

INVERELL SHIRE COUNCIL
NOTICE OF MEETING
CIVIL & ENVIRONMENTAL SERVICES COMMITTEE

4 August, 2016

A Civil & Environmental Services Committee Meeting will be held in the Committee Room, Administrative Centre, 144 Otho Street, Inverell on Wednesday, 10 August, 2016, commencing at 8.30 am.

Your attendance at this Civil & Environmental Services Committee Meeting would be appreciated.

P J HENRY PSM

GENERAL MANAGER

A G E N D A






SECTION A	APOLOGIES CONFIRMATION OF MINUTES DISCLOSURE OF CONFLICT OF INTERESTS/PECUNIARY AND NON-PECUNIARY INTERESTS PUBLIC FORUM BUSINESS ARISING FROM PREVIOUS MINUTES
SECTION B	ADVOCACY REPORTS
SECTION C	COMMITTEE REPORTS
SECTION D	DESTINATION REPORTS
SECTION E	INFORMATION REPORTS
SECTION F	GENERAL BUSINESS
SECTION G	CONFIDENTIAL MATTERS (COMMITTEE-OF-THE-WHOLE)

NOTE: A JOINT SITTING OF THE TWO STANDING COMMITTEE'S WILL BE HELD AT THE CONCLUSION OF THE ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MEETING TO CONSIDER A GOVERNANCE DISCUSSION PAPER. THE DISCUSSION PAPER WILL BE FORWARDED UNDER SEPARATE COVER.

Quick Reference Guide

Below is a legend that is common between the:

- Inverell Shire Council Strategic Plan
- Inverell Shire Council Delivery Plan
- Inverell Shire Council Management Plan.

Destinations	Icon	Code
<p>1. A recognised leader in a broader context.</p> <p>Giving priority to the recognition of the Shire as a vital component of the New England North West Region through Regional Leadership.</p>		R
<p>2. A community that is healthy, educated and sustained.</p> <p>Giving priority to the Shire as a sustainable and equitable place that promotes health, well being, life long learning and lifestyle diversity.</p>		C
<p>3. An environment that is protected and sustained.</p> <p>Giving priority to sustainable agriculture, the protection and conservation of rivers, waterways bio diversity and the built environment.</p>		E
<p>4. A strong local economy.</p> <p>Giving priority to economic and employment growth and the attraction of visitors.</p>		B
<p>5. The Communities are served by sustainable services and infrastructure.</p> <p>Giving priority to the provision of community focused services and the maintenance, enhancement and upgrade of infrastructure.</p>		S

CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING

Wednesday, 10 August, 2016

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MINUTES OF THE CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING
HELD IN THE COMMITTEE ROOM, 144 OTHO STREET, INVERELL ON
WEDNESDAY, 13 JULY, 2016, COMMENCING AT 8.30 AM.

PRESENT: Cr H N Castledine (Chairperson), Crs A A Michael, B C Johnston and D C Jones.

Also in attendance: Crs D F Baker and P J Girle.

Paul Henry (General Manager), Brett McInnes (Director Civil and Environmental Services), Ken Beddie (Director Corporate and Economic Services), Justin Pay (Manager Civil Engineering) and Anthony Alliston (Manager Development Services).

SECTION A

APOLOGIES:

Apologies were received from Crs P J Harmon and J A Watts.

RESOLVED (Michael/Johnston) that the apologies from Crs P J Harmon and J A Watts be noted.

1. CONFIRMATION OF MINUTES

RESOLVED (Jones/Michael) that the Minutes of the Civil and Environmental Services Committee Meeting held on 8 June, 2016, as circulated to members, be confirmed as a true and correct record of that meeting.

2. DISCLOSURE OF CONFLICT OF INTERESTS/PECUNIARY AND NON-PECUNIARY INTERESTS

There were no interests declared.

3. PUBLIC FORUM S13.5.6/09

There were no members of the public present to speak.

4. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil.

SECTION D
DESTINATION REPORTS

1. AWARD TENDER AGGREGATE SUPPLY – 2016 RESEAL PROGRAM (LISTING) S28.28.2/08

RESOLVED (Jones/Michael) that the matter be referred to a Closed Committee for consideration as:

- i) the report includes 'Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, (Section 10A(2)(d)(i) of the Local Government Act, 1993);*
- ii) on balance the public interest in preserving the confidentiality of the information outweighs the public interest in openness and transparency in Council's decision-making by discussing the matter in open meeting, and*
- iii) all reports and correspondence relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act, 1993.*

2. PROCUREMENT OF SUPPLY AND SPRAY OF BITUMEN - 2016 RESEAL PROGRAM (LISTING) S28.28.2/08

RESOLVED (Jones/Michael) that the matter be referred to Closed Committee for consideration as:

- i) the report includes 'Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, (Section 10A(2)(d)(i) of the Local Government Act, 1993);*
- ii) on balance the public interest in preserving the confidentiality of the information outweighs the public interest in openness and transparency in Council's decision-making by discussing the matter in open meeting; and*
- iii) all reports and correspondence relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act, 1993.*

3. NORTH WEST WEIGHT OF LOADS - MEMORANDUM OF AGREEMENT
S28.11.1

MCE-A *RESOLVED (Jones/Johnston) that the Committee recommend to Council that the 2016-2021 North West Weight of Loads Inter-Council Memorandum of Agreement be executed under the Common Seal of Council.*

4. DA-69/2016 – CONSTRUCTION OF A SHED – 9 DEODARA DRIVE, INVERELL 2360 DA-69/2016

TTP-A *RESOLVED (Johnston/Girle) that Development Application 69/2016 be approved subject to the following conditions of consent:*

Preliminary

1. Inverell Shire Council issues its consent, subject to conditions stated hereunder, in accordance with Section 80A of the *Environmental Planning and Assessment Act 1979*.

Consent is granted for construction of a shed.

To confirm and clarify the terms of consent, the development must be carried out in accordance with the stamped and approved plans and accompanying documentation, unless modified by any following condition. Any deviation will require the consent of Council.

2. The applicant must comply with all relevant prescribed conditions as contained in Division 8A of the Environmental Planning & Assessment Regulation 2000 (as detailed at the end of this consent).

Prior to Construction

3. Prior to the commencement of any building works on the site a Construction Certificate must be issued in accordance with Section 109C (1)(b) and 81A (2) of the *Environmental Planning and Assessment Act 1979*. The application for a Construction Certificate, made to Council or an Accredited Certifier, must include plans and specifications demonstrating full compliance with the *Building Code of Australia* and associated standards.
4. Prior to issue of a Construction Certificate, a report by a qualified engineer or engineering geologist, classifying of the soil in accordance with Part 3.2 Footings and Slabs of the Building Code of Australia, is to be submitted to Council.

5. Prior to issue of a Construction Certificate, a stormwater plan must be submitted to and approved by Council. The stormwater plan must show how roof water and surface water will be drained in accordance with *Australian Standard 3500.3 Plumbing and drainage*.

During Construction

6. To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period:
- Works on site are to be carried out in accordance with the *Protection of the Environment Operations Act 1997* in relation to noise, dust and associated nuisances from the site. The carrying out of works shall not interfere with the quiet enjoyment of the surrounding neighbourhood;
 - Construction may only be carried out between 7.00am and 5.00pm, Monday to Saturday, and no construction is to be carried out at any time on a Sunday or Public Holiday. Council may consent to vary these hours in particular circumstances where it can be demonstrated that it is unavoidable;
 - Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path of easement, natural watercourse, footpath, kerb or road surface and shall implement measures to prevent the movement of such material off site;
 - Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken on the building block. The pollutants from these building operations shall be contained on site;
 - Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a waste disposal depot;
 - Sediment and erosion control measures are to be implemented onsite and maintained until the site is fully stabilised, in accordance with Council's Erosion and Sedimentation Control Policy 2004; and
 - Where the proposed development involves the disturbance of any existing survey monuments, those monuments affected will need to be relocated by a registered surveyor under the *Surveying and Spatial Information Act 2002*. A plan showing the relocated monuments will then be required to be lodged as a matter of public record at the Lands Titles Office.

Prior to Occupation

7. Prior to occupation of the premises, an Occupation Certificate must be issued in accordance with Section 109M of the *Environmental Planning and Assessment Act 1979*.

Note: Prior to issue of the Occupation Certificate, the Principal Certifying Authority is required to be satisfied, amongst other things, that:

- all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
 - any preconditions to the issue of the certificate required by a development consent have been met.
8. Prior to issue of an Occupation Certificate, all stormwater (i.e. roof water and/or surface water) must be drained in accordance with *Australian Standard 3500.3 Plumbing and drainage* and the approved stormwater plan.

9. Any other condition deemed appropriate by the Director Civil and Environmental Services.

S375A Record of Voting	Councillors For:	Councillors Against:
Cr A A Michael	✓	
Cr H N Castledine	✓	
Cr B C Johnston	✓	
Cr D C Jones	✓	

5. DA-15/2016 – NULLAMANNA FEEDLOT EXPANSION (3000 HEAD) – 1633 NULLAMANNA ROAD, NULLAMANNA 2360 DA-15/2016

DP-A *RESOLVED (Johnston/Jones) that Development Application 15/2016 be approved subject to the following conditions of consent:*

Preliminary

1. Inverell Shire Council issues its consent, subject to conditions stated hereunder, in accordance with Section 80A of the *Environmental Planning and Assessment Act 1979*.

Consent is granted for the expansion of Nullamanna Feedlot, including:

- An additional 2,000 head, (total operating capacity 3,000 head);
- Construction of 10 additional feedlot pens;
- Construction of sedimentation basin and holding pond for wastewater treatment;
- Construction of additional cattle, truck and turning lanes;
- Expansion of 65ML gully dam for freshwater storage; and
- Construction of small catchment dams below the silage pit and south-western truck lane.

To confirm and clarify the terms of consent, the development must be carried out in accordance with the:

- Statement of Environmental Effects titled Nullamanna Feedlot Expansion, prepared by EnviroAg Australia, report number 23876.81916, dated 3 February 2016;
- Briefing Note titled Nullamanna Feedlot Information Request Response, prepared by EnviroAg Australia, reference number 23876.83876, dated 3 June 2016; and

Any deviation will require the consent of Council.

2. The development is to be undertaken in accordance with the General Terms of Approval (**Appendix 1** of this consent) and any subsequent Environmental Protection License (as amended), issued by the NSW Environment Protection Authority.
3. The applicant must comply with all relevant prescribed conditions as contained in Division 8A of the Environmental Planning & Assessment Regulation 2000 (as detailed at the end of this consent).

Prior to Construction

4. Prior to the commencement of any works (including earthworks) on the site a Construction Certificate must be issued in accordance with Section 109C (1)(b) and 81A (2) of the *Environmental Planning and Assessment Act 1979*. The application for a Construction Certificate, made to Council or an Accredited Certifier, must include plans and specifications demonstrating full compliance with the *Building Code of Australia* and associated standards.
5. Prior to issue of a Construction Certificate, a traffic management plan outlining operational measures to reduce conflict between School Buses and trucks associated with Nullamanna Station, is to be prepared by the applicant and approved by Council.
6. Prior to construction / earthworks associated with the expansion of the 65ML gully dam, plans indicating detailed design and volume calculations must be submitted to Council. The detailed plans and volume calculations must be accompanied by documentary evidence from NSW Office of Water that the proposed expansion is in accordance with their requirements and within the Maximum Harvestable Right (MHR) for the property.

During Construction

7. The applicant will:
 - repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
 - re-locate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.
8. Should any aboriginal artefacts or places be discovered during construction, all works are to cease immediately. The NSW Office of Environment and Heritage are to be contacted immediately and any direction or requirements complied with.
9. Prior to issue of an Occupation Certificate a buffer of native trees and shrubs must be planted along the west and south-west of the manure stock-piles. A plan including the numbers and types of species must be submitted to and approved by Council prior to undertaking any planting.

Ongoing Use

10. A Section 94 Contribution will be required per head. The current rate is \$1.093 per head per year, plus the CPI increase in December of each year. A contribution will be required to be paid quarterly. This contribution is towards the ongoing maintenance of Nullamanna Road.
11. All trucks associated with the operation of the Nullamanna Feedlot are to comply with the approved traffic management plan.
12. The *National Guidelines for Beef Cattle Feedlots in Australia* is to be complied with at all times during the operation of the feedlot to ensure animal health and welfare.
13. Any other condition deemed appropriate by the Director Civil and Environmental Services.

S375A Record of Voting	Councillors For:	Councillors Against:
Cr A A Michael	✓	
Cr H N Castledine	✓	
Cr B C Johnston	✓	
Cr D C Jones	✓	

SECTION E INFORMATION REPORTS

1. WORKS UPDATE S28.21.1/09

RESOLVED (Michael/Jones) that the items contained in the Information Reports to the Civil & Environmental Services Committee Meeting held on Wednesday, 13 July, 2016, be received and noted.

SECTION F GENERAL BUSINESS

Cr Baker Gwydir Highway/Bundarra Road/ Chester Street Intersection

Cr Baker noted the recent funding announcement of \$1.5M by the Federal Government for this project. Cr Baker asked for clarification of the works to be undertaken.

The General Manager provided details in this matter.

Cr Jones Flood Notifications

Cr Jones noted the current weather forecast for the next 3 months and the need to be able to notify residents of flood events. While this was previously done over the local radio, changes to 2NZ may impact this in the future. The SES are currently reviewing this matter.

Cr Jones will provide Council with further information in this matter.

Cr Jones Mobile Phone Blackspot Funding

Cr Jones asked if there was now an opportunity to lobby for a change in the methodology for accessing this funding to require any Blackspot funded phone tower to be multi-user.

Cr Castledine Mansfield Street/Ross Street Intersection

Cr Castledine noted a recent accident at this location and asked where planning was up to in respect of possible treatments for this intersection.

The Manager Civil Engineering provided an update in this matter.

GM-A Cr Castledine Tingha Public Meeting S13.1.1

Cr Castledine noted the recent meeting held in Tingha where Council representatives were invited to attend to discuss Council boundary issues.

RESOLVED (Michael/Johnston) that the Committee recommend to Council that:

- i) *Council write to the Administrator of Armidale Regional Council to ascertain his intentions when dealing with the request from the Tingha Citizens Association to relocate the Tingha Region into Inverell Shire; and*
- ii) *the Member for Northern Tablelands, Mr Adam Marshall be requested to support the application by the Tingha Citizens Association.*

SECTION G
CONFIDENTIAL REPORTS IN CLOSED COMMITTEE
(SECTION 10A(2) OF THE LOCAL GOVERNMENT ACT 1993)

At 9.32am, the Chairperson offered the opportunity to members of the public to make representations as to whether any part of the Committee Meeting should not be considered in Closed Committee. There was no response from the public.

CLOSED COMMITTEE REPORTS

RESOLVED (Jones/Johnston) that the Committee proceed into Closed Committee to discuss the matters referred to it, for the reasons stated in the motions of referral.

Upon resuming Open Committee, at 9.38am, the Chair verbally reported that the Committee, with the Press and Public excluded, having considered the matters referred to it, recommends as follows:

1. AWARD TENDER AGGREGATE SUPPLY – 2016 RESEAL PROGRAM
S28.28.2/08

MCE-A
EXA-A *That the Committee recommend to Council that:*

- i) *the contract for the Manufacture and Delivery of Precoated Aggregate for the 2016-2017 Resealing Program be awarded to Inverell Aggregate Supplies with the exception of stockpile sites 18 - 26; and*
- ii) *the contract for the Manufacture and Delivery of Precoated Aggregate for the 2016-2017 Resealing Program for stockpile sites 18 - 26 be awarded to Inglewood Quarries.*

2. PROCUREMENT OF SUPPLY AND SPRAY OF BITUMEN - 2016 RESEAL
PROGRAM S28.28.2/08

MCE-N
EXA-A *That the information be received and noted.*

ADOPTION OF RECOMMENDATION

RESOLVED (Jones/Johnston) that the recommendation from Closed Committee be adopted.

There being no further business, the meeting closed at 9.41am.

CR H N CASTLEDINE

CHAIRPERSON

TO CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING 10/08/2016

ITEM NO:	1.	FILE NO: S26.13.1 & S26.13.3
DESTINATION 5:	The communities are served by sustainable services and infrastructure	S
SUBJECT:	SWIMMING POOLS MANAGEMENT CONTRACT LISTING	
PREPARED BY:	Brett McInnes, Director Civil & Environmental Services	

SUMMARY:

This report has been initiated as an opportunity for the Committee to consider how the key components of the existing swimming pools management contract have operated. This will provide guidance on the formulation of a future management regime.

COMMENTARY:

Committee members would be aware that the existing swimming pools management contract arrangements will conclude in March, 2017.

It is appropriate to review the efficacy of key components of the existing management arrangement. Recommendations from this process will then guide the formulation of a future management model and associated parameters. As part of this process, feedback is also being sought from the existing contract managers.

At the time of writing, information gathering was continuing and it is proposed to table a supplementary report.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: S.03 Council provides equitable services, consistent with available resources and priorities to meet the Shire's identified needs and preferences.

Term Achievement: S.03.01 Services and programs that Council provides are determined based on equity, customer requirements and community benefits, best value and excellence.

Operational Objective: S.03.01.01 Appropriate services and programs are selected based on considerations of equity, best value, relevance and benefit to the community.

POLICY IMPLICATIONS:

Nil.

CHIEF FINANCIAL OFFICERS COMMENT:

Nil.

LEGAL IMPLICATIONS:

Nil.

RECOMMENDATION:

That a supplementary report regarding swimming pools management be considered.

TO CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING 10/08/2016

ITEM NO:	2.	FILE NO: S26.13.1 & S26.13.3
DESTINATION 5:	The communities are served by sustainable services and infrastructure	S
SUBJECT:	SWIMMING POOLS MANAGEMENT CONTRACT	
PREPARED BY:	Director Civil & Environmental Services, Brett McInnes	

SUMMARY:

This report has been initiated as an opportunity for the Committee to consider how the key components of the existing swimming pools management contract have operated. This will provide guidance on the formulation of a future management arrangement.

COMMENTARY:

The Inverell and Ashford Pools have operated under a single specialised service level agreement (contract) for the last 10 years. Whilst the outcomes provided under this structure have largely been positive, it is appropriate to review the key aspects of the agreement. The review outcomes will be fundamental to the formulation of a future management structure for the pools.

Management Options

Despite the Inverell and Ashford Pools having operated for many years under a contract management arrangement the opportunity exists to consider if this is the best management option moving forward.

There are essentially two management options available that Council may wish to consider. A brief overview (positive and negative) of these options is provided below:

- i) Direct Council Management (internal)
 - Would be necessary to recruit the staffing expertise required.
 - Lack of flexibility with Local Government Award would result in higher operating costs (split shifts etc.).
 - All operational risk rests with Council.
 - Creates additional management burden that would require additional resources.
 - A whole range of new processes and procedures would need to be developed.
 - Commercial venue management generally falls outside Council's 'core business'.
 - Seasonal nature would create staffing challenges during quieter periods.
 - Can provide Council with a greater degree of flexibility and responsiveness to changing circumstances.
 - More control over scheduling upgrades etc.
 - Provides Council with more direct information regarding demands, opportunities and performance associated with each facility.
 - Greater ability to respond to changing community needs
- ii) Contract/Lease Management (external)
 - Council is 'arms length' removed from operational issues and associated risk.
 - Provides greater long term budget certainty as contractor's costs are defined.

- Contractors have access to more flexible award arrangements.
- Providing entrepreneurial opportunity to the contractor can result in reduced running costs for Council.
- Contractors can provide the industry specific expertise as it forms part of their 'core business'.
- Contractors would likely have reduced overheads when compared to Council operated facility.
- The availability of suitable contractors in the market place can be an issue for Council.
- The more unknowns associated with the future management of a facility the higher the premium Council is likely to pay any contractor.
- Contractors will focus on programs that generate the greatest commercial return and this needs to be balanced against broader community service requirements.
- There is often a hidden cost to Council associated with overseeing contract management.

Whilst obvious arguments can be made for and against each management option, Council is not well positioned nor is there a strong imperative to shift from the current contract management. There is no doubt future upgrades would be more easily facilitated if Council had direct control of the pools, however such works can also be suitably provisioned under a contract management arrangement.

Contract Term

As discussed, the current contract management arrangement has a 10 year duration (concluding March, 2017). Such a period would be considered at the high end of the scale and was predicated on the basis of securing a suitable management solution for the Ashford Pool. When the previous contract manager left the Ashford pool in 2006, this prompted a competitive tendering process and the ultimate combining of the Inverell and Ashford Pool management under a single contract.

Long term (10 to 15 years) pool leases/contracts are generally only entertained where Council might consider a third party funding a significant capital upgrade and needing to provide an adequate period for commercial return. It is suggested such an arrangement in Inverell's situation would significantly constrain contractor interest and may not be consistent with Council's long term strategy for renewal and upgrade.

The pool industry is very dynamic and changing regulatory frameworks can and do have a very real impact on day to day running costs. For example, a change in regulation concerning bather to life guard ratio can impact significantly on staffing costs. It is very difficult to foresee and plan for such change over a long period of time. If significant change occurs and the contract manager does not have suitable capacity to respond this places them under great pressure and is also undesirable from Council's and the community's perspective.

A suitable balance needs to be struck to maximise interest and potential from the external sector whilst not locking the interests of either party in for an excessive period. It is suggested a 3 year contract with a 2 year option would be a more appropriate term. Industry feedback would reflect the suitability of such a term.

Opening Hours

The current contract provides the manager with the full discretion to determine the opening hours at the Inverell Swimming Pool. The contract also includes clauses to ensure special interest groups such as schools, learn to swim and swimming club are reasonably catered for. Whilst the minimum opening hours have evolved over time to meet most needs and to be sustainable for the contractor, there is no doubt a fringe desire for expanded opening hours. Council needs to be very mindful that specifying increased opening hours is likely to come at a considerable additional cost. The advantage of having a flexible arrangement enables the contractor to respond in peak demand periods providing the facility to the public where opportunity for commercial return exists. Hence, in favourable conditions the pool has often been opened outside normal operating hours.

The current flexible approach is considered more favourable than Council attempting to reflect perceived community demand and specify rigid opening hours. To overcome any concerns associated with service level to the community, interested parties could be requested to specify their minimum opening hours during the tender process.

In line with reasonable expectations and to manage budgetary impacts Council has specified the maximum weekly opening hours for the 6 months of the year the Ashford Pool is open. Occasional increases have been provided in response to climatic conditions after negotiation with the contract manager.

More stringent requirements should be incorporated in any new management contract regarding communicating pool opening hours to the general public.

Retention of Income

The current contract is structured on the basis of the contractor retaining all income generated from the sites. This includes entry fees, kiosk, coaching (able to be sub contracted) and other recreational activities. This provides an entrepreneurial incentive to the contractor to maximise the use of the facilities. Obviously, the greater the income potential for the contractor is conversely reflected in a reduced management fee for Council. With the contractor retaining all income it also removes the complexities and probity issues associated with Council retaining income under contract management models. The main motivation for a Council seeking to retain income under such a model is to better understand and scope the market potential of a facility.

Whilst there can be the occasional push to open the pool complexes to other external providers (e.g. Swim Coaches) if this is done in isolation to the contract manager it will reduce their commercial return and result in increased management fees for Council. It is also likely to be the source of significant friction between competing interests. The ability to provide a broad range of services also enables a contractor to maximise the potential of their staffing structure.

It is considered continuing the retention of all income and exclusive commercial rights for the contract manager to be the most beneficial scenario for all parties.

Fees and Charges

Consistent with the income retention approach discussed above, the current contract places the responsibility for setting entry and user fees with the contractor (after liaising with Council). Whilst this approach provides the contractor with an opportunity to respond to circumstances that might arise during the contract period, normal market sensitivities also apply. It is worth noting the entry fees to Council's pools are very competitive on a regional basis.

Whilst there would appear to be little justification to alter this arrangement, certain safe guards are likely to be beneficial. This would include requiring the specification of a schedule of fees in tender documents and a more formalised process for review of fees within the contract.

Maintenance and Repairs

Generally speaking the contract manager is currently responsible for all grounds maintenance and minor building and plant maintenance. Larger scale and specialist maintenance, repairs and renewal activities are the responsibility of Council. Whilst there is scope for greater clarity in relation to maintenance responsibility in any future contract, the current split in responsibilities is considered the most appropriate from an asset management and cost perspective.

Some pool contracts seek to make the contractor responsible for all maintenance and repairs. Given the age of the Inverell and Ashford pools this would likely give rise to a significant element of speculative pricing on behalf of any interested party.

Provision of Consumables

It is not uncommon for pool management contracts to make the contractor responsible for the provision of consumables such as gas, water, electricity, pool chemicals etc. The advantage of such an arrangement is to encourage the efficient management of such items. On the flip side, these items have major cash flow impacts on smaller operators and can restrict the competitive process in any future tender.

Under the current contract Council is responsible for providing major consumables with the exception of telecommunication costs which remain the responsibility of the contractor.

There is likely to be significant upgrades to water reticulation, conditioning and treatment systems during the term of the next contract. This will no doubt have an impact on consumption rates and Council would be looking at gaining a benefit from utilising modern technology. As it is not possible at this point to project future consumption rates the most equitable outcome would be for Council to retain responsibility for provision of major consumables.

Until major upgrade works are completed, it is suggested Council continue to retain responsibility for provision of consumables.

Combine or Separate Pools

The opportunity exists to operate the pools under a separate or combined management contract. Whilst it was 10 years ago, it is worth noting Council was unable to attract a suitable stand alone management option for the Ashford Pool when last tendering.

Offering two pools under the one contract does provide greater economies of scale and more particularly flexibility around staffing arrangements. Industry feedback would also suggest offering both pools under a combined management contract is the preferred option.

Conclusion

Like all pools of their age, Ashford and Inverell pools present some management challenges. Council needs to balance community service and access obligations with budgetary constraints. The changing face of recreational opportunities and demands also present an evolving dynamic for the traditional swimming pool complex.

The current pools management contract has served Council and the community well. Whilst the duration of the contract inevitably presented a range of unforeseen issues, the good will that exists between the current contract manager and Council enabled the relative smooth running of the facilities.

Any future contract will need to be cognisant of the evolving nature of public swimming pool management. Consideration also needs to be given to facilitating necessary renewal and upgrade works. The framework of the existing contract combined with the appropriate safe guards and a suitable contract term is likely to foster the most appropriate outcome.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: S.07 Provide accessible and usable recreation facilities and services meet the needs of the community.

Term Achievement: S.07.01 Recreational and leisure facilities and services that meet community needs and are maintained to promote optimal utilisation.

Operational Objective: S.07.01.01 Facilitate joint use of the Shire's recreation and leisure facilities, sporting and open space facilities including co-location of programs.

POLICY IMPLICATIONS:

Nil.

CHIEF FINANCIAL OFFICERS COMMENT:

The Committee should be aware of the budgetary impacts associated with any nominated increase in the level of service associated with a new pool management contract.

LEGAL IMPLICATIONS:

Nil.

RECOMMENDATION:

That the Committee recommend to Council that:

- i) the Inverell and Ashford Pools continue to be managed on a contract basis; and*
- ii) the following parameters guide the formulation of the future management contract:*
 - a) the contract term be for a period of 3 years with a 2 year option,*
 - b) the contractor retain flexibility to set opening hours with the minimum opening hours and spread of hours to be specified by the contractor as part of tender,*
 - c) the contractor be provided with exclusive commercial rights and retain all income associated with the operation of both pools,*
 - d) commencement entry fees and user charges be specified by the contractor as part of the tender and a mechanism be incorporated into the contract to enable formal review of such fees each financial year,*
 - e) the responsibility split associated with maintenance and repairs and the provision of major consumables generally be consistent with the provisions of the current contract,*
 - f) the management of the Ashford and Inverell Pools be offered under the single management contract.*

TO CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING 10/08/2016

ITEM NO:	1.	FILE NO: S28.21.1/09
DESTINATION 5:	The communities are served by sustainable services and infrastructure.	S
SUBJECT:	WORKS UPDATE	
PREPARED BY:	Justin Pay, Manager Civil Engineering	

SUMMARY:

This report is intended to keep Council updated on the capital works and maintenance programs.

COMMENTARY:**Ashford Road Realignment and Widening – North of Byron Station Lane**

This project was temporarily closed down due to the recent wet weather experienced. The project crew were assigned to other projects during this time. The project was re-commenced on Monday, 1 August, 2016. The project completion date is now October, 2016.

Old Bundarra Road Rehabilitation – Macintyre Street to Lions Park

This project is now completed and the road opened to traffic. The guardrail was replaced on both sides of the culvert late July, 2016 with the line marking to be completed early August, 2016. As part of this year's reseal program, a second bitumen sealing will be applied to this section of the Old Bundarra Road later this year.

Due to significant wet weather experienced during the construction, the road shoulder was inadequate for traffic loadings. Therefore a substantial amount of guideposts were installed to protect the road shoulder until it is able to dry out and compact. Once this is completed, several guide posts will be removed and the remaining posts will be reinstalled at a location further away from the road.

Inverell-Bonshaw (McPhees) Road Rehabilitation – 16km North of Ashford

This project includes road shoulder widening and stabilisation, constructing a stabilised pavement overlay and applying two (2) coats of bitumen seal. This project was postponed for three (3) weeks in July due to the wet weather. The project has now resumed, weather permitting, both road shoulders will be stabilised on 8 August, 2016 and the project shall be completed at the end of August, 2016.

Rob Roy Blackspot – Gwydir Hwy Rob Roy Road Intersection Upgrade

This project has reached practical completion. The intersection widening and guardrail installation was completed at the end of July, 2016 with a final seal completed on 29 July, 2016.

Swanbrook Road Rehabilitation – Moore Street to Runnymede Drive

This project has three (3) phases: Phase One is pipes/headwalls, Phase Two is road rehabilitation and Phase Three is MegaDitch – a trapezoidal polymer stormwater drainage product for erosion control. This project began on Monday, 18 July, 2016 and the first phase has been completed. Phase Two will begin on Monday, 8 August, 2016, weather permitting road rehabilitation will be completed early September. Lastly, Phase Three is scheduled for completion in early October, 2016.

Maintenance Grading

Maintenance grading works were undertaken on the following roads during July, 2016:

SR 167 Sheep Station Creek Road	1.0km
SR 235 Orchard Place	1.8km
SR 214 Old Bundarra Road	2.7km
SR 166 Reserve Creek Road	8.9km
SR 165 Pretoria Park Road	1.7km
SR 215 Schwenkes Lane	1.9km
SR 24 Mt Hallam Road	24.5km
SR 25 Baltimore Loop Road	23.9km
SR 41 Karoola Road	12.5km
SR 68 Amaroo Road	3.7km
SR 37 Burmah Road	4.0km

Total 86.6km

Due to significant wet weather over recent months, Council's unsealed road network has been impacted. Extensive maintenance grading has been undertaken in numerous locations in order to improve pot holes and washout sections.

Reactive/Spot Grading

Reactive/spot grading works were undertaken on the following roads during July, 2016.

SR 224 Airlie Brake Lane
 SR 136 Dintonvale Road
 SR 154 Arrawatta Road

Heavy Patching

Heavy patching works were undertaken on the following roads during July, 2016.

MR 135 Guyra Road	Reseal Segments
MR 134 Bingara Road	Reseal Segments

Gravel Resheeting

No gravel resheeting works were undertaken in July, 2016.

Gravel Patching

No gravel patching works were undertaken during July, 2016.

Other Maintenance Activities

Council's State, Regional and Local Roads, Urban and Village Street maintenance activities, such as bitumen patching, drainage and shoulder repairs as well as vegetation control, are continuing as required. Town maintenance will continue as programmed.

RECOMMENDATION:

That the items contained in the Information Reports to the Civil & Environmental Services Committee Meeting held on Wednesday, 10 August, 2016, be received and noted.