBSCA and noted that there are three places on the State Register of Heritage Places and one place on the Shire's Municipal Inventory in the four street blocks between Robinson Streets and Weld Streets, extending south from Frederick Street to Anne Street. It is considered appropriate that this area be included within the OBSCA. Officers further considered the recommendations of the Shire's Local Housing Strategy 2009 which showed the land described above as well as land between Herbert and Walcott Streets retaining a density of R10. This is consistent with the purpose of the OBSCA. As a result of the above, modifications to the boundaries of the OBSCA are recommended as set out in Attachment 7 – Proposed Mapping Changes.

It is noted that the only land in Old Broome that is not included within the OBSCA is either:

- Already zoned 'Mixed Use R40' under TPS4;
- Located along a 'Priority Active Frontage' on the Strategy Plan;
- On the same street block as land located along a 'Priority Active Frontage.' This is because officers consider that development along the 'Priority Active Frontages'

which can be at a higher density with a different built form, will influence the type of development that occurs on adjoining lots.

- On the street block which includes the former Palms Resort (Town Beach Village), as the majority of this block already contains higher density units associated with the hotel development.

Recommendation

- The officer's recommendation is to increase the size of the OBSCA to include the land between Weld and Robinson Streets north of Anne Street, and the land between Herbert and Walcott Streets between Guy and Hopton Streets.

7. Hospital expansion

Issues

The Concept Plan showed the potential for the Broome Hospital on Robinson Street to expand to the north. There was concern that any further hospital development would be inconsistent with the historic character of Old Broome and would impact privately owned land. Past deliberations about moving the hospital to a site on Cable Beach Road East were mentioned, with the view that this option should be investigated.

Rationale

The Broome Hospital site is also known as Reserve 3596 with a Management Order in favour of the Minister for Health for the purpose of 'Hospital and Allied Purposes.' Any future development or redevelopment of the hospital will be considered a 'public work' under the *Public Works Act 1902*, which means it will be exempt from the need to obtain Planning Approval under the *Planning and Development Act 2005*. The Shire will therefore have limited ability to influence the scale and appearance of such development.

Since the Strategy was advertised, Shire officers have met with the Broome Hospital and have been advised that the current site has the capacity to cater for demand until 2021, and potentially 2025. After this time, there is potential to relocate some components off-site. Hospital administrators have advised that they have no intention of expanding to the north, as it would require the acquisition of privately owned land.

Recommendation

- The officer's recommendation is to remove any reference to the hospital expansion from the Strategy text and Concept Plan.

8. Other proposed road improvements

Issues

The Strategy Plan and Concept Plan contained a number of potential road improvements which received varying levels of support from respondents. In addition to the opening of Walcott Street at Frederick Street which was discussed in Point 1 above, there was concern about extending Hamersley Street to connect with Hopton Street north of Town Beach due to a potential loss of Public Open Space.

Rationale

As discussed above, the potential road improvements are designed to increase connectivity in the Precinct. However, the Strategy notes that before any of the proposed road works can be implemented a Traffic and Transport Study is required to holistically consider the existing movement network. Whilst it is considered appropriate to depict

potential road works on the Concept Plan as this plan is indicative, it is premature to show these on the Strategy Plan prior to the Traffic and Transport Study being completed as the Strategy Plan will fulfil a statutory function.

Recommendation

- The officer's recommendation is that all potential road improvements, as well as proposed footpaths, foreshore walks and the tram route, be removed from the Strategy Plan and included in a new 'Movement Options' figure which recognises the indicative nature of such improvements.
- It is further recommended that the above improvements remain on the Concept Plan.

INTERNAL DEPARTMENTAL COMMENT

Shire officers in considering the issues raised by submitters have made further recommended modifications, generally seeking to ensure consistency between the Strategy and LPS6 and resolve minor mapping discrepancies. These recommendations are contained in Attachment 4.

One substantial modification is recommended from these considerations, which concerns the land use tables in Action 1 of Section 4.1.4 of the Strategy. Officers considered the original version of these tables would be of limited assistance in performing planning assessments, as it did not include the full range of uses that could be permitted within the 'Mixed Use' zone under LPS6. Additionally, it was unclear how 'secondary' land uses should be viewed during the assessment process. To address this, officers are recommending the tables be reconfigured to include 'preferred,' 'not preferred' and 'inappropriate' land uses with clear assessment parameters for each. Officers are further recommending that the tables for 'Mixed Use' areas include all uses that can be contemplated in the 'Mixed Use' zone under LPS6.

PROPOSED MODIFICATIONS TO THE STRATEGY

A copy of the proposed Local Planning Policy – Old Broome Development Strategy is included as Attachment 5. All modifications proposed as a result of public or internal submissions have been included on a 'tracked changes' copy of the Strategy which is included as Attachment 6. Modifications proposed to the Strategy maps and figures have been marked by hand and are included in Attachment 7. Should Council resolve to support the modifications proposed to the maps and figures, Shire officers will liaise with consultants Cardno (WA) Pty Ltd, who originally prepared the maps, to effect the relevant changes.

Attachment 1 – Schedule of Submissions

Attachment 2 – Late Submissions

Attachment 3 – Community Engagement Report

Attachment 4 – Internal Department Comment

Attachment 5 – Local Planning Policy – Old Broome Development Strategy

Attachment 6 – Proposed Text Changes – Old Broome Development Strategy Parts 1 and 2

Attachment 7 – Proposed Mapping Changes

ROLE OF THE STRATEGY

Once adopted, the Strategy will become a Local Planning Policy under TPS4 (and subsequently LPS6). The Strategy Plan and corresponding text will be used by Shire planners and Council when considering requests to initiate Scheme Amendments, subdivide land, or undertake new development.

The Concept Plan and corresponding text will play a different role as these sections are visionary rather than statutory. The purpose of the Concept Plan is to identify potential project ideas and orientate them spatially. As discussed above, the realisation of these project ideas will require additional work, such as feasibility studies and detailed design.

It is intended that the Concept Plan and related actions will become an 'Informing Strategy' under the Shire's Integrated Planning Framework. This means that it will be considered by Council when undertaking revisions to the Strategic Community Plan, the Corporate Business Plan, and the Long Term Financial Plan. Further to the adoption of the Strategy by Council, the projects depicted on the Concept Plan will be assigned to the relevant Shire departments. Departments will then need to put forward their own project briefs to source funding through Council's annual budgetary process in order to realise the projects.

CONSULTATION

Under the Shire's Local Planning Policy 8.23 – Public Consultation – Planning Matters, 'Development Strategies for Selected Areas' are listed as Level E consultation, which requires the development of a Community Engagement Plan consistent with the Shire's Community Development Policy 5.1.10 – Community Engagement. A Community Engagement Plan was prepared for the Strategy and was adopted by Council at its March 2014 Ordinary Meeting.

The Community Engagement Plan proposed a formal consultation period of 42 days and a variety of engagement activities. The consultation period concluded on 15 May 2014 at 4.00 pm with all activities completed, including:

- Letters posted to stakeholder groups, such as:
 - 700 landowners (approximately)
 - Relevant government agencies and local businesses
 - Community groups situated within Old Broome
- Online survey via 'Survey Monkey'
- Public Notice on Shire of Broome website and in the *Broome Advertiser*
- Static public displays in the Shire Administration Office and Library
- Fact sheets
- Workshops with Broome residents, community groups, government departments and Nyamba Buru Yawuru Ltd representatives
- Pop-up public displays at the Court House Markets and Broome Boulevard Shopping Centre
- Advertising through media
- Interviews on ABC and Goolari Radio with the Shire's Director Development Services
- Public enquiries (phone, e-mail and in-person) addressed by Shire planning staff

The Strategy and engagement activities generated a large amount of public interest. Appendix 3 is a Community Engagement Report which summarises the activities and the feedback received from the pop-up displays, community workshop, and online survey.

It is important to note that when a Community Engagement Plan is prepared using the Shire's Community Engagement Framework, it includes a promise to the community about the level of involvement they can expect in a particular programme or project. The Community Engagement Plan for the Strategy set the level of engagement at 'Consult,' which includes the following promise:

We will keep you informed, listen to and acknowledge concerns and provide feedback on how the public input influenced the decision.

Officers consider that this promise to listen and acknowledge concerns does not extend only to submissions that are made 'formally.' Feedback received verbally during a public display or a workshop is also of value, and the Community Engagement Report has sought to document this feedback for Council's information and consideration. Officers consider the common themes that emerged through the Community Engagement Report were also reflected in the submissions, and as such it is considered that they have been responded to by officers in Attachment 1 – Schedule of Submissions.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Town Planning Scheme No. 4

Draft Shire of Broome Local Planning Strategy

Local Planning Scheme No. 6

TPS 4

2.3 *Local Planning Policies*

2.3.1 *The Council may prepare a Local Planning Policy in respect of any matter related to the planning and development of the Scheme Area so as to apply:*

- (a) generally or for a particular class or classes of matters; and*
- (b) throughout the Scheme Area or in one or more parts of the Scheme Area; and may amend or add to or rescind a Policy so prepared.*

2.3.2 *Any Local Planning Policy prepared under this Part must be consistent with the Scheme.*

2.4 *Local Planning Policy not Part of the Scheme*

A Local Planning Policy is not part of the Scheme and shall not bind the Council in respect of any application for planning approval but the Council shall have due regard to the provisions of any such Policy and the objectives which the Policy is designed to achieve before making its decision.

2.5 *Procedures for Making and Amending Local Planning Policy*

A Local Planning Policy Shall become operative only after the following procedures have been completed:

- a) *The Council having prepared and adopted a draft Policy shall publish a notice once a week for two consecutive weeks in a local newspaper circulating within the Scheme Area giving details of where the draft Policy may be inspected, the subject and nature of the Policy and in what form and during what period (being not less than 21 days) submissions may be made.*

- b) *The Council shall review the draft Policy in the light of any submissions made and shall then resolve either to finally adopt the draft Policy with or without modification, or not to proceed with the draft Policy.*
- c) *Following final adoption of a Policy, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area.*
- d) *Where, in the opinion of the Council, the provisions of any Policy affect the interests of the Commission, a copy of the policy shall be forwarded to the Commission.*
- e) *The Council shall keep copies of any Policy with the Scheme documents for public inspection during normal office hours.*
- f) *Any amendment or addition to a Policy shall follow the procedures set out in (a) - (d) above.*

10.2 Matters to be Considered by Council

The Council in considering an application for planning approval may have due regard to the following:

- (c) *the requirements of orderly and proper planning including any relevant proposed new town planning Scheme that has been adopted by the Council pursuant to the Town Planning Regulations 1967;*
- (g) *any planning policy adopted by the Council under the provisions of clause 2.5 of this Scheme, any heritage policy statement for any designated Heritage Area adopted under clause 7.2.2 of this Scheme, or any other plan or guideline adopted by the Council under the provisions of this Scheme;*

LPS

3.3 Precincts

It is anticipated that 'Development Strategies' and/or design guidelines may be prepared for each of the precincts or sub-precincts indicated therein. The content of these development strategies and Design Guidelines will be adopted by Council as Local Planning Policies. The 'Development Strategies' will guide development within the precincts and assist Council in making recommendations to the WAPC on subdivisions, Design Guidelines will similarly be utilised to assist in assessing subdivisions and development applications.

3.3.1.2 Precinct 2 (Old Broome)

Precinct 2 will extend from south of Frederick Street to the Roebuck Bay Caravan Park and west to Herbert Street. Precinct 2 will also include the Demco residential subdivision. This area is under a process of change and includes some land zoned 'Mixed Use' under the local planning scheme with the majority zoned 'Residential'. The extension of commercial activities requires careful consideration to ensure development is undertaken in accordance with the Local Commercial Strategy.

Objective:

1. *Establish Precinct 2 as a 'Mixed Use' area consisting of residential, tourist, and office uses in an open form of development that recognises the historic character of the area.*

Guidelines:

- *Prepare Development Strategies which consider the integration of retail, mixed use development and tourism and recreational values of the precinct.*

- Implement the Development Strategies and design guidelines where necessary.

LPS6

2.6 Local Planning Policy Savings Provision

Local planning policies prepared and adopted by the local government under the provisions of the revoked scheme referred to in Clause 1.1.2 shall be taken to be a local planning policy made in accordance with the requirements of Part 2 of this Scheme.

POLICY IMPLICATIONS

Local Planning Policy 8.23 – Public Consultation – Planning Matters

Level E – Community Engagement Plan

- 1.14 Where planning matters are of State, regional or shire-wide significance the community will be consulted. This level of consultation will require preparation of a Community Engagement Plan consistent with Community Development Policy 5.1.10 – Community Engagement.
- 1.15 Specific objectives for Level E consultation which must be taken into consideration when preparing the Community Engagement Strategy, include but may not be limited to the following:
- i. Raise awareness about a particular issue/matter;
 - ii. Establish communication links with the community and identify which sections of the community are to be targeted in engagement plan;
 - iii. Encourage active participation in programs;
 - iv. Collect views, opinions and ideas;
 - v. Foster community pride, support and 'ownership'; and
 - vi. Build trust and confidence between Council and the community.
- 1.16 Consultation mechanisms available for Level E include but are not limited to:
- i. Newspaper advertising;
 - ii. Letter/mail box drops or Council notices;
 - iii. Signage and displays in relevant locations;
 - iv. Media releases – press, radio, television (subject to availability and budget);
 - v. Notice to be displayed on Council's website;
 - vi. Formation of community or advisory committees under Local Government Act 1995;
 - vii. Formation of working groups;
 - viii. Workshops, forums or briefing/information sessions;
 - ix. Public meetings; or
 - x. Other procedures as required.

1.17 Notwithstanding the consultation methods adopted, a minimum level of consultation for Level E will be a comprehensive local newspaper notice repeated over the duration of the process (minimum of 2 notices) associated with a formal comment period of twenty one (21) days, or such longer period that may be necessary to comply with relevant legislation. Costs associated with the mechanisms adopted under the Community Engagement Plan developed shall be borne by the applicant or initiating agency, as relevant.

FINANCIAL IMPLICATIONS

It is estimated that costs associated with the final modifications of the Strategy maps and figures can be accommodated within the original project budget as per the amended Scope of Work agreed to by Cardno (WA) Pty Ltd in February 2014.

As discussed above, the realisation of actions depicted on the Concept Plan will require additional work, such as feasibility studies and detailed design. Individual projects on the Concept Plan will be allocated to relevant Shire departments, which will then need to put forward their own project briefs to source funding through Council's annual budgetary process

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Effective communication.

Our Place Goal – Help to protect the nature and built environment and cultural heritage of Broome whilst recognising the unique sense of the place:

Realistic and sustainable land use strategies for the Shire within state and national frameworks and in consultation with the community.

A built environment that reflects arid tropical climate design principles and historical built form.

A unique natural environment for the benefit and enjoyment of current and future generations.

A preserved, unique and significant historical and cultural heritage of Broome.

Retention and expansion of Broome's iconic tourism assets and reputation.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council:

1. *Pursuant to Clause 2.5 of Town Planning Scheme No. 4 adopt Local Planning Policy – Old Broome Development Strategy as outlined in Attachment 5 subject to the modifications outlined in Attachments 1 and 4 being effected to the Old Broome Development Strategy Parts 1 and 2.*
2. *Endorses the Concept Plan and related actions as an 'Informing Strategy' under the Integrated Planning Framework.*
3. *Authorises the Chief Executive Officer to incorporate projects into the Long Term Financial Plan for future budget considerations, noting that all recommended actions are subject to appropriate investigations such as preparation of detailed business case.*

Attachments

1. Attachment 1 - Schedule of Submissions (Under separate cover)
2. Attachment 2 - Late Submissions (Under separate cover)
3. Attachment 3 - Community Engagement Report (Under separate cover)
4. Attachment 4 - Internal Departmental Comment (Under separate cover)
5. Attachment 5 - Local Planning Policy - Old Broome Development Strategy (Under separate cover)
6. Attachment 6 - Proposed Text Changes - Old Broome Development Strategy Part 1 (Under separate cover)
7. Attachment 6 - Proposed Text Changes - Old Broome Development Strategy Part 2 (Under separate cover)
8. Attachment 7 - Proposed Mapping Changes (Under separate cover)

9.2.4 BUDGET AMENDMENT FOR LORIKEET DRIVE EXTENSION PROJECT

LOCATION/ADDRESS:	Lorikeet Drive, Roebuck Estate
APPLICANT:	N/A
FILE:	LOR-1/GEN
AUTHOR:	Manager Asset and Design
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director of Engineering Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	10 October 2014

SUMMARY: The Lorikeet Drive Road Extension Project was budgeted for \$950,000 with construction in the 2014/2015 financial year. Through the detailed design process, a revised construction cost of \$1,315,000 has been estimated. This is \$365,000 above the original budget amount. This report provides information on the reasons for the increase in construction costs and requests Council make budget amendments to enable the construction of Lorikeet Drive Road Extension to be undertaken within the 2014/2015 financial year.

BACKGROUNDPrevious Considerations

Nil

The eastern section of Lorikeet Drive is currently a "No Through" road in Roebuck Estate, servicing ten (10) residential properties on its northern side with an adjacent drainage reserve on the southern side.

Initial planning for Roebuck Estate contained two proposed connection points (Lorikeet Drive and Spoonbill Ave) from the estate, to a new realigned Main Roads WA Broome Highway which ran between Roebuck Estate and the One Mile Community. Unfortunately the proposed realigned highway never had any funding attached, with the result that neither the road nor the connections to Roebuck Estate were ever constructed. This now has an effect of significantly increasing traffic volumes on various roads within the estate (namely Sanderling Drive and Sandpiper Ave).

The need for an additional connection from Roebuck Estate has been further increased by the closure of right-hand turning movements at the Sanderling Drive/Gubinge Road intersection by Main Roads WA. This was done as part of the Broome North subdivision construction. Many residents from the northern sections of Roebuck Estate previously used to travel to and from Chinatown via this intersection.

From a traffic efficiency and safety perspective, it is essential to have at least one of the originally planned additional access/egress points for Roebuck Estate constructed. This will give direct access for the northern Roebuck Estate residents onto the Old Broome Road arterial traffic route and into the town centre.

Now, nearly all traffic from the northern part of Roebuck Estate which are heading towards the town centre, utilise Sanderling Drive, Sandpiper Avenue and Old Broome Road as their primary traffic route. This increases traffic volumes in Sanderling Drive to the upper limit of acceptable traffic flows and adds considerably to the safety risks along this section of road.

COMMENT

The current 2014/2015 budget allocation for the Lorikeet Drive Road Extension is \$950,000. This includes an allowance for contract administration, supervision and contingencies. This budget was based on preliminary concept designs and cost estimates prepared in 2013 as part of the \$500,000 Road Project Grant funding application to Main Roads WA. The balance of the project budget (\$450,000) was to come from the federally funded Roads to Recovery Program.

Design briefs for preparation of the road design and tender documentation were issued to engineering consultants, with Pritchard Francis awarded the design consultancy work in early May 2014. The detailed design was carried out in 2013/14 under a separate budget allocation.

The final design and cost estimate process was completed in July 2014 with the final cost implications being apparent and showing a cost increase of approximately \$365,000 compared to the original budget.

The project cost increase can mainly be attributed to the following:-

- As part of the traffic study undertaken for the project, Traffic Consultants carried out a detailed intersection analysis in accordance with AUSTRROADS standards. The outcome of the study specified that intersection improvements were required. This resulted in the addition of a left hand slip lane and splitter islands to the Lorikeet Drive extension itself, along with major widening tapers and associated works on Old Broome Road.
- The original costs for street lighting and Horizon Power connections were based on the concept designs and were significantly underestimated (\$55,000). The final estimate is approximately \$300,000 and this allows for new street lighting to Australian Standards on the Lorikeet Drive extension and Old Broome Road, as well as Horizon Power overheads, connection fees and service relocation costs.
- Cultural monitors during construction and fencing to separate the Lorikeet Drive road reserve from the sensitive areas to the south.
- Increased drainage infrastructure at Old Broome Road to cater for the wider intersection.

Originally it was planned that the construction of the Lorikeet Drive extension would commence in October 2014. However, it was rescheduled to April 2015 to allow time to make budget amendments, investigate funding alternatives, create the road reserve and obtain clearing permit approvals.

Currently the project status is as follows:-

- Consultation and liaison with Yawuru has been undertaken and mitigation strategies have been agreed upon.
- The detailed design, specification and tender documentation is fully complete and ready for advertising.
- Road reserve creation was finalised by Department of Lands on 8th September 2014.
- A clearing permit issued to the Shire by Department of Environmental Regulation on 18th September 2014.
- Public notification of the extension to Lorikeet Drive will be undertaken during the tender advertising period with the limited number of residents on the "No Through Road" Section of Lorikeet Drive being contacted directly.

- The Lorikeet Drive Extension tender process is proposed to run from November 2014 through January 2015, with construction planned to commence after the wet season in early April 2015, if additional funding for the project is secured through the proposed budget amendments.
- In addition to the Lorikeet Drive issue, Main Roads Western Australia has recently advised that Regional Road Group (RRG) Funding of \$500,000 will not be funded this year towards the Archer St Project. This project was included in Council's 2014/15 Budget at a cost of \$945,000. Funding comprised \$500,000 from RRG, \$300,000 from Roads to Recovery and \$145,000 of Shire Municipal Funds. It is recommended this project scope be reduced to permit design work to continue this financial year and the main construction component of the project be deferred to 2015/16. This would also permit the reallocation of Roads to Recovery and Municipal funds to Lorikeet Drive.

CONSULTATION

Yawuru

Department of Lands

Department of Environmental Regulation

Horizon Power

Main Roads WA

STATUTORY ENVIRONMENT

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

- 1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
 - a) *is incurred in a financial year before the adoption of the annual budget by the local government;*
 - b) *is authorised in advance by resolution*;* or
 - c) *is authorised in advance by the mayor or president in an emergency.*

(1a) In subsection (1) —

“additional purpose” means a purpose for which no expenditure estimate is included in the local government's annual budget.
- 2) *Where expenditure has been incurred by a local government —*
 - a) *pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
 - b) *pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

* Absolute majority required.

POLICY IMPLICATIONS

2.1.1 Materiality in Financial Reporting

FINANCIAL IMPLICATIONS

The construction cost estimate of \$1,315,000 is based on the current final detailed design. Normally construction tender overruns and budget amendments would be reported to Council at the time of the tender award, however as the estimated budget increase of \$365,000 is substantial, this agenda item is to gain Council approval for budget amendments prior to advertising of the tender.

Depending on the final construction tender amount, the required project budget may actually be more or less, and will be subject to industry competition during the tender process. Final project costs and any further subsequent financial implications will be reported back to Council as part of the tender award process.

Given that Regional Road Group Funding has not been secured for the Archer St Project, it is recommended this project be deferred to 2015/16. It is proposed to leave \$80,000 of municipal funds to permit design work to occur in 2014/15 and the balance of funding for this project is requested to be reallocated to the Lorikeet Drive Project.

In summary:

Project Name	JOB No	Available Amount	Comments
Archer Street (HIA from Port Drive to McDaniel Road) widen and reconstruct pavement	RR87	\$365,000	Main Roads WA has advised the Shire that the Archer St Reconstruction Project will not receive Road Project Grant funding this year. This was a \$945,000 budgeted project with \$145,000 of municipal funds and \$300,000 of RTR funds allocated to it. It is proposed to utilise \$80,000 to undertake the Archer Street detailed design in this financial year. This leaves an amount of \$65,000 of municipal funds and \$300,000 of RTR funds that can be reallocated to the Lorikeet Drive Extension project.
TOTAL		\$365,000	

STRATEGIC IMPLICATIONS

Our Place Goal – Help to protect the nature and built environment and cultural heritage of Broome whilst recognising the unique sense of the place:

Best practice asset management to optimise Shires' infrastructure whilst minimising life cycle costs.

Our Prosperity Goal – Create the means to enable local jobs creation and lifestyle affordability for the current and future population:

Affordable and equitable services and infrastructure.

VOTING REQUIREMENTS

*Absolute Majority***REPORT RECOMMENDATION:***That Council:*

1. *Recognises that the final cost estimate for the Lorikeet Drive Extension Project based on the detailed design is \$1,315,000. This has resulted in an estimated budget shortfall of \$365,000 and for the project to proceed budget amendments will need to be made.*
2. *In consideration of Regional Road Group funding not being approved for the Archer St Project, reduces the budget from \$945,000 to \$80,000 to enable detailed design work to be carried out in 2014/15 and the construction be deferred to 2015/16.*
3. *Adopts a budget amendment to increase expenditure by \$365,000 in GL Account RC230 – “Lorikeet Extension from Roebuck Estate to Old Broome Road” for road construction and associated works to be funded by a reallocation of:

 \$65,000 (Municipal Funds) from GL Account RR87 – “Archer Street (HIA from Port Drive to McDaniel Road) widen and reconstruct pavement”.

 \$300,000 (Roads to Recovery Funds) from GL Account RR87 – “Archer Street (HIA from Port Drive to McDaniel Road) widen and reconstruct pavement”*

(ABSOLUTE MAJORITY REQUIRED)**Attachments**

1. Lorikeet - Clearing permit DER, Landgate Road Reserve, Layout drawings, Yawuru fence sketch and documentation

9.3

OUR PROSPERITY



PRIORITY STATEMENT

Our region has grown significantly over the past years in terms of population, economy and industry – this will continue! Balancing ecological sustainability with economic growth and retaining the ‘look and feel’ of Broome and its environs are an ongoing challenge for the region. Encouraging appropriate investment and business development opportunities to ensure a strong, diverse economic base is essential for community prosperity and the success of our future generations.

Focusing on developing clear pathways linking education with employment for our youth and the community at large is essential as we aim to retain our local people and continue to build a skilled and highly motivated workforce.

Business and Industry partnerships must be fostered to ensure sustainable economic growth is achieved, along with the provision of affordable and equitable services and infrastructure. Ensuring development meets community needs and legislative requirements whilst creating close community relationships and enhancing our understanding of local heritage and cultural issues will continue to be a major focus. The built environment must contribute to the economy, long term viability of the region and provide a quality lifestyle for all.

9.3.1 AMENDMENT OF FEES AND CHARGES 2014/15

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	ACC01
AUTHOR:	Manager Planning Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director of Development Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	30 September 2014

Council is requested to consider proposed amendments to the adopted Fees & Charges for the 2014/15 financial year.

BACKGROUNDPrevious considerations

At a Special Meeting of Council held on 27 June 2014 Council adopted the Fees and Charges as part of the Budget adoption for the 2014/15 financial year. Since this time a new fee has been identified as not being compiled within the schedule previously presented to Council and is now presented for consideration of adoption

COMMENT

In accordance with Section 6.16 of the Local Government Act 1995, a Local Government may impose a fee or charge for any goods or service it provides. Fees and charges must be imposed when adopting the annual budget, however may also be imposed or amended during the course of the year if necessary.

It is proposed to create a new fee for 2014/15 to enable planning officers to charge professional fees for work done for other local authorities.

A schedule of the proposed amendment has been attached for Council's consideration of adoption. The respective empowering legislation has been noted in the schedule.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Section 6.16 of the Local Government Act 1995 and associated Regulations apply:

6.16. Imposition of fees and charges

- (1) *A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

** Absolute majority required.*

- (2) *A fee or charge may be imposed for the following —*
- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*
 - (b) supplying a service or carrying out work at the request of a person;*

- (c) *subject to section 5.94, providing information from local government records;*
 - (d) *receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*
 - (e) *supplying goods;*
 - (f) *such other service as may be prescribed.*
- (3) *Fees and charges are to be imposed when adopting the annual budget but may be —*
- (a) *imposed* during a financial year; and*
 - (b) *amended* from time to time during a financial year.*

** Absolute majority required.*

6.17. Setting level of fees and charges

- (1) *In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —*
- (a) *the cost to the local government of providing the service or goods; and*
 - (b) *the importance of the service or goods to the community; and*
 - (c) *the price at which the service or goods could be provided by an alternative provider.*
- (2) *A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.*
- (3) *The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —*
- (a) *under section 5.96; or*
 - (b) *under section 6.16(2)(d); or*
 - (c) *prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.*
- (4) *Regulations may —*
- (a) *prohibit the imposition of a fee or charge in prescribed circumstances; or*
 - (b) *limit the amount of a fee or charge in prescribed circumstances.*

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) *its intention to do so; and*
- (b) *the date from which it is proposed the fees or charges will be imposed.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Planned increase in fees and charges received

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Affordable services and initiatives to satisfy community need

VOTING REQUIREMENTS

Absolute Majority

REPORT RECOMMENDATION:

That Council:

1. *Adopts the attachment amendment to the schedule of fees and charges 2014/15:
and*
2. *Provides Local Public notice in accordance with Section 6.19 of the Local Government Act 1995 advising that these Fees and Charges will take effect on and from 1 November 2014*

(ABSOLUTE MAJORITY REQUIRED)

Attachments

1. Attachment 1 - Proposed Fees and Charges

OUR ORGANISATION



PRIORITY STATEMENT

Council will strive to create an environment where local governance is delivered in an open and accountable manner; where we provide leadership to the region in such areas as planning and financial management; where the community has the opportunity to contribute to the Council's decision making thereby fostering ownership of strategies and initiatives.

In delivering open, accountable and inclusive governance, we will be ever mindful that we operate within a highly regulated environment that requires a high level of compliance.

Council will strive to be the conduit between the other spheres of government and the community, translating State and Federal law, policy and practice into customer focussed, on ground service delivery that support's Broome's unique lifestyle.

The Region is experiencing significant change with Council dedicated to sound governance, effective leadership and innovation, and high quality services. Building organisational capacity is a priority with a commitment to delivering services to the community in a sustainable, effective and accountable way.

9.4.1 MONTHLY FINANCIAL ACTIVITY REPORT - SEPTEMBER 2014

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FRE02
AUTHOR:	Senior Finance Officer
CONTRIBUTOR/S:	Manager Financial Services
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	7 October 2014

SUMMARY: Council is required by legislation to consider and adopt a Monthly Financial Activity Statement Report, and is provided same for the period ended 30 September 2014, as required by Regulation 34(1) of the Local Government (Financial Management) Regulations 1996.

Council is further provided with a General Fund Summary of Financial Activity (Schedules 2 to 14) which provides comprehensive information on Council's Operations by Function and Activity.

BACKGROUND

Previous Considerations

Council is provided with the Monthly Financial Activity Report which has been developed in line with industry standards and is designed to provide Council with a holistic overview of the operations of the Shire of Broome.

Supplementary information has been provided in the form of a General Fund Summary of Financial Activity, which discloses Council's Revenue and Expenditure in summary form, by Programme (Function and Activity).

COMMENT

The following are key indicators supporting the year to-date budget position with respect to the Annual Forecast Budget:

Budget Year elapsed	25%
Total Rates Raised Revenue	100% (of which 62.01% has been paid)
Total Other Operating Revenue	65%
Total Operating Expenditure	20%
Total Capital Revenue	9%
Total Capital Expenditure	3%
Total Sale of Assets Revenue	0%

More detailed explanations of variances are contained in the notes to the monthly statement of financial activity. The commentary identifies significant variations between the expected year-to-date budget position and the position at the reporting date.

FORECASTS

Budget forecast changes are required in the Kimberley Zone area to ensure that the operations of the Kimberley Regional Collaborative Group (KRCG) would have nil impact upon the Shire of Broome's Accounts.

The budget was adopted at the Ordinary Meeting of Council (OMC) on July 24 without recognizing Interest on Reserve, Workers Compensation Insurance premiums, and Transfers from reserve. The net result of this produced an imbalance in the Kimberley Zone accounts. The overall impact was a \$91.5K discrepancy upon the Shire of Broome.

The Individual line items impacted are detailed in the KRCG Amendment attachment and are highlighted in yellow.

Based on the adopted "Annual Budget" 2014-2015 and the proposed amendments, the predicted surplus as at 30 June 2015 will be \$0.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

34. Financial activity statement report — s. 6.4

1A) In this regulation —

"committed assets" means revenue unspent but set aside under the annual budget for a specific purpose.

- 1) *A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*
 - a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
 - b) *budget estimates to the end of the month to which the statement relates;*
 - c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - e) *the net current assets at the end of the month to which the statement relates*

- 2) *Each statement of financial activity is to be accompanied by documents containing —*
 - a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
 - b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - c) *such other supporting information as is considered relevant by the local government.*

- 3) *The information in a statement of financial activity may be shown —*
 - a) *according to nature and type classification;*
 - b) *by program; or*
 - c) *by business unit.*

- 4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —
 - a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - b) recorded in the minutes of the meeting at which it is presented.

- 5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

- 1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
 - a) is incurred in a financial year before the adoption of the annual budget by the local government;
 - b) is authorised in advance by resolution*; or
 - c) is authorised in advance by the mayor or president in an emergency.

(1a In subsection (1) —
“additional purpose” means a purpose for which no expenditure estimate is included in the local government's annual budget.

- 2) Where expenditure has been incurred by a local government —
 - c) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
 - d) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

* Absolute majority required.

POLICY IMPLICATIONS

2.1.1 Materiality in Financial Reporting

FINANCIAL IMPLICATIONS

The adoption of the Monthly Financial Report is retrospective, and the utilisation of this information to direct the Chief Executive Officer would be prospective and subject to resolution.

The Kimberley Zone accounts are intended to have a nil impact upon the Shire of Broome's Accounts which is the intention of the proposed amendments.

Accordingly, the financial implications associated with adoption are Nil.

STRATEGIC IMPLICATIONS

Our Prosperity Goal – Create the means to enable local jobs creation and lifestyle affordability for the current and future population:

Affordable and equitable services and infrastructure.

Affordable land for residential, industrial, commercial and community use.

Key economic development strategies for the Shire which are aligned to regional outcomes working through recognised planning and development groups/committees.

Our Organisation Goal – Continually enhance the Shire’s organisational capacity to service the needs of a growing community:

An organisational culture that strives for service excellence.

Sustainable and integrated strategic and operational plans.

Responsible resource allocation.

Effective community engagement.

Retention and attraction of staff.

Improved systems, processes and compliance.

VOTING REQUIREMENTS

Absolute Majority

REPORT RECOMMENDATION:

That Council:

1. *Adopts the proposed budget amendments to the Kimberley Zone Accounts as detailed in the attachment;*
2. *Adopts the Monthly Financial Activity Report for the period ended 30 September 2014 and;*
3. *Receives the General Fund Summary of Financial Activity (Schedules 2 – 14) for the period ended 30 September 2014.*

(ABSOLUTE MAJORITY REQUIRED)

Attachments

1. September Financial Statement & Activity Report
2. KRCG Amendments

9.4.2 ACCOUNTS FOR PAYMENT - SEPTEMBER 2014

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FRE02
AUTHOR:	Finance Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	6 October 2014

SUMMARY: This report recommends that Council adopts the list of payments made under delegated authority, as per the attachment to this report, September 2014.

BACKGROUND

Nil

COMMENT

The Chief Executive Officer (CEO) has delegated authority to make payments from the Municipal and Trust funds in accordance with budget allocations.

The Shire provides payments to suppliers by either Electronic Funds Transfer (EFT), cheque, credit card or direct debit.

Attached is a list of all payments processed under delegated authority during September 2014.

CONSULTATION

Nil

STATUTORY ENVIRONMENT***Local Government (Financial Management) Regulations 1996*****13.** Lists of accounts

(1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*

- (a) *the payee's name;*
- (b) *the amount of the payment;*
- (c) *the date of the payment; and*
- (d) *sufficient information to identify the transaction.*

(3) *A list prepared under sub regulation (1) is to be —*

- (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*

(b) recorded in the minutes of that meeting.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

List of payments made in accordance with budget and delegated authority.

STRATEGIC IMPLICATIONS

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

An organisational culture that strives for service excellence.

Sustainable and integrated strategic and operational plans.

Responsible resource allocation.

Effective community engagement.

Retention and attraction of staff.

Improved systems, processes and compliance.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council records the accounts as paid under delegated authority for September 2014, totalling \$2,615,962.14, as attached, covering:

- *EFT Vouchers 27972-28193 totalling \$2,248,803.52;*
- *Municipal Cheque Vouchers 57158-57173 totalling \$50,214.10;*
- *Trust Cheque Voucher 3370-3376 totalling \$25,434.39 and*
- *Municipal Direct Debits 17576.1-17711.18 totalling \$291,510.13*

Attachments

1. Accounts for Payment - September 2014

9.4.3 APPLICATION FOR COMMON SEAL - (NO 75 LOT 116) YAMASHITA STREET ROEBUCK

LOCATION/ADDRESS:	75 Yamashita Street, Roebuck
APPLICANT:	Markus Kelsch on behalf of Alexander Helmut Weilandt and Antje Muriel Haag.
FILE:	149051
AUTHOR:	Planning Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director of Development Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	8 October 2014

SUMMARY: This report seeks Council's authority to engross two notifications under Section 70A to be issued in terms of the Western Australia Transfer of Land Act 1983 as amended. This report recommends that Council authorises the Shire President and Chief Executive Officer to engross the two Section 70 A notifications.

BACKGROUNDPrevious Considerations

Nil

The Western Australian Planning Commission approved on 7 February 2014 the subdivision of Lot 116 (No 75) Yamashita Drive into two portions which measured 1.8104 ha and 2.1906 ha. As part of the conditions of approval two conditions were imposed by the Western Australian Planning Commission (not requested by the Shire of Broome). These conditions 5 and 6 read as follows:

5. A notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

'A mains potable water supply is not available to the lot/s.'

6. A notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

'A reticulated sewerage service is not available to the lot/s.'

Attachment 1: Approved subdivision letter and subdivision diagram

COMMENT

The area commonly known as 12 Mile is not connected to a water mains or reticulated sewerage service. The Section 70A notifications to be placed on the title of the future lots to be created will make future owners of the new lots aware there is no potable water and reticulated sewerage service. The requirement was imposed by the Western

Australian Planning Commission and requires that the Council's Common Seal be affixed on the Section 70A notifications.

The requirement for the Section 70A notification is supported and it is recommended that the Council's Common Seal be affixed on the Section 70A notifications.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995 - Shire of Broome Standing Orders Local Law 2003

Part 19 - Common Seal

19.1 The Council's Common Seal (2) The common seal of the Shire may only be used on the authority of the Council given either generally or specifically and every document to which the seal is affixed must be signed by the President and the CEO or a senior employee authorised by him or her.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Effective communication.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council authorises the Shire President and Chief Executive Officer to engross the two Section 70A notifications to be placed on the Certificate of Title of the proposed Lots 25 and 36 on DP213885.

Attachments

1. LETTER OF APPROVAL AND SUBDIVISION DIAGRAM

9.4.4 TENDER 14/14 SCRAP METAL AND CAR BODIES RECYCLING

LOCATION/ADDRESS:	Buckleys Road Waste Management Facility
APPLICANT:	Nil
FILE:	14/14
AUTHOR:	Waste Coordinator
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director of Engineering Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	8 October 2014

SUMMARY: This report considers Tenders received for Scrap Metal and Car Bodies Recycling for the Shire of Broome, and seeks adoption of the recommendation contained in the confidential tender evaluation report.

BACKGROUND*Previous Considerations*

OMC 17 May 2012	Item 9.4.4
OMC 18 July 2013	Item 9.4.3

COMMENT

The Shire of Broome advertised the Tender for suitably qualified steel recycling Contractors to undertake Scrap Metal and Car Bodies Recycling in the West Australian newspaper on Saturday 13 September 2014. The duration of the proposed schedule of rates Contract is for a two year period from 01 November 2014 to 31 October 2016 with the option of a further 12 months at the mutual agreement of both parties.

The Buckleys Road waste management facility receives and separate scrap metal and car bodies for recycling. The separated material is stored in stockpiles ready for the Contractor to sort and bale for transport to their recycling yards. The recycling diverts the waste from landfill and generates additional income for the Shire of Broome.

Payment under the Contract is made by multiplying the tonnage of recycled material by appropriate rate in the Contract. Payment is made from the Contractor to the Shire of Broome.

Two Tenders where received and both Tenders met the compliance criteria and were suitable for evaluation. The evaluation of the Tenders was completed using a weighted attribute method with 50% weighting for ability and 50% weighting for pricing.

One Tender has been evaluated as being preferred with the evaluation and officer recommendation contained in the confidential attachment.

CONSULTATION

Nil

STATUTORY ENVIRONMENT**Local Government Act 1995****Section 1.8 Statewide public notice**

Where under this Act Statewide public notice of a matter is required to be given, section 1.7 applies except that the newspaper referred to in section 1.7(1)(a) is required to circulate generally throughout the State.

Section 3.57 Tenders for providing goods or services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply good or services.
- (2) Regulations may make provision about tenders

Local Government (Functions and General) Regulations 1996**Section 5 R14 Requirements for publicly inviting tenders**

- (1) When regulation 11(1), 12 or 13 requires tenders to be publicly invited, Statewide public notice of the invitation is to be given.
- (2) If the CEO has, under regulation 23(4), prepared a list of acceptable tenderers, instead of giving Statewide public notice the CEO is required to give notice of the invitation to each acceptable tenderer listed.
- (2a) If a local government —
 - (a) is required to invite a tender; or
 - (b) not being required to invite a tender, decides to invite a tender, the local government must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.
- (3) The notice, whether under subregulation (1) or (2), is required to include —
 - (a) a brief description of the goods or services required;
 - (b) particulars identifying a person from whom more detailed information as to may be obtained;
 - (c) information as to where and how tenders may be submitted; and
 - (d) the date and time after which tenders cannot be submitted.
- (4) In subregulation (3)(b) a reference to detailed information includes a reference to —
 - (a) such information as the local government decides should be disclosed to those interested in submitting a tender;
 - (b) detailed specifications of the goods or services required;
 - (c) the criteria for deciding which tender should be accepted;
 - (d) whether or not the local government has decided to submit a tender; and
 - (e) whether or not the CEO has decided to allow tenders to be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted.
- (5) After a notice has been given under subregulation (1) or (2), a local government may vary the information referred to in subregulation (3) by taking reasonable steps to give each person who has sought copies of the tender documents or each acceptable tenderer, as the case may be, notice of the variation.

[Regulation 14 amended in Gazette 29 Jun 2001 p. 3130.]

Section 5 R15 Minimum time to be allowed for submitting tenders

- (1) *If the notice is published in the newspaper as part of giving Statewide public notice, the time specified in the notice as the time after which tenders cannot be submitted has to be at least 14 days after the notice is first published in the newspaper as part of giving Statewide public notice.*
- (2) *If the notice is given to a person listed as an acceptable tenderer, the time specified in the notice as the time after which tenders cannot be submitted has to be at least 14 days after the notice is given.*

POLICY IMPLICATIONS

The tender has been managed in accordance with Policy 2.3.7 Purchasing

FINANCIAL IMPLICATIONS

The recycling of scrap metal and car bodies will generate income to the Shire to the value of approximately \$30,000 per annum. The income is held in account 101014230 which has a 2014/2015 budget of \$25,000. Officers do not recommend that the budget be amended at this point as the income is a projection only based on the tonnages for 2013/2014.

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Affordable services and initiatives to satisfy community need.

Our Prosperity Goal – Create the means to enable local jobs creation and lifestyle affordability for the current and future population:

Affordable and equitable services and infrastructure.

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

Responsible resource allocation.

Improved systems, processes and compliance.

VOTING REQUIREMENTS

Absolute Majority

REPORT RECOMMENDATION:

That Council:

1. *Endorses the recommendations as contained in the confidential tender assessment report for 14/14 Scrap Metal and Car Bodies Recycling for the Shire of Broome (Period 01 November 2014 to 31 October 2016);*
2. *Authorises the Chief Executive Officer to vary the Contract Price Schedule in accordance with Contract conditions at the anniversary date of the Contract (01 November 2015);*

3. *Authorises the Chief Executive Officer to extend the Contract on 31 October 2016 for a further twelve months with the mutual agreement of the Contractor; and*
4. *Notes that the results of the Tender will be available via the Tender Register.*

(ABSOLUTE MAJORITY REQUIRED)

Attachments

1. Confidential Tender Evaluation Report (*Confidential to Councillors and Directors Only*)

This attachment is confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)(c) as it contains “a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting”.

9.4.5 ANNUAL FINANCIAL REPORT & AUDIT REPORT 2013/2014

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FRE02
AUTHOR:	Manager Financial Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	15 October 2014

SUMMARY: This report presents to Council, for receipt and endorsement of the Audit Committee's recommendation for the adoption of the 2013/2014 Annual Financial Report, the Auditor and Management reports, and the report prepared by the Chief Executive Officer for the financial year ended 30 June 2014. Council is also requested to endorse the proposed allocation of the operating surplus from 2013/2014.

BACKGROUNDPrevious Considerations

Nil

Pursuant to Section 7.9 of the *Local Government Act 1995* (the 'Act'), an Auditor is required to examine the accounts and annual financial report submitted by a local government for audit. The Auditor is also required, by 31 December following the financial year to which the accounts and report relate, prepare a report thereon and forward a copy of that report to:

- (a) Mayor or President; and
- (b) The Chief Executive Officer; and
- (c) The Minister

Furthermore, in accordance with Regulation 10(4) of the *Local Government (Audit) Regulations 1996*, where it is considered appropriate to do so, the Auditor may prepare a Management Report to accompany the Auditor's Report, which is also to be forwarded to the persons specified in Section 7.9 of the Act.

Consequent to the finalisation of the Shire's 2013/2014 financial audit, the Auditor's Management Report was presented to the Audit Committee for consideration. The Audit Committee was required to examine the reports of the auditor after receiving a report from the Chief Executive Officer (CEO) on the matters reported and:

- Determine if any matters raised require action to be taken by the local government; and
- Ensure that appropriate action is taken in respect of those matters.

The Audit Committee reviewed the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and presents the report to Council for adoption. A copy of the report is to be forwarded to the Minister prior to the

end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time.

After consideration at the Audit Committee meeting held 14 October 2014, the Audit Committee recommends to Council, the adoption of the annual financial report. A copy of the minutes and associated reports of the Audit Committee meeting is attached to this report.

COMMENT

Chief Executive Officer's Report to the Audit Committee

Following is the CEO's report to the Audit Committee on matters arising from the audit and management reports. Extracts from the audit and management reports are indented in italics.

Audit Report

There were no matters of statutory non-compliance reported.

Management Report

The Auditor's Management Report provides an overview of the approach undertaken in respect of the annual audit process, and the associated outcomes of the audit. The Management Report also identifies any findings that, whilst generally not material in relation to the overall audit of the financial report, are considered relevant to the day to day operations of the Shire.

1. Matters Identified

As part of the 2013/14 financial audit, the Auditor identified three areas in which further improvements to the Shire's current processes and procedures could be considered for implementation. These areas have also been assigned a finding rating, as detailed in the following table:

INDEX OF FINDINGS	RATING		
	Significant	Moderate	Minor
New issues identified from 2014 Interim audit:			
1. High annual leave accrual at year end		✓	
2. Cut of period		✓	
3. Civic Centre controls around the recording of sales		✓	

Key To Ratings

The Ratings in this management letter are based on the audit team's assessment of risks and concerns with respect to the probability and/or consequence of adverse outcomes if action is not taken. We give consideration to these potential adverse outcomes in the context of both quantitative impact (for example

financial loss) and qualitative impact (for example inefficiency, non-compliance, poor service to the public or loss of public confidence).

- Significant* - Those findings where there is potentially a significant risk to the entity should the finding not be addressed by the entity promptly. A significant rating could indicate the need for a modified audit opinion in the current year, or in a subsequent reporting period if not addressed. However even if the issue is not likely to impact the audit opinion, it should be addressed promptly.
- Moderate* - Those findings which are of sufficient concern to warrant action being taken by the entity as soon as practicable.
- Minor* - Those findings that are not of primary concern but still warrant action being taken.

Each item is specifically discussed within the Management Report, as appended to the 2013/2014 Annual Financial Report as attached to this report, along with the Shire's management response. In terms of the management responses, appropriate actions are proposed to be implemented where required to address each of the findings.

2. Internal Financial Controls

During the audit, the Auditor examined the design and implementation of the internal controls surrounding the accounting and financial control systems. The matters that relate to internal control have been identified and discussed in the matters identified in section 1 of the aforementioned Management Report.

3. Audit Adjustments

Following the presentation of the Draft 2013/2014 Financial Report to the Auditor, officers identified the following three amendments that needed to be made:

- Recognising a payment plan which has been entered into with one ratepayer required the adjustment to the provision for doubtful rates debt and rates reduced/written off as it is now likely that these rates will be paid to the Shire in the next 12 months.
- Correction to a posting error in respect to the recognition of the Shire of Broome Country Local Government Fund grant for Key Worker Housing.
- An amendment to the land and building revaluation was required as a result of a duplication of a line item within the fair value valuation report.

These adjustments have no material affect on the Shire of Broome's financial situation.

4. Other Matters

There were no identified matters of fraud to report and there were no disagreements with management about significant accounting matters.

Operating Surplus

The 2014/2015 Annual Financial Report discloses the results of the first year of implementation of the newly legislated Integrated Planning Framework. As reported to Council last year in regards to the 2012/2013 Annual Financial Report, the Shire's 2013/2014

Annual Budget process had significant regard for a number of 'informing strategies'. As part of the budget finalisation it was evident that desired allocations toward capital renewal outlined within the prepared Asset Management Plans were not met. Effectively, the intended annual allocations to Capital Reserves were reduced; and in some cases Capital Reserves drawn to enable Capital Works programs to be sufficiently funded. This is not sustainable over the longer term and the 2013-2028 Shire of Broome Long Term Financial Plan adopted at the Ordinary Meeting of Council (OMC) held 27 October 2013 indicates that there is a shortfall of funding to meet desired Asset Renewal Expenditure.

During the 2013/2014 financial year, the major items that have a variance between the original adopted budget and actuals include the recognition of the Kimberley Zone of WALGA and Kimberley Regional Collaborative Group (RCG) operations under the Shire of Broome as the Zone Secretariat. A major project achieved through the Kimberley Zone was the acquisition of a number of Key Worker Housing properties to house employees. This financial year also recognised the revaluation of the Shire's land and building assets at fair value in accordance with regulation 17A of the *Local Government (Financial Management) Regulations 1996*. This is the second stage of fair value revaluations with the final stage due in the 2014/2015 financial year for the recognition of infrastructure assets to be recognised at fair value including roads.

The financial year ended 30 June 2014 resulted in the following carried forward operating surplus:

\$434,228	2014/2015 Budgeted brought forward operating surplus
<u>\$153,710</u>	2014/2015 Net Actual operating surplus
\$587,938	Total 2014/2015 Carried forward operating surplus

The 2014/2015 Annual Budget that was adopted at the Special Meeting of Council (SMC) held 27 June 2014, adopted an estimated brought forward operating surplus of \$434,228. This was comprised of the following projects estimated to be carried forward for inclusion in the 2014/2015 Annual Budget:

Project/Activity Description	GL Code	Allocation
Old Broome Lockup Building Upgrade	147553	\$5,000
Local Emergency Management Arrangements Review and Update	52119	\$15,000
Consultancy for BRAC Management Tender	113704	\$15,000
Consultancy Roebuck Bay Caravan Park Redevelopment Business Plan	132311	\$15,000
Town Beach Boat Ramp New Infrastructure	113567	\$15,000
Local Planning Strategy and Local Planning Scheme No. 6	106123	\$20,000
Vehicle & Plant Renewal – Parks & Gardens Operations	143610	\$23,000
Shire Office Haas Street Building Renewal	142558	\$25,000
Rates Review and Land Use Pickup	32230	\$30,000
Drainage Infrastructure – Cable Beach Tourist Area	104896	\$40,000
Broome Motor Sports Complex Phase 1	147702	\$70,000
Drainage Infrastructure – Frederick Street to KRO Stage 3	104895	\$78,530
Unallocated Balance	N/A	\$82,698
TOTAL		\$434,228

The unallocated balance of \$82,698 represents a provision for the estimated operating surplus once end of year adjustments and audit were finalised. The total carried forward

operating surplus is \$587,938, resulting in an actual unallocated net operating surplus of \$153,710.

This report contains recommendations for Council's consideration of the allocation of the \$153,710 net actual operating surplus. It is proposed for this to be fully allocated against significant initiatives budgeted and commenced during the 2013/2014 financial year, but carried over without being included in the 2014/2015 Annual Budget. While these initiatives were expected to be completed and fully paid for in the 2013/2014 financial year, due to the timing of the preparation for budget adoption prior to 30 June 2014, these projects were not finalised by year end.

The contracts were committed in the 2013/2014 financial year; however, the goods or services had not been delivered or paid for until after year end. The amounts allocated to each initiative have been rounded to the nearest (\$,000) except for line items 121712 Lorikeet Drive, which has been allocated the balance of the remaining operating surplus, and 132060 Tourism Initiative, where the full amount of unspent 13/14 funds has been allocated.

The projects identified include:

Project/Activity Description	GL Code	Allocation
Environmental Management Strategy	105552	\$10,000
Legal & Other Costs – Sanctuary Rd Caravan Park Expense (Grant Rec'd from Tourism WA in 13/14)	132314	\$10,000
Contribution to Broome Pistol Club Renewal Building to match CSRFF grant received by the Pistol Club	146697	\$10,000
IT Equipment & Hardware - Council Chamber Audio	146120	\$11,000
Heritage Signage Project Website	116085	\$11,000
Broome Historical Society – Building Renewal Replacement of Carpets	116201	\$13,000
Roebuck Bay Caravan Park – Building Renewal Replacement of Partitioning in Ablutions	132111	\$14,000
Land & Buildings Revaluations Fair Value	144023	\$19,000
Lorikeet Drive Extension Detailed Design	121712	\$22,568
Tourism Initiative Development (Unspent in 13/14)	132060	\$33,142
TOTAL		\$153,710

The Audit Committee adopted the Report Recommendation, with a proposed allocation of the 2013/14 surplus as detailed below:

REPORT RECOMMENDATION/COMMITTEE RESOLUTION:**Moved: Cr D M Male****Seconded: Cr H Tracey****The Audit Committee recommends that Council:**

1. **Receives the Chief Executive Officer's report relating to the audit.**
2. **Receives the Audit Report and Audit Management Report dated 10 October 2014.**
3. **Adopts the Annual Financial Report for the year ended 30 June 2014.**
4. **Allocates the net operating surplus from the 2013/2014 financial year to the following initiatives:**

Project/Activity Description	GL Code	Allocation
Environmental Management Strategy	105552	\$10,000
Legal & Other Costs – Sanctuary Rd Caravan Park Expense (Grant Rec'd from Tourism WA in 13/14)	132314	\$10,000
Contribution to Broome Pistol Club Renewal Building to match CSRFF grant received by the Pistol Club	146697	\$10,000
IT Equipment & Hardware - Council Chamber Audio	146120	\$11,000
Heritage Signage Project Website	116085	\$11,000
Broome Historical Society – Building Renewal Replacement of Carpets	116201	\$13,000
Roebuck Bay Caravan Park – Building Renewal Replacement of Partitioning in Ablutions	132111	\$14,000
Land & Buildings Revaluations Fair Value	144023	\$19,000
Lorikeet Drive Extension Detailed Design	121712	\$22,568
Tourism Initiative Development (Unspent in 13/14)	132060	\$33,142
TOTAL		\$153,710

CARRIED BY ABSOLUTE MAJORITY 2/0**CONSULTATION**

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

6.4. Financial report

- (1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.
- (2) The financial report is to —
 - (a) be prepared and presented in the manner and form prescribed; and
 - (b) contain the prescribed information.
- (3) By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —

- (a) the accounts of the local government, balanced up to the last day of the preceding financial year; and
- (b) the annual financial report of the local government for the preceding financial year.

7.9. Audit to be conducted

- (1) An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of that report to —
 - (a) the mayor or president; and
 - (b) the CEO of the local government; and
 - (c) the Minister.
- (2) Without limiting the generality of subsection (1), where the auditor considers that —
 - (a) there is any error or deficiency in an account or financial report submitted for audit; or
 - (b) any money paid from, or due to, any fund or account of a local government has been or may have been misapplied to purposes not authorised by law; or
 - (c) there is a matter arising from the examination of the accounts and annual financial report that needs to be addressed by the local government, details of that error, deficiency, misapplication or matter, are to be included in the report by the auditor.
- (3) The Minister may direct the auditor of a local government to examine a particular aspect of the accounts and the annual financial report submitted for audit by that local government and to —
 - (a) prepare a report thereon; and
 - (b) forward a copy of that report to the Minister, and that direction has effect according to its terms.
- (4) If the Minister considers it appropriate to do so, the Minister is to forward a copy of the report referred to in subsection (3), or part of that report, to the CEO of the local government to be dealt with under section 7.12A.

7.12A. Duties of local government with respect to audits

- (1) A local government is to do everything in its power to —
 - (a) assist the auditor of the local government to conduct an audit and carry out his or her other duties under this Act in respect of the local government; and
 - (b) ensure that audits are conducted successfully and expeditiously.
- (2) Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.
- (3) A local government is to examine the report of the auditor prepared under section 7.9(1), and any report prepared under section 7.9(3) forwarded to it, and is to —
 - (a) determine if any matters raised by the report, or reports, require action to be taken by the local government; and
 - (b) ensure that appropriate action is taken in respect of those matters.
- (4) A local government is to —
 - (a) prepare a report on any actions under subsection (3) in respect of an audit conducted in respect of a financial year; and
 - (b) forward a copy of that report to the Minister, by the end of the next financial year, or 6 months after the last report prepared under

section 7.9 is received by the local government, whichever is the latest in time.

5.54. *Acceptance of annual reports*

(1) *Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.*

** Absolute majority required.*

(2) *If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The proposed allocation of the surplus is based on the principles that firstly, it is to be distributed to cover any significant initiatives budgeted and commenced during the 2013/2014 financial year, but carried over without being included in the 2014/2015 Annual Budget. Secondly, any balance of net operating surplus is normally proposed to be allocated across capital reserves for funding for future capital works projects, however, the operating surplus has been exhausted across existing 2013/2014 projects.

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Encourage communication.

Identify affordable services and initiatives to satisfy community needs.

Our Prosperity Goal – Create the means to enable local jobs creation and lifestyle affordability for the current and future population:

Encourage the provision of affordable land for residential, industrial, commercial and community use.

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

Develop an organisational culture that strives for service excellence.

Review and analyse strategic and operational plans.

Manage resource allocation.

Manage staff attraction and retention.

Improve systems, processes and compliance.

VOTING REQUIREMENTS

Absolute Majority

REPORT RECOMMENDATION:

That Council, on recommendation from the Audit Committee:

1. *Receives the Chief Executive Officer's report relating to the audit.*
2. *Receives the Audit Report and Audit Management Report dated 10 October 2014.*
3. *Adopts the Annual Financial Report for the year ended 30 June 2014.*
4. *Allocates the net operating surplus from the 2013/2014 financial year to the following initiatives:*

<i>Project/Activity Description</i>	<i>GL Code</i>	<i>Allocation</i>
<i>Environmental Management Strategy</i>	<i>105552</i>	<i>\$10,000</i>
<i>Legal & Other Costs – Sanctuary Rd Caravan Park Expense (Grant Rec'd from Tourism WA in 13/14)</i>	<i>132314</i>	<i>\$10,000</i>
<i>Contribution to Broome Pistol Club Renewal Building to match CSRFF grant received by the Pistol Club</i>	<i>146697</i>	<i>\$10,000</i>
<i>IT Equipment & Hardware - Council Chamber Audio</i>	<i>146120</i>	<i>\$11,000</i>
<i>Heritage Signage Project Website</i>	<i>116085</i>	<i>\$11,000</i>
<i>Broome Historical Society – Building Renewal Replacement of Carpets</i>	<i>116201</i>	<i>\$13,000</i>
<i>Roebuck Bay Caravan Park – Building Renewal Replacement of Partitioning in Ablutions</i>	<i>132111</i>	<i>\$14,000</i>
<i>Land & Buildings Revaluations Fair Value</i>	<i>144023</i>	<i>\$19,000</i>
<i>Lorikeet Drive Extension Detailed Design</i>	<i>121712</i>	<i>\$22,568</i>
<i>Tourism Initiative Development (Unspent in 13/14)</i>	<i>132060</i>	<i>\$33,142</i>
TOTAL		\$153,710

(ABSOLUTE MAJORITY REQUIRED)

Attachments

1. *Audit Committee Minutes 14 Oct 2014 - 2013-14 Audited Annual Financial Report*

9.4.6 ANNUAL REPORT 2014/2014

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	ADM42
AUTHOR:	Manager Governance
CONTRIBUTOR/S:	Media and Promotions Officer
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	7 October 2014

SUMMARY: This report recommends that Council accepts the Draft 2013/2014 Annual Report and considers a date for convening the Annual Electors Meeting.

BACKGROUNDPrevious Considerations

SMC 18 December 2006	Item 9.1.2
OMC 14 February 2008	Item 9.1.3
OMC 17 December 2008	Item 9.1.6
OMC 16 December 2009	Item 9.1.4
OMC 15 December 2010	Item 9.1.2
OMC 14 December 2011	Item 9.4.4
OMC 18 December 2012	Item 9.4.6
OMC 19 December 2013	Item 9.4.11

COMMENT

Section 5.53(1) of the *Local Government Act 1995* requires local governments to prepare an Annual Report for each financial year. The content of the Annual Report is specified in s5.53(2). This report summarises the year's highlights and achievements, as well as includes specific statutory information.

In addition to this, the *Disability Services Act 1993* and *State Records Commission Standard 2* have a requirement for certain information to be included in the Annual Report.

Section 5.54(1) of the *Local Government Act 1995* requires the Annual Report for a financial year to be accepted by absolute majority no later than 31 December after the reported financial year.

Section 5.27 (2) of the *Local Government Act 1995* requires the Annual Electors meeting to be held within 56 days of the Annual Report for the previous financial year being accepted by Council. Should Council accept the Draft Annual Report an Annual Electors Meeting is required to be held no later than 18 December 2014.

The attached Annual Report 2013/2014 is in draft format. Following acceptance by Council, arrangements will be made for the final production of the report for availability prior to the Annual Electors Meeting. A copy will also be available on the Shire's website.

The Financial Report is being considered by the Audit Committee and the outcome will be advised in a separate item to Council.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

Division 5 – Annual reports and planning

5.53 Annual Reports

- (1) The local government is to prepare an annual report for each financial year.
- (2) The annual report is to contain –
 - (a) a report from the mayor or president;
 - (b) a report from the CEO;
 - (c) and (d) deleted
 - (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year;
 - (f) the financial report for the financial year;
 - (g) such information as may be prescribed in relation to the payments made to employees;
 - (h) the auditor's report for the financial year;
 - (ha) a matter on which a report must be made under section 29(2) of the Disability Services Act 1993;
 - (hb) details of entries made under section 5.121 during the financial year in the register of complaints, including –
 - (i) the number of complaints recorded in the register of complaints;
 - (ii) how the recorded complaints were dealt with; and
 - (iii) any other details that the regulations may require; and
 - (i) such other information as may be prescribed.

5.54 Acceptance of annual reports

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.

*Absolute majority required.

- (2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

5.55 Notice of annual reports

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

5.56 Planning for the future

- (1) A local government is to plan for the future of the district.

- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Division 2 – Council meetings, committees and their meetings and electors' meetings
Subdivision 4 – Electors' meetings

5.27 Electors' general meetings

- (1) A general meeting of the electors of a district is to be held once every financial year.
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) The matters to be discussed at general electors' meetings are to be those prescribed.

5.29. Convening electors' meetings

- (1) The CEO is to convene an electors' meeting by giving -
- (a) at least 14 days' local public notice; and
 - (b) each council member at least 14 days' notice, of the date, time, place and purpose of the meeting.
- (2) The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time of publication of the notice under section 1.7(1)(a) and is to continue by way of exhibition under section 1.7(1)(b) and (c) until the meeting has been held.

Disability Services Act 1993

29. Report about disability access and inclusion plan

- (2) A local government or regional local government that has a disability access and inclusion plan must include in its annual report prepared under section 5.53 of the Local Government Act 1995 a report about the implementation of the plan.

State Records Commission Standard 2 – Record keeping Plans

Principle 6 – Compliance

Government organisations ensure their employees comply with the recordkeeping plan.

Rationale

An organisation and its employees must comply with the organisations recordkeeping plan.

Organisations should develop and implement strategies for ensuring that each employee is aware of the compliance responsibilities.

Minimum Compliance Requirements

The recordkeeping plan is to provide evidence to adduce that:

1. The efficiency and effectiveness of the organisation's recordkeeping systems is evaluated not less than once every 5 years.
2. The organisation conducts a recordkeeping training program.
3. The efficiency and effectiveness of the recordkeeping training program is reviewed from time to time.
4. The organisation's induction program addresses employee roles and responsibilities in regard to their compliance with the organisation's recordkeeping plan.

5. *The organisation includes within its annual report an appropriate section that addresses points 1-4.*

POLICY IMPLICATIONS

Policy 1.1.9 – Public Participation at Council and Electors Meetings.

FINANCIAL IMPLICATIONS

The Annual Report has largely been prepared in-house, however the final design and layout has been undertaken by Market Creations – estimated cost \$1,430 – GL 142070.

The estimated cost for advertising in the Broome Advertiser is \$350 - GL 142100.

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Effective communication.

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

Effective community engagement.

Improved systems, processes and compliance.

VOTING REQUIREMENTS

Absolute Majority

REPORT RECOMMENDATION:

That Council:

1. *Accepts the Shire of Broome Annual Report for the 2013/2014 financial year as contained in the Attachment.*
2. *In accordance with section 5.55 of the Local Government Act 1995 provides local public notice of the availability of the Shire of Broome's Annual Report for 2013/2014.*
3. *Convenes an Annual Electors Meeting on 11 December 2014 commencing at 5.00pm to be held in the Council Chambers.*
4. *In accordance with section 5.29 of the Local Government Act 1995 provides local public notice of this meeting.*

(ABSOLUTE MAJORITY REQUIRED)

Attachments

1. Annual Report 2013/2014 (Under separate cover)

9.4.7 MINUTES OF THE JOINT MEETING OF THE KIMBERLEY ZONE OF WALGA AND REGIONAL COLLABORATIVE GROUP HELD 4 AUGUST 2014

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	OGSO3 & RCG01
AUTHOR:	Director Corporate Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	15 October 2014

SUMMARY:

This report requests Council to receive and endorse the Minutes from the most recent Joint meeting of the Kimberley Zone of WALGA and Regional Collaborative Group held on 3 October 2014.

BACKGROUND

A copy of the minutes from the meeting held 3 October 2014 between members of the Kimberley Zone of WALGA and Kimberley Regional Collaborative Group (RCG) are attached for Council consideration.

As a result of a past decision of the group, both the Kimberley Zone and RCG meetings are joined.

It should be remembered that the Kimberley Zone of WALGA is a group established to represent regional issues to the State Council of the Western Australian Local Government Association (WALGA).

The RCG is a deed of agreement between four (4) local governments with the Minister for Local Government to progress regional reform.

COMMENT

The minutes and respective background information are attached to this report and the following comments are made in relation to the resolutions passed by the Group. Additional recommendations have been made where necessary for Council's consideration.

7.1 KIMBERLEY ZONE OF WALGA & RCG MEETING RESOLUTION STATUS REPORT

A status report was provided from the Project Officer outlining progress or otherwise on Resolutions passed by the Zone/RCG since February 2013. The status report was received and noted for finalisation under the authorisation of the Secretariat.

RESOLUTION:

(REPORT RECOMMENDATION)

That the Kimberley Zone of WALGA & Regional Collaborative Group:

- 1. Receives the attached Resolution Status Report;***
- 2. Authorises the Secretariat to proceed with co-ordinating the finalisation of outstanding action items arising from meeting resolutions.***

Moved: Cr Moulden***Seconded: Cr Edwards******Carried Unanimously 4/0*****7.2 KIMBERLEY ZONE OF WALGA 2013/2014 FINANCIAL ACTIVITY REPORT**

A Financial Activity Report was presented for adoption. Summary follows:[Indicators and Variances](#)

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

Budget Year Lapsed	19%
Total Operating Income	7%
Total Operating Expenditure	2%

Committed Kimberley Regional Collaborative Group project expenditure as percentage of forecast budget;

2012-13 DLGC – Records Management	22%
2013-14 DLGC – Business Improvement Review	0%
2010-11 CLGF – Key Worker Housing	100%
2011-12 CLGF – Key Worker Housing	27%
2014 DLGC – Kimberley Youth Strategy	0%

RESOLUTION:***(REPORT RECOMMENDATION)***

That the Kimberley Zone of WALGA and Regional Collaborative Group adopts the Financial Activity Report for the period ended 8 September 2014.

Moved: Cr Moulden***Seconded: Cr Archer******Carried Unanimously 4/0*****7.3 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – FINANCIAL ASSISTANCE GRANTS**

The Kimberley Zone of WALGA was requested to consider support of the Australian Local Government Association's (ALGA) endeavour to have the matter of Financial Assistance Grants (FAGS) indexation freezes reviewed with the intent to have the indexation reinstated.

RESOLUTION:***(REPORT RECOMMENDATION)***

That the Kimberley Zone of WALGA and Regional Collaborative Group requests the Secretariat and Chairman to commence lobbying of Federal Minister's to support the Australian Local Government's endeavours to reinstate the indexation that is annually

applied to Financial Assistance Grants.

Moved: Cr Moulden

Seconded: Cr Edwards

Carried Unanimously 4/0

8.1 STATE COUNCIL MEETING AGENDA AND PRESIDENT'S REPORT

The State Council Agenda and Presidents Report was not presented for member consideration due to the timing of the release of the report. This was duly noted and a meeting was proposed to be held by videoconference upon receipt.

RESOLUTION:

(REPORT RECOMMENDATION)

That the Kimberley Zone of WALGA:

- 1. Notes the State Council Meeting Agenda and Presidents Report has not been included in the Zone Agenda for member's consideration,**
- 2. That an electronic meeting be held with members once the State Agenda is circulated.**

Moved: Cr Moulden

Seconded: Cr Archer

Carried Unanimously 4/0

8.2 JOINT KIMBERLEY PILBARA FORUM 2015 The Zone/RCG was presented a proposal to consider hosting the joint Kimberley/Pilbara forum in Darwin in early 2015 with the event to coincide with the annual Joint Kimberley Northern Territory Forum.

RESOLUTION:

That the Kimberley Zone of WALGA:

- 1 Endorse a two day joint Kimberley Pilbara Forum be scheduled for early 2015 in Darwin;**
- 2 Endorse the joint Kimberley Northern Territory annual forum also be held at the same time;**
- 3 Endorse that the Forums be scheduled in Darwin at a date in March 2015 to be determined by the Secretariat in conjunction with the four member Council Chief Executive Officers.**
- 4 Endorses the following as key themes for the three day joint Kimberley/Pilbara/ Northern Territory Forum;**
 - a) Transport/ Infrastructure/ Future of Oil and Gas,**
 - b) Indigenous Issues,**
 - c) Aquaculture/ Agriculture; and**
 - d) Water**
- 5. Endorses the engagement of a facilitator for the two forums.**

Moved: Cr Moulden

Seconded: Cr Archer

Carried Unanimously 4/0

9.1 NEW ITEM: COUNTRY LOCAL GOVERNMENT FUND EXPENDITURE – KEY WORKER HOUSING PROJECT UPDATE

The Kimberley Zone Project Manager advised that the Shire of Wyndham East Kimberley had resolved to return its 2011/12 and 2012/13 Regional Country Local Government Funds (CLGF) allocation (\$956,842 and \$719,788 respectively) for the Kimberley Key Worker Housing Project. The funds totaling \$1,676,630 were therefore available for reallocation to the other three member Councils, subject to approval of the Department of Regional Development and Lands (RDL).

There is approximately \$558,886 potentially available to the Shire of Broome, should Council wish to progress further Key Worker Housing. Council has already purchased six dwellings from this project (funded through approximately \$2,578,860 of Regional CLGF and \$432,026 of own source funding from the Building Reserve).

Discussions with RDL indicate that any proposed variation to reallocate the Shire of Wyndham East Kimberley's funding must be in line with their original project outcomes which were to construct dwellings. The Shire of Broome does not have any suitable residential land to construct a dwelling upon and would need to purchase land to progress this project.

Estimates received indicate that a house and land package in Broome could cost in the vicinity of \$697,000 to \$786,000 dependant on the location of the property.

Council has approximately \$945,517 funds available within the Building Reserve that could be utilized towards this project. \$397,582 of this is unallocated funding and the balance has been quarantined for renewal expenditure, however is also considered unallocated funding.

It is proposed for Council to consider progressing with the construction of one dwelling to the value of approximately \$750,000. This would require an allocation from the Building Reserve of \$191,114. As indicated, this project is subject to RDL approval and will require a Tender process to proceed.

RESOLUTION:

(REPORT RECOMMENDATION)

That the Kimberley Regional Collaborative Group;

- 1. Delegate authority to the Secretariat to liaise with the Department of Regional Development,***
- 2. Finalise the proposed reallocation of the Shire of Wyndham East Kimberley component of funding to the other three member councils,***
- 3. Authorise the Secretariat to progress each member Councils and the Kimberley Development Commission endorsement of the 2011-12 Variation and 2012-13 Financial Assistance Agreement.***

Moved: Cr Edwards

Seconded: Cr Moulden

Carried Unanimously 4/0

9.2 DEPARTMENT OF LOCAL GOVERNMENT & COMMUNITIES 2012/13 GRANT FUND EXPENDITURE – RECORDS MANAGEMENT PROJECT UPDATE

A grant for \$107,000 was approved by the Department of Local Government and Communities for the purchase and implementation of an Office 365 Cloud based collaboration and Records Management System for the Kimberley Zone. This report provided an update on progress of the project. It is noted that the Shire of Broome employed a Records Officer to undertake scanning of hard copy files as part of this project. This has been fully funded by the grant.

RESOLUTION:

(REPORT RECOMMENDATION)

That the Kimberley Regional Collaborative Group notes the progress of the Department of Local Government and Communities 2012-13 Grant Funding for the Records Management Project.

Moved: Cr Moulden

Seconded: Cr Edwards

Carried Unanimously 4/0

9.3 DEPARTMENT OF LOCAL GOVERNMENT & COMMUNITIES 2013/14 GRANT FUND EXPENDITURE – BUSINESS IMPROVEMENT REVIEW UPDATE

A grant for \$107,000 was approved by the Department of Local Government and Communities for a Business Improvement Review of the IT Vision Synergy Soft system utilised by the four Kimberley Shires. The report presented advised that the Business Improvement Review project is progressing as anticipated and indicated that workshops at each shire had been conducted and functional assessments completed.

RESOLUTION:

(REPORT RECOMMENDATION)

That the Kimberley Regional Collaborative Group notes the progress of the Department of Local Government and Communities 2013-14 Grant Funding for the Business Improvement Review of the IT Vision Synergy Soft System.

Moved: Cr Moulden

Seconded: Cr Edwards

Carried Unanimously 4/0

9.4 DEPARTMENT OF LOCAL GOVERNMENT & COMMUNITIES 2014 GRANT FUND EXPENDITURE – KIMBERLEY YOUTH STRATEGY – STAGE 1 CONSULTATION

The Department of Local Government and Communities has awarded \$40,000 from the Youth Friendly Communities Grants Program to the Regional Collaborative Group to develop a Kimberley Youth Strategy Stage 1-Consultation.

The agreed anticipated activities include the Zone working in partnership with young people and/or community groups to support youth participation in helping make their community youth friendly. The consultation may also be used to support the review of other relevant strategies, policies and plans, and to inform the improvement of relevant services. This report provided an update on progress of the project.

RESOLUTION:**(REPORT RECOMMENDATION)**

That the Kimberley Regional Collaborative Group notes the progress of the Department of Local Government and Communities 2014 Grant Funding for the development of the Kimberley Youth Strategy.

Moved: Cr Moulden

Seconded: Cr Edwards

Carried Unanimously 4/0

9.5 LOCAL LAWS REVIEW AND ALIGNMENT A proposal was presented for a project to undertake consultation with the local governments across the Kimberley to inform the development of a series of aligned local laws. It was advised that the project aligns with the operational and legislative requirements of the Kimberley Regional Collaborative Group and four Kimberley Local Government Strategic Community Plans. It also aligns with the Department of Local Government and Communities structural reform agenda through the shared services of the Regional Collaborative Group initiative.

Given that the Shire of Broome has recently reviewed the majority of Shire Local Laws it is envisaged a number of these may be used as reference documents by the other member Councils.

RESOLUTION:

That the Kimberley Regional Collaborative Group;

- 1. Authorises the Secretariat to engage member Councils to review and align Local Laws;***
- 2. Authorises the Secretariat to incur costs of up to \$10,000 on this project;***
- 3. Requests for the project to be completed by 30 June 2015; and***
- 4. Ensures that each member Council incurs their own advertising and gazettal costs associated with the project.***

Moved: Cr Moulden

Seconded: Cr Edwards

Carried Unanimously 4/0

9.6 KIMBERLEY EMPLOYMENT STRATEGY

The purpose of this project is to undertake consultation with the local governments across the Kimberley to inform the development of a series of aligned Employment Plans incorporating Workforce Development Plans and specific equal opportunity plans including Indigenous Employment and Retention. This project aligns with the operational and legislative requirements of the Kimberley Regional Collaborative Group and four Kimberley Local Government Strategic Community Plans. This project also aligns with the Department of Local Government and Communities structural reform agenda through the shared services of the Regional Collaborative Group initiative.

RESOLUTION:**(REPORT RECOMMENDATION)**

That the Kimberley Regional Collaborative Group;

- 1. Endorse the development of a Kimberley Employment Strategy.***

2. *That the Secretariat be delegated authority to liaise with the Kimberley Chief Executive Officers to progress the development of the project plan and budget.*
3. *Authorises the Secretariat to seek funding for the preparedness of the Employment Strategy.*
4. *Authorises the Secretariat to setup a HR Technical Advisory Group forum with the Department of Local Government and Communities to provide Workforce planning training and to agree on a template/model for the Employment Strategy.*

Moved: Cr Moulden

Seconded: Cr Edwards

Carried Unanimously 4/0

12.1 TAMS (Takeaway Alcohol Management System) Proposal

This item was brought up by the Shire of Wyndham East Kimberley as a matter of General Business. The proposal was supported by three member Councils.

RESOLUTION:

(REPORT RECOMMENDATION)

That the Kimberley Regional Collaborative Group makes a contribution of \$6,933 excluding GST towards a one year trial of the TAMS in the Shire of Wyndham East Kimberley.

Moved: Cr Moulden

Seconded: Cr Archer

Opposed: Cr Edwards

Carried 3/1

12.2 Schedule of Kimberley Zone/RCG Meetings

The matter of the scheduling of future meetings was also considered as General Business.

RESOLUTION:

(REPORT RECOMMENDATION)

That the Kimberley Zone of WALGA and Regional Collaborative Group:

1. Schedules four face to face Zone/RCG meetings in 2015, in addition to holding video conference meetings as required for consideration of the WALGA State Council Agenda.
 - a) March 2015 – Darwin - Joint Kimberley/ Pilbara/ Northern Territory Forum
 - b) August 2015 – Perth - Local Government Week
 - c) October 2015
 - d) December 2015
2. The meeting scheduled for November 2014 be rescheduled for a date to be confirmed in December 2014.

Moved: Cr Moulden

Seconded: Cr Archer

Carried Unanimously 4/0

CONSULTATION

NIL

STATUTORY ENVIRONMENT

NIL

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

There are no direct financial impacts to the Shire of Broome associated with resolutions passed at the Joint meeting.

Council is however requested to consider an allocation of \$191,114 from the Building Reserve towards the Regional Key Worker Housing Project to construct one dwelling in Broome.

STRATEGIC IMPLICATIONS**Our Prosperity Goal – Create the means to enable local jobs creation and lifestyle affordability for the current and future population:**

Key economic development strategies for the Shire which are aligned to regional outcomes working through recognised planning and development groups/committees.

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

Sustainable and integrated strategic and operational plans.

Responsible resource allocation.

Improved systems, processes and compliance.

VOTING REQUIREMENTS

Absolute Majority

REPORT RECOMMENDATION:

That Council:

1. receives and endorses the resolutions of the Kimberley Zone of WALGA/Regional Collaborative Group as attached in the minutes from the Joint Meeting held 4 August 2014 enbloc;
2. requests the Chief Executive Officer to seek funding towards the Key Worker Housing Project from the Department of Regional Development and Lands and subject to approval of funding, allocates \$191,114 from the Building Reserve towards this

project.

(ABSOLUTE MAJORITY REQUIRED)

Attachments

1. Minutes of the Kimberley Zone 3 October 2014

10.

**REPORTS
OF
COMMITTEES**

10.1 ACCESS AND INCLUSION ADVISORY COMMITTEE MINUTES 2 SEPTEMBER 2014

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	COS09
AUTHOR:	Youth and Community Development Officer
CONTRIBUTOR/S:	Manager Community Development
RESPONSIBLE OFFICER:	Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	2 October 2014

SUMMARY: This report presents the Minutes of the Access and Inclusion Advisory Committee Meeting held 2 September 2014 for Council's consideration.

BACKGROUNDPrevious Considerations

OMC 18 December 2012 Item 9.1.4

OMC 19 September 2013 Item 10.1

OMC 24 April 2014 Item 10.2

OMC 26 June 2014 Item 10.1

The Access and Inclusion Advisory Committee (AIAC) meets quarterly to advise Council on matters of Access and Inclusion and to oversee the development, implementation and review of the Shire's Disability Access and Inclusion Plan (DAIP).

A key action within the Shire's DAIP 2012-2017 is to conduct an access and inclusion audit of Shire facilities and infrastructure. In consultation with the AIAC a scope was developed and approved by Council for the audit to include; infrastructure at three major tourism precincts, car park compliance and approach to key community facilities, and a comprehensive internal audit of the Broome Recreation and Aquatic Centre. Access consultants O'Brien Harrop Access visited Broome in March 2014 to conduct site visits to undertake the audit.

COMMENT

At its recent meeting the AIAC received the final audit reports (attachment 2) and considered a proposed implementation plan (attachment 3) which is intended to guide the delivery of recommendations put forward in the audit reports.

Officers put forward the following recommendation for the Committee's consideration:

The Committee recommends that Council:

1. *Receives the final audit reports as prepared by O'Brien Harrop Access for the access and inclusion audit undertaken in March 2014 (attachment 1) and notes the achievements made to date and priorities for action.*
2. *Acknowledges the proposed priorities as attached to this report (attachment 2), and requests the Chief Executive Officer to develop costings for implementation of the recommendations and present these back to the Committee and Council prior to adoption.*

3. *Requests the Chief Executive Officer to investigate how the plan may be implemented, including the opportunity to provide an annual update on implementation of actions and recommendations to Council on priorities to be considered as part of upcoming budget processes.*

The meeting was held on 2 September however was adjourned to Wednesday 24 September to allow further consideration and discussion of the information presented prior to a recommendation being made to Council.

Shire officers from a range of departments attended the meeting once the AIAC had discussed the proposed priorities. Shire officers provided advice on current and proposed works to provide opportunities for implementation of the audit outcomes within existing budget requirements and identified those actions which would need funding allocated to implement.

The AIAC was appreciative of the work that has been done in developing the audit findings and prioritising these for implementation.

For Council's information, officers have prioritised the recommendations (attachment 3) under the following categories:

- Action (green) - To be implemented in 2014/15 within existing budget
- Pending (yellow) - Funding options to be explored for implementation in 2015-2017
- Renewal/Future Development (red) - To be considered at renewal or as part of future development projects.

Recommendations prioritised for action (green) in 2014/15 are accounted for in the current budget. It is recommended that detailed costings are investigated for items prioritised as pending (yellow). Recommendations prioritised as renewal/future development (red) will be incorporated into the overall costing for future development as per the Shire's long term financial plan, and it is not recommended that any further investigation of these items is carried out at this stage.

The Committee identified three areas as priorities for action that were not identified by officers as actionable items within current budget, for Council's consideration as below:

- Lack of lighting for accessible parking bays at Broome Civic Centre and Shire Administration Building.
- A number of doors at Broome Recreation and Aquatic Centre are heavy and difficult to open, particularly for people who are frail or use a mobility device.
- A significant risk is posed where there are changes in pavement level in Chinatown (as per item 8 Chinatown audit).

It is recommended that detailed costings are also developed for these items, in addition to the pending items as detailed above. These costings will be reported back to the next meeting of the AIAC for recommendation to Council.

Therefore the Committee made the following recommendation, with consideration for the three additional priorities identified above. Officers are supportive of the Committee recommendation however timing of implementation of these additional priorities will depend upon costings and budget allocations.

COMMITTEE RESOLUTION:

Moved: Melanie Howard

Seconded: Steve Cook

The Committee recommends that Council:

1. **Receives the final audit reports as prepared by O'Brien Harrop Access for the access and inclusion audit undertaken in March 2014 (attachment 1) and notes the achievements made to date and priorities for action.**
2. **Acknowledges the proposed priorities as attached to this report (attachment 2), and requests the Chief Executive Officer to develop costings for implementation of the recommendations and present these back to the Committee and Council prior to adoption, in particular:**
 - a) **lighting of accessible parking bays at Broome Civic Centre and Shire Administration Building**
 - b) **provision of power assisted door closers at Broome Recreation and Aquatic Centre**
 - c) **Investigate opportunities to provide a suitable barrier and/or solution where there are changes in pavement level in Chinatown (as per item 8 Chinatown audit).**
3. **Requests the Chief Executive Officer to investigate how the plan may be implemented, including the opportunity to provide an annual update on implementation of actions and recommendations to Council on priorities to be considered as part of upcoming budget processes.**
4. **Requests the Chief Executive Officer to ensure the audit reports are considered as part of any future development strategies.**

CARRIED UNANIMOUSLY 7/0

Next Scheduled Meeting:

The Committee noted that the next meeting of the Access and Inclusion Advisory Committee, scheduled for 2 December 2014, conflicts with activities planned for International Day of People with a Disability. An alternate date was identified and the Committee has recommended that Council amends the date of the next meeting, as per the resolution below:

COMMITTEE RESOLUTION:

Moved: Marie Shinn

Seconded: Cr Harold Tracey

The Committee recommends that Council amends the date of the next meeting of the Access and Inclusion Advisory Committee to 25 November 2014 at 10am.

CARRIED UNANIMOUSLY 7/0

Committee Membership

This report also requests that Council consider the matter of a resignation received from Mr Josh du Boulay who served on the AIAC as a service provider representative, representing Kimberley Individual and Family Support Association (KIFSA). Mr du Boulay no longer works for KIFSA and tendered his resignation as a member of the AIAC prior to the 2 September meeting being reconvened.

An expression of interest has been received from a local service provider to fill the vacant service provider representative position.

CONSULTATION

O'Brien Harrop Access

Access and Inclusion Advisory Committee

STATUTORY ENVIRONMENT

Local Government Act 1995

Disability Services Act 1993

Disability Discrimination Act 1992

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Costs for recommendations prioritised for action in 2014/15 are accounted for in the current budget.

Recommendations prioritised as pending will be considered for implementation dependent upon available budget. At this stage these recommendations are noted for further investigation only and detailed costings will need to be developed before they can be considered for inclusion in future budgets.

Recommendations prioritised for action on renewal or as part of future development plans will be incorporated into the overall costing, funding submissions and budget allocation for future development as per the Shire's long term financial plan.

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Accessible and safe community spaces.

Participation in recreational activity.

A healthy and safe environment.

Our Place Goal – Help to protect the nature and built environment and cultural heritage of Broome whilst recognising the unique sense of the place:

A built environment that reflects arid tropical climate design principles and historical built form.

Best practice asset management to optimise Shires' infrastructure whilst minimising life cycle costs.

Our Prosperity Goal – Create the means to enable local jobs creation and lifestyle affordability for the current and future population:

Affordable and equitable services and infrastructure.

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

Sustainable and integrated strategic and operational plans.

Responsible resource allocation.

Improved systems, processes and compliance.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council:

1. *Receives the Minutes of the Access and Inclusion Advisory Committee meeting held on 2 September 2014 and endorses the resolutions of the Committee (as contained in the Minutes attached) enbloc; and*
2. *Appoints a service provider representative to the Access and Inclusion Advisory Committee as per the expression of interest contained in the confidential attachment to this report.*

Attachments

1. Attachment 1 - Minutes AIAC 2 September 2014
2. Attachment 2 - Audit Reports
3. Attachment 3 - Implementation Plan
4. Attachment 4 - Expression of Interest (*Confidential to Councillors and Directors Only*)

This attachment is confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)(b) as it contains "the personal affairs of any person".

10.2 LOCAL EMERGENCY MANAGEMENT COMMITTEE MINUTES 17 SEPTEMBER 2014

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	EMS02
AUTHOR:	Development Support Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director of Development Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	15 October 2014

SUMMARY: The Local Emergency Management Committee (LEMC) meets on a quarterly basis and when required to advise Council on matter relating to assisting the Broome Local Emergency Coordinator (Officer in Charge of Police sub-district) in developing and maintaining effective Emergency Management arrangements for the local area.

BACKGROUNDPrevious Considerations

Nil

COMMENT

The Local Emergency Management Committee (LEMC) considered the following items at its meeting on 17 March 2014 and resolved as follows:

- Local Emergency Management Plan 2014
That the committee endorses the Local Emergency Management Plan 2014 and forwards it to Council prior to forwarding the documents to the State Emergency Management Committee.
- Local Recovery Plan 2014
That the Committee endorses the Local Recovery Plan 2014 and forwards it to Council prior to forwarding the documents to the State Emergency Management Committee.
- Department of Housing to get residents to commence their cyclone cleanup.
That the Committee supports the Shire of Broome writing to the Department of Housing to get residents to commence their cyclone clean up.

It should be noted that the Local Emergency Management Arrangements have now been completed and that a copy will be forwarded to the State Emergency Management Committee.

Officers recommend that Council receive the minutes (See Attachment 1 –LEMC Minutes 17 September 2014) and endorses the resolutions as outlined above.

CONSULTATION

Nil

STATUTORY ENVIRONMENT**Emergency Management Act 2005***Section 36 Functions of local government*

It is a function of a local government —

- (a) subject to this Act, to ensure that effective local emergency management arrangements are prepared and maintained for its district;*
- (b) to manage recovery following an emergency affecting the community in its district; and*
- (c) to perform other functions given to the local government under this Act.*

Section 41 Emergency management arrangements in local government district

- (1) A local government is to ensure that arrangements (local emergency management arrangements) for emergency management in the local government's district are prepared.*
- (2) The local emergency management arrangements are to set out —*
 - (a) the local government's policies for emergency management;*
 - (b) the roles and responsibilities of public authorities and other persons involved in emergency management in the local government district;*
 - (c) provisions about the coordination of emergency operations and activities relating to emergency management performed by the persons mentioned in paragraph (b);*
 - (d) a description of emergencies that are likely to occur in the local government district;*
 - (e) strategies and priorities for emergency management in the local government district;*
 - (f) other matters about emergency management in the local government district prescribed by the regulations; and*
 - (g) other matters about emergency management in the local government district the local government considers appropriate.*
- (3) Local emergency management arrangements are to be consistent with the State emergency management policies and State emergency management plans.*
- (4) Local emergency management arrangements are to include a recovery plan and the nomination of a local recovery coordinator.*
- (5) A local government is to deliver a copy of its local emergency management arrangements, and any amendment to the arrangements, to the SEMC as soon as is practicable after they are prepared.*

Section 42 Reviewing and renewing local emergency management arrangements

- (1) local government is to ensure that its local emergency management arrangements are reviewed in accordance with the procedures established by the SEMC.*
- (2) Local emergency management arrangements may be amended or replaced whenever the local government considers it appropriate.*

Section 43 *Local emergency management arrangements to be available for inspection*

- (1) *A local government is to keep a copy of its local emergency management arrangements at the offices of the local government.*
- (2) *The arrangements are to be available for inspection, free of charge, by members of the public during office hours.*
- (3) *The arrangements may be made available in written or electronic form.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Current capacity financial and human resources allows for Local Emergency Management meetings to be held quarterly.

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Effective communication.

Affordable services and initiatives to satisfy community need.

Accessible and safe community spaces.

A healthy and safe environment.

High level social capital that increases community capacity.

Expansion of Broome's iconic tourism assets and reputation.

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

Effective community engagement.

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council receives the minutes for the Local Emergency Committee and endorses the resolutions contained therein as attached.

Attachments

1. Local Emergency Management Committee Minutes 17 September 2014

10.3 NOTES AND ASSOCIATED RECOMMENDATIONS FROM THE ECONOMIC DEVELOPMENT ADVISORY GROUP MEETING 22 SEPTEMBER 2014

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	EDP002
AUTHOR:	Deputy Chief Executive Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	14 October 2014

SUMMARY: This report presents Council with the notes of the meeting of the Economic Development Advisory Group held on the 22 September and presents the recommendations from this meeting for Councils consideration.

The report also recommends Council considers transitioning the group from an Advisory Group to a Committee of Council to ensure appropriate governance and operation of the group to facilitate the setting of regular meeting dates.

BACKGROUND

Previous Considerations

OMC 31 March 2014	Item 12.3
OMC 24 April 2014	Item 12.3
OMC 22 May 2014	Item 10.4

The most recent meeting of the Economic Development Advisory Group (EDAG) occurred on 22 September 2014. A copy of the notes from this meeting are attached at Attachment 1.

COMMENT

As can be seen from the notes the group is progressing a number of matters within a very short period of time to assist the economic development of the Shire. Three matters referred to Council for consideration as follows:

1. Economic Profile
2. Broome Breakfast Series
3. Broome Prospectus

These matters are discussed in detail below.

Economic Profile

Through the MOU between Landcorp, Kimberley Development Commission and the Shire of Broome Stage One of an Economic Development Strategy has been prepared taking the form of an Economic Profile (Attachment 2). The document provides detailed information on Broome and how we relate to other regions together with identifying challenges and opportunities to focus on the economic development of the Shire.

The EDAG is planning to hold a workshop to identify priorities for Economic Development (using the information contained in this report as a guide) and provide recommendations to Council for consideration.

Currently there are no funds allocated to progress with the next stage being the development of an Economic Development Strategy. Officers are therefore recommending the following:

1. Council endorses the Economic Development Profile (Attachment 2) and requests the Chief Executive Officer to release the document for public information.
2. Requests the Chief Executive Officer to liaise with Landcorp and the Kimberley Development Commission to scope and source funds to prepare the Economic Development Strategy.

Broome Breakfast Series

The EDAG considered a proposal (Attachment 3) from officers for the Shire to conduct information sessions with local businesses and the general community. These sessions would be open to the public, with guest speakers invited to present on a range of subjects related to economic development.

It is proposed the sessions are free for businesses and community members to attend and that the Shire provides funds to cover the costs of venue and catering. Although the costs are dependent upon numbers that attend Officers estimate each event is likely to cost approximately \$2,500. Topics for each session would be set by the Chief Executive Officer in liaison with the Shire President, Deputy Shire President and the EDAG.

The EDAG considered if these information sessions should be in the morning as a breakfast series or after work as a sundowner. Given other activities in town and general availability the preference is for breakfast timing.

Strong support was received from the EDAG for these sessions and on this basis Officers are recommending the following:

1. Council endorses the concept of a Business Breakfast Series and allocates resources to commence the sessions each quarter for a trial period of one year.
2. Requests the Chief Executive Officer to schedule the first information session as soon as possible, ideally in November 2014.

Broome Prospectus

Officers have been working with Landcorp to prepare a Prospectus to promote investment in Broome. As can be seen from the most recent meeting input will now also be sought from The Chamber of Commerce and Kimberley Training Institute.

When Council considered this matter in May it resolved the following:

That Council:

1. Notes the outcomes of the first meeting of the Economic Development Advisory Group; and

2. Requests the Chief Executive Officer to include as part of the draft 2014/15 budget an allocation of \$20,000 for preparation of a prospectus/value proposition for Broome outlining the benefits of investing in the town for Councils consideration.

Unfortunately the allocation of \$20,000 was not able to be included within the 2014/15 budget. As such no funds are currently allocated to progress this initiative. Whilst much of the research and text can be undertaken using internal resources coupled with assistance from other organisations funds are required for design, editing and printing.

If Council wanted to allocate resources to this initiative it could do this at the first quarter FACR which is likely to come to Council at the November OMC or it could allocate the funds now and request the Chief Executive Officer to find the funds at the first quarter FACR.

Given the desire to produce this document in the shortest possible timeframe Officers are recommending Council resolves to allocate the funds at this meeting and request the Chief Executive Officer to identify how this will be funded at the First Quarter FACR.

The following is therefore recommended to Council:

1. Council notes the development of the prospectus with input from a number of agencies.
2. Allocates \$20,000 to undertake editing, design and printing of the document and requests the Chief Executive Officer to identify the source of these funds at the First Quarter FACR.

Other matters

Officers would also like to identify two other matters relating to governance of this advisory group.

When the group was formed Officers indicated a desire to transition this advisory group to a formal committee of Council at some stage in the future. Whilst the advisory group format has worked well as the group has been establishing as can be seen from the above matters, the group is increasingly going to be making recommendations to Council to undertake activities and seeking resources to be allocated. Given the nature of these matters Officers consider that the timing is right to transition this group to a formal committee of Council. This would ensure that all the standard governance arrangements in place for other committees including detailed Officer reports would be implemented.

This matter has not yet been discussed with the EDAG and therefore Officers are recommending that the Council requests the Chief Executive Officer to raise this matter at the next meeting of the EDAG and provide advice to Council on the group's view of transitioning to a committee. This would include providing Council with a revised terms of reference for consideration.

Associated with this Officers also see merit in the EDAG setting regular meeting dates of the advisory group or committee as it moves forward. This is also recommended to Council for consideration.

Summary

As demonstrated, the EDAG is progressing with a number of initiatives to assist the economic development of the Shire.

The recommendations to Council as part of this report will see some of these initiatives begin to be implemented and strengthen the role and purpose of the group.

CONSULTATION

Economic Development Advisory Group
Landcorp
Kimberley Development Commission

STATUTORY ENVIRONMENT

Local Government Act 1995

5.9. Committees, types of

(1) In this section —

other person means a person who is not a council member or an employee.

(2) A committee is to comprise —

(a) council members only; or

(b) council members and employees; or

(c) council members, employees and other persons; or

(d) council members and other persons; or

(e) employees and other persons; or

(f) other persons only.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

This report recommends Council considers allocating funding to two initiatives which are currently unfunded being:

1. Broome Breakfast Series for an amount of \$10,000 (being 4 events budgeted at \$2,500 per event).
2. Broome Prospectus for an amount of \$20,000.

Officers are recommending to Council that these projects are approved and funding be identified at the First Quarter FACR.

It is likely that even if the Kimberley Development Commission and Landcorp contribute funds to the next stage of the Economic Development Strategy Council will also be required to contribute funds to this initiative. This will be determined following liaison with these agencies and presented to Council for consideration.

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Effective communication.

Affordable services and initiatives to satisfy community need.

Our Place Goal – Help to protect the nature and built environment and cultural heritage of Broome whilst recognising the unique sense of the place:

A built environment that reflects arid tropical climate design principles and historical built form.

Retention and expansion of Broome's iconic tourism assets and reputation.

Our Prosperity Goal – Create the means to enable local jobs creation and lifestyle affordability for the current and future population:

Affordable land for residential, industrial, commercial and community use.

Key economic development strategies for the Shire which are aligned to regional outcomes working through recognised planning and development groups/committees.

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

Responsible resource allocation.

Effective community engagement.

VOTING REQUIREMENTS

Absolute Majority

REPORT RECOMMENDATION:

That Council:

1. *Receives the Notes from the Economic Development Advisory Group meeting held on 22 September 2014*
2. *Endorses the Economic Development Profile (Attachment 2) and requests the Chief Executive Officer to release the document for public information.*
3. *Requests the Chief Executive Officer to liaise with Landcorp and the Kimberley Development Commission to scope, budget and identify potential funds to assist in preparing the Economic Development Strategy.*
4. *Endorses the concept of a Business Breakfast Series and allocates resources to commence the sessions each quarter for a trial period of one year and allocates \$10,000 as part of the 14/15 budget to fund this proposal with the source of funds to be identified at the First Quarter FACR.*
5. *Requests the Chief Executive Officer to schedule the first information session as soon as possible, ideally in November 2014.*
6. *Notes the development of the prospectus with input from a number of agencies to assist in promoting investment in Broome.*
7. *Allocates \$20,000 to undertake editing, design and printing of the prospectus document and requests the Chief Executive Officer to identify the source of these funds at the First Quarter FACR.*
8. *Requests the Chief Executive Officer to liaise with the Economic Development Advisory Group to determine its interest in transitioning to a committee of Council and setting regular meeting dates, and provide a report to Council on this matter.*

(ABSOLUTE MAJORITY REQUIRED)

Attachments

1. Notes of Economic Development Advisory Group 22 September 2014
2. Economic Development Profile
3. Economic Development Information Sessions

11. NOTICES OF MOTION

12. BUSINESS OF AN URGENT NATURE

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

14. MATTERS BEHIND CLOSED DOORS

15. MEETING CLOSURE