



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."

CONFIRMED MINUTES

OF THE

SPECIAL MEETING OF COUNCIL

10 SEPTEMBER 2015

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.

SHIRE OF BROOME
SPECIAL MEETING OF COUNCIL
THURSDAY 10 SEPTEMBER 2015
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NOTICE OF MEETING

Dear Council Member,

The next Special Meeting of the Shire of Broome will be held on Thursday, 10 September 2015 in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 5.00pm for the purpose of considering:

- YAWURU CONSERVATION ESTATE - THE PROPOSED YAWURU NAGULAGUN / ROEBUCK BAY MARINE PARK INDICATIVE JOINT MANAGEMENT PLAN 2015 AND THE YAWURU BIRRAGUN CONSERVATION PARK DRAFT MANAGEMENT PLAN 2015
- BROOME REGIONAL RESOURCE RECOVERY PARK - SITE SELECTION STUDY
- RECONSIDERATION OF COMMENCEMENT DATE FOR GENERAL REFUSE FEES AND CHARGES

Regards



K R DONOHOE
Chief Executive Officer

08/09/2015

ChairpersonDate

**MINUTES OF THE SPECIAL MEETING OF COUNCIL OF THE SHIRE OF BROOME,
HELD IN THE COUNCIL CHAMBERS, CORNER WELD AND HAAS STREETS, BROOME,
ON THURSDAY 10 SEPTEMBER 2015, COMMENCING AT 5.00PM.**

1. OFFICIAL OPENING

The Chairman welcomed Councillors, Officers and members of the public and declared the meeting open at 5.00pm.

2. ATTENDANCE AND APOLOGIES

Attendance: Cr G Campbell Shire President
Cr A Poelina
Cr M Lewis
Cr M Manado
Cr D Male
Cr P Matsumoto (From 5.04pm)

Leave of Absence: Cr C Mitchell (as granted at the OMC held 27 August 2015)

Apologies: Cr H Tracey Deputy President
Mr S Mastrolembo Director Corporate Services

Officers: Kenn Donohoe Chief Executive Officer
Paul Martin Deputy Chief Executive Officer
Andre Schonfeldt Director Development Services
Michael Dale Director Engineering Services
Rochelle Piggin Manager Governance
Erin Harding Senior Governance Officer
Simon Penn Media and Promotions Officer

Public Gallery: Jeremy Hall Shire of Broome
John King Talis
Trudi Ridge Shire of Broome
Kevin Smith
Rob Menzies Broome International Airport
Elsta Foy

3. DECLARATIONS OF FINANCIAL INTEREST / IMPARTIALITY

FINANCIAL INTEREST			
Councillor	Item No	Item	Nature of Interest
Cr M Manado	6.2.1	Yawuru Conservation Estate - the Proposed Yawuru Nagulagun / Roebuck Bay Marine Park indicative joint management plan 2015 and the Yawuru Birragun Conservation Park draft management plan 2015	Impartiality – association with Yawuru PBC ordinary member.

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IMPARTIALITY			
Councillor	Item No	Item	Nature of Interest
Cr M Manado	6.2.2	BROOME REGIONAL RESOURCE RECOVERY PARK - SITE SELECTION STUDY	Impartiality – Yawuru PBC <i>ordinary member</i>

4. PUBLIC QUESTION TIME

Nil

5. 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.

6.

**REPORTS
OF
OFFICERS**

6.1

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.

There are no reports in this section.

6.2

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.

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With regard to Item 6.2.1 Cr M Manado disclosed that “I have an association with Yawuru PBC – Ordinary Member. As a consequence, there may be a perception that my impartiality in the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

6.2.1 YAWURU CONSERVATION ESTATE - THE PROPOSED YAWURU NAGULAGUN / ROEBUCK BAY MARINE PARK INDICATIVE JOINT MANAGEMENT PLAN 2015 AND THE YAWURU BIRRAGUN CONSERVATION PARK DRAFT MANAGEMENT PLAN 2015

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	RES 28650; NAT55; NAT 55.3; NAT 55.4; NAT 55.5
AUTHOR:	Director of Development Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director of Development Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	8 September 2015

SUMMARY: The Department of Parks and Wildlife (DPaW) has released the *Proposed Yawuru Nagulagun / Roebuck Bay Marine Park indicative joint management plan 2015* and the *Yawuru Birragun Conservation Park draft management plan 2015* for public comment.

The plans were launched on 19 June 2015, for a three month public submission period. As the plans have a number of potential impacts on community access and future usage of lands and waterways, this report recommends Council considers a community engagement process to further inform the Broome Community of these potential impacts. This will allow the community to be better informed to make a submission to the State Government in relation to proposed access and restrictions as identified in the proposed plans.

BACKGROUND

Previous Considerations

In Town Management Plan	OMC	1 August 2011	Item 9.4.8
	OMC	19 April 2012	Item 9.2.4
	OMC	15 March 2012	Item 9.2.5
	OMC	19 April 2012	Item 9.2.4
	OMC	21 February 2013	Item 9.2.13
Out of Town Management Plan	SMC	12 May 2015	Item 6.4.2
	OMC	4 October 2012	Item 9.2.1
	SMC	29 May 2013	Item 9.2.1
Yawuru Conservation Estate	OMC	29 October 2009	Item 9.1.1
Marine Park and Broome Port Authority	OMC	09 August 2012	Item 9.2.1
ChairpersonDate			

Waters

OMC 18 July 2013 Item 9.2.1

OMC 17 October 2013 Item 9.2.1

On 25 February 2010 the Yawuru People, the Western Australian Government, the Shire of Broome and others entered into the Yawuru Indigenous Land Use Area Agreement and the Yawuru Prescribed Body Corporate Indigenous Land Use Agreement (the Yawuru Agreements). These agreements cover an area of approximately 5,300 sq kms in and around Broome.

Clause 10 of the Yawuru Indigenous Land Use Area Agreement provides as follows:

As soon as reasonably practicable after the Registration Date, the Parties shall incorporate the following areas into the Conservation Estate:

- (a) marine park areas, as described in Part 1 of Schedule 7 (**Marine Park Areas**);*
- (b) townsite areas, as described in Part 2 of Schedule 7 (**Townsite Areas**) and*
- (c) out of town areas, as described in Part 3 of Schedule 7 (**Out of Town Areas**)."*

The areas included in the Conservation Estate outlined above are further defined in the Yawuru Agreements. The following Table outlines the Voting and Tenure Responsibility associated with the relevant Conservation Estate Areas:

Conservation Estate Area	Voting and Tenure Responsibility
Nagulagun (Marine Park Areas) (Also referred to in this report as the Marine Park the subject of the Marine Park Management Plan)	Yawuru NBY and DPaW Reserved as an A- Class Reserve.
Minyirr Buru (Townsite Areas)	Yawuru NBY and the Shire of Broome Draft Management Plan not yet finalised.
Cable Beach Intertidal Zone (currently within the Out of Town Areas). Located approximately 600 metres north of the rocks.	Yawuru NBY, Shire of Broome and DPaW. Draft Management Plan / tri-partite arrangements yet to be developed and is referenced as Area 25 Portion 1 & 2 ITZ Tri-partite Management Area (Yawuru PBC ILUA).
Birragun (Out-of-Town Areas) (Also referred to in this report as the Conservation Park the subject of the Conservation Park Management Plan)	Yawuru NBY and DPaW Held by Yawuru in Fee simple and leased to State on 99 year lease.

Since the registration of the agreements, draft management plans have been developed by the Department of Parks and Wildlife (DPaW) and the Yawuru Registered Native Title Body Corporate (Yawuru RNTBC) for the Out of Town and the Marine Park Areas. See the following Attachments for details:

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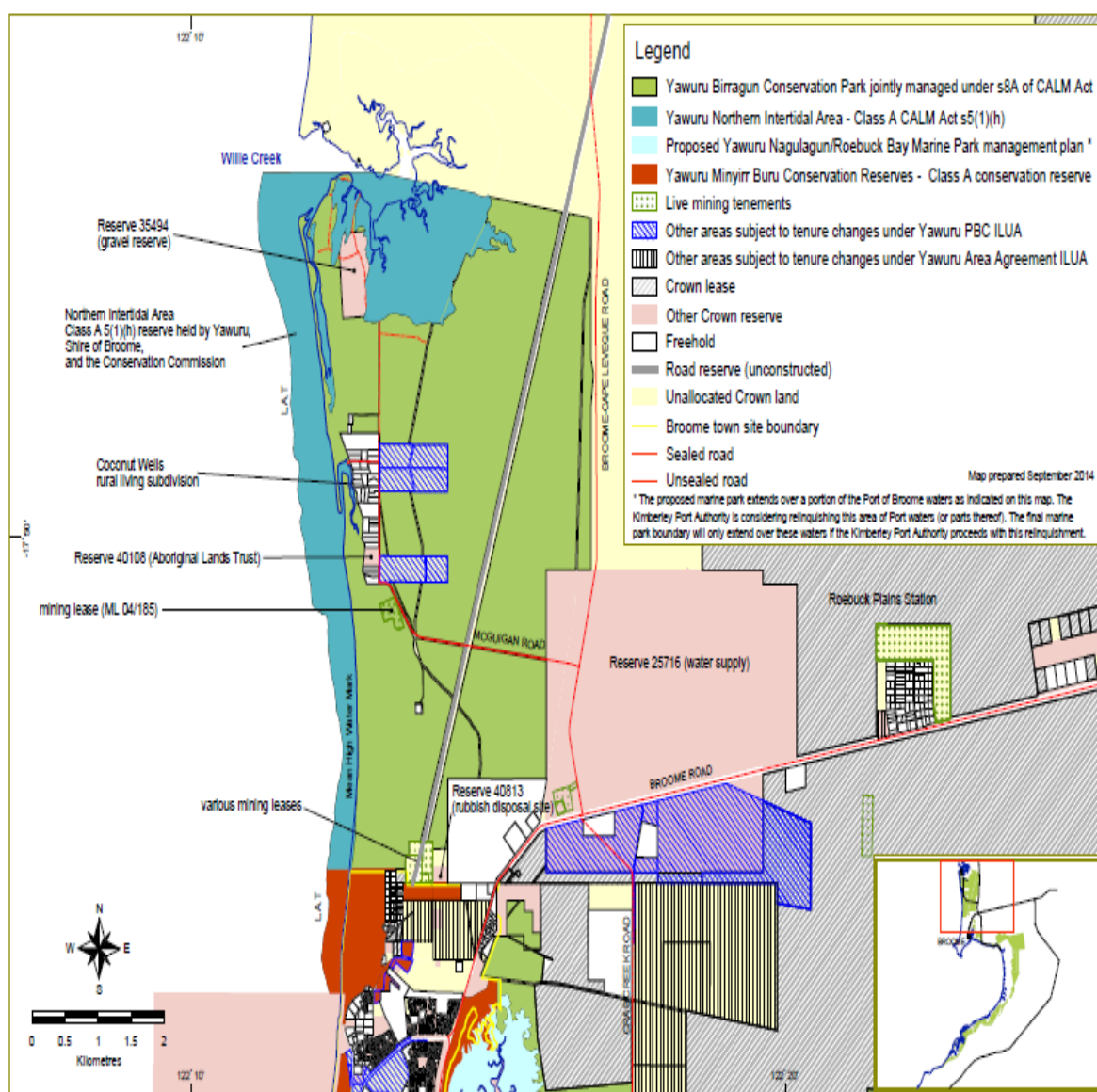
Attachment A: Yawuru Birragun Conservation Park draft management plan 2015,

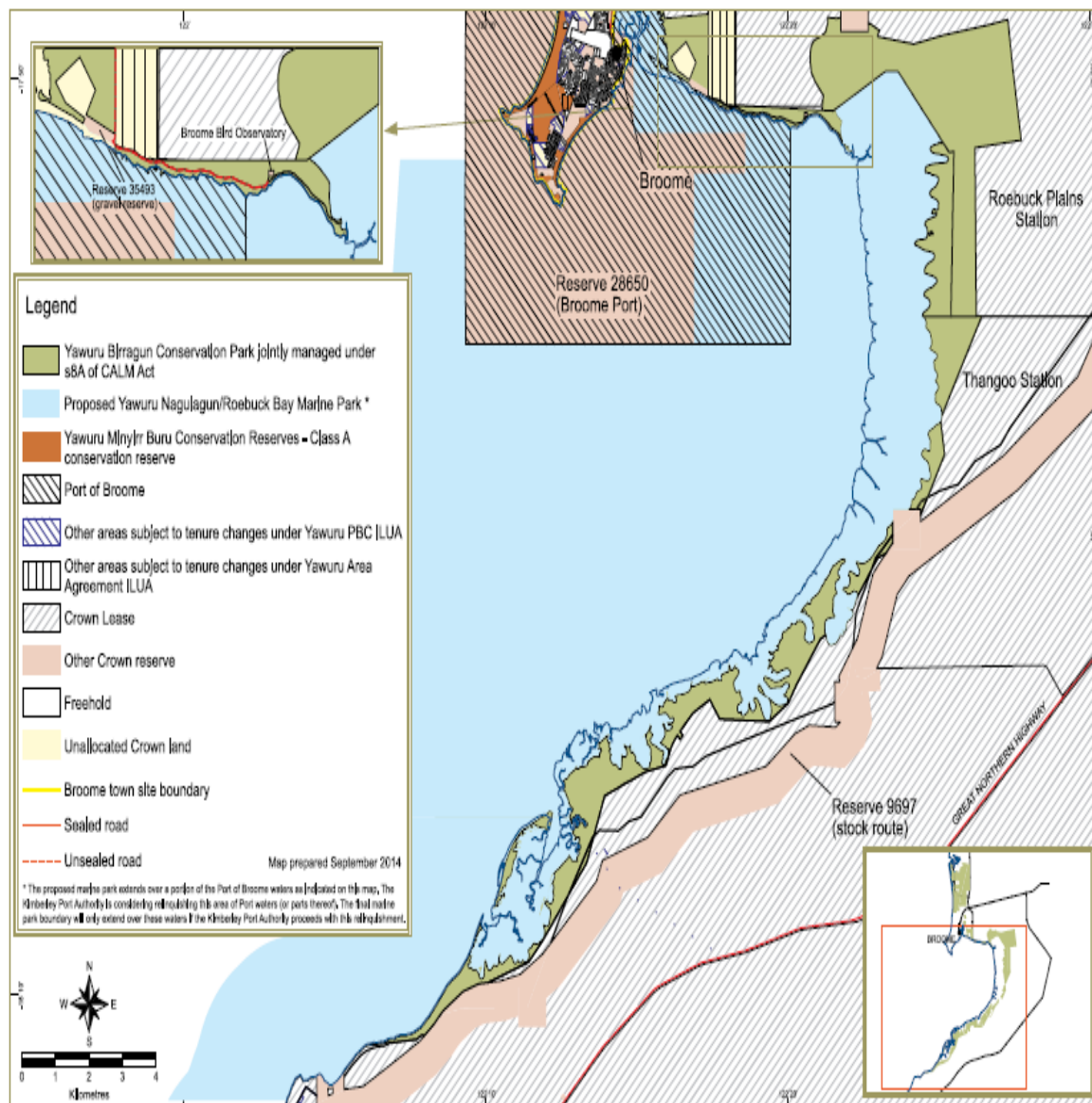
Attachment B: Proposed Yawuru Nagulagun / Roebuck Bay Marine Park indicative joint management plan 2015) Areas.

The draft plans aim to inform the community of the estate locations as well as to provide an overview of the management principles for each area and are intended to have a ten year life cycle. It should be noted that the Shire of Broome has had minimal involvement in the drafting of these two plans and has no tenure/management responsibilities for the Marine areas or the Out of Town Conservation Estate.

In brief the Conservation Park included in the **Yawuru Birragun Conservation Park draft management plan 2015 (Out of Town Areas)** encompasses those areas from Eco Beach through to Willie Creek, with the seaward boundary extending to the high water mark. Much of the land adjacent to the Conservation Park is unallocated Crown land or pastoral lease including Roebuck Plains Station and Thangoo Station.

Map 4a – Yawuru Birragun Conservation Park and adjacent tenure (north)



Map 4b – Yawuru Birragun Conservation Park and adjacent tenure (south)

The proposed Yawuru Nagulagun / Roebuck Bay Marine Park (the Marine Park) included in the **Proposed Yawuru Nagulagun / Roebuck Bay Marine Park Indicative Joint Management Plan 2015 (Marine Park Areas)** is located immediately south of Broome, and covers an area of approximately 78,800ha from Minyirr (Gantheaume Point) in the north to Miriny (Cape Villaret) in the south, and includes subtidal and intertidal areas between the seaward limit of Western Australian waters (three nautical miles from the territorial baseline) to the high water mark as depicted in the figure (Figure 4) below:

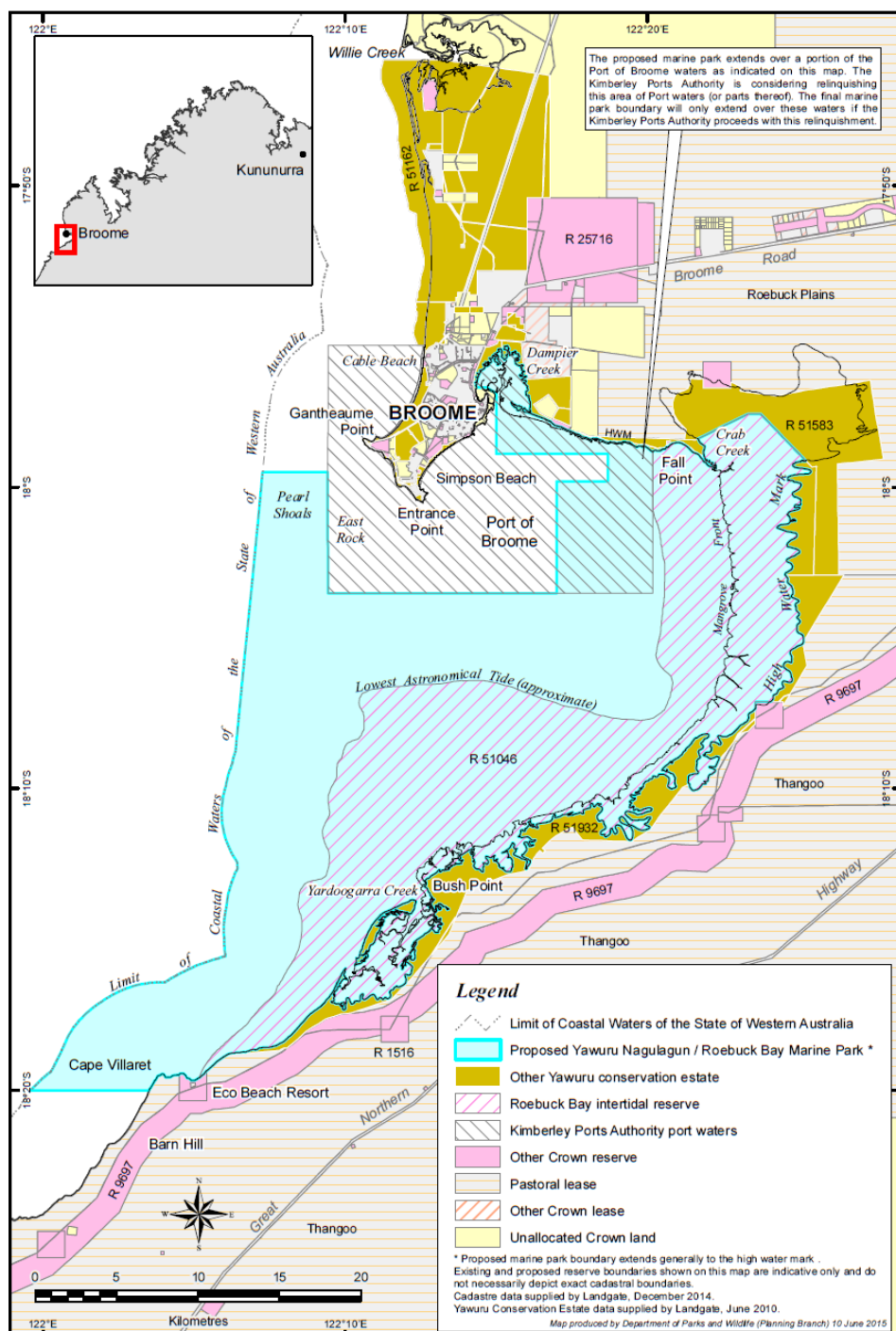


Figure 4 Tenure within and adjacent to the Proposed Yawuru Nagulagun / Roebuck Bay Marine Park

COMMENT

Officers have reviewed the draft management plans and have identified a number of issues in relation to the proposed management strategies included therein:

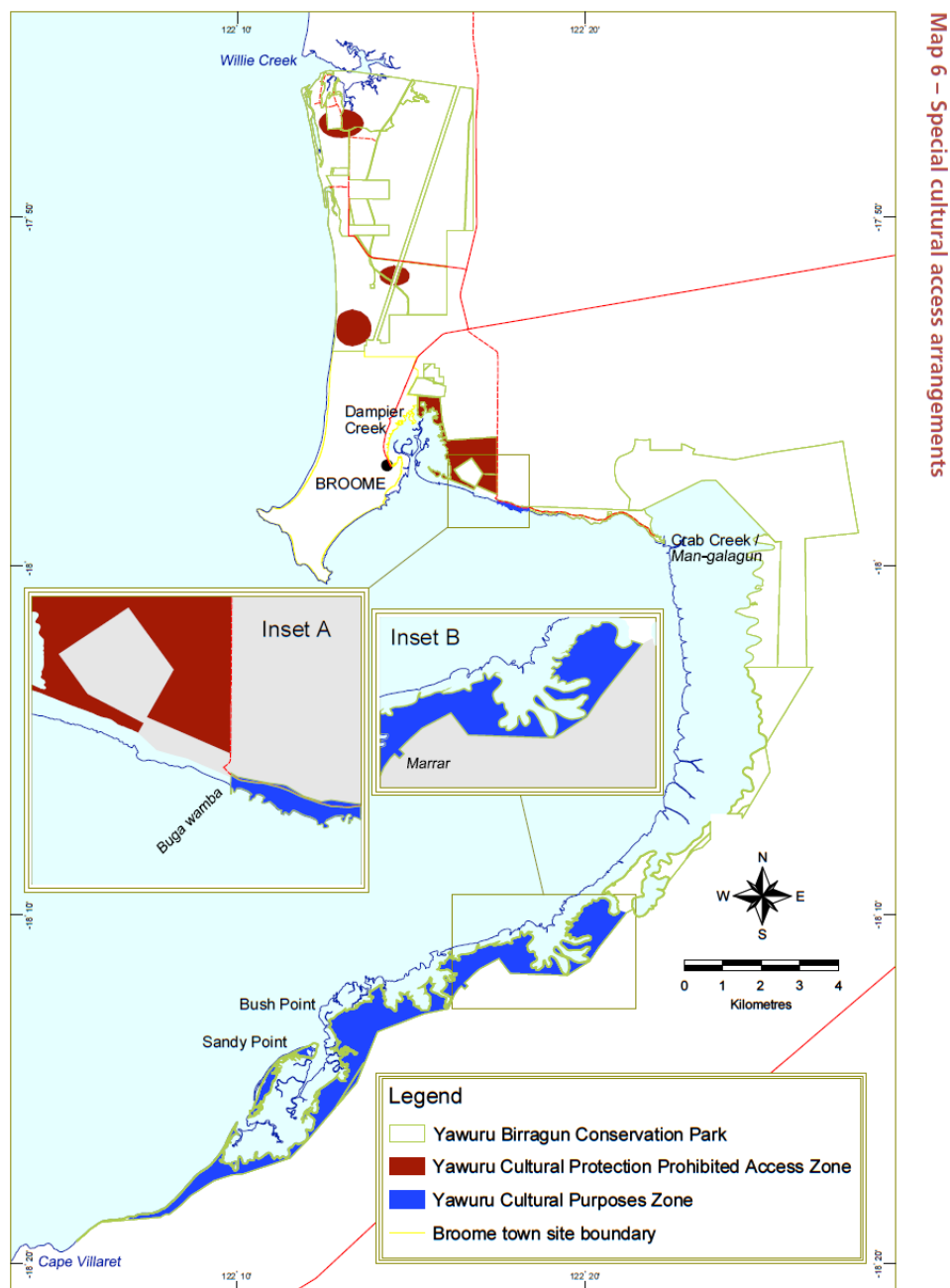
- Restricted Access Areas
- The Marine Park Area / Boundary
- Potential Impacts on Development Proposals
- General Issues

Each of these topics are discussed in more detail below:

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Restricted Access Areas

Page 70 of the draft Conservation Management Plan includes the following figure (Map 6) that outlines Special Cultural Access Arrangements:



On Page 68 the draft Conservation Park Management Plan outlines the following restrictions for the areas demarcated as:

- Yawuru Cultural Protection Prohibited Access Zones will restrict access to senior Yawuru law men; whilst
- Yawuru Cultural Purposes Zone will restrict access to Yawuru people and Yawuru nominated people only.

Officers requested further clarification from DPAW regarding how these restrictions will apply as the text seem to indicate that further work was required to define specific

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boundaries and detailed management arrangements for each of these zones. DPaW responded as follows (see Attachment C for details):

The process to define specific boundaries and management arrangements for these areas has not been confirmed. This will however involve key Department of Wildlife representatives and the relevant Yawuru people in discussions and site visits, as appropriate, to consider what is feasible and appropriate for managing access in each area. As stated in the plan, the areas on map 6 are intended to only broadly communicate areas within which smaller restricted access areas may be defined.

In recognition of and respect for Yawuru cultural values, protocols and sensitivities, the public will not necessarily be provided with full information or decision making input into this aspect of management. Through the release of the draft management plan for public comment, the public has been made broadly aware of the intent, locations and reasons behind providing these special cultural access arrangements. The restricted cultural access arrangements discussed in the plan will help:

- Meet commitments under the Yawuru Indigenous Land Use Agreements;
- Manage the area consistently with its stipulated purpose which includes, in addition to conservation and recreation, "the traditional and Customary Aboriginal use and enjoyment and for the purpose of practicing, sustaining and maintaining native title rights and interest."
- Recognise Yawuru cultural values and aspirations described in the Yawuru cultural management plan.
- Help achieve one of the legally stated objectives of management plans prepared under the CALM Act – namely to protect and conserve the value of the land to the culture and heritage of Aboriginal persons.

Further it should be noted that the Marine Park Management Plan identifies a special purpose zone (cultural heritage) see Figure 8 below, within the Marine Park which does not currently restrict broader community use, but does aim to ensure marine park users are respectful of the Yawuru people's request for privacy when undertaking cultural activities, particularly in these zones. It should further be noted that whilst the Marine Park Management Plan does not propose to restrict access to the wider community within these zones, these zones are directly adjacent to the areas included in the Conservation Park Management Plan earmarked as Yawuru Cultural Purposes Zone which will restrict access to Yawuru people and Yawuru nominated people only.

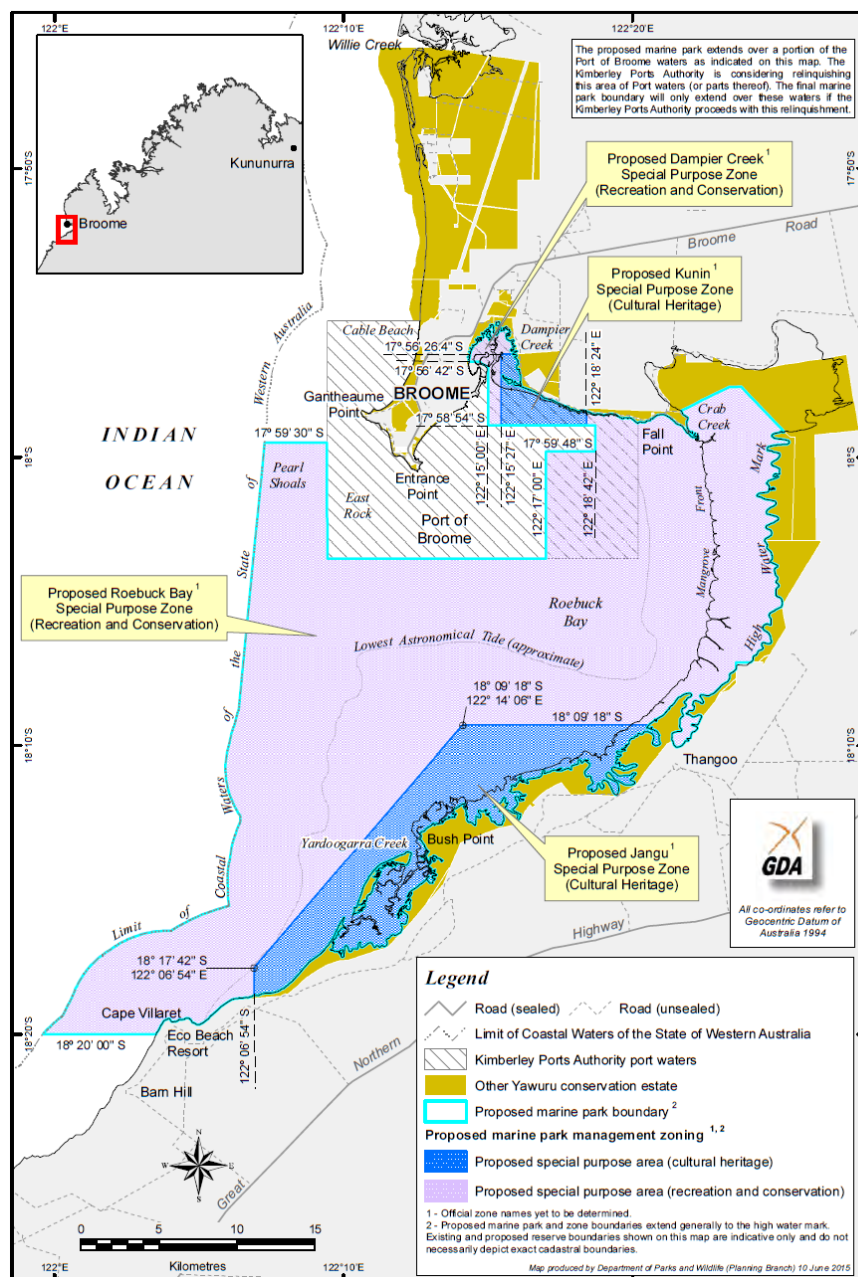


Figure 8 Zoning scheme for the Proposed Yawuru Nagulagun / Roebuck Bay Marine Park

Officers requested clarification from DPAW as to whether DPAW is aware of any long-term plans to restrict public access within the special purpose zone included in the Marine Park and how such access restrictions would be promoted. DPAW provided the following response:

Zoning of marine parks is provided for under section 62 of the CALM Act and amendments to management plans are provided for under section 61 of the CALM Act.

Once the final management plan and zoning arrangements have been gazetted, any future changes would require a public consultation period and ministerial approvals process as per sections 61 and 62 of the CALM Act.

Section 13(B)(7) of the CALM Act gives the Minister the ability to restrict activities such as recreational fishing within a special purpose zone in a Marine Park if it is considered to be incompatible with a conservation purpose specified in the conservation notice. It is also understood that there is provision under the CALM Act for the Minister to put access

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restrictions in place if it is considered that activity is contrary to the intention of the zone. Any proposals to include such access restrictions must be publicly advertised initially, but, it must be noted (under s62 (1e)), this can be dispensed with if the need to implement the restriction is considered urgent.

Officer Comment

Whilst officers are generally supportive of the intent of prohibited access zones in areas of cultural significance, there is concern that the extent of the restrictions proposed in the Conservation Park and potential restrictions over the special zone included in the Marine Park Management Plan will exclude the general public from a large area of the Roebuck Bay foreshore including Dampier Creek, Jacks Creek and Yadagarra Creek.

It is noted that the intention of the plan is to broadly identify where access restrictions may apply, however in its current form there is no guarantee that the Management Plan will not restrict access over the whole area. What is further concerning is that whilst the general public may provide input into proposed future access restrictions in the Marine Park, there will not be any further opportunity to provide comment as to how large the area included in the restricted access area in the Conservation Park will be. As outlined by DPAW this will be subject to further work to be conducted between DPAW and Yawuru only.

The potential impacts of such access restrictions may have significant impacts on the social and economic values of the community and could particularly impact on the tourism industry and the enjoyment of these areas by the local community.

As such Officers recommend that the Shire make a submission requesting that Map 6 of the Conservation Park Management Plan be amended to remove the Yawuru Cultural Purposes Zone from the Map and that this be updated once the additional work has been completed to better reflect the exact areas including general buffer zones required to protect the cultural significant areas. The submission should also outline that the community would still prefer having have access to the foreshore areas and in particular that access restrictions on the water is not supported. In this regard it is recommended that the special purpose zone over the Marine Park be removed from Figure 4 included in the Marine Park Management Plan.

Alternatively should DPAW not support this proposal, it is recommended that Map 6 of the conservation Park Management Plan be amended to indicate very clearly that the Yawuru Cultural Purposes Zone is indicative only or that it is an investigation area only and that access restrictions will not apply over the entirety of that area. The Conservation Park Management Plan should then indicate that sub-areas within this area will be further defined through further work and that access restrictions will be further considered at a later stage. It is recommended that no restrictions apply until such time as the details of these areas are better demarcated including appropriate buffers. Similarly if DPAW does not support the special purpose zone over the Marine Park to be removed, it is recommended that the Marine Park Management Plan be updated to very clearly indicate that access restrictions within this area will not apply and that future access restrictions will not be supported.

The Marine Park Area / Boundary

The proposed Marine Park is intended to be developed in accordance with the provisions of the Yawuru Agreements however the proposed boundaries include areas which do not form part of the current Yawuru Agreements. In particular the boundaries extend further to the north-west to include areas currently managed by the Kimberley Ports Authority including Dampier Creek (See Figure 4). The Marine Park Management Plan outlines that for the Port waters to be included in the Marine Park a further Indigenous Land Use Agreement will need to be entered into.

Officers requested clarification from DPAW in regards to the process for determining the boundaries of the Marine Park and what the final management arrangements may look like if another Indigenous Land Use Agreement for the Port Waters is not agreed to. DPAW responded as follows:

- *The Yawuru Registered Native Title Body Corporate (RNTBC) and the State Government have an in-principle agreement to extend the marine park over intertidal areas as depicted in the plan.*
- *To enable this, a specific ILUA will be required.*
- *In the unlikely event that an ILUA is not able to be negotiated, the existing ILUA and associated management arrangements would remain. This includes the existing A Class intertidal reserve as shown in Figure 4 of the plan. In this case interim management would proceed under section 33 of the Conservation and Land Management Act 1984 (CALM Act) until a management plan was in place.*

As such the management of the Port waters, should the Port relinquish the area will need further negotiation and potentially an additional Indigenous Land Use Agreement if it is intended to be incorporated into the Marine Park.

Officer Comment

At the 19 December 2013 Ordinary meeting of Council, Council resolved as follows:

That Council:

- 1. Reiterates its previous resolution of 17 October 2013 relating to its preference for the purpose and management of the options of the Broome Port Authority Intertidal areas if the Minister is of the mind to excise these areas as follows:**
 - a. Area 1 – Dampier Creek East to Fall Point**
This area is out of the Broome town area and the Management Order be issued jointly to Yawuru and Shire of Broome for recreation.
 - b. Area 2 – Dampier Creek Waterway**
This area is a key community and visitor recreational area, and a management order be issued to the Shire for recreation with recognition of Yawuru values.
 - c. Area 3 – Dampier Creek West to Simpsons Beach (Eastern Foreshore)**
This area is a key community and visitor recreational area, and a management order be issued to the Shire for recreation with recognition of Yawuru values.
 - d. Area 4 – Riddell Beach to Port Reserve Boundary (Western Foreshore)**

This area is a key community and visitor recreational area, and a management order be issued to the Shire for recreation with recognition of Yawuru values.

2. Request the Chief Executive Officer to advise the Department of Premier and Cabinet:

- a. In relation to the proposed divested Area 1 on the attached drawing titled Broome Port Authority Proposed Intertidal Excision Areas Showing Proposed Marine Park Delineation Line (Drawing No. P13-020), that should a Marine Park designation be applied by the State, then it should not include the area to the west of Longitude 122 Degrees, 16 Minutes and 0 seconds (Line AA on Drawing No. P13-020); and
- b. Should the State include the area to the east of Longitude 122 degrees 16 Minutes 0 Seconds (Line AA on Drawing No. P13-020) in proposed divested Area 1, then the Shire of Broome requests that a condition be made on the Management Order that Community Access for recreation and recreational fishing activities be always maintained even if the Marine Park category be changed at a future date.

Moved: Cr J Bloom Seconded: Cr C Mitchell

CARRIED UNANIMOUSLY 9/0

Officers remain supportive of the original Marine Park boundary as considered in the current Yawuru Agreements, however Officers do not support the proposed incorporation of the Port waters into the Marine Park as this would bring the Marine Park boundary into Dampier Creek and directly adjacent to the Broome townsite consistent with Council's previous resolution in this regard.

The potential impacts of having the marine park abut the townsite may have significant impacts on the current operations and future expansion of Broome Townsite. All development in Broome will be in general proximity to the Marine Park, particularly if it extends into the eastern portion of Dampier Creek. The long-term target is clearly stated in the Marine Park Management Plan as "No change in seabed structural complexity, coastal landforms or geographic processes as a result of human activity in the proposed marine park". DPaW have advised "Adjacent to" can be read to mean proposals that have the potential to impact on the values of the marine park.

In-and-of-itself, this intent will have a long ranging impact on the further development and economic growth within the Shire of Broome. In particular these provisions raise concern with regards to revetment and other coastal defence infrastructure required to protect Chinatown and Town Beach from coastal erosion and inundation. These provisions will also likely have significant potential impacts on the operations of existing land uses including particularly the Broome International Airport and the Port.

As such officers recommend that the Port of Broome do not relinquish intertidal areas in Dampier Creek (the basis for this being):

- If Dampier Creek is included in the Marine Park it will be difficult to gain approval for marine infrastructure such as jetties, marinas, sea walls, etc. Infrastructure development to enhance the longevity of Broome has been considered in

development proposals and are considered important to the sustainable growth of the Shire.

- Potential stormwater discharge and impacts of the same into Dampier Creek/Roebuck Bay have yet to be fully revealed. All developments will (potentially) require EPA approval – this may decrease investor and may render projects unviable.
- Port's cyclone moorings may be impacted.

It is also recommended that further consideration be given to the development of a Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) in partnership with the Department of Planning and the joint management partners to ensure this is incorporated into the Management Plans and that advice of the area's current and future potential for development is clear.

As such officers recommend that the Shire make a submission requesting that Figure 4 be amended to remove the Marine Park area from the Port Waters and to align with the previous Council resolution in this regard.

Potential Impacts on Development Proposals

The Management Plans aim to ensure that development proposals within or near the Marine Park, as well as 'activities and developments with the potential to indirectly affect geomorphology (e.g. by modifying sediment transport along the coast or by changing hydrological or sedimentary processes)' are assessed by the Environmental Protection Agency.

Officers requested clarification from DPAW with regards to where urban development may impact on the geomorphology of the proposed Marine Park. DPaW responded; noting the following (Attachment C):

The potential for an urban development to impact on the geomorphology would be dependent on the nature of the development proposed.

As stated in the plan the long term target for geomorphology is 'No change to seabed structural complexity, coastal landforms or geomorphic processes as a result of human activity in the proposed marine park'.

"It is understood that any potential development proposals would be outside the proposed marine park and, as noted in the plan and above, environmental impact assessment and approvals would be the responsibility of the Office if the Environmental Protection Authority. If required, an assessment would be carried out in accordance with the Environmental Protection Act 1986 and associated regulations and policies. As a matter of course, advice would be sought from the Department of Parks and Wildlife (in consultation with the joint management body) and depending on the level of assessment, advice may also be sought from the Marine Parks and Reserves Authority.

For more information on environmental assessment guidelines see the Environmental Protection Authority's website.

Additionally under Seascapes the proposed draft Marine Park Management Plan on page 62 provides as follows:

'Structures along the coastline and in surrounding waters, including signage, lighting, jetties and marinas, have the potential to degrade the seascape values of the proposed marine park....

Management Strategy 2: Ensure site planning and development proposals for recreational and commercial activities are consistent with maintaining the seascapes of the proposed marine park.'

DPaW responded noting the following (Attachment C):

- *There is no formal process governing assessment or approval of developments that may impact on seascape values of marine parks.*
- *Proponents of developments are to be cognisant of this value of the marine park and design proposals carefully to avoid or mitigate any potential impacts. Advice on particular proposals can be provided by the department on request.*

Officer Comment

Whilst officers are supportive of ensuring current and future development activities are undertaken in a responsible and sustainable manner, as noted above under the Marine Park boundary discussion, officers are concerned that the social and economic values of the community may be significantly impeded should the Marine Park extend into Dampier Creek. If the boundary is to move to this location it would mean that potentially all redevelopments within the Chinatown and Town beach Precincts may have to be referred to the Environmental Protection Authority to determine whether the impact is considered appropriate.

This raises particular concerns with long term redevelopment potential of the townsite and particularly in relation to the revitalisation strategies considered for Chinatown. Additionally, considering the current impacts of coastal processes on the Roebuck Bay foreshore adjoining the town, it is likely that further protection works may be required. Whilst these works are unlikely to impact significantly on the Marine Park if the Marine Park remains in the location considered under the Yawuru Agreements, should the boundary move to include Dampier Creek any developments along the foreshore will be subjected to significant scrutiny as it may potentially then impact on a marine park.

General Issues

Officers have identified the following additional general issues that need to be further clarified in the Management Plans:

- Land will be in Yawuru freehold ownership and leased to the State (DPAW) on a peppercorn rate. Either party can cancel the lease and the implications of what this would mean to the general public is unclear.
- Status of tracks in Conservation Park that are not gazetted roads – DPAW indicated that public access will be maintained but this may be on goodwill of the landowner rather than formal legal agreement.

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- Restriction on vehicle access to recreation nodes/beach access between Dampier Creek and Crab Creek. Boat launching will only be permitted at Sabu Rock. Officers generally support this proposal providing adequate facilities are installed and public access maintained to an appropriate standard:
- Management Objective 5 - Summary of access management arrangements (page 71): Provide access to the Sabu Rock area used to launch small boats. Close the access for boat launching purposes if maintaining it to an acceptable standard is not feasible.
- Camping is not to be permitted.
- Page 60: No camping areas are proposed to be designated for the Yawuru Birragun Conservation Park over the short-term because of the proximity of the Yawuru Birragun Conservation Park to the Broome town site. However, some opportunities for overnight camping may be explored in conjunction with cultural and ecotourism products that may be developed within the Yawuru Birragun Conservation Park in the future.
- Clarification of proposed future works within the estate and its alignment with relevant management plans, strategies and activities.
- Commercial activities, the plan states that commercial businesses in the Marine Park need to receive a permit from DPAW, and this cannot be granted without written consent from Yawuru. This may lead to a conflict of interest for a private company being Yawuru RNTBC having control over other commercial operators and the permissibility of activities in the bay.

Summary

In summary officers have identified the following concerns with the Conservation Park Management Plan and the Marine Park Management Plan developed by the Department of Parks and Wildlife and Yawuru:

- Proposed access restrictions for the general public along the foreshore of sections of Roebuck Bay;
- Possible access restrictions in the marine park within the Special purpose zone (cultural heritage);
- Potential impacts on the operations of the Port;
- Potential impacts on development proposals in Broome townsite and on other land adjoining the Conservation and or Marine Park;
- Potential impediments to coastal protection works required to protect Chinatown and Broome townsite.

As such, officers recommend that Council delegates authority to the Chief Executive officer to make a preliminary submission to the Department in line with the body of this report. It is further recommended that Council initiate an awareness campaign to further inform the community about the potential impacts associated with the proposed management plans and that the Shire writes to the Minister to request an extension of time for public submissions to be made on the proposed management plans.

CONSULTATION

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The *draft Birragun* (Out-of-Town Conservation) Estate Management Plan, and the *indicative proposed Nagulagun* (Marine Park) Management Plan were launched by the Western Australian Minister for the Environment, the Hon. Albert Jacob on 19 June 2015. The Management Plans were advertised in the Broome Advertiser on 25 June 2015. The Marine Parks and Reserves Authority provided formal advice to the Broome Shire regarding the public consultation period (as required under section 14(3A) of the *Conservation and Land Management Act 1984*) on 24 June 2015.

The public consultation period for submissions on the Management Plans is open until 25 September 2015 as provided by the Minister for Environment. A community public consultation workshop was held on 13 July 2015 at the Civic Centre by DPAW Planning Staff supported by Yawuru.

DPaW have provided a guide for the general public on developing a submission, noting that:

The management plan may not be amended if a submission:

- clearly supports proposals in the plan or makes general or neutral statements
- refers to issues beyond the scope of the plan
- refers to issues that are already noted within the plan or already taken into consideration during its preparation
- is one among several widely divergent viewpoints received on the topic but the approach in the plan is still considered the best option
- contributes options that are not feasible (generally due to conflict with legislation or government policy)
- is based on unclear or factually incorrect information.

Submissions are welcome during the public comment period and can be made:

- online at www.dpaw.wa.gov.au/yawuru, or
- by completing the submission form in the 'Have Your Say' (**Attachment D**)

SoB officers requested a meeting with DPAW (Perth) Planning staff on 17 July 2015 to discuss initial SoB officer concerns regarding both draft plans. In response to this meeting, SoB officers wrote to the Director General of DPAW requesting clarification on a number of issues relating to the proposed Management Plans. The Director General provided his response on 17 August 2015 included as **Attachment C**.

The Shire of Broome has requested and been provided an extension to the public submissions date of 25 September 2015 and the Shire's final submission for presentation to DPAW must now be made no later than 9 November 2015. Additionally DPAW staff agreed to make a presentation to Councillors prior to the development of the SoB final submission.

Officer Comments

Officers in considering the process to date undertaken by DPAW are concerned that the general public is not well informed as to what the potential impacts of the plans may be

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on the economic and social values of the community. As such Officers recommend that Council issue a media release that outlines the potential impacts as contained in the body of this report to ensure the local community is made further aware of these.

Additionally it is recommended that Council request the Minister of Environment to extend the public submission period with a further 30 working days and to allow all submissions to be made by 9 November 2015.

If Council supports the officers' recommendation the following timeline will be observed.

- Special Meeting of Council (Resolution) – Thursday 10 September, 2015;
- Information to be placed on Shire of Broome website - Friday 11 September, 2015;
- Council to request the Minister of Environment to extend the public submission period until 9 November 2015;
- A public notice will be placed in the local paper for 1 week, (currently proposed as 16th September 2015);
- An initial submission will be made by the Chief Executive Officer on behalf of the Shire of Broome in accordance with the body of this report;
- DPaW Planning staff will be requested to provide a further presentation to a Council workshop on 6 October 2015;
- Officers to present a final draft SoB Submission to the October 15 OMC for resolution by Council;
- SoB final submission to be prepared and provided to the Department of Parks and Wildlife by 9 November 2015.

STATUTORY ENVIRONMENT

Terrestrial Statutory Environment – Public Notices And Submissions

[Conservation and Land Management Act 1984 \(WA\) \(Conservation Commission\)](#)

59. Plans to be referred to other bodies

- (1) The responsible body may submit the proposed management plan, modified if it thinks fit after considering submissions made under section 58, to any organization or body it thinks appropriate, together with a summary of those submissions.
- (2) The responsible body shall submit the proposed management plan to the local government of each district within which the land in question is situated and any such local government shall, notwithstanding section 58,

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be given a reasonable time in which to prepare written submissions on the proposed plan.

Marine Park Statutory Environment

Conservation and Land Management Act 1984 (WA) (Conservation Commission)

Division 3 — Marine reserves:

13. Marine reserves, reservation of

- (4) Subject to subsection (4a), the Governor may by the order under subsection (1) which constitutes a marine nature reserve, a marine park or a marine management area, or by a subsequent order published in the Gazette, classify the reserve, park or management area as of Class A and, in that case, the purpose of the reserve, park or management area shall not be amended or cancelled, nor shall the boundary thereof be altered otherwise than by an addition thereto, except by Act or pursuant to subsection (6).
- (6) If either House of Parliament passes a resolution, of which notice has been given within the first 14 sitting days of the House after a copy of an order has been laid before the House under subsection (5), that the order be disallowed the order thereupon ceases to have effect.
- (7) The disallowance of the order does not affect or invalidate any act done in good faith by the Minister, or any officer performing any functions under this Act relating to the waters referred to in the order, before the passing of the resolution.
- (8) In subsection (1) Western Australian waters means all waters —
 - (a) that are within the limits of the State; or
 - (b) that are coastal waters of the State as defined in the Off-shore (Application Of Laws) Act 1982.
- (9) Without limiting section 6(6), the reservation of waters under this section as a marine nature reserve, marine park or marine management area extends to the airspace, sea-bed, land and subsoil referred to in section 6(6)(a) and (b).
- (10) A reference in this Act to the reservation of, or the reservation of waters as, a marine nature reserve, marine park or marine management area includes a reference to the alteration of any boundary of the reserve, park or management area to include additional waters.

13A. Marine nature reserves, purpose of and prohibited acts in

- (1) The reservation of a marine nature reserve shall be for —
 - (a) the conservation and restoration of the natural environment; and
 - (b) the protection, care and study of indigenous flora and fauna; and
 - (c) the preservation of any feature of archaeological, historic or scientific interest.
- (2) Subject to section 13D, aquaculture, commercial fishing, recreational fishing and pearling activity shall not be carried out in a marine nature reserve.
- (3) Despite section 4(1) but subject to section 13E, exploratory drilling for, or production of, petroleum, geothermal energy resources or geothermal energy under the Petroleum and Geothermal Energy Resources Act 1967 or petroleum

under the Petroleum (Submerged Lands) Act 1982 shall not be carried out in a marine nature reserve.

13B. Marine parks, purpose of and prohibited acts in

- (1) The reservation of a marine park shall be for the purpose of allowing only that level of recreational and commercial activity which is consistent with the proper conservation and restoration of the natural environment, the protection of indigenous flora and fauna and the preservation of any feature of archaeological, historic or scientific interest.
- (2) As soon as practicable after the reservation of a marine park the Minister shall classify the park under section 62, or divide the park into areas and classify each area under section 62, as —
 - (a) a general use area; or
 - (b) a sanctuary area; or
 - (c) a recreation area; or
 - (d) a special purpose area,in accordance with a proposal for the classification publicly notified in accordance with section 14, modified as the Minister thinks fit to give effect to submissions made under section 14.
- (3) Subsections (5), (6) and (7) have effect despite anything in the Fish Resources Management Act 1994, but in the event of any other conflict or inconsistency between the purpose referred to in subsection (1) and a provision of, or an activity authorised by, the Fish Resources Management Act 1994 that relates to aquaculture or to commercial or recreational fishing, the latter prevails.
- (4) Subsection (8) has effect despite anything in the Pearling Act 1990, but in the event of any other conflict or inconsistency between the purpose referred to in subsection (1) and a provision of, or an activity authorised by, the Pearling Act 1990 that relates to pearling activity, the latter prevails.
- (5) Subject to section 13D, aquaculture shall not be carried out in any area of a marine park which is classified under section 62 as —
 - (a) a sanctuary area; or
 - (b) a recreation area; or
 - (c) a special purpose area which, or that part of such an area which, the Minister has declared in the classification notice to be an area where aquaculture would be incompatible with a conservation purpose specified in the classification notice, but aquaculture may be carried out, in accordance with an authorisation issued under the Fish Resources Management Act 1994, in any other area of the marine park.
- (6) Subject to section 13D, commercial fishing shall not be carried out in any area of a marine park which is classified under section 62 as —
 - (a) a sanctuary area; or
 - (b) a recreation area; or
 - (c) a special purpose area which, or that part of such an area which, the Minister has declared in the classification notice to be an area where commercial fishing would be incompatible with a conservation purpose specified in the classification notice, but commercial fishing may be carried out, in accordance with an authorisation issued under the Fish Resources Management Act 1994, in any other area of the marine park.

- (7) Subject to section 13D, recreational fishing shall not be carried out in any area of a marine park which is classified under section 62 as —
- (a) a sanctuary area; or
 - (b) a recreation area which, or that part of such an area which, the Minister has declared in the classification notice to be an area where recreational fishing would be incompatible with another recreational purpose specified in the classification notice; or Conservation and Land Management Act 1984.
 - (c) a special purpose area which, or that part of such an area which, the Minister has declared in the classification notice to be an area where recreational fishing would be incompatible with a conservation purpose specified in the classification notice, but recreational fishing may be carried out, in accordance with the requirements of the Fish Resources Management Act 1994, in any other area of the marine park.
- (9) Despite section 4(1) but subject to section 13E, exploratory drilling for, or production of, petroleum, geothermal energy resources or geothermal energy under the Petroleum and Geothermal Energy Resources Act 1967 or petroleum under the Petroleum (Submerged Lands) Act 1982 shall not be carried out in any area of a marine park which is classified under section 62 as —
- (a) a sanctuary area; or
 - (b) a recreation area; or
 - (c) a special purpose area which, or that part of such an area which, the Minister has declared in the classification notice to be an area where those activities would be Conservation and Land Management Act 1984 incompatible with a conservation purpose specified in the classification notice, but those activities may be carried out, in accordance with those Acts, in any other area of the marine park.
- (10) The term classification notice used in this section refers to the relevant notice under section 62(1a).

13C. Marine management areas, purpose of and permitted acts in (1aa)

In this section —

geothermal energy and geothermal energy resources have the same meanings as they have in the Petroleum and Geothermal Energy Resources Act 1967.

- (1) The reservation of a marine management area shall be for the purpose of managing and protecting the marine environment so that it may be used for conservation, recreational, scientific and commercial purposes.
- (2) In subsection (1) — commercial purposes includes —
 - (a) aquaculture, commercial fishing and pearling activity; and
 - (b) mining, within the meaning of the Mining Act 1978; and
 - (ba) exploration for and recovery of minerals under the Offshore Minerals Act 2003; and
 - (c) seismic surveys and exploratory drilling for petroleum or geothermal energy resources; and
 - (d) production of petroleum or geothermal energy, and associated activities.

- (2) Aquaculture, commercial fishing and recreational fishing may be carried out, in accordance with the Fish Resources Management Act 1994, in a marine management area.

Fish Resources Management Act 1994

4.3 CALM and FRM Act Regulations

- (a) The CALM Regulations apply to those parts of the Conservation Estate comprising the Freehold Areas and the CALM Regulations and the FRM Act Regulations apply to those parts of the Conservation Reserve comprising the Intertidal Zone Reserves.

Marine Park Statutory Environment – Public Notices And Submissions

14. Proposal for marine reserve, public notice of and submissions on

- (1) Public notification of a proposal to make an order under section 13(1) shall be given in accordance with subsection (2).
- (1a) Public notification of a proposal shall not be given unless —
- (a) the Minister has received a report from the Marine Authority in relation to the proposal; and
- (b) the Minister for Fisheries and the Minister for Mines have approved the notification of the proposal.
- (3B) Notwithstanding subsection (4) each local government notified pursuant to subsection (3A) shall be given a reasonable time in which to prepare written submissions on the proposal.

POLICY IMPLICATIONS

SoB Yawuru Park Council Policy 1.5.1 [OMC 29 November 2012 Item 9.4.4].

There is no delegation to the Yawuru Park Council representatives.

Associated documents include:

- Yawuru Prescribed Body Corporate Indigenous Land Use Agreement – Broome (Yawuru PBC ILUA)
- Yawuru Area Agreement Indigenous Land Use Agreement – Broome (Yawuru Area Agreement ILUA)
- Joint Management Agreement (JMA)
- Assistance Agreement (AA)

FINANCIAL IMPLICATIONS

The submission is currently intended to be developed by internal staff. Officers are however concerned that this may not provide a high enough level of scrutiny due to the significant workloads and the complexity of the reports. It is therefore recommended that Council considers making available funds to appoint a consultant to review the draft

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management plans critically and to develop a formal detailed submission on behalf of the Shire. It is expected that this would cost in the area of \$10,000.

It is assumed that minimal costs are expected in the advertorial stage (one advertisement placed in the Broome Advertiser); and this is not expected to exceed \$ 2,200.

Budget allocation will be sourced from Cost Code 105057 [Coastal Park Management Plan-Operational Expenditure].

RISK

It is important with long term community impacts to have strong engagement with stakeholders and the community. The risk associated with Council not issuing a media release is that the general public may remain not well informed with regards to the potential impacts associated with the proposed management plans.

The further risk to this proposal is that due to the nature of the CALM ACT, any comments provided to DPAW on behalf of the Broome Community or from the Shire of Broome may not be considered in the final plan as presented (by DPaW) to Parliament for consideration and endorsement.

Officers therefore consider that it is essential for the Shire to develop a detailed submission for consideration that ensures the diverse needs of the community is presented to DPAW for consideration in the management plans and in particular with regards to the access of these lands and waters, the impacts on social and economic values and the potential impediments on future development within the Shire of Broome.

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:

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

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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.

Council is able to mobilise resources to deliver municipal services to Indigenous communities that are compliant, effective and within Council's capacity.

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

Simple Majority

**COUNCIL RESOLUTION:
(REPORT RECOMMENDATION)**

Moved: Cr D Male

Seconded: Cr A Poelina

That Council:

- 1. Notes the 19 June 2015 release of the Proposed Yawuru Nagulagun / Roebuck Bay Marine Park indicative joint management plan 2015; and the Yawuru Birragun Conservation Park draft management plan 2015.**

2. ***Endorse a media release to further advise the Broome Community of the draft management plans and potential impacts associated with these plans.***
3. ***Notes that the Shire of Broome has been granted an extension of 30 days to provide a submission to the Department of Parks and Wildlife (9 November 2015) and requests the Chief Executive Officer to make an initial submission on behalf of the Shire of Broome in accordance with the body of this report by 25 September 2015;***
4. ***Requests Department of Parks and Wildlife Planning Staff to present the draft Management Plans to Councillors at a workshop during October 2015.***
5. ***Requests the Chief Executive Officer to present the final supplementary submission to the October Ordinary Council meeting for endorsement prior to submitting this to the Department of Parks and Wildlife.***
6. ***Requests the Chief Executive Officer to write to the Minister of Environment requesting that the Minister grant an extension of time for public submission until 9 November 2015.***

CARRIED UNANIMOUSLY 5/0

Attachments

1. Attachment A - Yawuru Birragun Conservation Park Draft Management Plan 2015
2. Attachment B - Proposed Yawuru Nagulagun / Roebuck Bay Marine Park indicative joint management plan 2015) Areas
3. Attachment C - DPaW Director General response to Shire CEO_17 AUG_2015
4. Attachment D - DPaW Public Comment Submission Form

With regard to Item 6.2.2 Cr M Manado disclosed that “I have an association with Yawuru PBC – Ordinary Member. As a consequence, there may be a perception that my impartiality in the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

Cr P Matsumoto entered the meeting at 5.04pm.

6.2.2 BROOME REGIONAL RESOURCE RECOVERY PARK - SITE SELECTION STUDY

LOCATION/ADDRESS:	Shire of Broome
APPLICANT:	Nil
FILE:	RRP01
AUTHOR:	Director of Engineering Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director of Engineering Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	13 August 2015

SUMMARY: A Site Selection Study has been completed for the proposed Broome Regional Resource Recovery Park. This report recommends that Council receive the Site Selection Study and authorise detailed site investigations on Site D1 (McGuigan Road Site) and Site G1 on the Roebuck Plains Pastoral Station.

BACKGROUND

Previous Considerations

OMC 10 July 2010	Item 9.3.14
OMC 7 July 2011	Item 9.3.2
OMC 15 March 2012	Item 9.2.9
OMC 29 November 2012	Item 9.3.2
OMC 21 February 2013	Item 9.3.1
OMC 17 October 2013	Item 9.3.1
OCM 25 September 2014	Item 9.3.1

At the Ordinary Meeting of Council held on 25 September 2014, Council resolved the following:-

That Council:

- 1. Endorses the Community Engagement Plan and Consultation Documents as attached to this report.*
- 2. Requests the Chief Executive Officer to implement the Community Engagement Plan.*
- 3. Requests the Chief Executive Officer to report back to Council to seek endorsement of the preferred site(s) prior to undertaking detailed site investigation.*

At the Ordinary Meeting of Council held on 30 July 2015, Council resolved the following:-

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That Council:

1. Notes:
 - (a) *The Regional Resource Recovery Park Sites of Interest Report has identified potential Sites on the Roebuck Plains Pastoral Station.*
 - (b) *That Native Title on the Roebuck Plains Pastoral Station has been determined to be held exclusively by the Yawuru Community.*
2. Authorise the Chief Executive Officer to:
 - (a) *Negotiate with Yawuru on the scope and cost to undertake a preliminary heritage assessment for potential Regional Resource Recovery Park Sites on the Roebuck Plains Pastoral Station.*
 - (b) *Engage Yawuru to undertake a preliminary heritage assessment to identify acceptable sites for the Regional Resource Recovery Park on the Roebuck Plains Pastoral Station, following successful negotiations on scope and cost.*
3. *Acknowledge the importance of progressing the Regional Resource Recovery Park Site selection process and identifying potential sites for detailed site investigations.*

COMMENT

The Buckleys Road Waste Management Facility is approaching the end of its operational life. To allow for the continuation of the current waste disposal services in Broome, the Shire has begun the process of identifying a new site to locate a Regional Resource Recovery Park (RRRP), which will replace the Buckleys Road Facility.

The Shire has commissioned Talis Consultants Pty Ltd (Talis) to undertake a Site Selection Study with the objective of selecting a site based on best practice for the establishment of a RRRP.

The Site Selection Study was run concurrently with a Community and Stakeholder Engagement Program. Community and Stakeholders were engaged throughout the process with feedback considered critical for the success of the study.

The Site Selection process commenced by conducting a desktop analysis of the study area to identify Areas of Interest within which Sites of Interest were likely to be found. This was done using a geospatial model and Site Selection Criteria.

In order to identify a Preferred Site(s), the Sites of Interest were evaluated to assess their strengths and weaknesses. The principal evaluation tool used was a Multi Criteria Analysis (MCA). The MCA process assessed the Sites of Interest by scoring each site against the Site Selection Aspects and Criteria which were weighted to reflect their relative importance in determining the Preferred Site(s).

The outcome of the MCA was a weighted score for each Site of Interest out of a total possible score of 300. The MCA determined Site D1 (McGuigan Rd Site) as being the highest ranked Site with Sites H1, F3 and G1 (Roebuck Plains Pastoral Station sites) being scored slightly lower.

It should be noted that the top ranked site and the 4th ranked site are separated by only 9.5 points in the MCA rankings. The reasoning for this is that all four Sites are potentially suitable as a site for the RRRP.

Site D1 was identified as having two distinct advantages over the majority of the other Sites of Interest with the Site being unaffected by Native Title and located in close proximity to Broome. Site D1 still possesses potential weaknesses that require further

investigation and consideration, in particular the risk to the Coconut Well groundwater supply.

Table 1: Top Ranked RRRP Sites from Multi Criteria Analysis

Site ID	Location	Total	Ranking
D1	McGuigan Rd	253.8	1
H1	Roebuck Plains Pastoral Station	248.3	Equal 2
F3	Roebuck Plains Pastoral Station	248.3	Equal 2
G1	Roebuck Plains Pastoral Station	244.3	4

There were only a small number of points separating the Sites ranked second to fourth (Sites H1, F3 and G1), with all of these Sites being located on the Roebuck Plains Pastoral Station. All three Sites have comparable criteria and are only separated by minor differences in a number of aspects.

Attachment 1: Site Selection Study – Broome Regional Resource Recovery Park

The McGuigan Road Site (Site D1)

Site D1 was identified as having two distinct advantages over the Roebuck Plains Pastoral Station Sites. These two advantages were related to:-

- Land Ownership – the site is unaffected by Native Title as it is a Water Corporation Reserve.
- Distance from Broome - located in close proximity to Broome and closer than the other Sites of Interest.

Additional strengths of the Site D1 relate to the following:

- Land Use Separation Distances – Site D1 exceeds the separation distances required for sensitive land uses (such as residents, schools and hospitals) and industrial activities.
- Site Access and Road Network – The Site is within close proximity to a sealed Regional Distributor road network and minimal road infrastructure construction would be required to gain access to the Site.
- Current Site Features – The Site is considered to be suitably screened due to the vegetation on and surrounding the Site.
- Siting – While further detailed studies will be required, available data suggest that the Site is not located within any mapped ecologically significant areas or Aboriginal Heritage areas.
- Financial – Site D1 is anticipated to result in a lower overall cost to the Shire and the Public than the other Sites.

However, Site D1 still possesses potential weaknesses that require further investigation and consideration. These include the following:

- Size – Site D1 is sized at 119 hectares (maximum), which is just below the optimum size of 125 hectares. However this is considered more of a reflection of the strengths of other Sites of Interest which are located in large open areas. It is considered that Site D1 will provide adequate land for the RRRP.
- Surrounding Land Use – Site D1 is located within a Water Corporation Reserve denoted as 'Water Supply' and is located within 1km of a Public Drinking Water Source Area. This is considered to be a matter that requires detailed investigation to determine if the RRRP will have an impact on water supplies. Feedback received from the Department of Water (DoW) has indicated that it is unlikely to impact the Public Drinking Water Source Area if the RRRP was located at Site D1.
- Environmental Separation Distance – During the MCA evaluation process, the location of residences at Coconut Well and its surrounds were regarded as being a sensitive groundwater resource area due to that Community's reliance on groundwater bores for water supply. It is understood from feedback received from the relevant government agencies that the groundwater flow direction in this area is from inland areas towards the coast. Therefore the Coconut Well residences were considered in the MCA, to be downstream of the Site D1 within a distance of 2.5km to 5km. Site D1 was scored according to this assessment. It is acknowledged that this is a significant area of concern, which is reflected in this aspect having the highest weighting of all aspects in the MCA. As stated above, the Preferred Sites will be subject to further studies which will include detailed hydrogeological investigations prior to the Selected Site being determined. Given the advantages of Site D1 identified so far, it is considered that more detailed information on this site should be obtained and considered prior to making a final decision on its suitability.
- Siting – The best available geospatial geological data indicates that a mapped fault line is located within the northern portion of the Site D1. However the available geospatial data is produced at a scale of 1:500,000 which is considered to be very high level data. This issue will require further investigations to determine the geological suitability of the Site.

While Site D1 possesses some weaknesses, based on available information none of them are likely to limit site suitability. However, DoW has stated that further detailed investigation will be required to determine the risks to the private drinking water source at Coconut Well.

Based on the RRRP Site Selection Study, Officers recommend that detailed site investigations be undertaken on Site D1 (the McGuigan Road Site).

Roebuck Plains Pastoral Station Sites (Site G1 H1, and F3)

The results of the MCA identified that the second highest ranked Sites after Site D1 were Site H1 and Site F3, which had equal scores. The next highest score in order was Site G1. All three Sites are located on the Roebuck Plains Pastoral Station and were only separated by 4.0 points in the MCA rankings. The reasoning for this is that all three Sites have comparable criteria and are only separated by minor differences in a number of aspects which are described below:

- Distance from Broome – The 3 Sites are all approximately 40km from Broome.

- Surrounding Land Uses – Site G1 has adequate separation distance to the Skuthorpe Agricultural Area. Sites H1 and F3 should have adequate separation distances to the Skuthorpe Agricultural Area, however this will be dependent on the future location of the Skuthorpe Agricultural Bores.
- Environmental Separation Distances – Groundwater levels are expected to be slightly higher at site H1 than Site F3 and Site G1.
- Land Use Separation Distances – All 3 Sites exceed the preferred distance criteria.
- Siting – Site G1 is disadvantaged compared to the other two Sites due to geospatial geological data indicating that a mapped fault line is located within the northern portion of the Site. However, DoW have indicated that the presence of a fault line is likely to be located at deeper levels and is unlikely to limit site suitability.

Following key stakeholder engagement, DoW provided feedback ranking the proposed RRRP Sites in order of preference from a water resource management perspective. Site G1 was ranked higher than F3 and H1. DoW regarded Site G1 as having a low risk for impacting water supplies. Preliminary feedback from Nyamba Buru Yawuru has indicated that an RRRP site within Area F (i.e. Site F1, F2 and F3) could impact on the operations of the pastoral lease.

All 3 sites (G1, H1 and F3) are potentially suitable as an RRRP Site. However further detailed hydrogeological investigations and consultation with adjacent groundwater users will allow further confirmation of site suitability.

Based on the RRRP Site Selection Study and the feedback received from the Department of Water, Officers recommended that detailed site investigations be undertaken on Site G1. If a second site on the Roebuck Plains Pastoral Station is required, Officers recommend that detailed site investigation be undertaken on Site H1.

Logistics Analysis

In addition to the MCA, an evaluation was also conducted to determine the cost of transporting waste to the Roebuck Plains Pastoral Station Site G1, compared to the closer McGuigan Rd Site D1 and the current Buckleys Road Facility.

The findings of the logistics analysis are summarised as follows:

1. The additional travel times and transport costs associated with Site D1 do not warrant the establishment of a Community Recycling Centre for householders with domestic and recyclable waste located within the Broome Town site, if Site D1 was the adopted Site.
2. A Community Recycling Centre located within the Broome Town site is recommended if the Roebuck Plains Pastoral Station Site G1 was the adopted Site. The Community Recycling Centre would not cater for commercial waste or the refuse collection trucks operated by the Shire's waste contractor. It would be used only by householders with domestic and recyclable waste.
3. A Waste Transfer Station (WTS) located within the Broome Town site is not recommended for any of the proposed Sites due to the cost of providing and operating the WTS being significantly more expensive than direct hauling to the RRRP site. This would see both Shire collected waste and commercial waste having to be direct hauled to the adopted Site by the waste generator.
4. The extra costs to both the Shire and the Public of direct hauling waste to Site D1 rather than Buckleys Road Facility are estimated to be \$9,000 per annum and \$70,000 per annum respectively. This is an increase of 15% for both over transport to the Buckleys Road Facility.

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5. The extra costs to both the Shire and the Public of direct hauling waste to Site G1 rather than Buckleys Road Facility are estimated to be \$50,000 per annum and \$465,000 per annum respectively. These costs are significant, particularly the costs to be borne by the public.

Next Stage – Detailed Site Investigations on 2 Sites

The next stages of the project will involve detailed site investigations on the two preferred sites. This will involve geotechnical and hydrogeological investigations, groundwater modelling, flora and fauna surveys, a heritage survey and detailed site survey. The detailed site investigations will be undertaken over a 12 month period.

The costs to undertake the detailed site investigations are shown in the financial section of this report. As shown in the table, the cost to undertake the hydrogeological investigation and modelling for Site D1 is higher than Site G1. These cost estimates are based on a scope of work that has been reviewed by Officers of the Department of Environment Regulation.

CONSULTATION

As part of the site selection process, an Engagement Strategy was developed to guide the process for engaging with stakeholders and the Community. This engagement was considered critical for the success of the study.

The Geospatial Model utilised for identifying Areas and Sites of Interest makes use of a significant number of geospatial datasets. However due to the high level detail of some geospatial datasets, the feedback from stakeholders and the Community was considered valuable in interpreting the Geospatial Model and undertaking the MCA.

Stakeholder engagement began by broadly informing the stakeholders of the need for the RRRP as a replacement for the current Buckleys Rd Waste Management Facility and the scope of the Site Selection Study.

Stakeholders involved at this commencement phase consisted of:

- Aboriginal groups;
- Community and environmental groups;
- Private industry;
- Industry bodies;
- Local Government;
- State Government agencies; and
- Federal Government agencies.

In addition to the above, key stakeholders with direct interest in the Site Selection Criteria, (mostly as approval agencies for the project), were consulted to provide feedback on the suitability of the Site Selection Criteria for the project.

Following the identification of the Areas of Interest, an Areas of Interest Summary Report (Talis, 2014) was prepared and distributed to key stakeholders and the Community in order to gather further feedback. Meetings with stakeholders and a Public Workshop were also held. The outcome of this process was the removal of one Area of Interest (Area E) due to potential impacts associated with environmentally and culturally sensitive areas

Prior to the release of the Site Selection Study version 1d (Final Report), an earlier version of the report (version 1b) was released to the Community and stakeholders for comment. In addition, further meetings and workshops were held with stakeholders and Community. One of the key meetings held during this time was with the Department of Environment Regulation, Department of Water and Water Corporation to discuss potential groundwater risks associated with the RRRP. A summary of the feedback received is included in the Site Selection Study

STATUTORY ENVIRONMENT

Environmental Protection Act 1986

Victorian EPA Best Practice Environmental Management - Siting, Design, Operation and Rehabilitation of Landfills (The WA Department of Environment Regulation's adopted Standard)

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Service: RRRP Detailed Site Investigations Cost for Site D1 and G1

Tasks	Site D1	Site G1
Hydrogeological Investigations and Modelling	\$211,000	\$125,000
Flora and Fauna Survey	\$20,000	\$20,000
Heritage Survey	\$15,000	\$15,000
TOTAL	\$246,000	\$160,00

Funding Source: RRRP Detailed Site Investigations for Site D1 and Site G1

Account	Funding Details	Funding Type	Investigation
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ChairpersonDate

Number			Expense
108001	New Refuse Site Exp – Op Exp	Annual Shire Budget	\$406,000
		TOTAL	\$406,000

The cost of the RRRP detailed site investigations is within budget. The available budget for the RRRP Site Investigation in the 2015/16 Annual Budget is \$600,000.

RISK

The key risks to the project have been identified are follows:-

- The additional investment in the Hydrogeological Investigation for Site D1
- Delays in securing a site for the RRRP

Investment in the Hydrogeological Investigation for Site D1

Feedback received from the Department of Environment Regulation and Department of Water has indicated that if Site D1 is chosen as a Preferred Site, it will require extensive hydrogeological investigation to determine the risks to the private drinking water source at Coconut Well. There is a risk that the outcome of this investigation determines that Site D1 is not suitable for the RRRP. It is considered that this is a possible outcome with a high cost implication.

This level of risk needs to be considered against the cost implications of not investigating Site D1. If investigations into Site D1 found that there is no risk to the groundwater supply for Coconut Well residents, then the extra cost required for investigations would be offset by the logistics cost savings directly to the Shire within approximately 2 years. If the logistics cost savings to the general Community are considered then the extra hydrogeological investigations would be off set within three months. These cost savings would amount to savings directly to the Shire of \$2 million and to the general public of approximately \$20 million over a fifty years lifespan of the RRRP. The high level of savings that would result from using Site D1 justifies incurring the extra costs of the site investigations of that site.

Delays in Securing a Site for RRRP

There is significant risk associated with any delay in securing a site for the RRRP as the Buckleys Road Facility is rapidly approaching the end of its operational life. If the facility reaches capacity and the RRRP is not yet operational, then waste will need to be transported to the nearest suitable landfill (Port Hedland). Based on 2014 waste tonnages, it is estimated that annual cost to transport waste to Port Hedland is approximately \$7M.

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

A healthy and safe environment

ChairpersonDate

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

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:

Effective community engagement

Improved systems, processes and compliance

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council:

1. *Receives the Site Selection Study for the Broome Regional Resource Recovery Park*
2. *Adopts Site D1 and Site G1 as the Preferred Sites for the RRRP*
3. *Authorises the Chief Executive Officer to undertake the required detailed site investigation studies for Site D1 and Site G1.*
4. *Requests the Chief Executive Officer to:*
 - (i) *report back to Council on the results of the detailed site investigations including an assessment of risks to the Coconut Well groundwater supply;*
 - (ii) *obtain Council endorsement of the preferred site prior to seeking the required approvals for the RRRP construction;*
 - (iii) *respond to the comments and questions received from members of the public and stakeholders who made submissions to the Draft RRRP Sites Selection Study Report and inform them of the decision of Council.*

COUNCIL RESOLUTION:

Moved: Cr G Campbell

Seconded: Cr M Manado

That Council:

1. ***Receives the Site Selection Study for the Broome Regional Resource Recovery Park***

- 2. Adopts Site G1 and Site H1 as the Preferred Sites for the RRRP**
- 3. Authorises the Chief Executive Officer to undertake the required detailed site investigation studies for Site G1 and Site H1.**
- 4. Requests the Chief Executive Officer to:**
 - **report back to Council on the results of the detailed site investigations;**
 - **obtain Council endorsement of the preferred site prior to seeking the required approvals for the RRRP construction;**
 - **respond to the comments and questions received from members of the public and stakeholders who made submissions to the Draft RRRP Sites Selection Study Report and inform them of the decision of Council.**

CARRIED UNANIMOUSLY 6/0

REASON: Site D1 recommended in the consultants report poses risk to drinking water for Coconut Well which in turn poses a threat to public health. As such this site is not supported and H1 is recommended as an alternative.

Attachments

1. Broome Regional Resource Recovery Park - Site Selection Study

6.3

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.

ChairpersonDate

There are no reports in this section.

6.4

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.

ChairpersonDate

6.4.1 RECONSIDERATION OF COMMENCEMENT DATE FOR GENERAL REFUSE FEES AND CHARGES

LOCATION/ADDRESS:	NIL
APPLICANT:	N/A
FILE:	ACC01; RES 40813.9
AUTHOR:	Waste Coordinator
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director of Engineering Services
DISCLOSURE OF INTEREST:	NIL
DATE OF REPORT:	2 September 2015

SUMMARY: At the Special Meeting of Council on 13 August 2015, Council resolved to adopt the Sanitation General Refuse Fees and Charges for 2015/16 with an implementation date of 1 September 2015. This report provides customer feedback on the resolved implementation date and recommends an amended implementation date of 1 October 2015.

BACKGROUND

Previous Considerations

SMC 11 July 2007	Item 9.3.10
SMC 24 July 2008	Item 9.1.5
SMC 30 July 2009	Item 9.1.5
SMC 30 July 2010	Item 9.1.4
SMC 17 August 2011	Item 9.1.4
OMC 09 August 2012	Item 9.4.8
OMC 06 September 2012	Item 9.4.8
SMC 28 August 2013	Item 9.4.1
SMC 27 June 2014	Item 9.4.1
SMC 13 August 2015	Item 6.3.2

At the Special meeting of Council held 13 August 2015, Council resolved the following:-

That Council:

1. *Adopts the Sanitation General Refuse Fees and Charges for the 2015/2016 financial year;*
2. *Agrees to implement the Buckleys Road Waste Management Facility Refuse Site Charges from 1 September 2015; and*
3. *Delegates authority to the Chief Executive Officer to issue up to a maximum of six household domestic refuse vouchers per assessment for residents within a rating category not eligible for the refuse vouchers, for the 2015/2016 financial year only.*

COMMENT

At the Special Meeting of Council on 13 August 2015, Council resolved to adopt the Sanitation General Refuse Fees and Charges for 2015/16 with an implementation date of 1 September 2015.

ChairpersonDate

Immediately following the implementation of the 2015/16 Refuse Fees and Charges at the Buckleys Rd Waste Management on 1 September 2015, the Shire was contacted by commercial customers expressing concerns that the Shire had imposed the new Refuse Site Fees without sufficient notice. This has an impact on businesses as they were unable to notify their customers about the increased costs of waste disposal and were unable to pass on the increase fees until sufficient notice had been provided to their customers. The result is that businesses have to fund the increase in waste disposal charges themselves.

It is good practice to provide at least one month's notification to customers of an increase in waste disposal fees.

Based on the feedback from commercial customers at the Waste Management Facility on the implementation of the Refuse Site Charges from 1 September 2015, Officers are recommending an implementation date of 1 October 2015 for the 2015/16 Buckleys Rd Waste Management Fees and Charges.

CONSULTATION

Following the Special Meeting of Council on 13 August 2015, a flyer was prepared advising of the 2015/16 Waste Disposal Fees and the implementation date of 1 September 2015. This flyer was distributed to customers at the gatehouse.

STATUTORY ENVIRONMENT

Local Government (Administration) Regulations 1996 Part 2 Council and committee meetings

10. Revoking or changing decisions (Act s. 5.25(1)(e))

- (1) If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —
 - (a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or
 - (b) in any other case, by at least $\frac{1}{3}$ of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.
- (1a) Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least $\frac{1}{3}$ of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.
- (2) If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made —
 - (a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or
 - (b) in any other case, by an absolute majority.
- (3) This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.

POLICY IMPLICATIONS

Nil

ChairpersonDate

FINANCIAL IMPLICATIONS

The revenue collected from the 2015/16 Sanitation General Refuse Fees and Charges offset the cost of provision of the Shire's Waste Management services. The forecast reduction to revenue resulting from the postponement of the Buckleys Road Waste Disposal Charges from 1 September to 1 October 2015 is estimated to be approximately \$15,000.

This reduction in income may result in a lower transfer to the Regional Resource Recovery Reserve (chart of account 101512) for 2015/2016.

RISK

The risk of not providing adequate notification to Waste Facility customers prior to the imposition of the waste disposal fees for 2015/16 will be assessed. It is likely that there will be a medium risk to the Shire reputation, which could be substantiated and result in a moderate media profile. This presents a "High" risk to the Shire's reputation. To reduce the risk to the Shire's reputation to low, adequate notification should be provided (i.e. 1 month).

Almost Certain	H	H	E	E	E
Likely	M	H	H	E	E
Possible	L	M	H	E	E
Unlikely	L	L	M	H	E
Rare	L	L	M	H	H
<i>Likelihood and Impact</i>	Insignificant	Low	Medium	High	Extreme

Legend	Remedial Outcome
<i>E</i>	<i>Extreme Risk - Immediate intervention required</i>
<i>H</i>	<i>High Risk - Director or CEO must be informed and aware</i>
<i>M</i>	<i>Medium Risk - Management responsibility to monitor</i>
<i>L</i>	<i>Low Risk - Operationally address</i>

Frequency	Likelihood of Incident Occurring	
<i>Almost Certain</i>	<i>Expected to occur in most circumstances</i>	<i>More than once per year</i>
<i>Likely</i>	<i>Will probably occur in most circumstances</i>	<i>At least once per year</i>
<i>Possible</i>	<i>Should occur at some time</i>	<i>At least once in three years</i>
<i>Unlikely</i>	<i>Could occur at some time</i>	<i>At least once in ten years</i>
<i>Rare</i>	<i>May occur, only in exceptional circumstances</i>	<i>Less than once in fifteen years</i>

LEVEL	DESCRIPTION	FINANCIAL IMPACT	HEALTH	REPUTATION	OPERATION
1	<i>Insignificant</i>	<i>Less than \$1,000</i>	<i>No injuries</i>	<i>Unsubstantiated, low impact, low profile or no news item</i>	<i>Little impact</i>
2	<i>Low</i>	<i>\$1,000 to \$10,000</i>	<i>First aid treatment</i>	<i>Substantiated, low impact, low media profile</i>	<i>Inconvenient delays</i>
3	<i>Medium</i>	<i>\$10,000 to \$50,000</i>	<i>Medical treatment</i>	<i>Substantiated, public embarrassment, moderate impact, moderate media profile</i>	<i>Significant delays to major deliverables</i>
4	<i>High</i>	<i>\$50,000 to \$150,000</i>	<i>Death or extensive injuries</i>	<i>Substantiated, public embarrassment, high impact media profile, third party actions</i>	<i>Non achievement of major deliverables.</i>

ChairpersonDate

5	Extreme	More than \$150,000	Multiple deaths or severe permanent disabilities	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple media interactivity, third party action.	Non achievement of key objectives.
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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 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:

Effective community engagement

Improved systems, processes and compliance

VOTING REQUIREMENTS

Absolute Majority

The motion to amend must be supported by at least 3 Councillors in the first instance.

The Chairperson advised there was an indication of support for a proposed change to a previous resolution of Council by three Councillors. Cr G Campbell, Cr D Male and Cr A Poelina supported the change in writing in accordance with Regulation 10 (1) of the *Local Government (Administration) Regulations 1996*.

COUNCIL RESOLUTION: **(REPORT RECOMMENDATION)**

Moved: Cr D Male

Seconded: Cr M Lewis

That Council in accordance with Regulation 10 of the Local Government (Administration) Regulations 1996 changes Point 2 of the resolution made at the Special Meeting of Council held 13 August 2015 relating to the implementation date of 1 September 2015 for the Buckley Road Waste Management Facility Refuse Site Charges – Item 6.3.2 – Adoption of Sanitation – General Refuse Fees and Charges 2015/2016 as follows:

"2. Agrees to implement the Buckleys Road Waste Management Facility Refuse Site Charges from 1 October 2015."

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 6/0

Attachments

Nil

7.

**REPORTS
OF
COMMITTEES**

ChairpersonDate

There are no reports in this section.

8. MATTERS BEHIND CLOSED DOORS
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Nil

9. MEETING CLOSURE

There being no further business the Chairman declared the meeting closed at 5.07pm.