



## **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**

**13 APRIL 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**  
**SPECIAL MEETING OF COUNCIL**  
**FRIDAY 13 APRIL 2018**  
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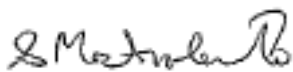
## NOTICE OF MEETING

Dear Council Member,

The next Special Meeting of the Shire of Broome will be held on Friday, 13 April 2018 in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 4:00pm for the purpose of considering:

- RFT 18-02 UPGRADE OF NAPIER TERRACE AND HAMERSLEY STREET INTERSECTION
- ROEBUCK BAY LOOKOUT - CONTRACT AWARD
- INDOOR STAFF ENTERPRISE AGREEMENT 2018

Regards



S MASTROLEMBO  
**Chief Executive Officer**

12/04/2018

**MINUTES OF THE SPECIAL MEETING OF COUNCIL OF THE SHIRE OF BROOME,  
HELD IN THE COUNCIL CHAMBERS, CORNER WELD AND HAAS STREETS, BROOME,  
ON FRIDAY 13 APRIL 2018, COMMENCING AT 4:00.**

**1. OFFICIAL OPENING**

The Chairman welcomed Councillors, Officers and members of the public and declared the meeting open at 4:05pm.

**2. ATTENDANCE AND APOLOGIES**

Attendance:	Cr H Tracey	Shire President
	Cr D Male	Deputy Shire President
	Cr W Fryer	
	Cr C Mitchell	
	Cr B Rudeforth	
	Cr C Marriott	(entered the meeting via telephone at 4.05pm)

Attendance via telephone:

Cr C Marriott submitted a written request seeking Council approval to attend the Special Meeting of Council to be held 13 April 2018 via telephone. The address provided for the purpose of this request is 19 McConnan Street, Benalla, Victoria 3672. Cr C Marriott confirmed there would be no one else present.

**COUNCIL RESOLUTION:**

**Moved: Cr W Fryer**

**Seconded: Cr C Mitchell**

***That Council approve the request from Cr C Marriott to attend this Special Meeting of Council being held on Friday 13 April 2018 at 4:00pm via telephone.***

Amended OMC 26 April 2018

**CARRIED 5/0 BY ABSOLUTE MAJORITY**

***Cr C Marriott entered the meeting via telephone at 4.05pm.***

Leave of Absence: Nil

Apologies:	Cr M Fairborn
	Cr P Matsumoto
	Cr E Foy

Officers:	Mr S Mastrolembo	Chief Executive Officer
	Mr J Watt	Director Corporate Services
	Mr S Harding	Director Infrastructure
	Ms R Pigginn	Manager Governance
	Mr S Penn	Media and Promotions Officer
	Ms M Wevers	Minute Taker

Public Gallery:	Peter Smith	Shire of Broome
	Rob Sharland	Shire of Broome

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

**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*.

**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:

**6.2.1 RFT 18-02 UPGRADE OF NAPIER TERRACE AND HAMERSLEY STREET INTERSECTION**

*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)((e)(ii)) as it contains “a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government”.*

**6.2.2 ROEBUCK BAY LOOKOUT - CONTRACT AWARD**

*Item 6.2.2 and any attachments are confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains “a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government”.*

**6.4.1 INDOOR STAFF ENTERPRISE AGREEMENT 2018**

*Item 6.4.1 and any attachments are confidential in accordance with of the Local Government Act 1995 section 5.23(2)(a) as it contains “a matter affecting an employee or employees”, and section 5.23(2)(b) as it contains “the personal affairs of any person”, and as it contains “a decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting”.*

**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 Broome 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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#### **6.2.1 RFT 18-02 UPGRADE OF NAPIER TERRACE AND HAMERSLEY STREET INTERSECTION**

<b>LOCATION/ADDRESS:</b>	Hamersley Street and Napier Terrace Intersection
<b>APPLICANT:</b>	Shire of Broome
<b>FILE:</b>	RFT 18-02
<b>AUTHOR:</b>	Senior Project Engineer
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Infrastructure
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	3 April 2018

**SUMMARY:** This report considers submissions received for the construction of Upgrade of Napier Terrace and Hamersley Street Intersection (Roundabout) and associated drainage works. Consideration is sought for Council to award RFT 18-02.

#### **COUNCIL RESOLUTION: (REPORT RECOMMENDATION)**

**Moved: Cr C Mitchell**

**Seconded: Cr D Male**

**That Council:**

- 1. Awards RFT 18-02 Upgrade of Napier Terrace and Hamersley Street Intersection to Roadline Contracting Pty Ltd;**
- 2. Requests the Chief Executive Officer undertake a value management process to reduce the overall cost of the project;**
- 3. Approve a budget amendment for an additional \$195,000.00 to be allocated from the Drainage Reserve to General Ledger account 104600 'Drainage Upgrade Infra Const - Urban Stormwater Drainage MUN' to cover the additional cost of the drainage works;**
- 4. Approve a budget amendment for an additional \$140,295.00 to be allocated from the Road Reserve to General Ledger account RU433 'Hamersley Napier Black Spot Project - Cap Exp' to cover the additional cost of the Intersection;**
- 5. Request the Chief Executive Officer to adjust internal Shire supervision costs and Parks & Gardens staff costs at a future quarterly Finance and Costing Review; and**
- 6. Authorises the Chief Executive Office and Shire President to sign the contract documentation.**

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 6/0**

#### **Attachments**

1. Design Drawing
2. Evaluation Report

***This item and any attachments are confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains “a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government”.***

***The Chairman advised a revised report recommendation was circulated to Councillors prior to the meeting.***

#### **6.2.2 ROEBUCK BAY LOOKOUT - CONTRACT AWARD**

<b>LOCATION/ADDRESS:</b>	Corner of Frederick Street and Dampier Terrace
<b>APPLICANT:</b>	Shire of Broome
<b>FILE:</b>	RFT 18/01
<b>AUTHOR:</b>	Project Engineer
<b>CONTRIBUTOR/S:</b>	Director Infrastructure
<b>RESPONSIBLE OFFICER:</b>	Director Infrastructure
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	6 April 2018

**SUMMARY:** It is requested that Council consider the award of a contract to construct the Roebuck Bay Lookout as outlined within this 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.

#### **COUNCIL RESOLUTION: (REVISED REPORT RECOMMENDATION)**

**Moved: Cr W Fryer**

**Seconded: Cr B Rudeforth**

**That Council:**

- 1. Adopt the recommendation to award the contract to Roadline Civil Construction Pty Ltd for the Construction of the Roebuck Bay Lookout.**
- 2. Note the increase in budget required for the lookout project.**
- 3. Upon receipt of the s.18 notice under the Aboriginal Heritage Act 1972, authorise the Chief Executive Officer to finalise and sign contracts documentation.**

**CARRIED UNANIMOUSLY 6/0**

#### **Attachments**

1. Concept Image
2. Roebuck Bay Lookout drawing set
3. Broome Roebuck Bay Lookout-Evaluation Report (*Confidential to Councillors and Directors Only*)

***This attachment is confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains “a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government”.***

4. Chinatown Lookout - Contractor's Tender and Updated Price Comparison -10042018  
(Confidential to Councillors and Directors Only)

***This attachment is confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains "a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government".***

5. Contract Variation No.1 to Grant Agreement TWA561516

# 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.

There are no reports in this section.

## 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.



***This item and any attachments are confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)(a) as it contains “a matter affecting an employee or employees”, and section 5.23(2)(b) as it contains “the personal affairs of any person”.***

#### **6.4.1 INDOOR STAFF ENTERPRISE AGREEMENT 2018**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	EBA-2017
<b>AUTHOR:</b>	Director Corporate Services
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	6 April 2018

**SUMMARY:** This report presents Council with the outcomes of the negotiations for the Indoor Staff Enterprise Agreement.

The draft agreement is presented to Council for formal consideration of endorsement prior to consideration by the Fair Work Commission.

The agreement will be effective 7 days after approval from the Fair Work Commission, expiring on 17 December 2020.

#### **COUNCIL RESOLUTION: (REPORT RECOMMENDATION)**

**Moved: Cr D Male**

**Seconded: Cr C Marriott**

**That Council;**

- 1. Notes the outcome of bargaining negotiations as included in this report and the attached Shire of Broome Inside Staff Enterprise Agreement 2018;***
- 2. Endorses the proposed amendments to staff conditions contained within the Shire of Broome Inside Staff Enterprise Agreement 2018 as attached, for the term of the Agreement; and***
- 3. Authorises the Chief Executive Officer to sign the Shire of Broome Inside Staff Enterprise Agreement 2018 as attached, and lodge the document with Fair Work Australia.***

**CARRIED UNANIMOUSLY 6/0**

#### **Attachments**

- Shire of Broome Inside Staff Enterprise Agreement 2018 (*Confidential to Councillors and Directors Only*)

***This attachment is confidential in accordance with of the Local Government Act 1995 section 5.23(2)(a) as it contains “a matter affecting an employee or employees”, and section 5.23(2)(b) as it contains “the personal affairs of any person”, and as it contains “a decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting”.***

**7.**

**REPORTS  
OF  
COMMITTEES**

There are no reports in this section.

<b>8.        MATTERS BEHIND CLOSED DOORS</b>
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Nil.

<b>9.        MEETING CLOSURE</b>
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There being no further business the Chairman declared the meeting closed at 4.09pm.