

NOTICE OF MEETING



COMMUNITY INFRASTRUCTURE ADVISORY COMMITTEE MEETING

A Community Infrastructure Advisory Committee Meeting of Byron Shire Council will be held as follows:

Venue	Executive Team Meeting Room, Station Street, Mullumbimby
Date	Thursday, 7 May 2015
Time	2.00pm

A handwritten signature in black ink, appearing to read 'Ken Gainger', with a stylized flourish at the end.

Ken Gainger
General Manager

CONFLICT OF INTERESTS

What is a “Conflict of Interests” - A conflict of interests can be of two types:

Pecuniary - an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

Non-pecuniary – a private or personal interest that a Council official has that does not amount to a pecuniary interest as defined in the Local Government Act (eg. A friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature).

Remoteness – a person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in Section 448 of the Local Government Act.

Who has a Pecuniary Interest? - a person has a pecuniary interest in a matter if the pecuniary interest is the interest of the person, or another person with whom the person is associated (see below).

Relatives, Partners - a person is taken to have a pecuniary interest in a matter if:

- The person’s spouse or de facto partner or a relative of the person has a pecuniary interest in the matter, or
- The person, or a nominee, partners or employer of the person, is a member of a company or other body that has a pecuniary interest in the matter.

N.B. “Relative”, in relation to a person means any of the following:

(a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person’s spouse;

(b) the spouse or de facto partners of the person or of a person referred to in paragraph (a)

No Interest in the Matter - however, a person is not taken to have a pecuniary interest in a matter:

- If the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative or company or other body, or
- Just because the person is a member of, or is employed by, the Council.
- Just because the person is a member of, or a delegate of the Council to, a company or other body that has a pecuniary interest in the matter provided that the person has no beneficial interest in any shares of the company or body.

Disclosure and participation in meetings

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
 - (a) at any time during which the matter is being considered or discussed by the Council or Committee, or
 - (b) at any time during which the Council or Committee is voting on any question in relation to the matter.

No Knowledge - a person does not breach this Clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

Participation in Meetings Despite Pecuniary Interest (S 452 Act)

A Councillor is not prevented from taking part in the consideration or discussion of, or from voting on, any of the matters/questions detailed in Section 452 of the Local Government Act.

Non-pecuniary Interests - Must be disclosed in meetings.

There are a broad range of options available for managing conflicts & the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-pecuniary conflicts of interests must be dealt with in at least one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However, Councillors should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (eg. Participate in discussion but not in decision making or vice-versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. Relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as if the provisions in S451 of the Local Government Act apply (particularly if you have a significant non-pecuniary interest)

RECORDING OF VOTING ON PLANNING MATTERS

Clause 375A of the Local Government Act 1993 – Recording of voting on planning matters

- (1) In this section, **planning decision** means a decision made in the exercise of a function of a council under the Environmental Planning and Assessment Act 1979:
 - (a) including a decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but
 - (b) not including the making of an order under Division 2A of Part 6 of that Act.
- (2) The general manager is required to keep a register containing, for each planning decision made at a meeting of the council or a council committee, the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- (3) For the purpose of maintaining the register, a division is required to be called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- (4) Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document, and is to include the information required by the regulations.
- (5) This section extends to a meeting that is closed to the public.

BYRON SHIRE COUNCIL
COMMUNITY INFRASTRUCTURE ADVISORY COMMITTEE MEETING

BUSINESS OF MEETING

1. APOLOGIES

2. DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

3. ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 Community Infrastructure Advisory Committee Meeting held on 5 March 2015

4. BUSINESS ARISING FROM PREVIOUS MINUTES

5. STAFF REPORTS

Infrastructure Services

5.1	Update Report on Landslips	1
5.2	Rural Road Designs at Federal Drive and Bangalow Road	6

6. PRESENTATIONS

6.1	Progress to date on the Roads Revaluation Project
6.2	Progress on assessing Parks Maintenance Levels of Service

STAFF REPORTS - INFRASTRUCTURE SERVICES

Report No. 5.1 Update Report on Landslips

Directorate: Infrastructure Services

5 **Report Author:** Tony Nash, Manager Works

File No: I2015/288

Theme: Community Infrastructure
Local Roads and Drainage

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Summary:

This report provides a summary of the status of the restoration of the landslips across the Council area from the 2012 and 2013 Natural Disasters.

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RECOMMENDATION:

That the Community Infrastructure Advisory Committee note the information provided in the update report on landslips.

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Report

This report provides a brief outline of the status of the restoration of the landslips from the 2012 and 2013 Natural Disasters.

5 A summary of all the landslips from the 2012 and 2013 Natural Disasters is contained in Table 1.

Table 1

10

Location	Status
2012 Natural Disaster	
Wilsons Creek Road at primary school	Completed
2013 Natural Disaster	
Upper Coopers Creek	Completed
Federal Drive	Completed
Possum Shoot Rd (lower)	Completed
Possum Shoot Rd (upper)	Completed
Wilsons Creek Rd at Laverty's Gap	Completed
Wanganui Road south	Construction contract in progress
Wanganui Road main	Construction contract in progress
Huonbrook Road	Construction contract in progress
Upper Wilsons Creek Road	Design and Construction contract in progress

15 Additional resources have been obtained with funding through the disaster assistance program to assist Council in the design and tender stages and contract management stages. Generally Ardill Payne has managed the projects for the completion of the designs, environmental and project approval and through to award of tender by Council, with GHD managing the construction contracts of the permanent restoration works.

20 The only exception was Laverty's Gap landslip, where Ardill Payne managed the construction contract of the permanent restoration work.

25 The detailed information per landslip is provided in Table 2, generally taken from Council's website, which was last updated on 27 March 2015, however, there are some further updates to ensure the correct information is provided to the Committee.

Table 2

Slip Site	Managed by	Timeframe	Status
Wilsons Creek at the School	GHD	Completed	<p>ARK Constructions was awarded Practical Completion on 24 October and have now demobilised from site. The final contract sum will be approximately \$2.415 million exc GST.</p> <p><u>Repair Methods</u> Micropile anchored wall, soil nail anchors to stabilise the road in preparation for the repair of the road pavement and refurbishment of the stormwater drainage system.</p> <p><u>Where Next</u> The project has reached practical completion and has now entered a 12 month defects liability period. All minor defects works have been completed.</p>

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STAFF REPORTS - INFRASTRUCTURE SERVICES

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Slip Site	Managed by	Timeframe	Status
Upper Coopers Creek	GHD	Completed	<p>The construction contract was awarded to Mainland Civil for approximately \$2.6 million exc GST. Construction works commenced on 24 February 2015. The project reached practical completion on 26 March 2015.</p> <p>All soil nail and shotcrete activities, the reinstatement of the road and installation of the guardrail have been completed, together with minor works associated with the re-establishment of vegetation.</p> <p><u>Repair Methods</u> Combination of soil nails and shotcrete stabilisation in preparation for the repair of the road pavement and refurbishment of the stormwater drainage system.</p> <p><u>Where next</u> Minor defects to be addressed, final site tidy up, demobilisation and handover of QA documents.</p>
Federal Drive	GHD	Completed	<p>Pancivil was awarded Practical Completion on 17 April. The final contract sum will be approximately \$322,000 exc GST.</p> <p><u>Repair Methods</u> Soil nailing and shotcrete stabilisation in preparation for the repair of the road pavement and refurbishment of the stormwater drainage system.</p> <p><u>Where next</u> The project has reached practical completion and has now entered a 12 month defects liability period. All minor defects works have been completed.</p>
Possum Shoot (lower)	GHD	Completed	<p>Doval Constructions (QLD Pty Ltd) was awarded Practical Completion on 6 March 2015. The final contract sum will be approximately \$1.22 million (exc GST).</p> <p>All gabion wall repair works, the installation of stormwater provisions and the final pavement reinstatement works have been completed.</p> <p><u>Repair Methods</u> Gravity retaining wall with gabion facing.</p> <p><u>Where next</u> The project has reached practical completion and has now entered a 12 month defects liability period. All minor defects works have been completed.</p>
Possum Shoot Upper	GHD	Completed	<p>The works were completed on 7 November 2014 and Specialised Geo have now demobilised from site. The final contract sum is approximately \$360,000 exc GST.</p>

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STAFF REPORTS - INFRASTRUCTURE SERVICES

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Slip Site	Managed by	Timeframe	Status
			<p><u>Repair Methods</u> Soil nailing and shotcrete.</p> <p><u>Where next</u> The project has reached practical completion and has now entered a 12 month defects liability period. All minor defects works have been completed.</p>
Wanganui Road South and Middle	GHD	Early July 2015	<p>The construction contract has been awarded to Geotech Pty Ltd for approximately \$1.8 million exc GST.</p> <p>It is anticipated that the Contractor will commence the establishment of the works site (Wanganui Road South, Main and Huonbrook Landslip Projects), undertake tree clearance activities and install a number of test soil nails at each site in early April. The works are currently scheduled for completion in early July 2015.</p> <p><u>Repair Methods</u> Soil nailing and shotcrete for both landslips.</p> <p><u>Where next</u> Establishment of sites, clearance of vegetation and installation of test soil nails.</p>
Wanganui Road - North	Ardill Payne	Ongoing	<p>Detailed investigation and ecological assessment has been completed. Options Report completed. Bore holes completed. A consultant has been engaged to continue monitoring as recommended.</p> <p><u>Repair Methods</u> Drainage works and monitor.</p> <p><u>Where next</u> Site currently being monitored in accordance with Geotechnical Consultant's recommendation. Current monitoring will further inform the detailed design. Report from consultant.</p>
Wilsons Creek Road - Laverty's Gap	Ardill Payne	Complete	<p>These works have reached Practical Completion and are currently in a 12 month defects liability period.</p> <p><u>Repair Methods</u> Soil nailing and shotcrete.</p> <p><u>Where next</u> Monitoring of works scope during the defects liability period.</p>
Upper Wilsons Creek Road – end of road	GHD	Detailed design in progress.	<p>The construction contract has been awarded to the Warner Company for approximately \$1.2 million exc GST.</p> <p>Some additional geotechnical testing was undertaken on 20 March to assist with the progressing the detailed design.</p>

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STAFF REPORTS - INFRASTRUCTURE SERVICES

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Slip Site	Managed by	Timeframe	Status
			<p>It is not anticipated that the Contractor will commence works on site until late April / early May once the detailed design has been completed. Some preliminary testing may be undertaken.</p> <p><u>Repair Methods</u> Down slope anchored pile wall.</p> <p><u>Where next</u> Detailed design period and preparation of management plans</p>
Huonbrook Road	GHD	Early July 2015	<p>The construction contract has been awarded to Geotech Pty Ltd in conjunction with the two sites at Wanganui Rd South and main. It is anticipated that the Contractor will commence the establishment of the works site (Wanganui Road South, Main and Huonbrook Landslip Projects), undertake tree clearance activities and install a number of test soil nails at each site in early April. The works are currently scheduled for completion in early July 2015.</p> <p><u>Repair Methods</u> Soil nailing and shotcrete for both landslips.</p> <p><u>Where next</u> Establishment of sites, clearance of vegetation and installation of test soil nails.</p>

Financial Implications

- 5 All projects are fully funded by Natural Disaster funds.

Statutory and Policy Compliance Implications

- 10 Local Government (General) Regulation 2005 – Part 7 Tendering will apply to the process of undertaking the restoration work of the landslips by contract.

Report No. 5.2 **Rural Road Designs at Federal Drive and Bangalow Road**
Directorate: Infrastructure Services
Report Author: Hayden Kress, Engineer Community Infrastructure
File No: I2015/348
5 **Theme:** Community Infrastructure
 Local Roads and Drainage

Summary:

10 This report provides an update on progress with the proposed rural road upgrade projects at Federal Drive, Goonengerry and Bangalow Road, Hayters Hill.

RECOMMENDATION:

That the information provided about rural road designs at Federal Drive and Bangalow Road be noted.

Attachments:

- 20 1 Draft Preliminary Drawings - Bangalow Road, Hayters Hill, E2015/25329 (provided under separate cover)
- 2 Assessment of Review of Scope of Proposed Road Upgrading Works Bangalow Road Hayters Hill, DM1239284 (provided under separate cover)
- 3 Review of Scope of Proposed Road Upgrading Works Federal Drive, Goonengerry, DM1244779 (provided under separate cover)
- 25 4 Draft Preliminary Drawings - Federal Drive, Goonengerry, E2015/25330 (provided under separate cover)

Report

5 The rural road designs of Federal Drive, Goonengerry (Council Engineering Plan No.1023) and Bangalow Road, Hayters Hill (Council Engineering Plan No.1812) were subject to assessment by Byron Shire Council's Roads and Asset Management Project Reference Group (RAM PRG) in 2012.

The RAM PRG sought design reviews for Council's existing design plans 1023 & 1812.

10 Greg Alderson & Associates provided Byron Shire Council with the design review reports in May 2012. The reports reviewed the existing designs undertaken by Council and provided alternative concept layouts that would, amongst other things, seek to avoid land acquisition and reduce roadside vegetation impacts. This has generally been achieved through changing / or reducing the standards applied to the road designs.

These reports are:

- 15
1. Review of Scope of Proposed Road Upgrading Works Federal Drive, Goonengerry by Greg Alderson & Associates, dated May 2012. Document number DM1244779
 2. Review of Scope of Proposed Road Upgrading Works Bangalow Road, Hayters Hill by Greg Alderson & Associates, dated May 2012. Document number DM1239284

20 Importantly these design reviews concluded that land acquisition could be avoided at both locations.

The Greg Alderson & Associates reports were considered by the RAM PRG and then by Council at its Ordinary Meeting in August 2012.

Council Resolution 12-718 (part 3) resolved:

25 *3. That in relation to Agenda Item 6.1 – Update on Design Reviews, Council adopt: PRG Recommendation RAM 6.1.2:*

- a) *That the project parameters and costings be confirmed and included in the works plans for the Hayters Hill and Federal Drive, Goonengerry projects.*
- b) *That Council considers delivery methods including the possibility of tender processes for these projects.*

30 The management comments in the Council Report relating to this resolution were:

“Amended engineering designs will be carried out for the two projects taking into account the issues raised and costings of the projects finalised. These will provide information for future consideration of Council allocating funds for the projects.”

35 Greg Alderson & Associates were engaged in November 2014 to deliver the following items for each project:

- detailed survey
- site investigation reports, including geotechnical investigation
- 40 - Preliminary and Final Design reports (this shall be done using the DQS Design Certification Report and Design Checklist in the Northern Rivers Development Design Manual)
- road and stormwater design
- preliminary drawings, technical specification and preliminary estimate

- final submission including as a minimum - "issued for construction" drawings, technical specification, detailed pre-tender cost estimate and schedule of quantities

5 It is important to note that the engagement is for completing the designs in accordance with the design reviews carried out in May 2012.

Greg Alderson & Associates have so far completed the following:

- 10
- detailed surveys
 - geotechnical investigations
 - draft preliminary drawings

15 Unfortunately it has become apparent through the commencement of the design process, that land acquisitions / or boundary adjustments will be required for both projects. If affected property owners cooperate with Council and acquisition by agreement can be carried out, then the acquisition process is expected to take up to 12 months.

20 **Financial Implications**

These projects each have \$25,000 Roads to Recovery funding in the current financial year to progress the design and approvals.

25 It is proposed to fund the construction of both projects over the 2015/16 and 2016/17 financial years. Due to the required land acquisitions, it is estimated construction is not likely to start until around June 2016.

30 **Statutory and Policy Compliance Implications**

Not Applicable