



Minutes
of the
Special Meeting of Council
held
Friday 8 July
2016 at 3.00pm

In
Council Chambers
Honour Avenue, Wyalkatchem

CONTENTS

1	Declaration of opening	3
1.1	The presiding person will declare the meeting open	3
1.2	The Shire of Wyalkatchem disclaimer will be read aloud	3
2	Public question time	3
2.1	Response to previous questions taken on notice	3
2.2	Declaration of public question time opened	3
2.3	Declaration of public question time closed	3
3	Record of attendance, apologies and approved leave of absence	3
3.1	Present	3
3.2	Apologies	3
3.3	On leave of absence	3
3.4	Staff	3
3.5	Visitors	3
3.6	Gallery	3
3.7	Applications for leave of absence	3
4	Petitions, deputations and presentations	3
4.1	Petitions	3
4.2	Deputations	3
4.3	Presentations	3
5	Confirmation of minutes from previous meeting – not applicable	3
6	Announcements by presiding person	3
7	Matters for which meeting may be closed	3
8.	Officer Reports to Council	4
8.1.1	Development and building controls – building and development applications – Modification – Lot 298 Wilson Street	4-22
8.2.1	Financial Management – Budgeting – Annual budget – Fees and charges – Crossover subsidy 2016/17	23-38
9	Motions for which previous notice has been given	39
10.	Questions by members of which due notice has been given	39
11.	New business of an urgent nature introduced by the presiding person	39
12	Matters for which meeting may be closed - none	39
13.	Closure of meeting	39

CONTENTS

Minutes of the Special meeting of Council to be held in council chambers, Cnr Honour Avenue and Flint Street, Wyalkatchem on Friday 8 July 2016 commencing at 3pm.

1. DECLARATION OF OPENING

1.1 The Shire President declared the Meeting open: 15.02

1.2 The Shire of Wyalkatchem disclaimer was read aloud.

“No responsibility whatsoever is implied or accepted by the Shire of Wyalkatchem for any act, omission or statement or intimation occurring during this meeting. It is strongly advised that persons do not act on what is heard at this Meeting and should only rely on written confirmation of Council’s decisions, which will be provided within ten days of this meeting”.

2. Public question time

2.1 Response to previous questions taken on notice

2.2 Declaration of public question time opened

2.3 Declaration of public question time closed

3. Record of attendance, apologies, and approved leave of absence

3.1 Present: Cr Holdsworth, Cr Gawley, Cr Butt, Cr Garner, Cr Jones, Cr Gamble, Cr Davies

3.2 Apologies: Trevor Webb

3.3 On leave of absence

3.4 Staff: Ian McCabe, Trevor Webb, Rachel Nightingale

3.5 Visitors

3.6 Gallery

3.7 Applications for leave of absence

4.0 Petitions, deputations and presentations

4.1 Petitions

4.2 Deputations

4.3 Presentations


5.0 Confirmation of minutes from previous meeting – not applicable

6.0 Announcements by presiding person

7.0 Matters for which meeting may be closed

8.0 Officer reports to council

8.1.1 DEVELOPMENT AND BUILDING CONTROLS – BUILDING AND DEVELOPMENT APPLICATIONS – Modification - Lot 298 Wilson Street

FILE REFERENCE:	7.2
AUTHOR'S NAME AND POSITION:	Ian McCabe Chief Executive Officer
AUTHOR'S SIGNATURE:	
DATE REPORT WRITTEN:	6 July 2016
DISCLOSURE OF INTEREST:	The author has no financial interest in this matter.

Summary:

That Council resolve the following:

- 1) That Council consents to the 20 x 2 bedroom, single carport, aged and independent persons living unit development, staged on Lot 298 Wilson Street Wyalkatchem, subject to compliance with the R Codes, NCC 2015 Volume 2 and associated Australian Standards, AS4299 and AS1428;
- 2) That the floor, wall and roofing and other construction detail be determined by prior application to Council;
- 3) That the development application approved 26 November 2015 is reaffirmed and modified to provide consent to condition four of this resolution;
- 4) That stage one of the development be four units of a modular construction with suspended concrete slab, steel frame walls externally clad, steel trusses and colorbond rooved, as specified by McGrath Homes tender and contract, as endorsed by Council in decisions 3285 and 3294.

Appendices:

1. Agenda item 8.1.2 26 November 2015 (Application for planning consent);

2. Agenda item 8.3.2 19 May 2016 (tender evaluation and preferred tender status);
3. Agenda item 8.3.1 2 June 2016 (contract).

Background:

The land identified as lot 298 Wilson Street is owned by the Wyalkatchem Senior Citizen's Homes Trust Inc., a not-for-profit managed by a volunteer committee that owns and leases accommodation to the independent aged.

In 2013, an agreement was made between the Shire of Wyalkatchem and the Wyalkatchem Senior Citizen's Homes Trust Inc. to assemble funds and land for the purpose of constructing four housing units for the independent aged. The Trust contributed \$250,000 and the land; the Shire contributed grant funds of \$735,260 and project management and any necessary records management.

It is agreed in principle that full development of this site to satisfy unmet demand for this type of housing would be beneficial to the community. Moreover, this development is seen by Council as an important strategic effort for this community as it could create further economic activity on a sustainable basis.

In July 2015, MCG Architects Pty Ltd were appointed as architect for the project and charged with preparing any necessary drawing, specification and request for tender in facilitating the building of the four units.

The project is envisaged to comprise a total of twenty units at this location. Four units will be constructed in the first stage in the coming year, project managed by MCG Architects Pty Ltd. The remaining 16 units are anticipated to comprise stages two and three in the ensuing period (timing yet to be determined) but appropriate works for provision of services and preparing the site will be included in stage one. Accordingly, application was made in November 2015 seeking approval of the full development with stage one endorsed to proceed as proposed, subject to necessary public notice and the recommendations included within the resolution; compliance with the Local Planning Scheme, the Building Code of Australia and other relevant statute; and, an interim development order for a further 16 units, subject to review by Council prior to the issuing of building permits for those 16 units.

Council resolutions included consent for development (26 November 2015, decision 3193); tender evaluation 18 February 2016 (decision 3239) and 5 May 2016 (decision 3279) and 19 May 2016 (decision 3285). Council resolved to award the tender for stage one units to McGrath Homes as preferred tenderer at the ordinary meeting 19 May 2016 and confirmed this with approval of the contract 2 June 2016 (decision 3294).

The construction methodology proposed by this firm is modular transportable with suspended concrete floors. This diverges from the brick veneer walled units anticipated in the agenda item attached to the development application 26 November 2015 but there will be no material difference in appearance of the completed structure.

The advice of building surveyor John Gosper is that this constitutes no substantial modification and that the McGrath design improves on the original concept in regard to earthquake. Further, condition four of the application approval provided delegated authority for the CEO to determine the application. The CEO has considered the application in the light of the tender approval by Council 5 May 2016 and advises that the McGrath methodology is in keeping with the intent of the original application. Further, the resulting construction does not differ from the development application made in November 2015 (defined as 'Senior citizen's homes site').

Accordingly, to enable application for building permits and other development requirements, Council is asked to endorse the modification of the development application.

Comment:

Lot 298 Wilson Street was a 'Crown Grant in Trust' for the purpose of 'senior citizen's homes site.' The construction of independent aged accommodation is in keeping with this grant. The lot is located within the townsite of Wyalkatchem and is zoned Residential within the Local Planning Scheme No.4 with a Residential Design Code R10/30. Council consented to the proposed development of 20 units as permitted under this design code and in keeping with community standards.

In addition, the R-codes Part 5 clause 5.5.2 imposes conditions for aged dwellings, including:

- housing must be less than 100m² (proposal is gross area of 83m²);
- minimum of five in a development (the proposed total is 20);
- visitor parking at a ratio of one to per four dwellings, including a disabled bay;
- outdoor living space must be provided;
- accessible paths to parking areas;
- level entries;
- external doors that comply with AS1428;
- internal corridors generally 1200mm wide;
- toilet approaches to have certain access clearances;

- access to toilets without transiting bedrooms.

Preparation of the proposed plans was conducted in consultation with Council and the Wyalkatchem Senior Citizen's Homes Trust Inc. There have been regular meetings to discuss design features including access, safety and the particular needs of the aged. In addition, the architect work shopped design requirements with Council and the Trust representatives.

This process has allowed for the consideration of design requirements within the Building Code as well the local planning scheme and stakeholder needs.

Public comments were invited for the required advertising period and there were no submissions. Structural, hydraulic and electrical engineers were contracted by the architect to prepare reports for the preparation of specification and the request for tender. The preparation of specification and request for tender documents was conducted on approval of the development and the conclusion of the advertising period.

Each application was then assessed by Council to satisfy as to the benefit or potential detrimental impact of the development; have design features considered for safe use of the site; is there historical importance for this site; are there any special considerations in assessing this application.

In November 2015 (decision 3193), Council approved the development application with the following requirements and conditions:

- 1) That Council consents to the 20 x 2 bedroom, single carport, concrete floored, brick veneer walled, Colorbond-roofed aged and independent persons living unit development, staged on Lot 298 Wilson Street Wyalkatchem, subject to compliance with the R Codes, NCC 2015 Volume 2 and associated Australian Standards, AS4299 and AS1428;
- 2) That the application lays on the table pending formal advertising;
- 3) That the applicant and building surveyor meet and address any points of consideration and provide a report to CEO;
- 4) That the CEO be granted delegated authority to determine the application at the completion of the advertising period of 14 days with or without conditions.

In accepting the tender and approving the contract with McGrath (decisions 3285 and 3294, 19 May and 2 June 2016, respectively), Council considered the modified construction method and endorsed this as the preferred mechanism in delivering stage one of the development. As Council will consider each stage on its merits, alternative construction methods will be considered as long as the result is in keeping with the Building Code, relevant standards and the needs and aesthetics of the development.

There is no substantial variance to the development approval. Accordingly, the recommendation is to accept the modification of the construction material and methodology as per the tender submission and contract as approved by Council.

Consultation:

The development application was publically advertised for a minimum of 14 days.

Erika De Lima, MCG Architects Pty Ltd

John Gosper, building surveyor;

Statutory Environment:

This application has been prepared to comply with the Local Planning Scheme Number 4, Residential Design Codes and the requirements of the Building Code of Australia.

Policy Implications:

There is no direct Council Policy relative to this report.

Financial Implications

There is no financial implication of this decision.

Strategic Plan/Risk Implications

This is identified as a project of strategic importance to this community.

Voting Requirements

Absolute Majority

Council Decision Number: 3312

Moved: Cr Gawley


Seconded: Cr Gamble

That Council resolve the following:

- 1) That Council consents to the 20 x 2 bedroom, single carport, aged and independent persons living unit development, staged on Lot 298 Wilson Street Wyalkatchem, subject to compliance with the R Codes, NCC 2015 Volume 2 and associated Australian Standards, AS4299 and AS1428;
- 2) That the floor, wall and roofing and other construction detail be determined by prior application to Council;
- 3) That the development application approved 26 November 2015 is reaffirmed and modified to provide consent to condition four of this resolution;
- 4) That stage one of the development be four units of a modular construction with suspended concrete slab, steel frame walls externally cladded, steel trusses and colorbond rooved, as specified by McGrath Homes tender and contract, as endorsed by Council in decisions 3285 and 3294.

Vote: 7/0

8.1.2 DEVELOPMENT AND BUILDING CONTROLS – BUILDING AND DEVELOPMENT APPLICATIONS – Lot 298 Wilson Street

FILE REFERENCE:	7.2
AUTHOR'S NAME AND POSITION:	Ian McCabe Chief Executive Officer
AUTHOR'S SIGNATURE:	
DATE REPORT WRITTEN:	19 November 2015
DISCLOSURE OF INTEREST:	The author has no financial interest in this matter.

Summary:

That Council resolve the following:

- 1) That Council consents to the 20 x 2 bedroom, single carport, concrete floored, brick veneer walled, Colorbond-roofed aged and independent persons living unit development, staged on Lot 298 Wilson Street Wyalkatchem, subject to compliance with the R Codes, NCC 2015 Volume 2 and associated Australian Standards, AS4299 and AS1428;
- 2) That the application lays on the table pending formal advertising;
- 3) That the applicant and building surveyor meet and address any points of consideration and provide a report to CEO;
- 4) That the CEO be granted delegated authority to determine the application at the completion of the advertising period of 14 days with or without conditions.

Appendices:

1. Application for planning consent;
2. Master plan Lot 298 Wilson Street;
3. Site Plan stage 1;
4. Elevations;

5. Floor Plan stage 1;
6. Title documents (extract 17 November 2015).

Background:

The land identified as lot 298 Wilson Street is owned by the Wyalkatchem Senior Citizen's Homes Trust Inc., a not-for-profit managed by a volunteer committee that owns and leases accommodation to the independent aged.

In 2013, an agreement was made between the Shire of Wyalkatchem and the Wyalkatchem Senior Citizen's Homes Trust Inc. to assemble funds and land for the purpose of constructing four housing units for the independent aged. The Trust contributed \$250,000 and the land; the Shire contributed grant funds of \$735,260 and project management and any necessary records management.

It is agreed in principle that full development of this site to satisfy unmet demand for this type of housing would be beneficial to the community. Moreover, this development is seen by Council as an important strategic effort for this community as it could create further economic activity on a sustainable basis.

In July 2015, MCG Architects Pty Ltd were appointed as architect for the project and charged with preparing any necessary drawing, specification and request for tender in facilitating the building of the four units.

As a joint project between the Shire of Wyalkatchem and the Wyalkatchem Senior Citizen's Homes Trust Inc., the shire has prepared the development application and collated supporting documents. These are provided as attachments to this item.

The project is envisaged to comprise a total of twenty units at this location. Four units will be constructed in the first stage in the coming year, project managed by MCG Architects Pty Ltd. The remaining 16 units are anticipated to comprise stages two and three in the ensuing period (timing yet to be determined) but appropriate works for provision of services and preparing the site will be included in stage one. Accordingly, this application seeks approval of the full development with stage one endorsed to proceed as proposed, subject to necessary public notice and the recommendations included within the resolution; compliance with the Local Planning Scheme, the Building Code of Australia and other relevant statute; and, an interim development order for a further 16 units, subject to review by Council prior to issuing of building permits for those 16 units.

Comment:

Lot 298 Wilson Street was a 'Crown Grant in Trust' for the purpose of 'senior citizen's homes site' (see attachment). The construction of independent aged accommodation is in keeping with this grant. The lot is located within the townsite of Wyalkatchem and is zoned Residential within the Local Planning Scheme No.4 with a Residential Design Code R10/30. The proposed development of 20 units is within that allowed for this design code and is considered in keeping with community standards.

In addition, the R-codes Part 5 clause 5.5.2 imposes conditions for aged dwellings, including:

- housing must be less than 100m² (proposal is gross area of 83m²);
- minimum of five in a development (proposed total is 20);
- visitor parking at a ratio of one to per four dwellings, including a disabled bay;
- outdoor living space must be provided;
- accessible paths to parking areas;
- level entries;
- external doors that comply with AS1428;
- internal corridors generally 1200mm wide;
- toilet approaches to have certain access clearances;
- access to toilets without transiting bedrooms.

Preparation of the proposed plans has been conducted in consultation with Council and the Wyalkatchem Senior Citizen's Homes Trust Inc. There have been regular meetings to discuss design features including access, safety and the particular needs of the aged. In addition, the architect work shopped design requirements with Council and the Trust representatives.

This process has allowed for the consideration of design requirements within the Building Code as well the local planning scheme and stakeholder needs.

Public comments will be invited as part of the required advertising period and this will be utilised to maximise community consultation.

Structural, hydraulic and electrical engineers have been contracted by the architect to prepare reports for the preparation of specification and request for tender. The preparation of specification and request for tender documents will be conducted on approval of the development and conclusion of the advertising period.

Each application must be assessed by Council to satisfy as to the benefit or potential detrimental impact of the development; have design features considered for safe use of the site; is there historical importance for this site; are there any special considerations in assessing this application.

To ensure transparency and maximise the ability of council to respond to design requirements or conditions, the following is suggested:

- 1) That Council consents to the 20 x 2 bedroom, single carport, concrete floored, brick veneer walled, Colorbond-roofed aged and independent persons living unit development, staged on Lot 298 Wilson Street Wyalkatchem, subject to compliance with the R Codes, NCC 2015 Volume 2 and associated Australian Standards, AS4299 and AS1428;
- 2) That the application lays on the table pending formal advertising;
- 3) That the applicant and building surveyor meet and address any points of consideration and provide a report to CEO;
- 4) That the CEO be granted delegated authority to determine the application at the completion of the advertising period of 14 days with or without conditions.

Consultation:

The application must be publically advertised for 14 days.

Belinda Jonas, secretary and Peter Wood, committee, Wyalkatchem Senior Citizen's Homes Trust Inc.;

John Mitchell, executive manager development services, Shire of Merredin;

Michel Greenhalgh, Director / Architect and Erika De Lima, MCG Architects Pty Ltd;

Rod Munns, consultant engineer, R. Munns Engineering Consulting.

Statutory Environment:

This application has been prepared to comply with the Local Planning Scheme Number 4, Residential Design Codes and the requirements of the Building Code of Australia.

Policy Implications:

There is no direct Council Policy relative to this report.

Financial Implications

Planning fees are applicable (estimate \$2,985).

Strategic Plan/Risk Implications

This is identified as a project of strategic importance to this community.

Voting Requirements Absolute Majority

Council Decision Number: 3193


Moved: Cr Garner **Seconded:** Cr Jones

That Council resolve the following:

- 1) That Council consents to the 20 x 2 bedroom, single carport, concrete floored, brick veneer walled, Colorbond-roofed aged and independent persons living unit development, staged on Lot 298 Wilson Street Wyalkatchem, subject to compliance with the R Codes, NCC 2015 Volume 2 and associated Australian Standards, AS4299 and AS1428;
- 2) That the application lays on the table pending formal advertising;
- 3) That the applicant and building surveyor meet and address any points of consideration and provide a report to CEO;
- 4) That the CEO be granted delegated authority to determine the application at the completion of the advertising period of 14 days with or without conditions.

Vote: 7/0

**8.3.2 CORPORATE MANAGEMENT – TENDERING – TENDER EVALUATIONS
– FOUR INDEPENDENT LIVING UNITS**

FILE REFERENCE:	4.19.9
AUTHOR'S NAME AND POSITION:	Ian McCabe Chief Executive Officer
AUTHOR'S SIGNATURE:	
DATE REPORT WRITTEN:	11 May 2016.
DISCLOSURE OF INTEREST:	The author has no financial interest in this matter.

SUMMARY:

That Council resolve the following:

1. That council nominate McGrath homes as the preferred tenderer for the four independent living units.
2. Delegate the CEO to negotiate the contract terms with McGrath homes with advice from MCG architects.
3. That the proposed contract be presented to council for endorsement at a later date.

Appendix

1. Client advice letter, MCG Architects Pty Ltd 2 May 2016;
2. Tender Assessment, MCG Architects Pty Ltd 2 May 2016;
3. Response to further query re AK Homes, email MCG Architects Pty Ltd 10 May 2016;
4. Response to further query re McGrath Homes, email MCG Architects Pty Ltd 12 May 2016;
5. Referee Report.

Comment:

The district of the Shire of Wyalkatchem has a population skewed toward the aged with 27.2% of persons aged 65 years or more. This proportion is likely to increase by the time of the next ABS Census on 9 August 2016. There has also been population drift toward the metropolitan area which has reduced the number of working age persons (50.7% of the local population compared to 61.4% nationally). This in turn

impacts on the number of families and children with social consequence for the community as evidenced in lower school enrolments and rates of participation in sports and the like.

Council has included increased independent aged accommodation within economic planning for the district as well as the draft Strategic Community Plan. It is thought this will drive a need for maintenance, repair and home services which assist in addressing the need for working aged persons. This will also support the provision of other services to the aged, such as medical and ancillary health care, services that are of value to the wider community. Potentially, this will provide further momentum in attracting families and greater economic activity.

It is equally important for the district to support social sustainability and the well-being of residents. The provision of housing and support services within the district will allow residents to maintain social networks such as family and friends and continue community relationships. This will assist in sustaining the excellent rate of volunteering in Wyalkatchem and other community endeavours.

In 2012 the Shire of the Wyalkatchem and the Wyalkatchem Senior Citizen's Homes Trust Inc. agreed to construct four independent living units for the aged. These were to be funded by a State Government grant awarded to the Shire of \$735,000 and a cash contribution from the Trust of \$250,000. Funding has been held in trust by the Shire since 2014 with any interest re-invested in the project. Any Shire labour costs have been absorbed by the Shire at no cost to the project. The Trust made land available as part of an existing development in Wilson Street. The resulting asset will be managed and maintained by the Trust.

The agreement required an architect to be selected to manage the design and tender process for the units and provide project management services for the construction phase. A competitive tender process commenced in July 2015 to select an architect which resulted in twelve submissions. Representatives of Council, the Shire and the Trust agreed on the selection of MCG Architects Pty Ltd.

The project calls for four units to be constructed but Council envisages this to be the first stage in a larger development of 20 units each of two bedroom design. The architects prepared a master plan design of three stages and a set of drawings and specifications for the first stage construction. Council passed a development application for the entire development at the ordinary meeting 26 November 2015 (decision 3193).

An indicative costing of the first stage of the project was provided by an independent quantity surveyor at \$1,239,303 (ex-GST). Inclusive of sunk costs such as engineering and architects fees already incurred, this exceeds the original funding by

approximately \$300,000. The Wyalkatchem Senior Citizen's Homes Trust Inc. has agreed to make a further cash contribution of \$50,000 and the Shire of Wyalkatchem will provide funds in the 2016/17 budget. Other sources of funding will be explored and considered.

In addition, it should be noted that an electrical sub-station at a cost of \$61,798 is not included in the original estimate by the quantity surveyor. There are likely to be water supply head costs incurred in stage three of the project currently estimated at \$60,000 (2016 dollars).

Tenders were let 9 January 2016 and resulted in interest from 12 builders and five tender submissions. One of these was disqualified for non-compliance with tender requirements and four were assessed by the architect. The tender addresses the construction of four independent living units for the aged while providing essential preparation for the twenty unit development. The average tender was \$1,251,016 (ex-GST) while the lowest tender was \$1,133,636 (ex-GST). All necessary material to provide a tender was made available to all potential tenderers.

An initial recommendation was made by the architect and all tender submissions were considered by Council and the Trust. With Council's consideration of the first round of tenders 18 February 2016, it was decided to review the planned expenditures for this project and re-advertise a revised tender (decision 3239).

Statewide advertising was placed 2 April 2016 with closure 27 April 2016 resulting in five submissions at an average tender price of \$1,118,400 (GST inclusive); the lowest tender was \$912,620 and the highest tender was for \$1,365,051.

The architect MCG Architects Pty Ltd has assessed all tenders for price, local content, corporate profile and structure, relevant experience, key personnel and the various proposal criteria as per the specification.

At the Special Meeting of Council 5 May 2016, two suppliers were nominated for further investigation and clarification of items within their tenders: McGrath Homes (transportable solution) and AK Homes (on-site construction). The Wyalkatchem Senior Citizen's Homes Trust Inc. have been provided with the architect's reporting and have given the CEO written and verbal feedback on the tenders for Council's information.

It is recommended that Council consider all material provided and a recommendation be agreed upon at the meeting.

Consultation:

Full Council

Mr Don Eaton; Mr Dale Tyler; and, Mr Peter Wood, representing the Wyalkatchem Senior Citizen's Homes Trust Inc.

Mr Michel Greenhalgh and Ms Erika de Lima, MCG Architects Pty Ltd

Statutory Environment:

Local Government Act 1995 s.3.57;

Local Government (Functions and General) Regulations 1996 (as amended).

Policy Implications:

There is no direct Council Policy relative to this report.

Financial Implications

This item will require a budget allocation in the 2016/17 financial plan to be considered by Council 16 June. This may be in the order of \$200,000 - inclusive of the commitment by the Wyalkatchem Senior Citizen's Homes Trust Inc. to contribute an additional \$50,000. This may be fully funded from a budget allocation or in part by drawing on reserves. The CEO has written to CEACA and requested headworks of \$61,798 be funded by that organisation.

Strategic Plan/Risk Implications

There are significant and direct Strategic and Risk Implications relative to this item. The Shire of Wyalkatchem has identified the issue of aged housing in whatever form provided as central to the sustainability of the district. Housing improvement has a high probability of contributing to the retention and attraction of population and attracting service providers by demand driven supply. In turn this could generate demand for other activity such as education and sports and leisure.

For the existing population it is important to maintain social networks and this project will contribute to ensuring this occurs.

This project and the above elements are identified as central to the draft revised Strategic Community Plan to be tabled for Council endorsement June 2016 and represent a long-standing commitment by Council to the aged and aged related services. It is also recognised that the above factors are important to the sustainable provision of health services which is a necessary service to the district. These include:

1.1.3 Promote a collaborative and visionary approach to creating an aged friendly community that supports residents to remain in the community for as long as possible;

and,

4.2.2 Continue to work towards the community's long-term aspirations.

There will be elements of risk for Council including unforeseen resource requirements, project delays and circumstances not within the control of Council such as issues of supply. Where possible these will be mitigated by insurance or other mechanisms.

Voting Requirements Absolute Majority

Council Decision Number: 3285


Moved: Cr Garner **Seconded:** Cr Butt

That Council resolve the following:

1. That council nominate McGrath homes as the preferred tenderer for the four independent living units.
2. Delegate the CEO to negotiate the contract terms with McGrath homes with advice from MCG architects.
3. That the proposed contract be presented to council for endorsement at a later date.

Vote: 7/0

**8.3.1 CORPORATE MANAGEMENT – TENDERING – TENDER EVALUATIONS-
FOUR INDEPENDENT LIVING UNITS: CONTRACT**

FILE REFERENCE:	4.19.9
AUTHOR'S NAME AND POSITION:	Ian McCabe Chief Executive Officer
AUTHOR'S SIGNATURE:	
DATE REPORT WRITTEN:	30 May 2016
DISCLOSURE OF INTEREST:	The author has no financial interest in this matter.
PREVIOUS MEETING REFERENCE:	Decision 3285 ordinary meeting of council 19 May 2016

SUMMARY: That Council resolve the following:

- 1. That the contract to construct four independent living units as specified in tender WY02/16 be awarded to McGrath Homes.**

Appendices:

Commercial contract (confidential item)

Background:

The Wyalkatchem Senior Citizen's Homes Trust Inc. and the Council of the Shire of Wyalkatchem have a Memorandum of Understanding to construct four independent living units for the aged.

The tender process has identified McGrath as the preferred tenderer and Council authorised with decision 3285 the negotiation of a contract to implement this construction. That negotiation included a face to face meeting 25 May 2016 at the office of McGrath with the project architect Michel Greenhalgh and Erika de Lima of MCG Architects Pty Ltd, the CEO Ian McCabe and representatives of McGrath and parent company Onterran.

Agreement was made on most outstanding matters at that meeting with an arrangement to finalise remaining issues by email correspondence by 1 June 2016.

Comment:

The awarding of the construction contract will enable commencement of primary works. It is intended to have practical completion of the project by December 2016.

Council has approved a master development plan for 20 units at the Wilson Street site and this project is stage one of that master development. Forward financial planning will be included in the 2016/17 financial operating plan ('the budget') for delivery of later stages of the master development plan.

The tender response of McGrath was the most price-competitive of those tabled across two rounds of tender. In addition, McGrath has made a strong case for the purchase of local or regional services adding to wealth retention in the district. Further, McGrath have demonstrated a willingness to meet the requirements of Council and stakeholders in negotiation.

In meeting the criteria of the tender, McGrath have demonstrated that they have the capability and capacity to deliver this project within budget and on-time; accordingly, the awarding of the contract to McGrath is recommended.

Consultation:

Mr Michel Greenhalgh MCG Architects Pty Ltd

Ms Erika de Lima MCG Architects Pty Ltd

Mr Ian Ginbey General Manager McGrath Homes

Ms Tanya Glamuzina Group Marketing Officer Onterran

Mr Laurie Foster Business Development Manager Onterran

Mr Peter Wood, Mr Don Eaton, Mr Dale Tyler and Mrs Belinda Jonas, Wyalkatchem Senior Citizen's Homes Trust Inc.

Statutory Environment:

Local Government Act 1995 s.3.57

Local Government (Functions and General) regulations 1996

Policy Implications:

Policy GP2 Purchasing Policy

Financial Implications:

The contract amount is within budgeted amounts.

Strategic Plan/Risk Implications:

The awarding of the contract allows Council to meet objectives identified in the Strategic Community Plan.

There is moderate risk of project failure due to time, budget or resource constraint outside the control of Council.

Council Decision Number: 3292

Cr Jones moved to suspend standing orders, this was seconded by Cr Gamble

Council Decision Number: 3293

Cr Garner moved to resume standing orders, this was seconded by Cr Gamble

Voting Requirements: Absolute Majority

Council Decision Number: 3294

Moved: Cr Garner


Seconded: Cr Gawley

That Council resolve the following:

- 1. That the contract to construct four independent living units as specified in tender WY02/16 be awarded to McGrath Homes.**

Vote: 7/0

8.2.1 FINANCIAL MANAGEMENT – BUDGETING – ANNUAL BUDGET – FEES AND CHARGES – CROSSOVER SUBSIDY 2016/17

FILE REFERENCE:	12.5.7
AUTHOR'S NAME AND POSITION:	Ian McCabe Chief Executive Officer
AUTHOR'S SIGNATURE:	
DATE REPORT WRITTEN:	6 July 2016
DISCLOSURE OF INTEREST:	The author has no financial interest in this matter.

Summary:

That Council resolve the following:

- 1) That Council sets the 2016/17 Crossover subsidy at a maximum of \$400 GST inclusive;
- 2) That the subsidy be incorporated into Council's Fees and Charges Schedule;
- 3) That the conditions of Council Policy PP1 Provision of Crossovers be adhered to.

Appendices:

1. Policy PP1 Provision of Crossovers.

Comment:

Policy PP1 Provision of Crossovers details the application for crossover installation and subsidy process and was endorsed by Council in 2014 (15 May, decision 2915 and 26 June, decision 2931). The policy specifies that the subsidy be set as a fixed amount within the budget process so as to limit the exposure of Council to excessive costs.

The CEO has researched the current subsidy provided by 15 metropolitan and regional councils (6 July 2016). Subsidy is by application prior to works and limits council's exposure to 50% of the total cost up to the published amount, which averages \$380.

This is the same amount as prevailed in 2014 when the policy was first drafted. The recommendation is to set the 2016/17 subsidy at a maximum of \$400 GST-inclusive (should GST apply) subject to the policy being conformed with by the applicant.

Consultation:

Mrs Claire Trenorden Senior Finance Officer

Statutory Environment:

Local Government Act 1995

Policy Implications:

PP1 Provision of Crossovers

Financial Implications

There is no direct financial implication of this decision.

Strategic Plan/Risk Implications

There is no direct strategic implication of this agenda item.

Voting Requirements Absolute Majority

Council Decision Number: 3313

Moved: Cr Holdsworth **Seconded:** Cr Garner

That council resolve the following:

- 1) That Council sets the 2016/17 Crossover subsidy at a maximum of \$400 GST inclusive;
- 2) That the subsidy be incorporated into Council's Fees and Charges Schedule;
- 3) That the conditions of Council Policy PP1 Provision of Crossovers be adhered to;

Vote: 7/0

PP-1 Provision of Crossovers

First Adopted: 21 April 2011 Council Decision number 2269. TPS 3
Amended: 26 June 2014 Council Decision number 2931. LPS 4

POLICY

Council will contribute to the cost of a standard crossover up to the amount specified in the fees and charges schedule for the relevant financial year as approved by Council

Council authorises the Chief Executive Officer to determine all matters relating to this policy.

This policy in general applies to all building approvals.

OBJECTIVE

- To define the specifications and standards for construction of crossovers.
- To detail the procedures for determination of eligibility for a contribution to the cost of construction.

PROCEDURES

Council has adopted, under Regulations 12-16 of the *Local Government (Uniform Local Provisions) Regulations*, the following specifications that set out the minimum standards for the construction of a vehicle crossover.

In accordance with these provisions, Council will permit the crossover to be constructed by a private contractor under the supervision and to the satisfaction of the Council. If the crossover is a standard crossover, or superior to a standard crossover, Council shall contribute to the cost of a standard crossover up to the amount specified in the fees and charges schedule for the relevant financial year, as approved by Council.

“Standard Crossover” means the first constructed crossover to a lot that is constructed to the minimum standard being two coats of bitumen seal over 200 millimetres (mm) compacted gravel or rock base. Other acceptable materials are concrete, hot mix/asphalt or paving bricks.

1. **Permit Responsibility**

Application for a crossover is the responsibility of the property owner which the intended crossover services. A person may not carry out any work on the street unless a permit is issued.

Driveways constructed without a permit or not in accordance with Council's CROSSOVER SPECIFICATION or not in accordance with the conditions stated on the permit may be required to be removed and replaced correctly at the expense of the owner.

2. Securing Permit

On making application it is the applicant's responsibility to secure a permit after it has been processed and to have the conditions specified carried out. Permits should be processed and ready at the Shire Administration Office within five working days after application for a permit unless specific problems exist requiring individual design. The permit is valid for six months. After this time has lapsed a new permit will need to be issued before the crossover is constructed.

3. Purpose of the Permit

- To construct driveways to allow for known future alterations to road levels and alignments and drainage construction.
- To have uniformity between driveways along street verge to provide a negotiable footpath to the public.
- To prevent traffic hazards by controlling the location of crossovers, particularly at intersections on corner blocks.
- To improve access to properties.
- To prevent loose material finding its way onto the carriageway.

4. Maintenance

Owners are responsible for all maintenance of the crossover between the edge of the carriageway and their property boundary. Council will carry out maintenance only at the owner's expense.

Under the said Regulations of the Local Government Act, where a crossover is not constructed or is in poor repair and is considered dangerous to:

- Pedestrian traffic;
- Vehicular traffic; and/or
- Discharges debris onto the roadway and or into the Shire's drainage system

Council may serve in writing to the owner, notice to construct or repair the crossing.

5. Construction Standards - General

5.1 Bitumen Seal

- Two coats bitumen seal.
- A 200mm minimum thickness of consolidated gravel or rock base.

5.2 Concrete

- Only ready mixed concrete shall be used.
- Minimum compressive strength shall be 20 (Megapascals) MPa at 28 days.
- Maximum slump of 80 mm.
- Maximum aggregate size shall be 20 mm.
- Concrete and its placement shall conform to Australian Standards (AS) 1379 and AS 1480.
- Concrete thickness - Residential 100 mm; Commercial/Industrial 150 mm reinforced with F72 mesh.
- Council inspection of boxing is required prior to pouring.

5.3 Paving Bricks

- To be constructed in accordance with (Standards Association of Australia) SAA codes or the relevant BDA (Building Designers Australia) or Cement Concrete and Aggregates Australia (CCAA) design manuals.

5.4 Asphalt

- 20 mm minimum thickness of asphalt
- A 200 mm minimum thickness of consolidated gravel or rock base.

6. Location

- The location of crossovers should be chosen so that maximum visibility is available.
- Crossovers will generally be one metre (m) minimum from dividing (side) boundary.
- Crossovers will be set out to cross the kerb line at or near the perpendicular.
- Crossovers must not be constructed closer than eight m to the intersection of property lines at street corners.
- Under the said Regulations of the Local Government Act, the Shire will fix the position of the crossover where the Chief Executive Officer deems it necessary.
- Crossovers should be clear of trees, light poles, Telstra pits, water valves and storm water pits. The owner is responsible for checking the location of any public utilities (Water, Gas, Electricity (overhead and underground), and Telstra). Any costs associated with adjustment or relocation as a result of damage is at the owner's expense.

7. Levels

Crossover levels will be set by Council when the permit is processed - Works cannot commence before these levels have been set.

Maximum gradients of driveways shall be as follows:

- Across a footpath i.e. between the edge of the frontage roadway and property line – 5% (1 in 20)
- Within property – 20% (1 in 5)

The crossover levels should match existing verge levels. Verge levels must not be altered without prior written permission from the Manager Works.

8. Footpaths

Should a footpath exist where a crossing is to be constructed the contractor shall:

- If the footpath is; precast concrete slabs, remove the slabs and carefully place them to one side of the crossing, where they shall be collected by the Works Department.
- The contractor shall make good any difference in levels between the footpath and the crossing.
- If the footpath is in situ concrete and is less than 100mm thick, the contractor shall cut out the footpath, remove it and make good any difference in levels between the footpath and concrete.
- If the footpath is in situ concrete and has a thickness of 100mm or greater and minimum width of 1.8m, construct the crossover either side of the footpath. The footpath is not to be removed.
- Confirmation of the thickness should be obtained from the Shire Manager of Works before any work is commenced.

9. Roadside Table Drains

Where a table drain exists between the edge of the road and the front boundary of the property a 300mm diameter Class two reinforced concrete pipe including headwalls is to be incorporated into the crossover at the owner's expense.

Should a pipe of diameter in excess of 300mm be required, the difference in cost for the larger pipe will be borne by Council. The Manager of Works will determine the size of pipe required.

Special cases with shallow swale drains, will need to be referred to the Manager of Works.

10. Council Contribution

The "Standard Crossing" dimensions, for purposes of estimating Council's contribution are, three point six metres wide (residential) and six metres wide (commercial/industrial) with one point five metre splays.

If the crossing is to be the first to the premises, Council will contribute towards the cost. Council's contribution will be limited to the amount specified in the fees and charges schedule for the relevant financial year as approved by council.

Application for Council's contribution must be made in writing within three (3) months of the permit being issued. Council will then inspect the crossing and if it is to Council specification the contribution will be forwarded by post.

Council's contribution as listed in the fees and charges schedule for the relevant financial year will be reviewed annually as required for calculating the Shire's financial budget. The relevant schedule of fees and charges will be made publically available once the budget is adopted by Council.

Where landowners request Council to construct the crossover, Council's contribution will be deducted from the estimated total costs and construction will proceed following receipt of the remainder from the owner.

11. Rural Properties

On written application to Council by the landowner where the crossover is the first to that property, Council policy is to provide one length of 300mm diameter pipe up to a maximum length of ten metres or ten metres cubed (10m³) of gravel provided the crossover is located and constructed to the satisfaction of the Manager of Works. .

All subsequent maintenance and improvements are the responsibility of the landowner. Council will only carry out maintenance of the crossover, at the expense of the owner.

12. Liability

Protection of works and the public shall be provided by the contractor who shall supply and keep supplied as directed all the necessary signs, barricades, road warning lamps, temporary bridges or any other thing as may be directed by Council to provide for the safety of the public and to protect the work from damage for a minimum period of two days following completion of the works. Failure to provide the necessary shall render the contractor liable under section 377 of the Local Government Act 1960-82 as amended. All such protective equipment shall comply with the relevant SAA Code. Protective signs used to be in accordance with AS 1742 Part three.

13. Remedy

Any damage caused by the Contractor to any Council facilities, public utility services or private property or, because of inadequate protection by others to the vehicle crossover itself during the course of the works, shall be the sole

responsibility of the contractor who shall be held responsible for the repair, replacement, legal claims, liability or any other thing which may arise as a result of the damage caused.

SHIRE OF WYALKATCHEM

APPLICATION FOR CROSSOVER INTO RESIDENTIAL PROPERTY

Name of Applicant _____

Address of Applicant _____

Contact Phone Number _____ A/Hrs _____

Permission is requested from the Shire of Wyalkatchem for the installation of an initial crossover to be installed at _____

The crossover shall be constructed by _____ In accordance with specifications as set out under Regulations 12-16 of the Local Government Provisions Regulations and adopted by Council.

The materials to be used are _____

The length of the sealed crossover from the edge of bitumen/back of concrete kerb to the property line is _____ m and the proposed width of the sealed crossover will be _____ m.

The estimated cost for preparation and sealing is \$ _____

APPLICANTS SIGNATURE

_____/_____/____

DATE

OFFICE USE ONLY

Your request to construct a crossover at _____ is

Approved

Denied

Please Note: Notice of 48 hours is required for the first inspection of the crossing prior to sealing. The owner is to notify Council for a final inspection when all construction is complete, and the edges of the crossing are backfilled level with the existing ground, and the verge is in a tidy condition.

AUTHORISED BY:

Signature Position

DATE: ____/____/____

SHIRE OF WYALKATCHEM

APPLICATION FOR CROSSOVER REBATE

NAME OF APPLICANT: _____

ADDRESS OF APPLICANT: _____

INITIAL CROSSOVER AT: _____

(Address)

The crossover is a piped driveway Yes No

And is constructed and sealed to Councils specifications with:

Gravel Bitumen Concrete Paving Bricks

The crossover has been constructed by

My Invoice/Receipt is attached.

.....

- _/ _/ _

APPLICANTS SIGNATURE

DATE

OFFICE USE ONLY

measurements

A final inspection has been carried out and payment is:

Authorised:

Denied:

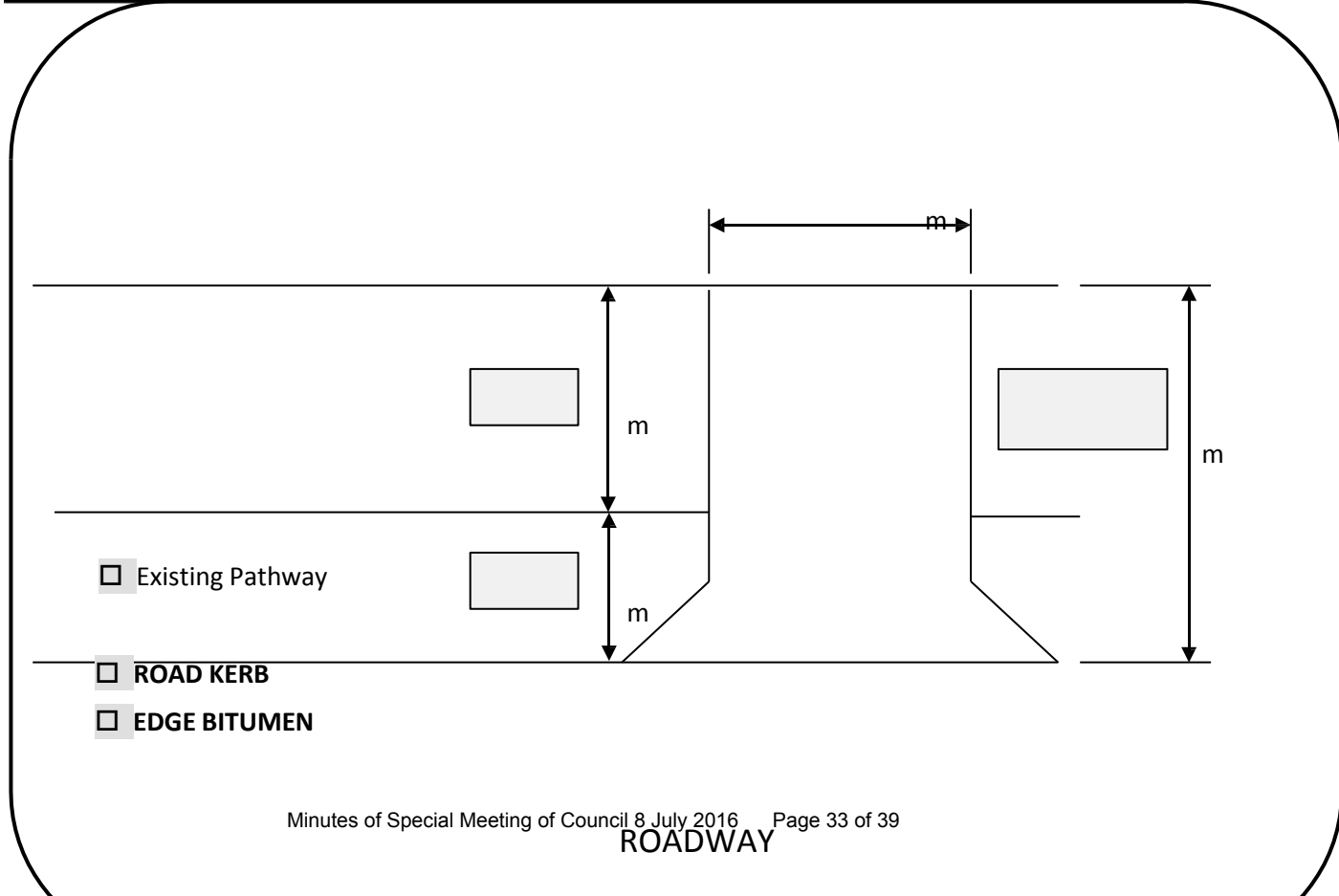
.....

Manager of Works

CROSSOVER

DATE.....

PLEASE PROVIDE DETAILS ON SKETCH TO ASSIST PROCESSING OF YOUR APPLICATION.



Office Use Only:

Date Received: / /20

Shire to Construct: Quote to Construct (Incl. GST): \$ Quoted by:

PERMIT ISSUED: Date:

NO REFUND: Reason:

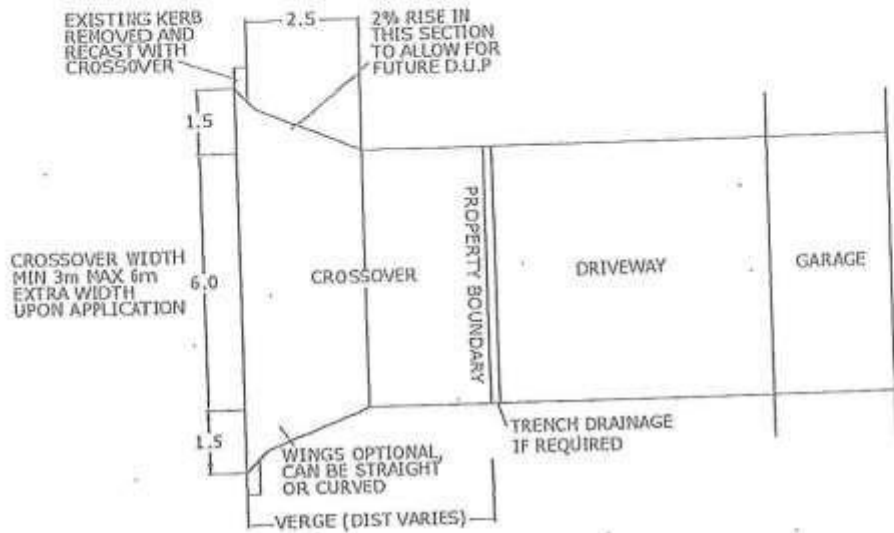
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REFUND:

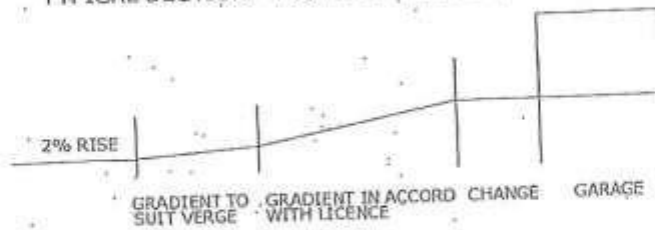
Copy to Depot - Works Supervisor

Comments/Instructions:	<input type="text"/>
	<input type="text"/>
Construction Completed	<input type="text"/>
Date:	<input type="text"/>

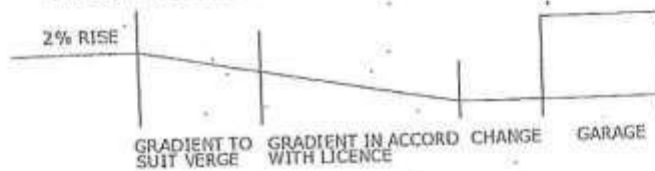
TYPICAL PLAN - CROSSOVER



TYPICAL SECTION - PROPERTY HIGHER THAN ROAD LEVEL



TYPICAL SECTION - PROPERTY LOWER THAN ROAD LEVEL



PLEASE NOTE :

1. VERGES MUST BE FLUSH WITH YOUR DRIVEWAY
2. NO PART OF CROSSOVER TO EXTEND INTO FRONTAGE OF ADJACENT LOTS
3. CONCRETE FINISH TO BE 'BROOMED, 'NON SLIP'
4. DO NOT DISTURB ROAD DRAINAGE

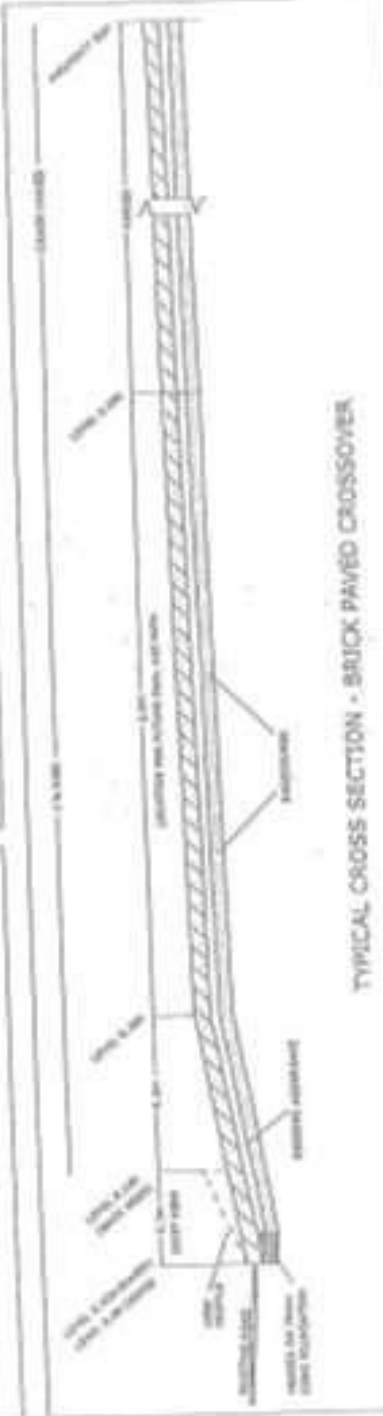
DRAWN BY L.E	CHECKED BY	APPROVED BY DATE	FILENAME	DATE	SCALE N.T.S
CROSSOVER DETAILS			08/03/01	EDITION	SHEET



TYPICAL PLAN - BRICK PAVED CROSSOVER

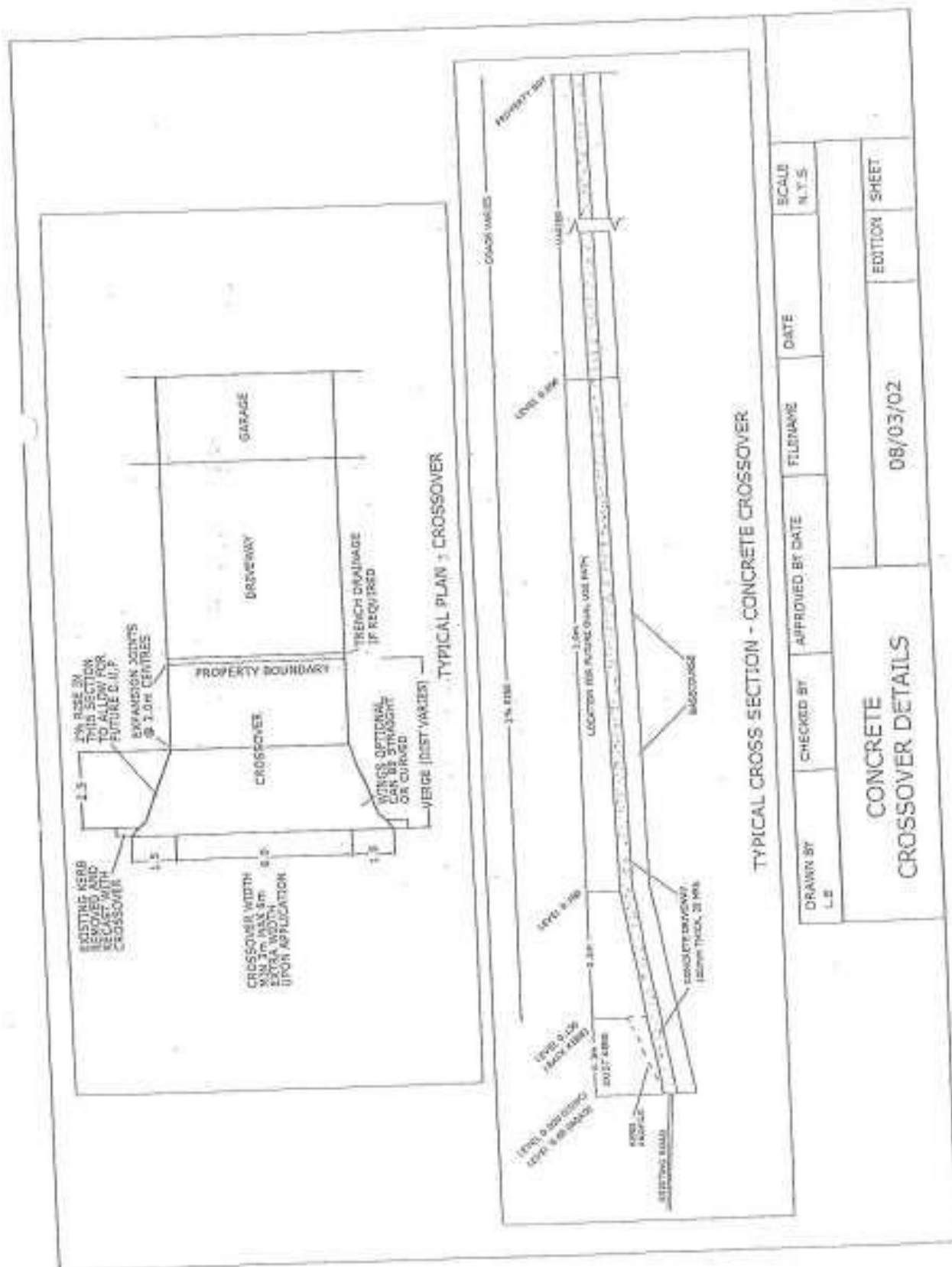


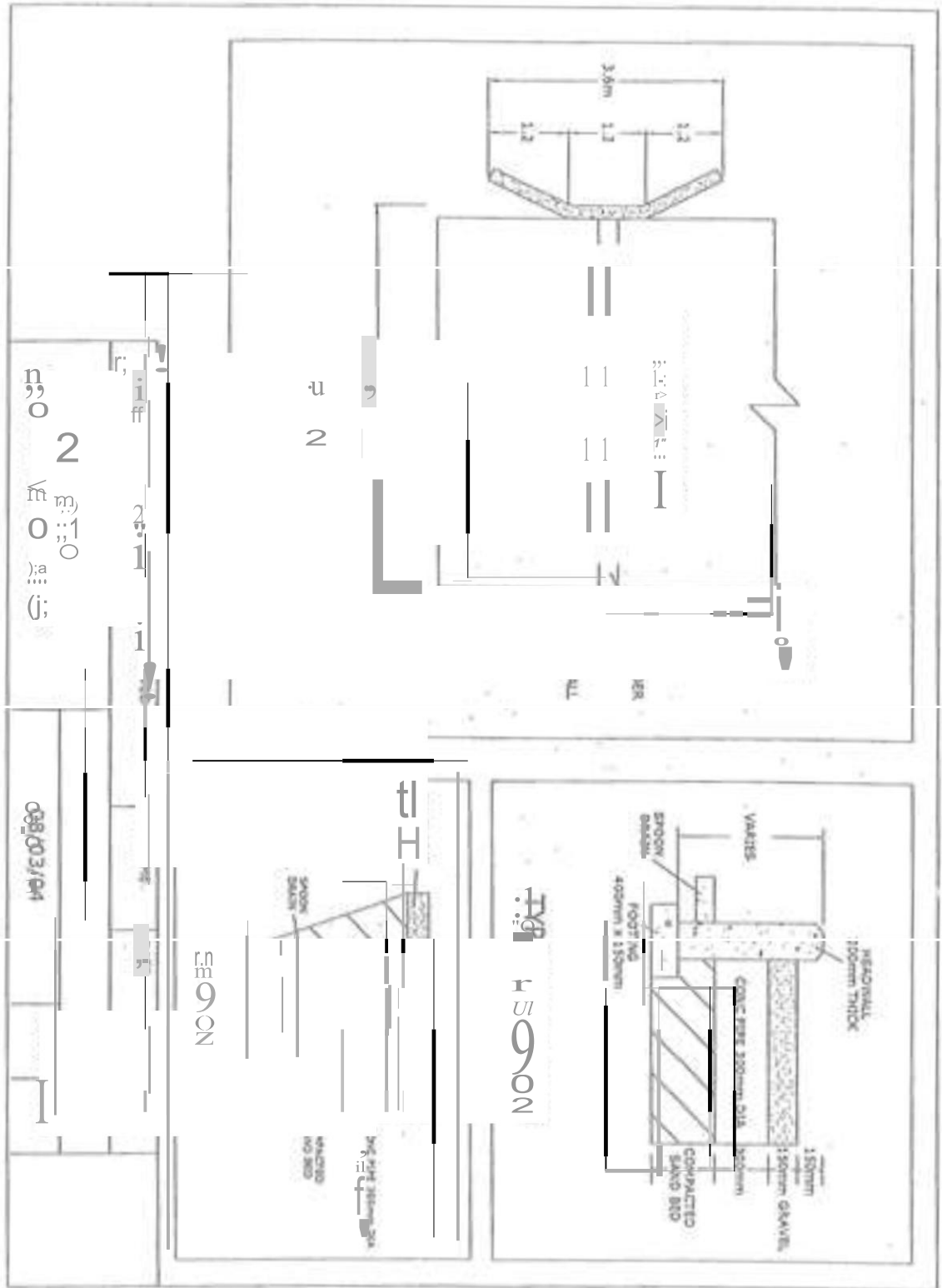
EDGE DETAIL



TYPICAL CROSS SECTION - BRICK PAVED CROSSOVER

DESIGNED BY L.E.	CHECKED BY	APPROVED BY DATE	FILE NAME	DATE	SCALE A:1=5
BRICK PAVED CROSSOVER DETAILS				08/03/03	EDITION FIRST





- 9.0 Motions for which previous notice has been given**
- 10.0 Questions by members of which due notice has been given**
- 11.0 New business of an urgent nature introduced by the presiding person**
- 12.0 Matters for which meeting may be closed**
- 13.0 Closure of meeting: 15.09**