



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

31 OCTOBER 2016

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
MONDAY 31 OCTOBER 2016
INDEX – MINUTES

1.	OFFICIAL OPENING	5
2.	ATTENDANCE AND APOLOGIES	5
3.	DECLARATIONS OF FINANCIAL INTEREST / IMPARTIALITY	5
4.	PUBLIC QUESTION TIME	5
5.	MATTERS FOR WHICH THE MEETING MAY BE CLOSED	6
6.	REPORTS OF OFFICERS	7
	6.1 OUR PEOPLE	8
	NIL	
	6.2 OUR PLACE.....	10
	6.2.1 STATE ADMINISTRATIVE TRIBUNAL PROCEEDINGS - ROBERSON AND THE BEACH HUT WA PTY LTD V SHIRE OF BROOME	11
	6.3 OUR PROSPERITY	12
	6.3.1 BROOME GROWTH PLAN - KEY ELEMENTS AND ENDORSEMENT OF DRAFT GROWTH PLAN.....	13
	6.3 OUR ORGANISATION	24
	NIL	
7.	REPORTS OF COMMITTEE.....	26
	NIL	
8.	MATTERS BEHIND CLOSED DOORS	28
	6.2.1 STATE ADMINISTRATIVE TRIBUNAL PROCEEDINGS - ROBERSON AND THE BEACH HUT WA PTY LTD V SHIRE OF BROOME	28
9.	MEETING CLOSURE.....	29

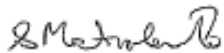
NOTICE OF MEETING

Dear Council Member,

The next Special Meeting of the Shire of Broome will be held on Monday, 31 October 2016 in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 4.30pm for the purpose of considering:

- STATE ADMINISTRATIVE TRIBUNAL PROCEEDINGS - ROBERSON AND THE BEACH HUT WA PTY LTD V SHIRE OF BROOME
- BROOME GROWTH PLAN - KEY ELEMENTS AND ENDORSEMENT OF DRAFT GROWTH PLAN

Regards



S MASTROLEMBO
Acting Chief Executive Officer

28/10/2016

**MINUTES OF THE SPECIAL MEETING OF COUNCIL OF THE SHIRE OF BROOME,
HELD IN THE COUNCIL CHAMBERS, CORNER WELD AND HAAS STREETS, BROOME,
ON MONDAY 31 OCTOBER 2016, COMMENCING AT 4.30PM.**

1. OFFICIAL OPENING

The Chairman welcomed Councillors, Officers and members of the public and declared the meeting open at 4.30pm.

2. ATTENDANCE AND APOLOGIES

Attendance: Cr R Johnston Shire President
 Cr H Tracey Deputy Shire President
 Cr M Fairborn
 Cr W Fryer
 Cr D Male
 Cr P Matsumoto (entered the Chambers at 4.35pm)

Leave of Absence: Cr C Mitchell (as granted at OMC 29 September 2016)

Apologies: Cr B Rudeforth
 Cr E Foy

Officers: Sam Mastrolembo Acting Chief Executive Officer
 James Watt Director Corporate Services
 Aletta Nugent Director Development Services
 Steven Harding Director Infrastructure
 Rochelle Pigginn Manager Governance
 Simon Penn Media and Promotions Officer
 Mieke Wevers Senior Administration and Governance Officer

Public Gallery: Simon Proud Landcorp
 Timothy Bray KDC

3. DECLARATIONS OF FINANCIAL INTEREST / IMPARTIALITY

FINANCIAL INTEREST			
Councillor	Item No	Item	Nature of Interest
Nil			

IMPARTIALITY			
Councillor	Item No	Item	Nature of Interest
Nil			

4. PUBLIC QUESTION TIME

Nil.

5. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

The Chief Executive Officer advises that there are matters for discussion on the agenda for which the meeting may be closed, in accordance with section 5.23(2) of the *Local Government Act 1995*.

COUNCIL RESOLUTION:

Moved: Cr D Male **Seconded: Cr M Fairborn**

That the following Agenda items be considered under 14. Matters Behind Closed Doors, in accordance with section 5.23(2) of the Local Government Act 1995, as specified:

6.2.1 STATE ADMINISTRATIVE TRIBUNAL PROCEEDINGS - ROBERSON AND THE BEACH HUT WA PTY LTD V SHIRE OF BROOME

Item 6.2.1 and any attachments are 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”.

CARRIED UNANIMOUSLY 5/0

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.

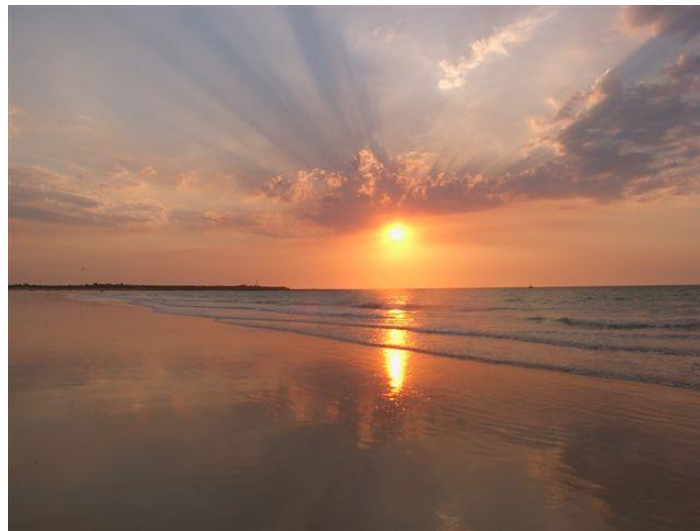
Supporting and contributing to the well-being and safety of our community is paramount, as is our focus on community engagement and participation.

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.

**6.2.1 STATE ADMINISTRATIVE TRIBUNAL PROCEEDINGS - ROBERSON AND THE BEACH HUT
WA PTY LTD V SHIRE OF BROOME**

This item is located in these Minutes under Section 8, Matters To Be Discussed Behind Closed Doors.

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.

The Acting Chief Executive Officer advised an additional attachment was circulated at the meeting.

The Chairman advised a Revised Report Recommendation was circulated at the meeting.

6.3.1 BROOME GROWTH PLAN - KEY ELEMENTS AND ENDORSEMENT OF DRAFT GROWTH PLAN

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	EDP007
AUTHOR:	Director Development Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	15 October 2016

SUMMARY: The Broome Growth Plan has being prepared as part of the State government's Regional Centres Development Planning Initiative. At the last meeting of the Economic Development Advisory Committee on 13 October 2016, the Committee considered the status of the Growth Plan and key elements informing the Growth Plan developed over the course of the previous month. The purpose of this report is to provide an update on the work that has occurred on the Growth Plan since 13 October 2016 to finalise the Growth Plan document, and to seek the Council's endorsement of the Growth Plan document for submission to the Regional Centres Development Plan Steering Committee. The Economic Development Advisory Committee will be considering this item prior to this meeting of Council and advice will be provided at this Special meeting of Council of their recommendation on this matter.

BACKGROUND

Previous Considerations

OMC 30 July 2015	Item 12.1
OMC 26 November 2015	Item 9.3.2
SMC 19 January 2016	Item 6.2.2
OMC 26 May 2016	Item 10.1
OMC 25 August 2016	Item 12.1
OMC 29 September 2016	Item 10.4
OMC 27 October 2016	Item 10.4

The Broome Growth Plan is being prepared as part of the State government's Regional Centres Development Plan (**RCDP**) initiative. The RCDP initiative is led by the Regional Development Council, through the Department of Regional Development, and funded through Royalties for Regions funding. The growth planning process commenced in late 2015 and the Broome Growth Plan has to be finalised by 31 October 2016.

At its meeting on 13 October 2016, the Economic Development Advisory Committee (**EDAC**) considered a report on the status of the Growth Plan and the key elements that

had been developed to inform the Growth Plan over the preceding month. At the meeting on 13 October 2016, EDAC made a number of recommendations to Council regarding various elements informing the Growth Plan and also in relation to the direction of the Growth Plan generally.

Since the EDAC meeting on 13 October 2016, work to finalise the Growth Plan has been undertaken and a final draft Growth Plan has now been prepared. The final draft Growth Plan will need to be submitted to the RCDP Steering Committee once it has been endorsed by Council and the Growth Planning Partnership (**GPP**).

Since the agenda item for the EDAC meeting on 13 October 2016 was finalised, the following actions have occurred:

- A Project Control Group (**PCG**) meeting was held on 10 October 2016 (see minutes in **Attachment 1** to this report);
- The PCG and the Lead Consultant met with Sue Brand of Natural Area Consulting to discuss the Growth Plan;
- The PCG met with GHD to confirm what was required to finalise the infrastructure sub-consultants report;
- Drafts of the Growth Plan were provided to the PCG and Lead Consultant;
- A GPP meeting was held on 17 October 2016 (see minutes in **Attachment 2** to this report);
- A GPP meeting was held on 28 October 2016 (see minutes in **Attachment 3** to this report);
- The PCG, Lead Consultant and Sue Brand of Natural Area Consulting held workshops to finalise the draft Growth Plan on 18 October 2016 and 26 October 2016;
- Work on the implementation governance section of the Growth Plan was finalised by officers;
- Figures developed for use in the draft Growth Plan were received and reviewed, with comments provided by the PCG;
- The draft Terms of Reference for the GPP and PCG and the amended Memorandum of Understanding was endorsed by the GPP and Council;
- The Infrastructure Audit and Assessment Report by GHD was received and comments provided by the PCG;
- The Environmental Multi-Criteria Assessment Report by RPS was received and finalised, taking into account comments provided by the PCG;
- The Arts and Culture report by Lockie McDonald was received and comments provided by the PCG;
- The draft Tourism Report by Haeberlin Consulting was received; and
- Draft findings from the Agriculture and Aquaculture Report by Agknowledge were received.

Further detail on these actions and an overview of the final draft Growth Plan document is provided below.

COMMENT

Work to finalise the draft Growth Plan has been completed and the draft Growth Plan is now ready to be submitted to the RCDP Steering Committee, subject to endorsement by Council.

The status of the sub-consultancy reports for the Growth Plan are as follows:

- GHD Infrastructure Audit and Assessment Report is still in draft, and was scheduled to be completed by 28 October 2016 (see **Attachment 4**);
- RPS Environmental Multi-Criteria Assessment Report was received and finalised with comments from the PCG (see **Attachment 5**);
- Lockie McDonald Arts and Culture Report was received and comments have been provided by the PCG (see **Attachment 6**);
- Haeberlin Consulting Tourism Report was received (see **Attachment 7**);
- Findings from the Agknowledge Agriculture and Aquaculture Report were received, comprising the economic rationale for agriculture (see **Attachment 8**); and
- Urbis Broome Economic and Situational Analysis Report has not been updated, and was expected to be finalised by 26 October 2016.

While a number of these reports remain in draft and formal comments are yet to be provided on some by the PCG, enough information was available from the draft reports to finalise the Growth Plan for submission to the RCDP Steering Committee.

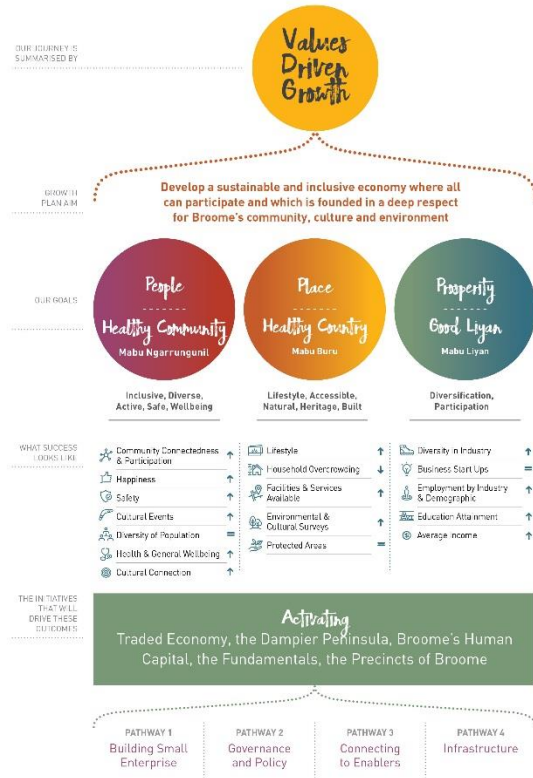
The ALCES scenario mapping work has not been finalised, and will now be used as part of the implementation of the Growth Plan.

The final draft Growth Plan has been prepared and comprises two parts, included as **Attachment 9** and **Attachment 10** to this report. An overview of each of these parts is provided below.

Broome Growth Plan – Strategy and Action Program

This first part of the draft Growth Plan includes the following:

- Foreword from the GPP.
- Introduction to the Growth Plan and the growth planning process.
- About this Growth Plan, outlining how the Growth Plan aligns with other planning and strategic documents and the benefits of having a growth plan.
- The Vision and Economic Development Mission of the Growth Plan, including why growth is important and should be guided by a growth plan. The vision for the Broome Growth Plan is stated as 'Values Driven Growth' and is represented diagrammatically as follows:



This section outlines the scenarios considered for the Growth Plan, with justification for pursuing scenario 3. The pathways to implementing the Growth Plan initiatives are also introduced.

- Strategic position and identity of the Growth Plan, outlining Broome's strategic position, economic baseline, capabilities and comparative advantages, weaknesses and barriers and economic growth drivers. This section provides the economic rationale in support of the Growth Plan and discusses attracting investment.
- Core strategies, which outlines the key initiatives used for the Growth Plan (ie. activating the traded economy, activating the precincts of Broome, activating the Dampier Peninsula, activating the economic fundamentals and activating Broome's human capital) and includes for each initiative:
 - a description of the initiative;
 - how it achieves growth outcomes;
 - linkages to Broome's competitive and comparative advantages; and
 - pathways to achieving the initiative.

This section notes that a number of potential projects and programs that support each of the initiatives have been identified and are summarised in Appendix 2 of the Broome Growth Plan – Background and Context section of the draft Growth Plan.

- The implementation governance structure for the Growth Plan, which discusses the creation of an Incorporated Association to further the aims and objectives of the Growth Plan, but ultimately leaves the final decision in relation to the implementation structure to the GPP as part of the implementation process.
- Performance framework, which outlines that the Growth Plan is to be a living document that responds to change and provides for monitoring and reporting of the

Growth Plan, using performance indicators to measure the success of the Growth Plan.

Broome Growth Plan – Background and Context

This second part of the draft Growth Plan includes the following:

- Partnership and Process section, providing an overview of the growth planning process.
- Background – A Network of Resilient and Prosperous Centres, providing an overview of the Regional Centres Development Planning initiative.
- Developing a Growth Plan, which outlines the process employed for the Broome Growth Plan.
- About Broome, providing background on Broome – its location, demographics, economic setting, employment statistics, physical and environmental setting, culture and community, comparative advantages and competitive disadvantages.
- Context and Analysis, which provides an overview of each of the documents that informed the Growth Plan, the program level reports prepared for the Growth Plan, the sub-consultants reports and the stakeholder and community engagement program undertaken for the Growth Plan.
- Strategic Position and Future Scenarios, which overviews the vision for Broome as articulated in the first part of the Growth Plan, the community endorsed guiding principles for the Growth Plan and the four scenarios considered for the Growth Plan.

The draft Growth Plan was endorsed by the GPP at its meeting on 28 October 2016. It should be noted that at this meeting, a number of amendments were made to the draft Growth Plan document, before it was endorsed, to highlight Yawuru's role in the future growth of Broome. These amendments have been incorporated in the draft Growth Plan shown in **Attachment 9** and **Attachment 10** to this report.

At the GPP meeting on 28 October 2016, the GPP agreed that the Growth Plan demonstrates a strong commitment to a collaborative vision for Broome.

Overall, the draft Growth Plan is considered to comprehensively represent the work that has been done as part of the growth planning process. It sets out a vision and plan for Broome's Growth into the future, providing a firm and justifiable base upon which future decisions can be made and project planning can occur.

Council is therefore requested to consider endorsement of the draft Growth Plan for submission to the RCDP Steering Committee. The outcome of the Economic Development Advisory Committee meeting to be held at 3pm on 31 October 2016 will be provided to Council by officers at this Special meeting of Council.

It is noted that the draft Growth Plan endorsed by EDAC and Council will need to be subject to copywriting and final design. Further changes may also be required as a result of feedback provided by the RCDP Steering Committee and following the consideration of the draft Plan by the governing bodies for the other GPP members. The final Growth Plan which incorporates all of these additional modifications will be presented to EDAC at a future meeting.

Chairperson.....Date.....

CONSULTATION

Extensive consultation has occurred as part of the development of the Broome Growth Plan in accordance with a community and stakeholder engagement plan prepared for the Growth Plan.

It should be noted that an opportunity for the broader public to provide comment on the draft Growth Plan has not been allowed for as part of the finalisation of the Growth Plan. At this stage, the GPP has discussed holding public information sessions on the Growth Plan document in November 2016. The decision whether the public will have the ability to provide comment has not been made by the GPP.

STATUTORY ENVIRONMENT

The overarching legislation that governs the operation of the Shire of Broome is the *Local Government Act 1995*. The Shire's role and input into the growth planning process has to be consistent with its roles and responsibilities as established by that Act. Local government in Western Australia is established in accordance with the *Constitution Act 1889*.

Local Government Act 1995

Section 3.1. General function

- (1) *The general function of a local government is to provide for the good government of persons in its district.*
- (2) *The scope of the general function of a local government is to be construed in the context of its other functions under this Act or any other written law and any constraints imposed by this Act or any other written law on the performance of its functions.*
- (3) *A liberal approach is to be taken to the construction of the scope of the general function of a local government.*

Section 3.18. Performing executive functions

- (1) *A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act.*
- (2) *In performing its executive functions, a local government may provide services and facilities.*
- (3) *A local government is to satisfy itself that services and facilities that it provides —*
 - (a) *integrate and coordinate, so far as practicable, with any provided by the Commonwealth, the State or any public body; and*
 - (b) *do not duplicate, to an extent that the local government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private; and*
 - (c) *are managed efficiently and effectively.*

Constitution Act 1889

52. *Elected local governing bodies*

- (1) *The Legislature shall maintain a system of local governing bodies elected and constituted in such manner as the Legislature may from time to time provide.*
- (2) *Each elected local governing body shall have such powers as the Legislature may from time to time provide being such powers as the Legislature considers necessary for the better government of the area in respect of which the body is constituted.*

Separate legislation governs the activities of other members of the GPP. The Regional Development Commissions Act 1993 governs the activities of the KDC and the Western Australian Land Authority Act 1992 governs the activities of LandCorp.

Regional Development Commissions Act 1993Section 23. *Objects and functions of a commission*

- (1) *The objects of a commission are to —*
 - (a) *maximize job creation and improve career opportunities in the region;*
 - (b) *develop and broaden the economic base of the region;*
 - (c) *identify infrastructure services to promote economic and social development within the region;*
 - (d) *provide information and advice to promote business development within the region;*
 - (e) *seek to ensure that the general standard of government services and access to those services in the region is comparable to that which applies in the metropolitan area; and*
 - (f) *generally take steps to encourage, promote, facilitate and monitor the economic development in the region.*
- (2) *For the purposes of achieving those objects a commission is to —*
 - (a) *promote the region;*
 - (b) *facilitate coordination between relevant statutory bodies and State government agencies;*
 - (c) *cooperate with representatives of industry and commerce, employer and employee organizations, education and training institutions and other sections of the community within the region;*
 - (d) *identify the opportunities for investment in the region and encourage that investment;*
 - (e) *identify the infrastructure needs of the region, and encourage the provision of that infrastructure in the region; and*
 - (f) *cooperate with —*
 - (i) *departments of the Public Service of the State and the Commonwealth, and other agencies, instrumentalities and statutory bodies of the State and the Commonwealth; and*
 - (ii) *local governments,**in order to promote equitable delivery of services within the region.*

Western Australian Land Authority Act 1992

Section 16. Functions

(1) The Authority has the following functions —

- (a) to be an agency which provides, or promotes the provision of, land for the social and economic needs of the State;
- (b) to be an agency through which the Crown and public authorities may dispose of land;
- (c) to be an agency through which local governments and regional local governments may dispose of land in accordance with the Local Government Act 1995;
- (d) to complete the development of the Joondalup Centre, in accordance with the plan referred to in section 18, on the land described in Schedule 2;
- (e) to identify other potential centres of population, and centres of population in need of urban renewal, and use its powers to bring about the provision, or improvement, of land, infrastructure, facilities or services for the same.

(1a) It is also a function of the Authority —

- (a) to do things that the board determines to be conducive or incidental to the performance of a function referred to in subsection (1); and
- (b) to do things that it is authorised to do by any other written law.

(2) In subsection (1) —

Joondalup Centre means the project for the provision of infrastructure and facilities for a centre of population (including infrastructure and facilities for community, cultural, recreational and sporting purposes) that before the commencement of this section was being carried on by the Joondalup Development Corporation under the Act repealed by section 50(1)(c).

(3) The Authority may perform any of its functions in the State or, with the Minister's approval, elsewhere.

POLICY IMPLICATIONS

The draft List of Projects and initiative areas does not align exactly with the Shire's Strategic Community Plan and Corporate Business Plan. Given that the Broome Growth Plan is not just a Shire of Broome planning document and has input from and will be delivered by other bodies and organisations, this is not necessarily a barrier to EDAC and Council supporting the Growth Plan. However, EDAC and Council still need to be satisfied that the Growth Plan is appropriate to facilitate the future growth of Broome and will not have an unacceptable impact on the Shire's policy direction and operations.

FINANCIAL IMPLICATIONS

At this stage, the Broome Growth Plan has no direct financial implications to the Shire. However, in considering the direction of the Growth Plan project, the initiative areas, strategies and identified projects, EDAC and Council should be mindful of the Shire's resources and satisfied that the Growth Plan will not have an unacceptable impact on the Shire's financial resources and ability to maintain its core operations.

The Shire's Long Term Financial Plan (**LTFP**) sets out planned capital projects the Shire intends to undertake from 2015 to 2030. The following are the only projects identified in the Growth Plan (as amended in response to Council feedback) that are identified in the LTFP:

- Town Beach Revetment/Jetty to Jetty walk infrastructure and redevelopment of the Town Beach Precinct;
- Itinerant camping area for transient Broome residents;
- Lighting for sporting ovals (extend usability);
- Extended sporting/community facilities; and
- Chinatown revitalisation project.

RISK

There is a risk that the outcomes of the growth planning project may commit the Shire to a course of action or investment in projects and initiatives that may impact on the Shire's ability to resource other policy initiatives and its core operations. The risk of this occurring is considered 'High'. To mitigate this risk, significant resources were dedicated by Shire Officers in reviewing the inputs to the Broome Growth Plan. In addition, the key inputs to the Growth Plan were workshopped with Council and subject to EDAC and Council's endorsement to ensure that Council is satisfied that the direction of the Growth Plan is consistent with the Council's strategic direction.

A significant amount of work and resources were dedicated, utilising Royalties for Regions funding, to develop these key inputs to the Growth Plan. Should Council decide that it wants to alter these key inputs significantly, this may impact on the ability for the Broome Growth Plan to be finalised by the 31 October 2016 deadline. This may impact on the reputation of the Shire with the State government and other stakeholders. The risk of this occurring should Council seek to alter the key inputs significantly is considered 'High'.

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

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

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

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:

Sustainable and integrated strategic and operational plans

Responsible resource allocation

Effective community engagement

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council:

1. *Notes the status and progress of the sub-consultancy reports; and*
2. *Endorses the final draft Broome Growth Plan as shown in Attachment 9 and Attachment 10 for submission to the Regional Centres Development Plan Steering Committee.*

COUNCIL RESOLUTION:
(REVISED REPORT RECOMMENDATION)

Moved: Cr H Tracey **Seconded: Cr M Fairborn**

That the Economic Development Advisory Committee recommends that Council:

1. ***Notes the status and progress of the sub-consultancy reports; and***
2. ***Endorses the final draft Broome Growth Plan as shown in Attachment 9 and Attachment 10 for submission to the Regional Centres Development Plan Steering Committee.***

CARRIED UNANIMOUSLY 5/0

Attachments

1. Minutes of the Project Control Group meeting on 10 October 2016 (Under separate cover)
2. Minutes of the Growth Planning Partnership meeting on 17 October 2016 (Under separate cover)

3. Minutes of the Growth Planning Partnership meeting on 28 October 2016 (Under separate cover)
4. Draft GHD Infrastructure Audit and Assessment Report (Under separate cover)
5. RPS Environmental Multi-Criteria Assessment Report (Under separate cover)
6. Lockie McDonald Arts and Culture Report (Under separate cover)
7. Haeberlin Consulting Tourism Inputs to the Broome Growth Plan Report (Under separate cover)
8. Findings from the Agknowledge Agriculture and Aquaculture Report (Under separate cover)
9. Broome Growth Plan - Strategy and Action Program (Under separate cover)
10. Broome Growth Plan - Background and Context (Under separate cover)
11. Minutes of the EDAC Meeting on 31 October 2016 (Under separate cover)

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.

There are no reports in this section.

7.

**REPORTS
OF
COMMITTEES**

There are no reports in this section.

8. MATTERS BEHIND CLOSED DOORS

COUNCIL RESOLUTION:
Moved: Cr D Male **Seconded: Cr W Fryer**
That the meeting be closed to the public at 4.34pm
CARRIED UNANIMOUSLY 5/0

Members of the Public departed the Chambers at 4.34pm.

Cr P Matsumoto entered the Chambers at 4.35pm.

This item and any attachments are 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".

6.2.1 STATE ADMINISTRATIVE TRIBUNAL PROCEEDINGS - ROBERSON AND THE BEACH HUT WA PTY LTD V SHIRE OF BROOME

LOCATION/ADDRESS: Nil
APPLICANT: Nil
FILE: COS11
AUTHOR: Director Development Services
CONTRIBUTOR/S: Nil
RESPONSIBLE OFFICER: Director Development Services
DISCLOSURE OF INTEREST: Nil
DATE OF REPORT: 12 October 2016

SUMMARY: Daryl and Angela Roberson and the Beach Hut WA Pty Ltd have filed two applications with the State Administrative Tribunal seeking the review of Shire decisions. The purpose of this report is to provide Council with information on the status of these applications and also seek Council's consideration as to whether it considers the hiring of "surf boards" to include the hiring of stand up paddle boards.

COUNCIL RESOLUTION:
(REPORT RECOMMENDATION)

Moved: Cr D Male **Seconded: Cr R Johnston**

That Council:

1. Advises Daryl Roberson, Angela Roberson and the Beach Hut WA Pty Ltd that Council considers it appropriate for Daryl and Angela Roberson to offer for hire stand up paddle boards in accordance with Licence for Trading in Public Places No. 006/2014, because "surfboards" as stated in Licence No. 006/2014 as an item of Beach Equipment that can be hired in accordance with the Licence is considered by Council to be an analogous form of watercraft to stand up paddle boards, and

therefore both can be hired out by the Robersons under the reference to “surfboards” in Licence No. 006/2014.

- 2. Cancels the Trading Licence issued to Tanya Jackson of Broome Stand Up Paddleboard School, in accordance with section 2.7 of the Trading, Outdoor Dining and Street Entertainment Local Law 2003.**

CARRIED UNANIMOUSLY 6/0

Attachments

- 1. Letter from Robersons to the Shire dated 17 June 2016
- 2. Response letter from the Shire to the Robersons
- 3. Written submission by Kott Gunning
- 4. Letter from Kott Gunning to the Shire regarding the Directions Hearing
- 5. Letters from Templar Legal
- 6. Letters from Kott Gunning to Templar Legal
- 7. Letter to Tanya Barnes regarding SUP Licence
- 8. Email from Tanya Barnes regarding SUP Trading Licence

COUNCIL RESOLUTION:

Moved: Cr M Fairborn

Seconded: Cr D Male

That the Meeting again be open to the public at 4.37pm.

CARRIED UNANIMOUSLY 6/0

The Council chambers were opened and it was noted that no members of the public returned to the Chambers.

9. MEETING CLOSURE

There being no further business the Chairman declared the meeting closed at 4.37pm.