



## **VISION OF COUNCIL**

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

# **AGENDA**

**BUSINESS OF AN URGENT NATURE**

**FOR THE**

**ORDINARY MEETING OF COUNCIL**

**22 MARCH 2018**

## **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**  
**ORDINARY MEETING OF COUNCIL**  
**THURSDAY 22 MARCH 2018**  
**INDEX – BUSINESS OF AN URGENT NATURE**

8.	MATTERS FOR WHICH THE MEETING MAY BE CLOSED .....	4
12.	BUSINESS OF AN URGENT NATURE .....	5
	12.1 RFT 18/01 - ROEBUCK BAY LOOKOUT - TENDER EVALUATION .....	5
	12.2 WORKS REQUIRED FOLLOWING TROPICAL CYCLONE HILDA, TROPICAL CYLONE JOYCE AND TROPICAL LOW .....	6
14.	MATTERS BEHIND CLOSED DOORS .....	10
	12.1 RFT 18/01 - ROEBUCK BAY LOOKOUT - TENDER EVALUATION .....	10

**8. 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*.

**Recommendation**

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:

**12.1 RFT 18/01 - ROEBUCK BAY LOOKOUT - TENDER EVALUATION**

***Item 12.1 and any attachments are confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)(c) as it contains “a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting”.***

**12. BUSINESS OF AN URGENT NATURE**

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

**12.1 RFT 18/01 - ROEBUCK BAY LOOKOUT - TENDER EVALUATION**

<b>LOCATION/ADDRESS:</b>	Corner of Frederick Street and Dampier Terrace, Broome
<b>APPLICANT:</b>	Shire of Broome
<b>FILE:</b>	RFT18/01
<b>AUTHOR:</b>	Manager Planning & Building Services
<b>CONTRIBUTOR/S:</b>	Director Infrastructure
<b>RESPONSIBLE OFFICER:</b>	Director Infrastructure
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	14 March 2018

**OSUMMARY:** It is requested that Council consider the tenders received for the Roebuck Bay Lookout as outlined within the attached confidential Tender Evaluation Report.

The Roebuck Bay Lookout forms one of the sub-projects in the Funding Assistance Agreement (FAA) for the Chinatown Revitalisation Project and is a partnership project between the Shire, the Kimberley Development Commission and LandCorp.

## 12.2 WORKS REQUIRED FOLLOWING TROPICAL CYCLONE HILDA, TROPICAL CYCLONE JOYCE AND TROPICAL LOW

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	RIC02
<b>AUTHOR:</b>	Manager Governance
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	22 March 2018

**SUMMARY:** The purpose of this report is to seek Council's authorisation to undertake works to various Shire properties and infrastructure damaged during Tropical Cyclone Hilda, Tropical Cyclone Joyce and the tropical low.

### BACKGROUND

#### Previous Considerations

Nil

### COMMENT

Tropical Cyclone Hilda impacted the Shire of Broome on 27 December 2017, followed by Tropical Cyclone Joyce on 11 January 2018 and a subsequent tropical low occurring on 29 – 30 January 2018. As a result of these events various Shire properties and infrastructure throughout the townsites sustained damage.

Local Government Insurance Services (LGIS) have confirmed that they will treat these events as a single property claim and due to the potential value of the claim they have appointed an assessor. Officers are currently compiling the necessary information to complete the insurance claim.

Following is a summary of damages identified as a result of these weather events:

Site	Description	Estimated Cost
Broome Recreation and Aquatic Centre (BRAC)	Repairs to roof sheet and replacement of insulation and gyprock.	\$880
	Further works are to be undertaken to prevent future leaks. As it is estimated that these works will exceed \$15k a Request For Quote (RFQ) process will be undertaken in accordance with Policy.	\$15,000
	Repairs to goal post base	\$330
	Repairs to light tower support arm	\$2,625
	Replace damaged basketball hoops	\$998
Shadesails	36 at various locations In accordance with Policy an RFQ process	\$83,000

	has been undertaken	
Kimberley Regional Offices (KRO)	Minor flooding	\$5,000
Shire Administration Building and Barker Street	Water damage	\$4,000
Civic Centre	Water damage	\$5,000
Broome Visitors Centre	Water damage	\$2,000
Magabala Books	Water damage	\$3,000
Broome Bowling Club	Bowling green and building damage (due to the potential value a tender process is required to be undertaken for the replacement of the synthetic lawn bowling green surface)	Green - \$180,000 Building - \$15,000
Broome Golf Club	Damaged roof, flooded shed, flooded clubhouse, damaged electrics	\$20,000
Broome Surf Life Saving Club	Damaged roof and collapsed ceiling, damaged doors, painting	\$13,000
Broome Turf Club	Fallen trees on transportable structures and stables. Water damaged ceilings throughout buildings.	\$20,000 - \$30,000

All procurement will be undertaken in accordance with Council Policy 2.1.2 – Purchasing and the necessary budget amendments will be provided to Council in due course. It is further noted that due to the estimated value for the replacement of the synthetic lawn bowling green surface a tender process is required to be undertaken. Whilst delegation LGA37 delegates authority to the Chief Executive Officer to publicly call for tenders this delegation only applies if there has been a provision made in the annual budget. As there has been no provision made for these works Council is requested to approve the invitation of tenders for this purpose.

Where there have been sufficient maintenance funds available within Council's adopted budget, repairs have proceeded in accordance with Council Policy 2.1.2 - Purchasing.

#### Western Australian Natural Disaster Relief and Recovery Arrangements (WANDRRA)

Separate to the insurance claim officers advise that they will be undertaking a procurement process for appointment of a suitably qualified consultant to manage and supervise the WANDRRA specific activities relating to the restoration of essential public assets damaged during the 4 weather events that affected the Shire of Broome. This includes Tropical Cyclone Kelvin which occurred 17-19 February. This matter will be presented to Council for consideration following the completion of the procurement process at which time relevant budget amendments will be requested.

#### Clementon Street Culvert

During the weather events the drain/culvert in Clementson Street collapsed resulting in damage to the road surface. These works will not be covered by WANDRRA or insurance. An RFQ process has been undertaken and a budget amendment of \$22,500 is requested to enable these works to proceed as a priority.

## CONSULTATION

WALGA  
LGIS  
Office of Emergency Management  
State Emergency Management Committee

## STATUTORY ENVIRONMENT

### **Local Government Act 1995**

#### **6.8. Expenditure from municipal fund not included in annual budget**

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

“additional purpose” means a purpose for which no expenditure estimate is included in the local government’s annual budget.

## POLICY IMPLICATIONS

Policy 2.1.2 - Purchasing

## FINANCIAL IMPLICATIONS

LGIS have confirmed that the excess applicable to the insurance claim is \$1,000. Officers are confident that building works will be covered by insurance however if necessary there are funds available in the Building Reserve and this will be addressed during a Financial and Costing Review (FACR).

A budget amendment of \$22,500 is requested for the purpose of the Clementson Street Culvert.

## RISK

The risk is extreme as it is a breach of section 6.8 of the *Local Government Act 1995* if this expenditure is not considered by Council.

## STRATEGIC IMPLICATIONS

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

Effective communication  
Accessible and safe community spaces

Participation in recreational and leisure activity

A healthy and safe environment



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

Core asset management to optimise the Shire's infrastructure whilst minimising life cycle costs.

**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

Improved systems, processes and compliance

**VOTING REQUIREMENTS**

*Absolute Majority*

**REPORT RECOMMENDATION:**

*That Council:*

1. *Notes the summary of damage to property and infrastructure sustained during Tropical Cyclones Hilda and Joyce and the subsequent tropical low, and authorises the necessary works and any additional works to be undertaken with full budget amendments to be provided to Council in due course.*
2. *Approves the calling of a tender for the replacement of the synthetic lawn bowling green surface at the Broome Bowling Club, and notes the consideration of this tender will be presented to Council in due course.*
3. *Approves a budget amendment to the value of \$22,500 for the purpose of the Clementson Street Culvert to Account 104920.*

**(ABSOLUTE MAJORITY REQUIRED)**

**Attachments**

Nil

<b>14. MATTERS BEHIND CLOSED DOORS</b>
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