



MOREE PLAINS SHIRE COUNCIL

14 NOVEMBER 2019

**STRATEGIC ASSET AND WORKS
COMMITTEE MEETING**

PUBLIC BUSINESS PAPER

Friday, 8 November 2019

- TO:
- Councillors
 - General Manager
 - Director – Corporate Services
 - Director – Planning and Community Development
 - Director – Engineering Services
 - Manager – Executive Projects

Notice is hereby given that the **Strategic Asset and Works Committee Meeting** will be held in the Council Chamber, the Max Centre, 30 Heber Street, Moree on **Thursday, 14 November 2019** commencing at **2pm**.

Please note that all Committee meetings are recorded.

Yours sincerely



Ian Dinham
DIRECTOR OF ENGINEERING SERVICES

Agenda

1. Open Meeting
2. Apologies
3. Confirmation of Minutes – Meeting 10 October 2019
4. Declarations of Interest
5. Reports
6. Standing agenda item: Questions on Notice
7. Standing agenda item: Strategic Planning Proposals and Current Project Updates
8. Standing agenda item: Overseas Trade and Investment
9. Next meeting – Thursday, 12 December 2019
10. Close meeting

Strategic Asset and Works Committee Meeting Public Business Paper

14 November 2019

TABLE OF CONTENTS

1. NSW SES Moree Building Construction Update	5
2. Update on Bridge and Large Culvert Structures in Moree Plains Shire	10
3. Questions on Notice Responses.....	12
4. Confidential – Lot 1 Burrington Road, Moree	20

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Report Title	1. NSW SES Moree Building Construction Update
Report by	Executive
Contact	John Carleton, Executive Projects Manager
Attachments	No attachment
File	FILE 16/776

COMMITTEE RECOMMENDATION

That Council receive the report NSW SES Moree Building Construction update.

REPORT

ALIGNMENT WITH MOREE PLAINS 2027 – YOUR SHIRE. THE PLAN. OUR FUTURE

- An Inclusive, Caring Community**
C1.5 Understand the services and programs which are being delivered locally to build capacity in our families and, where necessary, support the coordination of these efforts
- Sustainable Spaces and Places**
S2.1 Ensure adequate services, facilities and plans are in place to minimise service interruptions and to cater for current and future demand
- A Vibrant Regional Economy**
E1.1 Maintain a regular, reliable and safe intrastate and interstate air service, with adequate infrastructure to support it
- A Leading Organisation**
L1.2 Deliver the desired services throughout the Shire to meet community needs in an effective, efficient and financially viable way, having regard to compliance and risk obligations

BACKGROUND AND KEY ISSUES

The Moree Plains Shire Council Delivery Program 2017-2021 (**Delivery Program**) has identified the New South Wales State Emergency Service Moree Building Construction Project (**SES Moree**) as a priority capital project. This aligns with Moree Plains 2027 – Your Shire. Our Future (**Community Plan**) and in particular, one of the directions identified by the community to make the Shire more liveable.

The purpose of this report is to provide Moree Plains Shire Council (**Council**) with information on the SES Moree Project.

The New South Wales State Emergency Service and Council are collaborating to provide enhanced emergency service facilities for the SES Moree and Moree Plains communities. Construction of a new Administration and Operations building and associated civil works is being project managed by Council. An approach to the market was made for a suitably qualified, experienced and resourced Contractor to construct the building and submissions were received.

Council resolved not to accept any of the submissions as they were outside of the approved budget or unsatisfactory to requirements and to enter into negotiations with an appropriately qualified, experienced and resourced person/s. The General Manager was given delegated authority to negotiate and finalise a contract for the NSW SES Moree Building on behalf of Council within the approved budget.

State Emergency Plan

Council's relationship and responsibilities with emergency service agencies, specifically the SES, are defined in state legislation under the State Emergency and Rescue Management Act 1989.

SES Moree is a community-based agency that exists to provide a timely local response in assisting and protecting the community and our environment during times of emergencies. SES Moree has a pivotal role in a multi-agency approach to provide effective emergency services to the Moree Plains Shire community.

The State Emergency Plan identifies the following three main concepts that underpin emergency management in NSW, which are:

- 1 **All hazards approach:** NSW has established a single set of management arrangements which will be applied to emergencies resulting from the full range of hazard impacts on communities, even though specific countermeasures will vary with different hazards.
- 2 **Comprehensive approach:** NSW embraces a continuum of:
Prevention/mitigation – to eliminate or reduce the level of the risk or severity of emergencies.
 - Preparation – to enhance the capacity of communities to cope with the consequences of emergencies.
 - Response – to ensure the immediate consequences of emergencies or communities are minimised.
 - Recovery – measures which support individuals and communities affected by emergencies in the reconstruction of physical infrastructure and restoration of physical, emotional and economic wellbeing.
- 3 **All agency approach:** All combat agencies become involved with the support of state and local governments and nongovernment organisations.

Effective application of these concepts provides the outcome of a prepared community, being a primary focus on prevention, preparation, response and recovery arrangements.

Issues

The **Moree SES** emergency vehicles, boats and equipment have been relocated to a building at the Tycannah Street Works Depot while in an event situation the administration and operations functions are temporarily carried out in a building at the Moree Regional Airport until construction of a new building is completed at **Council's** Tycannah Street Works Depot.

The Regional SES staff are temporarily located at the Moree Regional Airport until construction of a new building is completed at the Tycannah Street Works Depot.

The business of providing emergency services can be impacted in a number of ways:

- 1 Financial – pressure on agency budgets
- 2 Operational – difficulties encountered in coordinating a multi-agency response
- 3 Cultural – difficulties resulting in operational delays, incomplete information and coordination issues can cause member stress and impact unit morale
- 4 Reputation – ineffective operations and coordination of emergency services can compromise emergency services and Council's reputation with the community.

Providing a strategic approach to emergency services by all agencies involved is overdue and requires immediate action, which can be achieved at Council's Tycannah Street Works Depot.

There is an increasing emphasis in this country and internationally that a joint emergency management response centre is proving to be more effective in providing efficient services and support to the communities which they serve.

Opportunity

An opportunity has been created at **Council's** Tycannah Street Works Depot to co-locate the **SES Moree**, NSW Rural Fire Services Moree (**RFS Moree**) and **Council's** emergency operations. This opportunity offers numerous benefits for the emergency response agencies and **Council** to develop and implement a strategic approach to emergency services for the Moree Plains Shire community. Some benefits that a well-planned and managed approach can achieve are:

- Enhanced service delivery
- Improved/increased/enhanced customer satisfaction
- Time and money saving
- Resources coordinated in a consistent manner
- Improved inter-agency communication and cooperation
- Improved morale and pride for volunteers
- Risks identified and managed
- Attraction and retention of new volunteers

This can be achieved following appropriate project management methods that achieve agreed goals and co-ordinate multiple resources within time, cost and scope restraints.

The RFS Moree have committed to constructing a new fire control centre at Council's Tycannah Street Works Depot, which was endorsed by Council. The new RFS Moree fire control centre is currently under construction.

Economic benefits to the community

Investment in local infrastructure is critical to ensuring that the emergency services provide a satisfactory level of services to the community. The SES Moree building project will deliver opportunities to support enhanced emergency services by investing in critical emergency management infrastructure.

FINANCIAL IMPACT TO COUNCIL

Financial implications of the Project will be examined during delivery of the presentation to Council.

STATUTORY AND POLICY IMPLICATIONS

In considering any capital works and business ongoing operations for the project, and negotiations surrounding contract arrangements, the following legislation applies:

- Council Procurement Policy – Corporate Services – Finance – 2015
- *Local Government Act 1993 (NSW)*
- *Environmental Planning and Assessment Act 1979 (NSW)*
- Environmental Planning and Assessment Regulation 2000 (NSW) Part 9 (Fire Safety)
- *Disability Discrimination Act 1992 (Cth)*
- The Disability (Access to Premises - Buildings) Standards 2010 (Cth)

RISK IMPLICATIONS

The Project is a significant capital works project involving a range of risks. The consequences of an adverse event may include an inability to meet stakeholder and customer requirements, financial loss, organisational or political embarrassment, operational disruption and legal problems. Therefore, it is important that risks are identified and managed according to established management policies, procedures and practices in place to minimise the Project's exposure to risk.

A Project Risk Management Plan (**RMP**) has been prepared to ensure risk management is considered, included and managed in the implementation of the Project and to describe how risks will be managed during its implementation. The RMP describes the framework for identifying, assessing, treating, monitoring and reporting the risks inherent in activities that could impact successful achievement of the Project.

The RMP will be further enhanced with collaborative involvement of the appointed project contractor to provide a comprehensive approach to managing project risks.

ASSET MANAGEMENT IMPLICATIONS

This capital works project is to construct an asset of Council in accordance with the Asset Management Plan.

PREVIOUS COUNCIL DECISIONS

Council, at its 26 February 2015 Ordinary Council Meeting, resolved the following:

15/02/28 RESOLVED (PRICE/VON DREHNEN):

That Council endorse:

- 1 A Joint Emergency Management Centre project to be carried out in collaboration with the Rural Fire Service (RFS) and State Emergency Service with project management provided by Council subject to the budget being endorsed during the Moree Plains Shire Council 2015/16 budget process.***
- 2 The Rural Fire Service Budget 2015/16 submission pending the success of the RFS Budget 2015/16 approval.***
- 3 The State Emergency Service Budget 2015/16 submission pending the success of the SES Budget 2015/16 approval.***

Council, at its 14 April 2016 Ordinary Council Meeting, resolved the following:

16/04/14 RESOLVED (PRICE/GALL):

- 1 That Council endorse, in principle, relocating the Moree State Emergency Service Unit (SES) to the Tycannah Street Works Depot on Lot 585 DP822973 pending budget considerations.***
- 2 That Council support a development application being lodged by the Rural Fire Service (RFS) on the Tycannah Street Works Depot on Lot 584 DP822973 pending budget considerations.***
- 3 That Council resolve to delegate to the General Manager authority to sign development application forms for the SES and RFS for any applications proposed on Council-owned land.***

Council, at its 23 February 2017 Ordinary Council Meeting, resolved the following:

17/02/36 RESOLVED (CRAWFORD/MONTGOMERY):

- 1 That Council relocate the present State Emergency Service (SES) building at the Moree Regional Airport to the Tycannah Street Depot site.**
- 2 That Council ensure adequate security measures be put in place to protect the SES building.**
- 3 That Council erect suitable fencing, where possible, before the SES building is relocated.**

Council, at its 12 September 2019 Ordinary Council Meeting, resolved the following:

19/09/20 RESOLVED (MOVED: PRICE/SECONDED: MONTGOMERY)

- 1 That Council per the Local Government Act 1993 Chapter 6 Part 3 Division 1 Tendering s55(3)(b) and the Local Government (General) Regulation 2005, Part 7 Tendering, Division 4 Determination of successful tenderer, 178(4)(a)(b):**
 - a. Resolves not to accept any of the tenders for the Request for Tender 19/09 NSW SES Moree for the following reasons:**
 - i. Outside of the approved budget**
 - ii. Unsatisfactory to our requirements**
 - b. Resolves to enter into negotiations with appropriately qualified, experienced and resourced person/s with a view to entering into a contract in relation to the subject matter of the Request for Tender 19/09 NSW SES Moree Building Construction.**
- 2 That the General Manager be given delegated authority to negotiate and finalise a contract for the NSW SES Moree Building on behalf of Council within the approved budget.**

ATTACHMENTS

There are no attachments.

Report Title	2. Update on Bridge and Large Culvert Structures in Moree Plains Shire
Report by	Engineering Services
Contact	Ian Dinham, Director of Engineering Services
Attachments	No attachment
File	FILE 19/244

COMMITTEE RECOMMENDATION

That Council receive this report for information.

REPORT

ALIGNMENT WITH MOREE PLAINS 2027 – YOUR SHIRE. THE PLAN. OUR FUTURE

An Inclusive, Caring Community

Not applicable

Sustainable Spaces and Places

S2.1 Ensure adequate services, facilities and plans are in place to minimise service interruptions and to cater for current and future demand

A Vibrant Regional Economy

Not applicable

A Leading Organisation

Not applicable

BACKGROUND AND KEY ISSUES

Moree Plains Shire Council (**Council**) staff have completed a 'Level 2 Inspection' on 62 waterways structures, bridges and large culverts. Out of the 62 structures inspected, 12 required follow-up inspections by an experienced bridge consultant.

As a result of this follow up by the experienced bridge consultant:

- Half of the observed defects were not considered to be significant.
- Six (6) structures need major rehabilitation. If these works cannot be undertaken in the next 1-3 years the structural integrity of the bridge may be compromised.
- Two (2) of the structures required the immediate removal of HML access load limits due to the asset condition
- A further two (2) are to be monitored six (6) monthly for any sign of deterioration that would result in load limits also being placed on them.

Council has an annual budget of \$70,000 that covers minor maintenance only. As such, a further report will be brought back to the Strategic Asset & Works Committee before the annual budget preparation period with estimated costs and time frames for the specialised maintenance works that have been identified from

this last round of inspections. This report will also include more details of the six (6) structures that require major rehabilitation with two (2) of them nearing the end of their useful life.

Of the 62 structures, only four (4) were considered to have no concerning issues. Eighteen (18) structures required that the normal inspection regime monitor observable defects for signs of any accelerated compromised integrity, which is typical of structures with a condition assessment of 2 or 3.

Sixteen (16) structures require minor maintenance to drainage improvements, joint sealing repairs and other such maintenance issues that, if not treated now, will result in significant concerns later.

Once costing estimates are understood, the six (6) identified structures will be provided to Council with their renewal and replacement priority ranking. The ranking criteria to be used is outlined in Table 14 "Renewal and Replacement Priority Ranking Criteria", page 33 of the Transport Asset Management Plan 2018-2037. This will allow Council to make an informed decision in respect to funding allocation for these major rehabilitation works.

FINANCIAL IMPACT TO COUNCIL

The financial impact will be the subject of a future report in February 2020.

STATUTORY AND POLICY IMPLICATIONS

The *NSW Roads Act 1993* identifies Councils' role as a road authority to protect a public road and to protect the public's right of passage along a public road. *The Local Government Act 1993*, sets out the responsibilities and powers of local government to prepare long term financial plans to support asset management plans for sustainable service delivery.

RISK IMPLICATIONS

The failure of a major waterway structure can be sudden and with serious consequences. Any failure can impact the whole road for an extended period of time and therefore a regular inspection regime and sufficient funds allocated for maintenance and rehabilitation needs to be included in future budget considerations.

ASSET MANAGEMENT IMPLICATIONS

Waterway structures (bridges and large culverts) are a discrete and unique component of the roadway and are therefore removed from the general asset collection and inspection regime of the roadway.

PREVIOUS COUNCIL DECISIONS

The last specific report on bridge assets was the Bridge Work Strategy 2011 to 2013 presented to the first Council meeting in August 2011. After this time, the Bridge Asset Replacement strategy has been included in the adoption of the Transport Management Plan.

This is the first time this matter has come before Council.

ATTACHMENTS

There are no attachments.

Report Title	3. Questions on Notice Responses
Report by	Engineering Services
Contact	Ian Dinham, Director of Engineering Services
Attachments	One (1) attachment; refer to Attachments section
File	FILE 15/185

COMMITTEE RECOMMENDATION

That the Strategic Asset and Works Committee receive the Questions on Notice responses for information.

REPORT

ALIGNMENT WITH MOREE PLAINS 2027 – YOUR SHIRE. THE PLAN. OUR FUTURE

An Inclusive, Caring Community

Not applicable

Sustainable Spaces and Places

Not applicable

A Vibrant Regional Economy

Not applicable

A Leading Organisation

L1.7 Be accountable and transparent in our affairs, operate with integrity, improve our responsiveness and pursue innovative solutions for organisational improvement

BACKGROUND AND KEY ISSUES

Questions on Notice (**QON**) provide an opportunity for Councillors to ask questions of the General Manager which are then recorded within the meeting minutes and the Council's Customer Request Management (**CRM**) system. A response to this question is either provided verbally at the meeting or taken on notice if the response requires further research.

In response to requests from Councillors, a QON response system has been implemented where all responses are made available to the public through a Standing Committee Meeting business paper (as per this report). This will ensure that the answers not provided at the meeting are publically available for review by members of the public and Council's transparency is enhanced.

FINANCIAL IMPACT TO COUNCIL

Review of the QON's has no significant financial implications.

STATUTORY AND POLICY IMPLICATIONS

Council's Code of Meeting Practice (2016) includes the provision for QON's as part of the Committee Meeting Standing Order of Business. The Code of Meeting Practice is consistent with the *Local Government Act 1993 (NSW)*, the Local Government (General) Regulation 2005 and the Model Code.

RISK IMPLICATIONS

There are no identified risk implications associated with QON responses.

ASSET MANAGEMENT IMPLICATIONS

No asset management implications have been identified.

PREVIOUS COUNCIL DECISIONS

QON responses are provided as part of a Standing Committee Meeting business paper on a regular basis to ensure all responses are made available to the public.

ATTACHMENTS

Attachment 1 Question on Notice responses

CRM 4679/2019

Question on Notice – Councillor Humphries

Councillor Humphries: 1. Please provide an update on previous Questions on Notice: c. complaints that the cricket pitch roller at Ron Harborne Oval is not fit for purpose. Will Council purchase a roller for the Cricketers to use?

(Community Development and Services Committee October 2019)

Response:

The roller used by Council was not owned by Council, did not meet WH&S standards, was structurally fatigued and was unsafe to be used. In the interim, Council hired a small roller that is more suitable to roll the cricket pitch. Council is currently in the process of obtaining quotations for budget consideration to purchase a suitable pitch roller.

CRM 4667/2019

Question on Notice - Councillor Montgomery

7. Are we applying for the airport funding as advertised by Mr Marshall?

(Question on Notice - Corporate Services - October 2019)

Response:

This funding is only applicable for safety related projects. It was briefly mentioned at the Community Development and Services Committee meeting on 24 October 2019, where Councillors agreed not to submit an application under this program. Future programs have been identified that would be more applicable for infrastructure improvements.

CRM 4295/2019

Question on Notice - Councillor Tramby

Councillor's Montgomery and Smith have been in discussions with land owners at Croppa Creek in relation to the possible closing of a road, and self-help on a separate road. Gwydir Shire have been speaking to Mr Marshall in relation to fixing country roads and fixing country bridges. How is our bridge fund going? What needs to be done to provide appropriate level crossings. What do we have on the agenda. Projection needs to be done in relation to bridges and crossings.

(Question on Notice - Corporate Services - September 2019)

Response:

A bridge update report is being presented as part of the Strategic Asset and Works Committee on 14 November 2019.

CRM 4213/2019

Question on Notice - Councillor Tramby

Please provide an explanation on Council's policy on the pricing of potable water, the availability of on-going potable water, and registration and regulation of potable water carriers.

(Community Development and Services Committee 26 September 2019).

Response:

Pricing of potable water is based on full cost recovery. Factors include operational costs as well as projections using the 30 year plan and capital replacement plans. Best practise pricing is also driven by State Government requirements. Availability of potable water presently is excellent for Pallamallawa and Moree. Mungindi and Boggabilla are on water restrictions as surface water is reduced, or non-existent, due to a lack of rain. Council can supply potable water at the Tycannah Street Depot, and it is up to the carrier to meet requirements and regulations and to demonstrate this to Council. It is not Councils position to declare the carrier as a potable water supplier. Council guarantees that the water is potable at the point of discharge. After this point, it is beyond Councils control.

CRM 4209/2019

Question on Notice - Councillor Smith

Why was the lease block at Gwydirville, northern side near Halls Creek, slashed by Council and how much did it cost?

(Community Development and Services Committee 26 September 2019)

Response:

A lease on Lot 1 DP 736826 has recently returned to Council. The Water Group was informed by the Risk Section that it was now the responsibility of Water and Sewer due to the sewer pump station located at the lot.

The Water Superintendent promptly organised a slasher to clean up the block as it was a fire risk, weed infested with mainly mimosa (prickly acacia) and illegal dumping in multiple locations. All work was completed on 22/10/2019.

It is expected spraying will be required in the future when new growth returns.

Further information will be presented as part of the confidential report at the Strategic Asset and Works Committee on 14 November 2019.

CRM 4210/2019

Question on Notice - Councillor Tramby

Please outline when and why Council initiated water restrictions at Mungindi.

(Community Development and Services Committee 26 September 2019)

Response:

On 1 October 2019, Level 3 water restrictions were introduced as per the Moree Plains Shire Council Water Supply Schemes Drought Management Plan. A media release on 7 November 2019 advised that Stage 4 will be introduced on 11 November 2019. These restrictions were introduced as the river supply hasn't had a flow for months and WaterNSW announced no further releases to the river were planned for Mungindi (unless significant rain occurs). Presently we are mixing the artesian bore water with river water and the ratio of bore to river is now 75% bore 25% river water. Another reason to introduce restrictions was due to community demand requesting to be put onto restrictions.

CRM 4035/2019

Question on Notice - Councillor Tramby

QON SA&W - 4. Councillor Tramby - When are we at capacity in the current cemetery layout?

(Strategic Asset & Works Committee 12 September 2019)

Response:

It has been estimated at 11 years.

CRM 4032/2019

Question on Notice - Councillor Price

QON SA&W - 1. Councillor Price - 1. In regard to the answer supplied in Report 2 - Question on Notice (CRM3273/2019), I was of the understanding that Council had not yet adopted the Cemetery Master Plan that was bought before Council last year? What is the \$120,000 in this year's budget to commence the cemetery extension project in relation to?

(Strategic Asset & Works Committee 12 September 2019)

Response:

Council accepted the presentation for the Cemetery Master Plan. The first stage in this financial year is to laser level the site. Projections have been identified in the ten year project sheets breaking down the initial stages suggested by the consultant into smaller components. However, with the advice that there is an estimated 11 years of capacity left in the current cemetery; it is intended to amend the projections to initially concentrate on providing suitable facilities for the cemetery staff and their equipment in the first instance.

CRM 4034/2019

Question on Notice - Councillor Price

3. Councillor Price - I would like an update following the announcement of funding available under "Fixing Country Roads" and "Roads of Strategic Importance"? Should we reconsider our priorities based on what we have the greatest chance of obtaining funding for? Councillor Montgomery asked if the roads around the Inland Road Study have also been included for consideration?

(Strategic Asset and Works Committee 12 September 2019)

Response:

Applications are prioritised on where Council has the greatest chance of funding. A Benefit Cost Ratio (BCR) is completed to determine if the project is expected to deliver a positive net value to Council. The result used to assist Council decide if an application should proceed. The 'Inland Road Study' roads have received funding (for example Bulluss Drive). There is a lack of historical data and studies to support funding applications to "Fixing Country Roads" for other roads, making a successful application extremely difficult.

Regarding "Roads of Strategic Importance"; "The Australian Government will invest \$4.5 billion, including \$1 billion of additional funding committed in the 2019-20 Budget, to the Roads of Strategic Importance (ROSI) initiative to help connect regional businesses to local and international markets, and better connect regional communities."

The ROSI Corridors have already been allocated, as have State initiatives – none of which include our region for the 2019/2020 financial year.

https://investment.infrastructure.gov.au/key_projects/initiatives/roads_strategic_importance.aspx

CRM 4033/2019

Question on Notice - Councillor Price

2. With the sealing of MR507, I have had concerns raised about two other causeways. One that blows out before the Weemelah turn on the Boomi side and the other being Niggets Creek. Are these going to be done? If not, they should be considered.

(Strategic Asset and Works Committee 12 September 2019)

Response:

The causeways that are being upgraded to concrete are Niggets Creek, and the second one that is between the Boomi bridge and Weemelah turnoff.

CRM 3854/2019

Question on Notice - Councillor Tramby

5. Since there was a loss of life at Fairview, there is a safety situation when residents are taken for a walk - they are not able to cross the road or go anywhere. Can this be discussed with Fairview to fund lights across to the park and walkways? Can the road be restricted using humps in a way that doesn't affect ambulances? Councillor Humphries asked if we can look to a lower speed limit along Victoria Terrace? Say 20km/hr? Also a safety fence along the river bank? Can we close to through traffic apart from emergency vehicles?

Ms Fisher advised that there is a boardwalk planned along the river in the "Stronger Country Communities" Round 3 funding. We are also looking at traffic calming/wombat crossing (raised type at each end). Design in hand. We are looking to do it in conjunction with the hospital works. A pedestrian refuge could be provided. The whole road will be reviewed.

(Question on Notice - Corporate Services - August 2019)

Response:

Further, Council Design staff will be looking at a holistic review of this whole area to improve the amenity for everyone.

CRM 3275/2019

Question on Notice - Councillor Richie

1. Behind ABC Childcare Centre - reconstruction within the laneway. Road activity permit for the laneway - will the bond be enough to pay for the bitumen resurfacing of the lane? Response says there was a bond (paid) but does not confirm an amount.

(Question on Notice - Planning and Community Development - July 2019)

Response:

The bond for Road Opening Permits is not a significant amount, however the conditions of the permit include full restoration. If these are not complied with, then Engineering Services would work with the Planning & Community Development Department to enforce complying through the Development Consent conditions.

CRM 2488/2019

Question on Notice - Councillor Cassells

1. Sent a request form and photos in some time ago regarding misaligned footpath at the end of Boughton Oval - Frome Street Side - What is happening?

(Strategic Asset & Works Committee Meeting - 9 May 2019)

Response:

Works on the footpath at the Jones Avenue and Frome Street corner of Boughton Oval commenced on Monday, 4 November 2019.

CRM 4664/2019

Question on Notice – Corporate Services - Councillor Tramby

Recording of meetings, we never had to record the closed Council section of meetings in the past. There is a concern that the closed Council section of the meetings will be recorded and available to the public. Can we please check on what the legislation states in relation to this?

(Finance and Governance Committee Meeting – 17 October 2019)

Response:

Under Clause 423 (1) of the Local Government (General) Regulation 2005, all meetings of the council and any committee of the council of which all the members are councillors must be webcast either concurrently with the meeting or at a later time from 14 December 2019. Clause 423(1) does not apply to parts of a meeting closed in accordance with section 10A of the *Local Government Act 1993* being matters that relate to any of the following:

- a) *personnel matters concerning particular individuals (other than councillors)*
- b) *the personal hardship of any resident or ratepayer*
- c) *information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business*
- d) *commercial information of a confidential nature that would, if disclosed:*
 - i. *prejudice the commercial position of the person who supplied it, or*
 - ii. *confer a commercial advantage on a competitor of the council, or*
 - iii. *reveal a trade secret,*
- e) *information that would, if disclosed, prejudice the maintenance of law,*
- f) *matters affecting the security of the council, councillors, council staff or council property,*
- g) *advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,*
- h) *information concerning the nature and location of a place or an item of Aboriginal significance on community land,*
- i) *alleged contraventions of any code of conduct requirements applicable under section 440.*

Whilst there is not a legislative requirement to record the closed sections of meetings, the full meeting will continue to be recorded and those sections of the meeting closed to the public will be redacted from the copy of the recording made publically available. This decision has been made in consultation with the IT staff from a technical perspective as well as the staff with minute-taking responsibilities as the methodology that is the most practical. Having a full recording of the minutes also continues to assist with the preparation and accuracy of the minutes.

A procedure to protect the confidentiality of the closed sections of any meetings whilst ensuring compliance with legislative requirements has been developed and staff will take great care to ensure only the public version of the recording is made available on Council's website.

Report Title	4. Confidential – Lot 1 Burrington Road, Moree
Report by	Corporate Services
Contact	Commercial Services/Corporate Risk Manager – Adriana Pippos
Attachments	No attachment
File	LD-10-31

COMMITTEE RECOMMENDATION

That the cost of slashing the block known as Lot 1 Burrington Road was \$5,600, that the remainder of the report be noted.

REPORT

ALIGNMENT WITH MOREE PLAINS 2027 – YOUR SHIRE. THE PLAN. OUR FUTURE

- An Inclusive, Caring Community**
Not applicable
- Sustainable Spaces and Places**
S4.2 Improve the appearance of our towns and villages
- A Vibrant Regional Economy**
Not applicable
- A Leading Organisation**
Not applicable

CONFIDENTIALITY STATEMENT

Should Council like to review, in detail, the confidential aspects of this report, then this should be dealt with in 'Closed Council', as it relates to a section 10A (2) of the *Local Government Act 1993*. Council will then need to resolve to move into 'Closed Council' with the explanation as follows:

That Report, Confidential - Lot 1 Burrington Road, Moree, be dealt with in Closed Council as it relates to Section 10A (2)(g) of the Local Government Act 1993 being:

“(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,”

BACKGROUND AND KEY ISSUES

On 26 September a Question on Notice was asked regarding the slashing of Lot 1 DP 736826, Burrington Road. This property has recently returned to Council's care and control after being leased for almost 18 years.

Lot 1 DP 736826 Burrington Road situated north of Gwydirville is retained by Council as part of the Shire's sewerage system. The land is presently the site of effluent ponds to treat the sewage from surrounding pressure sewer systems that pump to the location. The previous leases were 'restricted' grazing purposes with the property measuring 17.11ha (42.28a).

There are nine (9) easements registered on this property which prevent it being used for cropping purposes and make it suitable for 'restricted' grazing purposes only.

The following easements exist on this land:

- Easement for water supply
- Easement to drain sewerage x 3
- Easement for effluent pond
- Easement for water pump station
- Easement for sewerage pump station
- Easement for transmission line x 2

The area around the effluent ponds and pump stations is fenced and generally not accessible to stock. However, as a precaution, Council had restricted the grazing lease to stock which may not be sold for human consumption.

On returning to Council's care and because of concerns from residents in Gwydirville about fire danger, this property was slashed. Council's Bio-security and Chief Weeds Officer has reviewed the property and confirmed there are no concerns with slashing this block for hazard reduction reasons.

FINANCIAL IMPACT TO COUNCIL

The cost of slashing Lot 1 Burrington Road Moree to the Sewer Fund was \$5,600.

STATUTORY AND POLICY IMPLICATIONS

No statutory or policy implications have been identified.

RISK IMPLICATIONS

By undertaking hazard reduction activities on site Council has mitigated the risk of fires starting and spreading to adjoining properties. The slashing also provides for better site surveillance and access for Sewer Section.

ASSET MANAGEMENT IMPLICATIONS

This management of the asset has returned to the Sewer Section, meaning rates, charges and maintenance costs have reverted to being Council's responsibility.

PREVIOUS COUNCIL DECISIONS

From the Community Development and Services Committee meeting on 26 September 2019:

CRM 4209/2019

Question on Notice – Community Development & Services – Councillor Smith

Why was the lease block at Gwydirville, Northern side near Halls Creek, slashed by Council and how much did it cost?

ATTACHMENTS

There are no attachments.

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