

NOTICE OF MEETING



COMMUNITY INFRASTRUCTURE ADVISORY COMMITTEE MEETING

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

Venue	Conference Room, Station Street, Mullumbimby
Date	Thursday, 2 June 2016
Time	2.00pm

A handwritten signature in black ink, appearing to read 'Phillip Holloway', is positioned above the printed name.

Phillip Holloway
Director Infrastructure Services

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 3 March 2016
- 4. BUSINESS ARISING FROM PREVIOUS MINUTES**
- 5. STAFF REPORTS**

Infrastructure Services

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STAFF REPORTS - INFRASTRUCTURE SERVICES

Report No. 5.1 Strategic Asset Management Plan - General Fund

Directorate: Infrastructure Services

5 **Report Author:** Blyth Short, Acting Asset Management Coordinator

File No: I2016/140

Theme: Community Infrastructure
Asset Management

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Summary:

15 The Strategic Asset Management Plan (SAMP) forms the basis of council's asset management function. This plan will enable appropriate levels of resource allocation to ensure that Council meets the Fit for the Future Requirements.

(Due to the file size of the "Strategic Asset Management Plan (SAMP) – General Fund (Ver 4)" a copy will be distributed to committee members under separate cover)

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RECOMMENDATION:

That the CIAC adopt the draft Strategic Asset Management Plan in its current form.

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Report

The purpose of this report is to present the Strategic Asset Management Plan to the Community Infrastructure Advisory Committee for adoption.

5 Strategic Asset Management Strategy

A Strategic Asset Management Strategy should:

- a) Link and integrate Council’s Community Strategic Plan and Resourcing Strategy, indicating which services are to be delivered through which assets;
- b) Forecast future service delivery needs and the capacity of assets to meet those, on short, medium and long-term basis;
- c) Provide a full overview of expenditure on new assets and the existing asset base;
- d) Specify asset management strategic approach, procedures, systems, resources and training required;
- e) Establish systems for asset performance measurement and to ensure implementation is realised in practice;
- f) Provide targeted Improvement Goals for continuous review;

The Strategic Asset Management Plan (SAMP) takes the organisational outcomes in our Community Strategic Plan (Diagram 1) develops the asset management objectives, principles, framework and strategies required to achieve those organisational outcomes. The SAMP summarises activities and expenditure projections from individual asset management plans to achieve the overall asset management objectives. Strategic Asset management will help Council optimise infrastructure expenditure to maintain levels of service and achieve the sustainable maintenance and renewal of infrastructure over the longer term.



Diagram 1 Community Strategic Plan

5 The Council Improvement Plan (submitted in June 2015) sets out how Council will deploy various financial strategies, such as paid parking, asset sales, rate increases, and efficiency gains, to raise revenue that can be deployed on increased infrastructure expenditure. It demonstrates our financial sustainability under the NSW Fit For the Future program to address our infrastructure backlog.

10 The NSW Fit For the Future Program sets benchmark values for seven ratios, three of which, Asset Renewal, Infrastructure Backlog, and Asset Maintenance, are detailed in Council's annual Special Schedule No. 7 Infrastructure Report (SAMP Appendix J).

15 In preparing the NSW Fit for Future Program and the 2015 revaluation of the Roads and Drainage portfolio Council staff significantly improved our understanding on how Byron can manage the infrastructure backlog. The backlog is defined as assets that are poor or very poor condition (4 and 5) that are not currently funded in the budget. One of the main purposes of the SAMP is to remain focused on maintenance and capital renewal of *high risk assets*. These assets were identified as Councils infrastructure backlog including the additional operations and maintenance to manage these high risk assets. This is referred to in the SAMP document as Scenario 2, which considers the accumulated consequences of additional revenue required to address Council's unfunded high risk assets.

20 Investment Evaluation

25 This high risk based approach aligns with the Austroads Asset Management Guidelines. In these guidelines the approaches to investment evaluation for successful program development sets a hierarchy approaches to asset management with increasing levels of sophistication. These are set out as follows:

- 30 1. Current status approach – the current condition formulates decisions and is often associated with a worst first approach to investment;
2. Whole of life cycle costs (WoLCC) – future performance is the driver in decision making and requires condition prediction modeling over the whole of life analysis period;
3. Multi-criteria analysis (MCA) – covers other WoLCC, including environmental, social and political implications;
- 35 4. Risk analysis – involves consideration of multi-criteria analysis approach but investment options are evaluated using a risk based approach.

Continuous Improvement

40 Council does not as yet have WoLCC for all asset classes. At this point in time Council's SAMP partially utilises the Risk Analysis method to prioritise asset maintenance and capital investment. As asset management matures Council will begin to focus on the Whole of Life Cycle Costs with additional condition prediction modeling software. It is expected that the SAMP in the current format will continuously improve and be reviewed as Council improves asset capability and capacity.

45 Financial Implications

50 The SAMP has been prepared with in house resources and external consultants within the existing approved budget.

The SAMP will provide a tool to assist in the preparation of the Operational Plan and budget.

Statutory and Policy Compliance Implications

55 The SAMP will inform Council's annual Special Schedule No 7 Infrastructure Report.

Report No. 5.2 **Status Report for the 2015/16 Local Roads Capital Works Program**
Directorate: Infrastructure Services
Report Author: Tony Nash, Manager Works
File No: I2016/516
5 **Theme:** Community Infrastructure
 Local Roads and Drainage

Summary:

10 This report provides a summary of the status of the implementation of the overall 2015/16 Local Roads Capital Works Program and its individual projects.

RECOMMENDATION:

15 **That Council notes that the Community Infrastructure Advisory Committee notes the actions taken to implement the 2015/16 Local Roads Capital Works Program.**

Attachments:

1 2015/16 Local Roads Capital Works Program as at 20 May 2016, E2016/33504 , page 11

Report

A status report was presented to the CIAC on 3 March 2016 and the recommendation of the Committee was:

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That Council notes the actions taken to implement the 2015/16 Local Roads Capital Works Program.

1. 2015/16 Construction Program

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The attached Gantt chart details the 2015/16 Local Roads Capital Works Program sorted by work type and then supervisor as at 20 May 2016.

At this stage, the works proposed to be undertaken by contract and not Council staff include:

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- bitumen reseal works
- concrete roundabout at Lawson/Massinger Street, Byron Bay

Other projects may be added to this list depending upon the scope, extent of and type of work of the individual projects and the progress of Council staff and subcontractors in delivering their nominated projects.

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It should be noted that Council holds formal periodic contracts for:

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1. bitumen resealing
2. asphalt works, including wearing surface and deep lift AC pavement layers
3. supply of quarry products
4. supply of ready mix concrete
5. plant and equipment hire
6. truck hire
7. traffic control services

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These periodic contracts will be used on individual projects in conjunction with Council staff in the overall delivery of the 2015/16 local roads capital works program.

The process is underway for the Draft 2016/17 Budget, with documents such as the Draft 2016/2017 Operational Plan (including the Statement of Revenue Policy, Budget (incl Capital Works Program), and Fees and Charges), on exhibition for public comment from 12 May, 2016. The documents are available on Council's website. Members of the public are encouraged to send in a submission by 4pm Thursday 9 June 2016. Details of how to make the submission are on the Council website.

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There are also a number of projects where funding has been provided in 2015/16 to allow for project investigation, survey, design, ecological assessment, review of environmental factors, etc to be completed in advance of actual works in 2016/17 or a later financial year.

Works completed to date during 2015/16 by Council staff and our subcontractors include:

1. Car park at Station Street, Mullumbimby.
2. Road works at Booyong Road, Booyong
3. Bus bay outside Wilsons Creek Primary School
- 5 4. footpath works outside Mullumbimby High School
5. roadworks at Left Bank Road and Azalea Street, Mullumbimby
6. reseal preparation works for all roads.
7. drainage works on Myocum Road, Myocum, in advance of roadworks
8. Myocum Road.
- 10 9. drainage works on Middleton Street, Byron Bay, in advance of roadworks
10. site clean up – Bayshore Dr, Byron Bay
11. Middleton St, Byron Bay
12. Reseals – visit 1
13. Fingal St, Brunswick Heads
- 15 14. 2 lanes in bound project Shirley St / Lawson St, Byron Bay
15. Footpath for DoE at Wilsons Creek Primary School
16. Drainage at Wordsworth St, Byron Bay
17. Blackspot Project at Wilsons Creek Rd, Laverty's Gap
18. Reseal works – visit 2
- 20 19. Mtce grading and construction / sealing of a section of Seven Mile Beach Road.
20. Car park at Butler St, Byron Bay
21. Tweed Valley Way, north of Jones Road
22. Footpath repair works in Mullumbimby
23. Massinger St, Byron Bay – Kipling St to Carlyle St – pavement renewal.
- 25 24. Reseal works – visit 3
25. Kolora Way, Ocean Shores
26. Program for replacement of damaged kerb & gutter

At the time of writing this report, works currently in progress by Council staff in our subcontractors include:

1. Coolamon Scenic Dr Safer Roads Project.
2. Broken Head Rd, south of Clifford St
3. Ruskin Lane drainage
4. Massinger St drainage
- 35 5. Broken Head Rd – near House 763
6. Tweed Valley Way / Brunswick Valley Way roundabout

Works to be commenced in May and June 2016 include:

1. Massinger St pavement renewal
- 40 2. Lighthouse Rd & Lawson St pavement renewal
3. Lawson St / Massinger St roundabout
4. Federal Dr
5. Palmwoods Rd culvert repairs

45 Consultation:

There has been consultation within the Works Team for the preparation of this report; implementation of the 2015/16 Local Roads Capital Works Program and the individual projects at our weekly construction meetings; periodic preconstruction meetings; and one off site and office meetings on individual projects. This will continue throughout 2015/16.

Status reports of the delivery of the 2015/16 Local Roads Capital Works Program will be provided to each meeting of the Community Infrastructure Advisory Committee during this FY.

Financial Implications

All projects are fully funded by Council for delivery in 2015/16.

5 Statutory and Policy Compliance Implications

There are no negative impacts proposed in this report.

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BYRON SHIRE COUNCIL

