



# Special Meeting of Council

## MINUTES

10 September 2013

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## SHIRE OF BROOMEHILL-TAMBELLUP

**Minutes of a Special Meeting of Council of the Shire of Broomehill-Tambellup held in the Tambellup Council Chambers on Tuesday, 10<sup>th</sup> September 2013 commencing at 8.37am.**

### **1. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**

**Present:** Cr GM Sheridan Deputy President (Presiding)  
Cr KW Crosby  
Cr MR Turner  
Cr DCN Kempin  
Cr SJF Thompson  
Cr M Sadler

AP Middleton Acting Chief Executive Officer  
LK Cristinelli Executive Officer

**Apologies:** Nil

**Leave of Absence:** Cr BG Webster (Shire President)

**Members of the Public:** Nil

### **2. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

2.1 The Deputy President welcomed Councillors and staff and declared the meeting open at 8.37am.

### **3. PUBLIC QUESTION TIME**

Nil

### **4. DECLARATION OF INTEREST**

Cr Thompson declared a Proximity Interest in Item 5.1  
Cr Kempin declared a Proximity Interest in Item 5.1

### **5. MATTERS FOR DECISION**

LIST OF MOTIONS

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**5.1 PROPOSED DWELLING – LOT 253 BROOMEHILL-GNOWANGERUP ROAD, BROOMEHILL**


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**Program:** Planning

**Attachment:** Proposed House Location  
Planning Application Supporting Documentation

**File Ref:** A6011

**Author:** Gray & Lewis Landuse Planners

**Date:** 16 August 2013

**Disclosure of Interest:** Gray & Lewis receive planning fees for advice to the Shire therefore declare a Financial Interest – Section 5.65 of *Local Government Act 1995*  
Cr Thompson and Cr Kempin declared a Proximity Interest in this Item and left the meeting at 8.40am.

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**Summary:** Council is to consider an application for a new dwelling on Lot 250 Broomehill-Gnowangerup Road, Broomehill for use as a single house.

**Background:** The property is zoned ‘Farming’ under the Shire of Broomehill Town Planning Scheme No 1 (‘the Scheme’).

**Comment:** Site Description

The subject lot has an approximate area of 4840 hectares. The lot has frontage to Broomehill-Gnowangerup Road and traverses several unmade roads.

Description of application

The applicant proposes a new dwelling in the north east portion of the existing lot. The dwelling will be located approximately 1098.47 metres to the Broomehill-Gnowangerup Road lot boundary.

The applicant advises that there are 3 existing houses on the lot which are occupied by both employees and family members involved in the agricultural business.

The applicant has confirmed that the proposed dwelling is for the farm manager/owner who is involved in day to day operations of the farm management practices.

Scheme requirements

Under Clause 5.13.2 (a) of the Scheme relating to ‘Dwellings in the farming zones’ it indicates that Council may permit not more than two dwellings per lot for private residential purposes associated with farm management of the lot.

However Council has broad discretion to approve more than two houses on a lot under Clause 5.13.2 (b) of the Scheme which states that ‘where the Council is satisfied that justification exists for agricultural or farm management purposes the Council may permit more than two dwellings on one property’.

Conclusion

The proposed dwelling is for a farm owner and having regard for the immense size of the lot, it is considered that an additional dwelling can be sustained without negatively impacting on continued agricultural use of the remaining land.

The dwelling location means it is unlikely that a future homestead lot will be created as a result of this approval.

It is recommended that the application be conditionally supported.

**Consultation:** No consultation has been undertaken. Council has discretion to advertise the application to surrounding landowners.

**Statutory Environment:** Shire of Broomehill Town Planning Scheme No 2 - the main Scheme requirements are explained in this report.

**Policy Implications:** Not applicable

**Financial Implications:** Not applicable

**Strategic Implications:** In approving additional dwellings on lots in the Farming zone the Shire should have regard that they can be used as justification to create homestead lot subdivisions.

The Western Australian Planning Commission (WAPC) adopted a Development Control Policy No 3.4 for rural subdivision in 2012. The Policy is not publicly available, however Gray & Lewis is aware that it will allow for the creation of more than one homestead lot where there are existing houses, the multi lots are created as one subdivision application, and the lot sizes meet other policy criteria, such as access to a gazetted constructed road.

The proposed house location in this application is a significant distance from the constructed road. The house position suggests it would be unlikely a homestead lot will be accommodated, as lot sizes are limited to 1-4 hectares, or up to 20 hectares to cater for a physical feature, such as a dam.

As part of the Shire's Scheme Review process, consideration should be given to issues such as whether a minimum lot size should be applied for multi dwellings in the farming zone, whether to limit the number of dwellings on one lot, and whether additional criteria for assessment should be included in the Scheme.

**Voting Requirements:** Simple Majority

**Officer**

**Recommendation/**

**Council Resolution:**     **130901**

*Moved Cr Turner, seconded Cr Crosby*

*“That Council:*

- 1. Approve the application lodged by WA Country Builders on behalf of Peter & Michelle Dewar for a ‘dwelling’ on Lot 253 Broomehill-Gnowangerup Road, Broomehill subject to the following conditions:*
  - (i) The plans lodged with this application shall form part of this planning approval. All development shall be in accordance with the approved plans unless otherwise approved in writing by the Shire Chief Executive Officer.*
  - (ii) All stormwater from roofed and paved areas shall be collected and disposed of on-site to the satisfaction of the Shire.*
  - (iii) Water tank(s) and approved on site effluent disposal must be installed and in operation prior to occupation of dwelling.*
  - (iv) The development shall substantially commence within 2 years of the date of this approval. The approval lapses if the development has not substantially commenced before expiration of the two year period.*
- 2. Advise the applicant that planning approval is not consent for site works or construction. A building permit is required prior to any commencement of works.”*

**CARRIED 4/0**

Cr Thompson and Cr Kempin re-entered the meeting at 8.41am.

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**5.2 COMMUNITY SPORTING AND RECREATION FACILITIES FUND – FORWARD PLANNING GRANTS ROUND**

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**Program:** Recreation and Culture  
**Attachment:** **UNDER SEPARATE COVER**  
**Copy of application to CSRFF**  
**File Ref:** ADM0328; CP.PR.40  
**Author:** PA Hull **Community Services Officer**  
**Date:** 2 September 2013  
**Disclosure of Interest:** Nil

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**Summary:** Applications for the 2014/15 - 2016/17 Triennium round of funding through the Community Sporting Recreation Facilities Fund (CSRFF) Forward Planning Grants Round closed recently.

**Background:** The Department of Sport and Recreation (DSR) through CSRFF offers a range of funding opportunities for the development of good quality, well designed and well utilised sporting facilities. The Forward Planning Grant Round is aimed at projects with a total project cost between \$166,667 and \$3 million.

Funding approved by DSR under the program will not exceed one-third of the total project cost.

As in previous years, applications are to be received and prioritised by the Local Government before forwarding to DSR for assessment. The closing date for submission of applications to the Shire for this round of Forward Planning grants was 30 August 2013. Following rating and ranking by Council, applications must be with DSR by the last working day in September.

**Comment:** At the closing date, the only application received was the Shire's own application for funding to assist with the redevelopment of the Tambellup Sports Pavilion.

In April 2012, Council resolved (*CR 120420*) that its preferred option for the upgrade of the Tambellup Sporting Pavilion was to construct a new purpose built facility

Following advice from the Department of Sport and Recreation that a feasibility study would be required to support future funding applications for a project of this nature, Council engaged Keston Technologies to carry out a feasibility study, including consultation with the community to confirm the need for the project.

At the Special Meeting of Council held on 8 July 2013, Council accepted the '*Report on Feasibility Study for the Tambellup Sports Ground and Pavilion Upgrade*' prepared by Keston Technologies, which included options for the upgrade of the facility.

At that meeting, Council subsequently resolved (*CR 130702*) to engage Keston Technologies to complete the funding submission to the Community Sporting and Recreation Facilities Fund 2014-15 Round

The application has been prepared by Keston Technologies with assistance from Council staff, and a copy is attached for information.

Council's endorsement of the application is required, and also the ranking of the application as top priority.

**Consultation:** Richard Ball - Keston Technologies  
Chris Thompson - Department of Sport and Recreation  
Chief Executive Officer

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Financial Implications:** The total amount of funding requested is \$1,038,000 (ex GST), with a total project cost estimate of \$3,116,500 (ex GST).

Council has earmarked \$200,000 from the CLGF 2012-2013 allocation towards the project and the Tambellup Recreation Ground and Pavilion Reserve has a current balance of \$315,000. An application submitted to the Regional Development Australia Fund - Round 5 may provide a potential \$98,908.

An estimate of funding so far is as follows:

<b>Funding Sources</b>	
CLGF 2012-2013 - to be confirmed	200,000
Pavilion Reserve	315,000
RDAF - if successful	99,000
CSRFF - if successful	1,038,000
Balance required	1,464,500
<b>TOTAL</b>	<b>3,116,500</b>

Funding investigations are ongoing and there are still a number of options to explore. There has been no allowance made for works that can be undertaken by the Council, or potential contributions from community groups. Indicative quotes for a \$1.0m and \$1.5m loan over a 10, 20 and 30 year repayment period have previously been provided for Council's consideration.

**Strategic Implications:** The Strategic Community Plan includes under the Community Aspiration - Staying Healthy, the commitment to '*undertake a feasibility study to upgrade the sporting pavilion in Tambellup as a multi-purpose building*'. The submission of this application is the next step towards the upgrade of the facility.

**Voting Requirements:** Simple Majority



**Officer**

**Recommendation/**

**Council Resolution:** *130902*

*Moved Cr Turner, seconded Cr Sadler*

*“That Council endorses the application by the Shire of Broomehill-Tambellup to be submitted to the Department of Sport and Recreation for funding to assist with the redevelopment of the Tambellup Sports Pavilion and that advises the Department for Sport & Recreation that the application for funding submitted by the Shire of Broomehill-Tambellup to the Community Sporting and Recreation Facilities Fund 2014-2015 Forward Planning Grants Round is supported and ranked as top priority.*

Amendment: *Moved Cr Kempin*

*“That the Council contribution to this project be funded through a 10% specified area rate on properties within the old Shire of Tambellup.”*

*The Amendment lapsed for want of a seconder.*

*The original Motion was now put and...*

**CARRIED 4/2**

*Cr Kempin requested that his vote against this motion be recorded.*

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**5.3 TAMBELLUP INDEPENDENT LIVING SENIORS ACCOMMODATION - TENDERS**

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**Program:** Welfare  
**Attachment:** **UNDER SEPARATE COVER:  
Tender prices  
Tender Assessment report and recommendation – H & H Architects**

**File Ref:** ADM0432  
**Author:** AP Middleton Acting Chief Executive Officer  
**Date:** 29 August 2013  
**Disclosure of Interest:** Nil

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**Summary:** Council to consider tenders received for the construction of the Tambellup Independent Living Seniors Accommodation.

**Background:** Council called tenders on 17 July 2013 for the construction of the Tambellup Independent Living Seniors Accommodation. The tenders closed on Wednesday 7 August 2013. Following the advertising of the tender the architects advised two addendums to the information provided to tenderers were required, and subsequently tenders were accepted until Wednesday 14<sup>th</sup> August 2013.

At the closing date Council had received five tenders. Following the close of tenders one tenderer checked their documentation and advised there was an error in the tender figure, and that they wished to withdraw their tender.

The tenders have been forwarded to Tom Stevens of H+H Architects for analysis and comment. A copy of Mr Stevens' report is included with this report.

**Comment:** Of the four remaining tenders received, two are within Councils' pretender estimates and two exceeded the estimate. As such, the assessment has been carried out on the two tenders which are below the pretender estimate. Copies of the two tenders which are the subject of the assessment report are included for Council's information.

As stated in the report, both tenders offer very good value for money for the Shire. Based on tender price and previous experience, including works in regional areas, the recommendation from the architects is to accept the tender from Wauters Enterprises.

**Consultation:** Tom Stevens - H & H Architects (report attached)  
Joanne Trezona - Chief Executive Officer

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Financial****Implications:**

Council has made provision in the 2013-2014 budget of \$1,590,000 for the construction of the units. This is made up as follows:

Dept Regional Development and Lands - Action Agenda	585,000
Great Southern Development Commission	145,000
Tambellup-Cranbrook Community Bank	50,000
Tambellup Senior Citizens Unit Management Committee	100,000
Country Local Government Fund 2010-2011	200,000
Country Local Government Fund 2011-2012	325,000
Aged Accommodation Reserve	100,000
Council in-kind	85,000
<b>Total (excluding GST)</b>	<b>\$1,590,000</b>

The total budget provision, including GST is \$1,749,000.

**Strategic****Implications:**

A commitment of the Strategic Community Plan under the aspiration 'Being Healthy' is to '*construct six independent living units in Tambellup to meet local community need*'.

**Voting Requirements:** Simple Majority

**Officer**

**130903**

**Recommendation/****Council Resolution:**

***Moved Cr Turner, seconded Cr Sadler***

***“That Council accepts the tender from Wauters Enterprises for the construction of the Tambellup Independent Living Seniors Accommodation for the tendered price of \$1,737,339 including GST.”***

***CARRIED 5/1***

*Cr Kempin requested that his vote against this motion be recorded.*

**6. CLOSURE**

There being no further business the Deputy President thanked Councillors and staff for their attendance and declared the meeting closed at 8.53am.